

# PLANNING JUSTIFICATION REPORT

Proposed Residential Development

665 James Street North

PREPARED FOR

Randall Warkentin

PREPARED BY



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

December 23, 2019

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## TABLE OF CONTENTS

	Page No.
<b>1.0 INTRODUCTION .....</b>	<b>1</b>
1.1 Overview .....	1
1.2 Description of the Subject Lands .....	1
1.3 The Proposal .....	3
1.4 Servicing.....	4
1.5 Access.....	4
<b>2.0 PROPOSED APPLICATIONS.....</b>	<b>5</b>
2.1 Proposed Official Plan Amendment .....	5
2.2 Proposed Zoning By-law Amendment.....	5
<b>3.0 PLANNING DOCUMENTS AND ANALYSIS.....</b>	<b>6</b>
3.1 Provincial Policy Statement .....	6
3.2 Town of St. Marys Official Plan .....	7
3.3 Town of St. Marys Official Plan Review .....	16
3.4 Town of St. Marys Zoning By-law No. Z1-1997, As Amended.....	17
<b>4.0 ADDITIONAL ANALYSIS.....</b>	<b>21</b>
4.1 Urban Design.....	21
4.2 Location and compatibility.....	23
4.3 Technical Studies .....	23
<b>5.0 CONCLUSIONS .....</b>	<b>25</b>

**ATTACHMENT 1:** Draft Official Plan Amendment

**ATTACHMENT 2:** Draft Zoning By-law Amendment

## **1.0 INTRODUCTION**

### **1.1 OVERVIEW**

On behalf of Randall Warkentin, Zelinka Priamo Ltd. is pleased to submit a Planning Justification Report in support of applications submit to the Town of St. Marys for Official Plan Amendment and Zoning By-law Amendment applications for the lands located at 665 James Street (subject lands).

The applications propose to demolish the existing commercial building and develop the subject lands with a five-storey mixed-use building comprising a total of 46 apartment units and partial grade-level commercial unit(s), with associated areas of parking and landscaping.

The purpose of the following land use assessment is to provide planning justification for the proposed development.

### **1.2 DESCRIPTION OF THE SUBJECT LANDS**

The approximately 0.47 ha subject lands are a corner lot located at the northeast of the intersection of Glass Street and James Street North St. Marys Junction (see Figure 1). The lands are municipally known as 665 James Street North, and are legally known as Part of Lot 15 Concession 18 (Geographic Township of Blanshard) now in the Town of St. Marys County of Perth.

**Figure 1**  
**Subject Lands – 665 James Street**



Location and boundaries are approximate

The subject lands are currently developed with a single-storey paint and flooring business, with a large associated paved parking area in the front. The subject lands are relatively flat in nature, and do not contain any known significant features that would constrain development.

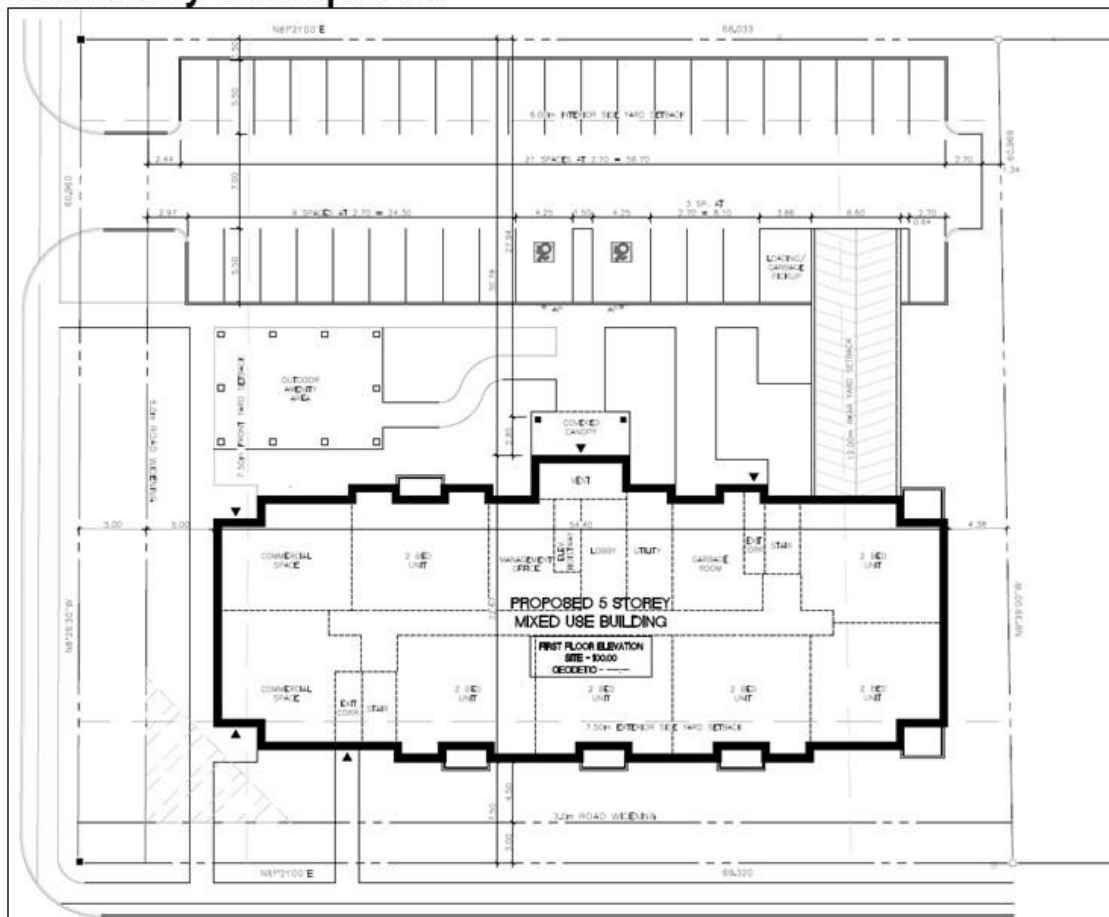
There is a small patch of trees located in the south easterly corner of the site that will be retained if possible. However, if it is determined that they need to be removed to make way for the proposed development, compensatory planting (in discussion with Town staff) will be provided elsewhere on the Site.

Surrounding land uses include (see Figure 1): medium density residential dwellings (townhouses) to the north; semi-detached dwellings to the east; agricultural lands to the west (future residential subdivision); and semi-detached dwellings to the south (across Glass Street).

### 1.3 THE PROPOSAL

Randall Warkentin is proposing a five-storey mixed-use building consisting of commercial and residential uses at grade, with residential apartment dwellings on the remaining storeys above (see Figure 2). The building has been positioned to frame the adjacent streets, while minimizing the visual impact of surface parking.

**Figure 2**  
**Preliminary Concept Plan**



Location and boundaries are approximate

The proposed mixed use building will provide 46 apartment units, with a mix of one and two-bedroom units. The preliminary floorplates anticipate one bedroom units with a

minimum unit size of approximately 60 sq. m, and two bedroom units with a minimum unit size of approximately 89 sq. m.

At grade commercial unit(s) measuring approximately 173 m<sup>2</sup> GFA are provided on part of the ground floor with frontage along both James Street North and Glass Street, maximizing exposure to the travelling public.

A total of 56 parking spaces are provided to service the proposed development. Parking is accommodated at grade (34 standard and 2 accessible parking spaces) and underground (19 standard and 1 accessible). The grade level parking and the underground ramp are positioned away from public view to the rear of the proposed building.

#### **1.4 SERVICING**

A Preliminary Servicing Report was prepared by MTE Consultants for the proposed development. The findings of the Report conclude that the proposed development can be adequately serviced through the extension of existing gravity sanitary sewers and municipal watermains, and the extension of other existing utilities including hydro, gas, cable TV and telephone. Further, that stormwater management can be accommodated in the proposed storm sewer servicing oil and grit separator.

#### **1.5 ACCESS**

One vehicular access point is proposed, located at the north end of the James Street North frontage. The vehicular access provides connection to surface parking and loading/waste collection areas of the site, as well as to the access ramp for the underground parking.

A 5.0 m road widening dedication will be provided along the James Street North frontage, as well as a 3.0 m road widening dedication along Glass Street. Pedestrian access to the site is provided from both James Street North and Glass Street, with a future public sidewalk to be provided along James Street North.

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## **2.0 PROPOSED APPLICATIONS**

### **2.1 PROPOSED OFFICIAL PLAN AMENDMENT**

The Official Plan Amendment would amend the land use designation for the subject lands from “Highway Commercial” to “Residential” and apply a site specific Official Plan policy, to permit a five-storey building height, and a maximum density of 124 units per hectare.

A copy of the draft Official Plan Amendment is included as Attachment 1 to this Report.

### **2.2 PROPOSED ZONING BY-LAW AMENDMENT**

A concurrent Zoning By-law Amendment will rezone the subject lands to a site-specific Residential Zone Five (R5-\_\_) zone that adequately addresses the requirements of the proposed development while implementing the policies of the City OP.

The proposed site specific regulations (Draft Zoning By-law) are included as Attachment 2. The proposed regulations are to be confirmed subject to a review of the preliminary concept site plan by Town Staff and through the approvals process.

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## 3.0 PLANNING DOCUMENTS AND ANALYSIS

### 3.1 PROVINCIAL POLICY STATEMENT

The 2014 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, “provides policy direction on matters of provincial interest related to land use planning and development” in order to ensure efficient, cost-effective development and the protection of resources.

The PPS under Policy 1.1.1 states that healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

The Subject Lands are located in St. Marys, which is identified as a settlement area. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on: a) densities and a mix of land uses which: 1. efficiently use land and resources.

#### ***Planning Analysis***

The proposed development is consistent with the 2014 Provincial Policy Statement, including the following policies:

- The proposal provides redevelopment opportunity for underutilized lands, making efficient use of land that minimizes land consumption, is cost effective and efficient, and reduces servicing costs (Policies 1.1.1a and 1.1.1e);

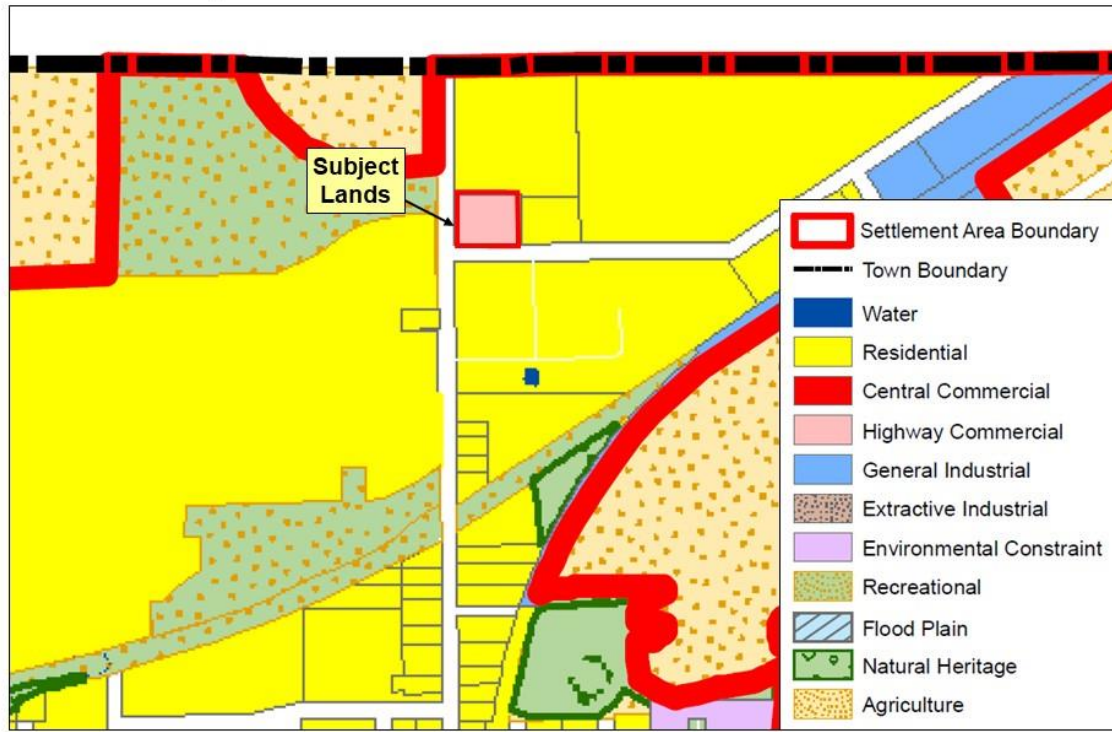


- An appropriate form and mix of residential (apartment) and commercial use is proposed, which will be compatible with the land uses in the general vicinity and contribute to a mixed use community. The proposed apartment dwellings will also help contribute to the supply of affordable and alternative housing options in the area (Policy 1.1.1b);
- The Subject Lands are located within St. Marys, which is identified as an existing settlement area where growth and development is to be focused (Policy 1.1.3.1); and
- The proposed development contemplates a land use pattern with a mix of uses that efficiently uses land within the settlement area boundary at an appropriate density in relation to the existing community, and is appropriate for planned infrastructure to service this area (Policy 1.1.3.2a).

### **3.2 TOWN OF ST. MARYS OFFICIAL PLAN**

The Subject Lands are designated “Highway Commercial” on “Schedule ‘A’ Land Use Plan” of the Town of St. Marys Official Plan (“OP”) (see Figure 3). The subject lands are surrounded by lands designated “Residential” in the OP.

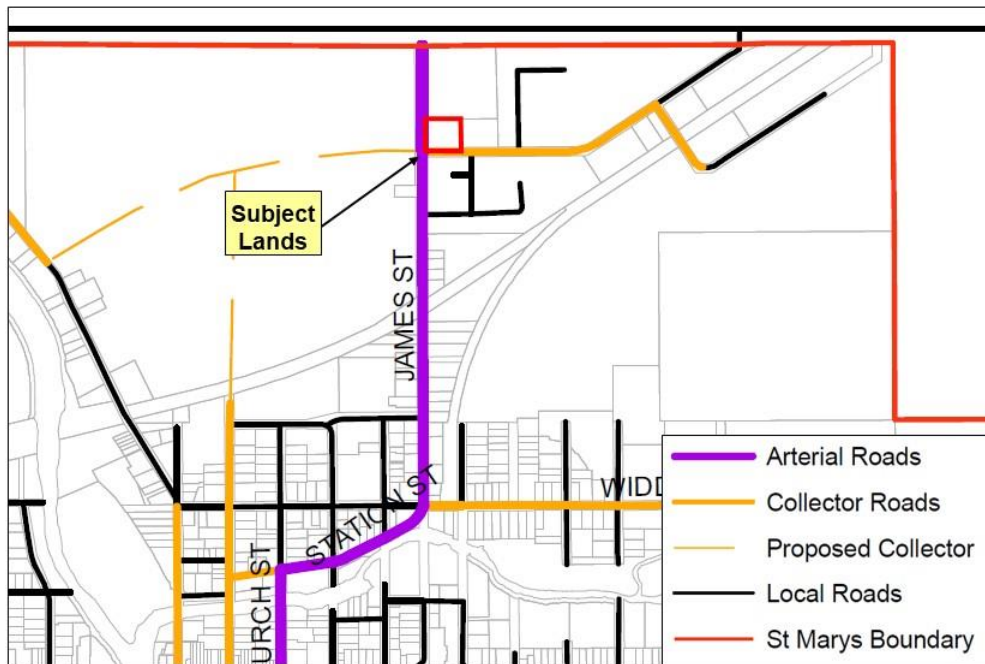
**Figure 3**  
**Town of St. Marys Official Plan Schedule A Land Use Plan**



Location and boundaries are approximate

According to “Schedule B Road Classifications” of the OP, James Street North is identified as an “Arterial Road” and Glass Street is identified as a “Collector Road” (see Figure 4).

**Figure 4**  
**Town of St. Marys Official Plan Schedule B Road Classifications**



Location and boundaries are approximate

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 (Section 3.3.2.1). The Highway commercial designation provides for uses that cater to the travelling public, particularly 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 are permitted in the “Highway Commercial” designation. Other uses that have extensive land requirements and are not appropriate for the central commercial area such as large plate retail uses, strip malls, shopping centres, large scale business and professional offices, and factory outlets may also be permitted (Section 3.3.2.2).

The proposed development comprises apartments with commercial uses at grade. The subject lands would be redesignated to “Residential”. Key objectives of the Residential designation include:

- To encourage the provision of an adequate supply and choice of housing for the existing and future residents of St. Marys in terms of quality, type, location and cost (Section 3.1.1.1);
- To promote creativity and innovation in new residential development in accordance with current design and planning principles and constantly evolving energy-saving measures and construction techniques (Section 3.1.1.2);
- To prevent the location of non-compatible land uses in residential areas (Section 3.1.1.4);
- To continue to provide an attractive and enjoyable living environment within the Town (Section 3.1.1.5);
- To encourage and promote additional housing through intensification and redevelopment (Section 3.1.1.7);
- To encourage a diversification and inter mixing of different housing types and forms (Section 3.1.1.8); and
- To maintain at least a 10 year supply of land that is designated and available for residential uses and land with servicing capacity to provide a 3 year supply of residential units zoned to facilitate residential intensification and redevelopment, and in draft and registered plans (Section 3.1.1.9).

Within the Official Plan, applicable “Residential” policies include:

- Within the “Residential” designation on Schedule “A”, the primary use of land shall be for a range of dwelling types from single-detached dwellings to walkup type apartments, parks and open spaces, as well as the institutional uses provided for in Section 3.1.2.17 of this Plan. The various types of residential uses shall be controlled through the application of the Town’s implementing Zoning By-law (Section 3.1.2.2);
- Residential infilling type development is generally permitted throughout the “Residential” designation where such development is in keeping with the attributes of the neighbourhood in terms of building type, building form, and

- spatial separation. When evaluating the attributes of the neighbourhood, regard shall be given to lot fabric (i.e., area, frontage, and depth), and built form (i.e., setbacks, massing, scale, and height) (Section 3.1.2.3);
- Council will favour residential intensification and redevelopment over new green land residential development as a means of providing affordability and efficiencies in infrastructure and public services (Section 3.1.2.4);
  - When reviewing development or redevelopment proposals, Council shall consider following density targets (Section 3.1.2.5): d) Low rise apartments 40-75 units per 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;
  - In reviewing proposals for residential development with a net density of more than 18 units per hectare, 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 (Section 3.1.2.7):
    - a) That the development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area;
    - b) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents;
    - c) That the net density of development shall not exceed 75 units per hectare;
    - d) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
    - e) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule “B” of this Plan; and

- f) That sufficient on-site parking is provided and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing.
- Proponents of townhouse and apartment developments are encouraged to provide on-site recreational facilities in keeping with the proposed development (Section 3.1.3.8).

Neighbourhood commercial type uses may be permitted in the “Residential” designation provided that such uses service the immediate neighbourhood, are located and have access on an Arterial or Collector Road, are small scale in nature, and take a form which is compatible to the character of the areas (Section 3.1.2.22).

Section 5 of the Official Plan relates to Transportation and Services, which notes the following:

- All new developments must front on and have access to a public road, which is constructed to meet the minimum standards established by Council. New development or redevelopment proposals of more than thirty (30) dwelling units shall incorporate at least two points of public road access. Council will not approve infilling development in areas served by only one public road if those areas currently exceed thirty (30) dwelling units or where such infilling development will increase the number of dwelling units beyond thirty (30) dwelling units (Section 5.3.8).

In considering an amendment to the Official Plan and/or implementing Zoning By-laws, Council shall give due consideration to the policies of the Official Plan as well as the following criteria (7.17.4):

- a) the need for the proposed use;
- b) the extent to which the existing areas in the proposed designation or categories are developed and the nature and adequacy of such existing development in order to determine whether the proposed use is premature;
- c) the compatibility of the proposed use with conforming uses in adjoining areas;

- d) the effect of such proposed use on the surrounding area in respect to the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;
- e) the potential effects of the proposed use on the financial position of the Town;
- f) the potential suitability of the land for such proposed use in terms of environmental considerations;
- g) the location of the area under consideration with respect to the adequacy of the existing and proposed road system in relation to the development of such proposed areas and the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety and parking in relation thereto;
- h) the adequacy and availability of municipal services and utilities; and
- i) the adequacy of parks and educational facilities and the location of these facilities.

### **Planning Analysis**

The proposed redesignation to “Residential” is appropriate and desirable for the use of the subject lands, and conforms with the relevant policies of the Official Plan, as follows:

- The current use of the subject lands is for a flooring and paint store, which does not serve the primary intended function of the “Highway Commercial” designation. It is our opinion that it is appropriate to contemplate other potential functions/designations for the subject lands to better align with the existing neighbourhood, as well as growth needs of the Town of St. Marys;
- The proposed development contemplates a mix of residential and commercial uses. The existing “Highway Commercial” designation does not note residential uses as a permitted use in the Official Plan. The “Residential” designation is reflective of the type of use contemplated (Section 3.1.2.2);
- The proposed development is in keeping with the attributes of the existing community, which is generally a mix of dwelling types, and has respect for the existing lot fabric and built form characteristics of the surrounding area (Section 3.1.2.3);
- The proposed redesignation is supportive of the objectives for the “Residential” designation, including that the proposed designation is more compatible with the

surrounding residential uses (Section 3.1.1.4), allows for an adequate supply and choice of housing through intensification in an area with a diverse built form (Sections 3.1.1.1, 3.1.1.7, 3.1.1.8, and 3.1.1.9), will realize an innovative and attractive built form through contemporary planning principles (Sections 3.1.1.2 and 3.1.1.5);

- The application represents infill, which is a form of intensification encouraged for the subject lands by the in-effect OP (Section 3.1.2.4), as well as the new draft OP;
- The proposed development achieves a residential density of approximately 124 units per hectare. The density is in excess of the density permissions contemplated for this type of use (between 40 and 75 units per hectare), however the Official Plan does provide opportunity for Council to increase the permitted densities based on site specific circumstances, provision of on-site amenities, and servicing capacity. The subject lands have good access, being located at a primary intersection, which will help mitigate any potential traffic congestion for the surrounding neighbourhood. Additionally, commercial uses at grade will provide an enhanced neighbourhood function for this area. As described in Section 3 of this Report, there is sufficient servicing capacity for the proposed development (Section 3.1.2.5) (Section 3.1.2.22);
- The subject lands have frontage along two public roads, being James Street North and Glass Street, an Arterial and Collector Road respectively. While the development proposes a single access point from James Street North, it is important to note that the Strategic Priorities Committee heard and endorsed Report “DEV 37-2019 Secondary Access Requirements for Development in the Town of St. Marys”, which as part of the OP Review process, will seek to remove the secondary public road access policy requirement for new development or redevelopment proposing more than 30 dwelling units or infilling in areas that currently exceed 30 units (Sections 3.1.2.7e & 5.3.8);
- The proposed development will make efficient use of the subject lands, and will contribute to a mix of built forms in this area, providing an enhanced range of housing and commercial opportunities for residents (Section 7.17.4a);



- The proposed built form is in an appropriate location that will be generally compatible with surrounding land uses. The building has been sited to the southwest of the subject lands so as to maximise separation distances, and help mitigate any significant undue impacts to surrounding residential uses (Section 3.1.2.7 f, 7.17.4b, c, & d); and
- The subject lands are existing developed lands. As mentioned in Section 4.3.2 of this report, Environmental matters have been considered through the completed Phase 1 and 2 ESA's. (Section 7.17.4f).
- The subject lands provide appropriate vehicular access, servicing capacity is appropriate for the proposed use as noted in Section 3 of this Report (Section 3.1.2.7d, 7.17.4g & h).
- As shown in Figure 3 of this Report, the site has good access to surrounding recreational areas (Section 7,17.4i). The local school board will be circulated as part of the application review process to confirm adequate capacity for the future residents (Section 7.17.4i).

As noted in Section 2.1 of this Report, the proposed Official Plan Amendment will add a site specific policy applicable to the subject lands for a building exceeding three storeys in height (Section 3.1.2.7a) and with a density in excess of 75 units per hectare (Section 3.1.2.7c). This site specific designation to permit increased height and density is considered appropriate, and will assist the town in achieving growth targets in an appropriate manner. The subject lands are located at a key intersection towards the north of the Town, along the primary north/south corridor. This is an appropriate location for intensification. The proposed mix of uses would be complimentary and supportive of the north end of St Marys. There is a lack of housing mix (particularly apartment dwellings) and small-scale commercial uses for residents that are readily accessible in this area. There is a shortage of areas outside of the downtown that are suitable for intensification. The subject lands are an excellent candidate site for intensification, as this proposal contemplates, and would help to reduce growth pressures on the existing stable residential lands.

### **3.3 TOWN OF ST. MARYS OFFICIAL PLAN REVIEW**

The Town of St. Marys has initiated a review and update of the Official Plan, to support new strategic goals and community priorities with respect to development. In part, the review includes a reexamination of the policies pertaining to height and density.

On June 18, 2019, the Strategic Priorities Committee heard and endorsed Reports “DEV 36-2019 Building Height in St. Marys” and “DEV 40-2019 Town of St. Marys Official Plan Review Population Projections and Residential Land Demand/Supply”.

Regarding Staff Report DEV 36-2019, which relates to how building heights are to be addressed in the new Official Plan, the Strategic Priorities Committee endorsed a staff recommendation (Option 2) to increase the maximum permitted height for all Residential Areas from 3 to 4 storeys.

Staff Report DEV 40-2019 related to the Town’s land inventory and requirements for future growth projections. The Staff Report identifies the lands needs for future growth, and identifies specific properties that have potential to accommodate this growth. The Report identifies underutilized Highway Commercial lands with the potential for residential intensification, including the subject lands (identified as “HC-7”). Accordingly to the report, the subject lands are targeted for intensification for up to approximately 47 units over four storeys.

Furthermore, in May 2019 the Strategic Priorities Committee heard and endorsed Report “DEV 37-2019 Secondary Access Requirements for Development in the Town of St. Marys”. The endorsed Report confirms that as part of the OP Review process, the Town will seek to remove the secondary public road access policy requirement for new development or redevelopment proposing more than 30 dwelling units or infilling in areas that currently exceed 30 units (OP Policy 5.3.8).

#### ***Planning Analysis***

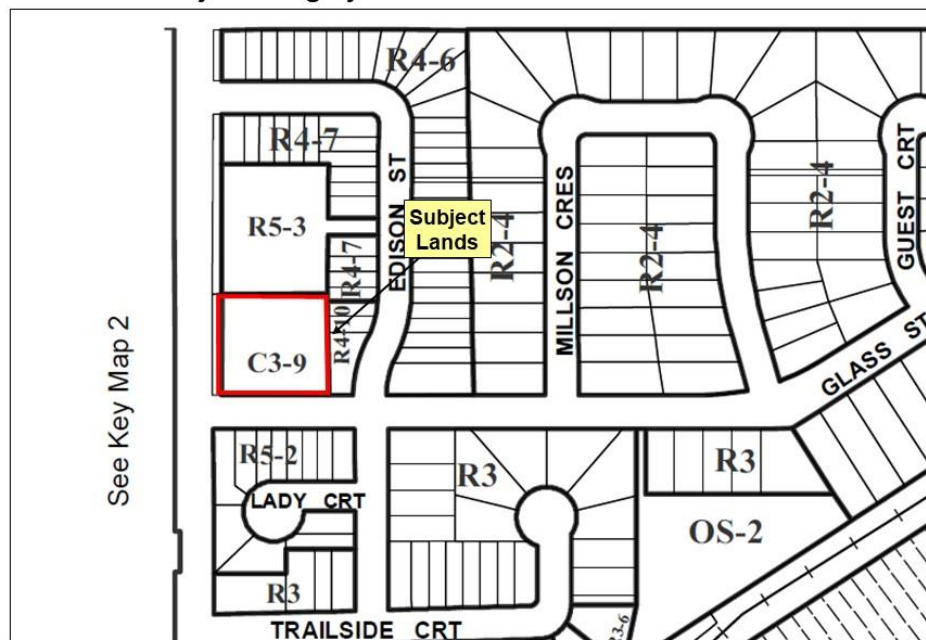
The subject lands have been identified for residential intensification and are considered to form an important part of the future residential supply of the Town of St. Marys.

The proposed development seeks to establish the growth targets and respect the policy direction provided for in Staff Reports DEV 36-2019, DEV 40-2019 and DEV 37-2019. As noted, the subject lands have been included in the Town's land supply to provide approximately 47 dwelling units. The planning applications would seek to establish 46 dwelling units on the subject lands, over five storeys including commercial uses at grade to service the community. The mix of 1-and 2-bedroom units with generous floorplates will provide housing opportunities for a range of family sizes. Based on the desire to provide appropriately sized units with essential commercial functions at grade level, it has been established that the density of 47 units targeted by the Town cannot be achieved over four storeys.

### 3.4 TOWN OF ST. MARYS ZONING BY-LAW NO. Z1-1997, AS AMENDED

The Subject Lands are zoned "Highway Commercial (C3-9)" under the Town of St. Marys Zoning By-law No. Z1-1997, as amended, as shown on "Map 3" (see Figure 5).

Figure 5  
Town of St. Marys Zoning By-law No. Z1-1997



Location and boundaries are approximate

Uses permitted in the Highway Commercial (C3-9) zone include a range of commercial/business uses. Special provision 9 permits additional uses on the subject lands, including a business and professional office, police station, specialty store (catalogue sales), and a taxi stand/office. Special provision 9 also applies a site specific setback provision. Residential uses are not listed as permitted uses in the C3-9 zone.

A site-specific Residential Zone Five (R5) zone is proposed as part of the ZBA to permit the apartment and an enhanced range of small-scale neighbourhood commercial uses.

### ***Planning Analysis***

The Zoning By-law Amendment is required to adequately address the requirements of the proposed development while implementing the policies of the Town of St. Marys OP.

The proposed site specific provisions would ensure efficient use of the subject lands in an appropriate and compact manner. The requested provisions are considered appropriate, and are not anticipated to have significant impacts on the surrounding uses. As mentioned, a draft Zoning By-law has been prepared, and is included to this Report as Attachment 2, with some of the proposed exceptions discussed further below.

### **Permitted uses**

In addition to the apartment dwelling use permitted within the R5 Zone, the inclusion of a range of small-scale convenience commercial uses will allow the landowner to respond more flexibly to changing market conditions. The additional uses are generally compatible with the surrounding land uses.

### **Setbacks**

Relief is sought to permit a minimum front yard (James Street North) setback of 5 m (whereas 7.5 m is required); a minimum exterior side yard (Glass Street) setback of 4.5 m (whereas 7.5 m is required); and a minimum rear yard (easterly) setback of 4.38 m (whereas 12 m is required).

The Site is subject to a 5m wide land dedication for road widening purposes along the James Street North frontage, as well as a 3m wide land dedication along the Glass Street frontage. In addition, an approximate 11 m by 11 m unobstructed daylight sight triangle is required at the corner of Site at the intersection of the James Street North and Glass Street. Without the requirement to provide these elements the proposed building would exceed the R5 zone minimum front and exterior side yard setbacks regulations. Moreover, collectively, these elements significantly impair the opportunity for the Site to achieve other positive aspects of the OP, by taking up space that could otherwise be used for development in support of area intensification.

Current planning theory/standards generally encourage reduced setbacks to public areas (streets) to better frame and animate these spaces. Reduced front yard and exterior side yard setbacks will make efficient use of the lands for intensification, and appropriately frame the public street. It is not anticipated that the minor relief sought from the minimum front and exterior yard setbacks will result in significant impacts to surrounding uses.

Appropriate separation will be achieved for future residents of the development and for adjacent existing residents. The proposed rear setback will allow sufficient space for buffering, including fencing and landscaping. Specific site design matters, including desired buffering opportunities, will be established through a future Site Plan Approval process.

### Building Height

The proposed 5-storey building will have a maximum height of 17.85 m; whereas 13.5 m is permitted in the R5 zone.

The subject lands are located at the intersection of an Arterial and Collector Road, and are supportive of redevelopment for an intensified form with additional height. The subject lands are in an area characterised by recent developments that are generally at a medium density, such as townhouses. Council have endorsed policy direction that would increase the permitted heights throughout the Town. Emerging land use policies are seeking to direct greater heights and densities to key areas, including the subject

lands. It is our submission that the proposed five (5) storey building is of a height, scale and massing that is consistent with the Town's anticipated development parameters and policies.

As mentioned, collectively elements such as land dedications and the daylight sight triangle is taking up space that could otherwise be used for development in support of area intensification. As such, the proposed height (and density) of the building is needed to maintain the viability of the proposed development.

### Parking spaces

The proposed mixed-use development will provide a total of 56 on-site parking spaces (36 surface spaces and 20 underground spaces), whereas a minimum of 67 spaces are required (i.e. a shortfall of 11 spaces).

For the residential component of the proposed development, a parking rate of approximately 1 space per unit is provided; whereas 1.25 spaces per unit is required. A parking rate of 1 space per 20 square metres has been used to calculate the required parking for the proposed 173 sq. m. ground floor commercial space. This is the rate applied to office uses. However, if the future use of this space was to be a retail store or personal service shop, a higher rate of 1 space per 30 sq. m would apply, and the total required number of parking spaces would be further reduced.

All required standard and accessible spaces are provided, with all of the proposed parking stalls complying with the minimum stall size requirements in the zoning by-law. Sufficient on-site manoeuvring areas are provided for residents, customers and service vehicles.

The total number of parking spaces is considered appropriate and desirable for the proposed development, and will make efficient use of the land. The subject lands are located at intersection of an Arterial Road and Collector Road, and have good access to the surrounding street network, which will help mitigate potential traffic congestion in the surrounding area.

## **4.0 ADDITIONAL ANALYSIS**

### **4.1 URBAN DESIGN**

The Town of St. Marys has not adopted urban design guidelines that would be applicable to the proposed development.

The Official Plan contains policies that are to be applied during the urban design evaluation of proposals through the development application process. The OP policies provide direction primarily for the compatibility of the proposed use with the existing attributes of the neighbourhood in terms of building type, building form, and spatial separation. Specific reference is made to lot fabric and built form. Policies 3.1.2.3 and 7.17.4 c) and d) of the OP (referenced in Section 3.2 of this Report) are considered relevant, and further discussed below.

The subject lands are located in the St. Marys Junction, which can generally be described in its current condition as a neighbourhood that is relatively isolated in the north end of St. Marys, connected to the broader Township by James Street North, and to a smaller extent Glass Street. Within this community, there are a mix of built forms and dwelling types and densities, including single detached dwellings, semi-detached dwellings, and townhouses. Dwellings in the surrounding area are generally newer construction. Many of the buildings contain similar characteristics, including light brick main floors and/or vinyl siding. Sidewalks are located on one side of the street in this neighbourhood, and large driveways dominate the landscape, being located at the front yard of dwelling units. The surrounding street layout includes a number of cul-de-sac occurrences. Buildings across Glass Street are rear lotted, with a fence along the extent of Glass Street in proximity to the subject lands.

There is a dearth of convenience commercial uses in the St. Marys Junction, requiring longer trips (generally in a private automobile) for everyday use items or services.

With the above neighbourhood context as a basis, the proposed development is considered to be compatible with the existing attributes of the neighbourhood as follows:

- The proposed ground floor commercial uses are compatible with surrounding lands, offering immediate and convenient access where currently none exist within a walking distance. The commercial uses will have a positive impact and improve the experience of the existing community;
- The apartment style building is appropriately located at the main access points to this neighbourhood, being James Street North and Glass Street. The proposed development is scaled to act as a gateway to this neighbourhood;
- The proposed apartment dwellings will contribute to the mixture of unit types existing in the neighbourhood;
- It is acknowledged that the proposed built form varies in scale to the surrounding lands, but is appropriately positioned (adjacent to townhouse and semi-detached dwellings), and will provide a transition to the surrounding single detached dwellings. Considerable efforts have been made during the design of the project to ensure that the building is located and orientated appropriately; and
- The proposed building will be adequately set back to frame adjacent streets, and provides sufficient setbacks to property lines to allow buffering (i.e. mature vegetation and/or fencing), which will be detailed through the site plan approval process. The building is oriented along Glass Street, allowing surface parking to the north to provide buffer space to existing residential uses, and to minimize the built form imposed to those uses to the east.

It is important to also consider the existing built form, use and land use permissions of the subject lands. As noted, the lands are currently developed and used for highway commercial purposes. These uses generally cater to the travelling public, and for the most part are not complimentary to residential uses in the immediate proximity. The proposal would provide an enhanced condition with respect to the existing use and built form. The existing built form is dominated by a large surface parking area at the main intersection, between the main face of the single storey building occupying the remainder of the site. The proposed development would result in a building that frames the adjacent streets, and provide a sense of place through street activated pedestrian orientated at-grade commercial uses, while screening parking areas from public areas.



## **4.2 LOCATION AND COMPATIBILITY**

The Subject Lands are well suited for the proposed residential development, and the proposed development is compatible with the surrounding land uses, for the following reasons:

- The Subject Lands are located within the boundary of an existing urban area (Town of St. Marys) where residential uses are contemplated. As part of the current Official Plan Review the subject lands are identified for residential intensification for up to approximately 47 units;
- The subject lands are surrounded on three sides by existing residential uses, generally of a medium density scale of relatively recent construction. The existing neighbourhood generally contains a mix of dwelling types, which the proposal will effectively contribute towards;
- The proposed development will provide small-scale neighbourhood commercial use(s) that will help service the existing surrounding community, where currently there is a lack of neighbourhood commercial type uses;
- The proposed development is located with frontages onto an Arterial Road and a Collector Road, a context in which locating a higher density form of development with good access is appropriate, and provide opportunities to mitigate potential traffic congestion on local streets; and
- The proposed development is adequately set back from adjacent streets, while also buffering surface parking areas.

## **4.3 TECHNICAL STUDIES**

The proposed development is supported by the following technical reports.

### **4.3.1 Preliminary Servicing Report**

A Preliminary Servicing Report was prepared by MTE Consultants for the proposed development. The findings of the Report conclude that the proposed development can be adequately serviced through the extension of existing gravity sanitary sewers and municipal watermains, and the extension of other existing utilities including hydro, gas,

cable TV and telephone. Further, that stormwater management can be accommodated in the proposed storm sewer servicing oil and grit separator.

#### **4.3.2 Environmental Site Assessments**

Phase 1 and Phase 2 ESA's were completed by Rubicon Environmental (2008) Inc. to determine if there were any environmental concerns on the subject property related to any onsite or offsite potentially contaminating activities.

Given the historical nature of the previous use on the subject lands, which included an automobile repair garage, and other potential environmental concerns identified in the Phase 1 ESA, it was recommended that a Phase 2 ESA be prepared.

The Phase 2 ESA investigation completed on the subject property included the advancement of five (5) boreholes (BH) and the monitoring of six (6) existing monitoring wells was completed on-site. The locations of the boreholes were strategically placed to fully investigate and identify any contaminants of concern which may be present on, in or under the Phase 2 ESA property. As a result of the findings of the Phase Two ESA, it is the opinion of Rubicon Environmental (2008) Inc. there is no known environmental conditions in the land or the water on, in or under the Phase Two property to warrant further environmental investigation at this time. The Site is suitable for the filing of a Record of Site Condition with the MECP.

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## 5.0 CONCLUSIONS

Given the findings of this Report and the supporting materials, it is concluded that the Subject Lands are well suited for the proposed mixed residential and commercial development as follows:

- The proposed development is consistent with the Provincial Policy Statement;
- The Town has identified the subject lands for residential intensification as part of a comprehensive review of policies relating to height and density;
- The proposed Official Plan Amendment will redesignate the subject lands to “Residential” while applying site specific policies that permit grade related commercial uses and allow for site specific height and residential density considerations;
- The proposed Zoning By-law Amendment will facilitate the mixed use residential and commercial development by applying site specific provisions that are appropriate and allow the development to make efficient use of the lands;
- The proposed development contributes a dwelling type not commonly found in the Town of St. Marys, adding to the range of choices available to residents.
- The redevelopment of the subject lands provides opportunity for desirable intensification in St. Marys, including a mix of 1- and 2-bedroom units that provide livable space for families to remain and grow;
- The proposed development makes more efficient use of the subject lands while still retaining their planned general commercial function; and
- The Subject Lands are well located for the proposed mixed use development and are compatible with surrounding existing land uses.

AMENDMENT NO. \_\_  
TO THE  
TOWN OF ST. MARYS OFFICIAL PLAN

Prepared by:  
Council of the Corporation of the Town of St. Marys  
MONTH YEAR

DRAFT

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**BY-LAW NO. \_\_-20**

**TO ADOPT AMENDMENT NO. \_\_ 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. \_\_ 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 and second time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Read a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**Al Strathdee, Mayor**

\_\_\_\_\_  
**Brent Kittmer, CAO-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 map (designated Schedule "A-\_\_\_"), constitutes Amendment No. \_\_\_ 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 (I through V inclusive) contain the background data, planning considerations, and public involvement associated with this Amendment

DRAFT

## **PART A - THE PREAMBLE**

### **Purpose**

The purpose of this Amendment is to redesignate the lands affected by this Amendment from the existing “Highway Commercial” designation to the “Residential” designation on Schedule “A” Land Use Plan of the Official Plan. Further, this Amendment is intended to set forth specific policies within the “Residential” designation that will only apply to the area affected by this Amendment.

### **Location**

The land that is affected by this Amendment is known municipally as 665 James Street North, and legally described as Part of Lot 15, Concession 18, (Geographic Township of Blanshard) now in the Town of St. Marys, County of Perth, as shown in bold outline on the attached Schedule “A-\_\_\_”.

### **Basis**

The subject property is approximately 0.42 hectares in size and is at the northeast corner of the intersection of James Street North and Glass Street, at the north end of the Town of St Marys. The property is currently occupied by flooring and paint store.

The proponent is seeking to redevelop the subject property as a mixed-use building with on-site surface and underground parking for the proposed uses.

The subject property is designated “Highway Commercial” in the Town of St. Marys Official Plan, a designation intended to serve the travelling public in private automobiles. The surrounding lands are designated “Residential”, and are generally not reflective of an area that is targeted to service the travelling public. Residential uses are not permitted in the “Highway Commercial” designation. The “Residential” designation is considered a more appropriate designation for the mix of uses contemplated for these lands, as well as meeting the following Official Plan objectives:

- encourage the provision of an adequate supply and choice of housing for the existing and future residents (Section 3.1.1.1);
- prevent the location of non-compatible land uses in residential areas (Section 3.1.1.4);
- encourage and promote additional housing through intensification and redevelopment (Section 3.1.1.7);
- encourage a diversification and inter mixing of different housing types and forms (Section 3.1.1.8); and
- maintain at least a 10 year supply of land that is designated and available for residential uses and land with servicing capacity to provide a 3 year supply of residential units zoned to facilitate residential intensification and redevelopment, and in draft and registered plans (Section 3.1.1.9).

The height and density of the proposed development do not conform with Section 3.1.2.7 of the Official Plan. To develop the property as proposed, the owner has made application to amend the policies of the Town’s Official Plan.

## **PART B - THE AMENDMENT**

All of this document entitled “Part B - The Amendment” consisting of the following text and attached Map, designated Schedule “A-\_\_\_” (Land Use Plan), constitutes Amendment No. \_\_\_ 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:

Schedule “A”, being the Land Use Plan for the Town of St. Marys Official Plan, is hereby amended by labelling the land use designation of 665 James Street North, legally described as Part of Lot 15, Concession 18, (Geographic Township of Blanshard) now in the Town of St. Marys, County of Perth, as shown in bold outline on “Schedule A-\_\_\_” attached hereto as “Residential” and subject to the polices of Section 3.1.3\_\_\_.

Item 2:

By adding a new clause to Section 3.1.3 - Exceptions to the Town of St. Marys Official Plan which reads as follows:

“\_\_\_) The property described as 665 James Street North, legally described as Part of Lot 15, Concession 18, (Geographic Township of Blanshard) now in the Town of St. Marys, County of Perth may be developed for a 5-storey mixed-use building with at-grade commercial uses and for apartment units above to a maximum density of 124 units/ha, with a single access point off James Street North.

## **PART C - THE APPENDICES**

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

### **APPENDIX I - BACKGROUND TO THE AMENDMENT**

The owner of the subject property has made application to amend the Official Plan in order to develop the subject property as a mixed-use residential and commercial development in the form of a multi-storey apartment type building.

### **APPENDIX II - LAND USE SURVEY**

Land uses in the vicinity of the subject property are described in the attached Town Staff Reports.



### **APPENDIX III - SERVICES**

The Town will require that proposed developed be serviced by municipal water and sanitary services.

### **APPENDIX IV - PLANNING CONSIDERATIONS**

Refer to planning considerations in attached the Town Staff Reports.

### **APPENDIX V - PUBLIC PARTICIPATION**

Includes the following:

- a) Notices of Planning Advisory Committee meetings;
- b) Agency comments summarized in attached Town Staff Reports; and,
- c) Notice of Public Meeting at Council.

DRAFT

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**BY-LAW NO. XXX-20XX**

**BEING a By-law pursuant to the provisions of Section 36 of the Planning Act to amend By-law No. Z1-1997, as amended, which may be cited as “The Zoning By-law of the Town of St. Marys”, to rezone the lands located at 665 James Street North from C3-9 to R5-XX.**

**WHEREAS the Council of the Corporation of the Town of St. Marys deems it necessary in the public interest to pass a By-law to amend By-law No. Z1-1997, as amended;**

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ST. MARYS ENACTS AS FOLLOWS:**

1. The entirety of the lands known municipally as 665 James Street North, as shown on the attached map, Schedule “A”, shall be removed from the “Highway Commercial Zone – C3-9” of By-law No. Z1-1997 and shall be placed in the “Residential Zone Five – R5-XX” of By-law No. Z1-1997. The zoning of this land shall be shown as “R5-XX” on Key Map 3 of Schedule “A” to By-law No. Z1-1997, as amended.
2. That Section 12.9 of By-law No. Z1-1997 is hereby amended by adding the following special provision:
 

12.9.XX	R5-XX
a) Location:	
b) Notwithstanding the provisions of the Zoning By-law to the contrary, the following shall apply to those lands zoned “R5-XX”:	
i. Permitted Uses, Buildings, and Structures shall also include those uses noted by provision 15.1.1;	
ii. The minimum front yard setback shall be 5 m;	
iii. The minimum exterior side yard setback shall be 4.5 m;	
iv. The minimum rear yard setback shall be 4.38 m;	
v. The maximum number of storeys permitted shall be 5 storeys;	
vi. The maximum building height permitted shall be 18 m;	
vii. The minimum number of parking spaces required shall be 56.	
c) All other provisions of this By-law, as amended, shall apply.	
3. Schedule “A”, attached hereto, shall form part of this By-law.
4. All other provisions of By-law No. Z1-1997, as amended, shall apply.
5. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act, as amended, and to Regulations thereunder.
6. This By-law shall come into force on the day it was passed pursuant to the Planning Act, and to the Regulations thereunder.

**Read a first and second time this \_\_\_ day of \_\_\_\_\_, 20XX.**

**Read a third and final time and passed this \_\_\_ day of \_\_\_\_\_, 20XX.**

\_\_\_\_\_  
Mayor Al Strathtdee

\_\_\_\_\_  
Brent Kittmer, CAO / Clerk

THIS IS **SCHEDULE "A"**

TO **BY-LAW NO. Z1-1997**

OF THE **TOWN OF ST. MARYS**

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020

\_\_\_\_\_  
**Al Strathdee, Mayor**

\_\_\_\_\_  
**Brent Kittmer, CAO/Clerk**



Shall be removed from the "Highway Commercial (C3-9) Zone" of By-law No. Z1-1997 of the Town of St. Marys and shall be placed in the "Residential Five (R5) Zone", subject to the provisions of Section 12.9.XX (R5-XX) of Z1-1997 of the Town of St. Marys

