

Original



Corporation

of the Town of St. Marys

RECEIVED

MAY 05 2017

- ☒ Application for Approval of a Official Plan Amendment
(Under Section 22(4) of the Planning Act)
- ☒ Application for Zoning By-law Amendment
(Under Section 34 or 39 of the Planning Act)
- ☐ Application to Remove a Holding Symbol
(Under Section 34 and 36 of the Planning Act)

Instructions

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application See Section 13.0).

Please bear in mind that additional information may be required by the Town, local and provincial agencies in order to evaluate the proposed Amendment. The required information may include studies or reports to deal with such matters as impacts on: the environment; transportation network; water supply; sewage disposal; and storm water management.

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41, of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (➔) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 198/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also sets out other information (eg. technical information or reports) that will assist the approval authority and others in their planning evaluation of the development proposal. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) Council will determine whether there is sufficient merit in processing the application further (i.e. circulation of notice and the holding of a public meeting as required by the Ontario Planning Act). The applicant is encouraged to attend a public meeting, to present the proposal. The applicant will be provided notice of any decision made by Council concerning the application. Official Plan Amendments and Zoning By-law Amendment are adopted by St. Marys Council. If no notice of appeal is received within twenty days, the Official Plan Amendment and/or Zoning By-law Amendment is in force.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

➔ 1.1 Name of Owner(s) An owner's authorization is required if applicant is not the owner (See Section 12.0)		Home Telephone No.	Business Telephone No.
Name of Owner(s) <u>Margaret McMillan Baird and Bairds of Strathaven Inc.</u>		<u>519-284-3873</u>	
Address <u>PO Box 249 825/895 Queen Street East, St. Marys</u>		Postal Code <u>N4X 1B1</u>	Fax No.

1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or firm acting on behalf of the owner.)		Home Telephone No.	Business Telephone No.
Name of Contact Person (and Firm) <u>Grand Baird Janet Baird Jackson, 9 Oakwood Links Lane, Nottville</u>		<u>519-851-6178</u>	
Address <u>Dave Hanly, 52 Fairfield Drive, Stratford N5A 0A6</u>		Postal Code <u>519-275-2694</u>	Fax No.

➔ 2.0 Location and Size of the Subject Land

Street No. <u>895</u>	Name of Street/Road <u>Queen Street East</u>	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No.	Part Number(s)	Concession Number(s) <u>19</u>	Lot Number(s) <u>Pt. 17</u>
Lot Frontage	Average Width	Average Depth	Lot Area

➔ 2.1 Is there a mortgage or charge in respect of the subject land? ☐ Yes ☒ No If yes, give the names and addresses of any mortgages or charges

➔ 2.2 Are there any easements or restrictive covenants affecting the subject land? ☐ Yes ☒ No If yes, describe the easement or covenant and its effect.

➔ 2.3 When were the subject lands acquired by the current owner? Margaret Baird parcel - 1985 (previously owned by her husband since 1954)
Bairds of Strathaven Inc. parcel - has been in a Baird family name since 1962

➔ 3.0 Proposed and Current Land Use

➔ 3.1 What is the proposed use of the subject land? Residential (2 existing single-detached dwellings) and vacant agricultural

➔ 3.2 What is the current use of the subject land? Residential (2 existing single-detached dwellings) and vacant agricultural

➔ 3.3 How is the subject land currently designated in the Official Plan? Highway Commercial

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

Highway Commercial Zone C3-H

➤ 3.5 Provide the following details for all buildings, both existing or proposed. (Should be shown on the Site Plan submitted with this Application).

	Existing Buildings		Proposed Buildings		Existing Buildings		Proposed Buildings
	3.5.1 Front yard	3.5.2 Rear yard			3.5.5 Height	3.5.6 Dimensions	
3.5.1 Front yard	38m	40m	—	3.5.5 Height	1 Storey	1 Storey	—
3.5.2 Rear yard	12.3m	14.5m	—	3.5.6 Dimensions			—
3.5.3 Side Yard	29.5m	6.1m	—	3.5.7 Gross Floor Area			—
3.5.4 Side Yard	8m	23m	—	3.5.8 Date Constructed	1972		—

Original part ~1890; newer part 19604

➤ 4.0 Official Plan Amendment (proceed to Section 5.0 if a Official Plan Amendment is not proposed)

4.1 Does the Proposed Official Plan Amendment:

- 4.1.1 Add a Land Use designation to the Official Plan?
 4.1.2 Change a land use designation in the Official Plan?
 4.1.3 Replace a policy in the Official Plan?
 4.1.4 Delete a policy from the Official Plan?
 4.1.5 Add a policy to the Official Plan?

Yes

No

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

Special provision or exception policy to be added to Section 3.3.3 of Official Plan

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

To provide site specific policy in the Town's Official Plan which will permit the severance of 2 existing dwellings in the Highway Commercial designation and for the continued use of these 2 existing residential uses.

4.3 Explain how this proposal has regard to the principles of the Provincial Policy Statement issued under the Planning Act (attach a separate page if necessary).

Retention of existing residential dwellings/stock and consolidation of future development/employment lands.

➤ 5.0 Zoning By-law Amendment (proceed to Section 6.0 if a Zoning By-law Amendment is not proposed)

5.1 Does the Proposed Zoning By-law Amendment:

- 5.1.1 Add a Zone Category to the Zoning By-law?
 5.1.2 Change a Zone Category in the Zoning By-law?
 5.1.3 Replace a zoning provision in the Zoning By-law?
 5.1.4 Delete a zoning provision from the Zoning By-law?
 5.1.5 Add a zoning provision to the Zoning By-law?

Yes

No

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

To add a special provision to Section 17.4 to permit the severance of two existing dwellings and the continued use of these two residential uses.

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

To provide specific zone provisions to permit the severance of 2 existing dwellings in the HB-3 zone and for the continuation of the 2 dwellings

6.0 Previous Industrial or Commercial Uses

6.1 Has there previously been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates.

☒ Yes ☐ No

Not on subject lands, but yes on adjacent lands

6.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No

6.3 What information did you use to determine the answers to the above questions?

6.4 If Yes, to (6.1), (6.2) or (6.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed.

Is the previous use inventory attached? ☒ Yes ☐ No

Baird Lumber/St Marys Home Bldg. Centre; Echo Tech Machine and Tool; Stonetown Supply Services; Stone Willow Inn; St. Marys Golf Course

➤ 7.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for a consent, approval of a site plan, minor variance, Zoning By-law Amendment or Zoning Order Amendment? ☒ Yes ☐ No If Yes, indicate the type of application, the file number and the status of the application.

Three Consent applications submitted at present

➤ 8.0 Servicing

8.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	<input checked="" type="checkbox"/>	No Change	a) Public piped water system		<input checked="" type="checkbox"/>
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)	<input checked="" type="checkbox"/>	
d) Other			d) Other		

Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers			a) Arterial Road	✓	No Change
b) Ditches or swales	✓	No change	b) Collector Road		
c) Other			c) Local Road		

9.0 Justification

9.1 Indicate how the proposed use(s)/ zone complies with the relevant portions of the Official Plan - or complete an Official Plan Amendment Application.

The subject applications do not involve any changes in physical land use, but rather allows for lot creation for existing residential uses while consolidating lands for future development. Proposed zoning will implement and be in conformity with requested OPA.

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

The two existing single-detached residential uses have existed and operated as compatible uses with surrounding uses in the past and there is no reason to expect that this will change as a result of these application.

10.0 Other Information

11.0 Application Drawing

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

- The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- The uses of adjacent and abutting land;
- The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
- The location of all natural and man-made features on the land and the location of these features on adjacent and abutting lands; and
- Scale and north arrow.

12.0 Affidavit or Sworn Declaration

I, Janet Baird Jackson of the Grand Bend in the County/Region of Huron

make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the Town of St. Marys

in the County/Region of Perth

this 10th day of May

Susan Louise Luckhardt,
a Commissioner, etc.,
Province of Ontario,

for the Corporation of the Town of St. Marys.
Expires September 5, 2018.

Commissioner of Oaths

[Signature]
Applicant

13.0 Authorization of Owner for Agent to Make the Application

I (we), Margaret McMillan Baird of the Town of St. Marys in the County/Region of Perth

am the owner of the land that is the subject of this application for an Official Plan Amendment/Zoning By-law Amendment and I hereby

authorize Janet Baird Jackson / David Hanly to act as my agent in the application.

May 3, 2017
Date

[Signature]
Signature of Owner

14.0 Acknowledgement

ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the St. Marys for legal counsel and other associated costs to represent the Corporation of the St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

Dated at the Seaford

in the County/Region of Huron

this 3rd day of May, 2017

[Signature]
Applicant

Information Sheet for Baird Official Plan Amendment, Zoning By-law Amendment, and Consent to Sever Applications

Ownership:

1. "L" shaped parcel (Parts 1, 2, 3 and 4 on attached sketch) is owned by Margaret McMillan Baird and has been in her name since 1985. Prior to that, the parcel was owned by Robert James Baird (Margaret McMillan Baird's husband) since June 14, 1954.
2. Irregular shaped parcel (Parts 5 and 6 on attached sketch) is owned by Bairds of Strathaven Inc., a company that was owned by Robert and Margaret McMillan Baird and now by Margaret McMillan Baird.

Location and Size:

1. "L" shaped parcel has a municipal address of 825/895 Queen Street East and is described as part of Lot 17, Concession 19, formerly in the Township of Blanshard, now in the Town of St. Marys. It has a frontage of 121.92 metres on Queen Street East and an area of 2.07 hectares.
2. Irregular shaped parcel has a municipal address of 825/895 Queen Street East and is described as part of Lot 17, Concession 19, formerly in the Township of Blanshard, now in the Town of St. Marys. It has a frontage of 185.319 metres on fronts Road 120 and an area of 3.29 hectares.

Existing Uses and Buildings:

1. Existing use of the "L" shaped parcel is residential and vacant agricultural. The southerly portion (Parts 1, 2 and 3) is the site of two single-detached dwellings and has been used for residential purposes for many years. The dwelling on the easterly portion of the property was constructed in approximately 1890 with additions made since then and the dwelling on the westerly portion of the property was constructed in 1972. There is a small shed associated with each of the two dwellings. The westerly dwelling is the home of Margaret McMillan Baird and the easterly dwelling is the home of Don and Donna Baird, Margaret McMillan Baird's son and daughter-in-law.
2. Existing use of the irregular shaped parcel is considered as vacant agricultural. It was previously used for a mink ranch operation which was owned and operated by Robert and Margaret Baird. The only building remaining on this property is a barn which is presently used for storage associated with the two existing dwellings on the Margaret McMillan Baird property. A portion of this barn was used for the storage of carpet associated with a building supply/lumber yard use on the abutting property to the south-east, which property is now the site of the St. Marys Home Building Centre. This incidental storage use ceased in 2005.

Purpose of Applications:

1. The **Official Plan Amendment application** requests that the land use designation of the lands on which the two single-detached dwellings are located remain in the "Highway Commercial" designation with a special policy/exception added to Section 3.3.3 of the Official Plan to permit the creation of separate lots for each of the two single-detached dwelling residential uses. The area for the easterly residential use lot is identified as Parts 2 and 5. The area for the westerly residential use lot is identified as Part 3. Through the Consent to Sever application process, the remainder of the "L" shaped property (Parts 1 and 4) and the remainder of the irregular shaped parcel (Part 6) will be consolidated to form one property which will be owned by Bairds of Strathaven Inc. These lands will also remain in the "Highway Commercial" designation.
2. The **Zoning By-law Amendment application** requests that the zoning of the lands on which the two single-detached dwellings are located (Parts 2 and 3) and a small area to the rear of the easterly dwelling (Part 5) remain in the "Highway Commercial Zone (C3-H)" with a special provision added to Section 17.4 of the Zoning By-law to permit the two single-detached dwelling residential uses on separate individual lots as permitted uses in the "C3-H" zone and for the continued use of same.
3. **Consent Application # 1** - proposes to sever that area of the Margaret McMillan Baird property which is located between the two existing single-detached dwelling residential uses (Part 1) and add it to the irregular shaped property owned by Bairds of Strathaven Inc. (Parts 5 and 6). The area to be severed fronts onto Queen Street East, has a width of 20 metres, and an area of 1,219.2 square metres. This will result in two remnant parcels, one to the east consisting of most of the lot for the easterly single-detached dwelling use (Part 2) and one to the west consisting of the lot for the westerly single-detached dwelling and the vacant agricultural use area north of same (Parts 3 and 4). The easterly remnant will be conveyed to Don and Donna Baird while the westerly remnant will be owned by Margaret McMillan Baird.
4. **Consent Application # 2** – proposes to sever that area of the Margaret McMillan Baird property which is located to the north of the westerly single-detached dwelling residential use (Part 4) and add it to the irregular shaped property owned by Bairds of Strathaven Inc. (Parts 5 and 6). The remnant single-detached dwelling residential use lot (Part 3) will continue to be owned by Margaret McMillan Baird.
5. **Consent Application # 3** - proposes to sever a small area to the rear and north of the easterly single-detached dwelling (Part 5) from the Bairds of Strathaven Inc. property and add it to the easterly single-detached dwelling use lot (Part 2). This small area has a depth of 8.116 metres and an area of 414.1 square metres.
6. The 3 Consent applications will result in the following:
 - (i) The Bairds of Strathaven Inc. property being enlarged to consist of Parts 1, 4, and 6. It will have a frontage of 20 metres of Queen Street East, a frontage of 185.319 metres on Road 120, and an area of 4.7 hectares.

- (ii) A lot containing the easterly existing single-detached dwelling use consisting of Parts 2 and 5. It will have a frontage of 51.018 metres on Queen Street East and an area of 3,524.1 square metres.
- (iii) A lot containing the westerly existing single-detached dwelling use consisting of Part 3. It will have a frontage of 50.902 metres on Queen Street East and an area of 3,516.1 metres.

Note: It is proposed that the 3 Consent to Sever applications be dealt with concurrently and that the appropriate conditions be applied to facilitate the noted lot additions.

OPA, ZBA AND SEVERANCE SKETCH

OF PART OF
LOT 17
CONCESSION 19.

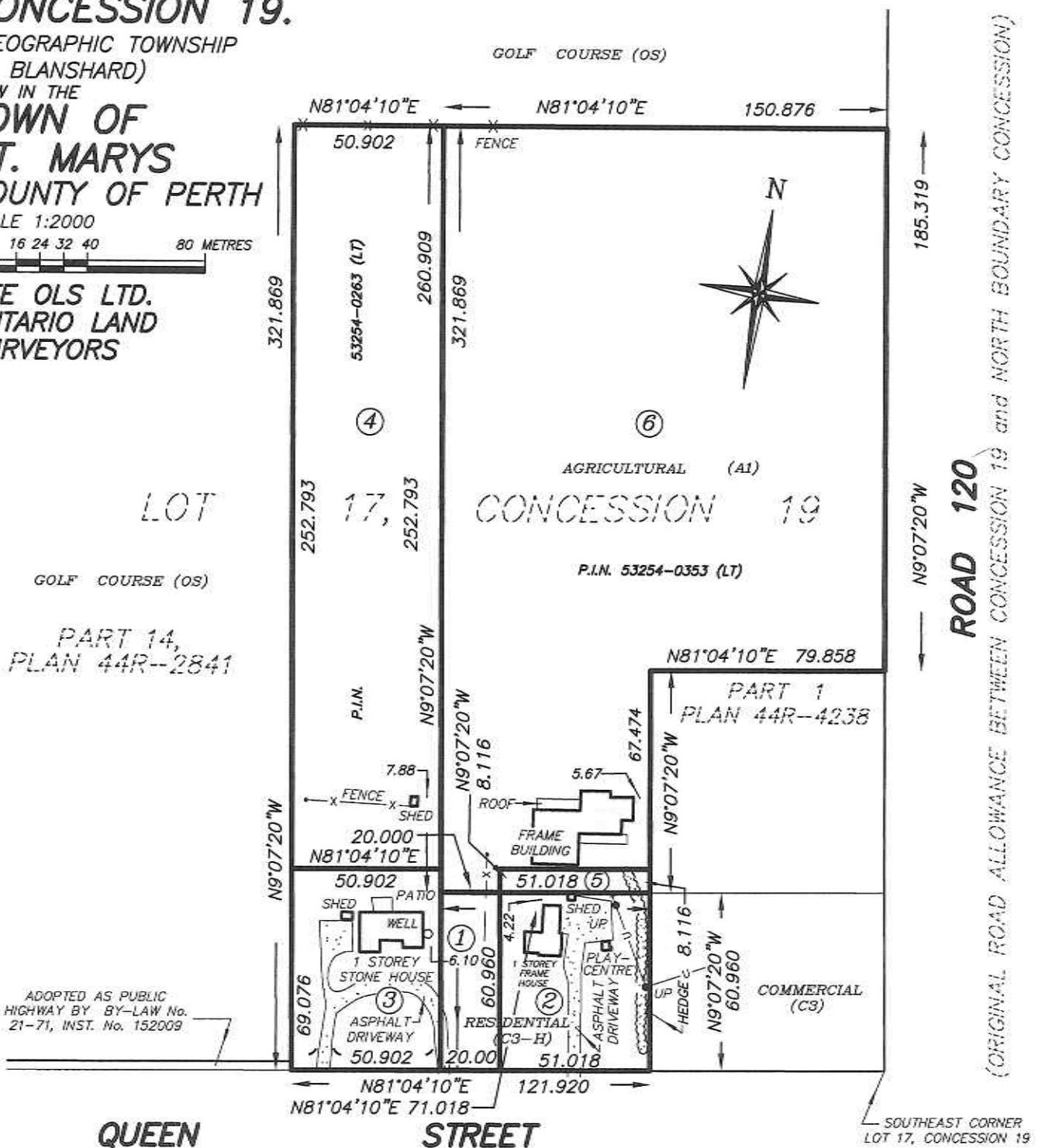
(GEOGRAPHIC TOWNSHIP
OF BLANSARD)

NOW IN THE
TOWN OF
ST. MARYS
COUNTY OF PERTH

SCALE 1:2000

0 8 16 24 32 40 80 METRES

MTE OLS LTD.
ONTARIO LAND
SURVEYORS



PARCEL AREAS

PARCEL	AREA (m ²)	AREA (Ha)
①	1219.2	0.1219
②	3110.0	0.3110
③	3516.1	0.3516
④	12867.6	1.2868
⑤	414.1	0.0414
⑥	32914.2	3.2914

AREAS:

AREAS SHOWN ON THIS PLAN IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

METRIC:

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK. THIS SKETCH IS PREPARED FOR BAIRD MINK RANCH LTD. DATE : MAY 3, 2017 © COPYRIGHT 2017, MTE OLS LTD.

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VALID UNLESS IT IS
AN EMBOSSED
ORIGINAL COPY ISSUED
BY THE SURVEYOR



MTE | OLS Ltd.

ONTARIO LAND SURVEYORS

365 HOME STREET

STRATFORD, ONTARIO, N5A 2A5

TEL: (519) 271-7952

FAX: (519) 271-3545

Cad File: P:\P\35725\101\35725-101-SV3.DWG

COGO : 35725-101-UTMGROUND.ASC

Drawn By : M. MASCIOTRA

Checked By : T. McNEIL, O.L.S.

File No : 35725-101-SV3 (S)