

AMENDMENT NO. 38

TO THE

TOWN OF ST. MARYS OFFICIAL PLAN

Prepared by:
Council of the Corporation of the Town of St. Marys
April 12, 2022

THE CORPORATION OF THE TOWN OF ST. MARYS

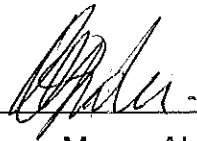
BY-LAW NO. 36-2022

TO ADOPT AMENDMENT NO. 38 TO THE TOWN OF ST. MARYS OFFICIAL PLAN

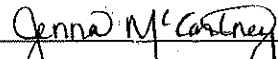
The Council of the Corporation of the Town of St. Marys in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990 hereby enacts as follows:

1. Amendment No. 38 to the Town of St. Marys Official Plan, consisting of the attached explanatory text and schedule, is hereby adopted.
2. That the Clerk is hereby authorized and directed to proceed with the giving of written notice of the Town's decision in accordance with the provisions of the *Planning Act*, R.S.O. 1990.
3. This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time this 12th day of April, 2022.



Mayor Al Strathee



Jenna McCartney, Clerk

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute part of this Amendment.

PART B - THE AMENDMENT, consisting of the following text and maps/schedules, constitutes Amendment No. 38 to the Town of St. Marys Official Plan.

Also attached is PART C - THE APPENDICES which does not constitute part of this Amendment. These appendices contain the background data, planning considerations, and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose:

The purpose of this Amendment is to implement changes resulting from the Town of St. Marys Official Plan (5-year) review and update project.

The purpose of the review was to ensure that the Official Plan conforms with provincial plans (or does not conflict with them), has regard to matters of provincial interest and is consistent with policy statements, such as the Provincial Policy Statement. The review also provided an important opportunity for the Town to identify and address administrative, interpretation, policy and mapping issues with the current Official Plan, and provided the community and agencies with the opportunity to assist with the identification of opportunities and issues that can be addressed through the Official Plan.

Consultation:

The Town held virtual (non statutory) open houses on December 10, 2020 to present a draft of the new Official Plan to the community. A number of comments were received and have been considered in preparing the new Official Plan.

Early in 2021, the draft Official Plan and discussion papers were circulated to the Province for review. The Ministry of Municipal Affairs and Housing and partner ministries provided comments and suggested modifications to the Town's Official Plan.

On August 24, 2021, Council received Formal Report DEV 38-2021 which provided an update with respect to the Official Plan Review Project and recommended modifications to the draft Official Plan. Council also adopted an intensification and redevelopment target of 20 percent for new residential development and recommended settlement area expansions as set out in the report.

The Town held the required statutory public meeting on January 18, 2022.

Summary of Proposed Amendments:

The following is a high-level summary of proposed modifications to the Official Plan:

- Section 2.3 (Heritage Conservation) – removal of Schedule D and associated policies respecting location of heritage conservation sites, and addition of policies respecting heritage impact assessments, designation of Heritage Conservation Districts, cultural heritage landscapes and viewscape protection.

- Section 3.1 (Residential) – addition of policies respecting compatible development, evaluating neighbourhood character, infill and intensification, accessory apartments, encouraging affordable housing, maximum building height increased from three to four storeys, and addition of Medium/High Density Residential Sub-designation.
- Section 3.2 (Central Commercial) – designation name changed to ‘Downtown’ and addition of policies to allow residential on ground floor of low rise apartment buildings in certain areas based on criteria.
- Section 3.3 (Highway Commercial) – addition of policies to permit apartment units in addition to planned or established commercial uses.
- Section 3.4 (General Industrial) – broadening of permitted uses and addition of policies restricting the conversion of employment areas to non-employment at the time of a comprehensive review.
- Section 3.5 (Extractive Industrial) – addition of policies respecting rehabilitation of extraction sites, sensitive land uses, and wayside pits and portable asphalt plants.
- Section 3.7 (Recreational) – update to park classification to implement Town’s Recreation and Leisure Services Master Plan, and addition of policies promoting active transportation.
- Section 3.9 (Natural Heritage) – addition of policies to ensure conformity with Provincial Policy Statement including policies respecting significant wetlands, wood lands, significant valleylands, significant wildlife habitat, etc.
- Section 4 (Division of Land and General Land Use Policies) – addition of policies regarding noise, vibration and air quality, urban design, and sustainable development.
- Section 5.6 (Source Water Protection) – new section added to ensure the protection of municipal drinking water supplies and addition of new Schedule D.
- Section 7.25 (Complete Applications) – new section added to provide policy direction with respect to pre-consultation, required information and studies in support of Planning Act application(s), and part lot control.
- Consolidation of Official Plan Amendment Nos. 26 to 37 into the Official Plan.
- Changes to Schedule A reflect lot and road fabric, clearly identify exceptions and add road names.
- Changes to Schedule B to reflect physical changes to road network and reclassification of section of Water Street North (between Queen & Emily) from Collector to Local Road
- Addition of new Appendix 1 to identify potential significant woodlands.

A comprehensive review under the Provincial Policy Statement (PPS) may allow for the expansion of a settlement area boundary if there are insufficient opportunities for growth through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon, and subject to other requirements or tests under the PPS. All lands located outside of the settlement area in St. Marys are currently designated Agriculture.

An inventory of existing/planned residential supply through draft approved and registered plans of subdivisions, approved site plan applications, other lands designated Residential and potential infill lots was completed. The Town also considered other opportunities for further intensification. However, in order to ensure that there is a sufficient supply of land for anticipated population growth, it was determined necessary to consider the addition of lands currently designated Agriculture and outside of the settlement area.

An analysis was completed to identify and assess potential lands for expansion of the Town's settlement area to add additional lands for future growth. A number of factors and potential constraints to development were also considered including:

- the availability of municipal services (water and sanitary);
- the need for road improvements;
- floodplain or hazard lands;
- topographical conditions that make it difficult and/or costly to develop;
- natural heritage features, including potential significant woodlands;
- degree to which development has already occurred in the area;
- size and configuration of lands; and,
- existing and planned uses in area.

PART B - THE AMENDMENT

All of this document entitled "Part B - The Amendment" consisting of the following text and attached Maps, designated Schedule "A", "A-1", "B", "C", "D" and "Appendix "1" constitutes Amendment No. 38 to the Town of St. Marys Official Plan.

DETAILS OF THE AMENDMENT

The Town of St. Marys Official Plan is hereby amended as follows:

Item 1

Schedules "A", "B", "C" and "D" being the Land Use Schedules for the Town of St. Marys Official Plan, are hereby deleted and replaced with attached Maps, designated Schedule "A", "A-1", "B", "C", "D" and "Appendix "1".

Item 2

1. Section 1.0 – Introduction is amended by:

- a) Deleting the second sentence in the first paragraph, and the second, third and fourth paragraphs.
- b) Adding the following after the first paragraph:

"The Official Plan was adopted by Council on September 22, 1987, partially approved by the Ministry of Municipal Affairs and Housing on February 2, 1993, and finally approved by the Ministry of Municipal Affairs and Housing on April 20, 1999. Following a five-year review of the document, Council approved the current consolidated copy of the Official Plan on October 1, 2007.

The purpose of a Section 26 review is to ensure that the Official Plan conforms with provincial plans (or does not conflict with them), has regard to matters of provincial interest and is consistent with policy statements, such as the Provincial Policy Statement which was updated in 2020. In addition to meeting statutory requirements under the Planning Act, the review that resulted in this updated Official Plan involved a comprehensive public engagement component and was also supported by 11 Discussion Papers.

HISTORICAL AND CULTURAL CONTEXT

St. Marys is located in a beautiful valley, formed by the confluence of the Thames River (a Canadian Heritage River) and Trout Creek, one of its tributaries. For centuries, people have been drawn to this site. It was on the traditional summer hunting routes of the Wendat and Haudenosaunee Nations and subsequently, the Anishinaabe. Game was plentiful and the river waters teemed with fish. Although these First Nations had their permanent settlements closer to the shores of the Great Lakes, there is abundant archeological evidence of temporary summer encampments in clearings on riverbanks near

the current town limits. By the early 19th century with European settlement underway in Upper Canada, it is very probable that some individual explorers followed the waterways to this site and may have even built small shelters in the valley.

The Town's first official land records began with the Canada Company. By the early 1820s, through a series of treaties, the British Crown had acquired vast tracts of land from First Nations in the portion of Upper Canada now known as Southwestern Ontario. By 1826, the Crown reached an agreement with a group of British investors to charter a company that would administer the sale of lands in a large portion of this territory. As part of the agreement, the Canada Company acquired a block of one million acres called the Huron Tract. It stretched in a large wedge shape from the easterly limits of North Easthope and South Easthope in Perth County westward to Huron and Lambton Counties on the shores of Lake Huron.

In 1839, the Canada Company sent a surveyor into a southerly portion of the Huron Tract. He identified a potential site for a settlement at the junction of the Thames River and Trout Creek. Company officials named the proposed Town St. Marys.

In the early 1840s, property within the limits of St. Marys was put on the market and the settlement of the village began. The first settlers were attracted by the area's natural resources. At the new town site, the Thames River cascaded over a series of limestone ledges, providing the power to run the first pioneer mills and giving the community an early nickname: Little Falls. In the riverbed and along the banks, limestone was close to the surface and could be quarried for building materials. Many 19th century limestone structures survive: churches, commercial blocks and private homes. They have given St. Marys its current nickname: Stonetown. (Many of these structures can be seen in the series of sketches by Colin McQuirk throughout this document.)

The coming of the Grand Trunk Railway in the late 1850s spurred growth and soon St. Marys became a centre for milling, grain-trading and the manufacture of agricultural-related products. The railway connected the town to the rest of the world and framed the local landscape with its two large trestle bridges on limestone pillars across the waterways.

St. Marys today retains its 19th century flavour but now offers all the attractions of a modern and friendly small town. In the downtown area, the streets are flanked with century-old buildings. Although the pioneer mills have vanished, a public walkway follows the old millrace along the river. Limestone is no longer quarried for building blocks but it is still essential to production at the St. Marys Cement Company, a major local industry. A limestone quarry, abandoned in the 1920s, is now a municipal swimming facility. There have been changes to railway service. Although the line to London remains active, the Sarnia line has

been abandoned. The old Grand Trunk Railway trestle bridge over the Thames River is now part of the community's looped trail system and provides stunning views of the town and countryside".

2. Section 2.0 – Goals and General Provisions is amended by:

- a) Deleting the first two sentences in the first paragraph, and replacing it with:

"Council supports policies that recognize and encourage economic prosperity for businesses and residents in the Town. Council also recognizes the importance of identifying and protecting local resources, including cultural heritage and natural heritage features, and the contribution these resources can have on the local economic prosperity".

3. Section 2.1 – Goals is amended by:

- a) Deleting "**Approved by the Ontario Municipal Board September 6, 2007 by Order 2443**" before 2.1.11.

- b) Adding the following after 2.1.12:

"2.1.13 To provide policies to achieve a target of 20 percent of all new residential development to be provided through intensification and redevelopment".

4. Section 2.2 – Economic Development is amended by:

- a) Inserting the words "locally focused" after the phrase "To develop a", and inserting the words "local assets, including" after the phrase "and capitalize on" in Section 2.2.1.4.

- b) Inserting the word "regional," after "Council will continue with initiatives to market the Town on a" and before the word "national" in section 2.2.2.5.

- c) Adding the following sections after 2.2.2.9:

"2.2.2.10 In the Official Plan and Zoning By-law, the Town will provide for the broadest range of employment and commercial uses and flexible development standards, where appropriate. In addition, opportunities for smaller-scale or incubator businesses will be accommodated through flexible land use regulations.

2.2.2.11 The Town will explore opportunities to market St. Marys as a business-friendly community in order to retain and attract young people.

2.2.2.12 As part of any review and update of the Town's Zoning By-law, the Town will consider opportunities to pre-zone lands for employment and commercial uses.

2.2.2.13 The Town will encourage the maintenance, expansion and upgrade of existing tourism destinations and uses and encourage the

establishment of additional high-quality facilities, accommodations, services, and events.

2.2.2.14 In recognition of the contributions art and culture make to the identity and economy of the community, the Town will work to remove any barriers to the establishment of related businesses and support opportunities for public art”.

5. Section 2.3 – Heritage Conservation is amended by:

a) Replacing “deal” with “address” in the third paragraph.

6. Section 2.3.1 – Objectives is amended by:

a) In 2.3.1.2, deleting the text after “developing policies that” and replacing it with “ensure development and redevelopment occurs in a manner that is compatible with and prevents adverse impacts on heritage resources and associated attributes”.

b) Replacing “programmes” with “programs” in 2.3.1.4.

c) In 2.3.2.2, deleting the text after the first sentence and replacing it with” An inventory of built heritage resources within the Town shall be maintained in a register. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the review of any proposed development, subject to all relevant legislation. The inventory should contain documentation including legal description, owner information, and description of the heritage attributes and cultural heritage value for each designated and listed heritage resource. The Register shall be updated regularly and readily accessible to the public to ensure effective protection and to maintain its currency”.

d) In 2.3.2.5:

i) Adding the following after “Heritage Impact Assessment”: “undertaken by a qualified professional with expertise in heritage studies”;

ii) Replacing “or by the Federal Department of Canadian Heritage” with “or designated by the Historic Sites and Monuments Boards of Canada under Parks Canada, or recognized on the Canadian Register of Historic Places”;

iii) Adding the following after “context of the proposal”: “describe the cultural heritage resource(s) to be affected by the development”; and,

iv) Adding the following after the first paragraph: “A Heritage Impact Assessment may also be required for any proposed alteration work or development activities on lands contiguous to heritage resources to ensure that there will be no adverse impacts caused to the resources and their heritage attributes. Mitigation measures shall be imposed as a condition of approval of such applications”.

e) In 2.3.2.6:

- i) In e), replacing “programmes” with “programs”; and,
- ii) Deleting f).

f) Adding the following after 2.3.2.6:

“2.3.27 The designation of a Heritage Conservation District enables the protection of the district while permitting compatible new development. Elements and features that give the District its distinctive character shall be preserved. The Town has one Heritage Conservation District.

Prior to designating a Heritage Conservation District pursuant to the Ontario Heritage Act, Council will:

- a) pass a by-law to define an area to be examined for future designation;
- b) prepare and adopt a Heritage Conservation District Plan; and,
- c) establish a Heritage Conservation District Committee to advise Council on matters pertaining to the designated district.

Within designated Heritage Conservation Districts, property owners, in consultation with the appropriate staff and St. Marys Heritage Committee, will be encouraged to maintain and repair heritage buildings and seek government grants and loans, where applicable, for eligible conservation work.

2.3.2.8 The general principles pertaining to Heritage Conservation Districts will be outlined in a Heritage Conservation District Plan. The Heritage Conservation District Plan will:

- a) delineate boundaries of the designated area and reasons for the designation;
- b) inventory cultural heritage resources;
- c) prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the district's unique character;
- d) be adopted by Council after consultation with affected property owners and other interested agencies as considered appropriate; and,
- e) be implemented by municipal review of heritage permit applications for changes and alterations to individual buildings and structures within the designated district.

In reviewing proposals for the construction, demolition or removal of buildings or structures, or the alteration of buildings within a Heritage

Conservation District, Council shall be guided by the applicable Heritage Conservation District Plan.

- 2.3.2.9 Areas of the Town that Council considers to be of cultural heritage value or interest may be recognized as cultural heritage landscapes consistent with the Provincial Policy Statement and in conformity with the policies of this Plan. A Cultural Heritage Landscape refers to a defined geographical area that may be modified or characterized by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. It usually involves a grouping of features that are both man-made and natural. Collectively, they create unique cultural heritage that is valued not only for its historical, architectural or contextual significance but also for its contribution to the understanding of the forces that have shaped and may continue to shape the community including social, economic, political and environmental.

Significant cultural heritage landscapes may be designated under either Part IV or Part V of the Ontario Heritage Act, or listed on the Town's Register, as appropriate.

Development and site alteration on lands contiguous to a cultural heritage landscape, or as otherwise defined by Council, shall not be permitted except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the cultural heritage landscape will be conserved.

- 2.3.2.10 Viewscape Protection

Council may also consider identifying viewscales of historical and scenic interest, and developing specific policies to protect and enhance these viewscales over time."

7. Section 2.4 – Archaeological Remains is amended by:

- a) Deleting "REMAINS" in the heading and replacing it with "RESOURCES".
- b) In the first paragraph, deleting the text following the first sentence and replacing it with:

"2.4.1 Council shall therefore require archaeological impact assessments/reports and the preservation or excavation of significant archaeological resources in accordance with Provincial policies. Archaeological impact assessments/reports by licensed archaeologists are to be in compliance with guidelines set out by

the Ministry of Tourism, Culture and Sport, as well as licensing requirements referenced under the Ontario Heritage Act.

2.4.2 The Town shall, in consultation with the Provincial Government, keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance and the inappropriate removal of resources.

2.4.3 Archaeological resources identified in an archaeological assessment shall be documented, protected, salvaged, and conserved.

2.4.4 The Town of St. Marys will engage Indigenous communities with traditional territory in the area and consider their interests when identifying, protecting, and managing cultural heritage and archaeological resources.”

8. Section 3 – Land Use Policies is amended by:

a) Replacing the first paragraph with:

“The following chapter provides the detailed requirements for each of the following land use categories: Residential, Downtown, Highway Commercial, General Industrial, Extractive Industrial, Environmental Constraint, Recreational, Natural Hazards, Natural Heritage, and Agricultural. The policies are intended to be read in conjunction with Schedules “A”, “B” “C” and “D” attached to the Official Plan. Schedule “A” delineates the land use areas, Schedule “B” identifies road classification, Schedule “C” delineates the Natural Hazards (Flood Plain Areas) and Natural Hazard Constraint Areas, Schedule “D” delineates the Source Water Protection Areas, and Appendix “1” identifies potential significant woodlands. The permitted uses and matters to be considered by Council are contained in the text of this Plan.”

9. Section 3.1 – Residential is amended by replacing the second and third paragraphs with:

“The Town has identified an average annual growth rate of 1.5 percent for the Official Plan 25-year planning period. Some of the considerations leading Council to select this growth rate include: St. Marys’ growth rate of 1.14% between 1986 and 2016, and 1.81% between 2011 and 2016; Ministry of Finance projections for long term growth in the Province which have increased from 1.1 to 1.8 percent in 2018 (reference projection); increases in long-term projections for Perth County from the 1.2 percent projected decline between 2012 and 2036 (2013 Ministry update) to a projected 11.4 percent increase between 2017 and 2041 (2018 Ministry update); increasing residential development activity based on Town building permit data; and, more aggressive growth expectations for the Town as a result of a number of policy initiatives approved or being considered (e.g. encouraging more infill and intensification development, increasing the maximum permitted height of residential buildings from three storeys, permitting secondary units in residential dwellings as-of-right, intensification/mixed use on some Highway Commercial properties, policies that

will encourage updates to the Town's Zoning By-law to permit more intense development)."

10. Section 3.1.1 Objectives is amended by:

- a) Adding the following at the end of 3.1.1.2: "in order to encourage sustainable living both from a community perspective and on an individual level".
- b) In 3.1.1.6, replacing the text after "To promote" with "a full range and mix of housing types, affordability, and densities to meet the needs for Senior Citizens, persons with disabilities and households with lower incomes".

11. Section 3.1.2 POLICIES is amended by:

- a) In 3.1.2.1, replacing "20" with "25" and "10" with "15".
- b) In 3.1.2.2, replacing "walk-up type" with "low rise" and "3.1.2.1.7" with "3.1.2.1.8".
- c) Amending 3.1.2.3 to read:

"New development, intensification and infilling is permitted throughout the Residential designation provided it is in keeping with the character of the neighbourhood. When evaluating the character of the neighbourhood, regard shall be given to attributes such as: land use, lot sizes and fabric (i.e., area, frontage, and depth); building type, location, form and scale (i.e., setbacks from lots lines and roads, spacing from other buildings, massing, scale, and height), building materials and architecture, lot coverage (coverage of buildings and open/green space), and streetscapes and planned function of roads."

- d) Adding the following after 3.1.2.3:

3.1.2.3.1 General Policies for New Development and Intensification/Infill

- a) Development shall respect the existing character of the surrounding neighbourhood through compatible and complementary building siting, massing, height and scale.
- b) Proposed land uses and development should have minimal impacts on adjacent properties in relation to grading, drainage, shadowing, access and circulation, and privacy.
- c) Existing trees and vegetation should be retained and enhanced where possible and additional landscaping should be provided to integrate the proposed development with the existing neighbourhood.

3.1.2.3.2 Policies for the Creation of Lot(s) for Single Detached and Semi-detached Dwellings Between Existing Lots

- a) Proposed building heights should reflect the pattern of heights of adjacent housing and shall not exceed two storeys.
- b) Proposed lot coverage should be similar to the lot coverage permitted on adjacent housing through the applicable zoning.

- c) The predominant or average front yard setback for adjacent housing should be maintained to preserve the streetscape edge, and character.
- d) Similar side yard setbacks should be provided to preserve the spaciousness of lots on the street.
- e) The depth of a new dwelling should provide for a usable sized rear yard amenity area.

3.1.2.3.3 Policies for the Development of Townhouse, Multiple and Apartment Dwellings

- a) The location and massing of new buildings should provide a transition between areas of different development intensity and scale. Appropriate transitions can be achieved through appropriate setbacks or separations of buildings, changes in densities and massing, and the stepping down of building heights.
- b) Development will not involve any building in excess of four full storeys (with the exception of Medium/High Density Residential lands) and designed to be in keeping with the general character of the area. Lesser building heights may be appropriate based on the policies of this Plan.
- c) The net density of development shall not exceed 90 units per hectare, and lower densities may be appropriate based on the policies of this Plan.
- d) The proposed development has frontage onto or is located within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan.
- e) When considering building heights, potential shadowing impacts, views onto adjacent lower density lots and abrupt changes in scale should be considered.
- f) Proposed development shall be located on a site that has adequate land area to incorporate required resident and visitor parking, recreational facilities, landscaping and can provide adequate buffering, screening or separation distance to protect adjacent areas of lower density housing.
- g) The exterior design of buildings should be compatible with the materials and characteristics of existing buildings in the neighbourhood, including materials, colours, architectural detail, landscaping, and streetscape elements.
- h) The preservation and protection of the natural open space system, cultural heritage resources, views and vistas shall be considered in the design of new development.

- i) Proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads.
 - j) Generally, there should be minimal changes to existing site grades.”
- e) In 3.1.2.4, replacing “favour” with “encourage”, deleting “and redevelopment over new green land residential development” and adding “capitalizing on existing investment, and utilizing under developed lands” at the end.
- f) Adding the following new subsections:
 - 3.1.2.4 The approval of draft plans of subdivision and draft plans of condominium will ensure a range of housing types and choices in each phase of development.
 - 3.1.2.5 In designing new Greenfield areas, a vision and general pattern of development for the area should first be established and should include determining:
 - a) the location, size and density of various forms of residential development;
 - b) the pedestrian network;
 - c) the location, size and configuration of parks and schools (if required); and,
 - d) general servicing schemes and phasing of development.

A mix of various types of housing on each street is encouraged while considering the relationship and compatibility of housing (including forms, heights and massing). Greenfield areas may consist of one or more ownerships.
 - 3.1.2.6 “Net density” means total number of dwelling units per hectare divided by the developable portion of a property or site, and does not include natural heritage, floodplain, parkland, roads and infrastructure. “Gross density” means the total number of dwelling units per hectare divided by the developable portion of a property or site. Gross density does not include natural heritage or floodplain, but would include other forms of non-residential development (such as roads, parks, infrastructure, etc.).
 - 3.1.2.7 Medium/High Density Residential Sub-designation

Within the “Residential” designation, the Town has established a “Medium/High Density Residential” sub-designation intended, in part, to ensure the early provision of higher density, affordable housing on Greenfield properties. Building forms on lands designated “Medium/High Density Residential” shall be limited to

low and mid-rise apartments, stacked or back-to-back townhouses, and similar higher density forms of housing.

Medium/High Density Residential block(s) shall be provided on any Greenfield lot or area 5.0 hectares or larger in size, and the location, size and density of these areas shall be determined based on certain criteria established by the Town including:

- a) A minimum of 20 percent of units shall fall within the Medium/High Density Residential category with a minimum overall density of 45 units per net hectare on Medium/High Density blocks;
- b) Consideration of all of the policies of this plan including, but not limited to, the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of townhouse, multiple and apartment dwellings and the urban design policies of Section 4.3.2.1; and,
- c) The maximum building height of apartment buildings shall be six storeys or 20.0 metres whichever is less."

g) Amending former 3.1.2.5 to read as follows:

"3.1.2.9 When reviewing development or redevelopment proposals, Council shall consider the following net density targets:

- | | |
|---|-----------------------------|
| a) Single-detached, semi-detached and duplex dwellings | 15-25 units per net hectare |
| b) Street townhouses and multiple dwellings | 25-40 units per net hectare |
| c) Low and mid-rise apartments, and stacked and back-to-back townhouses | 40-90 units per net hectare |

Council may moderately increase or decrease these densities dependent upon specific site circumstances, provision of on-site amenities, and capabilities of municipal servicing systems to accommodate any increase. Council will favour those developments with a mixture of lower and higher densities of development over those consisting of only low densities of development.

h) Deleting former 3.1.2.6.

i) Amending former 3.1.2.7 to read as follows:

"3.1.2.10 In reviewing proposals for residential development, Council shall consider the impact on municipal capacity, hard services and utilities including sanitary sewer, municipal water supply, storm drainage, service utilities and roadways. Council shall take the following into account prior to enacting an amendment to the Zoning By-law:

- a) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents; and,

- b) That the development is serviced by municipal water supply and sewage disposal facilities and that the reserve capacity of these services can accommodate such development.”
- j) In renumbered 3.1.2.12, adding “townhouse and” after “Proposals for” and replacing the text after “contained in” with “the Planning Act”.
- k) Adding the following new subsection after renumbered 3.1.2.12:

“3.1.2.13 Condominium Conversions

A condominium conversion refers to a change in the tenure of an existing residential housing unit(s) from rental type uses to an ownership type use.

The conversion of rental units to condominium type uses may be permitted by Council when the vacancy rates for rental accommodations as defined as the average private row (townhouse) and apartment vacancy rates for the latest three surveys conducted in the Stratford CA by the Canada Mortgage and Housing Corporation is above 1.5 per cent. Where the average private row (townhouse) and apartment vacancy rates is below 1.5 per cent, Council will discourage the conversion of the existing rental stock to condominium unless the proponent can demonstrate to Council’s satisfaction that the proposed conversion will not adversely affect the rental housing market in the Town.

When considering application to convert the existing rental stock to condominium type ownership, Council will consider:

- a) the number of units included in the conversion application; and,
- b) the impact that the conversion will have on the existing rental and condominium market in the Town.”

- l) Adding the following new subsection after renumbered 3.1.2.14:

“3.1.2.15 Accessory Apartments

An accessory apartment is an accessory unit which is a self-contained dwelling unit supplemental to the primary residential use of the property. On any lot in the Residential designation, one accessory apartment shall be permitted in any single-detached, semi-detached or rowhouse dwelling. An accessory apartment shall also be permitted in any building or structure ancillary to a single-detached, semi-detached or rowhouse dwelling. The following policies shall apply to any accessory apartment in the Town:

- a) An accessory apartment shall only be created and used in accordance with the zoning provisions as set out in the Zoning By-law, as amended.
- b) The Zoning By-law shall contain regulations to permit accessory apartments;

- c) An accessory apartment shall be connected to municipal water and sanitary services. Such services shall be adequate in the immediate area of the accessory apartment location to accommodate the accessory apartment in terms of supply, pressure, and capacity;
 - d) An accessory apartment shall comply with all applicable health and safety standards, including but not necessarily limited to those set out in the Ontario Building Code and Ontario Fire Code;
 - e) An accessory apartment shall comply with Ontario Regulation under the Conservation Authority Act as they relate to development within lands affected by flooding; and,
 - f) An accessory apartment cannot be the host of a home occupation.”
- m) Amending the second paragraph in renumbered 3.1.2.18 to read as follows:
- “Council, seeking to provide a balanced mix of housing types, has established targets of 60% lower density single and semi-detached dwellings, 20% medium density townhouse and multiple dwellings, and 20% higher density development. The achievement of the housing mix target on a yearly basis shall not be required; however, the Town will review the achievement of the target at least every five years and will monitor the achievement of the target on an annual basis. Appropriate planning justification shall be provided with any proposed residential development to demonstrate that approval of the development will contribute to, or will not adversely impact, the achievement of the housing mix target.”
- n) Adding the following to the end of renumbered 3.1.2.19:
- “To further encourage the development of affordable housing, the Town will:
- a) pursue opportunities to partner with senior levels of government to promote the development of affordable housing in the Town;
 - b) pursue funding mechanisms, including provincial and federal financial assistance programs, for affordable housing initiatives in the Town;
 - c) work with community groups, social housing providers and developers to facilitate the development of affordable housing;
 - d) consider options for streamlining and/or expediting the approvals process for affordable housing projects;
 - e) consider exemptions or reduced development charge rates for affordable housing as part of the next Development Charges Background Study;
 - f) consider affordable housing prior to considering other land uses when evaluating the sale or lease of surplus public lands;
 - g) consider pre-zoning of certain lands, with a holding provision, to permit affordable housing;

- h) consider the implementation of innovative and flexible design standards through the Town's Zoning By-law to permit more efficient development of affordable housing; and,
 - i) consider reduced Zoning By-law parking requirements in recognition of lower car ownership rates and/or lower car ownership usage in downtown or more walkable areas."
- o) In renumbered 3.1.2.20, replacing "Demolishing" with "Demolition".
 - p) Deleting former 3.1.3.16 Group Homes.
 - q) In renumbered 3.1.2.23 c), replacing "ten" with "twenty".
 - r) Adding the following at the end of renumbered 3.1.2.24: "Any proposed development that has the effect of changing land use to a more sensitive land use should follow the requirements of O. Reg. 153/04, as amended, including the preparation of a Record of Site Condition that demonstrates that the site is suitable for the intended reuse."
 - s) In renumbered 3.1.2.25, replacing "are located and have access on" with "have frontage on".
 - t) Deleting 3.1.3 b), c), d) and f) and renumbering other subsections accordingly.
 - u) In the fourth paragraph of renumbered 3.1.3 d), adding "Conservation and Parks" after "Ministry of the Environment".
 - v) In 3.1.3, adding the following new subsections
 - "d) In addition to the uses permitted in the Residential land use, uses permitted on lands described as part of Lot 19, Concession 18, east side of James Street shall include those uses legally existing on this land on the date of adoption of the Official Plan and the limited range of uses permitted by the Town's implementing Zoning By-law, including a highway commercial type use described as a landscaping outlet. A Zoning By-law Amendment to define and regulate the landscaping outlet shall be adopted by Council and a Site Plan Agreement pursuant to Section 41 of the Planning Act to regulate the development shall be entered into between the Town and the proponent prior to any development being permitted.
 - e) The property described as 665 James Street North, legally described as Part of Lot 15, Concession 18 Blanshard, in the Town of St. Marys, may be developed for a 4-storey apartment building to a maximum density of 95 units/ha, with a single access point off James Street North. Appropriate screening, buffering and landscaping shall be required at the site plan approval stage in accordance with the policies of this Plan, with particular attention and landscape treatment, as necessary, in the interface area between the proposed building and the east property line.

[OPA 35]

- f) The property described as 323 Queen Street West, Lots 5 and 6, and Part Lot 4, Plan 210, in the Town of St. Marys, may be developed for a townhouse development, consisting of townhouse and/or stacked townhouse dwelling units, at a maximum density of 45 units per hectare. [OPA 36]
- g) The property described as 151 Water Street North, Lots 14-17, inclusive W/S Wellington Street and Lots 13-17, inclusive E/S Water Street, Registered Plan No. 225 Part of Lot 16, Concession 17, in the Town of St. Marys, may be developed for a seniors' apartment complex to a maximum density of 108 units per hectare and a maximum total gross floor area of 17,000 square metres, and subject to the following policies:

General

- i) The exterior design of buildings should be compatible with the materials and characteristics of existing buildings in the neighbourhood, including materials, colours, architectural detail, landscaping and streetscape elements.
- ii) Buildings should be designed to present principal building facades, doors and window openings to public roads.
- iii) Building facades greater than 50 metres in length should be articulated through design measures such as recesses, courtyards, step-backs and/or replacing one building with multiple buildings.
- iv) Buildings should be designed to effectively screen roof-top mechanical and telecommunication equipment from public view. Mechanical penthouses should be designed and clad with materials to complement the building façades.
- v) Ground floor porches should be provided along the Wellington Street North and Water Street North frontages to enhance streetscapes.

Building Heights

- i) Maximum building heights and number of storeys of all buildings in Areas H1, H2, H3 and H4 on Schedule 'A1' are provided in the following table:

Area on Schedule 'A1'	Maximum Height	
	in metres	in storeys
H1	5.5	1
H2	8.5	2

H3	11.5	3
H4	14.5	4

Lot Lines and Building Setbacks

- i) The minimum front yard shall be 4.5 metres and the minimum rear yard shall be 8.6 metres.

Access, Parking and Service Areas

- i) Vehicular access to the property will be via a driveway located at and aligned with the three-way intersection at Wellington Street North and Egan Avenue, to the satisfaction of the Town. The minimum separation between buildings on either side of the driveway to the internal on-site parking area shall be 12 metres.
- ii) Parking, loading, and other similar service areas should be located away from street frontages and shall be designed to ensure compatibility with surrounding land uses.
- iii) Parking areas should have internal landscaped planting strips and medians to break up large paved areas and to increase urban canopy.
- iv) A private road or driveway access shall not be permitted from Water Street North.
- v) The minimum setback from a surface parking space to Wellington Street North or Water Street North shall be 30 metres.

Mobility

- i) All development, streetscapes and boulevards shall be designed to be accessible to people with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code.
- ii) A common walkway shall be provided on the subject property in the area between the proposed building and the Water Street North streetline.

Landscaping and Grading

- i) Existing trees and vegetation should be retained and enhanced where possible and additional landscaping should be provided to integrate the proposed development with the existing neighbourhood. Prior to site plan approval, a tree inventory and arborist report shall be submitted for the review and approval of the Town. The tree inventory and arborist report shall provide an inventory of existing trees on the property to detail the location, size, height, species and condition of each tree. The report shall

also provide recommendations with respect to preservation and protection, removal and compensation.

- ii) The use of retaining walls along street frontages and abutting adjacent properties should be avoided.

Cultural Heritage

- i) The character and architectural style of the built form and massing shall be respectful and supportive of the heritage character of the area.
- ii) To reduce impacts on the designated heritage property to the south (137 Water Street North), a minimum 14.6 metre wide landscaped open space area shall be provided on the subject property along the mutual property lines, to the satisfaction of the Town.
- iii) To reduce impacts on the listed heritage property to the south (146 Wellington Street North), a minimum 12.2 metre wide landscaped open space area shall be provided on the subject property along the mutual property lines, to the satisfaction of the Town.

[OPA 37]"

12. Section 3.2 Central Commercial is amended by:

- a) Replacing "Central Commercial" with "Downtown" throughout this section.
- b) Adding the following before 3.2.1 Objectives: "The Downtown will be the primary destination for residents and visitors by providing a wide range of retail shopping, events and festivals that celebrate the diversity and heritage of the Town."
- c) Adding "heritage buildings and landmarks" at the end of 3.2.1.3.
- d) Adding "and the design elements and features of the Town's Urban Design policies" after "Trout Creek" in 3.2.1.5.
- e) Adding the following after 3.2.1.7

"3.2.1.8 To effectively position the Downtown district as a vibrant social and cultural business centre.

3.2.1.9 To encourage sound urban design elements that are accessible to all persons.

3.2.2 PERMITTED USES

Uses permitted in the Downtown designation as shown on Schedule "A" to this Official Plan include all forms of retail and service commercial facilities, business and professional offices, schools, hotels, bed and breakfast establishments (in existing single detached dwellings), restaurants, places of worship, places for

entertainment, recreational facilities, festival venues, parks, cultural activities, and utilities.

Ancillary residential uses accessory or incidental to the commercial use provided they are located above the ground floor grade level may also be permitted where they will not interfere with or detract from the primary commercial function of the area. However, residential uses may be permitted on the ground floor grade level of a low-rise apartment building, provided such uses do not impact the primary commercial, service and tourism function of the downtown and:

- a) the lot does not have frontage onto an Arterial Road;
 - b) the use will not have a negative impact on the enjoyment and privacy of adjacent residential properties; and,
 - c) adequate parking facilities can be provided for the residents of the building and any on-site parking must be located and designed to be compatible with surrounding land uses.”
- f) Deleting 3.2.2.2.
- g) Adding “the proponent demonstrates to Council’s satisfaction that” after “only where” in renumbered 3.2.3.7 a).
- h) Adding “and may require the proponent to prepare studies such as heritage impact assessment, environmental impact study and any other studies deemed appropriate.” at the end of renumbered 3.2.3.7 b).
- i) Adding the following after 3.2.3.7 b):
- “d) To ensure compatibility with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:
 - (i) the location of all buildings and structures;
 - (ii) adequate off street parking and loading areas;
 - (iii) adequate screening and buffering between the proposed use and sensitive land uses, either public or privately owned, and public streets; and
 - (iv) the implementation of the Town’s Urban Design guidelines.”
- j) Adding the following at the end of 3.2.3.7 f):
- “Where Council is of the opinion that such development or redevelopment will have a negative potential impact on the built form of the area, incompatibility with adjacent development, or potential adverse effects on heritage buildings, Council will not support the proposed development or redevelopment.”
- k) Adding the following after 3.2.3.7:
- “3.2.3.8 Residential to Commercial Conversion

The Downtown designation includes a number of existing residential uses. Where a proposal has been received for the conversion of a dwelling to a commercial use, prior to rezoning, Council shall be assured that:

- a) the building is structurally sound and suitable for the increased use associated with a commercial operation;
- b) there is sufficient parking available for the use proposed either on the site or through municipal parking; and,
- c) the proposed use would be compatible with adjacent development, and potential effects on existing character of the surrounding uses.

3.2.3.9 Commercial to Residential Conversion

Conversion of lands within the Downtown, to non-employment uses shall only be permitted through a municipal comprehensive review that demonstrates:

- a) there is a need for the conversion;
- b) the conversion does not affect the overall viability of the employment area and the achievement of intensification and density targets;
- c) there is existing or planned infrastructure to accommodate the proposed conversion;
- d) the lands are not required over the long-term for employment purposes; and,
- e) the lands do not affect the operations or viability of existing or permitted Downtown uses on nearby lands."

l) Deleting "Section 40 of" and "RSO 1990" in renumbered 3.2.3.10.

m) Adding the following after 3.2.3.10:

"3.2.3.11 Electricity generation

Electricity generation through systems such as, standalone or roof mounted solar panels and passive solar collectors shall be permitted in the "Downtown" designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with neighbouring sensitive land uses.

3.2.3.13 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.13."

n) Deleting 3.2.2.9 Bonus By-laws.

13. Section 3.3 Highway Commercial is amended by:

- a) Replacing "Central Commercial" with "Downtown" throughout this section.

b) Adding “in accordance with the Town’s Urban Design policies” at the end of 3.3.1.5.

c) Adding the following after 3.3.1.5:

“3.3.1.6 To integrate the natural environment and the design elements and features of the Town’s Urban Design policies with Highway Commercial development.

3.3.1.7 To encourage sound urban design elements that is accessible to all persons.

3.3.1.8 To partner with neighbouring municipalities to strengthen the competitiveness of the Town’s economic base.

3.3.2 PERMITTED USES

The Highway Commercial designation is generally found in the peripheral areas of the Town with the uses focused along Queen Street, both east and west of the commercial core of St. Marys and James Street South. It is intended that the Highway Commercial areas will provide a supportive and complementary role to the commercial core area.

Uses permitted in the Highway Commercial Designation as shown on Schedule “A” to this Official Plan include automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards, open space uses, and utility uses.

Other uses that have extensive land requirements and are not appropriate for the Downtown area such as large plate retail uses, strip malls, shopping centres, large scale business and professional offices, and factory outlets may also be permitted in accordance with Section 3.3.3.1.

Residential uses in the form of apartment units may be permitted in addition to a planned or established commercial use above the ground floor grade level or in a standalone apartment dwelling, provided the residential use of the land does not interfere with or detract from the primary commercial function of the area. The location, height, size and density of development shall be determined based on the consideration of all of the policies of this plan including the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of apartment dwellings and the urban design policies of Section 4.3.2.1. The maximum building height of buildings shall be four storeys or 14.0 metres whichever is less.”

d) Deleting 3.3.2.1 and 3.3.2.2.

e) Adding the following after 3.3.3.1:

"3.3.3.2 To evaluate its capability with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:

- a) the location of all buildings and structures;
- b) adequate off street parking and loading areas and vehicle movements;
- c) adequate lighting, and drainage.;
- d) adequate screening for any open storage and as a buffer between the proposed use and any sensitive land uses, either public or privately owned, and public streets; and
- e) the implementation of the Town's Urban Design guidelines."

f) Adding the following after 3.3.3.4:

"3.3.3.5 Council may consult with the abutting Township of Perth South to ensure that cross-jurisdictional issues with the Municipal boundary do not impede Highway Commercial development or redevelopment in the Town or the Township of Perth South.

3.3.3.6 Parks, open space, recreational, and passive agricultural uses are permitted as interim uses on lands located within the Highway Commercial designation provided that such uses and activities involve minimal public or private capital inputs and would not preclude or hinder the expansion or continued use of existing operations or the feasibility of changing the parks, open space, recreational, or passive agricultural use land use to an highway commercial use for reasons of cost of conversion, public health or public safety. Buildings used to house livestock are prohibited.

3.3.3.7 Electricity generation through systems such as standalone or roof mounted solar panels, passive solar collectors, and geothermal system generators shall be permitted in the "Highway Commercial" designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with sensitive neighbouring uses.

3.3.3.8 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.13."

g) Adding the following after 3.3.4 d):

"e) Within the lands described as part of 465 Water Street South and 481 Water Street South, Part of Lots 21 and 35, Thames Concession, in the Town of St. Marys, permitted uses are limited to the following:

- i) Business or professional office
- ii) Contractor's yard or shop
- iii) Convenience store or variety store
- iv) Equipment sales and rental business

- v) Laboratory or research facility
 - vi) Office
 - vii) Office, business
 - viii) Office, support
 - ix) Private club
 - x) Production studio (premises used for producing motion pictures, or audio or video recordings or transmissions)
 - xi) Repair shop
 - xii) Restaurant
 - xiii) Retail store including the sale of cannabis and related products and vitamins
 - xiv) Accessory uses, buildings, and structures
[OPA 33 and 34]
- f) Within the lands described as 825 and 895 Queen Street East, Part of Lot 17, Concession 19, in the Town of St. Marys, existing single detached dwellings and accessory uses are recognized as additional permitted uses. In addition, consents, to create a maximum of two residential lots for the existing residential uses with a maximum area of 4,000 m² per lot, are permitted.”

14. Section 3.4 General Industrial is amended by:

- a) Adding “sustainable” after “development of” in 3.4.1.3.
 - b) Amending 3.4.1.4 to read as follows:
“to avoid, or if avoidance is not possible, minimize the potential adverse effects of General Industrial areas on other land uses, sensitive land uses, and the residents of the community by establishing a classification system of industrial uses;”
 - c) In 3.4.1.5, adding “and urban” after “functional site” and “that create barrier free places” at the end.
 - d) Adding “and where possible incorporate technologies and procedures to reduce carbon emissions” at the end of 3.4.1.8.
 - e) Adding the following after 3.4.1.10:
 - “3.4.1.11 To encourage rehabilitation of the existing vacant and/or underutilized factory buildings and the adaptive reuse of the buildings for other industrial activities.
 - 3.4.1.12 To partner with neighbouring municipalities to strengthen the competitiveness of the Town’s economic base.
- 3.4.2 PERMITTED USES
- Uses permitted in the General Industrial designation as shown on Schedule “A” to this Official Plan include manufacturing, assembling, fabricating, processing, warehousing, distribution, wholesaling, repair activities, service trades and construction,

transportation terminals, business and professional offices, data processing and communication establishments, research and development facilities and incubators, public storage facilities, film or recording studios, recycling centres, service commercial uses, hotels, public halls, conference and convention centres, commercial recreational uses, and utilities. Ancillary uses such as restaurants, and small scale retail and commercial uses may be permitted provided they are directly related to the principal use.

Automobile wrecking yards, salvage yards, large plate commercial uses, residential uses, and places of worship are not permitted in the "General Industrial" designation."

- f) Deleting former 3.4.2.1.
- g) Deleting the last sentence of 3.4.3.5.
- h) Adding the following as the first sentence in 3.4.3.6:

"Council will encourage all effluent producing industries to construct on-site wastewater management treatment facilities, renewable energy sources, on site composting, recycling and other practices to maximize the sustainability of the industry.:"
- i) Deleting "RSO 1990" in 3.4.3.9.
- j) In 3.4.3.10, adding "and sensitive land uses" at the end of the second sentence, adding "and loading" after "parking" in subsection b), adding "adding sensitive uses after "non-industrial uses" in subsection c), and the addition of new subsection d) as follows:
 - "d) the implementation of the Town's Urban Design guideline dealing with matters such as barrier free movements, pedestrian safety, lighting, and landscaping."
- k) Adding "storm water management" after "and wastes" in 3.4.3.11.
- l) Deleting former 3.4.2.12 and adding the following after 3.4.3.13:

"3.4.3.13 Redevelopment of the existing vacant and/or under-utilized factory buildings and the adaptive reuse of the buildings for other industrial activities are encouraged. Council may develop Community Improvement policies to facilitate brownfield re-development of these and other sites.

3.4.3.14 Conversion of lands designated General Industrial, to non-industrial uses shall only be permitted through a municipal comprehensive review that demonstrates:

 - a) there is a need for the conversion;
 - b) the conversion does not affect the overall viability of lands designated General Industrial and the achievement of intensification and density targets;

- c) there is existing or planned infrastructure to accommodate the proposed conversion;
- d) the lands are not required over the long-term for employment purposes; and,
- e) the lands do not affect the operations or viability of existing or permitted industrial uses on nearby lands.

3.4.3.15 Parks, open space, recreational, and passive agricultural uses are permitted as interim uses on lands located within the General Industrial designation provided that such uses and activities involve minimal public or private capital inputs and would not preclude or hinder the expansion or continued use of existing operations or the feasibility of changing the parks, open space, recreational, or passive agricultural use to an industrial use for reasons of cost of conversion, public health or public safety. Buildings used to house livestock are prohibited.

3.4.3.16 Council may consult with the abutting Township of Perth South to ensure that cross-jurisdictional issues with the Municipal boundary do not impede industrial development or redevelopment in the Town or the Township of Perth South.

3.4.3.18 Electricity generation though systems such as small scale wind power generating systems, standalone or roof mounted solar panels, passive solar collectors, geothermal system and biomass generators shall be permitted in the "Employment Areas - General Industrial" designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with neighbouring sensitive land uses.

3.4.3.19 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.13.

3.4.3.20 Zoning By-law

The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of "Industrial" uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height)."

15. Section 3.5 Extractive Industrial is amended by:

a) Adding the following after 3.5.1.8

"3.5.1.9 To protect mineral aggregate operations from development within or adjacent to Extractive Industrial areas that would preclude or hinder the operation.

3.5.2 PERMITTED USES

Uses permitted in the Extractive Industrial designation as shown on Schedule "A" to this Official Plan shall be intended for the extraction and processing of mineral aggregate resources. Activities normally associated with extraction such as crushing, screening, washing, stockpiling, outdoor storage, transport, aggregate recycling and office facilities are permitted. In addition, associated facilities for the production or derived products such as asphalt and concrete or the production of secondary related products is also permitted. Other uses permitted include Parks, Open Space, Recreational, and Passive Agricultural activities."

- b) Adding "extraction" after "shall be" in 3.5.3.1.
- c) Adding "and Forestry" after "Natural Resources" in 3.5.3.2.
- d) Adding the following at the end of 3.5.3.3:

"When reviewing an application for a new or proposed expansion of an extractive industrial operation:

- a) Council shall not require a supply/demand analysis, notwithstanding the availability, designation, or licensing for extraction of mineral aggregate resources locally.
- b) Council shall take into consideration how the new/expanded operation will be compatible with surrounding uses, in terms of noise, odor, dust, wildlife, and ground water; and incorporate appropriate buffering and infrastructure such as water supply and roads.

3.5.3.4 Rehabilitation of Extraction Sites

The rehabilitation of extraction sites to accommodate subsequent land uses is a requirement of this Plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the rehabilitation plan approved by the Ministry of Natural Resources and Forestry.

It is a policy of this Official Plan that all subsequent land uses proposed through rehabilitation be compatible with surrounding land uses. Rehabilitation plans that involve the establishment of uses that are inconsistent and/or incompatible with surrounding land uses and which are not in accordance with the permitted use provisions of Section 3.5.2 shall not be permitted. All rehabilitation plans included with a site plan submitted for licensing purposes shall be reviewed during the application review process to ensure that the subsequent land use resulting from the rehabilitation appropriate and in conformity with this Official Plan.

3.5.3.5 Sensitive Land Uses

Generally, sensitive land uses shall be located no closer than 500 metres from an area designated Extractive Industrial. Where a

proposal for a sensitive use is proposed within 500 metres of the Extractive Industrial designation, the appropriate assessment reports shall be completed to reflect the nature of the development proposed and how impacts such as noise, dust, vibration, visual, traffic and water resources normally associated with uses in the Extractive Industrial designation can be mitigated to the satisfaction of the Town and Provincial regulations. Sensitive uses will only be permitted where conditions of approval and other mechanisms are established which will ensure that identified mitigation measures will be put into place at the developer's expense.

For the purposes of this Official Plan sensitive land uses means: buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

3.5.3.6 Wayside Pits and Quarries, and Portable Plants

No amendment to the Official Plan or Zoning By-Law will be required to establish a wayside pit or quarry, portable asphalt plants and portable concrete plants used on public authority contracts except in areas of existing residential development and environmentally significant areas.

3.5.3.7 Portable Asphalt Plants

Portable asphalt plants, used by a public road authority or its agent, are permitted throughout the Extractive Industrial designation without the need to amend this Plan or the implementing Zoning By-law. Portable asphalt plants are subject to the following criteria:

- a) A certificate of approval for each plant must be obtained from the Ministry of Environment, Conservation and Parks;
- b) Each plant shall comply with minimum separation distances established by the Ministry of Environment and Climate Change; and,
- c) Each plant shall be removed from the site upon completion of the public project.

3.5.3.8 Minerals and Petroleum

The Town has no known deposits of minerals (e.g. asbestos, graphite, salt, or talc) or petroleum resources. Where a proponent is seeking permission from Council for prospecting, mineral exploration, mine development or petroleum resource development, Council shall consult with the Ministry of Energy, Northern

Development and Mines or the Ministry of Natural Resources and Forestry for assistance with the evaluation of any planning application approval and the development of appropriate policies to protect the resource.

3.5.3.9 Electricity generation through systems such as small-scale wind generation systems, standalone or roof mounted solar panels, passive solar collectors, and geothermal system generators shall be permitted in the Extractive Industrial designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with sensitive neighbouring uses.

3.5.3.10 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.13.”

e) Adding the following after 3.5.3.12:

“3.5.4 EXCEPTIONS

a) Notwithstanding the policies of the Extractive Industrial designation and those policies related to floodplain areas and waterbodies/watercourses, the existing cement plant conveyor associated with the licensed aggregate operation on these lands is recognized as an additional permitted use.”

16. Section 3.6 Environmental Constraint is amended by:

a) Adding “Conservation and Parks” after “Minister of the Environment” throughout this section.

b) Adding “however, may be subject to an environmental assessment” after “this Official Plan” in the first paragraph of 3.6.2.7.

17. Section 3.7 Recreational is amended by:

a) Adding the following before the first sentence “Recreational opportunities within the Town range from the small neighbourhood “tot lot” to the nationally renowned Canadian Baseball Hall of Fame. Recreational facilities are located in every area of the Town.”

b) Adding the following at the end of 3.7.1.1: “which are accessible to all of the residents of the Town.”

c) Replacing “programmes” with “programs” in 3.7.1.5.

d) Adding the following after 3.7.1.5:

“3.7.1.6 To promote the Town’s natural heritage features such as the Thames River, Trout Creek, Birches Creek and the swimming Quarry as unique recreational opportunities.

3.7.1.7 To encourage other agencies to provide recreational areas for public use.

3.7.2 PERMITTED USES

Uses permitted in the Recreational Designation as shown on Schedule "A" to this Official Plan include parks, open spaces, trails, golf courses, recreational facilities, the Canadian Baseball Hall of Fame, existing residential uses and utility uses."

- e) Replacing "Community Services Master Plan in 1994" with "Recreation and Leisure Services Master Plan" in 3.7.3.1.
- f) Replacing "Central Commercial" with "Downtown" throughout this section.
- g) Amending 3.7.3.3 to read as follows:

"3.7.3.3 Park Classification

The Town has established a hierarchy of service levels for the park system in the Town. The system is based on the park's purpose, its size, its service area, and its intended use and not on the park's importance to the Town. In some cases, the parks described below may be located in other land use designation (i.e., Residential, Natural Hazards).

a) Town Parks

Town Parks are generally designed to primarily serve the Town population and on a more limited basis the surrounding rural areas; they are located along an arterial or collector road and are accessible by motorized and non-motorized forms of transportation. They generally consist of large lighted sports fields, ball diamonds, arenas, community centres, playgrounds and more. Ancillary uses including concession stands, pavilions, parking, washrooms and bleachers are also common to these types of facilities. Community programs, special events, organized sports teams, and sports tournaments are also supported. These uses are often serviced with water, sanitary sewers, and electricity.

These facilities range in size from very large land areas to much smaller in size if, for example, a cenotaph is the main focus. They may include unique natural and physical features.

b) Neighbourhood Parks

Neighbourhood parks are intended to serve local residential areas within a larger settlement area being designed to provide recreational areas and open space to serve residents within a 10 minute walking distance (approximately 800 metre service radius), without obstruction of physical boundaries, preferably on the corner of two intersecting local roads. Permitted recreation uses include unlit sports fields, hard surface courts, playgrounds, and other neighbourhood-level recreation facilities. Supporting amenities may include seating and open space.

The size of neighbourhood parks generally ranges between 0.5 hectares to 4 hectares in area. Larger park sizes are also acceptable.

c) Parkette/Tot Lots

These facilities are generally the smallest form of open space in the community. They are designed to serve the population in immediate proximity to the facility. Passive recreation uses including playground equipment and supporting amenities including seating and open space are permitted.

These facilities service 50 to 100 people who are generally located within 500 metres of the site. Due to the type of user (younger children), physical barriers such as busy roadways and train tracks often define the service boundary.

The development of parkettes/tot lots smaller than 0.5 hectares should be discouraged, except in instances that may be advantageous to the Town to reconcile gap areas and to address shortages in parkland.

d) Other Open Spaces

Passive open spaces and parks including, walking, and biking trails, natural areas, gardens, storm water management area, cemeteries, elementary and secondary school open space areas also function as community facilities. Although the Town does not have direct influence over these uses, they are important as an open space resource.

These facilities are not directly driven by population demand.

e) Canadian Baseball Hall of Fame and Museum

The Canadian Baseball Hall of Fame and Museum is located toward the south end of Church Street, east of the Quarry. The Hall of Fame and Museum provides a unique recreational experience including active baseball fields, a museum housing some of Canada's great baseball artefacts and memorabilia, and passive open spaces. The Hall of Fame and Museum is permitted in the "Recreational" designation and other ancillary uses such as an education centre, walking trails, picnic grounds, a stadium, and a dormitory may also be permitted on this site in accordance with applicable policies of this Official Plan."

- h) In 3.7.3.4, replacing the title "Trails" for 3.7.3.4 with "Active Transportation"; adding the following as the first sentence: "Trails are an excellent example of an active transportation opportunity where the benefit of activities such as walking, running, biking, in-line skating and cross-country skiing lead to stronger community interaction and healthier residents. Trails located within the Recreation designation consist of hiking, walking, and bicycle trails." and adding the following at the end of this section:

"As a condition of new development, proponents shall provide for the dedication of land to the Town for pedestrian and bicycle pathways in accordance with the Planning Act.

Infrastructure improvements such as accessible trail head development and accessible access points, water crossings and extensions are important

components to the Trail System. Adequate signage and parking facilities shall be provided.

The Town should consider the preparation of an Active Transportation Master Plan to assist with long-term implementation of the conceptual active transportation network contained in the Town's Recreation and Leisure Master Plan. The Active Transportation Master Plan can identify key trail development priorities and policies to effectively guide pedestrian trail network decision-making."

- i) Adding the following after 3.7.3.4

"3.7.3.5 Water Resources

The Thames River, Trout Creek, Birches Creek and their tributaries and the swimming Quarry are a treasured recreational asset. While any recreational opportunities shall play a subordinate role to the functions of the watercourses as part of the Town's natural heritage system, activities such as canoeing, kayaking, stand up paddleboarding, and fishing are encouraged and structures such as boat launches and seasonal docks are permitted to the extent allowed by the Upper Thames River Conservation Authority."

- j) Replacing former 3.7.2.5 with the following:

"3.7.3.6 Parkland Acquisition

The Plan of Subdivision/Condominium and the Consent process is the principal method for Council to obtain parkland. Council may require that parkland/open space be provided as a part of the subdivision process and/or that cash-in-lieu of parkland dedication be acquired.

Where development is proposed, Council may impose as a condition to the approval of the subdivision process, that land be dedicated to the Town for park or other public recreational purposes. The rate of such dedications shall not exceed, in the case of a subdivision proposal for commercial or industrial purposes, 2 per cent of the land included in the proposal and in all other cases, 5 per cent of the land included in the proposal.

Where parkland dedication is being considered, the land which is to be conveyed to the Town must be suitable for parkland purposes and acceptable to the Town. Accepting parkland smaller than 0.5 hectares is discouraged, except instances that may be advantageous to the Town to reconcile gap areas and to address shortages of parkland.

Woodlots, storm water management ponds, naturalized areas, and environmentally sensitive areas should not be accepted as a part of parkland dedication, although the Town may assume these lands (over and above) for the purposes of protecting, natural areas for passive recreation (e.g., trail development) and educational uses.

Where Council requires a dedication for park or other public recreational purposes, in lieu of accepting the conveyance, Council may require the cash

for all or part of the required parkland dedication in circumstances where the neighbourhood has sufficient park and recreational areas to meet the needs of the residents, where the area of land to be dedicated would be impractical to use for park or recreational uses due to its size or shape.

Council may specify a fixed amount of cash per dwelling unit created by By-law where such amount of cash is based on the market value of land in the Town.”

k) Adding the following after 3.7.3.8:

“3.7.3.9 It is recognized that the School Boards, the Upper Thames River Conservation Authority, and other outside agencies and bodies provide recreational opportunities for the residents of St. Marys. Council encourages this relationship and where appropriate may enter into joint management or use agreements with these outside agencies and bodies and other private organizations to augment and foster these relationships for the betterment of the residents of St. Marys.

3.7.3.10 Electricity generation through systems such as standalone or roof mounted solar panels, passive solar collectors, and geothermal system generators shall be permitted in the Recreational designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with sensitive neighbouring uses.

3.7.3.11 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.13.”

l) Add “3.7” after “Section” in 3.7.3.12.

m) Add the following after 3.7.3.13:

3.7.4 EXCEPTIONS

a) While the Town’s Recreation and Leisure Services Master Plan determined that there is a need for additional parkland north of the Grand Trunk Trail and west of James Street North, it was determined that there is no need for new recreation facilities that require substantial parkland and therefore, the Town should work with developers in the pursuit of neighbourhood size parks in this area. Following a more detailed assessment by the Town of required parkland in this area, the Town in consultation with the land owner may consider the establishment of a medium/high density block without an amendment to this Plan to provide the early provision of higher density, affordable housing, in accordance with the policies of Section 3.1.2.8 and provided the Town is satisfied that the location and proposed development conforms with the policies of this Plan. In

accordance with Section 3.1.2.6 of this Plan, any review of development in this area should include considerations such as future road and pedestrian connections, and servicing connections to anticipated future development lands in the Town located to the west and northeast.”

18. Section 3.8 Natural Hazards is amended by:

a) Amending the first three paragraphs to read as follows:

“Being situated at the scenic confluence of the North Thames River and Trout Creek, the citizens of St. Marys enjoy the benefits of beautiful vistas and scenic landscapes but they are also aware of the natural hazards associated with this setting.

In the Town there are steeply sloped lands that are susceptible to erosion and valley lands that are susceptible to flooding. These lands are primarily located along the Thames River, Trout Creek, and Birches Creek and include a significant portion of the downtown business area. These watercourses, and their associated valley lands, fall within the jurisdiction of the Upper Thames River Conservation Authority (UTRCA) who have assisted the Town with the development and implementation of a comprehensive set of policies to protect life and property in the case of a regulatory (1:250 year) flood event. The UTRCA uses the 1937 - Observed Flood Event as its Regulatory Flood level.

The Ministers of Municipal Affairs and Housing and Natural Resources and Forestry have approved a Special Policy Area for the downtown business area where it is recognized and warranted that development and redevelopment can occur to a standard of flood protection which is less than that required to withstand the Regulatory Flood. Specific policy for this Special Policy Area has been developed for the downtown business area.”

b) Adding “flood” after “disruption from” in 3.8.1.3.

c) Adding “and Forestry” after “Natural Resources” throughout this section.

d) In 3.8.1.4, adding the following after the first sentence “The intent of these policies is to protect life and property from risks associated with natural hazards, ensure people and vehicles are able to safely travel during emergencies, and ensure that no new hazards are created.”

e) Adding the following after 3.8.1.6:

“3.8.1.7 To recognize that the Natural Hazard areas are part of the Town’s natural heritage system.

3.8.2 PERMITTED USES

The permitted uses of land in the floodway portion of the Natural Hazard designation shall be forestry, conservation uses, flood or erosion control works/infrastructure, agriculture, utilities, and passive outdoor recreation uses, including seasonal small craft access areas. The flood fringe area will function

as an "overlay" area and the permitted uses of land in the flood fringe shall be those uses permitted in accordance with the applicable policies of the underlying land use designations established by this Plan provided they receive the appropriate approval/permit from both the Town and the Conservation Authority."

- f) In 3.8.3.2, adding "and erosion hazard" after "floodplain", adding "North" before "Thames River" and replacing "shall be" with "are".
- g) Deleting the text in the last paragraph in 3.8.3.3 starting with "it shall be" and ending with "the Conservation Authority" and replacing it with "as per the approved Special Policy Area policies".
- h) Amending 3.8.3.4 to read:
 - "3.8.3.4 Notwithstanding any other policy in this plan, development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
 - a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances."
- i) In 3.8.3.5, replacing "central commercial" with "Downtown and adding "The intensification of existing uses, however, is generally not permitted" at the end of subsection a).
- j) In 3.8.3.14, adding "and recreational" after "open space" and the following after the first sentence "Where no negative impacts on the form and function of natural heritage feature/systems have been identified by the appropriate environmental impact assessment".
- k) Adding the following as the last sentence of 3.8.3.16 "Proponents seeking the establishment of new open space uses shall demonstrate through an environmental impact assessment that such development shall have no negative impacts on the form and functions of the natural heritage feature/systems."
- l) In 3.8.3.16.2, replacing "flood line" with "natural hazard" and adding the following as the last sentence "It should be noted that CA regulated areas are text based. In the event of a discrepancy between the mapping and the text of the policy, the text shall prevail."
- m) Adding the following after 3.8.3.16.6:

“3.8.3.17 Small-scale hydro electrical generation facilities along the North Thames River and Trout Creek may be permitted subject to the applicable policies of the UTRCA, Ministry of Natural Resources and Forestry, the Ministry of the Environment and Climate Change and all other applicable regulations.

3.8.3.18 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.1.”

n) In 3.8.3.19, adding “Natural Heritage designation and the” after “policies of the” in two instances.

19. Section 3.9 Natural Heritage is amended by:

a) Amending the introduction section to read as follows:

“The natural resources of the Town have been altered and fragmented since the settlement of this community.

Council proposes to develop a strategy to identify the environmentally significant features, functions, and linkages within the Town in order to protect and enhance the remaining natural heritage features in the Town. In accordance with the Provincial Policy Statement, is also recognized that natural heritage systems vary in size and form in settlement areas due to limited opportunities for linkages and connections.

The “Natural Heritage” designation is intended to apply to significant wetlands, significant woodlands, significant portions of the habitats of endangered and threatened species, fish habitats, natural watercourses, significant valley lands, significant wildlife habitats, Areas of Natural and Scientific Interest (ANSIs), and ground water recharge areas.

While the location and significance of these features has yet to be determined in some cases, all of these features need to be considered when applications for development and site alteration are being evaluated. Appendix 1 is intended to reflect the following natural heritage features and areas:

- a) Significant wetlands;*
- b) Significant woodlands;*
- c) Significant valleylands; and,*
- d) Areas of Natural and Scientific Interest.*

Locally and provincially significant wetlands, and Areas of Natural and Scientific Interest (ANSIs) have not been identified in the Town; however, it is recognized that a Natural Heritage Study may determine the extent of other Natural Heritage features remaining in the Town that can be protected and enhanced. Where such Natural Heritage Features are identified, such areas shall be appropriately recognized and policies will be developed by Official Plan Amendment and included on Appendix 1.”

- b) In 3.9.1.1, replacing “environmentally significant” with “natural heritage systems through a science based study which measures their”.
- c) Adding the following after 3.9.1.1:
 - “3.9.1.2 To assist with the protection of natural heritage systems and their functions and linkages within the Town from incompatible activities.”
- d) Deleting former 3.9.2.1 and adding the following after 3.9.1.3:
 - “3.9.1.4 To establish a set of policies to evaluate land use applications in, near, or regarding/relating to natural heritage features.

3.9.2 PERMITTED USES

Lands located within the Natural Heritage designation should generally be undisturbed from development but subject to the policies of Section 3.8, uses that may be permitted within the Natural Heritage designation corresponding to significant natural heritage features and areas will be regulated to the following:

- a) activities that create or maintain infrastructure authorized under an approved environmental assessment process;
- b) buildings or structures intended for flood or erosion control or management of the natural feature approved by the Town and the UTRCA;
- c) use of the area for an approved wildlife, wetland or fishery management project as approved by the Town and the Upper Thames River Conservation Authority and/or the Ministry of Natural Resources and Forestry;
- d) use of the area for passive recreation, such as recreational walking trails and passive environmental education and research; and,
- e) minor additions to existing buildings developed and located on existing cleared land in accordance with the Town’s implementing Zoning By-Law.

3.9.3 POLICIES

Development and site alteration shall not be permitted in significant wetlands. Development and site alteration shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

3.9.3.1 Significant

The Province has provided guidance through the PPS as to the definition of “significant” based on the identified feature. Council

recognizes that the original natural condition of the Town has been degraded and those natural features which do remain have generally been reduced below the thresholds of significant as defined by the Province. Council may move beyond the criteria as recommended by the Province and identify some Natural Heritage features as locally significant and needing protection, preservation, conservation, and enhancement.

3.9.3.2 Significant Wetlands

There are no known Significant Wetlands within the Town limits. Where wetlands are identified, Council will seek advice from the Upper Thames River Conservation Authority for their protection.”

e) Amending 3.9.3.3 to read as follows:

“3.9.3.3 Woodlands/Significant Woodlands

In accordance with Provincial Policy, significant wood lands are characterized by the Province on the basis of the size and ecological functions (such as amount of interior, buffering, or water quality), characteristics (such as unique species, vegetation communities, habitat, or age of the wood land), and economic and social functional values.

Significant woodlands, as shown on Appendix 1 to this Official Plan, represent those areas of the Town where larger woodland areas remain relatively undisturbed. Development and site alterations involving woodlands identified on Appendix 1 shall not be permitted unless the development is supported by an environmental impact study or other appropriate study to assess the impact of development and that there will be no negative impacts on the ecological function of the wood land and as much of the wood land, as possible, is to be preserved and enhanced. Council may, as a condition of development approval, require the replacement of wood land equal to three times the area that is destroyed by the development or site alteration.

Adjacent lands shall be defined as those lands within 30 metres of an identified woodlands.

The construction of a single detached dwelling on an existing lot of record is permitted, provided it was zoned for such as of the date the Town's Official Plan came into effect and subject to any permit requirement of the Upper Thames River Conservation Authority and any applicable polices of this Plan.

3.9.3.4 Significant Valley Lands

There are no known Significant Valley Lands within the Town limits. Council recognizes the value of the Valley Lands associated with the

Thames River and Trout Creek and that further study of the Valley Land areas is required in order to determine whether any of the Valley Land areas are considered to be significant. Where significant Valley Land areas are identified, such areas shall be appropriately recognized and specific policies for such areas will be developed through the Official Plan Amendment process.

3.9.3.5 Significant Wildlife Habitat

There are no known Significant Wildlife Habitats within the Town limits. Where such habitats are identified through an Environmental Impact Study, Council will seek advice from the Ministry of Natural Resources and Forestry or other expert for their protection.

3.9.3.6 Significant Areas of Natural or Scientific Interest (ANSI)

There are no known Earth Science or Life Science ANSIs within the Town limits. Where such areas are identified, they shall be appropriately recognized and specific policies for such areas will be developed through the Official Plan Amendment process.

3.9.3.7 Fish Habitats

Fish Habitats are locations of spawning grounds, nurseries, feeding areas, and migration areas on which fish depend upon for survival. Such habitats are governed under the Federal Fisheries Act and administered by Fisheries and Oceans Canada or their delegate. The Upper Thames River Conservation Authority is currently delegated as the Level II approval authority in these matters.

Specific policies for fish habitat areas are as follows:

- (a) Development proponent must ensure that their activities will not harm, alter, disrupt or destroy fish habitat as defined in the Federal Fisheries Act. The advice of the Fisheries and Oceans Canada or their delegate should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat the proponent may be required to submit an environmental impact study or other appropriate study for review by the Fisheries and Oceans Canada or their delegate;
- (b) Development and site alterations shall not adversely affect any fish habitat. Generally, development or site alterations are most likely to create adverse impacts within 30 metres of the water body. Development will not be permitted within 15 metres of a warm water watercourse or within 30 metres of a cold water watercourse. Where development is proposed within 30 metres of a water course, it must be demonstrated that there is no negative impact;

- (c) Extensions or enlargements of existing buildings and structures in the adjacent land area may be permitted provided that it is demonstrated to the satisfaction of the Ministry of Natural Resources or other appropriate regulatory agency that such extension or enlargement will have no negative impact on the fish habitat;
- (d) When evaluating storm water management and drainage activities, consideration shall be given to impacts upon fish habitat;
- (e) The Town's implementing Zoning By-laws shall zone fish habitats and their adjacent land areas to preclude development and site alteration excepting that permitted above.

f) Adding the following after 3.9.3.8:

"3.9.3.9 Zoning By-law

The implementing Zoning By-law shall be the principal tool to execute the policies of this designation through the establishment of zones classification to regulate development."

20. Section 3.10 Agricultural is amended by:

a) Deleting part of the last sentence in the introduction starting at "to the same" and adding the following new sentence "Expansion of existing livestock and poultry operations may be permitted where deemed appropriate by policy of this Plan."

b) Replacing 3.10.1.2 with:

"3.10.1.2 To support agricultural activity and land uses that are complementary to and supportive of agriculture as an interim use until the lands are required for urban development purposes."

c) Adding the following after 3.10.1.3:

"3.10.2 PERMITTED USES

Uses permitted in the Agricultural designation as shown on Schedule "A" to this Official Plan include agricultural uses, including existing livestock and poultry operations, residential uses, limited commercial uses, open space uses, and utility uses."

d) Deleting the last sentence of 3.10.3.1.

e) Adding the following after 3.10.3.1:

"3.10.3.2 Existing residential uses are permitted and the expansion of the dwelling and ancillary uses are also permitted. Other residentially related uses such as home occupations, bed and breakfast establishments, and secondary dwelling units in the existing dwelling and/or one garden suite are also permitted in the

Agricultural designation. New residential uses on larger sized parcels of land (i.e. lots with an area exceeding 1.0 hectares) shall not be permitted.

The policies of Section 3.1.2.23 of this Official Plan shall apply to second dwelling units in the Agricultural designation. Second dwelling units and garden suites shall meet the MDS I requirements or be no closer to neighbouring livestock and/or poultry operations than the existing dwelling.

The policies of Section 3.1.2.18 of this Official Plan shall apply to home occupations in the Agricultural designation.

The policies of Section 3.1.2.20 of this Official Plan shall apply to bed and breakfast establishments in the Agricultural designation.

- f) Deleting part of the end of the sentence starting with “except for” and adding the following at the end:

“Existing livestock and poultry operations are recognized as existing uses and are allowed to continue until the lands are required for urban purposes. Expansion to existing livestock operations shall only be permitted where such expansion is in accordance with the Nutrient Management Act, the provisions of the Minimum Separation Distance documents, and implements Best Management Practices.

The repair or replacement of livestock facilities shall be permitted provided it does not increase the amount of floor area used for housing livestock. These repairs or replacements may result in a change in the type of livestock and/or change in the number livestock housed. Where a change in the type of livestock involves a change in the Factor “A” for livestock type in Table 1 of the MDS II, the livestock type change shall be permitted provided that the number of Nutrient Units decrease/increase is proportionately to the Factor “A” change.”

- g) Deleting 3.10.3.8 and adding the following after 3.10.3.4:

“3.10.3.4 Other uses such as commercial greenhouses, veterinarian clinics, kennels, boarding facilities for household pets, public spaces, cemeteries, parks, trails, and utilities are permitted in the “Agricultural” designation. Prior to the establishment of any of these uses, the proponent shall demonstrate to the Town’s satisfaction:

- a) how the proposed use(s) is compatible with the nearby uses in terms level of activity, noise, lighting, and parking and meet the Minimum Distance Separation requirement from nearby agricultural uses; and,
- b) that the level of services (i.e., water supply, sewage disposal,

electrical, roads is appropriate for the proposed use(s) without the need for unjustified and/or uneconomical expansion of this infrastructure.

- 3.10.3.5 This Plan encourages the use of appropriate farming/farm management practices to ensure the continued preservation of topsoil. The provisions of any Topsoil Preservation By-law shall apply in respect to the removal of topsoil throughout the Town.
- 3.10.3.6 On-farm electrical generation facilities (e.g. small scale wind power generation systems, solar panels, methane digesters) shall be permitted on "Agricultural" subject to the policies of Section 5.8.4 of this Plan and all other applicable regulations.
- 3.10.3.7. Utility Uses
Utility uses are permitted in accordance with the policies of Section 7.15.
- 3.10.3.8 The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of recreational uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), and building form (i.e. yard setbacks, floor area, and height)."

21. Section 4.0 is amended by:

- a) Amending the section title to read: "SECTION 4 – DIVISION OF LAND AND GENERAL LAND USE POLICIES".
- b) Replacing the 4.4 section title to read: "CONSENTS – OTHER LAND USE DESIGNATIONS".
- c) Adding the following after 4.4.3:

"4.5 GENERAL LAND USE POLICIES

4.5.1 Noise, Vibration and Air Quality

All land uses shall comply with provincial environmental approvals and regulations respecting the release of pollutants into the air, onto land or into water, or for the storage, transportation or disposal of waste that is produced by the operation of the use.

Depending on the type, purpose and location of a development application, a supporting study that addresses potential noise, vibration and air quality impacts may be required. The study may recommend various measures that must be implemented by the proponent of a development as a condition of approval.

Incompatible land uses will be appropriately buffered from each other in order to prevent adverse effects from noise, vibration and

air quality. Potential sources may include major roads, railways and industrial operations.

4.5.2 Urban Design and Sustainable Development

The purpose of urban design policies is to encourage and provide guidance with respect to the creation of built environments in communities that are attractive, functional and sustainable. The successful implementation of urban design policies can:

- support and enhance community identity
- support economic development and enhance property values
- support sustainable development objectives
- balance the needs of pedestrians, cyclists, and motorists
- create attractive, walkable, accessible and safe streets, neighbourhoods and business areas

The purpose of sustainable design policies is to reduce impacts on our environment by promoting sustainable forms of development and redevelopment, including 'green' building design, construction methods and innovative technologies.

4.5.2.1 Urban Design

It is the policy of the Town to encourage:

- a) new buildings designed to present principal building facades, doors and window openings to public roads;
- b) the minimization of the visual presence of garages in residential areas;
- c) the location of parking, loading, garage and other similar service areas away from street frontages and designed to ensure compatibility with surrounding land uses;
- d) the design of large parking areas with internal landscaped planting strips and medians to break up large paved areas and to increase urban canopy;
- e) the screening of rooftop mechanicals;
- f) the design and orientation of lighting to reduce glare on adjacent properties;
- g) outdoor storage areas to be located at the rear and sides of buildings, and screened from public view;
- h) the design of sidewalks and walkways to provide uninterrupted and safe pedestrian movements;

- i) the design and placement of signage, street lighting and street furniture that supports the character of the community and/or local neighbourhood;
- j) a high quality of design at gateways into the community;
- k) personal safety and crime prevention design measures that improve lighting and visibility, reduce unobstructed views to allow for public surveillance ('eyes on the street'); and,
- l) accessibility for all people by providing barrier-free access for persons using walking or mobility aids, and providing barrier free access features (such as level surfaces, ramps, curb cuts, railings, automatic door openers and rest areas).

4.5.2.2 Sustainable Development

It is the policy of the Town to encourage:

- a) practices which protect or enhance water quality;
- b) low impact development practices to reduce runoff from storm water;
- c) the use of low water use / drought tolerant landscaping to reduce water consumption;
- d) reductions in impervious hard surfaces, including the use of permeable pavement systems;
- e) innovative building design to reduce water and energy consumption and take advantage of passive solar heating, natural lighting, passive ventilation and shading for cooling;
- f) the use of light-coloured roofing material for new commercial and industrial development;
- g) reductions in vehicle usage by promoting car sharing opportunities and accommodating pedestrians and cyclists, including reducing barriers to cyclists and creating distinct, safe routes; and,
- h) the protection and enhancement of tree canopies to contribute to improvements to air and water quality, reductions in greenhouse gases, the support of biodiversity, and enhancement of natural features and systems."

22. Section 5.0 is amended by:

- a) Amending 5.1.2 to read as follows:

"5.1.2 To provide a system of municipal services and public utilities that protects the health and safety of the community, and is adequately capable of meeting the various needs of the community. Such

municipal services will be provided in a manner that takes into consideration the Municipality's financial capacity, the avoidance of any adverse environmental impacts, and the use of innovative techniques and efficiency in design."

b) Replace "to" with "with" in 5.3.

c) Amending the second paragraph of 5.3.3 to read as follows:

"Restrictions related to road usage, on-street parking, turning and other vehicle movements, and access may be imposed on roads to protect their primary traffic function to increase traffic carrying capacity and/or to address safety issues."

d) Adding the following at the end of 5.3.7:

"It is recognized there may be instances where the establishment of rights-of-way in accordance with Town minimum standards may not be appropriate or achievable for reasons of community design, economics or physical features such as existing building setbacks, mature trees, etc. A further evaluation or study may be required to justify a deviation from the Town's requirements and to determine a practical right-of-way width."

e) Amending 5.3.8 to read as follows:

"All new developments must front on and have access to a public road, which is constructed to meet the minimum standards established by Council. In the area bounded by the CNR tracks to the west and Trout Creek to the south, new development, redevelopment or infill development, including the establishment of any new dwelling unit or accessory apartment, shall not be permitted until at least two points of public road access are established to the satisfaction of Council."

f) Adding the following after 5.3.8:

"5.3.9 At the expense of the developer, the Town will require as a condition of development or site plan approval, the submission of detailed drawings indicating the emergency access to be provided at all phases of the development for review and approval by the Town's Fire Chief."

g) Amending 5.4.1 to read as follows:

"5.4.1 Where residential and other noise sensitive uses are proposed within 300 metres of any railway line, the owner or the developer is required to conduct a noise and vibration impact assessment which shall include measures necessary to achieve acceptable attenuation levels in accordance with applicable Federal or Provincial standards and/or guidelines to the satisfaction of the Town and/or appropriate railway authority. The measures may take the form of fencing, increased setbacks, earthberms, tree planting, acoustical insulation, site plans or combinations thereof in order to minimize potential safety hazards and visual, noise and vibration

impacts, to the satisfaction of the Town and , and in consultation with the appropriate Railway.”

h) Adding the following as the last sentence in 5.5.2:

“The Town may also take appropriate measures to increase the existing Water Supply through necessary means such as increasing the Town’s well capacity, and/or construction of new water storage facilities.”

i) Deleting the text in 5.5.3 and only retain the first sentence.

j) Adding the following after 5.5.3:

“5.6 SOURCE WATER PROTECTION

The Ontario Clean Water Act, 2006 is intended to ensure the protection of municipal drinking water supplies through the development of local, watershed-based assessment reports and source protection plans. Assessment reports identify vulnerable areas, and threats to municipal drinking water sources, and source protection plans set out policies to eliminate or reduce the risks posed by those identified threats. Within the Town of St. Marys, the Thames-Sydenham Region Source Protection Plan (SPP), which came into effect on December 31, 2015 applies to land use activity. All planning decisions shall have regard for the policies of the SPP, as may be amended from time to time, to address low and moderate municipal drinking water threats in accordance with Section 39 (1)(b) of the Clean Water Act, which speaks to decisions under the Planning Act conforming with the significant threat policies set out in Source Protection Plan (SPP).

In conformity with the Clean Water Act, 2006, and the Thames-Sydenham Source Protection Plan, it is the intent of this Plan to protect existing and future sources of drinking water. In cases of conflict between the policies and direction of this Official Plan and any of the SPPs, the policies of the SPP shall prevail.

5.6.1 OBJECTIVES

5.6.1.1 To protect existing and future sources of drinking water.

5.6.1.2 To identify vulnerable areas, uses or activities that are, or would be, a significant drinking water threat or where a significant drinking water threat could occur.

5.6.1.3 To identify uses prohibited uses within Well Head Protection Areas which have a high Vulnerability Score.

5.6.1.4 To educate and raise public awareness for Source Water Protection.

5.6.2 POLICIES

- 5.6.2.1 Policies for the "Source Water Protection" overlay shall apply to the area shown as Well Head Protection Areas (WHPAs) on Schedule "D" to this Official Plan. These areas are site specific in nature.
- 5.6.2.2 Lands within a Wellhead Protection Area (WHPA) and their applicable vulnerability scores are shown on Schedule "D" of this plan. These lands, shown as an overlay, may have special policy direction applied to them. Coordinated efforts between the Town and the Upper Thames River Conservation Authority will mitigate any potential land use, and land activity conflicts within these areas.
- 5.6.2.3 Vulnerable areas in which a significant drinking water threat could occur are identified on Schedule "D" as "Significant Threat Areas". The mapping of vulnerable areas is provided for information purposes only. For accuracy and more detailed information, reference should be made to the Thames-Sydenham Source Protection Plan and the detailed mapping in the related Assessment Report.
- 5.6.2.4 The wellheads throughout the Town act as the source of groundwater for the water supply systems. These water supplies must be protected from contamination associated with certain land uses in order to secure the long-term protection of our potable water supply for existing and future residents, businesses and the natural environment. This can be achieved by permitting only those land uses which represent a low level of risk to groundwater quality within the WHPAs.
- 5.6.2.5 Within the vulnerable areas identified in the Thames-Sydenham Source Protection Plan (SPP), any use or activity that is, or would be, a significant drinking water threat is required to conform with all the applicable SPP policies and, as such, may be prohibited, restricted, or otherwise regulated by those policies. Significant drinking water threats which are prohibited shall be those identified in accordance with the significant drinking water threat specific policies of the SPP. Vulnerable areas include wellhead protection areas, significant groundwater recharge areas and highly vulnerable aquifers.
- 5.6.2.6 Future (Prohibited) Activities
- The policies of the Thames-Sydenham Region Source Protection Plan include a number of prohibited uses within WHPA's which have a Vulnerability Score of 8 or 10. While existing uses may require a Risk Management Plan, any new or future uses within highly vulnerable (8 or 10) areas shall be prohibited. Specific activities relating to the following future uses trigger a Section 57 prohibition under the Clean Water Act, 2006, and thus, are prohibited through the policies found within this Official Plan:

- a) Fuel storage (>250L below ground) in WHPA A or B with a score of 10
- b) Fuel storage (>2500L) in WHPA A or B with a score of 10
- c) Handling and storage of dense non-aqueous phase liquids (DNAPLs)(>25L) in WHPA A B and C
- d) Handling and storage of organic solvents (<250L below ground) with score of 10
- e) Handling & storage of organic solvents (>2500L above ground) with a score of 10
- f) Agricultural source materials (application or storage) application prohibited in A and future storage prohibited in A or B with score of 10
- g) Non-agricultural source materials (NASM) future application prohibited in A, future storage prohibited in A or B with a score of 10
- h) Commercial fertilizer storage prohibited in A or B with score of 10
- i) Pesticides storage prohibited in A or B with a score of 10
- j) Grazing, pasturing and outdoor confinement yards prohibited in A or B with a score of 10
- k) Septic systems for new lots prohibited in A or B with score of 10 unless septic is outside of the WHPA zone
- l) Sewage systems prohibited in A or B with a score of 8 or 10 of storm water management, sewage treatment plants, treatment or holding tank
- m) Waste disposal prohibited in A or B with a score of 8 or 10
- n) Small amounts of hazardous waste in A or B with score of 10 where there is no ECA
- o) Snow storage in A or B with a score of 8 or 10
- p) Road salt storage in A or B with a score of 8 or 10

For the list of the specific prohibited activities occurring under each of the abovementioned uses, refer to the applicable Source Protection Plan.

5.6.2.7 Prescribed Drinking Water Threats

The Ministry of the Environment and Climate Change (MOECC), in collaboration with a Technical Experts Committee, identified 21 land use activities that have the potential to contaminate or deplete

sources of drinking water. These activities are designated as prescribed drinking water threats under Ontario Regulation 287/07:

- a) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act.
- b) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
- c) The application of agricultural source material to land.
- d) The storage of agricultural source material.
- e) The management of agricultural source material.
- f) The application of non-agricultural source material to land.
- g) The storage and handling of non-agricultural source material to land.
- h) The application of commercial fertilizer to land.
- i) The handling and storage of commercial fertilizer.
- j) The application of pesticide to land.
- k) The handling and storage of pesticide.
- l) The application of road salt.
- m) The handling and storage of road salt.
- n) The storage of snow.
- o) The handling and storage of fuel.
- p) The handling and storage of a dense non-aqueous phase liquid (DNAPLs).
- q) The handling and storage of an organic solvent.
- r) The management of runoff that contains chemicals used in the de-icing of aircraft.
- s) An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
- t) An activity that reduces the recharge of an aquifer.
- u) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.

5.6.2.8 Restricted Land Use Policy

In accordance with Section 59(1) of the Clean Water Act, all land uses set out within the Official Plan or Zoning By-law for the Town

where this Source Protection Plan is in effect, are designated as restricted land uses in all areas where designated threats are or would be significant. In effect, a person shall not construct or change the use of a building in any location, or make an application under the Planning Act or Condominium Act where Section 57 (Prohibition) or Section 58 (Risk Management Plan) applies unless the risk management official issues a notice under s. 59 to the person.

For the purpose of Section 59(1) of the Clean Water Act, 2006, the date for the policies regarding restricted land uses came into full force and effect is the same date that the Source Protection Plan came into full force and effect, December 31, 2015.

In certain instances, moderate and low threat septic systems may exist within the Source Protection Area. The Conservation Authority, in collaboration with the Town, shall address these systems through Education and Outreach measures.

The Town may elect to post signage which helps to raise awareness for the travelling public. Such signage will be provided from the Ministry of Transportation and will help to identify the various Wellhead Protection Areas within the Source Protection Areas within the Town.

5.6.2.8 Zoning By-law

Within two years of the coming into force of these policies, the Town will amend the implementing Zoning By-law in order to protect WHPAs in accordance with the policies of this section. The Zoning By-law shall incorporate appropriate requirements to implement the policies for wellhead protection. More specifically, the Zoning By-law shall implement the use of prohibitions, performance requirements and other policies described in the appropriate Source Protection Plan.”

k) Amending 5.7.1 to read as follows:

“5.7.1 The Municipality will closely monitor the available treatment capacity of the Town’s sanitary sewage system, and shall take appropriate actions as may be necessary to ensure that sufficient capacity of the system is available to continue to meet the needs of the Town.”

l) Adding the following after 5.7.3:

“5.7.4 The Town of St. Marys may take appropriate measures to investigate, identify and mitigate Inflow and Infiltration issues within the sanitary sewer system as may be necessary to limit or eliminate non-sanitary sources of water from the system.”

- m) Deleting "As required by the Provincial Planning Policy Statement," from 5.9.4.1.
- n) Deleting "However, the Provincial Planning Policy Statement permits renewable energy systems (including CWEGS) in settlement areas, in accordance with federal and provincial requirements." from 5.9.4.2.
- o)

23. Section 6.1 is amended by:

- a) Replacing "Central Commercial" with "Downtown" throughout this section.
- b) Deleting the introductory section of 6.3, 6.3.1 and 6.3.2 and replacing it with :
"The criteria for selection were applied to all parts of the Town and it was determined that the entire municipality should be delineated as a community improvement area."

24. Section 7.0 IMPLEMENTATION & INTERPRETATION is amended by:

- a) Replacing "programmes" with "programs" in 7.1.
- b) Deleting 7.4.2 a) and renumbering the remaining subsections accordingly.
- c) Amending 7.6.1 a) to read "a) single detached and semi-detached dwellings;"
- d) Deleting 7.6.3.
- e) Adding "j) facilities designed to have regard for accessibility for persons with disabilities." at the end of 7.6.5.
- f) In 7.8, replace "1990" with "2001" in two instances, and add "/salvage" after "wrecking".
- g) Replace "1996" with "1992" in 7.9.2.
- h) Replace "programme" with "program" in two instances in 7.9.6.
- i) Replace "programme" with "program" in 7.12.
- j) Delete 7.15 through 7.15.4.
- k) Amend the title of former 5.15.5 to "PARKLAND DEDICATION REQUIREMENTS".
- l) In 7.15 a), delete "Subsections (5) and (8) of Section 51 of" and add "/condominium or consent approvals" after "new plans of subdivision".
- m) Amend 7.17.4 by adding "the rationale or basis for the change and/or" at the beginning of a), and replacing "conforming uses in adjoining areas" with "the character of the area" in c).
- n) Delete 7.23.
- o) Add the following after 7.23.2:
"7.24.3 MEASURING HEIGHT

With any policies in this Plan with respect to maximum building heights, the maximum allowable height in storeys or metres shall be measured from the lowest point on the finished grade around the building. When a policy refers to a maximum height in metres, the height of a building shall be measured from the lowest point on the finished grade around the building to the peak or highest point of the roof.”

- p) Replacing the text in 7.24.5 with the following:

“In the preparation or review of an Official Plan, municipalities and planning authorities must be consistent with the Provincial Policy Statement, a document which provides policy direction on matters of provincial interest related to land use planning and development. Together with a municipal official plan, the intent is to provide a framework for comprehensive, integrated and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Council has reviewed and revised this plan to be consistent with provincial interests such as promoting efficient and cost-effective development, accommodating a range and mix of residential, employment, recreational and open space uses to meet long-term needs, providing opportunities for intensification and redevelopment including brownfields, providing for a full-range of housing types and densities, maintaining the well-being of the downtown, ensuring the efficient use of planned public services, supporting energy efficiency and improved air and water quality, providing an adequate supply of affordable housing, providing for the wise use and protection of a variety of resources such as natural heritage and cultural heritage, which also affects the Town.”

- q) Adding the following after 7.24.5

“7.25 COMPLETE APPLICATIONS

Applications for amendments to the Official Plan, Plans of Subdivision, Plans of Condominium, Zoning By-law Amendment, and applications for Site Plan Approval will not be accepted by the Town for processing in the absence of a complete application.

To be deemed complete, an application must satisfy all applicable statutory requirements and be accompanied by the studies, information or other material listed below. The specific studies, information and material required may be scoped as set out through pre-consultation with the Town Building and Development Department and the other agencies as appropriate.

7.25.1 PRE-CONSULTATION

Any applicant requesting amendment to the Town Official Plan or for approval of a Plan of Subdivision, Plan of Condominium, Zoning By-

law Amendment, or Site Plan Approval shall be required to pre-consult with the Town pursuant to the Town of St. Marys Pre-Consultation By-law.

7.25.2 REQUIRED INFORMATION

The content scope and necessity of the studies, information or other material will be determined through a Pre-consultation meeting with the Town and other agencies as required.

The studies, information or other material submitted must be conducted and/or prepared by a qualified professional retained by and at the expense of the applicant.

The Town may refuse studies, information or other material submitted if it considers the quality of the submission unsatisfactory.

The Town may require a peer review of any studies, information or other material submitted by an appropriate agency or professional consultant retained by the Town at the applicant's expense.

Through the course of the review of a complete application, additional studies, information or other material may be required to address specific issues to enable Town Council to make informed decisions.

7.25.3 STUDIES, INFORMATION OR OTHER MATERIAL

Studies, information and other material that may be required to process an application are listed below:

- a) Accessibility Design Matrix
- b) Affordable Housing Report/ Rental Conversion Assessment
- c) Aggregate Extraction Area Report
- d) Aggregate Resource Analysis
- e) Aggregate Restoration/Rehabilitation Plan
- f) Agricultural Impact Assessment
- g) Air Emissions/Quality Study
- h) Archaeological Assessment
- i) Architectural Control Guidelines
- j) Built Heritage Resource Assessment/Impact Study
- k) Composite Utility Plan
- l) Construction Management Plan
- m) Cultural Heritage Resource Assessment/ Impact Study
- n) Cut and Fill Analysis
- o) Detailed Service Plan
- p) Dust Impact Analysis
- q) Elevation Plans
- r) Energy Management Plan
- s) Environmental Impact Study

- t) Environmental Site Assessment (Phase 1 or Phase 2)
- u) Erosion and Sediment Control Plan
- v) Financial Impact Analysis
- w) Fish Habitat Assessment
- x) Functional Servicing Report
- y) Geotechnical/Soils Report
- z) Hydrogeological Evaluation
- aa) Landfill Impact Study
- bb) Landscape and Open Space Plan
- cc) Lighting Plan
- dd) Master Drainage Plan
- ee) Minimum Distance Separation Analysis
- ff) Municipal Financial Impact Assessment
- gg) Natural Heritage Study
- hh) Noise Study
- ii) Nutrient Management Plan
- jj) On-street Parking Analysis
- kk) Park Concept Plan
- ll) Parking Supply Study and Design Plan
- mm) Pedestrian Route and Sidewalk Analysis
- nn) Phasing Plan
- oo) Planning Justification Report
- pp) Retail Market Impact Study
- qq) Servicing Options Report
- rr) Septic System Design Report
- ss) Site Plan
- tt) Site Remediation Plan
- uu) Slope Stability and Erosion Report
- vv) Storm Water Management Plan
- ww) Streetscape Plan
- xx) Sun-Shadow Analysis
- yy) Surrounding Land Use Compatibility Analysis
- zz) Traffic Impact Study
- aaa) Transportation Study
- bbb) Tree Compensation and/or Preservation Plan
- ccc) Tree Inventory and Arborist Report
- ddd) Source Water Protection Plan
- eee) Urban Design Guidelines
- fff) Vegetation Protection, Enhancement and Restoration Plan
- ggg) Vibration Study
- hhh) Well Impact Study

7.26 PART LOT CONTROL

Part lot Control (PLC) is a power used by Public authorities to prohibit a property-owner from conveying a part of any parcel of land without approval from the appropriate approval authority. Exemption from

Part lot Control (PLC) is an alternative form of land division to Plans of Subdivision and Consents which is generally favoured by the development industry as it is quicker and removes the uncertainty of the public meeting/appeal process from development approval.

Under Section 50 of the Planning Act, by-laws may be passed by Council to suspend or "lift" part lot control thereby exempting any or all parcels in a registered Plan of Subdivision from part lot control so that the further division of individual parcels can occur without further Council/Committee of Adjustment approvals. Such a by-law is named an Exemption from Part Lot Control (PLC) By-law. An Exemption from PLC By-law will usually be in place for a fixed period of time, after which the By-law will expire and the PLC provisions of the Planning Act come into force and effect.

7.27 SETTLEMENT AREA EXPANSIONS

7.27.1 In accordance with the Provincial Policy Statement (2020), the Town may allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in prime agricultural areas:
 1. the lands do not comprise specialty crop areas;
 2. alternative locations have been evaluated, and
 - i. there are no reasonable alternatives which avoid prime agricultural areas; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and
- e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible














In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

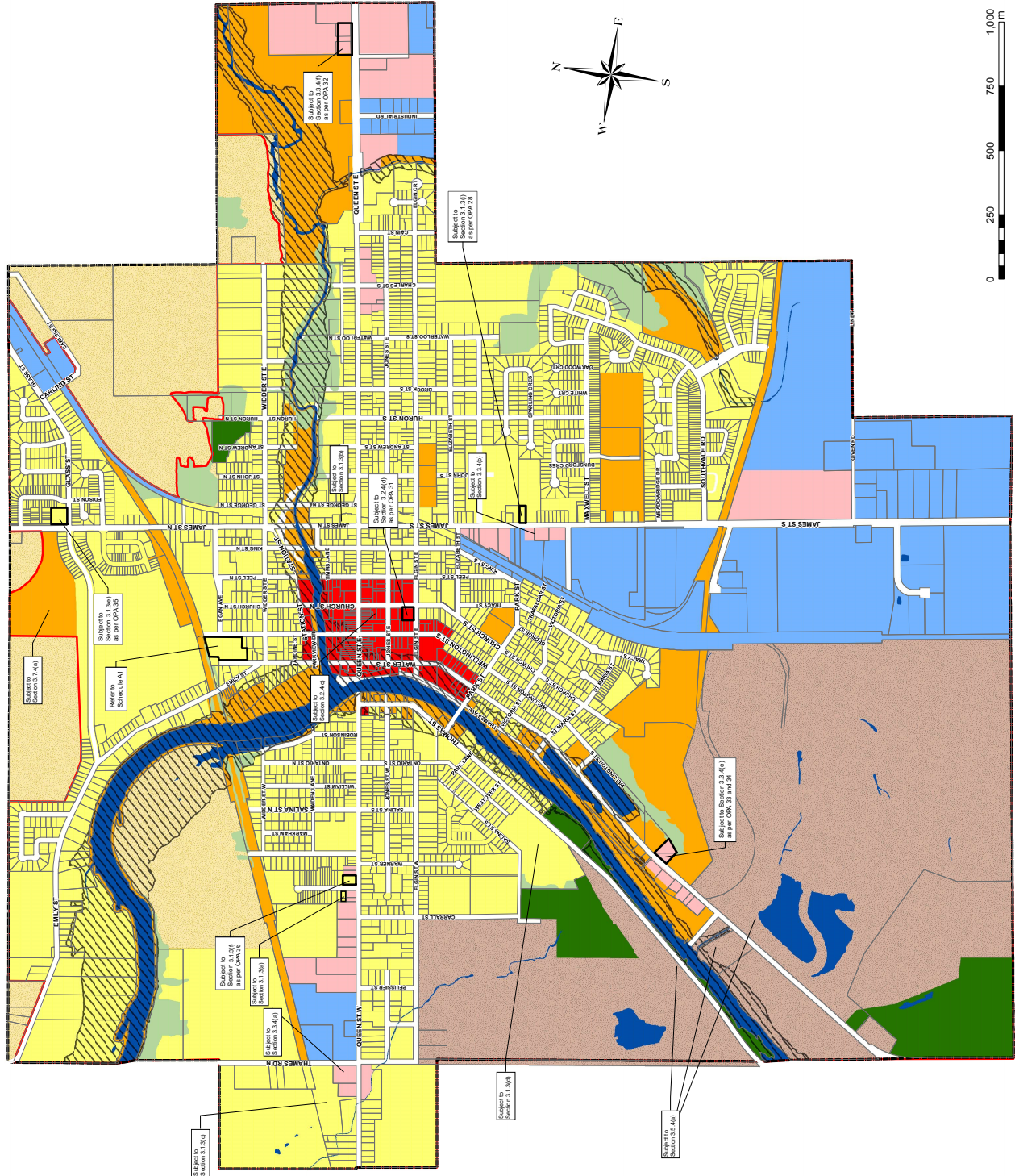
7.27.2 The Town may permit adjustments of settlement area boundaries outside a comprehensive review provided:

- a) there would be no net increase in land within the settlement areas;
- b) the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the Town;
- c) Agricultural areas are addressed in accordance with 7.27.2 (c), (d) and (e); and
- d) the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands."

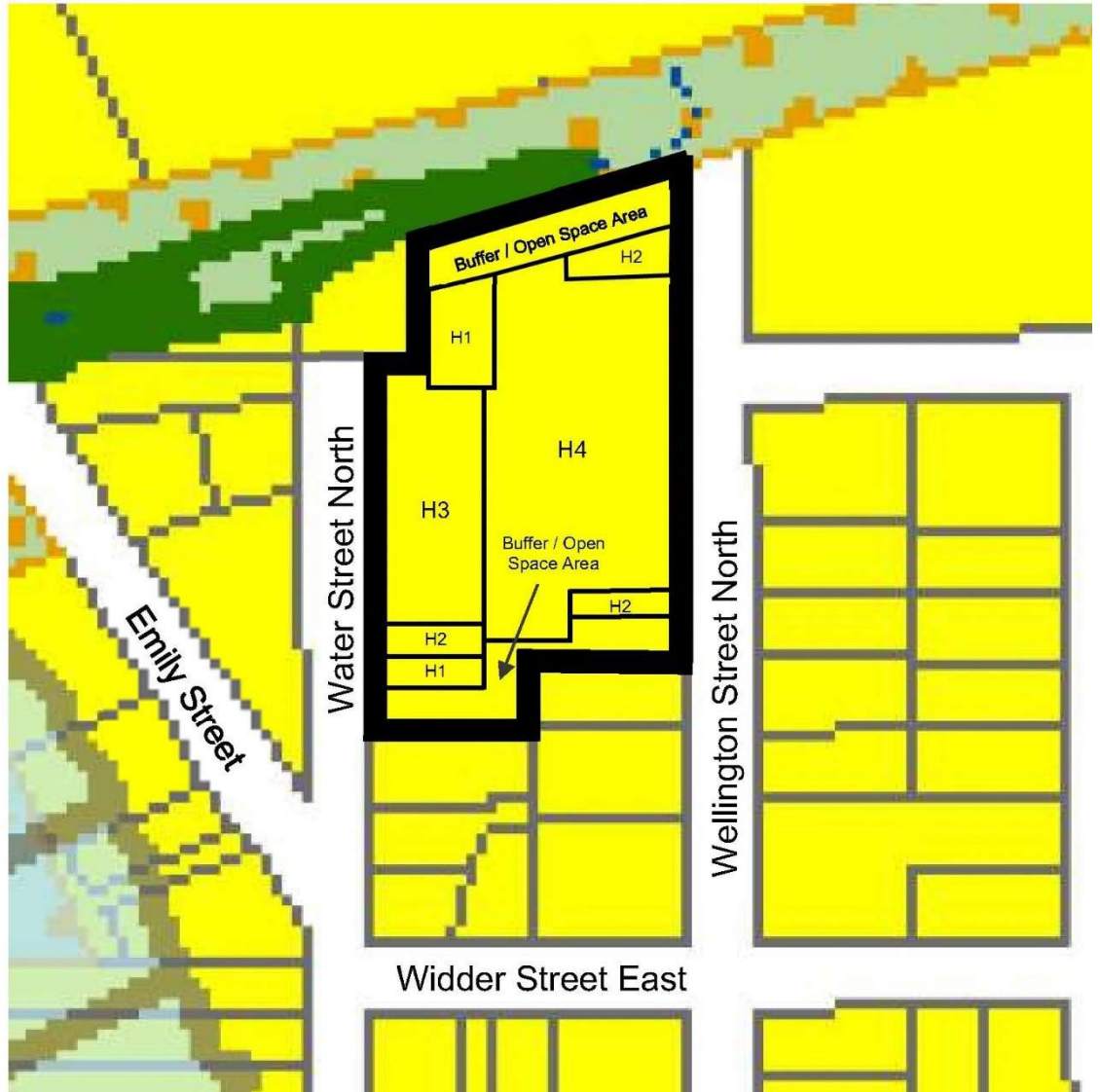
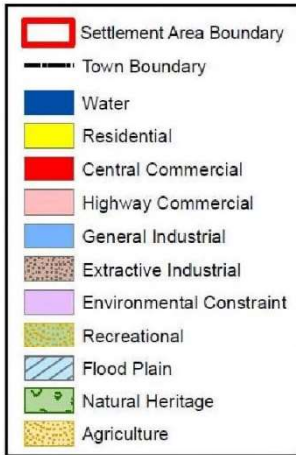
Town of St Marys Official Plan Schedule 'A' Land Use Plan

Designation

-  Settlement Area Boundary
-  Town Boundary and Community Improvement Area
-  Water
-  Residential
-  Downtown
-  Highway Commercial
-  General Industrial
-  Extractive Industrial
-  Environmental Constraint
-  Recreational
-  Flood Plain
-  Natural Heritage
-  Agricultural








Town of St. Marys Official Plan Land Use Plan Schedule 'A-1'

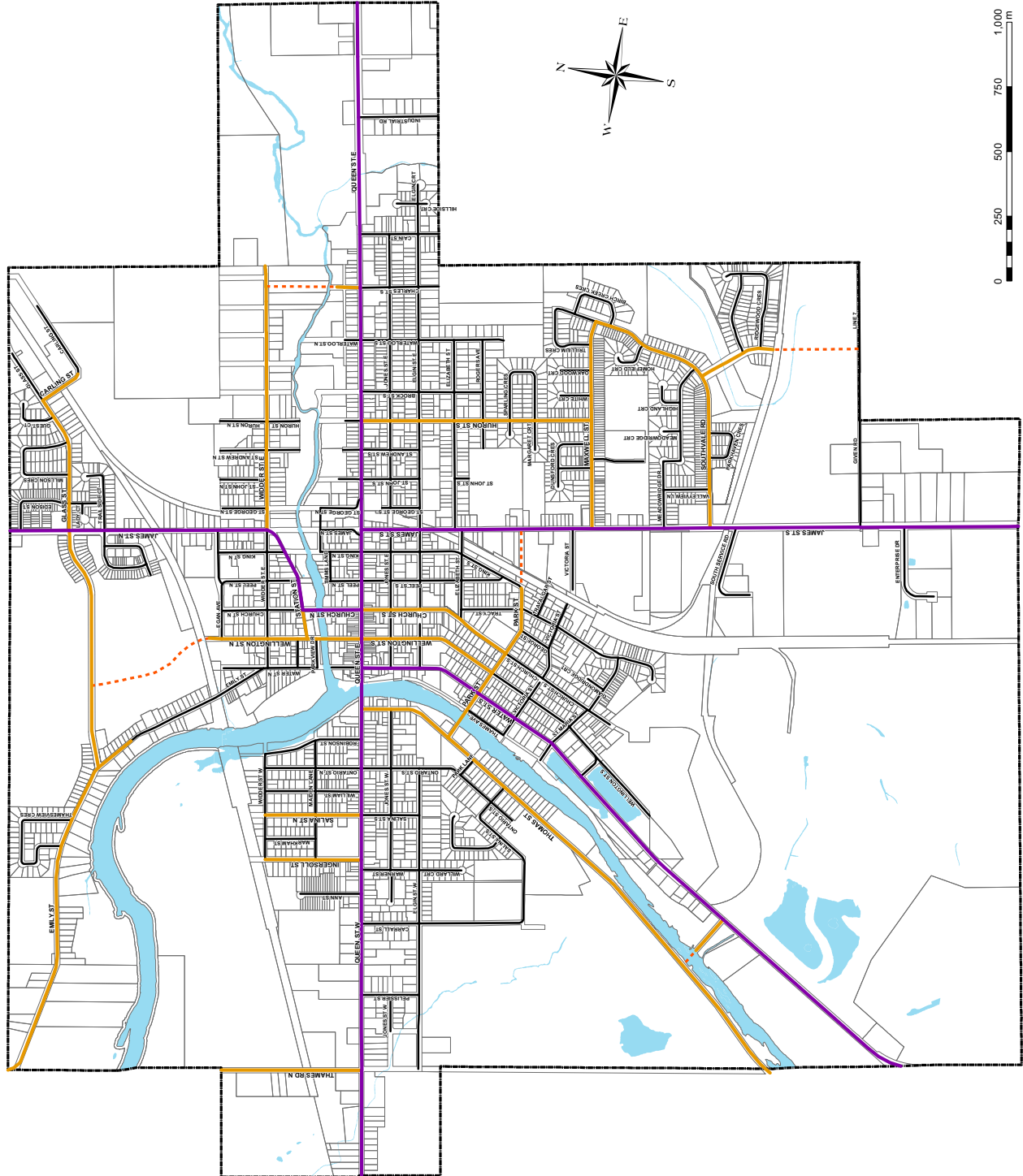


Subject to Section 3.1.3(g) as per OPA 37

Town of St Marys Official Plan Schedule 'B' Road Classifications

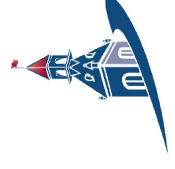
Designation

-  Arterial Road
-  Collector Road
-  Proposed Collector Road
-  Local Road
-  Town Boundary

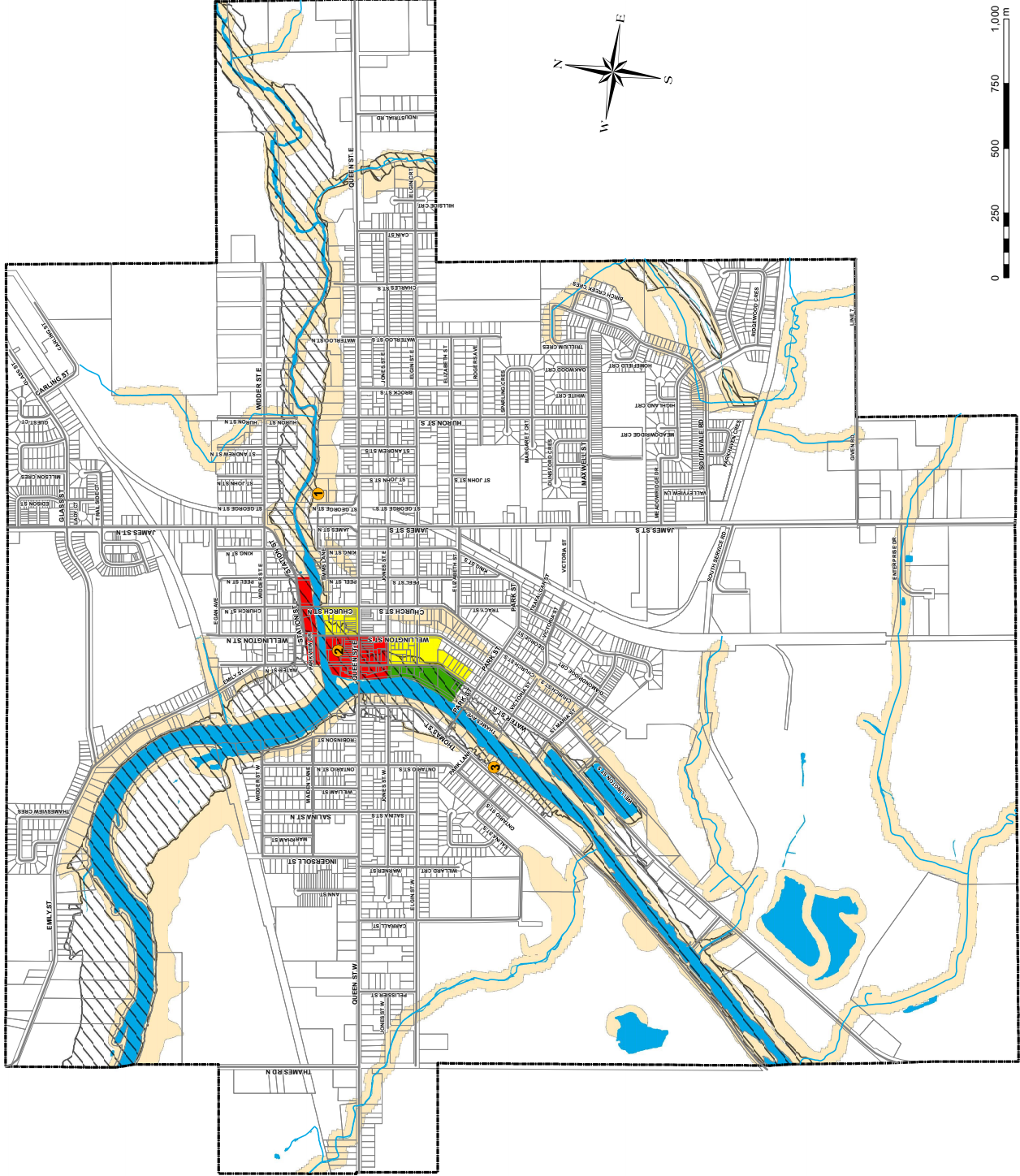


Town of St Marys Official Plan Schedule 'C' Flood Plain Areas







- Sub Area A
- Sub Area B
- Sub Area C
- Natural Hazards Constraint Area
- Flood Plain
- Water
- Water Course
- Municipal Pumping Well
- Town Boundary

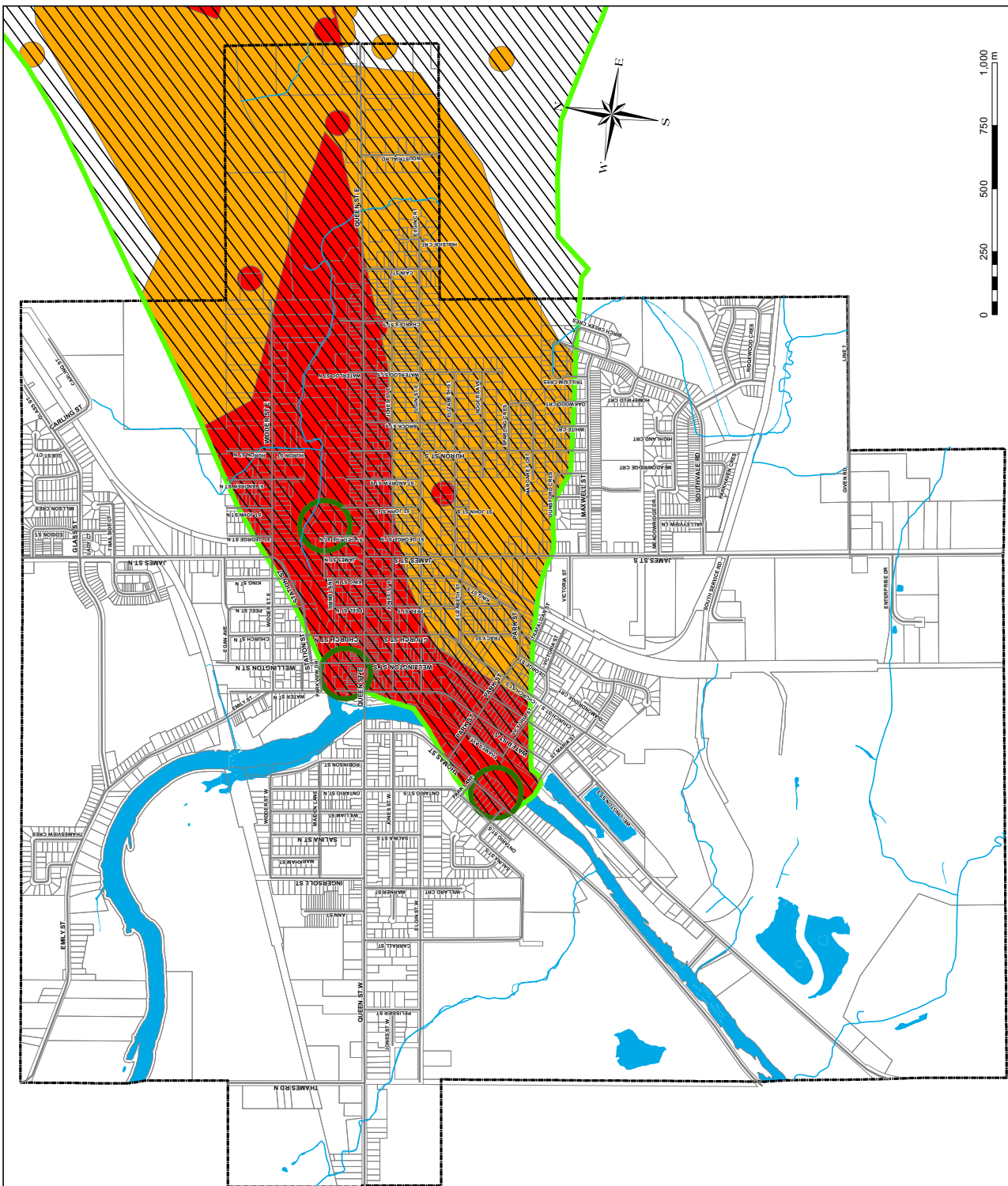


ONTARIO CANADA
ST. MARYS
December 21, 2021



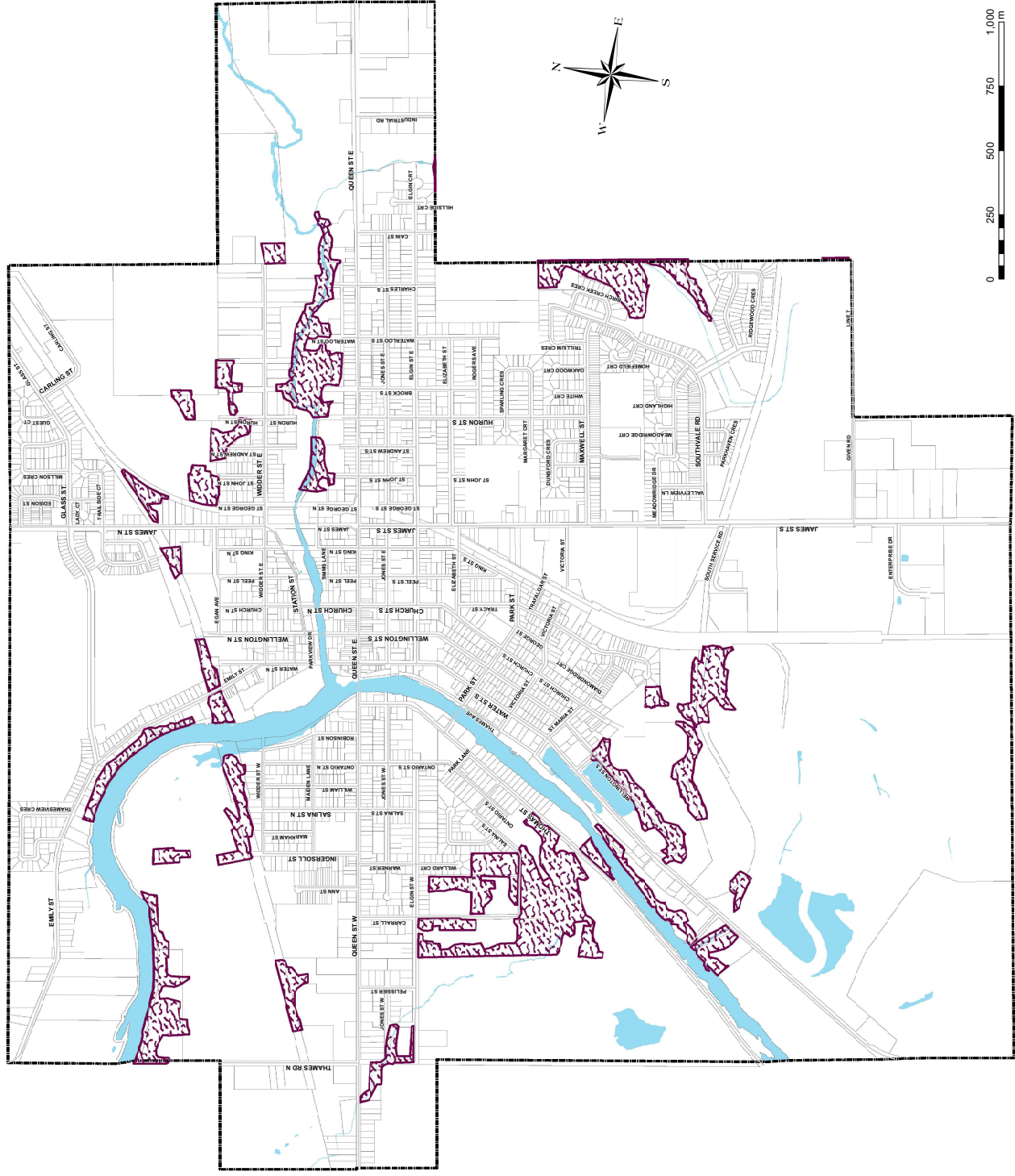
Town of St Marys Official Plan Schedule 'D' Source Water Protection

-  WHPA-A
-  WHPA-B
-  Source Water Protection Area
- Vulnerability Score**
-  8
-  10
-  Town Boundary



Town of St Marys Official Plan Appendix 1 Potential Significant Woodlands

 Woodland Cluster
 Town Boundary



PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No. 38 to the Town of St. Marys Official Plan, but are included as information supporting the Amendment.

Discussion Papers

- Papers 1 through 11

Staff Reports (2019 to 2022)

- DEV 62-2019
- DEV 02-2020
- DEV 78-2020
- DEV 38-2021
- DEV 03-2022 (includes public consultation summary with Town responses)

Official Plan Modified Based on OPA 38

- Track version
- Non-track / clean version