

OFFICE CONSOLIDATION

Official Plan for the City of St. Thomas

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1.1 INTRODUCTION

- 1.1.1 The existing Official Plan for the City of St. Thomas Planning Area was approved by the Minister of Municipal Affairs in 1963. In the intervening years a number of new and pressing concerns, such as downtown improvement, the structure of commercial facilities, and high-density residential development, have arisen. Consequently, the Council of the City of St. Thomas has decided that a new Official Plan is necessary to control and direct the pattern of future land use changes in the City.
- 1.1.2 The legislative and administrative framework for municipal planning in Ontario is established in The Planning Act. The City of St. Thomas Planning Area has subsidiary status within the Central Elgin Planning Area. One of the functions of the Central Elgin Planning Board is the preparation of area-wide policies for the five municipalities within the planning area which are expressed through the Central Elgin Official Plan (approved by the Minister of Housing in 1975). Detailed policies for St. Thomas are the responsibility of the City of St. Thomas Planning Board expressed through the Official Plan.
- 1.1.3 Under Section 12 of The Planning Act, the City of St. Thomas Planning Board has the responsibility to prepare an Official Plan for the City. Through a process involving the preparation of a background study, meetings of the Planning Board, discussions with municipal staff and with local groups and public meetings, this document has been prepared. When approved by the Minister of Housing, the text and Schedule "A" shall constitute "The Official Plan of the City of St. Thomas Planning Area". Under Section 19(2) of The Planning Act no public work and no by-law shall be passed for any purpose that does not conform to the Official Plan.
- 1.1.4 The land use policies and designations are to guide development, redevelopment and/or infill/intensification in the City of St. Thomas for the period ending in 2046. As new information becomes available or conditions change, this Official Plan shall be reviewed and, if necessary, amended to reflect the altered circumstances or to amend the planning period. (Amended through OPA No. 66, target year updated through OPA No. 110)
- 1.1.5 Information and studies in support of the Official Plan are included in the background study to this Official Plan. While the background study does not receive the Minister of Housing's approval, it should be read carefully in order to understand the source and justification for the Official Plan policies.

2.1 MANAGEMENT OF LAND USE

2.1.1 The primary purpose of the Official Plan is to establish policies and programs for growth, development and change within the City of St. Thomas.

2.1.2 As part of the process of managing land use change in St. Thomas, a number of other purposes for the Plan can be specified:

1. to identify the present physical arrangements of the City and the possible forces and directions for change as a basis for preparing policies;
2. to identify the resources, capabilities and constraints of the physical environment;
3. to establish goals for the desirable direction of physical change;
4. to establish, consistent with the goals, specific policies to guide future development and to evaluate applications for land use change;
5. to identify a pattern of compatible land use activities consistent with the goals of the community and the financial and administrative resources of the municipality;
6. to guide Planning Board, Council, the Committee of Adjustment and municipal administrators in matters such as the comprehensive restricted area (zoning) by-law and amendments, applications for building permits, applications for plans of subdivision and individual land severances, preparation of capital programs and the acquisition of land;
7. to recognize the financial status of the City to ensure new development and municipal capital works are consistent with the City's financial capabilities and resources;
8. to inform both the private sector, and other governments of City policies for physical development in St. Thomas, to enable these groups to determine their future requirements and to allow them to be aware of municipal policies that will be used to evaluate their proposals.
9. To provide sufficient residential land and satisfy housing demands in terms of housing type, density and cost, taking into account household size and income of new households in accordance with the Provincial Policy Statements, as updated from time-to-time. (Deleted OPA No. 30 – Sub 9 and replaced OPA No. 42)

3.1 POPULATION PROJECTION

- 3.1.1 A population of 62,200 persons by the year 2046 is projected. This target reflects the anticipated growth patterns in the London Housing Market Area. (Amended through OPA No. 66, target and date updated through OPA No. 110)

3.2 POPULATION CAPACITY (OPA No. 66 – Deleted and replaced, may have deleted 3.2.2 and 3.2.3 in error)

- 3.2.1 The population capacity for the City of St. Thomas is as follows: (Dates and targets amended through OPA No. 110)

Projected 2046 demand for 4,772 low density, 1718 medium density and 1615 high density residential units.

Projected year 2046 gross residential land supply requirement to accommodate the projected housing demand is up to ± 165 ha. (±407 ac.).

3.3 HOUSING

- 3.3.1 In accordance with the City's Affordable and Social Housing Strategy, the demand for housing as of 2016 was for 67.5% owner-occupied and 32.5% rental accommodation. (Amended OPA No. 97)

3.4 DOWNTOWN (Section replaced through OPA No. 47)

- 3.4.1 The "Downtown" will remain as the centre of pedestrian oriented retail, office, civic, cultural, entertainment and government uses in the City of St. Thomas. In particular dining, tourism, recreation and entertainment uses will be encouraged to locate in the "Downtown" to reinforce it as a "people place" and community "meeting place" for residents and visitors. (OPA No. 50)

- 3.4.2 A necessary element of the "Downtown" is the maintenance and expansion of its retail commercial uses. Based on a market analysis of the St. Thomas/Central Elgin regional commercial system undertaken by W. Scott Morgan on behalf of the City of St. Thomas and the Municipality of Central Elgin, specialty department store type space as well as other retail commercial, office, civic, cultural, restaurant, entertainment and financial uses will be encouraged to locate in the "Downtown".

- 3.4.3 Mixed use commercial/residential development/redevelopment as well as free-standing residential infill and redevelopment projects will be encouraged in the "Downtown". The redevelopment of underutilized and/or incompatible sites will be encouraged. (OPA No. 50)

- 3.4.4 Direct municipal involvement in Talbot Central, Talbot East and Talbot West is necessary to encourage investment in development/redevelopment and revitalization/beautification of the "Downtown".
- 3.4.5 Continued cooperation among City Council, the Downtown Development Board, the Chamber of Commerce and the Economic Development Corporation will be directed at programs for the improvement of the Downtown area.
- 3.4.6 The City will endeavor to ensure that future development/redevelopment projects on the adjacent Railway Lands will make provision for pedestrian linkages and open space connections to the "Downtown". (OPA No. 50)
- 3.4.7 The City will work with the Downtown Development Board, the Chamber of Commerce, individual business owners, building/property owners, residents, public agencies and other special interest groups to strengthen the "Downtown" including:
- (i) actively promoting the "Downtown" as a pedestrian-oriented specialty shopping area and "people place/meeting place" for the community and visitors alike;
 - (ii) actively promoting the "Downtown" as a location for offices, dining, cultural, tourism/recreation and entertainment uses;
 - (iii) upgrading and improving municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
 - (iv) planning and implementing a program of streetscape and building façade improvements; and
 - (v) planning for pedestrian linkages/connections between the "Downtown" and future development/redevelopment projects on the adjacent Railway Lands. (OPA No. 50 – 3.4.7)
- 3.5 EMPLOYMENT (OPA No. 90 – deleted and replaced Industry section)
- 3.5.1 St. Thomas will continue to focus on manufacturing and the auto sector will continue to comprise an important component of the City's employment base. Other sectors including construction, utilities, transportation, and energy, wholesale trade, commercial and institutional will also add to the employment base.
- 3.5.2 Economic growth in St. Thomas will be moderate, with total employment forecast to increase from 17,400 in 2017 to 23,800 in 2041.
- 3.5.3 Industrial employment activities will remain concentrated in the northeastern part of the City and new industry will be encouraged to locate in this area.
- 3.5.4 A sufficient supply of land will be designated to accommodate industrial employment as well as commercial, recreational/open space and institutional opportunities in St. Thomas for the 20-year planning period to 2037.

3.6 COMMERCIAL (Section replaced through OPA No. 47)

3.6.1 The majority of commercial floorspace will be concentrated in the "Downtown", the Major Commercial area which is Elgin Mall and the Power Centre Commercial area located on the northeast quadrant of the Talbot Street/First Avenue intersection as shown on Schedule "A". Other areas of commercial activity are the Secondary Commercial area in the Wellington Road/First Avenue area and various Minor Commercial areas located throughout the City. Highway Commercial areas are located in three areas of the City. Highway Commercial activity is located at the east end of the City in proximity to Talbot Street and in the Sunset Drive/Edgeware Road area in the northwest part of St. Thomas. A third Highway Commercial node is being developed in the Canada Way/Ron McNeil Line area in the northeast part of the City.

3.6.2 The Market Study dated January 2000 prepared by W. Scott Morgan for the City and Central Elgin concluded that there are market opportunities for additional department store type merchandise space, specialty department store type merchandise space, foodstore space, tires/batteries/accessories space, office supply and computer space, home improvement related merchandise space, restaurants, personal services, theatre, banks and hotel development in St. Thomas/Central Elgin to accommodate the needs of the projected population in the trade area.

3.6.3 The majority of the department store type merchandise space in St. Thomas will be located in Elgin Mall, the Power Centre and the Downtown. The Downtown will focus on specialty department store type space as well as other retail commercial, office, civic, cultural, restaurant, entertainment and financial uses.

3.6.4 Gross Leasable Area, for the purposes of the Official Plan, is the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and any upper floors, expressed in square metres and measured from the centre line of joint partitions and from outside walls. (OPA No. 50)

3.7 PARKS AND RECREATION

3.7.1 St. Thomas has an adequate numerical supply of larger parks such as regional and community parks.

3.7.2 Co-operation among the City Council, the County Boards of Education and other agencies will continue to be an important factor in recreation facilities and program planning.

3.8 TRANSPORTATION AND MUNICIPAL SERVICES

3.8.1 Transportation and land use are interdependent variables and will not be considered in isolation from each other in evaluating development applications.

3.8.2 The St. Thomas Expressway will be completed during the planning period.

3.8.3 A program of road and traffic operation improvements will continue on a planned basis.

3.8.4 Railway relocation may be considered during the planning period.

3.8.5 Improvements to the sanitary sewerage system and storm drainage system will continue in order to serve the projected population.

3.8.6 An adequate water supply is available to service the projected population.

3.9 FINANCIAL

3.9.1 The City has a sound financial basis and the financial management capability to service the projected growth.

3.9.2 The City will attempt to maintain a minimum of 60/40 residential/commercial industrial assessment ratio.

4.1 REGIONAL CONTEXT

4.1.1 Council will continue to be an active participant with the Central Elgin Planning Board in its planning program.

4.1.2 The Central Elgin Area Official Plan contains policies for the areas adjacent to the City of St. Thomas. Also, the Background Study to the Central Elgin Plan shows a conceptual plan of future development around the City. Engineering, planning and financial studies would be required to identify the implications of these areas becoming part of the City.

4.1.3 The City supports the policy in the Central Elgin Area Official Plan directing major growth in the area to the urban centres, including St. Thomas.

4.2 ECONOMIC GROWTH (OPA No. 90 – deleted and replaced section 4.2)

4.2.1 The City will continue to support public and private efforts to strengthen and diversify the employment base of St. Thomas. The City will attempt to accommodate, in the most expeditious manner, the expansion plans of existing businesses and to attract new business. Measures that may be utilized by Council include land assembly, provision of municipal services and support of the St. Thomas Economic Development Corporation.

4.3 LAND USE STRUCTURE (OPA No. 90 – deleted and replaced 4.3.1 and 4.3.2)

4.3.1 Council supports the dominance of the "Downtown" as the centre of pedestrian oriented retail, office, civic, cultural, entertainment and government uses in the City of St. Thomas.

4.3.2 The retail structure of St. Thomas will have the following components:

- i) The Downtown as the focus of pedestrian-oriented specialty retailing, dining, arts, culture and entertainment activities in the City.
- ii) Elgin Mall and the Power Centre in the east side of the City as the dominant regional shopping area serving the St. Thomas/Central Elgin trade area.
- iii) Two Secondary Commercial areas providing predominately a mix of commercial uses;
- iv) A Secondary Commercial area at Wellington Street/First Ave providing a mix of retail commercial uses that provide support and further strengthen the Downtown.

- v) Highway Commercial areas along Talbot Street east of First Avenue, at Sunset Drive/Edgeware Road and Canada Way/Ron McNeil Line providing services to the traveling public.
 - vi) Minor Commercial areas in arterial/collector road locations across the City serving the day-to-day retail and service commercial needs of the surrounding residential areas. Local commercial facilities located within residential neighbourhoods providing limited retail convenience goods.
- 4.3.3 Major department store type merchandise facilities will be located in Elgin Mall and the Power Centre. (OPA No. 47)
- 4.3.4 (OPA No. 90 – deleted)
- 4.3.5 Industrial activities will be concentrated in the northeastern part of the City and adjacent to the railway rights-of-way.
- 4.3.6 Council recognizes the importance of protecting and strengthening residential neighbourhoods. Council will provide the necessary municipal services, and will control land uses which affect neighbourhood amenities in order to protect the residential neighbourhoods.
- 4.3.7 The tributaries and valleys of Kettle Creek provide opportunities to protect the natural environment, to introduce open space in the City and to define the boundaries of urban development. Council believes that, subject to measures to protect and enhance these areas, that the tributaries and valleys of Kettle Creek can become an integral part of the urban land use pattern. Council shall ensure that necessary public utilities in the Kettle Creek valley and its tributaries are designed and constructed in a manner that minimizes their effects on the natural environment.
- 4.3.8 If railway relocation occurs, then substantial amounts of land used presently for railway and other industrial purposes may be made available for redevelopment. An Official Plan amendment will be required for the future land use pattern of land released through railway relocation.
- 4.3.9 New residential growth will occur in the northern, eastern, southern and southwestern parts of the City on lands brought into St. Thomas through boundary adjustments with the Township of Yarmouth in 1990, the Township of Yarmouth and the Township of Southwold in 1995 and the Municipality of Central Elgin in 2000 and 2006. Council will designate a sufficient supply of land for residential uses to accommodate a range and mix of housing for the projected growth in St. Thomas over the 20-year planning period to 2026. (OPA No. 66 – deleted and replaced)
- 4.3.10 Council will designate a sufficient supply of land for industrial, commercial, recreational/open space and institutional uses in St. Thomas to accommodate the projected growth over the 20-year planning period to 2026. (OPA No. 66 – deleted and replaced)

4.3.11 Lands in the St. Thomas Urban Service Area will be planned for a range of uses to facilitate the cost-efficient use of existing and planned infrastructure.

4.3.12 Lands in the St. Thomas Urban Service Area will be planned at densities which facilitate the efficient uses of lands, resources, infrastructure and public service facilities and avoids the unnecessary and/or uneconomical extension of infrastructure. (OPA No. 42 – 4.3.10, 4.3.11, 4.3.12)

4.4 PHYSICAL ENVIRONMENT

4.4.1 All users of land are encouraged to be consistent with the guidelines of the Ministry of the Environment for reducing air, water and noise pollution. Council will co-operate with other levels of government and private landowners in measures to reduce environmental pollution.

4.4.2 Council will endeavor to ensure that waste discharges from the St. Thomas Pollution Control Plant meet the Ministry of the Environment water quality objectives for Kettle Creek as the population of St. Thomas increases.

4.5 CONSERVATION OF RESOURCES

4.5.1 Council recognizes there is a growing scarcity of physical resources and even more importantly, that the cost of resources has increased rapidly. Council supports innovative land use arrangements and construction techniques that will minimize the use of increasingly scarce and expensive resources.

4.6 HERITAGE RESOURCES (OPA No. 92 – section repealed and replaced)

4.6.1 In accordance with the policies of the Ministry of Tourism, Culture and Sport, Council shall endeavor to recognize and preserve the heritage resources of the City of St. Thomas. Heritage resources include archaeological sites, buildings and structures of architectural, historic or engineering interest, groups of buildings or structures which are of interest and value in the landscape and rural and urban landscapes. In essence they are the works of humans and the effects of their activities in the environment and accordingly may be considered as heritage where they constitute the consultable record of past human activities, endeavors or events.

4.6.2 Council may support programs for the protection of heritage resources under the terms of the Ontario Heritage Act.

4.6.3 Council may establish a Municipal Heritage Committee to advise on matters relating to the Ontario Heritage Act, as amended, and other business relating to heritage conservation.

4.6.4 Council supports the designation and maintenance of properties and structures pursuant to Parts IV, V and VI respectively of the Ontario Heritage Act, as amended.

4.6.5 Where this committee or Council may identify areas for study as possible heritage Conservation Districts, the Municipality shall follow the procedures established by the

Ministry of Tourism, Culture and Sport for the preparation of the Heritage Conservation District Plan.

- 4.6.6 Council also recognizes that there may be archaeological remnants of prehistoric habitation within the City and important archaeological evidence of historic activities which would be of value in future conservation of the built environment. Council may facilitate survey by government or private agencies should those agencies deem it necessary and may encourage the preservation or rescue excavation of archaeological resources which might be entailed in any future development.
- 4.6.7 Council may implement the heritage policies of this Plan through participation in Provincial and federal programs related heritage conservation.
- 4.6.8 In addition to supporting individual property owners in the preservation of heritage resources, Council shall give consideration to the effects of public works on designated Heritage Conservation Districts.
- 4.6.9 New residential areas of historical, architectural or landscape value will be encouraged to develop in keeping with the overall character of these areas. Proposals for new plans of subdivision should include information regarding existing heritage features, including archaeological sites, in order that the approving authority may be able to properly evaluate the effect of the proposed subdivision on matters of Provincial interest in accordance with the Planning Act as amended and supporting Provincial Policy Statements.
- 4.6.10 Council may utilize any of the following planning tools to support efforts to preserve heritage resources in the City:
- i) conditions of consent and subdivision approval and consequent agreements;
 - ii) provisions related to site plan control; and
 - iii) standards, definitions and regulations in zoning by-laws; and
 - iv) property standards by-law.
- 4.6.11 DESIGNATED HERITAGE CONSERVATION DISTRICTS
- 4.6.11.1 Pursuant to the Ontario Heritage Act, a by-law passed for the designation of a heritage conservation district will adopt a heritage conservation district plan that will include:
- a) A statement of the purpose of the heritage conservation district, reasons for designation, and objectives to be achieved through designation,
 - b) A statement of the cultural heritage value or interest of the heritage conservation district,

- c) A description of the heritage attributes of the heritage conservation district and properties within the district,
- d) Policies, guidelines and procedures for achieving the objectives and managing development and change within the heritage conservation district,
- e) Guidance on the process of applying for a Heritage Alteration Permit, as well as a description of the properties which will require a permit and which are exempt from the process, and
- f) Guidelines for the implementation of the heritage conservation district plan.

4.6.11.2 A heritage conservation district for the downtown area of St. Thomas has been designated by City Council and is shown on Schedule "F" Heritage Conservation Districts. The Downtown St. Thomas Heritage Conservation District Plan will be used in the evaluation of planning and development applications in this area and for the purposes of the City's Property Standards By-law.

4.6.11.3 The Downtown St. Thomas Heritage Conservation District Plan includes a comprehensive set of design guidelines to direct future development and to protect the unique character of the area, and encourages the retention of existing structures and landscapes that contribute to the downtown character of the area. The design of buildings in the Downtown St. Thomas Heritage Conservation District shall, at all times, have regard to the detailed architectural and urban design guidelines and intent of the Downtown St. Thomas Heritage Conservation District Plan.

4.7 RESTRUCTURING OF LOCAL GOVERNMENT

4.7.1 A restructuring study of local government in the County of Elgin was completed in 1976. The recommendations of the final report have been reviewed by a joint City-County restructuring committee.

4.7.2 The City will continue to support restructuring of local government in Elgin County through the continuation of the County-City Liaison Committee.

4.8 PUBLIC UTILITIES

4.8.1 Public utilities necessary to serve the population or land use activities are permitted in any land use designation. The utilities shall include parks, water supply lines, sanitary and storm sewers, electric power facilities, gas lines, telephone and cable TV. The utilities shall be designed and located in a manner such as to be compatible with surrounding uses. The restricted area (zoning) by-law shall contain provisions on outdoor storage and buffering.

The aforementioned applies to all public uses except those public uses that satisfy the provisions of The Environmental Assessment Act, including regulations made under The Act. Prior to carrying out any public undertaking, the municipality will be consulted by the agency proposing the undertaking.

4.9 CIVIC BEAUTIFICATION

4.9.1 The program of civic beautification, including tree planting will continue. Natural environmental features should be protected and incorporated in development proposals.

4.10 SOCIAL PLANNING

4.10.1 Council recognizes social planning is part of overall community planning. Council in their review of development proposals will consider their impacts on public service facilities and programs including recreation, police and fire protection, health and education and cultural and social services. (OPA No. 42)

4.11 COMMUNITY IMPROVEMENT (New section - OPA No. 18)

4.11.1 GOAL (OPA No. 50 – 4.11.1)

It is the goal of the City of St. Thomas to enhance the overall "quality of life" and "wellbeing" of residents and businesses within the older residential neighbourhoods and older commercial areas in the city by promoting the:

- (i) ongoing maintenance and conservation of functional, well established areas;
- (ii) rehabilitation and/or redevelopment of areas characterized by deficient buildings, land use conflicts, economic instability or deficient municipal hard services;
- (iii) encouragement of private sector participation in community improvement; and
- (iv) economic growth and development of the St. Thomas "Downtown".

4.11.2 GENERAL OBJECTIVES (OPA No. 50)

- (i) to encourage the renovation, rehabilitation and, where appropriate, residential intensification of obsolete buildings and/or underutilized lands by the private sector;
- (ii) to upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
- (iii) to encourage the rehabilitation, adaptive reuse and maintenance of historical or architecturally significant buildings;
- (iv) to provide information to property owners through such organizations as the Downtown Development Board on various municipal initiatives which are designed to provide assistance in the improvement of the area or structures;
- (v) to improve traffic circulation within the community improvement area;

- (vi) to encourage off-street parking and provide municipal parking facilities where feasible;
- (vii) to encourage streetscape and building facade improvements based on coordinated standards;
- (viii) to promote the development and revitalization of the St. Thomas "Downtown" as the centre of pedestrian oriented retail, civic, cultural, entertainment and government uses in the City; and
- (ix) to encourage the revitalization and conversion of older industrial areas, the redevelopment of obsolete, "brownfield" industrial lands and, where appropriate, the relocation of existing businesses whose operations are in conflict with adjacent land uses to sites within the industrial area on the east side of the City.

OBJECTIVES FOR OLDER RESIDENTIAL NEIGHBOURHOODS

- (i) to eliminate the surcharging of sanitary sewers during periods of high stormwater runoff by separating sanitary and storm sewers;
- (ii) to upgrade deficient roads by carrying out one or more of the following:
 - replacing tar and chip pavement with asphalt;
 - widening rights-of-way wherever possible to 20 metres; and
 - providing curbs and gutters
- (iii) to carry out an ongoing program of sidewalk reconstruction with arterial and collector roads having priority over local roads;
- (iv) to upgrade local watermains from 100 mm to 150 mm in order to provide minimal fire flows; and
- (v) to upgrade and add major trunk watermains in order to provide a comprehensive looped system.

OBJECTIVES FOR OLDER COMMERCIAL AREAS

- (i) to ensure that sanitary sewers, storm sewers and watermains are sized to accommodate current and planned development along Talbot Street; and
- (ii) to enhance the pedestrian environment by undertaking streetscape improvements related to sidewalks, lighting, parking and the provision of other pedestrian amenities.

4.11.3 In selecting Community Improvement Areas, Council will have regard to the following criteria:

RESIDENTIAL IMPROVEMENT AREAS

- (i) age and exterior condition of existing housing stock;
- (ii) need for sanitary and storm sewers, watermains and sidewalk reconstruction and road resurfacing and reconstruction;
- (iii) need to widen existing rights-of-way; and
- (iv) need to upgrade social/recreational facilities, day cares, public parks and open space. (OPA No. 76 – amended iv))

COMMERCIAL IMPROVEMENT AREAS

- (i) need for sanitary and storm sewer upgrading;
- (ii) deficiencies in off-street parking;
- (iii) need for maintenance, rehabilitation, intensification, re-use/conversion or redevelopment of building stock;
- (iv) need for improvements to the streetscape and building facades; and
- (v) need for development/redevelopment of unused or underutilized lands including "brownfield" industrial sites. (OPA No. 50 – 4.11.3)

4.11.4 Schedule D - Community Improvement Area delineates the limits of the community Improvement Area within the City of St. Thomas. (OPA No. 50)

4.11.5 PHASING OF IMPROVEMENTS

Priority will be given to those areas where the deficiencies related to the criteria established in subsection 4.11.3 are the greatest. Generally, phasing of improvements will be as follows:

- i) upgrading of sanitary and storm sewers, watermains and streetscape in older residential areas;
- ii) upgrading of sanitary and storm sewers, watermains and streetscape in the downtown area;
- iii) upgrade on an ongoing basis, the sidewalks in the residential and commercial areas;
- iv) acquiring land in order to widen public rights-of-way to meet minimum MTO standards.

4.11.6 IMPLEMENTATION (OPA No. 50)

In order to achieve the community improvements proposed, council may use a variety of implementation techniques. They may include:

- (i) designation of Community Improvement Project Areas;
- (ii) preparation and adoption of Community Improvement Plans;
- (iii) acquisition of land and/or buildings within Community Improvement Project Areas;
- (iv) clearing, grading or preparing lands for community improvement;
- (v) utilizing all appropriate senior level government programs for funding of improvements to municipal facilities, lands, roads, streetscapes and services;
- (vi) encouraging the rehabilitation and/or revitalization of property by the private sector through the provision of information on government programs as well as financial/property tax incentives;
- (vii) continuing enforcement of maintenance and property standards by-law;
- (viii) continuing support of heritage conservation through the Ontario Heritage Act; and the Local Architectural Conservation Advisory Committee (LACAC).
- (ix) supporting the efforts of the Downtown Development Board to revitalize the St. Thomas "Downtown" through the implementation of various programs including the Main Street Program;
- (x) where appropriate, encouraging/supporting intensification and infill development/redevelopment; and
- (xi) encouraging/supporting zoning approaches that facilitate community improvement initiatives."

4.12 COMMUNITY GARDENS (OPA No. 68 – new section)

4.12.1 BACKGROUND

The City of St. Thomas (City) views community gardening as a valuable community resource that promotes a healthy community and local food security. Community Gardens are a sustainable land use that provides an alternative source of economical food production for urban residents. Participation in community gardening contributes to an individual's health and wellbeing, encourages positive social interaction and provides a connection to nature and the environment.

4.12.2 GOALS

The goals/objectives of the Community Gardens policies are:

- To provide support for a sustainable local food system;
- To support community initiatives which address food security issues;
- To promote a healthy community through access to inexpensive, nutritious whole food sources for urban residents

- To encourage physical activity through community gardening
- To encourage and support opportunities for education and awareness about nature and nutrition
- To provide a process and framework for developing Community Gardens.
- To reduce the potential for conflict and ensure there is community support for Community Gardens

4.12.3 Definition A Community Garden is defined as an area of land used to grow and harvest food crops such as vegetables, berries and fruits and/or non-food, ornamental crops such as plants and flowers by a community group or organization for non-profit purposes. A Community Garden may be tended to communally and/or individually on assigned garden plots.

4.12.4 POLICIES

4.12.4.1 Community Gardens are permitted within all land use designations shown on Schedule "A" to the Official Plan subject to the following exceptions:

- Community Gardens are not permitted on lands within the Natural Heritage designations where the establishment/location of the Community Garden would require the removal of existing trees or vegetation and/or where its location would have a potential negative effect on adjacent natural heritage features.
- Community Gardens are not permitted on lands within the Natural Hazard designation where the establishment/location of a Community Garden on or adjacent to steep slopes would pose a risk to human life and/or physical property.

4.12.4.2 The City will support Community Gardens by:

- offering, where appropriate, the use of City-owned lands as new Community Garden sites, such as vacant, underutilized or undeveloped parcels;
- working with community organizations and stakeholders to help identify/secure/retain suitable sites, within the City, for the development of Community Gardens with consideration being given to the criteria identified in paragraph 4.12.4.3;
- partnering with community organizations and stakeholders in the promotion and development of Community Gardens and the preparation of guidelines:
 - for the operation and maintenance of Community Gardens to ensure a safe water supply, suitable soils, adequate parking and that there are no negative impacts on the environment or adjacent lands, and
 - to develop an application process that provides for community consultation; and

- iv) amending the City Zoning By-law to permit Community Gardens in all zones subject to the policies of this subsection, 4.12.
- 4.12.4.3 The following criteria shall be used to assess the location and the suitability of lands for the development of Community Gardens:
- i) the location and design of the garden maintains the character of the area;
 - ii) the garden use is compatible with adjacent land uses;
 - iii) a community/neighbourhood consultation process indicates adequate support for the garden;
 - iv) there is access to a water source that is free from pollution, harmful organisms and impurities;
 - v) there is access to waste removal;
 - vi) soil testing and where warranted a Phase 1 Environmental Site Assessment (ESA) has been conducted on a potential Community Garden sites to ensure the soil is free from contaminants and suitable for gardening and the production of food;
 - vii) there is sufficient space and access for pedestrians and automobiles;
 - viii) the site is on or in close proximity to a public transit route;
 - ix) there is adequate infrastructure/utilities to service the site;
 - x) the site and the design and layout of the Community Garden provides barrier free access.

4.12.4.4 The City encourages all local agencies, other public bodies (schools), community groups, institutional and not for profit organizations, churches and individuals who participate in the development of Community Gardens to undertake a community consultation process as the means to promote the awareness of community gardening. Where new Community Gardens are being planned the proponents of the garden shall undertake to pre-consult with the residents, businesses and property owners located within proximity of a proposed new Community Garden site to address any potential concerns or issues and ensure that there is community support for the proposed Community Garden.

The development of Community Gardens, as the main use, on vacant privately owned lands within the Residential, Commercial or Industrial designations, as shown, on Schedule "A" to the Official Plan, may be permitted, subject to the approval of a zoning by-law amendment or a temporary use by-law pursuant to sections 34 and 39, respectively, of the Planning Act, RSO 1990, as amended. All applications for an amendment to the City Zoning By-law shall be subject to the policies of this subsection, 4.12.

4.13 DAY CARE (OPA No. 76 – new section)

4.13.1 BACKGROUND

A Day Care provides for the temporary care and custody of children, for a continuous period not exceeding twenty-four hours and which is licensed in accordance with the Day Nurseries Act, R.S.O. 1990, c. 0 .2 as amended or successors thereto; or, provides for the temporary care for any number of persons for a continuous period not exceeding twenty-four hours, but does not include the services of a health care practitioner.

Day care is a valuable service to families in which parents work outside the home and to primary caregivers who require temporary assistance in the care of loved ones. The City recognizes that there is a need to provide for these services in convenient locations close to either home or to centres of employment, in surroundings that are safe and enjoyable for those receiving care.

4.13.2 GOALS

The goals/objectives of the Day Care policies are:

- To enable day care facilities that are inclusive and available to all persons requiring such services in all stages of their life.
- To support day care services that are convenient, affordable and offer a range of quality care options;
- To ensure that persons with special needs are fully included in the community and have full access to a range/level of care services required to meet their needs;
- To provide those who offer day care services a broader range of location options to meet the needs of the community;
- To establish standards and criteria for day care that address matters of land use compatibility.

4.13.3 POLICIES

4.13.3.1 Day Care use is permitted within the following land use designations as shown on Schedule "A" to the Official Plan:

- i) Residential;
- ii) Downtown Residential;
- iii) Talbot West;
- iv) Talbot Central;
- v) Talbot East;
- vi) Major Commercial;

- vii) Secondary Commercial;
- viii) Minor Commercial;
- ix) Highway Commercial;
- x) Office Professional;
- xi) Employment and Business Employment.

4.13.3.2 The following policies shall apply to all Day Care uses:

- i) the site must have direct access to an arterial or collector street as identified on Schedule "B" to the Official Plan, or have access by a local road to an arterial or collector as shown on Schedule "B" where it can be demonstrated that there will be no adverse effects to the operation of the local road;
- ii) adequate off-street parking must be provided;
- iii) the location, design and site layout of the day care will maintain the character of the area through:
 - the use of exterior materials and lighting that improve the compatibility of the development with the surrounding land uses;
 - not substantially altering the appearance of a residential building;
 - maintaining the general appearance of the local streetscape;
 - accommodating off-street parking, pick-up and drop-off facilities and outdoor amenity areas while minimizing the impact on day care clients;
 - locate the outdoor amenity area away from parking areas, streets and vehicular traffic and emissions; and
 - provide direct access between the day care building and any outdoor amenity area.
- iv) Day Care is a sensitive use but may be permitted as an accessory use in an Industrial designation, subject to an amendment to the zoning by-law, where it must be demonstrated that there will be no adverse effects to the Day Care. The Land Use Compatibility Policies found in Section 8.15 of this Plan shall apply.

Development within the City of St. Thomas shall take place in accordance with Schedule "A", Land Use Plan. The following are the land use designations:

- RESIDENTIAL
- DOWNTOWN RESIDENTIAL
- DOWNTOWN
 - TALBOT WEST
 - TALBOT CENTRAL
 - TALBOT EAST
- MAJOR COMMERCIAL
- SECONDARY COMMERCIAL
- MINOR COMMERCIAL
- HIGHWAY COMMERCIAL
- OFFICE/PROFESSIONAL
- INDUSTRIAL
- OPEN SPACE AND CONSERVATION
- HAZARD LANDS
- SPECIAL POLICY AREA

5.1 RESIDENTIAL

5.1.1 BACKGROUND – RESIDENTIAL

In the preparation of policies for "Residential" areas, a number of matters have been considered:

- i) Prior to 1960, residential growth had occurred north of the Downtown as defined in 5.3.1.1 and south of the ConRail right-of-way to Elm Street, generally west of First Avenue. Recent development has concentrated in the northeast (Confederation Drive) and the southeast (Wellington Street, Fairview Avenue, Elm Street).
- ii) to provide sufficient residential land and satisfy housing demands in terms of housing type, tenure, density, lot size, unit size and cost, taking into account household size and income of households in accordance with the Population Projection and Housing Study as updated from time-to-time; (OPA No. 66)
- iii) to provide a sufficient supply of lands so that at least a ten-year supply of residential land is maintained at all times to accommodate residential growth through residential intensification and redevelopment and on lands designated and available for residential development, (OPA No. 66)
- iv) to provide a sufficient supply of lands with servicing capacity to accommodate at least a 3-year supply of residential units on lands zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans; (OPA No. 66)

- v) to encourage the provision of affordable housing in accordance with the Affordable Housing Targets Study as updated from time-to-time;
- vi) to ensure an adequate supply of serviced land in the City; (OPA No. 66)
- vii) To encourage residential intensification, infill and redevelopment activity in the City to provide appropriate housing for families, seniors and other special needs groups. (OPA No. 66)
- viii) There is a concern to avoid Official Plan amendments which are essentially of an administrative nature.

5.1.2 GOALS - RESIDENTIAL

The following goals are adopted for the Residential Designation:

- i) to maintain and/or improve the present quality of the residential areas in the City;
- ii) to provide sufficient residential land and satisfy housing demands in terms of housing type, tenure, density, lot size, unit size and cost, taking into account household size and income of households in accordance with the Municipal Housing Statement and Land Use Review Study as updated from time-to-time;
- iii) to provide sufficient supply of designated lands for residential purposes, so that at least a ten-year supply of residential land over a fifteen-year time horizon is maintained at all times;
- iv) to provide a three-year supply of lots and blocks of new draft approved or registered plans of subdivision which will be maintained at all times;
- v) to encourage the provision of housing that is affordable to moderate- and lower-income households on a City-wide basis; (Amended OPA No. 42 – 5.1.2 v))
- vi) to ensure, in cooperation with the Ministry of the Environment, an adequate supply of serviced land in the City;
- vii) to facilitate the construction of government-assisted housing as identified in the Municipal Housing Statement;
- viii) to encourage residential intensification, infill and redevelopment activity in the City to provide appropriate housing for families, seniors and other special needs groups. (OPA No. 30 – 5.1.2)

5.1.3 POLICIES - RESIDENTIAL

- 5.1.3.1 The “Residential” designation on Schedule “A” means the predominant use of land shall be for low, medium and high density residential use. Certain other uses are permitted subject to policies in this section. The target housing mix for the City will comprise about 78% low density, 11% medium density, and 11% high density residential development.” (OPA No. 97 – deleted and replaced)

- 5.1.3.2 LOW DENSITY RESIDENTIAL use shall mean a residential use to a maximum of twenty-five (25) residential dwelling units per net hectare. Within a low-density residential area, the main permitted uses shall include single detached, semi-detached, duplex and triplex residential dwellings. Infilling and intensification of low-density residential areas shall be encouraged where deemed appropriate.

Council shall encourage the development of new residential units through intensification of low-density residential dwellings as a means of contributing to the Provincial objective of providing housing that is affordable to moderate- and lower-income households in the municipality. (Paragraph amended OPA No. 42)

Accessory apartments shall be permitted in single detached, semi-detached, duplex dwellings in low density residential areas throughout the City of St Thomas subject to the following criteria:

- i) one accessory unit per dwelling
- ii) one parking space per accessory unit in a dwelling
- iii) maximum size of the accessory unit is 65 m
- iv) suitability of road access
- v) capacity of piped services to accommodate the proposed use(s)
- vi) suitability of the parcel of land in terms of lot size, setbacks, side yards and landscaped open space to accommodate an additional unit
- vii) structural suitability of building to accommodate alterations for an additional dwelling unit
- viii) exterior changes to the structure to be minimal
- ix) compliance with the provisions of the Ontario Building Code, Fire Code and all other relevant municipal and provincial standards.

Rooming, boarding and lodging houses shall be permitted in low-density residential areas subject to the following criteria:

- i) suitability of road access;
- ii) capacity of piped services to accommodate the proposed use(s);
- iii) availability of on-site parking facilities;
- iv) availability of community services and facilities;
- v) suitability of the parcel of land in terms of lot size, setbacks, side yards and landscaped open space to accommodate the use;

- vi) structural suitability of building to accommodate alterations for the additional dwelling units;
- vii) maintaining the character of the surrounding area. (OPA No. 30 – 5.1.3.2)

5.1.3.3 MEDIUM DENSITY RESIDENTIAL use shall mean a residential use between twenty-five (25) and seventy-five (75) residential dwelling units per net hectare, is permitted in the "Residential" designation. Within a medium density residential area, the main permitted uses shall be townhouses, boarding and lodging houses, triplexes, fourplexes, sixplexes, low rise apartments or other forms of low-rise multiple dwellings. Applications for new development; infilling or redevelopment for a medium density residential use shall be reviewed based on the following policies: (OPA No. 30)

- i) the functions of medium density dwellings are to provide an increased variety of alternative dwelling types and also to act as a transition between low- and high-density residential uses which are proposed;
- ii) the site location must be in proximity to:
 - a park, or areas designated "Open Space and Conservation"; or
 - areas designated "Talbot West", "Talbot Central" or "Talbot East"; or
 - elementary or secondary schools;
- iii) the residential use may be part of a comprehensively planned development or redevelopment scheme with a variety of dwelling types; moreover, when part of the site will not be developed simultaneously, plans for future development shall be provided;
- iv) the site must have direct access to an arterial or collector street as shown on Schedule "B" or have access by a local road to an arterial or collector road as shown on Schedule "B", having regard for the road classification in relation to the traffic generated by the proposed development.
- v) adequate off-street parking for residents and guests must be provided;
- vi) adequate landscaping and buffering between the medium density residential use and abutting uses shall be provided; the landscaping and buffering may include separation distances, tree and shrub planting and the use of earthen berms;
- vii) adequate municipal services, including storm and sanitary sewers, are required;
- viii) adequate general storage facilities for the use of the residents shall be provided within the dwelling unit or within the building;
- ix) outdoor privacy provisions must be part of the design of the development, especially in row and townhouses;

- x) a submission to Planning Board and Council is required and must be accompanied by:
 - a plan showing the shape, topography, dimensions and drainage, and existing easements on the site;
 - a site plan showing all proposed building locations and dimensions, parking areas, access provisions, buffering, landscaping, privacy provisions, outdoor recreation facilities, final grades, elevations and a perspective drawing.
 - xi) Lands proposed for medium density residential use shall be developed on the basis of comprehensive site plans. Site plans shall indicate layout and profile of buildings, parking, landscaping areas and road access points. The purpose is to integrate development with adjacent properties as much as possible, particularly in terms of open space elements and building heights. (OPA No. 30)
- 5.1.3.4 HIGH DENSITY RESIDENTIAL use shall mean a residential use of greater than seventy-five (75) residential dwelling units per net hectare, is permitted in the "Residential" designation. Within a high-density residential area, the main permitted uses shall be apartments or other forms of multiple dwellings exceeding four storeys in height. Applications for new development; infilling or redevelopment for a medium density residential use shall be reviewed based on the following policies: (OPA No. 30)
- i) the site location must be in proximity to:
 - a park or areas designated "Open Space and Conservation"; or
 - areas designated "Talbot West", "Talbot Central" or "Talbot East"; or
 - ii) the residential use may be part of a comprehensively planned development or redevelopment scheme with a variety of dwelling types;
 - iii) the maximum permitted density shall be not more than 250 units per net hectare;
 - iv) the site must have direct access to an arterial or collector street as shown on Schedule "B" or have access by a local road to an arterial or collector road as shown on Schedule "B", having regard for the road classification in relation to the traffic generated by the proposed development.
 - v) Council shall be concerned when high density residential uses are proposed to abut low density residential uses, to ensure that adequate sunlight and privacy for the low-density residential use is maintained; the construction of medium density residential dwellings as a buffer is encouraged;
 - vi) the height, bulk and siting of high-density residential uses must be designed in a manner to minimize adverse effects on surrounding residential uses;

- vii) adequate off-street parking for residents and guests must be provided; the use of parking structures, depressed deck or underground parking is encouraged as opposed to total surface parking;
- viii) adequate landscaping and buffering between the high-density residential uses and abutting residential uses and throughout the site must be provided; the landscaping and buffering may include separation distances, trees, shrubs and the use of an earthen berm;
- ix) Council encourages the provision of appropriate on-site recreation facilities for the use of residents and guests; such facilities could include open space recreational areas, swimming pools, and exercise facilities;
- x) adequate general storage facilities for the use of the residents shall be provided within the dwelling unit or within the building;
- xi) retail commercial uses, personal services and office uses are allowed on the ground floor of high-density residential uses; these uses shall be of a strictly local type providing convenience day-to-day goods and services;
- xii) adequate municipal services, including storm and sanitary sewers, are required;
- xiii) an environmental impact study may be required of the potential effects of surrounding land uses on the proposed high-density residential use and of the proposed high-density residential uses on the surrounding land uses in terms of noise, dust or odours and the measures anticipated to reduce any environmental effects;
- xiv) All applications for high density residential use will be evaluated in terms of their effects on vistas and views;
- xv) a submission to Planning Board and Council is required and must be accompanied by:
 - a plan showing the shape, topography, dimensions, drainage and existing easements on the site;
 - a site plan showing all proposed building locations and dimensions, parkland areas, access provisions, buffering, landscaping, privacy provisions, outdoor recreation facilities, final grades, plans showing all elevations and a perspective drawing; solar diagrams for both equinoxes.
- xvi) Lands proposed for high density residential use shall be developed on the basis of comprehensive site plans. Site plans shall indicate layout and profile of buildings, parking, landscaping areas and road access points. The purpose is to integrate development with adjacent properties as much as possible, particularly in terms of open space elements and building heights. (OPA No. 30 – xvi)

5.1.3.5 COMPREHENSIVELY PLANNED HOUSING such as zero lot line, small lot residential development, or projects containing a mixture of density types is subject to the following policies:

- i) the siting and design of all dwellings and structures must be done on a comprehensive basis over the entire development;
- ii) separation space among the residences is necessary to provide interior privacy, adequate natural light and ventilation;
- iii) provision must be made for private outdoor recreation space that does not reduce the privacy of adjoining residences;
- iv) vehicular parking must be provided in proximity to the residences; access to the parking areas shall be convenient;
- v) building materials should be compatible throughout the entire development;
- vi) landscaping shall reinforce the privacy provisions.

5.1.3.6 REDEVELOPMENT/INFILL for the purposes of this plan is defined as new residential development within an established neighbourhood, on vacant or underutilized sites. Redevelopment/infill may occur by consent or plan of subdivision.

- i) Zoning by-law provisions shall ensure that redevelopment/infill housing projects recognize the scale of adjacent land uses and enhance the character of the area.
- ii) All redevelopment/infilling must be on full urban services and existing municipal services and facilities should be adequate to accommodate the proposed development.
- iii) Redevelopment/infill housing should be sensitive to the height, scale and architectural design of buildings in the surrounding neighbourhood.
- iv) Redevelopment/infill housing should be sensitive to the continuity of the residential streetscape.
- v) Adequate off-street parking and outdoor amenity areas will be provided as part of a redevelopment/infill housing project.
- vi) New lots created by consent must be of a size consistent with the average size of lots within the surrounding area. In all cases new lots must meet the requirements of the Zoning By-law.
- vii) Redevelopment/infill projects requiring an amendment to the Zoning By-law will require the submission of a planning analysis to determine the appropriateness of the proposed development and to identify ways of mitigating any potential adverse impacts on surrounding uses. Technical reports to assess noise, vibration, soils, traffic, sanitary and water service and stormwater management

shall be submitted in support of the Planning Analysis. The planning analysis submitted in support of a redevelopment/infill proposal will be evaluated on the basis of the following criteria:

- a) compatibility of proposed use with surrounding land use,
- b) the size and shape of the parcel of land on which the development is to be located, and the ability of the site to accommodate the intensity of the proposed use,
- c) the proximity of any development to public open space, recreational and community facilities,
- d) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses,
- e) the extent to which the proposed development provides for retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area,
- f) the location of vehicular access points and the impact of traffic generated by the proposal on the surrounding area,
- g) the potential impact of the development on surrounding natural features,
- (h) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses.
- (i) Redevelopment/infill projects are also subject to the policies in sections 5.1.3.3, and 5.1.3.4

Wherever possible the, proponent should pre-consult with the Municipality to identify matters to be addressed in the Planning Analysis. (Replaced OPA No. 42)

5.1.3.7 **CONVERSION** - The development of new residential units through the conversion of existing dwelling units is permitted subject to the following policies: (OPA No. 30)

- i) adequate minimum dwelling unit areas must be maintained within the converted dwelling;
- ii) any addition of a dwelling must provide adequate front, side and rear yards to protect neighbouring residences;
- iii) adequate off-street parking for residents and guests must be provided; however, off-street parking in the front yard located between the dwelling and the street line will be restricted through the implementing restricted area (zoning) by-law;

- iv) the proposed residential use must be compatible with the density and character of adjacent residential development;
- v) adequate municipal services, including storm and sanitary sewers are required;
- vi) any increase in traffic movements to and from the site is consistent with existing traffic movements on adjoining streets and the roads are capable of handling the increase in traffic flow.

5.1.3.7.1 Additional Dwelling Units (Amended through OPA No. 106)

Additional residential units are separate and complete dwelling units that are created within a single detached, semi-detached or rowhouse, regardless of whether the physical alteration of the house is required to create a maximum of three residential units on a lot. The following policies will apply to the development of second residential units:

- a) Additional residential units are permitted in a detached house, semi-detached house or rowhouse and in a building or structure ancillary to a detached house, semi-detached house or rowhouse.
- b) The lands on which the additional dwelling unit is to be created are zoned to permit residential use other than as an ancillary use.
- c) An amendment to the comprehensive Zoning By-law will be implemented to put into effect the policies of this subsection.
- d) The additional dwelling unit can be independently serviced with full municipal sanitary sewage, storm sewage and piped water services.
- e) Development of an additional residential dwelling unit will be subject to the following criteria:
 - i. The additional dwelling unit shall not change the general characteristics of a single detached, semi-detached or rowhouse structure; and
 - ii. The additional dwelling unit will comply with the Ontario Building Code and the Fire Code.
- f) Additional dwelling units may be implemented on a lot in the following options:
 - (i) two residential units in a detached house, semi-detached house or townhouse on a residential lot, if all buildings and structures ancillary to the detached house, semi-detached house or townhouse cumulatively contain no more than one residential unit;
 - (ii) three residential units in a detached house, semi-detached house or townhouse on a residential lot, if no building or structure ancillary to the detached house, semi-detached house or townhouse contains any residential units; or

- (iii) one residential unit in a building or structure ancillary to a detached house, semi-detached house or townhouse on a residential lot, if the detached house, semi-detached house or townhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or townhouse contains any residential units.

5.1.3.8 HOME OCCUPATIONS which comprise a secondary use carried on entirely within a dwelling unit by the resident are permitted in the "Residential" designation subject to the following policies:

- i) the home occupation is carried on by the occupant of the home;
- ii) the home occupation is clearly incidental and secondary to the residential use;
- iii) there is no exterior evidence of the home occupation;
- iv) there are a limited number of persons or vehicles related to the home occupation coming to the residential use;
- v) there is no retailing of goods;
- vi) no building extensions for the home occupation are permitted.

5.1.3.9 NON-RESIDENTIAL USES (OPA No. 66 – Deleted and replaced. Former Institutional Uses section)

5.1.3.9.1 Institutional Uses, defined as the use of land by public, non-profit or charitable agencies, including, for example, schools, churches, hospitals, recreational complexes and cemeteries, are permitted in the "Residential" designation. (OPA No. 76 – amended)

5.1.3.9.2 Private schools are permitted in the residential designation subject to an amendment to the Zoning By-law. (OPA No. 76 – amended)

5.1.3.9.3 The development of uses permitted by paragraphs 5.1.3.9.1 and 5.1.3.9.2 are subject to the following policies:

- i) the site must have direct access to an arterial or collector street as shown on Schedule "B" having regard for the road classification in relation to the traffic generated by the proposed development. If the development requires external road improvements, the applicant shall enter into an agreement;
- ii) the effect of the development on surrounding residential uses shall be minimized through the siting of the building and the use of exterior materials and lighting to improve the compatibility of the development with the surrounding residential uses;

- iii) adequate off-street parking must be provided; particular attention will be given by Council to measures to reduce traffic congestion and the effects of possibly large numbers of people on the surrounding residences;
 - iv) adequate buffering, which may include separation distances, tree and shrub planting and earthen berms must be provided between institutional uses and other non-residential uses and surrounding residences;
 - v) All institutional and non-residential uses are subject to site plan control. Plans showing the location of all buildings, structures, site servicing including grading, drainage and storm water management plans and facilities to be developed, and drawings showing plan, elevation, and cross-section views for each building to be erected, will be required in support of a site plan approval application.
- 5.1.3.10 The former Official Plan recognized as permitted in the "Residential" designation certain, limited non-residential uses. This Official Plan also permits in the "Residential" designation the following existing uses: a funeral home; a nursing home; an office/professional use at Wellington Street and Fourth Avenue; a medical centre; boat sales and service and sporting goods business; a hotel (Wilson Avenue and Ada Street); the existing light-industrial warehousing use and building (St. Annes Place and Metcalfe Street) at the date of approval of this Plan.
- 5.1.3.11 EXCEPTIONS
- 5.1.3.11.1 226 Elm Street - Dr. Jeffrey Green (By-Law 10-84) (OPA No.1)
- The lands and buildings known municipally as 226 Elm Street and described as being Part 1 on Reference Plan 11R-1586 may be used for the purposes of a medical office subject to the following policies:
- i) adequate off-street parking must be provided; however, off-street parking in the front yard located between the dwelling and the street line will be restricted through the Zoning By-Law.
 - ii) adequate municipal services, including storm and sanitary sewers are required.
 - iii) adequate landscaping and buffering between the proposed medical office use and adjacent residential uses are to be provided; and landscaping and buffering may include trees, shrubs and grass or privacy fencing.
 - iv) an amendment to the Zoning By-Law is required.
- 5.1.3.11.2 86 Talbot Street (OPA No. 6 – deleted and replaced by OPA No. 16)
- The ground floor area of the main Building existing as of December 22nd, 1988 on the lands numbered "6" and shown enclosed in heavy solid lines on Schedule "A" to the Official Plan of the City of St Thomas may be used for the retail sale of souvenirs, gifts, crafts, antiques, a restaurant and a model circus exhibit.

5.1.3.11.3 40 Princess Avenue - Elgin Theatre Guild (By-Law 43-87) (OPA No. 7)

The existing building on the lands numbered "7" and shown enclosed in heavy solid lines on Schedule "1" to this Amendment, may be used for the preparation and presentation of live theatrical productions, and as an auditorium. An amendment to the Restricted Area By-Law of the City of St. Thomas is required.

5.1.3.11.4 St. Thomas Christian Church - 415 Wellington Street (By-Law 94-87) (OPA No. 9)

Part of the existing Church building on the lands numbered "9" and shown enclosed in heavy solid lines on Schedule "1" to this Amendment, may be used for day care and private school purposes. An amendment to the Restricted Area By-Law of the City of St. Thomas is required. (OPA No. 76 – amended)

5.1.3.11.5 76 Talbot Street - Sanderson & Turvey (By-Law 120-87) (OPA No. 10)

The ground floor of the building existing as of September 21st, 1987, on the lands numbered 10, and shown enclosed in heavy solid lines on Schedule "1" to this Amendment, may be used for an artist's studio, picture framing, art classes, and the design and sale of paintings, art objects, supplies, and gifts and crafts, permitted by the implementing zoning By-Law.

5.1.3.11.6 44 Hincks Street - Williams Funeral Home (B/L 176-87) (OPA No. 11)

The lands legally described as Part of Lot 6, Block V, Registered Plan No. 3, numbered "11" and shown enclosed in heavy solid lines on Schedule "1" to this Amendment, may be used for the parking of motor vehicles.

5.1.3.11.10 Exception: (OPA No. 21)

The lands legally described as Part of Lot 9, Concession VIII, Township of Yarmouth, (now in the City of St. Thomas) numbered "21" and shown enclosed in a heavy solid line on Schedule "1" to this Amendment, may be used for business office purposes. The property is subject to a Zoning By-law Amendment.

5.1.3.11.11 Exception: (OPA No. 15 – repealed and replaced by OPA No. 22)

The lands legally described as Part Lot 35 Registered Plan No. 93 and designated as Part 1 on Reference Plan No. 11R-3371, numbered "22" and shown enclosed in heavy solid lines on Schedule "1" to this Amendment, may be used for the fabrication and sale of goods and articles made of cloth and yarn. In addition, the sale of accessories for sewing and knitting are permitted. The sale of clothing, except clothing made on the premises, is prohibited. This property is subject to a Zoning By-law Amendment.

5.1.3.11.12 Exception: (OPA No. 26)

The lands legally described as the Court House and Jail Block on Registered Plan No. 23, numbered "26" and shown enclosed in a heavy solid line on Schedule "1" to this

Amendment, may be used for business office purposes. The business offices are permitted only within the buildings located within the area affected on April 24th, 1990. An amendment to the Zoning By-law is required.

5.1.3.11.13 In addition to the policies of subsection 5.1 the following special policies shall apply to the development of the lands west of Burwell Road as shown enclosed in heavy solid lines and identified as Area 31 (1) on Schedule "A", Land Use Plan.

- i) Residential development shall complement/enhance the natural beauty of the Kettle Creek valley. The aesthetic and environmental assets of the Kettle Creek valley system including the watercourse, valley, and slopes shall be protected and enhance
- ii) Applicants submitting residential development proposals on lands adjacent to the Kettle Creek ravine/valley lands may be required to prepare geotechnical studies establishing soil conditions and slope stability. Those studies will be used to redefine the top-of-bank line and to establish the restrictions for the setback of buildings and structures from the top of bank on the affected properties.
- iii) Provision for elementary school sites shall be made in consultation with the public and separate school boards at the draft plan of subdivision stage of land development. Where practical a school site should be located adjacent to and combined with a neighbourhood park.
- iv) The location of neighbourhood parks and open space linkages shall be defined and secured through the plan of subdivision process. Neighbourhood parks should be located where practical, adjacent to the Ontario Hydro easement lands in order to maximize open space and linkage opportunities. Those easement lands shall not be accepted by the City of St. Thomas as parkland dedications under the Planning Act. However, small remnant tableland parcels isolated by the Ontario Hydro easement and the Kettle Creek valley may be accepted by the City as parkland dedication under the Planning Act depending upon their location, configuration, size and relationship to the overall planned park and open space system for the residential area.
- v) A broad range of housing in terms of tenure, size, location and cost, shall be permitted taking into account household size and income of new households set out in the Municipal Housing Statement and Land Use Review Study as updated from time-to-time as well as the requirements of the Provincial Land Use Planning for Housing Policy Statement.
- vi) Medium to high density housing forms including affordable housing provided to meet the requirement of the Provincial Land Use Planning for Housing Policy Statement shall be located adjacent to or in proximity to Burwell Road in order to facilitate better access to public transit and ancillary community services and reduce traffic loading on internal local roads.

- vii) Lower density housing forms should include a range of innovative and affordable housing types and subdivision designs. As well, opportunities for larger homes on large lots shall be encouraged in selected locations to satisfy the needs of the City of St. Thomas as identified in its Municipal Housing Statement and Land Use Review Study. (OPA No. 31 – 5.1.3.12.13)

5.1.3.11.14 84 Talbot Street (OPA No. 33)

A professional office and a retail store are permitted as additional uses on the lands shown enclosed in heavy solid line and numbered "33" on Schedule "A" Land Use Plan.

5.1.3.11.15 21 Fairview Avenue (OPA No. 35)

A Dental Office is permitted as an additional use on the lands shown enclosed in heavy solid line and numbered "35" on Schedule "A" Land Use Plan. The development of the site for a Dental Office is subject to the following policies:

1. The maximum floor area of all Dental Offices on the site shall not exceed 230 sq. metres (2,475 square feet).
2. Adequate off-street parking must be provided.
3. Adequate municipal services are required to service the development.
4. Adequate landscaping and buffering between the Dental Office use and adjacent residential uses must be provided.
5. The development of the property is subject to site plan control.
6. An amendment to the zoning by-law is required.

5.1.3.11.16 44 Centre Street (OPA 36)

A Tea Room (restaurant) is permitted as an additional use on the lands shown enclosed in heavy solid line and numbered "36" on Schedule "A" Land Use Plan. The development of the site for a Tea Room (restaurant) is subject to the following policies:

1. The location of the Tea Room is restricted to the ground floor of the building and the maximum floor area of the Tea Room shall not exceed 150 square metres (1614 square feet)."
2. Adequate off-street parking must be provided.
3. Adequate municipal services are required to service the development.
4. Adequate landscaping and buffering between the Tea Room and adjacent residential uses must be provided.
5. The development of the property is subject to site plan control

6. An amendment to the zoning by-law is required.

5.1.3.11.17 Exception – 189 First Ave. and 274 Elm Street (OPA No. 37)

A restaurant is permitted as an additional permitted use on the lands shown enclosed in heavy solid line and numbered "37" on "Schedule "A" Land Use Plan. The development of the site for a restaurant is subject to the following policies:

1. The maximum floor area of the restaurant permitted on the site shall not exceed 279 square metres (~3000 square feet).
2. Adequate off-street parking must be provided.
3. Adequate municipal services are required to service the development.
4. An access and egress configuration satisfactory to the Municipality must be provided.
5. Adequate landscaping and buffering between the restaurant and adjacent residential uses must be provided.
6. The development of the site is subject to site plan control
7. An amendment to the zoning by-law is required.

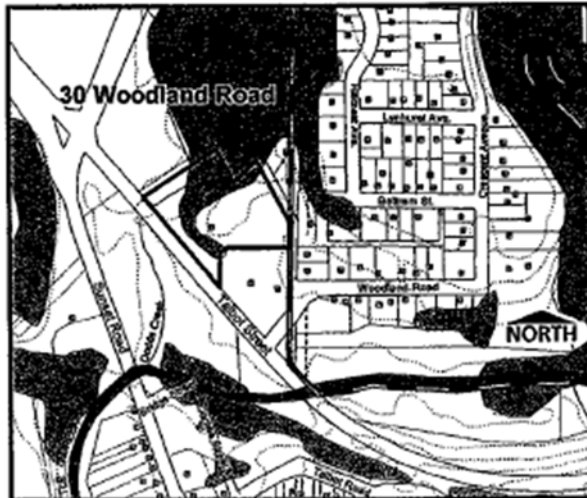
5.1.3.11.18 170 Wellington Street (OPA No. 38)

A Chiropractic Health Care Clinic is permitted as an additional permitted use within the residential designation on the lands shown enclosed in heavy solid line and numbered "38" on Schedule "A" Land Use Plan. The development of the site for a Chiropractic Health Care Clinic is subject to the following policies:

1. The maximum floor area of the clinic permitted on the site shall not exceed 670 square metres (7,212 square feet).
2. Adequate off-street parking must be provided.
3. Adequate municipal services are required to service the development.
4. Adequate landscaping and buffering between the Chiropractic Health Care Clinic and adjacent residential uses must be provided.
5. The development of the property is subject to site plan control.
6. An amendment to the Zoning By-law is required.

5.1.3.11.20 30 Woodland Road (OPA No. 45)

- 5.1.3.11.20.1 In addition to the policies of subsections 2 to 10 of the Official Plan, the following special policies shall apply to the lands enclosed in a heavy solid line and identified as "30 Woodland Road" on Map Figure 1 below.



Map Figure 1

5.1.3.11.20.2 An application for Draft Plan of Subdivision/Consent for the development of the site shall be supported by the following documentation:

- a pre-servicing report and storm water management report for the entire site shall be prepared by the applicant.
- a plan prepared to the satisfaction of the City of St. Thomas and the Kettle Creek Conservation Authority, demonstrating that the proposed residential lots will be wholly contained outside of the flood plain of Dodds Creek as defined by the regulatory Storm (Hurricane Hazel) event.
- An Archaeological Assessment of the site prepared to the satisfaction of the Ministry of Citizenship, Culture and Recreation.

5.1.3.11.21 Exception - 40 Alma Street (OPA No. 49)

A private dance studio as an additional permitted use on the lands shown enclosed in heavy solid line and numbered "49" on Schedule "A" Land Use Plan. The development of the site for a private dance studio is subject to the following policies:

1. The development of the site is subject to site plan control.
2. An amendment to the zoning by-law is required."

5.1.3.11.22 Exception - 90 Talbot Street (OPA No. 52)

The ground floor of the existing building as of May 23rd, 2002 on the lands shown enclosed in heavy solid line and numbered "52" on Schedule "A" Land Use Plan, may be used for the retail sale of antiques and accessories. The development of the site for an antique store is subject to the following policies:

1. The development of the site is subject to site plan control.
2. An amendment to the zoning by-law is required.

5.1.3.11.22 Exception - Medical Building (OPA No. 75 – duplicate numbering)

The lands numbered "75" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for a medical building, to house uses including a clinic for physicians, dentists, chiropractor or other person or persons providing health care, a medical laboratory, optometrist and a pharmacy. The use of these lands is subject to the following policies:

- (a) The lands be re-zoned to permit the use.
- (b) The maximum height of all buildings and structures associated with the use shall be one storey.
- (c) Site level stormwater management measures satisfactory to the City are implemented to address both quantity and quality of stormwater flows from the subject lands.
- (d) The lands are subject to site plan control.

5.1.3.11.22 Exception – Medical Office (OPA No. 85 – duplicate numbering)

The lands numbered "85" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for a medical office. The use of these lands is subject to the following policies:

- (a) Approval of a zoning by-law amendment.

5.1.3.11.23 Exception - 76 Talbot Street (OPA No. 58)

The ground floor of the existing building as of April 5th 2004 on the lands shown enclosed in heavy solid line and numbered "58" on Schedule "I" to this amendment, may be used for an artist's studio, custom framing, art classes and the design and sale of paintings, art objects, supplies, and gifts and crafts. In addition, a day spa is permitted offering services that may include, but may not be limited to, skin care, manicures, reflexology, registered massage therapy, hair care, makeup and full-service esthetics. The development of the site for the permitted uses is subject to the following policies:

- 1. The development of the site is subject to site plan control.
- 2. An amendment to the zoning by-law is required.

5.1.3.11.23 Exception - 48 Stanley Street (OPA No. 61 – duplicate numbering)

The existing residence as of April 3rd, 2006 on the lands shown enclosed in heavy solid line and numbered "61" on Schedule "A" Land Use Plan, may be used for an interior design consulting business and a retail boutique selling home furnishings and gifts. The development of the site for the proposed interior design consulting business and a retail boutique is subject to the following policies:

1. The uses are carried on by the occupancy of the home.
2. The uses are limited to the existing residence as of April 3rd, 2006. No additions to the residence will be permitted for additional permitted uses.
3. No outside storage or storage within accessory buildings and structures will be permitted in support of the additional permitted uses.
4. The gross floor area devoted to the additional uses does not exceed 1520 square feet.
5. The development of the site is subject to site plan control.
6. An amendment to the zoning by-law is required.

5.1.3.11.23 Exception – Clinic (OPA No. 80 – duplicate numbering)

The lands numbered 118011 and shown enclosed in heavy solid lines on Schedule 111" to this Amendment may be used for a clinic. The use of these lands is subject to the following policies:

- (a) The lands be re-zoned to permit the use.
- (b) The use is conducted within the existing building.

5.1.3.11.23 Exception - File Storage Business (OPA No. 89 – duplicate numbering)

The lands numbered "89" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for a file storage business. The use of these lands is subject to the following policies:

- (a) Approval of a zoning by-law amendment.

S.1.3.11.24 Exception - Business Office/Clinic (OPA No. 83)

The lands numbered "83" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for a business office or clinic. The use of these lands is subject to the following policies:

- (a) The use is conducted within the existing building.
- (b) The floor area for the additional use be limited to no more than 140 square metres.

5.1.3.11.25 Exception - 202 Elm Street (OPA No. 62)

The lands shown enclosed in heavy solid line and numbered "#62" on Schedule "I" to this amendment, may be used for a clinic. The development of the site for the permitted uses is subject to the following policies:

1. Adequate off-street parking must be provided; however, off-street parking in the front yard will be restricted through the zoning by-law
2. Adequate municipal services, including storm and sanitary sewers are required
3. Adequate landscaping and buffering between the proposed clinic and adjacent residential uses are to be provided; the landscaping and buffering may include trees, shrubs and grass or privacy fencing.
4. An amendment to the zoning by-law is required.
5. The development of the site is subject to site plan control.

Subsection 5.1.3.11.25 repealed through OPA 105, February 6th, 2023.

5.1.3.11.26 Exception - 90 Talbot Street (OPA No. 64)

The ground floor of the existing building as of September 4th, 2007 on the lands shown enclosed in heavy solid line and numbered "64" on Schedule "A" Land Use Plan, may be used for a hair salon and day spa. The development of the site for a hair salon and day spa is subject to the following policies:

1. The development of the site is subject to site plan control.
2. An amendment to the zoning by-law is required.

5.1.3.11.27 The following special policies shall apply to the development of the lands known municipally as 89 Princess Ave. as shown enclosed in heavy solid lines and identified as "#67" on Schedule "I" (Schedule "A", Land Use Plan), hereafter referred to as "subject lands":

1. The subject lands are a former industrial site and considered a brownfield site as defined by the Province. Development of a brownfield site shall meet the Province's requirements for development on potentially contaminated sites as set out in the Environmental Protection Act as amended by the Brownfields Statute Law Amendment Act 2001, and Ontario Regulation 153/04 or amendments made thereto.

It will be a requirement of the Province that, prior to the issuance of a building permit, a proponent of development shall be required to file in the Province's Environmental Site Registry a Record of Site Condition prepared in accordance with the requirements of Ontario Regulation 153/04 or amendments made thereto.

It shall be the policy of the City that the implementing zoning by-law shall include the following holding provision relative to the environmental review process:

Record of Site Condition - to ensure that environmental soil quality for the lands meets with the minimum standards of the Province for residential use, the "h" symbol shall not be removed until:

- (i) the City is provided with a copy of an acknowledgment from a Director, duly appointed under the Environmental Protection Act, that a Record of Site Condition prepared in accordance with the requirements of Ontario Regulation 153/04 or amendments made thereto has been filed in the Provincial Environmental Site Registry; and
 - (ii) the City is provided with a copy of the Record of Site Condition, duly signed by a Qualified Person, along with all supporting documentation.
2. An amendment to the comprehensive zoning by-law to establish site specific regulations to control the proposed uses is required.

3. The subject lands are subject to site plan control. A site plan agreement shall be entered into with the City of St. Thomas in accordance with Section 41(7)(c) of the Planning Act. (OPA No. 67 – 5.1.3.11.27)

5.1.3.11.28 The following special policies shall apply to the development of the lands as shown enclosed in heavy solid lines and identified as "#107" on Schedule "I" (Schedule "A", Land Use Plan), hereafter referred to as "subject lands":

1. The subject lands may be used for a hospice facility and accessory uses. A hospice shall be defined as a healthcare facility providing palliative care in a home-like environment while improving the quality of life for those who are living with, or dying from, a life-limiting illness. The use may include, but not be limited to: private patient suites; respite beds for short stays, allowing individuals to return home; family sleep space; palliative care clinic (supporting individuals to stay in their homes); caregiver support and resources; counselling services; grief and bereavement groups; children's programs; wellness therapies such as massage or pet therapy; and, community space and gardens.
2. An amendment to the comprehensive zoning by-law to establish site specific regulations to control the proposed uses is required.
3. The subject lands are subject to site plan control. A site plan agreement shall be entered into with the City of St. Thomas in accordance with Section 41(7)(c) of the Planning Act. (OPA No. 107 – 5.1.3.11.28)

5.1.3.28 79-83 Elm Street

A miniature golf course as an additional permitted use on the lands numbered "102" and shown enclosed in heavy solid line on Schedule "I" to this amendment. The development of the lands for a miniature golf course use is subject to the following policies:

- i) The development is subject to site plan control.
- ii) An amendment to the zoning by-law is required.

5.1.4 IMPLEMENTATION OF "RESIDENTIAL" POLICIES

5.1.4.1 The provisions of Section 9 and the remaining provisions of section 5.1.4 shall be applied in implementing the "Residential" policies of this Plan.

5.1.4.2 The by-law amendment or new by-law may contain a number of residential, local commercial and institutional zones according to the functional requirements of the various uses.

5.1.4.3 Residential development is encouraged through the use of registered plans of subdivision or condominium under the appropriate provisions of The Planning Act or The Condominium Act, as amended. In addition to the policies in section 5.1.3, plans of subdivision and condominium are subject to the following policies:

- i) the arrangement of street patterns must not only consider the need to discourage through traffic but also provide for efficient and economical service by public transit; walkways for transit access and ease of access are encouraged;
 - ii) a mixture of dwelling types is encouraged consistent with all other policies of the Plan and the City housing policy of the municipality;
 - iii) Planning Board and Council have considered all matter outlined in Section 33(4) of The Planning Act, as amended;
 - iv) adequate municipal services are required.
- 5.1.4.4 New development by means of consents to create individual parcels of land is discouraged and severances will only be permitted when it is clear that a plan of subdivision is unnecessary. Consents are subject to the general consents policies in section 9.4.
- 5.2 DOWNTOWN RESIDENTIAL
- 5.2.1 BACKGROUND – DOWNTOWN RESIDENTIAL
- 5.2.1.1 An area north of "Downtown" (south of Scott between Mondamin and East Streets) has been identified as suitable for redevelopment to higher residential densities. Some dwellings have already been converted to multiple family accommodation, while others are now used for office purposes. Further redevelopment is expected to provide an increased population that can support "Downtown" activities.
- 5.2.2 GOALS - DOWNTOWN RESIDENTIAL
- The following goals are adopted for the "Downtown Residential" designation:
 - i) to encourage future residential redevelopment;
 - ii) to provide a variety of dwelling types for both owner and rental occupancy;
 - iii) to ensure new residential development is compatible with the long-term future land use pattern;
 - iv) to ensure new residential development provides good design and site planning.
- 5.2.3 POLICIES - DOWNTOWN RESIDENTIAL
- 5.2.3.1 The "Downtown Residential" designation in Schedule "A" means the permitted use of land shall be for medium and high-density residential uses as defined in Sections 5.1.3.3 and 5.1.3.4.
- 5.2.3.2 New residential uses in the "Downtown Residential" designation are subject to the following policies:
 - i) the maximum permitted density shall not exceed 250 units per net hectare;

- ii) if the proposal requires road improvements the applicant shall enter into an agreement;
- iii) Council shall ensure the height, bulk and siting of the buildings is compatible with the site;
- iv) adequate off-street parking for residents and guests must be provided; the use of parking structures, depressed deck or underground parking is encouraged as opposed to total surface parking; incorporation, by agreement of municipal off-street parking areas to satisfy the parking requirements of DOWNTOWN RESIDENTIAL USES will not be discouraged;
- v) adequate landscaping and buffering between the new residential uses and abutting residential uses and throughout the site must be provided; the landscaping and buffering may include separation distances, tree and shrub and earthen berms;
- vi) Council encourage the provision of appropriate on-site recreation facilities for the use of residents and guests; such facilities could include open space recreational areas, swimming pools, and exercise facilities;
- vii) adequate storage facilities for the use of the residents shall be provided within the dwelling unit or within the building;
- viii) adequate municipal services, including storm and sanitary sewers, are required;
- ix) an environmental impact study maybe required of the potential effects of surrounding land uses on the proposed new residential use and of the proposed new residential use on the surrounding land use in terms of noise, dust or odours and the measures anticipated to reduce any adverse external environmental effects on the proposed new residential use;
- x) Applications for new residential use will be evaluated in terms of their effects on vistas and views;
- xi) a submission to Planning Board and Council is required and must be accompanied by:
 - a plan showing the shape, topography, dimensions, drainage and existing easements on the site;
 - a site plan showing all proposed building locations and dimensions, parking areas, access provisions, buffering, landscaping, privacy provisions, outdoor recreation facilities, final grades, solar diagrams for both equinoxes, plans showing all elevations and a perspective drawing.
- xii) retail commercial uses, personal services and office uses are allowed on the ground floor of high-density residential uses; these uses shall be of a strictly local type providing convenience day-to-day goods and services.

5.3 DOWNTOWN

TALBOT WEST – TALBOT CENTRAL – TALBOT EAST

5.3.1 DOWNTOWN

5.3.1.1 BACKGROUND – DOWNTOWN (OPA No. 50)

The "Downtown" of St. Thomas comprises the areas designated "Talbot West", "Talbot Central" and "Talbot East" as shown on Schedule "A:" Land Use Plan.

The Official Plan first discusses matters for the entire "Downtown" area and then outlines specific goals, policies and the implementation for each of the three designations.

The decline in intensity of commercial land use activity in parts of the Downtown and emerging retail commercial trends require positive action by the City and the private sector to coordinate public and private efforts on different fronts to improve the physical and economic climates of Downtown in a comprehensive and proactive manner.

A Retail Market Demand Analysis entitled "Retail Market Demand Analysis, Regional Commercial Systems Study, City of St. Thomas & Municipality of Central" was completed in January of 2000. The report focused on future retail commercial demands and the market investigations formed part of a regional commercial system strategy developed to provide the necessary policy guidance for the City to manage future retail commercial growth. A key intent of this strategy is to preserve and strengthen the historic St. Thomas downtown, while at the same time responding to emerging retail commercial trends and more fully satisfying the shopping needs of permanent residents, visitors and tourists.

The market investigations in the Retail Market Demand Analysis provide a commercial information base to be used in developing Official Plan policy recommendations to guide development and redevelopment of commercial land uses in "Downtown".

Council recognizes that three areas can be distinguished within "Downtown" and that special policies are required for each of these areas within the overall goals and policies for Downtown.

5.3.1.2 GOALS - DOWNTOWN

For the "Downtown" comprising "Talbot West", "Talbot Central" and "Talbot East", the Official Plan has the following goals:

- i) the primary goal is the maintenance and enhancement of the key role of "Downtown" as the principal retail, office, service and public administration in St. Thomas;

- ii) additional department store type merchandise facilities in "Downtown", and specifically in "Talbot Central", are necessary to maintain a strong retail structure of "Downtown";
- iii) the introduction of an increased residential population in "Downtown" through redevelopment schemes;
- iv) the continuation of programs for civic beautification and refurbishment through joint municipal and private efforts;
- v) the redevelopment of selected areas of "Downtown" by comprehensive schemes through joint municipal and private investment to increase the diversity and the level of activity in the "Downtown" area.

5.3.1.3 GENERAL POLICIES - DOWNTOWN

- 5.3.1.3.1 The "Downtown" area shall remain as the main concentration of pedestrian-oriented retail, office, service and public administration in St. Thomas. New development or redevelopment shall support the concentration of activities in "Downtown".
- 5.3.1.3.2 Council encourages the provision of additional specialty department store type merchandise facilities in Talbot Central and new auto-oriented retail commercial uses in Talbot East. (OPA No. 47 – replaced)
- 5.3.1.3.3 Redevelopment plans for areas in the "Downtown" where the quality of buildings has declined, land use incompatibilities have developed or where the level of land use intensity has decreased, shall be investigated and prepared, as required, by Planning Board and Council. Implementation of redevelopment plans will occur through joint municipal and private investment and the application of relevant provisions from The Municipal Act, The Planning Act and other appropriate enabling legislation.
- 5.3.1.3.4 Any redevelopment plans, rehabilitation or conservation schemes shall be evaluated on the basis of:
 - their effect on complimenting the overall design;
 - the provision of public amenities;
 - the protection and practical utilization of historic resources;
 - the increase in the level of pedestrian activity to and from the project;
 - conformity with detailed policies for "Talbot West", "Talbot Central" and "Talbot East".
- 5.3.1.3.5 Programs for the improvement of municipal services shall be continued in order to provide the necessary facilities to attract private investment;
- 5.3.1.3.6 The municipal program for the provision of adequate off-street parking will continue. However, Council recognizes that not all new developments in the "Downtown" will be able to provide their total parking requirements on-site. Council will investigate a variety of means for the provision of adequate off-street parking.

- 5.3.1.3.7 Municipal land assembly for redevelopment projects may be used as a spur to private investment in order to overcome obstacles that might otherwise prevent redevelopment;
- 5.3.1.3.8 Specific goals, policies and implementation will be provided for "Talbot West", "Talbot Central" and "Talbot East";
- 5.3.1.3.9 Overhead crossovers for pedestrian traffic may be permitted.

5.3.2 TALBOT WEST

5.3.2.1 BACKGROUND - TALBOT WEST (OPA No. 50)

The "Talbot West" area extends from Stanley Street on the west to Metcalfe Street and Pearl Street in the east and is bounded by Curtis Street on the north and Centre Street on the south.

The "Talbot West" area contains a mix of retail and service commercial uses including restaurants and fast food outlets, foodstores, automotive, household furnishings and general merchandise as well as residential and industrial uses. In general, the area remains in a transitional state characterized by some land use incompatibility and properties/buildings that range from being well maintained to others that have suffered extensive deterioration and are in need of major renovation or redevelopment. There are a number of vacant or underutilized properties in the "Talbot West" area, both along the Talbot Street frontage and in the backlot areas.

The City of St. Thomas/Municipality of Central Elgin Regional Commercial System Study recommended that for the "Talbot West" area of the "Downtown" the focus should continue to be on the comprehensive redevelopment of the area with an emphasis on residential intensification/redevelopment and tourism development. Community workshops held as part of the Regional Commercial System Study found that the public remains supportive of redevelopment that will result in more people living, working and visiting the area. The Study also concluded that in support of tourism there should be a focus on upgrading the west gateway into the "Downtown" including the Jumbo area, through streetscape design/landscape treatments and built forms that create a more visually distinctive entranceway into "Downtown" St. Thomas.

5.3.2.2 GOALS - TALBOT WEST

In addition to the general goals for the "Downtown" area, the following are specific goals for the "Talbot West" area:

- i) to encourage the introduction of new uses into "Talbot West" through comprehensive redevelopment schemes which may involve joint municipal and private actions that increase the resident population and number of people coming into the area;

- ii) to ensure that any redevelopment scheme provides for the proper siting and orientation of buildings and that the height and bulk of new buildings provide adequate light and open space;
- iii) to permit a variety of compatible commercial and residential uses;
- iv) to continue the program of civic beautification west along Talbot Street from Metcalfe and Pearl Streets.
- v) to encourage the development of a more visually distinctive western gateway into the "Downtown" through a combination of public and private sector investment in building development/redevelopment and streetscape/landscape improvements. (OPA No. 50 – v))

5.3.2.3 POLICIES - TALBOT WEST

5.3.2.3.1 Within the "Talbot West" designation on Schedule "N", the permitted uses are offices, personal service shops, existing commercial uses that directly serve the automobile, tourism/recreation and residential uses. Public utilities, institutional uses, public uses, walkways and park/parkettes are also permitted. While existing specialty department store type merchandise facilities are permitted in "Talbot West", new specialty DSTM stores are encouraged to locate in the "Talbot Central" area of the "Downtown" in accordance with the policies in Section 5.3. (OPA No. 50)

5.3.2.3.2 Residential development in Talbot West is encouraged subject to the following policies:

- i) the renovation or conversion of existing buildings in Talbot West for residential use is encouraged;
- ii) residential uses in new buildings in Talbot West are subject to the policies contained in section 5.2.3.2;
- iii) new low-density residential housing forms such as single detached dwellings, semi-detached dwellings, duplexes, triplexes, double duplexes, sixplexes and townhouses are not permitted in Talbot West;
- iv) commercial and/or office uses are encouraged on the ground floor level of new or existing buildings abutting Talbot Street. (OPA No. 50 – 5.3.2.3.2)

5.3.2.3.3 The ground level frontage along Talbot Street shall not be used for open surface parking facilities or any multi-storey parking structure. In addition, vehicular access is discouraged across the Talbot Street sidewalk frontage; except for fire lanes vehicular ingress and egress should be encouraged through side street or rear accesses.

5.3.2.3.4 New buildings of more than four storeys are encouraged not to have a wall containing more than four storeys rise directly from the Talbot Street lot line; a podium

effect or setback of that part of the building beyond four storeys could be used in these instances.

5.3.2.3.5 Council will maintain its program of municipal improvements including beautification schemes, improved streetlighting, landscaping and tree planting, new street furniture and improvements in off-street parking and access to parking through landscaped walkways. Council views these improvements as not only increasing the level of urban amenities, but as a statement of its commitment to the sound and efficient land use pattern in "Talbot West".

5.3.2.3.6 As part of its efforts to encourage comprehensive redevelopment of underutilized lands and/or buildings in the "Talbot West" area, Council will support municipal and private sector efforts through streetscape/landscape and built form improvements to create a more distinctive western gateway into the "Downtown". As a recognized tourist attraction in the City, which is strategically located at the western gateway, the City will support efforts to enhance the appeal of the Jumbo the Elephant Tourist Area. (OPA No. 50)

5.3.2.3.7 The existing industrial uses and buildings (Essex International of Canada, and Elgin Co-op Cold Storage) are permitted.

5.3.2.3.8 EXCEPTIONS (OPA No. 8)

5.3.2.3.8.1 The lands legally described as lots 2,3,10,11 and parts of lots 4 and 9, Registered Plan No. 23 and shown enclosed in heavy solid lines on Schedule "1" to this amendment, may be used for a retail commercial use (retail foodstore). An amendment to the Restricted Area By-law of the City of St. Thomas is required.

5.3.2.3.9 181 Talbot Street W. (OPA No. 32)

A gas bar is permitted on the lands shown enclosed in heavy solid line and numbered "32" on Schedule "A" Land Use Plan.

5.3.2.4 IMPLEMENTATION OF "TALBOT WEST" POLICIES

5.3.2.4.1 The provisions of Section 9 and the remaining provisions of Section 5.3.2.4 shall be applied in implementing the "Talbot West" policies of this Plan.

5.3.2.4.2 Implementation of the "Talbot West" policies by the municipality will occur under the appropriate enabling legislation.

5.3.3 TALBOT CENTRAL

5.3.3.1 BACKGROUND - TALBOT CENTRAL (OPA No. 50)

The "Talbot Central" area extends generally from Metcalfe-Pearl Streets to Manitoba Street between Curtis and Centre Streets, as shown on Schedule "A".

The "Talbot Central" area of the "Downtown" is the historic downtown of St. Thomas and contains the most intensive concentration of pedestrian-oriented retail activities

in the City. Retail, service commercial, business and professional office and government administrative office uses occupy ground floor space in the multi-storey buildings lining the "Talbot Central" portion of Talbot Street; there is relatively little backlot development on those properties.

The evolving trends in retailing is necessitating a change in focus in "Talbot Central". The Retail Market Demand Analysis study dated January 2000 prepared by W. Scott Morgan as part of the Regional commercial System Study concluded that for the City of St. Thomas and the Municipality of Central Elgin there is a projected unmet demand/market opportunity to add a further $\pm 363,000$ square feet of retail space to the St. Thomas/Central Elgin commercial inventory by 2006. However, according to the Morgan study the majority of new retailers entering the St. Thomas/Central Elgin market to satisfy that demand will be seeking big box and small box platforms in a power centre format. Those space-extensive and land-extensive platforms cannot locate in the "Downtown" and particularly in "Talbot Central" due to land constraints.

Through Official Plan Amendment No. 47 City Council established a "Power Centre" designation in the Official Plan to permit the development of a new format retail power centre on a 47.6 ac. (19.4 ha) site located on the northeast quadrant of the Talbot Street/First Avenue intersection at the eastern entrance/gateway into the St. Thomas "Downtown". The development includes $\pm 400,000$ sq. ft. of retail commercial floor space with three anchor stores (Walmart, Canadian Tire and Zehrs) in separate free-standing buildings and ancillary retail and service uses in a combination of stand-alone single user buildings and multi-user strip buildings.

Based on its adoption of Official Plan Amendment No. 47, City Council intends that the "Downtown" including "Talbot Central", Elgin Mall and the Power Centre together will now constitute the upper level of the regional commercial system hierarchy, serving the retail needs of the residents in the St. Thomas/Central Elgin trade area. The "Downtown" and in particular "Talbot Central" will focus on pedestrian-oriented specialty retail commercial activities. Elgin Mall will provide retail and service commercial uses in an auto-oriented, enclosed shopping centre format and the Power Centre will provide retail and service commercial uses in an auto-oriented, open-air, detached building, non-shopping mall format.

The Regional Commercial System Study recommended that "Talbot Central":

- be reinforced as the historic downtown of St. Thomas;
- be maintained as the most intensive concentration of pedestrian-oriented retail businesses in St. Thomas in conjunction with office and public administration facilities;
- focus on specialty department store type merchandise retail activities;
- place additional emphasis on dining, tourism/recreation and entertainment uses;
- focus on being a "people place/community meeting place";
- establish pedestrian linkages/connections with other uses of community significance in the "Downtown" area including the adjacent Railway Lands; and

- contain a community meeting place/civic square in conjunction with the redeveloped Railway Lands.

In the 1980's the City of St Thomas in conjunction with the Downtown Area Improvement Board carried out a revitalization. program in the "Talbot Central" area which included roadway and streetscape improvements to Talbot Street, provision of landscaped walkways to off-street parking Jots from Talbot and facade improvements to the Talbot Street storefronts.

Downtown revitalization remains a pressing objective of the Downtown Development Board. They have recently become a member of the Main Street Program which combines historic preservation and economic development in local revitalization initiatives. The Board is looking to both the City of St. Thomas and individual business owners to join them in revitalizing the "Downtown".

5.3.3.2 GOALS - TALBOT CENTRAL

In addition to the general goals for the "Downtown" area the following are specific goals for the "Talbot Central" area:

- i) to reinforce the "Talbot Central" area as the historic downtown of St. Thomas and a "people place/meeting place" for the community and visitors alike; (OPA No. 50)
- ii) to maintain and enhance "Talbot Central" as the most intensive concentration of pedestrian oriented retail businesses in St. Thomas in conjunction with office and public administration facilities;
- iii) to encourage the development of additional specialty department store type merchandise facilities in Talbot Central as a necessary element to strengthen the retail function/role of the Downtown; (OPA No. 47 – replaced)
- iv) to encourage the development of dining, tourism/recreation and entertainment uses;
- v) to encourage in-depth development within "Talbot Central" as the most desirable means to increase the intensity of land use activity;
- vi) to permit the introduction of new uses into "Talbot Central" through comprehensive redevelopment schemes which may involve joint municipal and private actions that increase the resident population and number of people coming into the area;
- vii) to ensure that any redevelopment scheme provides for the proper siting and orientation of buildings, that the height and bulk of new buildings provide adequate light and open space and that new buildings complement the overall design of the "Downtown";

- viii) to encourage the rehabilitation and refurbishment of buildings of historical or architectural significance;
- ix) to link the "Talbot Central" area with other areas of community significance in the "Downtown" area including the adjacent Railway Lands; and (OPA No. 50)
- x) to create a community meeting place/civic square in conjunction with the redevelopment of the Railway Lands; (OPA No. 50)
- xi) to continue the municipal program for the provision and development of off-street parking facilities.

5.3.3.3 POLICIES - TALBOT CENTRAL

5.3.3.3.1 "Talbot Central" shall be reinforced as the historic downtown of the City of St. Thomas and shall contain the most intensive concentration of pedestrian-oriented retail businesses in the City in conjunction with dining, cultural, tourism, recreation, entertainment, office and public administration facilities. (OPA No. 50)

5.3.3.3.2 Within the "Talbot Central" designation on Schedule "A", the permitted uses are pedestrian oriented retail commercial, eating establishments, cultural, tourism, recreation and entertainment uses, hotel, motel, office, personal service shops and residential uses. Public utilities, institutional uses, public administration buildings and uses, public recreation facilities, parkettes and walkways are also permitted. (OPA No. 50)

5.3.3.3.3 The development of specialty department store type merchandise facilities are encouraged in Talbot Central in accordance with the general commercial policies in sections 4.3.2, 4.3.3 and 4.3.4 herein. (OPA No. 47 – replaced)

5.3.3.3.4 Residential uses in Talbot Central are encouraged subject to the following policies:

- i) the renovation or conversion of existing buildings in Talbot Central for residential use is encouraged;
- ii) the preservation and restoration of heritage features and built form is encouraged as part of any residential renovation, conversion or new construction;
- iii) residential uses in new buildings in Talbot Central are subject to the policies contained in section 5.2.3.2;
- iv) new low-density residential housing forms such as single detached dwellings, semi-detached dwellings, duplexes, triplexes, double duplexes, sixplexes and townhouses are not permitted in Talbot Central;
- v) commercial and/or office uses must be provided on the ground floor level of new or existing buildings adjacent to the Talbot Street frontage. (OPA No. 50 – 5.3.3.3.4)

- 5.3.3.3.5 The built-up frontage along Talbot Street must be maintained and setback requirements will protect the existing, uniform building line along Talbot Street. The ground level frontage along Talbot Street shall not be used for open parking facilities. Vehicular access is discouraged across the Talbot Street sidewalk frontage~ except for fire lanes, vehicular ingress and egress should be encouraged through side street or rear accesses.
- 5.3.3.3.6 New buildings of more than four storeys are encouraged not to have a wall containing more than four storeys rise directly from the Talbot Street lot line; a podium effect or setback of that part of building beyond four storeys could be used in these instances. New buildings of less than four storeys are encouraged to be of a design and height that are compatible with adjoining buildings.
- 5.3.3.3.7 Council will continue its program of municipal improvements including beautification schemes, improved streetlighting, landscaping and tree planting, new street furniture and improvements in off-street parking and to access to parking through landscaped walkways.
- 5.3.3.3.8 Council may encourage the rehabilitation and refurbishment of buildings and the preservation of elevations, facades and brickwork in buildings of historical or architectural significance. Council may consider co-operating with any group interested in the preservation of the City's historic or architectural assets through the policies established in section 4.6.
- 5.3.3.3.9 The provisions of section 5.3.2.3.6 apply to any redevelopment scheme in "Talbot Central".
- 5.3.3.3.10 Exception - 672-718 Talbot Street (OPA No. 40)
- An automotive trade is permitted as an additional permitted use within the Talbot Central designation only on the lands shown enclosed in heavy solid line and numbered "40" on Schedule "A" Land Use Plan. The development/redevelopment of the site for an automotive trade is subject to the following policies:
1. The maximin floor area of all buildings and structures comprising the automotive trade use permitted on the site shall not exceed 2100 square metres (~22,600 square feet).
 2. Adequate off-street parking and loading facilities shall be provided.
 3. Access points to Talbot Street shall be minimized and controlled.
 4. The development/redevelopment of the site shall be subject to site plan control pursuant to the Planning Act RSO 1990, as amended.
- 5.3.3.3.11 "Talbot Central" shall be reinforced as a community "meeting place/focal point" for both residents and visitors to come together. A downtown civic square shall be planned in conjunction with the future redevelopment of the adjacent Railway Lands. (OPA No. 50)

5.3.3.3.12 A system of pedestrian linkages/walkways will be developed to connect the focal points of community interest/significance in the "Downtown" area including Talbot Street, the future civic square and future redevelopment projects on the Railway Lands. (OPA No. 50)

5.3.3.3.13 Exception – Retail Food Store (OPA No. 84)

The lands numbered "84" and shown enclosed in heavy solid lines on Schedule "I" - Land Use Plan to this Amendment may be used for a retail food store use.

5.3.3.4 IMPLEMENTATION OF "TALBOT CENTRAL" POLICIES

5.3.3.4.1 The provisions of Section 9 and the remaining provisions of Section 5.3.3.4 shall be applied in implementing the "Talbot Central" policies of this Plan.

5.3.3.4.2 Implementation of the "Talbot Central" policies by the municipality will occur under the appropriate enabling legislation.

5.3.4 TALBOT EAST

5.3.4.1 BACKGROUND - TALBOT EAST (OPA No. 50)

The "Talbot East" area extends from Manitoba Street on the west to First Avenue on the east and from the ConRail main line tracks on the south to an irregular line on the north as shown on Schedule "A" Land Use Plan.

The "Talbot East" area is characterized by space-extensive, automobile oriented commercial uses including automobile dealerships, gas bars/service stations, automobile supplies, fast food restaurants, foodstores and small strip plazas.

The Regional Commercial System Study recommended that the "Talbot East":

- be strengthened as the east gateway/entranceway into the "Downtown" through streetscape/landscape improvements and built form design;
- maintain its focus on automobile oriented, space-extensive commercial uses;
- support the emphasis on space-extensive, automobile-oriented uses by recognizing new format uses suitable for small box platforms _in single or multi-tenanted buildings; and
- continue to focus on restaurants and service commercial uses.

The Canron lands which are located at the eastern gateway/entranceway into "Downtown" St. Thomas represent the single largest redevelopment site in "Talbot East". A commercial project comprising a foodstore, some DSTM (department store type merchandise) retail, fast food restaurants and other service commercial uses is proceeding through the development approvals process; the site zoning is in-place with. site plan approval to follow. The comprehensive development of this

strategically located "brownfield" site will facilitate the establishment of a more visually distinctive east gateway into "Downtown" St. Thomas.

5.3.4.2 GOALS - TALBOT EAST

In addition to the general goals for "Downtown", the following goals are adopted for "Talbot East":

- i) to encourage the location of automobile oriented, space extensive retail and service commercial uses in "Talbot East" rather than allowing their infiltration into the pedestrian oriented commercial areas of the "Downtown" such as "Talbot Central"; (OPA No. 50)
- ii) to improve the visual aesthetics and urban design of "Talbot East" as the east gateway/entranceway into the "Downtown" through streetscape/landscape improvements and built form design; (OPA No. 50)
- iii) to protect adjoining residences from adverse land use effects such as noise or visual impacts;
- iv) to ensure the orderly transition of land use;
- v) to ensure new buildings have proper siting and orientation, adequate access and off-street parking;
- vi) to continue programs for the improvement of municipal services.

5.3.4.3 POLICIES - TALBOT EAST

5.3.4.3.1 Permitted uses in the "Talbot East" designation on Schedule "A" are predominantly automobile oriented, space extensive commercial uses that have the following functional characteristics:

- i) the uses are not oriented to casual, pedestrian shopping activity but rather to single purpose shopping trips;
- ii) the uses require arterial road locations to serve their markets;
- iii) the uses serve the demands of arterial road traffic; and
- iv) the new format retail commercial uses that require smaller box platforms in freestanding, single purpose/tenant or multi-purpose/tenant buildings rather than strip plazas or shopping centres.

Examples of uses having the above characteristics would be automobile dealerships, automobile service stations/gas bars, restaurants, fast food restaurants, foodstores, new format retailers, theatres, banks/financial institutions, other service commercial uses and public recreation facilities, parkettes and walkways. (OPA No. 50 – 5.3.4.3.1)

5.3.4.3.2 Applications for new space-extensive commercial uses are subject to the following policies:

- i) adequate off-street parking must be provided;
- ii) the depth and frontage of lots must be sufficient to allow for parking and turning movements;
- iii) traffic access must be properly designed and controlled to maintain public safety and convenience; vehicular access points must be limited and continuous access across the lot frontage will not be permitted; access is permitted within the designation to all streets but where access to a local street is preferred the access to the local street must be within 75 metres of Talbot Street;
- iv) adequate buffer planting 1 landscaping, screening and separation distances shall be provided between the commercial use and abutting areas designated "Residential";
- v) the creation of parcels of land unsuitable for commercial use is not permitted;
- vi) adequate municipal services are required;
- vii) the design of the facility will be compatible and harmonious with the existing development in the area;
- viii) the facility may be permitted in a mid-block location provided there is minimum interference with traffic or the reasonable development of the remainder of the block;

5.3.4.3.3 Council encourages the comprehensive redevelopment of the Canon "brownfield" site for automobile-oriented retail and service commercial uses. Efforts shall be made through built form and landscape design to create a visually distinctive east gateway/entranceway into "Downtown" St. Thomas. (OPA No. 50)

5.3.4.3.4 Lots 102, 103 and 104 on R.P. 79 may be used for a retail store, service shop, custom workshop, business office or eating establishment within "Talbot East".

11 Manitoba Street (OPA 104)

A residential dwelling unit and accessory uses are permitted as additional uses on the lands numbered "104" on the Location Plan attached in Appendix 1 to this amendment. The use of the lands for a residence is subject to the following:

- (i) An amendment to the zoning by-law to implement the use

5.3.4.4 IMPLEMENTATION OF "TALBOT EAST" POLICIES

5.3.4.4.1 The provisions of Section 9 and the remaining provisions of Section 5.3.4.4 shall be applied in implementing the "Talbot East" portion of this Plan.

5.3.4.4.2 Implementation of the "Talbot East" policies by the municipality will occur under the appropriate enabling legislation.

5.4 MAJOR COMMERCIAL

5.4.1 BACKGROUND - MAJOR COMMERCIAL

A major shopping centre, Elgin Mall, has been constructed in the east end of St. Thomas along Wellington Street on an 8-hectare site. The shopping centre was developed on the basis of a retail market analysis which indicated additional commercial floorspace was required in St. Thomas and that the proposal would have a minimal impact on "Downtown".

Because of the regional orientation of the shopping centre, its large size and its role as a focus for activity in the east of St. Thomas, special goals and policies are necessary.

5.4.2 GOALS - MAJOR COMMERCIAL

The following goals are adopted for the "Major Commercial" designation:

- i) to provide a variety of retail and personal service facilities in an attractive shopping environment;
- ii) to ensure development of the area is consistent with the retail needs of St. Thomas.

5.4.3 POLICIES - MAJOR COMMERCIAL

5.4.3.1 Within the area designated "Major Commercial 11 on Schedule "A" the permitted use of land shall be for a shopping centre. A shopping centre is defined as a group of commercial establishments functioning as one unit with common parking facilities and access points.

5.4.3.2 The uses permitted in a shopping centre complex will be those uses which provide for the sale of convenience goods to meet the daily living needs in foods, drugs, sundries and personal services and may include department store type facilities, recreational uses, places of entertainment and offices. An automobile service station, including carwash facilities, where the station is designed and located as part of the overall shopping centre complex, may also be permitted.

5.4.3.3 Vehicular parking facilities in the ratio of at least 5.5 parking spaces for each 100 square metres of gross leasable floor area will be required in conjunction with any expansion or enlargement of the shopping centre.

5.4.3.4 Access to the shopping centre complex will be limited and designed so as to minimize the danger to vehicular and pedestrian traffic. Points of ingress and egress for the automobile service stations forming part of the shopping centre will be limited

- in number and so designed that a suitable landscaped area is provided between the automobile service station and all adjacent street lines.
- 5.4.3.5 Adequate buffer planting will be provided between the shopping centre and any abutting area designated "Residential".
- 5.4.3.6 The developer or owner must be willing to have restrictions imposed on the commercial property, which will control the display of signs and lights which may otherwise prove detrimental to adjoining "Residential" areas.
- 5.4.3.7 The shopping centre shall abut an arterial or collector street as shown on Schedule "B".
- 5.4.3.8 The enlargement of the shopping centre shall be consistent with the general policies in sections 4.3.2, 4.3.3 and 4.3.4 herein.
- 5.4.3.9 High density residential uses as part of a mixed-use development in the Major Commercial Designation may be considered on a site-by-site basis using the following criteria:
- i) compatibility with the general character of the area and, in particular, proximity effects upon adjacent uses, i.e. shadowing;
 - ii) capacity of hard services to accommodate the proposed use(s);
 - iii) proximity to public transit;
 - iv) capacity of existing infrastructure services;
 - v) availability of on-site parking;
 - vi) proximity to education and community services and facilities. (OPA No. 30 – 5.4.3.9)
- 5.4.3.10 417 Wellington Street (OPA No. 95)
- A hotel as an additional permitted use on the lands numbered "95" and show enclosed in heavy solid line on Schedule "I" to this amendment. The development of the lands for a hotel use is subject to the following policies:
- i) The development is subject to site plan control.
 - ii) An amendment to the zoning by-law is required.
- 5.4.4 IMPLEMENTATION OF "MAJOR COMMERCIAL" POLICIES
- 5.4.4.1 The provisions of Section 9 and the remaining provisions of Section 5.4.4 shall be applied in implementing the "Major Commercial" policies of this Plan.
- 5.4.4.2 A site plan agreement and amendment to the comprehensive restricted area (zoning) by-law is required for any expansion of the shopping centre.

5.5 POWER CENTRE COMMERCIAL (New section, renumbering of subsequent sections – OPA No. 47)

5.5.1 BACKGROUND - POWER CENTRE COMMERCIAL

The St. Thomas Downtown and Elgin Mall currently constitute the upper level of the St. Thomas/Central Elgin regional commercial system hierarchy. They are the predominant areas/focus of retail activity, serving the City of St. Thomas and the adjacent Municipality of Central Elgin, Southwold Township to the west and the Town of Aylmer and the Township of Malahide to the east.

The Downtown and Elgin Mall co-exist as viable commercial areas, and combine to meet a range of commercial needs for the residents in the trade area. The Retail Market Demand Analysis study dated January 2000 prepared by W. Scott Morgan for the City of St. Thomas and the Municipality of Central Elgin concluded that there is a projected unmet demand/market opportunity to add a further $\pm 363,000$ square feet of retail space to the St. Thomas/Central Elgin commercial inventory by 2006. This includes supermarket, department store type merchandise, specialty department store type merchandise, tires/batteries/accessories, office supply and computer, home improvement and related merchandise and other commercial space i.e., banks, restaurants, other services, etc.

According to the Morgan study the majority of the new retailers entering the St. Thomas/Central Elgin market will be seeking big box and small box platforms in a power centre format. Those space-extensive and land-extensive platforms cannot locate in the Downtown due to land constraints, except for the Canron site in Talbot East which can accommodate certain smaller box platforms, or on the Elgin Mall site which would require a major re-organization of parking i.e., decked parking to accommodate those uses. The Morgan report concluded that a number of new format retail stores of 20,000 square feet and larger will be attracted to the St. Thomas/Central Elgin market in the short to medium term to capitalize on the market opportunities.

According to the Morgan report the St. Thomas/Central Elgin regional commercial structure is at present notably lacking in power centres. A power centre of $\pm 400,000$ square feet is being proposed on a 47.6 ac. (19.4 ha.) site located on the northeast quadrant of the Talbot Street/First Avenue intersection at the eastern entrance/gateway into the St. Thomas Downtown. The development concept includes three anchor stores in separate free-standing buildings. The proposed anchor uses include a department store, a home and automotive supply store and a supermarket. Ancillary retail and service uses i.e., specialty department store type merchandise, restaurant, bank, etc. are also proposed in a combination of stand-alone single user buildings and multi-user strip buildings.

Council now intends that the Downtown, Elgin Mall and the Power Centre together will constitute the upper level of the regional commercial system hierarchy, serving the retail needs of residents in the St Thomas/Central Elgin trade area. The Downtown

will focus on pedestrian-oriented specialty retail commercial activities: Elgin Mall will provide retail and service commercial uses in an auto-oriented, enclosed shopping centre format. The power centre will provide retail and service commercial uses in an auto-oriented, open-air, detached building, non-shopping mall format.

A new Power Centre Commercial designation with supporting policies is required in the Official Plan to make provision for the proposed power centre development.

5.5.2 GOALS - POWER CENTRE COMMERCIAL

The following goals are adopted for the Power Centre Commercial designation:

- to provide a variety of retail and service commercial facilities in an open-air, detached building, non-shopping mall format that is accessible, comfortable and attractive to shoppers;
- to ensure the commercial uses on the power centre site serve the retail needs of the St. Thomas/Central Elgin trade area; and
- to ensure that the Power Centre works to complement and support the concept of a strong and healthy St. Thomas Downtown.

5.5.3 POLICIES - POWER CENTRE COMMERCIAL

5.5.3.1 Within the area designated Power Centre Commercial on Schedule "A" the permitted use of the land will be for a power centre. A power centre is defined as a large scale, unenclosed shopping centre containing new format retail big box and small box uses with regional drawing power. It is situated in a prominent arterial road location in the City with excellent visibility and exposure to passing traffic. It comprises a collection of detached, free-standing buildings and structures on a large site with controlled access/circulation and ample shared parking on-site. The power centre may include a combination of single user and multi-user buildings.

The uses permitted in a power centre include department store type merchandise facilities, specialty department store type merchandise facilities, home and auto supply store, food store, office supply and computer store, home improvement and related merchandise store and other service commercial uses i.e., banks, restaurants, other services, etc.

The design of the power centre will reflect the prominent location of such development at the entranceway/gateway to the Downtown, including extensive landscaping and integrated signage.

An application for development of a new power centre and/or an application to expand an existing power centre will only be permitted after a detailed evaluation of the proposed development based on the submission and an independent peer

review of the following supporting documents carried out at the expense of the applicant:

- Traffic Impact Report addressing:
 - the traffic impacts of the proposed development on the roads and intersections in the vicinity of the site;
 - the assessment of existing conditions in the vicinity of the site based on a comprehensive set of existing traffic counts;
 - the development and assessment of future background traffic;
 - the development of site generated traffic;
 - the development and assessment of total traffic;
 - identification of the infrastructure improvements required to accommodate the total traffic volumes; and
 - the adequacy of on-site circulation and the parking provided to accommodate the proposed uses and an assessment of the potential of the site design to affect the operation of adjacent streets.
- Servicing Impact Report addressing:
 - sanitary sewage servicing of the site;
 - water servicing of the site; and
 - conceptual stormwater management plan for the site.
- Planning Impact Report addressing:
 - type and size/scale of proposed land uses;
 - floor space by retail commercial category;
 - conformity of the proposed development to the Official Plan;
 - compliance of the proposed development with the Zoning By-law;
 - demonstration why proposed uses cannot be located in the Downtown
 - compatibility of the proposed development with existing and planned land uses in the surrounding area; and
 - appropriateness/suitability of the proposed location and site for this development
- Where the applicant is proposing commercial uses in excess of the warranted space identified in the Retail Market Demand Analysis study dated January 2000, a Market Demand and Directional Impact Analysis demonstrating that the proposed uses will not have a deleterious impact on the planned function of the upper level of the St. Thomas/Central Elgin regional commercial system hierarchy.
- Phase 1 Environmental Audit prepared in accordance with the prevailing protocols and guidelines of the Ministry of the Environment.

5.5.3.5 On-site parking and access/circulation facilities will be shared by the uses on the power centre site.

5.5.3.6 Access to the power centre site will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Points of ingress and egress for a gas bar forming part of the power centre will be limited in number and designed with a suitable landscaped area between the gas bar and the adjacent street.

- 5.5.3.7 Vehicular parking facilities in the ratio of at least 5.5 parking spaces for each 100 square metres of gross leasable floor area will be required on the power centre.
- 5.5.3.8 The power centre will front onto an arterial road as shown on Schedule "B".
- 5.5.3.9 All commercial development within the Power Centre Commercial designation should be consistent with the general policies in Section 4.3.2, 4.3.3 and 4.3.4 inclusive.
- 5.5.3.10 The implementing zoning by-law may contain regulations specifying the permitted uses and the gross floor area of the power centre development.
- 5.5.3.11 Documentation submitted in support of an application for development of a new power centre and/or an application to expand an existing power centre as set out in subsection 5.5.3.4 shall use the population projections contained within the "Population Projections and Housing Requirements: City of St. Thomas" report prepared by LaPointe Consulting Inc. in association with Dillon Consulting Limited, dated December, 1999 and approved by St. Thomas City Council on April 17, 2000.

5.5.4 IMPLEMENTATION OF POWER CENTRE COMMERCIAL POLICIES

- 5.5.4.1 The provisions of Section 9 and the remaining provisions of Section 5.5.4 shall be applied in implementing the Power Centre Commercial policies of this Plan.
- 5.5.4.2 A detailed development plan, a site plan agreement and an amendment to the comprehensive zoning by-law are required as a condition of development approval of a power centre.

5.6 SECONDARY COMMERCIAL (OPA No. 90 – deleted and replaced)

5.6.1 BACKGROUND - SECONDARY COMMERCIAL

The "Secondary Commercial" designation on Schedule "A" is comprised of commercial nodes located on First Avenue at its intersection with Wellington Street and Edward Street. These nodes comprise a mix of existing land uses including a home improvement and related merchandise store, strip plazas, a restaurant, an automobile dealership, an auto body shop, a gas bar and a car wash, a clubhouse for a fraternal organization and some existing residential use.

The Secondary Commercial designation permits a wide range of retail commercial uses such as automotive service business, apparel and accessories, household furnishings and appliances, drugs and cosmetics, electronics and computers, etc.; and permits a wider range of service commercial uses such as a movie theatre, hotel/motel, etc. providing a retail focus that provides more support and reinforcement for the "Downtown."

5.6.2 GOALS - SECONDARY COMMERCIAL

The following goals are adopted for the "Secondary Commercial" designation on Schedule "A" Land Use Plan:

- (i) to permit a range of retail and service commercial uses in both traditional strip plaza and new format retail smaller box platform that complements and supports the planned upper level of the St. Thomas commercial hierarchy which includes the "Downtown", Power Centre, Elgin Mall, and Mixed Use Development; and
- (ii) to ensure that the Secondary Commercial area reinforces the concept of a strong and healthy St. Thomas "Downtown".

5.6.3 POLICIES - SECONDARY COMMERCIAL

5.6.3.1 Permitted Uses within the Secondary Commercial designation include:

- i) automotive services business
- ii) automotive service centre
- iii) gas bar
- iv) convenience store
- v) carwash
- vi) an apparel and accessories store
- vii) a books and stationery store
- viii) drug store
- ix) electronics and computers store
- x) household furnishings store
- xi) tires, batteries and accessories store
- xii) office supplies store
- xiii) financial institution
- xiv) liquor, beer or wine store
- xv) movie theatre
- xvi) personal services
- xvii) business offices

- xviii) restaurants
 - xix) hotels/motels
 - xx) existing home improvement and related merchandise use and the expansion of home improvement and related merchandise floor space
 - xxi) public and private recreation facilities, parks, and walkways
- 5.6.3.2 Uses not permitted within the "Secondary Commercial" area include Department Store (non-food store retail (NFSR) facilities), food store retail (FSR) and a new home improvement (HI) store as defined within the City's current Retail Market Study.
- 5.6.3.3 All planning applications will require early consultation and the submission of a complete application in accordance with the policies and requirements of subsection 10.11 of the Official Plan.
- 5.6.3.4 Where an applicant is proposing commercial uses in excess of the warranted space identified in the City's Retail Market Study, a Market Demand and Directional Impact Analysis demonstrating that the proposed uses will not have a deleterious impact on the planned function of the upper level of the St. Thomas commercial hierarchy ("Downtown", Major Commercial Area/Elgin Mall and the Power Centre).
- The City may require an independent peer review of supporting documents carried out at the expense of the applicant.
- 5.6.3.5 Commercial development will be located in either a conventional strip plaza format or new format retail box store platform. The new format retail box platforms will either be free-standing single user or multi-user buildings.
- 5.6.3.6 The design of the commercial development will reflect the prominent location of such uses in the "Secondary Commercial" area, including landscaping and signage.
- 5.6.3.7 Access to commercial development will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Access points to Arterial Streets as shown on Schedule "B" will be minimized.
- 5.6.3.8 Adequate parking and loading spaces will be provided on-site for all development. Permitted uses may share on-site parking, circulation and road access points.
- 5.6.3.9 Vehicular parking facilities for retail commercial development will be provided in the ratio of at least 5.5 parking spaces for each 100 square metres of gross leasable floor area.
- 5.6.3.10 Mitigation measures including, but not limited to buffering, landscaping, screening and separation distances will be provided between the "Secondary Commercial" area and adjacent "Residential" designated areas. Measures must be provided to reduce the effect of lighting on any adjoining residences.

- 5.6.3.11 The implementing zoning by-law may contain regulations specifying the permitted uses and the gross floor area of the development.
- 5.6.3.12 Ancillary residential uses as part of a mixed-use development may be permitted within the Secondary Commercial designation.
- 5.6.3.13 The suitability of residential uses as part of a mixed-use development shall be assessed on a site-by-site basis using the following criteria:
- i) compatibility with the general character of the area, and in particular, proximity effects upon adjacent uses;
 - ii) capacity of existing infrastructure services and roads to accommodate the proposed use(s);
 - iii) proximity to education, community services and recreation facilities;
 - iv) proximity to public transit;
 - v) availability of on-site parking; and
 - vi) provision of landscaping/buffers between the residential and commercial uses on the site.

5.6.4 EXCEPTIONS

5.6.4.1 Rona Building Centre – 121 Woodworth Avenue (OPA No. 90 – carried over previous amendment)

5.6.4.1.1 The gross retail floor area for all home improvement and related merchandise uses on lands located at 121 Woodworth Avenue shall not exceed 1,350 square metres.

5.6.4.1.2 The provisions of subsection 5.6.3.2 relative to a home improvement and related merchandise store shall not apply to the lands located at 121 Woodworth Avenue.

5.6.4.2 Exception – Retirement Home (OPA No. 90 – carried over previous amendment)

5.6.4.2.1 The lands numbered “71” and shown enclosed in heavy solid lines on Schedule “I” to this Amendment may be used for a retirement home. The use of these lands is subject to the following policies:

- i) The lands be re-zoned to permit the use
- ii) Site level stormwater management measures satisfactory to the City are implemented to address both quantity and quality of stormwater flows from the subject lands.
- iii) The lands are subject to site plan control.

5.6.4 IMPLEMENTATION OF "SECONDARY COMMERCIAL" POLICIES

5.6.4.1 The provisions of Section 9 and the remaining provisions of Section 5.6.4 shall be applied in implementing the "Secondary Commercial" policies of this Plan.

5.6.4.2 Implementation of the "Secondary Commercial" policies by the Municipality will occur under the appropriate enabling legislation.

5.7 MINOR COMMERCIAL (OPA No. 90 – Section replaced)

5.7.1 BACKGROUND - MINOR COMMERCIAL

The Minor Commercial Designation shown on Schedule "A" has developed in St. Thomas through amendments to the Official Plan. These areas serve day-to-day retail and service needs of the surrounding residential areas. It is recognized that minor commercial facilities serve an important retailing function, however they should remain limited in size because they are an integral part of the adjoining residential neighbourhoods, designed to serve local needs and their large-scale development would be inconsistent with the goals for the planned function of the upper level of the St. Thomas commercial hierarchy.

5.7.2 GOALS - MINOR COMMERCIAL

The following goals are adopted for the "Minor Commercial" areas:

- i) to permit development of retail stores, convenience stores and services that provide for the day-to-day shopping needs of local residents;
- ii) to ensure the "Minor Commercial" areas remain subsidiary in size and function to the "Downtown", "Major Commercial", "Power Centre" and "Secondary Commercial" areas.

5.7.3 POLICIES - MINOR COMMERCIAL

5.7.3.1 Permitted uses in the "Minor Commercial" designation include retail and service uses of a convenience or day-to-day nature with no single use exceeding 300 square metres in size. Examples of these types of facilities are a convenience store, hairdresser, barber, bank, bakery, and restaurant. Offices uses and a clinic are also permitted.

5.7.3.2 Applications for approval of a minor commercial use shall be reviewed on the basis of conformity with the following policies:

- i) the site shall be located on an Arterial Road, preferably at the intersection with a collector road as shown on Schedule "B" to the Official Plan;
- ii) a new minor commercial use shall not be permitted at the intersection of two Arterial Roads as shown on Schedule "B" to the Official Plan;
- iii) a new minor commercial use shall not be permitted on a minor collector or a local road as shown on Schedule "B" to the Official Plan;

- iv) the access to and traffic generated by the site shall not create traffic hazards on abutting roads;
 - v) the buildings containing minor commercial uses shall be designed to a high architectural and landscape standard to blend in with and/or compliment the character of the adjacent residential areas;
 - vi) the site area shall be adequate to incorporate the necessary landscape screening or buffering to minimize potential impacts on the surrounding residences;
 - vii) lighting and signage shall not create an adverse visual impact on the surrounding residences;
 - viii) garbage collection/storage areas shall be located and screened to minimize any adverse impacts on surrounding uses;
 - ix) no outside storage of goods or materials shall be permitted;
 - x) adequate off-street parking shall be provided.
- 5.7.3.3 All planning applications for new Minor Commercial designations shall require early consultation and the submission of a complete application in accordance with the policies of Subsection 10.11 in the Official Plan.
- 5.7.3.4 Where an applicant is proposing commercial uses in excess of the warranted space identified in the City's Retail Market Study, a Market Demand and Directional Impact Analysis demonstrating that the proposed uses will not have a deleterious impact on the planned function of the upper level of the St. Thomas commercial hierarchy ("Downtown", Power Centre, Major Commercial, Mixed Use Development and Secondary Commercial designations).
- The City may require an independent peer review of supporting documents carried out at the expense of the applicant.
- 5.7.3.5 The maximum total gross leasable floor space available for all commercial or office uses in any area designated "Minor Commercial" shall be 2300 square metres.
- 5.7.3.6 The suitability of residential uses as part of a mixed-use development shall be assessed on a site-by-site basis using the following criteria:
- i) compatibility with the general character of the area, and in particular,
 - ii) proximity effects upon adjacent uses;
 - iii) capacity of existing infrastructure services and roads to accommodate the proposed use(s);
 - iv) proximity to education, community services and recreation facilities;

- v) proximity to public transit;
- vi) availability of on-site parking; and
- vii) provision of landscaping/buffers between the residential and commercial uses on the site.

5.7.3.7 EXCEPTIONS

5.7.3.7.1 Lots 1, 2, 3, 28, 29, 41, 42 and 43 on Registered Plan 76 may be used for commercial purposes, including the retailing and wholesaling of goods. Dwelling units are permitted above these uses. (OPA No. 90 – carried forward previous amendment)

5.7.3.7.2 Shaw Valley Minor Commercial (OPA No. 90 – carried forward previous amendment)

5.7.3.7.2.1 The maximum gross leasable floor area of all buildings erected on the lands numbered “51” and enclosed in heavy solid line on the attached Schedule “A” Land Use Plan shall not exceed 2130 square metres (approximately 22,928 square feet).

5.7.3.7.2.2 The maximum gross leasable floor area for all retail and service uses within the buildings shall not exceed 726 square metres (approximately 7,815 square feet).

5.7.3.7.2.3 Notwithstanding Subsection 5.7.3.1, the maximum gross leasable floor area for a clinic shall not exceed 1401 square metres (approximately 15,113 square feet). A pharmacy primarily for the dispensing or prescription drugs is permitted as an accessory use to a clinic provided the maximum gross leasable floor area of the pharmacy does not exceed 150 square metres.

5.7.3.7.3 Subsection 5.7.3.5 shall not apply to the lands numbered “51” and enclosed in heavy solid line on Schedule “A”.

5.7.3.8 Exception – Southeast Corner of First Avenue and Elm Street – 204 First Ave (OPA No. 90 – carried forward previous amendment)

5.7.3.8.1 The gross leasable area of all buildings erected on lands numbered “56” and enclosed in heavy solid lines on Schedule “A” shall not exceed 2,985 square metres.

5.7.3.8.2 Subsection 5.7.3.5 shall not apply on the lands designated in 5.7.3.8.1.

5.7.3.8.3 Notwithstanding paragraph 5.7.3.1, there is no maximum leasable area for any single use.

5.7.3.9 Exception – “Shaw Valley Ambulance Station” (OPA No. 90 – carried forward previous amendment)

5.7.3.9.1 The lands shown enclosed in heavy solid line and numbered “60” on Schedule “I” to this amendment may be used for an ambulance station. The development of the site for an ambulance station is subject to the following policies:

- i) The development of the site is subject to site plan control.

ii) An amendment to the zoning by-law is required.

5.7.3.11 Exception - Block 90 - Miller's Pond Phase 2B (OPA No. 93 – numbering issue)

5.7.3.11.1 The lands shown as Block 90 in Draft Plan 34T-18503 are permitted to be used for a 1152 square metre Office and Selection Studio for Doug Tarry Ltd. and a 300 square metre Accessory Storage Building to the Office and Selection Studio for Doug Tarry Ltd.

5.7.4 IMPLEMENTATION FOR "MINOR COMMERCIAL" POLICIES

5.7.4.1 The provisions of Section 9 and the remaining provisions of Section 5.7.4 shall be applied in implementing the "Minor Commercial" policies of this plan.

5.7.4.2 Areas designated "Minor Commercial" but not developed for such uses on the date of the passing of an amendment to By-Law 68-63 to bring it into conformity with the Official Plan, or of a new implementing comprehensive by-law, may be zoned for the existing uses or placed in a development zone.

5.7.4.3 A site plan agreement and amendment to the comprehensive restricted area (zoning) by-law is required for new development.

5.8 HIGHWAY COMMERCIAL (OPA No. 90 – deleted and replaced)

5.8.1 BACKGROUND - HIGHWAY COMMERCIAL

Three Highway Commercial areas have developed in the City of St. Thomas. The first area is located at the east end of the City along the Talbot Street frontage. The second area is located in the Sunset Road/Major Line area in the northwest area of the City and the third area is located in the northeast area of the City.

These areas comprise a number of uses which rely on large traffic volumes to support specialized commercial uses, including, motor vehicle related uses, food service and other non-retail service commercial uses which benefit from a highway-oriented location. These areas are recognized for their existing commercial functions and are reserved primarily for the development of special commercial activities requiring, a substantial site area in order to provide off-street customer parking and outdoor display facilities and sites with visual prominence and/or good vehicular access. The policies support activities which provide a commercial service to the residents or businesses of the city as a whole from a single location, or which can be readily identified by the travelling public.

5.8.2 GOALS - HIGHWAY COMMERCIAL

The following goals are adopted for areas designated "Highway Commercial":

- (i) to focus on commercial services that support the City as a whole and are highway oriented;
- (ii) to improve the visual amenity of the areas;
- (iii) to protect adjoining residences from adverse effects such as noise or visual impacts;
- (iv) to ensure the orderly transition of land use to traditional highway commercial uses over time; and
- (v) to ensure new buildings have proper siting and orientation, adequate access and off-street parking.

5.8.3 POLICIES - HIGHWAY COMMERCIAL

5.8.3.1 Permitted uses in the "Highway Commercial" designation on Schedule "A" are commercial uses that serve the needs of City residents and businesses and the needs of the traveling public:

- i) hotel/motel
- ii) automotive service business
- iii) gas bar
- iv) car wash
- v) convenience store
- vi) automotive maintenance garage
- vii) motor vehicle dealership
- viii) restaurant
- ix) financial institution
- x) existing business offices
- xi) existing food store
- xii) existing retail uses

5.8.3.2 Uses not permitted within the "Highway Commercial" area include pedestrian-oriented retail commercial activity and new retail commercial uses.

5.8.3.3 New retail commercial uses will be encouraged to locate in the Talbot East, Power Centre, the Mixed-Use Development or the Secondary Commercial designation.

5.8.3.4 Planning Applications for new highway commercial uses are subject to the following policies:

- i) adequate off-street parking must be provided;
 - ii) the depth and frontage of the lots must be sufficient to allow for parking and turning movements;
 - iii) traffic access must be properly designed and controlled to maintain public safety and convenience;
 - iv) vehicular access points must be limited and those continuous across the lot frontage will not be permitted;
 - v) common access points among uses is encouraged;
 - vi) access must be to an arterial or collector road;
 - vii) adequate buffer planting, landscaping, screening and separation distances must be provided between uses and throughout the site;
 - viii) the landscaping and buffering may include separation distances, trees and shrub plantings and the use of earthen berms; and
 - ix) the creation of parcels of land unsuitable for commercial use is not permitted subject to the policies set out in Section 9.4.
- 5.8.3.5 All planning applications will require early consultation and the submission of a complete application in accordance with the policies of Subsection 10.11 in the Official Plan.
- 5.8.3.6 Exception – Transportation Business
- The lands numbered “74” and shown enclosed in heavy solid lines on Schedule “I” to this Amendment may be used for a transportation business, in accordance with the policies of Section 2 to 10 of this Plan.
- 5.8.3.6 Exception – 9844 Sunset Drive (OPA No. 94 – duplicate numbering)
- The lands numbered “94” and shown enclosed in heavy solid line on Schedule “I” to this amendment may be used for a gas station with an associated convenience store and drive-thru restaurant on individual on-site water and sanitary sewage services.
- 5.8.3.7 340 Highbury Avenue (OPA No. 99)
- The lands numbered “99” and shown enclosed in heavy solid line on Schedule “I” to this amendment may be used for a business office with a detached accessory storage facility. The development of the lands for a business office use is subject to the following policies:
- i) The development is subject to site plan control.
 - ii) An amendment to the zoning by-law is required.

1024 Talbot Street (OPA No. 103)

A medical centre and accessory uses are permitted as additional uses on the lands numbered "103" on the Location Plan attached in Appendix 1 to this amendment. The use of the lands for a medical centre is subject to the following:

- (i) An amendment to the zoning by-law to implement the use; and
- (ii) Site plan approval.

5.8.4 IMPLEMENTATION FOR "HIGHWAY COMMERCIAL" POLICIES

5.8.4.1 The provisions of Section 9 and the remaining provisions of Section 5.8.4 shall be applied to the implementation of the "Highway Commercial" policies of this Plan.

5.8.4.2 Implementation of the "Highway Commercial" policies by the municipality will occur under the appropriate enabling legislation.

5.9 OFFICE/PROFESSIONAL

5.9.1 BACKGROUND - OFFICE/PROFESSIONAL

The previous Official Plan permitted offices along the south side of Centre Street from approximately William Street to Princess Avenue and, in response, a number of residences have been converted into offices. In addition, the previous Official Plan designated the north side of Curtis Street for commercial and office development. A number of offices have been established along the north side of Curtis Street between East Street and Mondamin Street.

The office use has served as a buffer between the "Downtown" uses and adjoining residential areas.

5.9.2 GOALS - OFFICE/PROFESSIONAL

The following goals are adopted for the "Office/ Professional" designation on Schedule "A":

- i) to limit and concentrate office uses on the fringe of the "Downtown" and other selected locations;
- ii) to protect surrounding residences from adverse land use effects;
- iii) to achieve an orderly land use transition.

5.9.3 POLICIES - OFFICE/PROFESSIONAL

5.9.3.1 Within the "Office/Professional" designation on Schedule "A" the predominant use of land shall be for offices. Commercial uses are discouraged. "Medium and high density residential" uses as defined in sections 5.1.3.3 and 5.1.3.4 are permitted.

- 5.9.3.2 "Office/Professional" uses are subject to the following policies:
- i) the site must front and have access to either an arterial or collector street shown on Schedule "B ";
 - ii) adequate off-street parking must be provided by the owner;
 - iii) adequate landscaping and buffering between the office use and abutting residential uses must be provided; the measures may include separation distances, fences and special plantings;
 - iv) adequate municipal services are required;
 - v) a submission to Planning Board and Council must be accompanied by:
 - a plan showing the shape, topography, dimensions, drainage, and existing easements, on the site;
 - a site plan showing all proposed building locations and dimensions, parking areas, access provisions, buffering, landscaping, final grades, elevations and a perspective.
- 5.9.3.3 On the north side of Curtis Street, the policies of Sections 5.1.3.3 and 5.2.3.2 shall apply to the development of residential uses in association with the Office/Professional designated area.
- 5.9.3.4 On the south side of Centre Street, the policies of Sections 5.1.3.3 and 5.1.3.4 shall apply to the development of residential uses in association with the Office/Professional designated area.
- 5.9.3.5 In addition, retail commercial uses are permitted on the north side of Curtis Street. Retail commercial uses are discouraged on the south side of Centre Street.
- 5.9.3.6 Exception - Single Detached Dwelling (OPA No. 78)
- The lands numbered "78" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for a single detached dwelling. The use of these lands is subject to the following policies:
- (a) The lands be re-zoned to permit the use.
- 5.9.3.7 Exception - Maximum Three Dwelling Units (OPA No. 81)
- The lands numbered "81" and shown enclosed in heavy solid lines on Schedule "I" to this Amendment may be used for residential use with a maximum of three dwelling units.
- 5.9.3.8 Exception - Duplex Dwelling (OPA No. 82)

The lands numbered “82” and shown enclosed in heavy solid lines on Schedule “I” to this Amendment may be used for residential use with a maximum of two dwelling units.

5.9.4 IMPLEMENTATION FOR “OFFICE/PROFESSIONAL” POLICIES

5.9.4.1 The provisions of Section 9 and the remaining provisions of Section 5.9.4 shall be applied to the implementation of the “Office/Professional” policies of this Plan.

5.10 EMPLOYMENT (OPA No. 90 – deleted and replaced Industrial section)

5.10.1 BACKGROUND - EMPLOYMENT LANDS

Employment areas play a key role in maintaining, expanding and diversifying the City’s employment and assessment base, creating a complete community by providing opportunities for local residents to work in St. Thomas, and furthering the economic development goals of the City.

Provincial Policy requires municipalities to maintain an adequate supply of employment land to accommodate employment growth forecasts and to plan for, protect and preserve employment areas for current and future uses. Employment areas are defined in the Provincial Policy Statement as “Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities.”

St. Thomas has developed as a manufacturing centre and has a number of positive advantages that are expected to enhance its future as an employment growth centre. Among the beneficial features of St. Thomas for industry are a trained, skilled labour force, a diversity of strong, existing industrial operations, excellent rail and road access to regional markets and an active Economic Development Corporation.

Business and economic activities including manufacturing, warehousing, offices and ancillary retail and service uses are clustered in the northeast portion of the City. The lands within the City’s employment areas are designated “Employment” and “Business Employment.” This two-tier approach to land use designations in the Official Plan for employment areas promotes economic development on industrial lands while at the same time protecting nearby residents and businesses from potential adverse impacts associated with heavier industrial uses.

5.10.2 GOALS FOR EMPLOYMENT LANDS

The following goals are adopted for the “Employment” areas:

- i) to provide and maintain a sufficient supply of land, in amount and variety of sizes, to accommodate employment growth;
- ii) to monitor local, regional and provincial trends with respect to the demand for employment land to ensure that the City maintains an adequate supply in appropriate locations at all times;

- iii) to limit development in employment areas to industrial activities and operations supportive or compatible with industry as well as ancillary retail and service commercial uses that support the workers and uses in the employment areas;
- iv) to provide a range of employment opportunities for the City;
- v) to ensure in employment areas the requirements of industry remain paramount;
- vi) to provide appropriate locations for employment uses that have features that are not compatible with other adjacent sensitive land uses to relocate into the employment area;
- vii) to continue to support industrial development and promotion programs;
- viii) to protect and preserve employment lands in the long term;
- ix) to protect employment lands in proximity to goods movement facilities and transportation corridors.

5.10.3 GENERAL POLICIES- EMPLOYMENT LANDS

The following policies apply to the lands designated Employment and Business Employment as shown on Schedule "A".

5.10.3.1 The City will maintain an adequate supply of lands designated for employment purposes to accommodate employment growth to the year 2037. Key land supply priorities include:

- i) maintaining an adequate supply of serviced and serviceable land, recognizing variations in development requirements;
- ii) providing a variety of choice in terms of location, property size and configuration, cost, and the range of permitted uses;
- iii) ensuring an efficient configuration of employment areas in terms of road networks, property shapes and sizes;
- iv) providing infrastructure and infrastructure improvements;
- v) monitoring the rate of employment growth and the supply of employment lands to ensure that sufficient lands are designated to meet employment growth targets and the needs of existing and new businesses.

5.10.3.2 The City will actively support and promote economic development through the implementation of their Economic Development Strategies and land banking where possible. The City will encourage economic activities in the areas of advanced manufacturing, life sciences, small knowledge-based business, information technology, business services and the environment as future opportunities for employment growth.

- 5.10.3.3 Large format and stand-alone retail uses, shopping centres, home improvement centres and retail commercial strip development are not permitted within the Employment designations.
- 5.10.3.4 The retail sale of products manufactured, processed, fabricated, assembled or warehoused on site, and located in the same building, may be permitted as an ancillary use to a permitted employment use provided the ancillary use does not conflict with the long term use of the surrounding land for employment uses or with the planned commercial function of the Downtown, Power Centre, Mixed Use Development and Secondary Commercial designations. The regulation of ancillary retail uses will be accomplished through the use of standards and gross floor area restrictions within the implementing Zoning By-law to ensure the use remains secondary and subordinate to the primary use of the building.
- 5.10.3.5 Industrial operations uses shall be conducted in a manner which mitigates potential adverse effects from noise, odours, lighting or other forms of pollution. The industrial operations shall comply with the applicable Ministry of Environment and Climate Change Certificate of Approval.
- 5.10.3.6 Industrial operations shall comply with the applicable Ministry of Environment and Climate Change Guidelines for Compatibility Between Industrial Facilities and Sensitive Land Uses.” The implementation of these guidelines shall be accomplished through the implementing zoning by-law and site plan approval.

5.10.4 POLICIES - EMPLOYMENT

The predominant use of land within the “Employment” designation on Schedule “A” shall be for business and economic activities which can be generally classified as manufacturing, the processing of goods and raw materials, warehousing, transportation, communications and utilities, bulk storage of goods and other activities whose operational characteristics are similar.

Permitted uses in the Employment designation include:

- i) industrial uses that involve assembling, fabricating, manufacturing, processing, repairing, warehousing, wholesaling and distribution uses, production of pharmaceuticals and medical products, communications, utilities, storage of goods and materials, service trades and construction uses; office uses including those accessory to industrial uses; research and information processing;
- ii) public and private recreation facilities, park and open space areas, public and institutional uses;
- iii) non-retail service commercial uses including but not limited to, restaurants, child care services, personal service uses, automotive body shops, automotive service uses, may be permitted on a limited basis provided the uses are compatible with the development and operation of industrial uses and serve the employment area;

- iv) gas and service stations including the sale of convenience goods and carwash provided they are located at an intersection of arterial or collector streets as shown on Schedule "B";
 - v) transport trucking terminals are permitted but must front on or be near a road classified as an arterial or collector street on Schedule "B".
- 5.10.4.1 Existing salvage and wrecking yards are permitted.
- 5.10.4.2 Licensed Adult Entertainment Parlours are permitted within the "Employment" designation on Schedule "A", only in free standing, single use structures, provided that such uses when established are located no closer than 500 metres measured in a continuous path over the shortest distance, from a church, a school, a day nursery that is a main permitted use in the Zoning By-law, or a public park or a Residential or Open Space and Park Zone and shall be dispersed.
- 5.10.4.3 Adequate off-street parking and loading facilities must be provided. Off-street parking and loading areas shall be designed to accommodate type of industrial operations and the size of the proposed use. Developers are encouraged to purchase sufficient land to accommodate off-street parking for any planned future enlargement or change in use.
- 5.10.4.4 Uses located in the "Employment" designation must be serviced with municipal water and sanitary sewers. However, in isolated circumstances, in advance of the provision of sanitary sewers and/or municipal water services:
- i) uses producing non-liquid industrial waste may be permitted, if municipal water is provided and approval for a private on-site sewage disposal system is obtained from the appropriate approval authority, or
 - ii) dry uses not requiring sanitary and/or water service may be permitted in advance of the provision of sanitary sewers and/or municipal water services.
- Approval is subject to satisfactory confirmation that site conditions are suitable for the use of individual on-site private sewage services and/or private on-site water service. In all such cases noted above, private service connections will be constructed to the municipal sanitary sewer system and/or the municipal water system, when they are available to the site.
- 5.10.4.5 All Planning Act applications submitted for a change of use, additions or consent to sever are subject to early consultation and the complete application requirements of subsection 10.1 of the Official Plan.
- 5.11 BUSINESS EMPLOYMENT (OPA No. 90 – new section)
- 5.11.1 BACKGROUND – BUSINESS EMPLOYMENT
- The Business Employment designation on Schedule "A" applies to areas where the full range of light industrial, office uses, service commercial uses will be permitted,

subject to a high standard of design. Located on the periphery of the City's Employment Area this designation permits employment land uses compatible with adjacent sensitive land uses.

5.11.2 GOALS – BUSINESS EMPLOYMENT

The following goals are adopted for the “Business Employment” areas:

- i) to provide compatible employment type land uses, visual transition and a buffer area between the traditional industrial land uses in an employment area and sensitive nonemployment land uses such as residential that are located on the periphery of that employment area;
- ii) to limit development in the Business Employment area to light industrial uses and compatible non-retail service commercial uses that support the workers and uses in the employment area;
- iii) to ensure that the protection of employment lands also remains paramount;
- iv) to encourage existing light industries that are non-conforming land uses to relocate into the “Business Employment” area;
- v) to continue to support industrial development and promotion programs.

5.11.3 POLICIES – BUSINESS EMPLOYMENT

5.11.3.1 The “Business Employment” designation on Schedule “A” means the predominant use of land is for light industry/manufacturing, research and development facilities, office uses, non-retail service commercial uses having no outside storage.

5.11.3.2 Permitted uses within the “Business Employment” designation include:

- i) manufacturing, processing, assembling, storage, warehousing and fabricating of goods and materials in fully enclosed buildings;
- ii) business offices;
- iii) computer, electronic or data processing establishments;
- iv) research and development facilities;
- v) commercial or technical schools;
- vi) restaurant;
- vii) non-retail service commercial uses;
- viii) warehousing and bulk storage within an enclosed building only;
- ix) parks, open space uses;

- x) public recreational uses;
 - xi) private recreational uses;
 - xii) scientific, technological or communication establishments;
 - xiii) automotive service uses;
 - xiv) accessory uses, buildings and structures.
- 5.11.3.3 Adequate off-street parking and loading facilities shall be provided. Both the off-street parking and loading areas should be related to the type of business activity and size of the proposed use.
- 5.11.3.4 Land uses shall be provided with municipal water and sanitary sewers.
- 5.11.3.5 Buildings and sites shall be designed to a higher architectural/landscape standard and all activities, storage of goods, operating facilities and waste disposal facilities shall be contained within wholly enclosed buildings. A more rigorous standard of building and site design, landscaping and signage control shall be applied through the implementing Zoning By-law and Site Plan Control Approval. Outdoor storage of materials, equipment, goods or refuse associated with any permitted use or any ancillary secondary use shall be prohibited. The front yards of buildings fronting on the boundary arterial roads of the employment area shall be landscaped with a combination of grass, plantings and other materials in accordance with the approved site plan. The intent is to create a visually attractive and distinctive urban streetscape along the boundary road. The parking and storage of motor vehicles associated with motor vehicle dealerships shall not be considered as outside storage under this Plan. The implementing Zoning By-law shall contain setback standards for landscaping adjacent to boundary roads.
- 5.11.3.6 Industrial uses which are considered noxious due to methods or processes employed or materials used or produced that result in vibrations, noise, odour, fumes or dust or results in heavy truck movements are not permitted to locate in the areas designated "Business Employment."
- 5.11.3.7 Detailed standards for industrial lot and building requirements shall be established in the Zoning By-law. All Planning Act applications submitted for a change of use, additions or consent to sever are subject to early consultation and the complete application requirements of subsection 10.11 of the Official Plan.
- 5.11.4 REQUEST FOR CONVERSIONS
- 5.11.4.1 The City may only permit the conversion of lands within an "Employment" area to nonemployment uses through a comprehensive review of the official plan as defined in the Provincial Policy Statement in effect at the time.
- 5.11.4.2 Requests for conversion of employment land shall be assessed applying the following criteria:

- i) it has been demonstrated that the land is not required over the long term for employment purposes;
- ii) there is a need for the conversion as established by the municipal comprehensive review;
- iii) the conversion will not adversely affect the overall viability of the employment area
- iv) the conversion will not create incompatibilities with adjacent land uses or impact the ability of adjacent lands or development to be used or continue to be used for employment purposes;
- v) the site is constrained for traditional industrial development because of land use compatibility issues with adjacent sensitive non-employment land uses;
- vi) infrastructure exists or is planned to accommodate the proposed conversion the conversion would be in conformity with the goals of the official plan.

5.11.5 EXCEPTIONS

5.11.5.1 Exception – 140 Edward Street (Jackpot City)

The existing building on lands legally described as Part 1, Plan 11R-2050, and located at 140 Edward Street, may also be used for meetings, dancing, exhibitions, receptions, banquets, a flea market and a gaming facility within the existing building.

5.12 OPEN SPACE AND CONSERVATION (OPA No. 66 – Deleted and replaced. OPA No. 90 renumbered to 5.12)

5.12.1 BACKGROUND - OPEN SPACE AND CONSERVATION

Kettle Creek, with its large and deeply cut valley, and its tributaries is a significant valleyland and natural heritage resource that has directed the growth and settlement pattern of the City to the north, east and south. Many of the natural systems within the Kettle Creek valley and its tributaries have been altered by past and present human activities including agriculture, parkland development and urbanization. The Kettle Creek and its tributaries serve a range of functions such as:

- i) habitat for terrestrial and aquatic life;
- ii) urban forest cover;
- iii) natural corridors for wildlife;
- iv) pedestrian linkages and trails;

- v) active and passive recreation;
- vi) conservation and park areas for the Kettle Creek Conservation Authority and the City;
- vii) a receiving stream for the St. Thomas Pollution Control Plant;
- viii) service routes for the major trunk sanitary and storm sewers; and
- ix) stormwater management and flood control.

5.12.2 GOALS - OPEN SPACE AND CONSERVATION

The following goals are adopted for the "Open Space and Conservation" designation on Schedule "A" - Land Use Plan:

- i) to provide community level park and open space areas for the City population;
- ii) to encourage land uses that contribute to the protection, maintenance and enhancement of significant valleylands and their natural heritage resources;
- iii) to encourage land uses that contribute to the protection, maintenance and enhancement of the warm water fishery and associated aquatic communities in Kettle Creek and its tributaries;
- iv) to encourage land uses that contribute to the protection, maintenance and enhancement of the significant terrestrial natural features and ecological functions of the Kettle Creek watershed; and
- v) to encourage land uses that contribute to the protection, maintenance and enhancement of the quality and quantity of surface and groundwater resources in the Kettle Creek watershed.

5.12.3 POLICIES - OPEN SPACE AND CONSERVATION

5.12.3.1 Within the "Open Space and Conservation" designation on Schedule "A" the permitted uses are community and neighbourhood parks, low intensity public and private recreation uses, walking/biking trails, conservation areas, conservation uses and necessary utilities, services and infrastructure. Use existing at the date of the approval of this plan, including agricultural uses, are also permitted. The development of new uses or the expansion or enlargement of existing uses are also subject to the policies set out in Section 8 - Environment.

5.12.3.2 Buildings and structures shall be limited to those uses accessory to the permitted uses. New buildings and/or structures or the expansion or enlargement of existing buildings and/or structures may be permitted subject to the policies set out in Section 8 - Environment and subject to compliance with the requirements of the implementing Zoning By-law.

- 5.12.3.3 The development of open space trails and linkages is encouraged by Council. Council will co-operate with the Kettle Creek Conservation Authority, private landowners, the Township of Southwold and the Municipality of Central Elgin in efforts to enhance the system of open space trails and linkages.
- 5.12.3.4 The "Open Space and Conservation" designation shall not imply that such lands that are in private ownership shall be either free and open to the general public or will be purchased by the Municipality. Proposals for land uses not permitted by this subsection shall require an Amendment to the Official Plan.
- 5.12.3.5 Council will examine a variety of mechanisms, other than outright purchase of land, to increase the area of land available for Open Space. The mechanisms may include easements or partnership agreements with other public agencies for the sharing of facilities.
- 5.12.3.6 Where appropriate the Council may request the valleylands for Kettle Creek and its tributaries be dedicated for public use. The intent of this policy is to ensure the long-term environmental protection of the significant valley lands and their stewardship. These lands are not intended to satisfy the City's requirement for parkland and therefore shall not constitute a parkland dedication to the City of St. Thomas under the Planning Act."
- 5.12.4 IMPLEMENTATION OF "OPEN SPACE AND CONSERVATION" POLICIES
 - 5.12.4.1 The provisions of Section 9 and the remaining policies of Section 5.12.4 shall be applied to the implementation of the "Open Space and Conservation" policies of this Plan.
 - 5.12.4.2 Council will examine a variety of mechanisms, other than outright purchase of land, to increase the area of land available for recreational purposes. The mechanisms may include easements or agreements with other public agencies for the sharing of facilities.
 - 5.12.4.3 Implementation of detailed policies for parks and recreation facilities will be in accordance with Section 7.
 - 5.12.4.4 Where appropriate the Council may request the valleylands for Kettle Creek and its tributaries be dedicated for public use. The intent of this policy is to ensure the long-term environmental protection of the significant valley lands and their stewardship. These lands are not intended to satisfy the City's requirement for parkland and therefore shall not constitute a parkland dedication to the City of St. Thomas under the Planning Act. (Deleted and replaced 5.11.4.4 (OPA No. 31) – OPA No. 42)
- 5.12 SPECIAL POLICY AREA (OPA No. 66 – renumbered section through previous section deletion)
 - 5.12.1 BACKGROUND - SPECIAL POLICY AREA

The area bounded approximately by First Avenue on the east, Wellington Street on the south, the southerly extension of the Conrail lands from Wellington to Ross Street in the southwest and the Conrail lines on the north is significant because of its importance in any railway relocation scheme for St. Thomas. A preliminary report on railway relocation proposed many of the railway facilities in the subject property would not be necessary and as well as there would be a reduction in railway traffic. Potentially, a large area near "Downtown" could be made available for redevelopment. However, as part of a new railway relocation study, an urban development plan must be prepared for the lands removed from railway use. Therefore, an analysis of the site would be part of the relocation study. Until the railway relocation study is complete, special policies should be provided for the area.

5.12.2 GOALS - SPECIAL POLICY AREA

The following goals are adopted for the "Special Policy Area":

- i) to recognize an area of potentially significant land use change;
- ii) to limit land use changes until more detailed studies have been completed regarding railway relocation;
- iii) to provide interim policies for a specified time period.

5.12.3 POLICIES - SPECIAL POLICY AREA

5.12.3.1 Within the "Special Policy Area" designation on Schedule "A", the permitted uses of land are uses existing at the date, either of the passing of a by-law to amend By-law No. 68-63 to bring it into conformity with the policies in the Official Plan, or the passing of a new comprehensive restricted area (zoning) by-law.

5.12.3.2 Application for new uses will require an amendment to the Official Plan. In evaluating a proposal for a new use, the following items shall be considered:

- i) the effects of the new activity in limiting future use of the site and the surrounding area;
- ii) the status of the railway relocation program.

5.12.3.3 The policies of this section 5.13.3 shall apply to December 31, 1982. Prior to 1982 Planning Board will undertake to review the policies of Section 5.13.3.

5.12.3.4 The policies of section 5.13.3 will guide development in the area outlined on Schedule "A" until there is an amendment. Amendments might be considered prior to December 31, 1982.

5.12.4 IMPLEMENTATION OF "SPECIAL POLICY AREA" POLICIES

5.12.4.1 The provisions of Section 9 and the remaining provisions of Section 5.13.4 shall be applied to the implementation of the "Special Policy Area" policies of this Plan.

5.13 SPECIAL DEVELOPMENT AREAS (OPA No. 66 – renumbered and comprehensive section update)

5.13.1 SPECIAL DEVELOPMENT AREA 1 (Residential Lands)

5.13.1.1 BACKGROUND

Special Development Area 1 identifies lands within the Settlement Area that are planned for Urban Development as shown on Schedule 'E' - Special Development Areas to the Official Plan of the St. Thomas Planning Area. The Subject lands are adjacent to the Kettle Creek Valleylands. The South Block Area Subwatershed Study Addendum dated May 2009 identified protection and enhancement measures for the natural heritage resources and natural hazards associated with the Kettle Creek valleylands. In addition, area specific policies are required to make provision for elementary schools, neighbourhood parks, open, space linkages, range of housing and other associated community facilities.

5.13.1.2 POLICIES - SPECIAL DEVELOPMENT AREA 1

5.13.1.2.1 In addition to the policies of Sections 2 to 10 of this Plan, the following special policies shall apply to the lands hatched and identified as Special Development Area 1 on Schedule "E" - Special Development Areas to the Official Plan of the City of St. Thomas.

- i) Residential development shall complement/enhance the natural beauty of the Kettle Creek Valleylands. The natural heritage resources associated with those features shall be protected and enhanced.
- ii) The South Block Area Subwatershed Study Addendum dated May 2009 identified a number of natural heritage features that will require the preparation of an environmental impact study should the proposed developments encroach on those features.
- iii) Provision for two 2-3.9 ha. neighbourhood parks shall be made in consultation with the City of St. Thomas Planning Department and Parks and Recreation Department at the draft plan of subdivision stage of land development.
- iv) Efforts shall be made by the City through the development approvals process to facilitate the long-term implementation of a pedestrian/bikeway system that connects/links the Kettle Creek Valleylands, Mill Creek Valleylands, Lake Margaret, St. Thomas Elgin Education and Recreation Complex, Pinafore Park and the neighbourhood parks in the South Block.
- v) The location of the neighbourhood parks and connecting open space linkages shall be defined and secured through the plan of subdivision process using a variety of acquisition mechanisms including land dedication and cash-in-lieu provisions.

5.13.2 SPECIAL DEVELOPMENT AREA 2 (Munroe Subdivision)

5.13.2.1 BACKGROUND

The Munroe Subdivision is a residential enclave situated west of Kettle Creek on the north side of the Fingal Line and bounded on the north by the CN/CP rail line. The area is comprised of a number of small residential land holdings serviced by septic tank and well or septic tank and piped municipal water. Access to the residences is directly from the Fingal Line or from an internal access road that is publicly owned but privately maintained. Based on the planning and servicing reviews completed as part of the South Block Development Area review it was determined that there is insufficient demand for development within this area at this time to warrant the extension of full municipal services west of Kettle Creek along the Fingal Line. To recognize the existing residential character of the Munroe Subdivision the area has been designated residential on Schedule "A" - Land Use Plan to the City of St. Thomas Official Plan. To ensure proper planning for future development the Munroe Subdivision area is identified as a special policy area on Schedule "E" - Special Development Areas to the Official Plan of the St. Thomas Planning Area and additional special policies have been formulated to guide development within this area until the City of St. Thomas urban service area is extended west of Kettle Creek.

5.13.2.2 POLICIES - SPECIAL DEVELOPMENT AREA 2

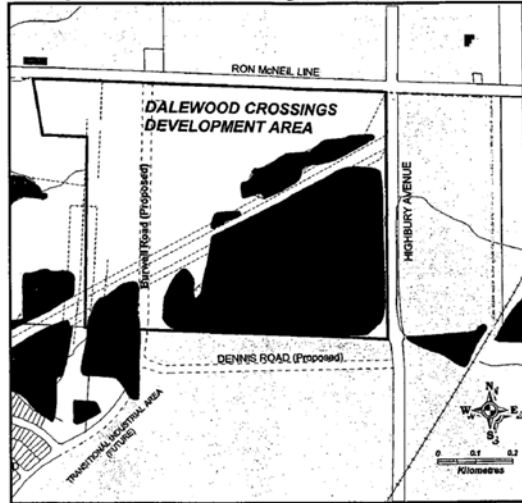
5.13.2.2.1 In addition to the policies of Sections 2 to 10 of the Official Plan, the following special policies shall apply to the lands enclosed in heavy solid lines and identified as Special Development Area 2 on Schedule "E" - Special Development Areas to the Official Plan of the City of St. Thomas.

- i) In the Munroe Subdivision permitted uses shall be the uses existing as of July 1997.
- ii) No new development by way of consent or plan of subdivision shall be approved by the City until such time as an amendment to this Plan addressing policies relating to the extension of the Urban Service Area is adopted. However, consents for technical purposes such as easements or lot additions may be permitted provided the policies of the Plan regarding consents are satisfied.
- iii) Nothing in this Plan shall prevent the enlargement, replacement or extension of existing uses provided a certificate of approval for servicing can be obtained from the appropriate approval authority.
- iv) The City of St. Thomas Zoning By-law shall be amended to implement the policies of this subsection.

5.13.3 DALEWOOD CROSSINGS DEVELOPMENT AREA (OPA No. 43 – New section)

5.13.3.1 In addition to the policies of subsections 2 to 10 of the Official Plan, the following special policies shall apply to the lands enclosed in heavy solid lines and identified as the "Dalewood Crossings Development Area " on Map Figure 1 below.

Map Figure 1 - Dalewood Crossings Development Area



- 5.13.3.2 Subsection 5.1 of the Official Plan is hereby amended by deleting subsection 5.1.3.12.13 insofar as it applies to the lands identified as the Dalewood Crossings Development Area on Map Figure 1.
- 5.13.3.3 In addition to the policies of subsection 5.1 the following special residential policies shall apply to the lands designated "Residential" within the Dalewood Crossings Development Area on Map Figure 1.
- i) Residential development shall complement the natural beauty of the Kettle Creek Valley and associated woodlands. The aesthetic and environmental assets of the Kettle Creek Valley System including the watercourse, valley, slopes and associated woodlands shall be protected.
 - ii) Applicants submitting residential development proposals on lands adjacent to the Kettle Creek ravine/valley lands may be required to prepare geotechnical studies establishing soil conditions and slope stability. Those studies will be used to define the top-of-bank line and establish the restrictions for the setback of buildings and structures from the top-of-bank on the affected properties.
 - iii) Applicants submitting residential development proposals on lands adjacent to the major woodlot east of Burwell Road will be required to adhere to the environmental setbacks and monitoring requirements established by the EIS prepared for that woodlot.
 - iv) Provision for elementary school sites shall be made in consultation with the public and separate school boards at the draft plan of subdivision stage of land development. Where practical, a school site should be located adjacent to and combined with a neighbourhood park.
 - v) The location of neighbourhood parks and open space linkages shall be defined and secured through the plan of subdivision process. Neighbourhood parks should be located where practical, adjacent to the Ontario Hydro easement

lands and/or the woodlot east of Burwell Road in order to maximize open space and linkage opportunities.

- vi) The Ontario Hydro easement lands shall not be accepted by the City of St. Thomas as parkland dedications under the Planning Act. However, small remnant tableland parcels isolated by the Ontario Hydro easement and the Kettle Creek Valley may be accepted by the City as parkland dedication under the Planning Act depending upon their location, configuration, size and relationship to the overall planned park and open space system for the residential area.
- vii) A broad range of housing in terms of tenure, size, location and cost shall be permitted in accordance with the Provincial Policy Statements and the City of St. Thomas Population and Housing Study as updated from time-to-time. Residential subdivision design should facilitate a sense of neighbourhood identity and incorporate community features such as walkways and parks.
- viii) Medium and high-density housing forms, including affordable housing, shall be located adjacent to or in proximity to Burwell Road in order to facilitate better access to public transit and ancillary community services and reduce traffic on internal local roads.
- ix) Lower density housing forms should include a range of innovative housing types and subdivision designs to meet the needs for affordable housing, the move-up market for larger homes and the seniors market.
- x) A Restricted Business Office and a Real Estate Sales Office and Showroom are permitted as additional permitted uses only within the residential designation bounded by the Ontario Hydro Rights-of-Ways on the north and west and fronting on the west side of the proposed Burwell Road extension.

5.13.3.4 Subsection 5.10 of the Official Plan is hereby amended by deleting subsection 5.10.3.9 (OPA#31) insofar as it applies to the lands identified as the Dalewood Crossings Development Area on Map Figure 1.

5.13.3.5 Special Industrial East of Burwell Road - Notwithstanding the policies of subsections 5.10.3.1 to 5.10.3.8 inclusive, the following special policies shall apply to the development of the lands designated "Industrial" and fronting on the proposed Burwell Road extension within the Dalewood Crossings Development Area on Map Figure 1.

- i) To provide an appropriate land use, visual transition and/or buffer area for the residential uses to the west of Burwell Road the City shall encourage the development of light industrial uses on the lots fronting onto or flanking Burwell Road in which. the buildings and sites are designed to a higher architectural/landscape standard and all activities, storage of goods, operating facilities and waste disposal facilities are contained within wholly enclosed buildings. A more rigorous standard of building and site design,

landscaping and signage control shall be applied through the implementing Zoning By-law and site plan approval. Outdoor storage of materials, equipment, goods or refuse associated with any industrial or ancillary secondary use shall be prohibited. The front yards of buildings shall be landscaped with a combination of grass, plantings and other materials in accordance with the approved site plan. The intent is to create a visually attractive and distinctive urban streetscape along Burwell Road.

- ii) The predominant use of land shall be for manufacturing, assembling, processing, storage, servicing, research and development, and warehousing of goods and materials. The permitted uses shall include:
 - a) manufacturing, processing, assembling, storage, warehousing and fabricating of goods and materials;
 - b) business offices having a gross floor area in excess of 3,720 square metres;
 - c) computer, electronic or data processing establishments;
 - d) research and development facilities;
 - e) scientific, technological or communication establishments;
 - f) commercial or technical schools;
 - g) warehousing and bulk storage within enclosed buildings;
 - h) wholesaling and distribution of goods, but excluding retail sale;
 - i) parks, open space uses and recreational uses such as fitness and health clubs;
 - j) automobile service stations;
 - k) restaurants;
 - l) day care, and (OPA No. 76 – amended)
 - m) accessory uses, buildings and structures
- iii) Industrial uses which are considered noxious due to methods or processes employed or materials used or produced shall be prohibited from locating in the area.
- iv) Permitted industrial use shall be conducted in a manner which will prevent excessive pollution from smoke, noise, odours, fumes, vibrations, lighting, dust or other forms of pollution. The industrial operations shall comply with the applicable Ministry of Environment Certificate of Approval and shall be set back from sensitive land uses in accordance with the Ontario Ministry of the Environment publications “Guideline for Compatibility Between Industrial

Facilities and Sensitive Land Uses.” The implementation of these guidelines shall be accomplished through the implementing Zoning By-law and site plan approval.

- v) Detailed standards for industrial lot and building requirements shall be established in the Zoning By-law.
- vi) All necessary parking, loading, garbage collection/storage, and other required facilities shall be provided on-site.

5.13.3.6 Subsections 5.11.1 to 5.11.3.2 inclusive of the Official Plan are hereby deleted insofar as they apply to the lands identified as the Dalewood Crossings Development Area on Map Figure 1.

5.13.3.7 Special Open Space Policies - The following special policies shall apply to the development of the lands designated "Open Space and Conservation" within the Dalewood Crossings Development Area on Map Figure 1.

5.13.3.7.1 BACKGROUND - OPEN SPACE AND CONSERVATION

Kettle Creek, with its large and deeply cut valley, tributaries and associated wooded land areas is a significant valleyland and natural heritage resource that has directed the growth and settlement pattern of the City to the north, east and south. The creek and its tributaries and associated woodlands serve a range of functions such as:

- i) a receiving stream for the St. Thomas Pollution Control Plant;
- ii) service routes for the major trunk sanitary and storm sewers;
- iii) protection of significant natural heritage features/areas;
- iv) natural corridors for wildlife;
- v) pedestrian linkages and trails;
- vi) active and passive recreation;
- vii) conservation and park areas for the Kettle Creek Conservation Authority and the City; and
- viii) stormwater management and flood control.

5.13.3.7.2 GOALS - OPEN SPACE AND CONSERVATION

The following goals are adopted for the "Open Space and Conservation" designation within the Dalewood Crossings Development Area:

- i) to provide adequate-major recreational and open space areas for the City population;

- ii) to provide a diversity of recreational facilities and programs consistent with the environmental capabilities of the area and financial resources of the City;
- iii) to encourage land uses that contribute to the protection, maintenance and enhancement of these significant valley lands and woodlands;
- iv) to encourage land uses that contribute to the protection, maintenance and enhancement of the warm water fishery and associated aquatic communities in Kettle Creek and its tributaries;
- v) to encourage land uses that contribute to the protection, maintenance and enhancement of the significant terrestrial natural features and ecological functions of the Kettle Creek watershed; and
- vi) to encourage land uses that contribute to the protection, maintenance and enhancement of the quality and quantity of surface and groundwater resources in the Kettle Creek watershed.

5.13.3.7.3 POLICIES - OPEN SPACE AND CONSERVATION

- i) Uses permitted within the "Dalewood Crossings Development Area" on lands designated "Open Space and Conservation" on Schedule "A" are community and neighbourhood parks, conservation areas, conservation uses and necessary public utilities.
- ii) Buildings and structures shall be limited to those uses in connection with the permitted uses including beach and picnic facilities, walkways, boating facilities, boardwalks and observation decks, change facilities, amphitheater, pavilions, visitor service centre, natural interpretation exhibits, seasonal campgrounds, parking and equipment sheds. Where any use, building or structure for public utilities is constructed in an "Open Space and Conservation" area, precautions shall be taken to minimize any adverse effects on the surrounding uses.

5.13.3.8 Subsections 5.13.1 to 5.13.1.2.1 inclusive "Special Development Area 1" of the Official Plan is hereby deleted insofar as the policies apply to the lands identified as the Dalewood Crossings Development Area on Map Figure 1. Environmental Impact Study - The following special policies shall apply to the development of the lands within the Dalewood Crossings Development Area delineated on Map Figure 1.

- i) Environmental features located within the Dalewood Crossings Development Area delineated on Map Figure 1, have been identified and classified in the "Dalewood Crossings Environmental Impact Study" prepared by Ecologistics Limited and dated January, 1999. Applications for development which impact on the study area shall be subject to the completion of the additional inventories of flora and fauna (3 season) recommended in the EIS Report and shall be responsible for documenting and incorporating measures proposed to mitigate potential impacts on the environmental features within the study area

subject to and in accordance with the recommended mitigation measures contained in the "Dalewood Crossings Environmental Impact Study".

- ii) Prior to any development proceeding within Sub Catchment areas 4,5,7 and 14 of the 1992 "Block 3 Sub-Watershed Master Drainage Plan" a proponent shall identify the existing hydrological functions of the above outlined area identified within the "Dalewood Crossings Environmental Impact Study" and define the - stormwater management measures that should be implemented beyond the measures set out in the 1992 "Block 3 Sub-Watershed Master Drainage Plan" to maintain, restore or enhance these functions in conjunction with new development within this area.
- iii) Future development plans on the lands identified as "Forest Ecosites" north of the Ontario Hydro Corridor Right-of-Way shall include the submission of a tree saving/grading plan at the time the planning for development is completed.

5.13.4 SPECIAL DEVELOPMENT AREA 4 (2009 Urban Expansion Lands) (OPA No. 66 – new subsection)

5.13.4.1 Special Development Area 4 identifies lands in the southeast part of the City of St. Thomas that are planned for Urban Development as shown on Schedule 'T' – Special Development Areas to the Official Plan of the St. Thomas Planning Area. The Subject lands are the last remaining non-urban lands in the City located on the east side of Kettle Creek available for residential development. Area 3 and the west part of Area 4 are located within the Kettle Creek Watershed. The east part of Area 4 is located in the Catfish Creek Watershed. In 1997 the City completed the Mill Creek-South Block Area Subwatershed Study to identify protection and enhancement measures for the natural heritage resources associated with the Kettle Creek Valleylands, Mill Creek Valleylands and Lake Margaret including stormwater management. In 2009 the City completed the Mill Creek-South Block Area Subwatershed Study Addendum to address the impacts of future urban development in Area 3 and the west part of Area 4 on the Kettle Creek, Berry Drain and Mill Creek Subwatersheds. The lands in Area 4 that are east of the Mill Creek-South Block Subwatershed Study area and situated within the Catfish Creek Watershed will be subject to a policy requiring that a Subwatershed Study be prepared as a pre-condition to the approval of any proposed urban development in that area. Area 6 contains a small remnant 2.4 ha. parcel containing two existing residences that will connect to the existing sanitary sewer and watermain system serving the adjacent Dalewood Crossing neighbourhood to the south. Sanitary servicing, water servicing, transportation, transit, parks and trails studies have been completed to identify the need for those services/facilities to accommodate urban development in Areas, 3, 4 and 6.

5.13.4.2 POLICIES - SPECIAL DEVELOPMENT AREA 4

5.13.4.2.1 In addition to the policies of Section 2 to 10 of this Plan, the following special policies shall apply to the lands hatched and identified as Special Development Area 4 on

Schedule "E" - Special Development Areas to the Official Plan of the City of St. Thomas.

- i) Residential development shall complement/enhance the natural beauty of the Kettle Creek Valleylands, Mill Creek Valleylands and Lake Margaret. The natural heritage resources associated with those features shall be protected and enhanced.
- ii) The Mill Creek - South Block Area Subwatershed Study Addendum identified a number of natural heritage features/areas that will require protection from adjacent urban development. No encroachment from adjacent development shall be permitted. These features shall be designated "Natural Heritage" on Schedule "A" - Land Use to this Official Plan.
- iii) For the lands in the east part of Area 4 Concession 7 North Part Lot 10 and Concession 7 South Part Lot 10) that are within the Catfish Creek watershed, a Subwatershed Plan shall be prepared as a pre-condition to the approval of any proposed urban development in that area. That subwatershed study shall be prepared in accordance with the policies of subsection 8.5 of this plan.
- iv) Provision for elementary school facilities shall be made in consultation with the public and separate school boards at the draft plan of subdivision stage of land development. If required, a school site should be located adjacent to and combined with a neighbourhood park where practical.
- v) Provision for two 3-4 ha. neighbourhood parks in Area 3 and one 10-12 ha. community park and one 3 ha. neighbourhood park in Area 4 shall be made in consultation with the City of St. Thomas Planning Department and Parks and Recreation Department at the draft plan of subdivision stage of land development.
- vi) Efforts shall be made by the City through the development approvals process to facilitate the long-term implementation of a pedestrian/bikeway system that connects/links the Kettle Creek Valleylands, Mill Creek Valleylands, Lake Margaret, St. Thomas Elgin Education and Recreation Complex, Pinafore Park and the neighbourhood parks in the adjacent residential Areas.
- vii) The location of the neighbourhood parks and connecting open space linkages shall be defined and secured through the plan of subdivision process using a variety of acquisition mechanisms.
- viii) A broad range of housing shall be permitted in accordance with the City's projected population and housing targeted as regularly updated.
- ix) No above ground buildings, structures, enclosures and shelters or buried or partially buried infrastructure shall be permitted, or trees planted within the Water Transmission Pipeline Easement of the Elgin Area Primary Water Supply

System. Plantings and minor landscaping may be allowed in consultation with the Elgin Area Pipeline Water Supply System.

- x) Infrastructure crossings across the Water Transmission Pipeline Easement such as roads, sanitary and storm sewers and watermains may be permitted in consultation with the Elgin Area Pipeline Water Supply System.
- xi) No removal of soil (cuts), grade reductions, or changes in topography which reduce the amount of groundcover over the transmission pipeline(s) without prior consultation and permission from the Elgin Area Pipeline Water Supply System.
- xii) Soil fill within the easement may be permitted in consultation with the Elgin Area Pipeline Water Supply System.
- xiii) The Water Transmission Pipeline Easement may be used for open space and/or naturalized areas with walking trails and pedestrian/bicycle linkages.
- xiv) Development shall comply with the Minimum Distance Separation formulae.
- xv) As a part of the Development Charges review for Areas 3 and 4, the City shall assess the need for various hard services and facilities to service the development area.

5.13.5 SPECIAL DEVELOPMENT AREA 5 (Lake Margaret Lakeshed) (OPA No. 66 – new subsection)

5.13.5.1 BACKGROUND

Lake Margaret is a unique man-made feature which supports a variety of uses within the Mill Creek - South Block subwatershed. It's long term protection and enhancement is of special interest to the City of St. Thomas. The Mill Creek- South Block Area Subwatershed Study Addendum established water quality targets for the Lake Margaret/Eames Drain area. The intention of those targets is to help protect, maintain and enhance fish habitat and associated aquatic communities and the quality and quantity of surface and groundwater resources that influence Lake Margaret. New development on lands within the Lake Margaret Lakeshed will be subject to implementing Stormwater management best management practices designed to mitigate potential adverse impacts on the water quality within the lakeshed. To facilitate the protection and enhancement of Lake Margaret, the following policies regarding water quality shall apply to the lands shown as Special Development Area 5 on Schedule 'E' - Special Development Areas to the Official Plan of the St. Thomas Planning Area.

5.13.5.2 POLICIES - SPECIAL DEVELOPMENT AREA 5

- 5.13.5.2.1 In addition to the policies of Sections 2 to 10 of the Official Plan, the following special policies shall apply to the lands enclosed in a heavy solid line and identified as

Special Development Area 5 on Schedule "E" - Special Development Areas to the Official Plan of the City of St. Thomas.

- i) Development within Special Development Area 5 shall maintain and enhance the quality of water in Lake Margaret through the incorporation of the water quality and quantity targets identified in the Mill Creek - South Block Subwatershed Study Addendum.
- ii) Development within Special Development Area 5 shall maintain the connective process between surface and groundwater, via the Eames Drain and protect areas of significant groundwater recharge and groundwater discharge into Lake Margaret.
- iii) The Eames Drain will have similar quality targets to those of Lake Margaret and will be based on Provincial Water Quality Objectives and the Mill Creek – South Block Subwatershed Study Addendum.
- iv) The City of St. Thomas will work with landowners within the Lake Margaret Lakeshed to develop surface water quantity and quality programs to monitor the health of Lake Margaret.

5.13.6 SPECIAL DEVELOPMENT AREA 6 (Areas 2 and 3, Northwest Block – OPA No. 110)

Special Development Area 6 identifies lands in the northwest part of the City of St. Thomas that are planned for Urban Development as shown on Schedule 'E' – Special Development Areas to the Official Plan of the St. Thomas Planning Area. Three blocks of land brought into the City of St. Thomas from the Township of Southwold in 1995 remain outside of the Urban Settlement Area and are designated “Rural Area” in the City of St. Thomas Official Plan; a fourth block (Area 1) was redesignated from “Rural Area” to “Residential” by OPA 97 in February 2021 based on the findings of the Positioned for Growth – Planning Justification Report (dated February 2020) to accommodate urban development pressures in the City. Based on the findings of the Addendum to the Positioned for Growth – Planning Justification Report (dated August 2023), Areas 2 and 3 as shown on the attached Appendix I Location Plan 2 have been designated “Residential” on Schedule “A” Land Use Plan to the Official Plan of the City of St. Thomas through OPA 110 to permit residential and supporting institutional land uses including schools, parks and recreation facilities, convenience commercial serving day-to-day needs and places of worship on those lands. Sanitary servicing, water servicing and transportation reviews are being completed to identify the requirements to accommodate urban development in Areas 2 and 3.

- 5.13.6.1 In addition to the policies of Sections 2 to 10 of the Official Plan, the following special policies shall apply to the lands enclosed in heavy solid lines and identified as Special Development Area 6 on Schedule “E” - Special Development Areas to the Official Plan of the City of St. Thomas.

- i) Areas 2 and 3 are a self-contained development block that is surrounded by the Kettle Creek valleylands on the north, east and south and the rural lands of the Township of Southwold on the west. Given the size and location of the development block (140 ha), a Secondary Plan will be required to provide a conceptual land use plan and planning framework to facilitate the creation of a sustainable residential neighbourhood containing a range of housing opportunities along with school, parks/open space, convenience commercial and community facilities and services to meet their day-to-day needs.
- ii) The Secondary Plan will provide the long-term vision, principles, land use concept, supporting neighbourhood and community facility, road and servicing requirements for Areas 2 and 3. It will also ensure the protection and enhancement of the adjacent environmental features in the Kettle Creek valley. The plan will provide policy direction for:
 - a. Land use; natural heritage protection, and natural hazards mitigation;
 - b. Transportation, including active transportation and road infrastructure;
 - c. Convenience commercial, schools, parks and open space network;
 - d. Municipal infrastructure needs such as sanitary, water and stormwater management; and
 - e. Phasing and implementation of development, community facilities, roads and infrastructure services.
- iii) Residential development shall complement the natural beauty of the Kettle Creek Valley and associated woodlands. The aesthetic and environmental assets of the Kettle Creek valley system including the watercourse, valley, slopes and associated woodlands shall be protected.
- iv) The City in consultation with the Kettle Creek Conservation Authority will confirm the terms of reference for a scoped Addendum to the Lynhurst Subwatershed Study (August 2023) to guide development reviews from a natural heritage and natural hazard perspective on the subject lands.
- v) Development applications proposing encroachment into the adjacent Kettle Creek ravine/valley lands will be required to prepare geotechnical studies establishing soil conditions and slope stability and environmental impact statements assessing encroachment impacts. Those studies will be used to define the top-of-bank line and establish the restrictions for the setback of buildings and structures from the top-of-bank on the affected properties.
- vi) Development applications proposing encroachment into natural heritage features will be required to adhere to the environmental setbacks and monitoring requirements established by the EIS prepared in support of the proposed encroachment.

- vii) Provision for elementary school sites shall be made in consultation with the public and separate school boards at the draft plan of subdivision stage of land development. Where practical, a school site should be located adjacent to and combined with a neighbourhood park.
- viii) The location of neighbourhood parks and open space linkages shall be defined and secured through the plan of subdivision process.
- ix) A broad range of housing in terms of tenure, size, location and cost shall be permitted in accordance with the Provincial Policy Statement and the City of St. Thomas Population and Housing Forecast as updated from time-to-time. Residential subdivision design should facilitate a sense of neighbourhood identity and incorporate community features such as walkways and parks.
- x) Efforts shall be made by the City through the development approvals process to facilitate the long-term implementation of a pedestrian/bikeway system that connects/links the Kettle Creek Valleylands, Mill Creek Valleylands, Lake Margaret, St. Thomas Elgin Education and Recreation Complex, Pinafore Park and the neighbourhood parks in the South Block.
- xi) Medium and high-density housing forms, including affordable housing, shall be located adjacent to or in proximity to Fingal Road to facilitate access to public transit and ancillary community services and reduce traffic on internal local roads.
- xii) Lower density housing forms should include a range of housing types and subdivision designs to meet the needs for attainable/additional and affordable ownership and rental housing, the move-up market for larger homes and the seniors market.

5.14 RURAL AREA (OPA No. 42 – new section)

5.14.1 BACKGROUND – RURAL AREA

The Rural Area designation on Schedule "A" land Use Plan consists of areas of prime agricultural lands within the City of St. Thomas outside of the urban settlement area. These areas include prime agricultural lands defined as Canada Land Inventory Classes 1,2, and 3 soils. Within this designation there is limited non-farm development and the primary land uses are agricultural uses and agriculture-related uses. The Rural Area designation is intended to protect existing agricultural uses.

5.14.2 GOALS – RURAL AREA (Modified by MMAH through OPA No. 42 – deleted original iii) and renumbered)

The following goals are adopted for the "Rural Area":

- i) to protect existing agricultural operations from the intrusion of ad hoc nonagricultural development;

- ii) to protect agricultural lands having an agricultural capability of Canada Land Inventory Classes 1 to 3 in that order for protection;
 - iii) encourage future non-agricultural development to occur in the Urban Service Area.
- 5.14.3 POLICIES - RURAL AREA
 - 5.14.3.1 Within the "Rural Area" designation on Schedule "A" the permitted uses are existing farm operations. Buildings and structures essential to the farm operation, including the farm residence, barns and other buildings supporting the farm operation are also permitted. No more than one residence shall be permitted on a parcel except where the nature of the farm operation requires additional accommodation for farm help. A severance for the additional residence shall not be permitted.
 - 5.14.3.2 Other uses permitted in the "Rural Area" designation are uses existing at the date of adoption of this Plan Amendment.
 - 5.14.3.3 New livestock operations shall not be permitted within the Rural Area. The expansion of existing livestock operations may be permitted provided the requirements of the Minimum Distance Separation (MDS) II can be met. (Modified by MMAH through OPA No. 42)
 - 5.14.3.4 New infrastructure may be permitted within prime agricultural areas in accordance with the requirements of the regulatory approval authority.
 - 5.14.3.5 The Rural Area designation recognizes that there are a number of small land holdings scattered throughout the area existing at the date of adoption of this Plan Amendment. Many of the lots have no structures on them. Those lots shall be allowed to be used for the purpose permitted in this Plan and the City Zoning By-Law. Otherwise, the intent of this Plan is that those lands will be held for future development in conjunction with the expansion of the St Thomas Urban Service Area.
 - 5.14.3.6 Lot creation in the Rural Area shall be discouraged except in the following situations:
 - i) new lots for agricultural uses may be permitted provided they are of a size appropriate for the type of agricultural use common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation;
 - ii) new lots may be permitted for agriculture-related uses. (Modified by MMAH through OPA No. 42 – replaced i) and ii))
 - 5.14.3.7 Expansion of the St Thomas Urban Service Area onto prime agricultural lands shall be considered based on the following criteria:
 - i) necessity for the land use change based on 20-year demand and growth projections;

- ii) amount of land supply required to accommodate the 20-year growth projections, taking into consideration the amount of vacant land already designated for the proposed use and potential for infilling or development; and
 - iii) rationale for the choice of location including alternative locations that avoid prime agricultural land, alternative locations of lower capability agricultural lands in prime agricultural areas, viability of the parcel for agriculture, logical extension and/or rounding out of the existing community, land use compatibility, physical site suitability, adequacy of hard services; availability of municipal services, mitigation of impacts on surrounding agricultural operations based Minimum Distance Separation requirements, impact on aggregate resources and environmental impacts. (OPA No. 42 – 5.14 – 5.14.3.7)
- 5.15 MIXED USE DEVELOPMENT (OPA No. 90 – new section)

5.15.1 BACKGROUND – MIXED USE DEVELOPMENT

The City's Retail Market Study recommended focusing retail investment on the Downtown Commercial area, encouraging revitalization of the Elgin Mall and leveraging the City's existing assets. The market analysis also identified no need at the current time to expand the Power Centre designation.

The introduction of mixed-use development into the commercial hierarchy provides opportunities to blend residential, commercial, institutional, or entertainment uses where those functions are physically and functionally integrated, and pedestrian connections are provided. A wide range of commercial, office, medical/dental, and medium and high-density residential uses can be provided in single use precincts and/or mixed-use forms that are compatible with, and complementary to, surrounding uses.

5.15.2 GOALS – MIXED USE DEVELOPMENT

The following goals are adopted for the "Mixed Use Development" designation:

- i) to encourage mixed use development on this gateway location;
- ii) to encourage local and regional commerce;
- iii) to provide for retail and service commercial uses along the Talbot Street frontage to support the commercial function of that major corridor based on the needs identified in the City's Retail Market Study;
- iv) to encourage a built form that provides good design and site planning and functional aesthetically pleasing streetscapes;
- v) to make provision for a variety of residential dwelling choice ranging from medium density stacked townhouses and low-rise apartments to high density apartments for both owner and rental occupancy;

- vi) to ensure new residential development is compatible with the residential area on the west side of First Avenue;
- vii) provide for flexibility in the design and use of the lands designated to respond to shifts in markets and changing land use trends.

5.15.3 POLICIES – MIXED USE DEVELOPMENT

5.15.3.1 The “Mixed Use Development” designation in Schedule “A” means the predominant use of land is for:

- i) a wide range of commercial, office, institutional, medical/dental, personal care and other service commercial uses i.e. banks, restaurants, other services, etc.;
- ii) hotel/motel uses;
- iii) medium and high-density residential uses in single use form and/or mixed-use forms that are compatible with, and complementary to, surrounding uses;
- iv) ground floor uses in mixed use residential buildings, such as retail, restaurants, entertainment, and personal service establishments, are encouraged subject to the needs identified in the City’s Retail Market Study.

5.15.3.2 Uses not permitted within the “Mixed Use Development” designation include Department Store (non-food store retail (NFSR) facilities) and food store retail (FSR) as defined within the City’s Retail Market Study.

5.15.3.3 The implementing zoning by-law may contain regulations specifying the permitted uses and restrictions on the maximum gross floor area of commercial use in compliance with the City’s current Retail Market Study.

5.15.3.4 The design of the Mixed-Use Development project at Talbot Street and First Avenue will reflect the prominent location of the development site at the entranceway/gateway to the Downtown, including extensive landscaping, integrated signage and pedestrian realm improvements. Development in the southerly portion of the site may include a public and/or private space for commemoration of the former Timken manufacturing use, and may include such features as a plaque, commemorative garden, or other similar features or landscape treatments.

5.15.3.5 Lands within the Mixed-Use development designation may be zoned exclusively for commercial, office, or residential uses. Alternatively, lands may be zoned to permit a range of commercial, office, and/or residential uses within the same zone boundary, in either a single use or multiple use building(s).

5.15.3.6 Where an applicant is proposing commercial uses in excess of the warranted space identified in the City’s Retail Market Study, a Market Demand and Directional Impact Analysis demonstrating that the proposed uses will not have a deleterious impact on

the planned function of the upper level of the St. Thomas commercial hierarchy ("Downtown", Power Centre and Major Commercial designations) shall be required.

The City may require an independent peer review of supporting documents carried out at the expense of the applicant.

5.15.3.7 Residential uses in the "Mixed Use Development" designation shall be subject to the following policies:

- i) medium and high-density residential uses are subject to the policies of paragraphs 5.1.3.3 and 5.1.3.4 of the Official Plan;
- ii) to ensure the height, bulk and siting of the residential buildings is compatible with the site and adjacent residential areas there shall be a transition in dwelling unit density and building height from lower to higher densities and heights moving away from the adjacent residential lands;
- iii) low density forms of dwellings; single detached, semi-detached and duplex dwellings are not permitted;
- iv) adequate off-street parking for residents and guests must be provided; the use of parking structures, depressed deck or underground parking is encouraged as opposed to total surface parking;
- v) adequate landscaping and buffering between the new residential uses and abutting residential uses and throughout the site must be provided; the landscaping and buffering may include separation distances, tree and shrub and earthen berms;
- vi) the provision of appropriate on-site recreation facilities for the use of residents and guests; such facilities could include swimming pools, and exercise facilities is strongly encouraged;
- vii) adequate municipal services, including storm and sanitary sewers, are required;
- viii) service commercial uses, personal services, retail, restaurants and office uses may be considered on the ground floor of mid- and high-rise residential uses; these uses shall be of a local type providing convenience day-to-day goods and services.

5.15.3.8 Residential uses shall be included within the mixed-use development designation at a minimum residential density of 25 units per hectare (UPH) as calculated across the entire mixed-use development designation.

5.15.3.9 Access will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Points of ingress and egress to Talbot Street will not be permitted and points of ingress and egress to First Avenue will be limited in number. Development shall implement where possible consolidated vehicular

access/circulation points and safe pedestrian connections and access to the internal road system located on the Power Centre designation.

- 5.15.3.10 Adequate vehicular parking and loading spaces shall be provided. There shall be only a limited amount of vehicular parking between the street and the first tier of buildings.
 - 5.15.3.11 For development on “brownfield” lands, an environmental audit of the lands shall be prepared in accordance with the prevailing protocols and guidelines of the Ministry of the Environment and Climate Change and all applications for a building permit are to be supported with a record of Site Condition (RSC) in accordance with the findings and recommendations of the Environmental audit.
 - 5.15.3.12 All Planning Act applications submitted for a change of use, additions or consent to sever are subject to early consultation and the complete application requirements of Subsection 10.11 in the Official Plan. Supporting technical studies, such as servicing reports and traffic impact studies, may be required through the Zoning, Consent to Sever, or Site Plan Approval processes. Where feasible, studies should take a comprehensive approach that addresses the entire Mixed-Use Development designation.
- 5.16 RAILWAY TOURISM (OPA No. 77 – numbering error, missing 5.15, OPA No. 90 references this section as 5.14 and introduces mixed use development as 5.15)

5.16.1 BACKGROUND- RAILWAY TOURISM

The City of St. Thomas has a rich heritage with the railroad. Positioned halfway between Detroit and Buffalo, St. Thomas served as an important railway junction for the original rail corridor in south-western Ontario. Residents and tourists can enjoy the Elgin County Railway Museum and the designated heritage site, the Canada Southern Railway Station, which is centrally located in the City's downtown core. As the railway capital of Canada, St. Thomas has embraced its railway heritage and made strategic investments to ensure that the prominent aspects of the City's past are celebrated.

Recent examples of both City and private sector investments include the new tourist office at the replica L&PS station, the ongoing restoration of the CASO station, the purchase of the former railway lands and restoration of track connection and the creation of the L&PS trail system.

5.16.2 GOALS - RAILWAY TOURISM

The following goals are adopted for the "Railway Tourism" areas:

- i) to recognize and promote the City's railway heritage;
- ii) to support railway uses and operations within portions of the former L&PS and CASO rail corridors and the railway museum lands;

- iii) to support the tourist, function that the railway heritage of the City brings to St. Thomas;
- iv) to facilitate a north-south corridor that will provide opportunities for connectivity from Port Stanley through to London, and beyond, for railway operations and active transportation;
- v) to facilitate the use of certain areas of the railway lands as a people place and a location for public gatherings, festivals and events;
- vi) to encourage certain commercial uses that support and enhance the tourist function of the railway lands.

5.16.3 POLICIES - RAILWAY TOURISM

5.16.3.1 The "Railway Tourism" designation on Schedule "A" means the predominant use of land is for railway uses, including railway operations, railway museum, the repair and maintenance of railway equipment, engines and rolling stock. Tourism uses related to the railway use are also permitted including the operation of tourist trains, public gatherings, events and festivals. Transportation and active transportation uses are also permitted.

5.16.3.2 Businesses supportive of the railway tourism function may be permitted for selected areas within the "Railway Tourism" designation provided these businesses do not conflict with the long-term use of the surrounding land for railway purposes or the commercial facilities in the "Downtown". Examples include, but are not limited to, retail sale of railway themed gifts and souvenirs, or restaurants accessory to the museum or other railway uses.

5.16.3.3 Other permitted uses include trails, park and open space areas, public and institutional uses, facilities for public gatherings and events, municipal works and parking areas, provided the function of these uses are not in conflict with the development and operation of the area for railway uses.

5.16.4 IMPLEMENTATION OF "RAILWAY TOURISM" POLICIES

5.16.4.1 The provisions of Section 10 and the remaining provisions of Section 5.16.4 shall be applied in the implementation of the "Railway Tourism" policies of this Plan.

5.16.4.2 The By-law shall establish a railway tourism zone to implement the policies of this subsection 5.16.

HOUSING (OPA No. 66 – Section 6 deleted and replaced)

6.1 BACKGROUND - HOUSING

6.1.1 The City of St. Thomas has prepared a Population Forecast, Housing Demand, and Residential Land Need update to address the requirements of the Province of Ontario 2020 Provincial Policy Statement. These studies establish the City's 20-year population projections, housing needs by density category and residential land supply requirements. They provide the basis for amending the housing policies and designating additional urban serviced residential lands in the Official Plan to address Provincial Policy. These studies are updated regularly to address both changes in provincial policy and changing circumstances in the city. (First sentence replaced through OPA No. 97)

6.2 POLICIES - HOUSING

6.2.1 Council will attempt to ensure that there is an adequate provision of a variety of dwelling and tenure types at affordable prices in St. Thomas.

6.2.2 The City shall encourage the provision of sufficient residential land and satisfy housing demands in terms of type, tenure, size, location and cost, taking into account household size and income of new households.

6.2.3 The City shall endeavor to maintain at all times a three-year supply of lots and blocks on new draft approved or registered plans of subdivision and a ten-year supply to designated residential land to meet the future housing requirements of the anticipated population in the City.

6.2.4 The City shall adopt the 20-year and annual housing targets by tenure as periodically updated by Population and Housing Studies and Affordable Housing Studies for inclusion in the Official Plan.

6.2.5 Council shall implement standards in the Zoning By-law to ensure that an affordable mixture of housing is available in the City of St. Thomas.

6.2.6 Council shall ensure that a portion of new ownership and rental housing is affordable as defined by provincial policy:

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Council shall endeavour to meet a target of 807 affordable housing units (35 per year) by 2041. (Subsection 6.2.6 deleted and replaced through OPA No. 97)

- 6.2.7 The City shall monitor the provision and production of affordable housing in consultation with local housing providers (private and non-profit).
- 6.2.8 Council shall continue to participate in federal/provincial affordable housing programs and urge the federal and provincial governments to create a stable funding base for affordable housing.
- 6.2.9 Council shall support the delivery of information sessions on housing covering such topics as housing affordability, the benefits of affordable housing to the broader community and the need for a range of house forms to meet varying household needs.
- 6.2.10 Council shall encourage affordable housing projects through a variety of means including financial incentives such as those provided through the Community Improvement Program.
- 6.2.11 To support the Ministry's objectives with respect to meeting the housing needs of the community, Council, in cooperation with the Ministry of the Environment will ensure an adequate supply of serviced land at various locations in the Municipality.
- 6.2.12 The City where deemed appropriate shall consider the use of alternate cost-effective development standards for new residential development/redevelopment to minimize land consumption, reduce servicing costs and lower the cost of housing.
- 6.2.13 The City will enact a maintenance and occupancy by-law to ensure houses are rehabilitated and substandard housing conditions are avoided. Because there has been considerable private investment in older homes and public investment to service these areas, the City is particularly concerned with the conservation and rehabilitation of established residential areas. Provincial and Federal programs for home renewal and improvements in these areas will be supported by the City, including a commitment to the necessary administrative services.
- 6.2.14 The City will support programs that meet the most pressing of housing requirements. The City may encourage and assist non-profit housing corporations such as private, community, church, labour and service clubs that provide housing for low- and moderate-income groups.

- 6.2.15 The City may form its own non-profit housing corporation for land-banking, building low-to-moderate income housing and for purchasing and/or renovating existing housing.
- 6.2.16 Council shall recognize both infilling of vacant land and the intensification or redevelopment of existing buildings as potential contributors to the City's future housing stock.
- 6.2.17 The City shall encourage the development of non-profit housing by cooperative and private non-profit housing corporations.
- 6.2.18 The location and development of assisted housing units shall have regard for the proximity of transit routes, schools, recreation facilities, open space and commercial areas.
- 6.2.19 Council shall recognize the requirements of special needs groups throughout the City and encourage infilling and intensification activity to provide appropriate housing for special needs groups.
- 6.2.20 Council shall encourage where appropriate, mixed commercial and residential uses in the St. Thomas Central Areas and other commercial areas and along arterial roads.
- 6.2.21 The City shall encourage the development of senior citizens' housing and other special needs housing.
- 6.2.22 Senior citizens' housing and other special needs housing shall be located wherever possible, in proximity to transit routes, medical, social service and community facilities, open space and recreation facilities and shopping areas.
- 6.2.23 Council shall encourage the establishment of senior citizens' housing developments as complementary uses to a permitted commercial or institutional use on the same site as a means of providing affordable accommodations for seniors.
- 6.2.24 The City shall recognize rooming, boarding and lodging houses as a permitted use subject to licensing.
- 6.2.25 Group homes shall be permitted in all designations that permit residential uses.
- 6.2.26 Council shall be committed to the efficient processing of the various types of development applications, while at the same time allowing input from various government agencies and the public.
- 6.2.27 The City should consider alternatives in residential areas to facilitate the more efficient use of the existing housing stock such as backyard parking, sideyard parking or tandem parking. Care shall be taken to ensure that the alternative parking arrangements are in keeping with the character of the area and will not unduly impact the efficient movement of traffic on the affected roadway.

- 6.2.28 The City shall consider proposals for condominium conversions based on the following policies:
- i) Applicant shall consult with the municipality prior to submission of an application.
 - ii) The conversion of an existing rental building to a condominium shall be discouraged when the City has had a vacancy rate above 3% for more than four years based on CMHC data as updated annually.
 - iii) The conversion of a rental building shall be discouraged when it will have a negative effect on the supply of rental housing, especially rental housing affordable to the 60th percentile of tenants. The impact of a withdrawal of rental housing from the rental market on the supply of rental units may be examined on a City-wide or sub-area basis and by unit type and by bedroom count.
 - iv) The application for condominium conversion shall include the following:
 - A list containing the names and addresses of the tenants in the rental property;
 - Rents in the property listed by unit number and type (bachelor, one-bedroom etc.);
 - Written confirmation that the tenants in possession of the unit have been notified of the application for a plan of condominium;
 - Written confirmation of the number of rental units in which tenants have indicated in writing they wish to purchase their unit as a condominium;
 - Estimates of the selling price of the units.
 - v) The City will require an applicant to have a qualified person inspect the property and report to the city. The report shall address the following matters: a life and safety audit of the building(s); a structural report; a mechanical report; an electrical report; and a site servicing report. The property owner prior to the registration of the condominium agreement will rectify any deficiencies or works to be completed as noted in the above reports.
 - vi) The City will require that a public meeting be held with affected tenants, so they are informed of their rights under relevant landlord and tenant legislation.
 - vii) The City will use the Municipal Property Maintenance By-law to ensure minimum health and safety standards are maintained in rental housing.
 - viii) The City will work with CMHC officials to encourage rental property owners to upgrade their housing using funding available through the Rental Residential Rehabilitation Program.

7.1 BACKGROUND

7.1.1 Parks and recreation facilities and programs are recognized as essential and desirable municipal services. Parkland also functions as a major land use and influences the shape of physical development within St. Thomas.

7.1.2 based on the 2007 City of St. Thomas Trail and Park Master Plan, the parkland classifications and standards for the City are as follows: (OPA No. 66 – sentence amended)

i) **OPEN SPACE SYSTEM (OPA No. 66 – term amended)**

Standards: site-specific standards are applied based on natural heritage, cultural heritage or other key environmental feature(s) that are unique to the site may include conservation areas, natural heritage features/areas, built heritage sites and special purpose areas/facilities owned by the City or other public agencies such as the Kettle Creek Conservation Authority.

Size: based on the site conditions and features

Amenities: may include a range of facilities such as beach and picnic facilities, boating facilities, walkways, boardwalks and observation decks, amphitheater, visitors service centre, natural interpretation exhibits, seasonal campgrounds, parking, etc.

ii) **COMMUNITY PARKS**

Standards: 1.0 hectares per 1,000 population

Size: minimum size of 4.0 hectares to 6.0 hectares

preferred size of 8.0 hectares to 12.0 hectares

rectangularly shaped and relatively level and free of obstructions to maximize usable lands and development of facilities

includes City owned parklands

Amenities: may include major playgrounds, tennis courts, senior level softball diamonds and soccer fields, washrooms and concession area, picnic facilities, walkways and parking

iii) NEIGHBOURHOOD PARKS

Standards: 0.8 hectares per 1,000 population

Size: minimum size of 1.5 hectares to 2.0 hectares.

preferred size of 3.0 hectares to 3.9 hectares

rectangularly shaped and relatively level and free of obstructions to maximize usable lands and development of facilities

includes City owned parklands

Amenities: may include playgrounds, tennis courts, outdoor ice rink, junior level softball diamonds and soccer fields, walkways and parking (OPA No. 42 – 7.1.2, replaced)

7.2 GOALS

7.2.1 Council adopts the following as goals for parks and recreation facilities in St. Thomas (OPA No. 90 – 7.2.1):

- i) to provide recreational opportunities for all residents in St. Thomas through the provision of both active and passive parkland and indoor and outdoor recreational opportunities;
- ii) to blend parkland and recreation facilities in a manner consistent with the natural environment;
- iii) to provide municipal programs for the effective utilization of park and recreation facilities;
- iv) to achieve the coordinated use of all public facilities that can be used for recreational purposes.

7.3 PARKS AND RECREATION - POLICIES AND IMPLEMENTATION

7.3.1 Open Space System may include conservation areas, natural heritage features/areas, built heritage sites and special purpose areas/facilities owned by the City or other public agencies such as the Kettle Creek Conservation Authority. They shall have no minimum size and the open space area shall be established based on site-specific considerations addressing natural heritage, cultural heritage or other key environmental feature(s) that are unique to the site. (OPA No. 66 – term amended)

7.3.2 Regional Community Park and Recreational facilities shall be designed to accommodate multi-purpose recreation facilities. These facilities are regional scale, land extensive facilities which have a preferred size of ha depending on the number of fields and facilities being provided.

The ED/REC complex is a master planned educational and recreational facility which includes a campus of Fanshawe College and St Joseph's High School. Among the available baseball facilities is a slow pitch facility which has successfully hosted many Provincial and National Competitions.

The St Thomas Outdoor Recreation Complex (STORC) provides 36 youth-oriented soccer fields along with a CFL size artificial turf, lit field for use by soccer and football. Other facilities include attractions including many kilometers of walking trails, a concession booth, splash pad, playground and basketball courts.

The City shall attempt to maintain a minimum standard of 1 ha. per 1,000 population for community parks. Future increases in the community park inventory will generally be through expansion of existing parks rather than new parks. In order to ensure the most effective utilization of community parks, Council will continue to review facilities and programs at each community park. (OPA No. 90 – 7.3.2)

- 7.3.3 Neighbourhood parks shall have a preferred size between 3-3.9 ha. and accommodate a range of recreational facilities. Council shall attempt to maintain a minimum standard of 0.8 ha. per 1,000 population for neighbourhood parks.
- 7.3.4 In built-up areas that have restricted access to neighbourhood parks, Council may consider the development of sub-neighbourhood parks or parkettes to serve that localized population. The sub-neighbourhood parks or parkettes will have limited active recreation facilities and will be established through a municipal land acquisition program. Prior to any acquisition Council shall consider the following:
- i) the availability of other public recreation facilities in the vicinity;
 - ii) the cost of land acquisition and maintenance of the parkette;
 - iii) requests for parkland improvement by the public; and
 - iv) recreation needs of the potential users.
- 7.3.5 Council in conjunction with the local School Boards shall encourage the development of joint neighbourhood parks and schools to maximize the use of land and resources.
- 7.3.6 Council shall ensure that neighbourhood parks in newly developing areas have adequate frontage on streets in order that the park is visible to potential users. Walkways to facilitate access to the neighbourhood parks by local residents shall be provided.
- 7.3.7 In accordance with Section 42 of the Planning Act R.S.O. 1990 as amended, as a condition of development or redevelopment of land for residential purposes, Council may, by by-law applicable to the whole City, or to any defined area or areas, require that land in an amount not exceeding 5 percent of the land proposed for development or redevelopment be conveyed to the City for park or other public

recreational purposes. Council may accept money to the value of any land required to be conveyed in lieu of such conveyance.

- 7.3.8 In accordance with Section 42 of the Planning Act R.S.O. 1990 as amended, as an alternative to the parkland conveyance requirement set out in Subsection 7.3.7, Council may, by by-law require that lands be conveyed to the City for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such a lesser rate as may be specified in the by-law.
- 7.3.9 To facilitate the achievement of an appropriate sized and centrally located neighbourhood park in a newly developing area, Council may use a combination of the cash-in-lieu provision and the 5 percent dedication mechanism under the Planning Act to assemble lands through the development approvals process for plans of subdivision in the subject area.
- 7.3.10 Where Council secures a dedication for parkland as part of a development approval under the Planning Act, the developer shall be responsible for conveying the lands in a form satisfactory to the City in accordance with the following policies:
- i) preparation of a detailed site plan for the neighbourhood park and walkways;
 - ii) the site plan shall be prepared by a qualified landscape architect retained by the developer at no cost to the City;
 - iii) the site plan shall make provision for the recreation facilities as agreed upon with the City;
 - iv) as part of the site plan approval process, the landscape architect shall prepare at no cost to the City detailed grading and landscaping plans based on the City endorsed site plan;
 - v) the developer shall undertake at no cost to the City all grading, seeding, planting and site development work as stipulated in the site plan agreement; and
 - vi) the developer shall complete all work by the dates specified in the site plan agreement. (OPA No. 42 – replaced Section 7.3)

ENVIRONMENT (OPA No. 66 – Section deleted and replaced)

8.1 BACKGROUND

8.1.1 The City of St. Thomas is located within the jurisdiction of the Kettle Creek Conservation Authority and the Catfish Creek Conservation Authority. Through the collective efforts of those agencies and the support of the public, the natural resources of the City can be protected and managed as part of a balanced and interdependent ecosystem in order to maintain and preserve a healthy and sustainable living environment for existing and future residents. In order to ensure that the natural heritage features and areas of St. Thomas are managed in a sustainable way the City supports a natural heritage systems approach by which all natural heritage features and areas are considered to be significant.

8.2 GOALS

8.2.1 Council adopts the following goals for the environment in St. Thomas:

- i) to improve the sustainability and long-term health of St. Thomas' ecosystems by protecting and conserving valuable aquatic and terrestrial resources and their biological foundations;
- ii) to identify, protect and enhance natural features, areas and systems of Provincial and local significance in St. Thomas;
- iii) to protect significant natural areas and corridors as part of a larger linked, sustainable natural heritage system and encourage the identification, restoration or improvement of potential natural corridors;
- iv) to encourage the management of the Kettle Creek valley system as an important environmental and recreational resource;
- v) to reduce the impact of urban drainage on the natural environment and to preserve and enhance the quality and quantity of ground and surface water;
- vi) to encourage private and public conservation efforts;
- vii) to promote the conservation and managed use of the natural resources;
- viii) to balance the need for natural heritage protection with the rights and interests of existing land uses;
- ix) to minimize the risk to human life and physical property from hazards such as flooding and erosion; and

- x) to identify opportunities for limited and controlled development on flood plain lands and in proximity to steep slopes in accordance with accepted engineering standards, where such development would be safe and appropriate.
- 8.3 NATURAL HERITAGE
- 8.3.1 NATURAL HERITAGE SYSTEM
- 8.3.1.1 The natural heritage system in the City provides a wide range of benefits to the residents of St. Thomas. Where possible, it shall be protected from the negative effects of development.
- 8.3.1.2 The Natural Heritage System shall comprise the following natural heritage features and areas which have been integrated into one designation, shown as Natural Heritage on Schedule "A" Land Use Plan. The natural heritage systems approach recognizes relationships or overlaps between the various natural heritage components:
- i) Habitat of Endangered Species or Threatened Species: as identified by the Ontario Ministry of Natural Resources' official species at risk list, as updated from time to time;
 - ii) Significant Wetlands: as identified by the Ministry of Natural Resources and/or the local Conservation Authority;
 - iii) Areas of Natural and Scientific Interests (ANSI's), Life Science, (Provincial and Regional): as identified by the Ministry of Natural Resources;
 - iv) Significant Valleylands: as identified by the Municipality in cooperation with the local Conservation Authority;
 - v) Significant Wildlife Habitats: as identified by the Ministry of Natural Resources, the appropriate Conservation Authorities and/or the Municipality;
 - vi) Fish Habitats: as identified by the local conservation authority in cooperation with the Federal Department of Fisheries and Oceans;
 - vii) Significant Woodlands: as identified by the Municipality in cooperation with the local Conservation Authority; and
 - viii) Environmentally Sensitive Areas (ESA's): as identified by the appropriate Conservation Authority.

Natural Heritage designations may consist of one or any combination of the above listed components. They may also include natural hazards as defined in subsection 8.4 of this Plan and therefore be subject to the policies of that subsection.

8.3.2 NATURAL HERITAGE POLICIES

8.3.2.1 Lands designated as Natural Heritage are identified on Schedule "A" Land Use Plan to this Official Plan.

8.3.2.2 Within the Natural Heritage designation on Schedule "A" Land Use Plan the permitted uses are passive open space, walking/biking trails, forest and resource management uses, conservation uses, erosion and flood control, low-intensity public and private recreation uses, necessary public utilities, infrastructure and services, existing agricultural use and accessory buildings and structures thereto. Development and/or site alteration associated with a permitted use shall only be permitted when it can be demonstrated in accordance with the policies of subsection 8.3.4 of this Plan, that there will be no negative impacts to the natural heritage features and/or their ecological functions.

8.3.2.3 No development or site alteration shall be permitted within lands designated as Natural Heritage. Expansions, extensions and/or enlargements to existing uses, buildings or structures within a Natural Heritage designation shall only be permitted when it can be demonstrated in accordance with the policies of subsection 8.3.4 of this Plan, that there will be no negative impacts to the natural heritage features and/or their ecological functions.

8.3.2.4 No development or site alteration shall be permitted within the Habitat of Endangered Species or Threatened Species, or within a Significant Wetland.

8.3.2.5 Development or site alteration that is permitted by the policies of this Plan may be permitted within or adjacent to fish habitat if authorized by the Federal Department of Fisheries and Oceans in consultation with the local conservation authority.

8.3.2.6 The City encourages the preservation, restoration and enhancement of the natural heritage system through public and private initiatives including valleyland corridor dedication; planting and naturalization of City owned and private lands; terrestrial and aquatic habitat restorations; and the establishment of linkages between features.

8.3.3 ADJACENT LANDS

8.3.3.1 Where development and/or site alteration is proposed on lands within 120 metres of an area designated as Natural Heritage on Schedule "A" Land Use Plan, the proponent may be required to:

- i) prepare in accordance with the policies of subsection 8.3.4 of this Plan, an Issues Scoping Report (ISR) and an Environmental Impact Study (EIS), if warranted by the ISR, that evaluates the ecological functions of the lands proposed for development or site alteration and demonstrates that there will be no negative impacts on the natural heritage features or on their ecological functions.

- ii) where new development or site alteration is proposed that would change the use(s) or the density or intensity of development within lands that have already been the subject of an EIS, an addendum to the EIS shall be prepared in accordance with the policies of subsection 8.3.4 to demonstrate that there will be no negative impacts on the natural heritage features or on their ecological functions as a result of a change in the density, intensity or use(s).
- iii) the City may seek advice from the local conservation authority and/or other relevant agencies in determining if there will be no negative impacts on the natural heritage features or on their ecological functions.
- iv) the City may, at the expense of the proponent, require an independent peer review of documents and studies submitted in support of development or site alteration under subsection 8.3.4.

8.3.4 ISSUES SCOPING REPORTS AND ENVIRONMENTAL IMPACT STUDIES

Environmental Impact Studies (EIS) are required to demonstrate that proposed development and/or site alteration will not have a negative impact on adjacent natural heritage features and their functions. Issues Scoping Reports (ISR) assess the significance of existing natural heritage system features and functions and define the scope of the EIS by identifying and describing the potential cumulative effects of development.

- i) Issues Scoping Reports and Environmental Impact Studies shall be prepared in accordance with guidelines prepared by the City in consultation with appropriate agencies.
- ii) Issues Scoping Reports and Environmental Impact Studies shall be prepared by a qualified professional with recognized expertise in the appropriate principles using accepted methodologies.

8.3.4.1 ISSUES SCOPING REPORT - POLICIES

An Issues Scoping Report shall include the following:

- Location map;
- Description of the natural area potentially being affected;
- Background information of the site and adjacent lands;
- Relevant municipal or agency requirements;
- Identification of potential issues and ecological linkages, natural processes and study area boundaries;
- Potential cumulative effects of development;
- Determination of information needs and availability of information; and
- Determination of the nature and extent of additional information or studies that may be needed.

The ISR shall include recommendations on the following options for further action:

- i) Proceed to a full or scoped EIS, the details for which shall be summarized in a Terms of Reference for the EIS.
- ii) In areas where there is existing development, whether a full or scoped EIS is warranted or if development and/or site alteration may proceed.

8.3.4.2 ENVIRONMENTAL IMPACT STUDIES - POLICIES

An Environmental Impact Study shall be prepared in accordance with the guidelines prepared by the City of 51. Thomas, and shall include the following:

- i) Description of the Existing Natural Environment:
 - Detailed inventories of the aquatic and terrestrial features, communities, and their characteristics on and through the site, including a description of the methodology and techniques used to conduct the inventory;
 - Identification of any ecological and physical functions and processes occurring on and through the site;
 - Identification of any existing man-made features and existing impacts;
 - A discussion of the environmental significance of the natural features and key heritage areas, linkages and ecological processes within the proposed development area, and their significance; and
 - A discussion on adjacent natural heritage features and key natural heritage areas that may be impacted by disturbance on the subject site.
- ii) Description of the Development Proposal:
 - The type and purpose of the development;
 - The type of activities, processes and land uses associated with the development;
 - A site map showing the location of the development, site alteration and any activities associated with it in relation to known or the identified natural heritage features and areas, ecological functions and hazards;
 - The expected timing for undertaking the proposal and phasing of construction.
- iii) Assessment of the Environment Effects
 - Predicted effects on the natural heritage feature, area and/or its function;
 - Predicted effects on linkages between natural heritage features and areas within the larger planning area or Subwatershed;
 - Direct and indirect effects as well as On-site and off-site effects; and
 - Methodology and techniques used to assess environmental effects, particularly direct and indirect negative impacts.

iv) Description of the Proposed Mitigation

- Modifications to the development proposal to avoid or maintain key features or functions;
- Identification of alternative methods and measures to minimize impacts, where mitigation through avoidance is not possible;
- Preparation of an Environmental Management Plan (EMP) to clearly identify site specific buffer zones and treatments adjacent to natural heritage protection areas, provide details on development limits, and give site specific instructions to the developer and/or contractor during and subsequent to construction.

8.4 NATURAL HAZARDS

8.4.1 BACKGROUND

8.4.1.1 The Natural Hazards designation as shown on Schedule "A" Land Use Plan is not a specific land use category, but shall be interpreted as a performance category in which the policies of this section are to apply in conjunction with the policies of the underlying land use category.

8.4.1.2 Hazard lands have inherent environmental hazard such as flood susceptibility, instability and other physical conditions that, if severe enough and developed upon, could pose a risk to human life and physical property. Natural hazards areas are comprised principally of Floodplain Areas (riverine and shoreline) and Erosion Hazard Limit (steep slopes). Some areas may be subject to more than one hazard type, and/or may include areas of Natural Heritage and also subject to the policies contained in subsection 8.3 of this Plan.

8.4.2 NATURAL HAZARDS POLICIES

8.4.2.1 The Natural Hazards designation shown on Schedule "A" - Land Use Plan comprises lands which exhibit or potentially exhibit a hazardous condition due to their susceptibility to flooding, erosion, subsidence, slumping, inundation or the presence of steep slopes or other physical limitations.

8.4.2.2 Where the Natural Hazard designation is contained within, overlaps or is coincident with the limits of another land use designation, the uses permitted in the Natural Hazard designation shall also include the uses permitted in the underlying land use designation, subject to the policies of this Plan.

8.4.2.3 Within the Natural Hazard designation no buildings or structures or additions thereto shall be permitted, with the exception of buildings or structures required for flood control, erosion control or other conservation purposes, without the approval of the City and the Conservation Authority having jurisdiction in the area.

8.4.2.4 Where development, site alteration and or construction is proposed on lands adjacent to the Natural Hazard designation, the site-specific limits of the natural

hazard(s) shall be determined through relevant studies using accepted engineering principles to the satisfaction of the City and the Conservation Authority having jurisdiction in the area. Those limits shall be interpreted as the correct limits of the Natural Hazard designation and such interpretation shall not require amendment to this Plan.

- 8.4.2.5 Institutional uses associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, essential emergency services such as fire, police and ambulance stations, electrical substations and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted within the Natural Hazards designation.

8.4.3 FLOODPLAIN POLICIES

- 8.4.3.1 The City lies within the Kettle Creek and Catfish Creek watersheds. The floodplain, or regulatory flood standard, in both watersheds is based on the flood limits defined by the Hurricane Hazel storm event as described within the regulations of the respective conservation authorities. Within the City a one-zone concept of floodplain management is practiced by the Conservation Authorities wherein the entire floodplain is considered a floodway and subject to the same policies.

- 8.4.3.2 The following policies shall apply when reviewing development applications involving lands within or partly within the floodplain:

- i) Permitted uses within the floodplain include flood and erosion control uses, Infrastructure, the growing of crops, passive recreational uses not requiring a building or structure, and existing uses;
- ii) No new buildings and structures shall be permitted within the floodplain, save and except for those required for flood and erosion control purposes and infrastructure approved by City in consultation with the appropriate Conservation Authority.
- iii) Additions to/ or replacement of existing buildings and structures that have been approved by City in consultation with the local Conservation Authority are permitted.

8.4.4 EROSION HAZARD LIMIT

- 8.4.4.1 The Natural Hazard designation shown on Schedule "A" - Land Use Plan includes those areas in which there may be potential for risk to life and property as a result of erosion hazards. The Erosion Hazard Limit is determined using the 100-year erosion rate (the annual rate of recession extended over a hundred-year time span), an allowance for slope stability and an erosion access allowance to be no less than 6 metres.

- 8.4.4.2 Where new development and/or site alteration is proposed within 30 metres of a Natural Hazard designation shown on Schedule "A" - Land Use Plan the following policies shall apply:
- i) The proponent shall complete a geotechnical analysis to determine the Erosion Hazard Limit. The analysis is to be prepared by a qualified professional having recognized expertise in the appropriate principles using accepted methodologies and approved by the Municipality and the Conservation Authority.
 - ii) The Erosion Hazard Limit shall be interpreted as the correct limits of the Erosion Hazard Area and such interpretation shall not require amendment to this Plan.
- 8.4.4.3 Where expansion, enlargement or reconstruction is proposed for existing buildings and structures located within the Erosion Hazard Limit, the proponent shall complete a geotechnical analysis to determine if the expansion, enlargement or reconstruction can safely take place, and any specific recommendations or conditions to be implemented as part of the proposed construction. The analysis is to be prepared by a qualified professional having recognized expertise in the appropriate principles using accepted methodologies and approved by the Municipality and the Conservation Authority.
- 8.4.4.4 The Municipality does not permit the use of stabilization works as a means to adjust the Erosion Hazard Limit for the purposes of increasing the potential development envelope or permitting new development and/or site alteration within the Erosion Hazard Limit.

8.5 WATERSHED AND SUBWATERSHED PLANNING

- 8.5.1 The City encourages the preparation of subwatershed management plans and the use of regional stormwater quality/quantity management facilities to assist in water resource and land use planning on an ecosystem basis. The City will work cooperatively with adjacent municipalities, the Conservation Authorities and affected/benefitting landowners as required in the preparation and implementation of watershed and subwatershed plans.
- 8.5.2 The City recognizes the watershed as an ecologically meaningful scale for planning and supports subwatershed planning as an important tool in promoting the efficient and sustainable use of water resources. Subwatershed plans will generally be scoped as to their content prior to study commencement and a plan shall comprise a program of management strategies, measures and actions designed to protect and enhance the subwatershed's natural features and ecological functions, restore those features and functions that have been degraded and guide future development to ensure the long term health of the environment is maintained and/or enhanced as the lands are urbanized. The following is provided as general guidance for the preparation of these studies when required:

A Subwatershed Plan shall include the following:

- i) the location, spatial extent, present status, significance and sensitivity of the existing natural environment within the subwatershed including:
 - quantity and quality of surface water and ground water;
 - aquatic and terrestrial habitat;
 - fisheries, aquatic benthic and wildlife communities;
 - soils and geomorphology; and
 - their linkages.
- ii) the goals and objectives for management of the subwatershed;
- iii) identification of significant natural features/areas and hazard lands and the recommendation of appropriate environmental management strategies;
- iv) identification of lands where development should not be permitted and where development may be permitted subject to site-specific environmental impact studies to identify measures to mitigate the potential impacts of development;
- v) identification of Best Management Practices for the subwatershed;
- vi) establishment of a subwatershed management strategy and plan for implementing the selected environmental and development practices;
- vii) identification of a monitoring program; and
- viii) identification of implementation mechanisms involving official plan policies, zoning, plans of subdivision, etc.

8.6 GROUNDWATER AND SURFACE WATER POLICIES

- 8.6.1 Through the preparation of a Subwatershed Plan, areas of significant groundwater recharge and/or discharge shall be identified. Any development within or adjacent to those areas shall require the preparation of a site-specific Environmental Impact Study to identify the measures necessary to maintain the quality and quantity of recharge and discharge functions.
- 8.6.2 Through the implementation of Best Management Practices, stormwater management measures that promote natural groundwater recharge shall be encouraged where applicable.
- 8.6.3 Current stormwater management techniques shall be used in the design and implementation of all development to control both the quality and quantity of surface water runoff and to maintain the quality and quantity in the receiving watercourse.
- 8.6.4 In areas where a Subwatershed Plan has been prepared, development proponents shall prepare site-specific stormwater management plans in support of draft plans of subdivision in accordance with the management strategies set out in that plan.
- 8.6.5 Stormwater management plans shall address the following:

- i) the facilities required, including their size, location, and capacity, for controlling the quantity and quality of storm water runoff, including:
 - storm sewers and/or channels;
 - culverts;
 - constructed/artificial wetlands, wet ponds or dry ponds;
 - upstream storm water diversions; and
 - the use of rooftop, parking lot, or parks and open space as temporary detention areas;
 - ii) the measures necessary to control erosion, sedimentation and stream bank stability during and after construction;
 - iii) the storm sewer and outfalls to the receiving watercourses; and
 - iv) the environmental impacts of storm water management facilities on fish and fish habitat aquatic benthic communities and aquatic resources, woodland and wildlife resources.
- 8.6.6 The number and size of storm water management facilities within the developed portion of a subwatershed shall be finalized at the draft plan of subdivision stage based on the ultimate pattern and density of the approved development.
- 8.6.7 All storm water management facilities shall be designed to the satisfaction of the City, the Conservation Authority and the approval authority having jurisdiction.
- 8.6.8 Where a Subwatershed Plan has not been prepared for an area of the City being proposed for development, the proponent may be required to prepare the study prior to approval of that development. The study shall be prepared to the satisfaction of the City, Conservation Authority and the Provincial Approval Authority.
- 8.7 WETLAND POLICIES
- 8.7.1 Wetlands shall include swamps, marshes, bogs and fens. They are lands that are seasonally or permanently covered by shallow water and lands where the water table is close to or at the surface. Wetlands have hydric soils and hydrophytic or water tolerant plants.
- 8.7.2 The City shall cooperate with the Ministry of Natural Resources and Conservation Authority to inventory and classify wetlands for protection.
- 8.7.3 Development within provincially significant wetlands as defined by the Ministry of Natural Resources shall be prohibited in accordance with the Province of Ontario Provincial Policy Statements. Provincially significant wetlands shall be designated Natural Heritage Area on Schedule "A" - Land Use Plan to this Official Plan.
- 8.7.4 Public infrastructure shall avoid provincially significant wetlands, where practical.
- 8.7.5 Efforts shall be made to protect regionally significant wetlands.

8.7.6 Agriculture shall be permitted on lands adjacent to all wetlands.

8.8 WOODLAND POLICIES

8.8.1 Significant woodlands shall be protected from incompatible land uses.

8.8.2 Development shall be carried out in a manner that encourages the conservation, protection and management of woodlands.

8.8.3 Special design and siting practices shall be employed that maximize the protection of woodlands.

8.8.4 In all public works, no trees shall be removed unnecessarily and trees that must be removed to carry out the works shall be replaced by other trees in sufficient amounts and maturity to compensate for the losses.

8.8.5 When approving a residential development, redevelopment or a plan of subdivision, the City shall enter into an agreement with the applicant whereby:

- i) only trees that directly impede the construction of buildings and services may be removed and the subdivider shall replace them in sufficient amounts and maturity to compensate for the losses;
- ii) setbacks from significant woodlands shall be required;
- iii) the protection, maintenance and enhancement of existing woodlands shall be required; and
- iv) only contour changes as are directly necessary for the construction of buildings and services shall be carried out so that as much topographic variation as possible is maintained to enhance the appearance of the subdivision. However, nothing shall prevent the moving of earth and rock as a necessary part of any landscaping.

8.8.6 Grading shall be carried out in a manner that minimizes direct destruction of trees as well as indirect destruction due to soil compaction, lowering of water table or damage to the root system.

8.8.7 Significant woodlands shall be identified in a particular subwatershed through the subwatershed study process. Development within or adjacent to woodlands shall be subject to the Natural Heritage Policies of this Plan. Significant woodland areas requiring a site and/or area specific Issues Scoping Report and Environmental Impact Study Report are designated Natural Heritage Area on Schedule "A" to this Official Plan.

8.8.8 Forest management shall be promoted in all private and public woodland areas.

8.8.9 The City shall promote reforestation and naturalization in all private and public lands where appropriate. The City may pass a tree by-law in accordance with the enabling legislation.

8.9 FISH HABITAT POLICIES

8.9.1 Fish habitat shall be protected from incompatible land uses.

8.9.2 Fish habitat areas may be identified in a particular subwatershed through the subwatershed study process. Setbacks for development from those watercourses shall be required. Those setbacks shall be defined through the preparation of a site and/or area specific Issues Scoping Report and Environmental Impact Study Report that identifies the measures necessary to mitigate the impacts of adjacent development on those fish habitat areas. Those studies shall be prepared to the satisfaction of the City, the Provincial Approval Authority and the Federal Department of Fisheries and Oceans.

8.9.3 Fish habitat areas shall be protected from the effects of storm water and run-off from new development through the implementation of appropriate storm water management techniques on both a site and subwatershed area basis.

8.9.4 Storm water management facilities such as artificial wetlands shall be designed to maintain water quantity and quality from storm water run-off at levels suitable for the long-term survival of indigenous fish species.

8.10 ENERGY CONSERVATION POLICIES

8.10.1 The practical application of innovative concepts relating to energy conservation shall be encouraged in the City through site planning, building design, renewable energy sources, alternative energy sources, and efficient equipment and operations.

8.10.2 Development shall encourage energy conservation through appropriate community planning and design principles, a compact and contiguous urban form, infilling and redevelopment within existing developed areas and orderly, phased growth.

8.10.3 Compact, mixed use and infill developments which concentrate complementary land uses as a means of conserving energy shall be encouraged.

8.10.4 Subdivision designs which incorporate energy conserving principles shall be encouraged.

8.10.5 New development shall be encouraged to incorporate an integrated walkway and bicycle path system within residential areas.

8.10.6 Energy conservation programs which enhance energy efficiency both on the part of the City, other agencies, the private sector and the public shall be encouraged.

8.10.7 The conservation of building materials through re-use, recycling and renovation shall be encouraged.

8.11 WATER CONSERVATION POLICIES

8.11.1 Property owners and the building industry shall be encouraged to use water efficient fixtures and retrofit buildings during renovation.

8.11.2 Landscaping firms and property owners shall be encouraged to utilize low water use landscaping alternatives.

8.11.3 The City shall work with the adjacent municipalities and the Province to develop a water conservation program including demand and supply management measures.

8.12 WASTE MANAGEMENT POLICIES

8.12.1 Adequate waste management systems shall be provided to accommodate present and future requirements. The size, type, location and design of the system shall be subject to Provincial standards and legislation. At this time, it is anticipated that the current arrangements for the collection and disposal of waste by a privately-owned company under an agreement with the City will continue.

8.12.2 The City shall continue to invest cooperatively with adjacent municipalities to maintain an approved waste management system.

8.12.3 The City shall cooperate with the Province of Ontario and area municipalities to achieve an effective long-term solution to waste management including efforts to "Reduce, Reuse and Recycle" solid waste.

8.13 SITE CONTAMINATION POLICIES

8.13.1 Former waste sites listed in the Ministry of Environment List of Waste Disposal Site Inventory (June 1991) are identified on Schedule "A" to the Official Plan. The location of waste sites on Schedule "A" is approximate. For more detailed information on the location of waste sites reference should be made to the List of Waste Disposal Site Inventory (June 1991) prepared by the Ministry of Environment.

8.13.2 The City may consider development/redevelopment of lands adjacent to former waste disposal sites based on the required technical support studies being carried out to the satisfaction of the City and the Ministry of the Environment. The Ministry of Environment considers the most significant adverse environmental effects to be normally within 500 metres of the perimeter of a fill area. The City shall review all development applications within this distance separation and ascertain the need for the submission of technical support studies. Where it is determined that additional technical information is required in support of a development application the proponent shall be required to demonstrate that the proposed development is compatible, will not be adversely affected and can safely take place. The study shall address such matters as impacts related to methane gas, leachate, hydrogeology, health and safety of future inhabitants, and the structural stability, safety and integrity of any proposed structures. Where technical controls for leachate, and/or methane gas are required surrounding a waste site the report shall recommend implementation measures and appropriate setbacks for development from the perimeter of the site.

8.13.3 No development or redevelopment shall be permitted on a site that may be contaminated by a prior or current use until it has been determined that the

proposed development will not result in health or safety risks to residents or cause any adverse environmental impacts. Where development or re-development is proposed a proponent shall undertake an Environmental Site Assessment process to minimize the level of risk associated with the proposed development. The Environmental Site Assessment shall be carried out by qualified professionals at no cost to the City and to the satisfaction of the City. Where the Environmental Site Assessment process necessitates the carrying out of Phase 4 - Verification of Site Conditions, the submission of a Record of Site Condition to the City and the Ministry of the Environment shall be a pre-condition to the granting of final development approvals and the issuance of building permits. The cleanup of contaminated sites must be done in accordance with the "Record of Site Condition Regulation" (O. Reg. 153/04) and with the Ministry of the Environment guideline "Records of Site Condition - A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition"

8.13.4 The City shall cooperate with other public agencies in an effort to reduce adverse environmental impacts or health hazards associated with identified contaminated sites.

8.13.5 Proponents carrying out Environmental Site Assessments shall have regard to the Guideline for Use at Contaminated Sites in Ontario (revised February 1997) or its successor prepared by the Ministry of Environment. The guideline is intended for use when landowners are cleaning up and/or redeveloping contaminated property.

8.14 NOISE AND VIBRATION POLICIES

8.14.1 Noise is recognized in the Environmental Protection Act as a contaminant of the natural environment which may cause harm or material discomfort, or adversely affect the health or any person or cause, loss of enjoyment of normal use of property.

Prior to the approval of development applications in any area where there is a potential for sensitive land uses (e.g.; residential/institutional) to be adversely affected by noise abatement measures will be provided. Noise attenuation measures shall be required where appropriate as a condition of approval of plans of subdivision, consents, zoning by-laws, minor variances and site plans.

It is recognized that the abatements measures required will vary depending upon the physical circumstances of individual sites. In order to achieve the abatement objectives of this plan noise impacts shall be considered in the early phases of the design process. Abatement measures may include one or more of the following:

- the use of increased setbacks;
- the use of sound barriers such as walls, fencing, landscaped berms or buildings;
- the specific siting of buildings and land uses, and the provision of protected locations for related outdoor space;
- the incorporation of special building design techniques with particular consideration being given to matters such as height, external configuration, internal layout, window locations and other similar features;

- the use of special building materials and techniques and any additional measures as they become available to reduce interior noise levels;
- the inclusion of appropriate warning clauses within agreements and deeds where required

8.14.2 Where the City determines there is a need for noise abatement measures the proponent of development shall submit a Noise Analysis Report prepared to the satisfaction of the City. The Noise Analysis Report shall contain an assessment of existing and anticipated noise levels for both outdoor and indoor noise sensitive locations, during both daytime and night-time hours. It shall identify the noise levels that sensitive land uses will be subject to before and after noise control measures are installed. The report shall be based on accepted noise measurement, prediction and calculation techniques. The report will outline what noise attenuation measures, warning clauses are needed, if any, to comply with the Ministry of Environment's Noise Guidelines.

8.14.3 The cooperation of Provincial agencies shall be sought in providing adequate noise protection from existing and proposed Provincial Highways.

8.14.4 Where the City determines there is a need for noise abatement measures and/or vibration analysis, where sensitive uses are proposed adjacent to a railway line, the proponent of development shall submit a Noise and Vibration Analysis Report prepared to the satisfaction of the City. The Noise and Vibration Analysis report will contain an assessment of existing and anticipated noise levels and vibration levels for both outdoor and indoor noise vibration sensitive locations. Analysis will take place during both daytime and night-time hours and will consider the noise and vibration levels that the sensitive land use will be subject to before and after any proposed control measures are installed, based on accepted noise and vibration measures and prediction techniques. The report will outline what noise attenuation measures and warning clauses, if any, will be needed to meet the Ministry of Environment's noise guidelines.

8.14.5 Development which contains outdoor passive recreation areas and may be subject to high levels of road or rail noise shall only be permitted if it includes design and/or landscaping features that reduce outdoor noise levels to meet the Ministry of Environment's noise guidelines.

8.14.6 New residential development and other sensitive land uses shall not be permitted near airports above 30 NEF/NEP as set out on Transport Canada approved maps.

8.14.7 Redevelopment and/or infilling or existing residential uses and other sensitive land uses may be considered above the 30 NEF/NEP subject to demonstrating no negative impacts on the long-term function of the airport.

8.15 LAND USE COMPATIBILITY POLICIES

8.15.1 The City shall have regard to the Ministry of the Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses, or its successor,

when assessing compatibility between different land uses and in particular, compatibility between industrial facilities and sensitive land uses such as residential or institutional.

- 8.15.2 Certain areas within the City may require buffering or screening in order to minimize conflicts between incompatible land uses.
- 8.15.3 Land uses which are obnoxious due to noise, dust, odour, lighting, vibration or visual characteristics shall generally not be located where their effects will have any adverse impact upon other land uses.
- 8.15.4 Buffering or screening may be required where a residential use is adjacent to:
- i) an Industrial Area;
 - ii) a Commercial Area;
 - iii) an Institutional Area;
 - iv) any land use characterized by heavy pedestrian or automobile traffic, truck transportation, noise, fumes or other factors affecting the residential amenity; or
 - v) railways.
- 8.15.5 A range of buffering techniques may be applied to new development such as the following:
- i) prohibiting of outside storage;
 - ii) control of the location of the outdoor parking and loading area;
 - iii) control of the location of garbage collection/storage facilities;
 - iv) regulation of lighting and signs so that they are averted or shielded from the residential uses;
 - v) provision of adequate screening such as solid or perforated walls, fences, trellises or other appropriate structures;
 - vi) provision of adequate landscaping such as trees, bushes, grassed areas and earthen berms;
 - vii) separation of uses by additional distances between them.
- 8.15.6 Buffering requirements shall be implemented through the implementing Zoning By-law, site plan approval and provisions in subdivision agreements as deemed appropriate.
- 8.15.7 No new sensitive uses (e.g., residential/institutional) shall be permitted to develop within 150 metres of a property boundary of the City of St. Thomas Water Pollution

Control Plant. The approximate location of the Water Pollution Control Plan is identified on Schedule "A" to the Official Plan.

8.16 AGGREGATE POLICIES

8.16.1 Mineral aggregate resources shall be protected for long term use.

8.16.2 The conservation of mineral aggregate resources shall be promoted by making provision for the recovery of these resources where feasible.

8.16.3 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

8.16.4 Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment or rezoning under the Planning Act.

8.16.5 In areas adjacent to or in known deposits of mineral aggregate resources, development and activities which preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- i) resource use would not be feasible; or
- ii) the proposed land use or development serves a greater long-term public interest; and
- iii) issues of public health, public safety and environmental impacts are addresses.

8.16.6 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

8.16.7 In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

8.16.8 On prime agricultural lands, complete agricultural rehabilitation is not required if:

- i) there is substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- ii) other alternatives have been considered by the applicant and found unfeasible; and
- iii) agricultural rehabilitation in remaining areas is maximized.

- 8.16.9 Wayside pits shall be permitted without an amendment to this Official Plan or the Zoning By-law except in areas of existing residential development or environmental sensitivity where extraction and associated activities would be incompatible.

PUBLIC SERVICES (Renumbered to Section 9 – OPA No. 42)**9.1 TRANSPORTATION****9.1.1 Roads**

9.1.1.1 The recommended roadway system to serve the needs of the City of St. Thomas and area to the year 2026 is shown on Schedule "B" - Roads Plan to this Official Plan. (OPA No. 66 – deleted and replaced)

9.1.1.2 The basis for the recommended roadway plan is the 1997 City of St. Thomas Transportation Plan as updated by the 2008 Urban Area Expansion Transportation Master Plan. (OPA No. 66 – deleted and replaced)

9.1.1.3 The functional classification of roads within the City is shown on Schedule "B" – Roads Plan, with the exception of Local roads. The roadway hierarchy comprises:

- i) Freeway;
- ii) Highway;
- iii) Major and Minor Arterials;
- iv) Major and Minor Collectors; and
- v) Local

9.1.1.4 A Freeway carries large volumes of long-distance traffic at high speeds under relatively free flowing conditions. Access to a Freeway shall only be by means of interchanges, with grade separations at all intersections. The St. Thomas Expressway is classified as a Freeway. A Freeway has an AADT 2-lane capacity of 36,000 vehicles and a 4-lane capacity of 72,000 vehicles.

9.1.1.5 A Highway carries large volumes of long-distance traffic at high speeds. Some direct access to a Highway is permitted under strictly controlled conditions. A Highway has an AADT 2-lane capacity of 20,000 vehicles and an AADT 4-lane capacity of 40,000 vehicles.

9.1.1.6 An Arterial street carries large volumes of all types of traffic at relatively high speeds. The Arterial street provides a through route in the City and traffic flow should only be interrupted at traffic lights. A Major Arterial has an AADT 2-lane capacity of 16,000 vehicles and an AADT 4-lane capacity of 32,000 vehicles. A Minor Arterial has an AADT 2-lane capacity of 14,000 vehicles and an AADT 4-lane capacity of 28,000 vehicles. Parking and access restrictions may be imposed to minimize traffic hazards and avoid interference with the primary function of moving through traffic. Where new development is proposed, entrances/exits will be controlled in order to reduce

access points that may reduce traffic capacity. Right-of-way, road widths and construction standards shall be appropriate for the function and expected traffic volume.

- 9.1.1.7 A Collector street serves as a link between the Arterial and Local street and has the functions of providing traffic service and property access. A Major Collector has an AADT 2-lane capacity of 10,000 vehicles and a Minor Collector has an AADT 2-lane capacity of 8,000 vehicles. The Collector street shall generally be the main distribution route between the Arterial street and Local street. Access and parking restrictions shall generally only be imposed for safety considerations such as visibility concerns where a Collector and an Arterial intersect.
- 9.1.1.8 A Local street provides property access and is not meant to be a through route. A Local street has an AADT 2-lane capacity of 6,000 vehicles.
- 9.1.1.9 Road Widening (OPA No. 66 – Subsection deleted and replaced)
- 9.1.1.9.1 The planned roadway widening and intersection improvements for the 2026 Road Network Plan are as shown on Schedule "C" - Road Widening Plan to this Official Plan. The right-of-way widths shown on Schedule "C" indicate the minimum planned widths of the road right of ways that may be secured as part of the development approval process. The roads shown on Schedule "C" which require widening to achieve their minimum right-of-way widths are identified in the following table.

Street Name	From Street	To Street
Alma Street	Redan Street	Kains Street
Flora Street	South Side of 20 Flora Street	Talbot Street
Southdale Line	West Boundary of St. Thomas	Centennial Road
Edward Street	Balaclava Street	Talbot Line
South Edgeware Road	Balaclava Street	Centennial Avenue
Highbury Avenue	South Edgeware Road	Ron McNeil Line
Burwell Road	Talbot Street	Ron McNeil Line
Sunset Drive	Wellington Road	South Boundary of St. Thomas
Elgin Street	Talbot Street	Regent Street
Curtis Street	St George Street	St Catharine Street
Scott Street	St George Street	St Catharine Street
Kains Street	St Catharine Street	Alma Street
Redan Street	Alma Street	First Avenue
First Avenue	Redan Street	Simcoe Street
Talbot Street	Ross Street	Inkerman Street
Ross Street	Talbot Street	Wellington Street
Wellington Street	Ross Street	Fifth Avenue
Wellington Street	Fourth Avenue	Second Avenue
Balaclava Street	Talbot Street	South Edgeware Road
St Catharine Street	Talbot Street	Kains Street
Fairview Avenue	Talbot Street	Southdale Line
Elm Street	Sunset Drive	Centennial Road

- 9.1.1.9.2 No new development or redevelopment will be permitted which does not front on a public road of an acceptable standard of construction. As a condition of development approval, the City will require that sufficient lands be conveyed to provide for a road right-of-way in accordance with the designated width as shown on Schedule "e" – Road Widening Plan. Road widenings shall be reserved or obtained, at no cost to the City, through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible. A dedication of land to widen a roadway will be taken equally from both sides of the roadway. However, in certain circumstances, where factors such as topography and existing development may dictate, it may be necessary to require more than half of the widening on one side of the roadway.
- 9.1.1.10 Corridors and right-of-ways for Arterial and Collector roads shall be protected through the development approvals process. (OPA No. 42 – replaced roads section)
- 9.1.2 PUBLIC TRANSIT
- 9.1.2.1 Public transit service shall continue to be provided in the City of St. Thomas in accordance with approved financial resources.
- 9.1.2.2 Council shall encourage public transit and shall support measures designed to increase ridership within the context of providing an efficient public transit service.
- 9.1.2.3 To improve its current minor role in the overall provision of transportation services in the City, Council may consider combining conventional transit, paratransit, student busing and transit for seniors/social services, etc. into an integrated community transportation service that brings together the various transportation resources available within St. Thomas.
- 9.1.2.4 Supportive land use patterns and proper land use design shall be encouraged in order to make the transit system more efficient.
- 9.1.2.5 Subdivision design shall be supportive of the public transit service through such means as adequate road rights-of-way, street patterns and pedestrian walkways including sidewalks along arterial and collector roads. (OPA No. 42 – New Public Transit Section)
- 9.1.3 RAILWAY RELOCATION
- 9.1.3.1 A railway relocation feasibility study for the St. Thomas Area was conducted in 1971. The study examined the possible consolidation of train movement onto new rights-of-way in the St. Thomas area. While no specific scheme for railway relocation has been approved the effects on the City would appear to be significant: for example the removal of main line tracks; the removal of railway yards and shops; and the release of potentially large amounts of railway land for new uses.

- The City of St. Thomas has made application to the Federal government for a new railway relocation study. Because of the magnitude of the effects of relocation which cannot be identified at this time, it is a policy of the Official Plan that if a new railway relocation study is prepared, then the Official Plan may be reviewed and amended, as required, when the implementation of railway relocation occurs.
- 9.1.4 ST. THOMAS MUNICIPAL AIRPORT
- 9.1.4.1 The St. Thomas Municipal Airport is located in the Township of Yarmouth, approximately five kilometres east of the City boundary. In recent years several improvements such as runway extensions and resurfacing and new lighting, have been made at the Airport. Management and operation of the Airport is under the control of Council.
- 9.1.4.2 The Official Plan recognizes the role the St. Thomas Municipal Airport can play in attracting and serving industrial and commercial development and that the Airport is part of the overall transportation system serving St. Thomas. Therefore, it is the policy of Council to maintain and improve facilities at the Airport, consistent with the financial resources of the municipality, in order to support industrial, commercial and Airport related activities in St. Thomas.
- 9.1.5 PEDESTRIAN AND BICYCLE TRAFFIC
- 9.1.5.1 In all new development and redevelopment, consideration shall be given to pedestrian and bicycle movement. Bicycling shall be recognized as an alternative mode of transportation, which will play a positive role in improving mobility and quality of life as part of a balanced transportation system.
- 9.1.5.2 A safe and secure pedestrian and bikeway system shall be pursued comprising the following elements:
- i) walkways/paths that traverse and connect major open space and parks in the City;
 - ii) walkways/paths that connect City-wide features to residential areas; and
 - iii) walkways/paths within neighbourhoods that connect to schools and parks.
- 9.1.5.3 Sidewalks shall be provided on public road right-of-way's, where appropriate.
- 9.1.5.4 Establishing a linked pedestrian/bikeway system through the Kettle Creek valleylands connecting the major natural and recreational areas in St. Thomas shall be a priority of the City. (OPA No. 42 – Pedestrian and Bicycle Traffic Section)
- 9.2 PIPED MUNICIPAL SERVICES
- 9.2.1 REQUIREMENTS
- 9.2.1.1 New development in the St. Thomas Urban Service Area shall be serviced with full municipal water supply and distribution, sanitary sewage collection and treatment

and stormwater management. The only exception is the limited industrial development subject to the policies of Subsection 5.9.3.7.

9.2.1.2 New development in the Rural Area shall be serviced with adequate sewage disposal and water supply systems approved by the City and other appropriate regulatory authorities. (OPA No. 42 – Replaced Section 9.2)

9.2.2 INFILLING

9.2.2.1 Infilling on vacant areas within the existing built-up portion of the City which already have ready access to piped municipal services, roads, and other community facilities is permitted and encouraged subject to any necessary improvements to piped municipal services and other municipal facilities.

9.2.3 WATER SUPPLY

9.2.3.1 The St. Thomas Public Utilities Commission obtains water from the Elgin Area Water Supply System, operated by the Ontario Ministry of the Environment, and then the Commission distributes it throughout St. Thomas. Capacity of the Elgin Area Water Supply System and the distribution system within the City is adequate to serve the projected population increase.

9.2.4 SANITARY SEWERS

9.2.4.1 The basis for municipal action regarding the sanitary sewer system is the 1968 Report on Storm Relief and Development of Sewerage and Drainage Systems for the City of St. Thomas. As a result of surcharging in the combined sanitary and storm sewer system in the older parts of the City resulting in basement flooding and street ponding, the City accepted the main recommendation of the 1968 Report that there should be the complete separation of sanitary and storm systems through the provision of separate sewerage and drainage systems. The recommendation has been followed in subsequent capital programs of the City.

9.2.4.2 The criteria to be followed in the preparation of the sanitary sewer works program are:

- i) provision of sewer systems for those areas unserved or serviced by private systems;
- ii) expansion of existing services to unserved but developable lands;
- iii) reinforcement and reconstruction of existing facilities.

9.2.4.4 The Official Plan recognizes that the achievement of population targets and development is dependent upon a satisfactory resolution of pollution abatement problems. Therefore, it is the policy of the Official Plan that Council will investigate and attempt to undertake measures to meet Ministry of the Environment water quality objectives for Kettle Creek, consistent with the financial resources of the

municipality, in order that the population targets and desired development aims of the City can be met.

9.2.4.5 It is a policy of the Official Plan that extension of sanitary sewers beyond the City boundaries may be considered by Council of St. Thomas, upon application for this service by the council of the Township of Yarmouth and/or Township of Southwold.

9.2.5 STORM SEWERS

9.2.5.1 As with sanitary sewers, the 1968 report has been the basis for action on storm sewers. In addition, it anticipated the further improvements to the method of storm water discharge will be necessary to meet water quality standards.

9.2.5.2 The criteria for storm sewer work should be:

- i) the continuation of the separation of combined storm and sanitary sewers;
- ii) the extension of existing systems to areas of unserved and developable areas;
- iii) the provision of storm sewers in conjunction with road reconstruction.

9.2.5.3 It is the policy of the Official Plan that Council will investigate and attempt to undertake measures to improve the storm water drainage system in order to meet Ministry of the Environment water quality objectives for Kettle Creek, consistent with the financial resources of the municipality, in order that the population targets and desired development aims of the City can be met.

9.2.5.4 It is a policy of the Official Plan that extension of storm sewers beyond the City boundaries for the purpose of collecting storm water which would be introduced into the City system, may be considered by Council of St. Thomas, upon application for this service by the Council of the Township of Southwold and/or Yarmouth.

9.2.5.5 The following storm water management policies shall apply to the lands enclosed in heavy solid lines and identified as areas 31(1), 31(2), 31(3), 31(4), 31(5) and 31(6) on Schedule "A", Land Use Plan.

- i) Development shall provide appropriate storm water management facilities as approved by the City of St. Thomas, Ministry of Natural Resources, Kettle Creek Conservation Authority and Ministry of the Environment.
- ii) Storm water drainage facilities shall be designed and constructed so as to protect receiving watercourses and adjacent land uses from any potential adverse impacts of storm water runoff.
- iii) Storm water management facilities shall maintain natural stream geometry wherever possible, and control the quantity and quality of storm water runoff entering the receiving watercourses, including the control of erosion and sedimentation during and after construction.

- iv) Storm water management facilities shall minimize surface ponding and flooding.
- v) The size of storm water management facilities shall be based on the ultimate development pattern within the watershed or development area.
- vi) All storm water management facilities shall be designed and constructed to the satisfaction of the City of St. Thomas, Kettle Creek Conservation Authority, Ministry of Natural Resources and Ministry of the Environment.
- vii) The City of St. Thomas may prepare comprehensive Master Drainage Plans for the lands brought into the City through the 1990 boundary adjustment with the Township of Yarmouth.
- viii) Where a Master Drainage Plan has been prepared for an area where development is being proposed, the City shall require the applicant(s) to prepare a site-specific Storm Water Management Plan for their lands incorporating/implementing the requirements of the Master Drainage Plan to the satisfaction of the City of St. Thomas, Kettle Creek Conservation Authority, Ministry of Natural Resources and Ministry of the Environment, prior to granting approval to those developments.
- ix) Master Drainage Plans shall generally address the following:
 - a) the facilities required, including their size, location and capacity, for controlling the quantity and quality of storm water runoff, including:
 - at source, natural and/or structurally controlled infiltration techniques;
 - open channels;
 - culverts;
 - detention or retention ponds;
 - upstream storm water diversions; and
 - the use of rooftop, parking lot, or parks and open spaces as temporary detention areas and other best management practices;
 - b) the measures necessary to control erosion, sedimentation and stream bank stability during and after construction;
 - c) the storm sewer outfalls to the receiving watercourses; and
 - d) the environmental impacts of storm water management facilities on fish, forest and wildlife resources.
- x) Master Drainage Plans shall be prepared using engineering and hydrologic models acceptable to the City of St. Thomas and Kettle Creek Conservation Authority.
- xi) Where a Master Drainage Plan has not been prepared for an area, the City of St. Thomas shall require applicants for development to prepare individual Storm

Water Management Plans for their lands that demonstrate the manner in which on-site storm water will be controlled. The Plans shall be prepared in accordance with and to the satisfaction of the City of St. Thomas, Kettle Creek Conservation Authority, Ministry of Natural Resources and Ministry of the Environment. (OPA No. 31 – 8.2.5.5)

9.3 LIBRARY SERVICES

- 9.3.1 It is a policy of the Official Plan that adequate library services for the residents of St. Thomas will be maintained. Co-operative efforts among the St. Thomas Library Board, the Elgin County Library Board, Lake Erie Regional Library System, the Elgin County Board of Education and the Elgin County Roman Catholic Separate School Board to ensure the most efficient utilization of library facilities will be supported by Council.

9.4 FIRE AND POLICE PROTECTION

- 9.4.1 Adequate fire and police protection will be provided to accommodate increased population or development. Reciprocal service arrangements with outside agencies to improve service will be supported.

9.5 EDUCATION

- 9.5.1 Responsibility for the operation of schools in St. Thomas rests with various Boards.
- 9.5.2 It is a policy of the Official Plan that Council will continue to co-operate with these Boards of all schools to ensure satisfactory sites are obtained for any new schools and to provide for common use of school facilities subject to requirements of the various Boards and public facilities including parks.
- 9.5.3 Before any school is closed Council will request a meeting with the appropriate Board to discuss the implications of the school closing on the community and future use and ownership of the facility and site. Any proposed new use of a school site must be in accordance with the policies of the Official Plan.

9.6 SOLID WASTE DISPOSAL

- 9.6.1 Adequate measures for solid waste disposal must be provided. It is anticipated that the present arrangements for the collection and disposal of waste by a privately-owned company under an agreement with the City will continue.
- 9.6.2 Council supports the Central Elgin Area Official Plan policy that the municipal councils should provide adequate, approved solid waste disposal sites by co-operative investment.

9.7 ELECTRIC POWER

- 9.7.1 The provision of an adequate electric power supply is the responsibility of the St. Thomas Public Utilities Commission. The Commission obtains power from Ontario Hydro and then distributes it within St. Thomas. The distribution system for Hydro should

be made adequate to meet the demands of the projected population set out in this Plan.

- 9.7.2 The reconstruction, maintenance or improvements to Ontario Hydro's existing electrical supply lines which traverse the St. Thomas Planning Area, will be permitted on a planned basis.
- 9.7.3 The orderly expansion of electrical distribution and supply lines will be permitted within the planning area on a planned basis to meet the needs of the St. Thomas P.U.C. and Ontario Hydro.

The Official Plan shall be implemented by means of the powers conferred upon Council and its various Boards and Committees by The Planning Act, The Municipal Act, The Ontario Building Code Act and other applicable statutes of the Province of Ontario. Among the specific implementation measures are the preparation of restricted area (zoning) by-laws, development control provisions, plans of subdivision, consents, maintenance and occupancy standards by-laws, the construction of public works and the preparation of capital works forecasts.

The policies of this Plan shall be implemented in accordance with the provisions of this Section 9 and in accordance with any special provisions found in Sections 5.1.4, 5.2.4, 5.3.2.4, 5.3.3.4, 5.3.4.4, 5.5.4, 5.6.4, 5.7.4, 5.8.4, 5.9.4, 5.10.4, 5.11.4, 5.12.4 which are applicable.

10.1 RESTRICTED AREA (ZONING) BY-LAW

10.1.1 CONFORMITY

10.1.1.1 It is the policy of Council that Restricted Area (Zoning) By-law 68-63, as amended, will be reviewed and amended to be brought into conformity with the Official Plan, or a new implementing restricted area (zoning) by-law will be passed in conformity with the Official Plan.

10.1.2 REQUIREMENTS – HOLDING BY-LAWS (OPA No. 42 – new section)

10.1.2.1 Council may enact holding by-laws in accordance with the Planning Act, in order to ensure that future development on lands designated for urban development complies with the policies of this Plan. Holding By-laws shall identify the future use of the land in accordance with this Plan and shall identify the holding restriction by affixing an "h" prefix to the zoning symbol which appears on a Zoning Map or a Special Zoning Map.

10.1.1.2 Holding by-laws shall specify the interim uses permitted while the holding zone by-law is in effect and shall identify the holding zone provisions which must be satisfied. Prior to Council considering an application for a zoning by-law amendment to remove a holding symbol, Council shall be satisfied that:

- i) the proposed development conforms with the policies of this plan;
- ii) adequate servicing, including water supply sewage treatment capacity, storm water management, solid waste collection and disposal, and roads can be provided;
- iii) all necessary requirements of the Corporation have been satisfied;
- iv) all necessary subdivision or development agreements have been entered into and the Corporation is satisfied that the conditions of these agreements have been or will be met.

10.2.1.3 Lands to which holding zone provisions may apply are those which are planned to be serviced with full municipal services in accordance with the policies of this Plan.

10.1.3 EXISTING USES

Where the existing use is, or may become, incompatible with adjacent or surrounding uses, having regard for noise, traffic, odour, parking and intensity of use, then the land shall be zoned to permit only the uses permitted by this Plan.

Land, which at the date of the enactment of any by-law implementing this Plan, for a use other than that which is intended by the Official Plan, may be zoned to permit not only the uses permitted by the Plan, but also the existing uses, until development or redevelopment is proposed which conforms to the Official Plan.

10.1.4 NON-CONFORMING USES

Where an existing use does not meet the provisions of section 9.1.3, such use shall not be permitted. The Committee of Adjustment on application shall consider the granting of permission to extend or enlarge a non-conforming use in order to prevent unnecessary hardship on the non-conforming use. Council may consider the feasibility of acquiring the property for holding, selling, leasing or developing it for an appropriate permitted use. Also, Council may consider the possibility of relocating the non-conforming use.

Where such action is not taken, Council may pass a by-law under Section 35(21) of The Planning Act to permit an extension or enlargement of the land, building or structure of the non-conforming use. It will not be required to amend this Plan. In such case, prior to passing a by-law Council shall require a report from the Planning Board and shall be satisfied that:

- i) the proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use, especially with regard to the policies of this Plan and requirements of the Zoning By-laws;
- ii) the proposed extension or enlargement will be in appropriate proportion to the size of the non-conforming use;
- iii) no extension or enlargement will be permitted if such extension or enlargement creates or increases a disturbing amount of noise, vibrations, fumes, smoke, dust, odour, lighting, and/or traffic;
- iv) the proposed extension or enlargement and where feasible, the established non-conforming use shall have provisions for areas of landscaping, buffering, or screening, appropriate setbacks for buildings and structures, and regulations for alleviating adverse effects caused by outside storage, lighting, and advertising signs in order to improve its compatibility with the surrounding area;
- v) traffic hazards will be kept to a minimum by the appropriate design of entrance and exit points;

- vi) adequate provisions will be made for off-street parking and loading facilities;
- vii) the water supply and sewage disposal facilities, and necessary municipal services such as roads, are adequate or can be made adequate.

10.2 SITE PLAN CONTROL (OPA No. 73 – deleted and replaced section)

10.2.1 Site plan control is an important means of encouraging well-designed, functional and universally accessible development in the City of St. Thomas. The City shall review and approve plans that show the location, design and massing of buildings, the relationship to adjacent streets and buildings, public access areas, the layout of parking and service areas, site landscaping and other aspects of development.

Site plan control shall be used to achieve the following design objectives:

- a) minimize the impact of development on adjacent properties by encouraging design compatible with the scale, character and siting of abutting development;
- b) promote pedestrian scale development and land use compatibility;
- c) ensure accessibility for people with a range of abilities through safe and efficient pedestrian and vehicular circulation;
- d) enhance the public area and create a functional and distinctive streetscape through high quality building and site design;
- e) preserve and enhance the community character by integrating heritage features and important views in site designs;
- f) control the placement and provision of required services such as driveways, parking, loading facilities, garbage collection and site grading and drainage facilities;
- g) ensure a high quality of building massing and design to maintain consistent municipal standards;
- h) enhance accessibility to community facilities and services such as transit;
- i) encourage site designs that enhance opportunities for active transportation through the placement of sidewalks and connections to trails, bicycle routes and community facilities;
- j) obtain road widening.

10.2.2 Pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, the whole of the City of St. Thomas as shown on Schedule "C" to the Official Plan shall be designated as a Site Plan Control Area.

- 10.2.3 Where Council, by By-law, designates a Site Plan Control Area, the provisions of Section 41 of the Planning Act, R.S.O. 1990, as amended will apply where:
- 1) there is construction, erection or placing of one or more buildings or structures on land, or
 - 2) the construction of an addition or alteration to an existing building or structure, which increases the size or usability thereof, or
 - 3) a new commercial parking lot is established.
- 10.2.4 The Council of the City of St. Thomas may, by By-law, designate the whole or any portion of the City of St. Thomas as a Site Plan Control Area, pursuant to Subsection 41(2) of the Planning Act, R.S.O. 1990, as amended. The approved site plan control by-law will also contain provisions relating to the matters respecting the approval of plans and drawings pursuant to Subsection 41(1) and 41(2) of the Planning Act, R.S.O. 1990, as amended.
- 10.2.5 Council may establish the classes of development that are subject to site plan control, and those which are exempt, in a By-law.
- 10.2.6 All proposals which are subject to the provisions of Site Plan Control may require Council's approval of plans showing the location of all facilities and works.
- 10.2.7 Subject to Subsection 41(7) of the Planning Act, R.S.O. 1990, as amended, the owner of any land subject to Site Plan Control approval, may be required to enter into an agreement with Council and provide to the satisfaction and at no expense to the City, any or all of the matters set out therein.
- 10.2.8 The Council may pass a By-law to appoint a Site Plan Control Committee and to provide for its operation and Rules of Procedure. The Site Plan Control Committee shall act as an advisory body to Council for the purposes set forth in the By-law.
- 10.2.9 In a Site Plan Control Area designated under Section 10.2.2, Council will, as a condition of approval, require that the owner provide, at no expense to the City, widening of roads as shown on Schedule "C"- Road Widening Plan and subject to the road widening policies under paragraph 9.1.1.9 of the Official Plan. Daylight corners may be required at the intersection of two collectors, two arterials, or a collector and an arterial. The design of the daylight corners shall be consistent with municipal road design standards.
- 10.2.10 To achieve the objectives in policy 10.2.1, the City shall, as part of the site plan approval:
- a) consider matters relating to exterior design, including without limitation the character, scale, appearance, and design features of buildings and their sustainable design;

- b) require sustainable design elements within an adjoining highway under the Municipalities jurisdiction, including, without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities be provided;
- c) require facilities designed to have regard for accessibility for persons with disabilities; and,
- d) consider the character, scale, appearance and design features of the exteriors of those new buildings and structures that may be attached to built heritage resources or sited in close proximity to such resources and care shall be taken to permit only those changes that retain, protect, complement or do not otherwise harm distinguishing heritage features.

10.3 SUBDIVISION CONTROL (OPA No. 42 – replaced)

10.3.1 REQUIREMENTS

10.3.1.1 All lands within the Corporation of the City of St. Thomas shall be subject to subdivision control pursuant to the Planning Act. The approval authority for Plans of Subdivision/condominium has been delegated by the Minister of Municipal Affairs and Housing to the Corporation of the City of St. Thomas. The Council of the Corporation has by by-law further delegated the approval authority to the position of Planning Director. All applications for approval shall be submitted to the Planning Department.

10.3.1.2 The provisions of the Planning Act R.S.O. 1990, as amended, relating to subdivision control, including subdivision agreements, shall be used by the approval authority to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of layout and design is maintained in all development.

10.3.1.3 The approval authority shall consider for final approval only those plans of subdivision which conform with the following criteria:

- i) the plan of subdivision conforms with the policies of this plan;
- ii) adequate servicing, including water supply sewage treatment capacity, storm water management, solid waste collection and disposal, and roads can be provided.

10.3.1.4 In order to facilitate an orderly and efficient land use pattern, development may be staged or phased. The staging or phasing of development shall be predicated on the logical extension of required services.

10.4 CONSENTS

10.4.1 Consents will be granted only if it is apparent to the Committee of Adjustment that a plan of subdivision is unnecessary and the land in question can be serviced

adequately. The following policies, in addition to other applicable policies in this Plan, apply to the creation of new lots by the consent process:

- i) consents should be granted only in areas where the undue extension of any major service would not be required;
- ii) consents should be granted only when the land fronts on an existing public road that is or will be developed to accepted municipal standards;
- iii) consents should have the effect of infilling in existing urbanized areas and not of extending the urban area unduly;
- iv) the size of any parcel of land created by such a consent should be appropriate for the use proposed considering the public services available and the soil conditions and in no case should any parcel be created which does not conform to the provisions of the zoning by-law;
- v) direct access from arterial or collector streets should be restricted, and residential lots should, where possible, have access only from local streets;
- vi) consents should not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades.
- vii) within the Residential and Rural Area designation on Schedule "A" where full urban services are not available consents may be permitted for reasons of lot boundary adjustment, rights of way, easements, long term leases, and to convey additional lands to an abutting lot, provided where there are existing dwellings a certificate of approval for servicing can be obtained from the appropriate approval authority. (OPA No. 42 – vii))

10.4.2 Notwithstanding the policies contained within paragraph 9.4.1, consents for the purpose of assembling lands for future development may be permitted within the lands enclosed in heavy solid lines and identified as areas 31(1), 31(2), 31(3), 31(4) and 31(5) on Schedule "A", Land Use Plan. (OPA No. 31 – 9.4.2)

10.5 CAPITAL PROGRAM

10.5.1 Council shall ensure the capital program is compatible with the policies of this Plan.

10.6 THE MUNICIPAL ACT

10.6.1 Council shall review all legislation pursuant to The Municipal Act governing such activities as automobile wrecking yards, gravel pits, trailers and signs and where necessary amend existing by-laws or pass new by-laws as may be required to ensure the activities are regulated and controlled.

10.7 MAINTENANCE AND OCCUPANCY STANDARDS BY-LAW

10.7.1 Council shall pass a by-law to establish minimum standards of maintenance and occupancy to conserve, sustain and protect existing and future development of the municipality. The maintenance and occupancy by-law applicable to all property may contain requirements with respect to matters such as:

- i) garbage disposal;
- ii) pest prevention;
- iii) structural maintenance of buildings;
- iv) cleanliness of buildings;
- v) services to buildings - plumbing, heating, and electricity;
- vi) keeping lands and waterfront properties free from rubbish, debris, weeds, abandoned or used vehicles, trailers, boats, barges, technical equipment or materials;
- vii) maintaining yards, lands, parking and storage areas;
- viii) maintaining fences, swimming pools, accessory buildings and signs;
- ix) occupancy standards.

10.7.2 Council shall also appoint a Property Standards Committee, in accordance with Section 36(11) of The Planning Act, as amended, for the purpose of hearing appeals against an order of the Property Standards Officer.

10.7.3 The measures to be used generally in achieving the property maintenance program would include an education and public relations program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment. Complementary to the enforcement of standards on private properties, the City of St. Thomas will undertake to keep in a fit and well-mannered condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks and water facilities.

10.8 BUILDING INSPECTION

10.8.1 It is intended that the Chief Building Official will be responsible for the enforcement of the City's building by-law and for the issuance of building permits in conformity with the City's building by-laws, the Ontario Building Code, and the restricted area (zoning) by-law.

10.9 PUBLIC INFORMATION

10.9.1 In order to inform the public of the policies in this Plan, the Planning Board shall, upon receiving the Minister's approval of the Plan, reproduce the Plan or a summary and make it available to the public upon request.

10.10 REVIEW AND AMENDMENTS

10.10.1 It is intended that this Plan shall be reviewed at least every five years. In addition, the Planning Board shall perform an on-going monitoring of population, economic, social and technological changes that may affect Plan policies.

10.10.2 The following procedure shall be followed to ensure the general public receives adequate notification of any proposed Amendments to the Official Plan:

- i) Prior to recommending to Council that any amendment be made to the Official Plan, the Planning Board shall hold a public meeting to discuss the proposed Amendment. In the event the proposed Amendment affects a large number of ratepayers, or is of a general nature, the notice of the public meeting shall be given by advertisement in the local daily newspaper having distribution in the area.
- ii) A record of the public meeting and a copy of the public notice placed in the newspaper shall be appended to the proposed Amendment prior to its submission to the Council of the designated municipality.
- iii) Following the approval of the Amendment by the Minister, sufficient copies for public distribution shall be prepared and a notice placed in the local daily newspaper having distribution in the area advising of such approval and that copies of the amendment may be obtained from the Planning Board.

10.11 EARLY CONSULTATION AND COMPLETE APPLICATION REQUIREMENTS (OPA No. 73 – new subsection)

10.11.1 The City requires, by By-law, formal early consultation (pre-consultation) for all Planning Act applications for which it is the approval authority.

The purpose of the pre-consultation will be to review a draft development proposal for the lands affected by the proposed application(s) and identify the need for, and the scope of the additional information and materials considered necessary by the City and other affected agencies to allow comprehensive assessment of the Planning Act application(s).

10.11.2 Pursuant to the provisions of the Planning Act, Council and/or its designated approval authorities may require applicants to provide additional information or material to accompany the following Planning Act applications:

- Official Plan amendments;
- zoning by-law amendments;
- applications for plan of subdivision or condominium
- applications for site plan control;
- consent applications; and,
- applications for minor variance.

10.11.3 In addition to the information and materials required under the Planning Act and any other legislation or regulation, as amended, the following must be provided by the applicant at the time of the filing of a Planning Act application for a planning approval listed in paragraph 10.11.2 above:

- description of the applicant's interest in the land (owner, tenant, purchaser);
- identification of the registered landowner, if different from the applicant;
- owner's authorization and consent to apply for the planning approval, if the owner is not the applicant;
- identification of the agent for the applicant, if any, with written authorization from the owner;
- owner's authorization/ consent to use and disclose personal information and to allow site visits;
- written confirmation of pre-consultation with the municipality;
- description and sketch of any existing or proposed easements and/or rights-of-way;
- description and/or sketch of existing uses, previous uses and complete
- description (e.g. frontage and depth) of the subject lands;
- description and/or sketch of the existing land uses adjacent to and within 500 metres of the subject lands;
- description and/or sketch of the natural and artificial features on the subject lands and within 500 metres of the subject lands (e.g. buildings, railways, wells, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, etc.); and,
- any studies identified in the Policies of Section 2 to 10 of this Plan.

10.11.4 In addition to the requirements of paragraph 10.11.3 additional information and materials in the form of the studies or assessments listed in this paragraph may be required in order to consider a planning application complete.

The additional information will be required as part of a complete application under the Planning Act in order to ensure that all the relevant and required information pertaining to a Planning Act application is available at the time of submission to enable Council or its designated approval authorities to make informed decisions within the time period prescribed by the Planning Act. It also ensures that the public and other stakeholders have access to all relevant information early in the planning review process.

A Planning Act application(s) shall be deemed complete provided that:

- a) it satisfies all applicable provincial requirements;
- b) it satisfies all requirements set out in this Plan; and,
- c) it is accompanied by all the other additional information and materials identified below as determined during pre-consultation.

The additional information or material that may be required includes, but is not limited to, the following:

- Active Transportation Report;
- Affordable Housing Report;
- Aggregate Impact Assessment;
- Agricultural Soils Assessment/ Impact Analysis on Agricultural Lands or Operations;
- Air Quality/ Dust/ Odour Study;
- Arborist's Report;
- Archaeological Assessment(s) and Impact Mitigation Report;
- Assessment of Adequacy of Public Services/Conceptual Site Servicing Study;
- Boundary Survey Plan
- Built Heritage & Cultural Heritage Impact Assessments;
- Concept Plan showing the ultimate use of the site, including access and internal movement;
- Condominium Conversion Assessment/Study;
- Construction Management Plan;
- Cross-section Drawings/Profiles;
- Decommissioning Plan (dismantling and removal of equipment);
- Drawings showing plan, elevation and cross-section views;
- Employment Lands Study;
- Environmental Site Assessment(s) {ESA};
- Endangered and Threatened Species Habitat Studies/ Other Wildlife Habitat Studies;
- Erosion and Sediment Control Plan;
- Functional Servicing Report/Plan;
- Financial Impact Assessment /Analysis;
- First Nations Consultation;
- Grading, Drainage and Stormwater Management Report;
- Groundwater Impact Assessment
- Geotechnical Study/Soil Stability Report;
- Groundwater Impact Study;
- Growth Management Report;
- Height and Density Assessment/ Analysis;
- Housing Issues Report;
- Hydrogeological Report;
- Illumination Study Lighting/Photometric Plan;
- Landscaping Plan/ Natural Features Plan;
- Land Use Compatibility Study;
- Massing and Conceptual Design Study (for proposed buildings);
- Retail Market Justification & Impact Assessment;
- Minimum Distance Separation Formulae Calculation;
- Municipal Servicing Capacity Report;
- Natural Heritage Evaluation- Issues Scoping Report/Environmental Impact Study;
- Noise and/or Vibration Study;

- Nutrient Management Plan;
- Parking Report/Analysis;
- Planning Needs/Justification Report;
- Shadow Analysis;
- Servicing Options Report
- Site Plan;
- Topographical Survey Plan
- Traffic Impact Study;
- Transportation Plan Update/Study;
- Tree Preservation and Protection Plan;

- 10.11.5 The list of supporting information listed in paragraph 10.11.4 above does not preclude the Municipality or its delegated approval authorities from requiring other studies or assessments in order for an application to be deemed complete.
- 10.11.6 The Municipality may require further studies or assessments following pre-consultation in response to new circumstances, which may impact the decision-making process.
- 10.11.7 The terms of reference for supporting studies and assessments, including any scoping of studies, will be prepared in consultation with the Municipality.
- 10.11.8 A qualified professional retained by and at the expense of the applicant must prepare all supporting studies and assessments. The Municipality may refuse to accept the supporting information where the quality of the submission is unsatisfactory or where it fails to adequately address the established terms of reference.
- 10.11.9 Costs incurred by the City in engaging consultants to peer review studies and assessments submitted in support of an application shall be borne by the applicant.
- 10.11.10 The Municipality may require electronic and hard copy versions of applications and supporting documentation in an acceptable format.
- 10.11.11 The Municipality may require applicants who amend development applications to participate in one or more additional pre-consultation meetings and may require the submission of revised or additional information before the Municipality would consider the amended application complete under the Planning Act.
- 10.11.12 The Municipality will issue a notice of a complete application in accordance with the Planning Act and subject to the provisions of subsection 10.11.

11.1 LAND USE BOUNDARIES

11.1.1 The boundaries of the land use designation on Schedule "A" are approximate and shall be considered as absolute only where bounded by roads, railways, creeks, or municipal boundaries. Amendments to the Plan are not required in order to make minor adjustments to the land use boundaries of the non-barrier type provided the intent of the Plan is preserved.

11.1.2 All numerical figures in the Plan are not to be interpreted as absolute and rigid. Minor variations from the figures will be permitted providing the intent of the Plan is preserved.

11.2 ACCESSORY USES

11.2.1 Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use are also permitted.

List of Official Plan Amendments

Official Plan Amendment Number	Change Made
OPA No. 1	5.1.3.12, 5.1.3.12.1
OPA No. 2	Residential to Minor Commercial. 5.6.3.8
OPA No. 3	Residential to Minor Commercial. 5.6.3.9
OPA No. 4	Residential to Minor Commercial. 5.6.3.10
OPA No. 5	Section 9.2 "Development Control" deleted and replaced with Section 9.2 Site Plan Control. 9.2.1 – 9.2.8
OPA No. 6	5.1.3.12.2
OPA No. 7	5.1.3.12.3
OPA No. 8	5.3.2.3.8, 5.3.2.3.8.1
OPA No. 9	5.1.3.12.4
OPA No. 10	5.1.3.12.5
OPA No. 11	5.1.3.12.6
OPA No. 12	Residential to Minor Commercial. Deleting and replacing 5.6.3.9, 5.6.3.9.1, 5.6.3.9.2, 5.6.3.9.3, adding new clause 5.6.3.10, 5.6.3.10.1, 5.6.3.10.2, 5.6.3.11, 5.3.11.1, 5.3.11.2, 5.3.11.3
OPA No. 13	Deleting and replacing 9.2.4, amending 9.2.1
OPA No. 14	Industrial to Residential
OPA No. 15	5.1.3.12.7
OPA No. 16	Delete and replace 5.1.3.12.2
OPA No. 17	5.9.3.9.1, 5.9.3.9.1
OPA No. 18	New subsection 4.11 Community Improvement
OPA No. 19	Repealing By-law 74-89 and 75-89
OPA No. 20	Adopting By-laws repealed now OPA No. 24
OPA No. 21	5.1.3.12.10
OPA No. 22	Repeal and replace OPA No. 15. Renumbered to 5.1.3.12.11
OPA No. 23	Amended 5.6.3.8 a)
OPA No. 24	OPA Refused
OPA No. 25	Deleting subsection 5.1.3.9 and replacing with new 5.1.3.9 (Local Commercial)
OPA No. 26	5.1.3.12.12
OPA No. 27	Municipal boundary adjustment. Designating lands Highway Commercial and Residential. Update to Schedule "B" – Roads Plan.
OPA No. 28	OPA Refused
OPA No. 29	Schedule "D" – Community Improvement Area
OPA No. 30	Comprehensive update
OPA No. 31	Comprehensive update
OPA No. 32	5.3.2.3.8
OPA No. 33	5.1.3.12.14
OPA No. 34	Commercial to Residential
OPA No. 35	5.1.3.12.15
OPA No. 36	5.1.3.12.16
OPA No. 37	5.1.3.12.17
OPA No. 38	5.1.3.12.18

OPA No. 39	Boundary adjustment and designation to Residential
OPA No. 40	5.3.3.3.10
OPA No. 41	5.6.3.12, 5.6.3.12.1 – 5.6.3.12.5
OPA No. 42	Comprehensive update
OPA No. 43	Dalewood Crossings Development Area – Comprehensive update
OPA No. 44	Alma Village – 5.1.3.12.19, Industrial to Residential
OPA No. 45	30 Woodland Road - 5.1.3.12.20
OPA No. 46	5.6.3.6
OPA No. 47	Industrial to Power Centre Commercial, 3.4, 3.4.1 – 3.4.5, 3.6, 3.6.1 – 3.6.3, 4.3, 4.3.1 – 4.3.3, 5.3.1.3.2, 5.3.3.2 ii), 5.3.3.3.3, 5.5, 5.5.1 – 5.5.3.11, 5.5.4, 5.5.4.1 – 5.5.4.2
OPA No. 48	5.9.3.1(a – Adult Entertainment
OPA No. 49	5.1.3.12.21 – 40 Alma Street
OPA No. 50	Comprehensive update
OPA No. 51	5.7.3.14 – Shaw Valley Minor Commercial
OPA No. 52	5.1.3.12.22 – 90 Talbot Street
OPA No. 53	Major Industrial to Highway Commercial
OPA No. 54	Deletion of Special Development Area 2 from Schedule “E”, deletion of 5.13.2 (should be 5.14.2 as section was renumbered through a previous amendment)
OPA No. 55	5.9.3.10 (should be 5.10.3.10)
OPA No. 56	5.7.3.13.1
OPA No. 57	4.3.2 iii), 5.6.1, 5.6.3.16
OPA No. 58	5.1.3.12.23
OPA No. 59	Industrial to Secondary Commercial
OPA No. 60	5.6.3.14.1 (duplicate numbering)
OPA No. 61	5.1.3.12.23
OPA No. 62	5.1.3.12.25
OPA No. 63	Major Industrial to Residential, 5.1.3.12.26
OPA No. 64	5.1.3.12.26
OPA No. 65	OPA Refused
OPA No. 66	Comprehensive Update
OPA No. 67	Industrial to Residential, 5.1.3.11.27
OPA No. 68	4.12 – Community Gardens
OPA No. 69	Residential to Minor Commercial
OPA No. 70	5.10.3.12
OPA No. 71	5.6.3.17
OPA No. 72	Industrial to Office/Professional
OPA No. 73	10.2 – Site Plan, 10.11 – Early Consultation
OPA No. 74	5.8.3.5
OPA No. 75	5.1.3.11.22 (duplicate numbering)
OPA No. 76	Day cares
OPA No. 77	Comprehensive mapping, 5.16 Railway Tourism
OPA No. 78	5.9.3.6
OPA No. 79	5.10.3.9 ii) b)
OPA No. 80	5.1.3.11.23 (duplicate numbering)
OPA No. 81	5.9.3.7

OPA No. 82	5.9.3.8
OPA No. 83	5.1.3.11.24
OPA No. 84	5.3.3.3.13
OPA No. 85	5.1.3.11.22 (duplicate numbering)
OPA No. 86	5.8.3.5 (duplicate numbering)
OPA No. 87	5.10.3.12 (duplicate numbering)
OPA No. 88	No file
OPA No. 89	5.1.3.11.23 (duplicate numbering)
OPA No. 90	Comprehensive update
OPA No. 91	Deletion of 5.1.3.12.19 (Alma Village, which should have been 5.1.3.11.19)
OPA No. 92	4.6
OPA No. 93	5.7.3.11.1
OPA No. 94	5.8.3.6 (duplicate numbering)
OPA No. 95	5.4.3.10
OPA No. 96	Residential to Minor Commercial
OPA No. 97	Positioned for Growth (Area 1) amendment plus updates to various policies.
OPA No. 98	Dennis Road mapping change
OPA No. 99	340 Highbury business office
OPA No. 100	Orchard Park Meadows mapping change

SCHEDULE "A"

TO THE OFFICIAL PLAN OF THE CITY OF ST. THOMAS

LAND USE PLAN

LAND USE DESIGNATION

- Residential
- Downtown Residential
- Talbot West
- Talbot Central
- Talbot East
- Power Centre
- Major Commercial
- Mixed Use Development
- Secondary Commercial
- Minor Commercial
- Highway Commercial
- Office Professional
- Employment Lands
- Business Employment
- Open Space and Conservation
- STORC Complex
- Natural Heritage
- Natural Hazard
- Railway Tourism
- Rural Area
- Ed / Rec Complex

- ★ Former Waste Site
- ◆ Transfer Station
- Sewage Treatment Plant

Note: Source MOE Waste Disposal Site Inventory - June 1991

Legend

- +++++ Railway
- Water Course
- Water Body
- Municipal Boundary



Schedule "A" forms part of the Official Plan of the City of St. Thomas and must be read in conjunction with the written text.



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0 400 800 1200
Metres
10/24/2024

SCHEDULE "A"
TO OFFICIAL PLAN AMENDMENT
CITY OF ST. THOMAS

SCHEDULE "B"

TO THE OFFICIAL PLAN OF THE CITY OF ST. THOMAS

ROADS PLAN

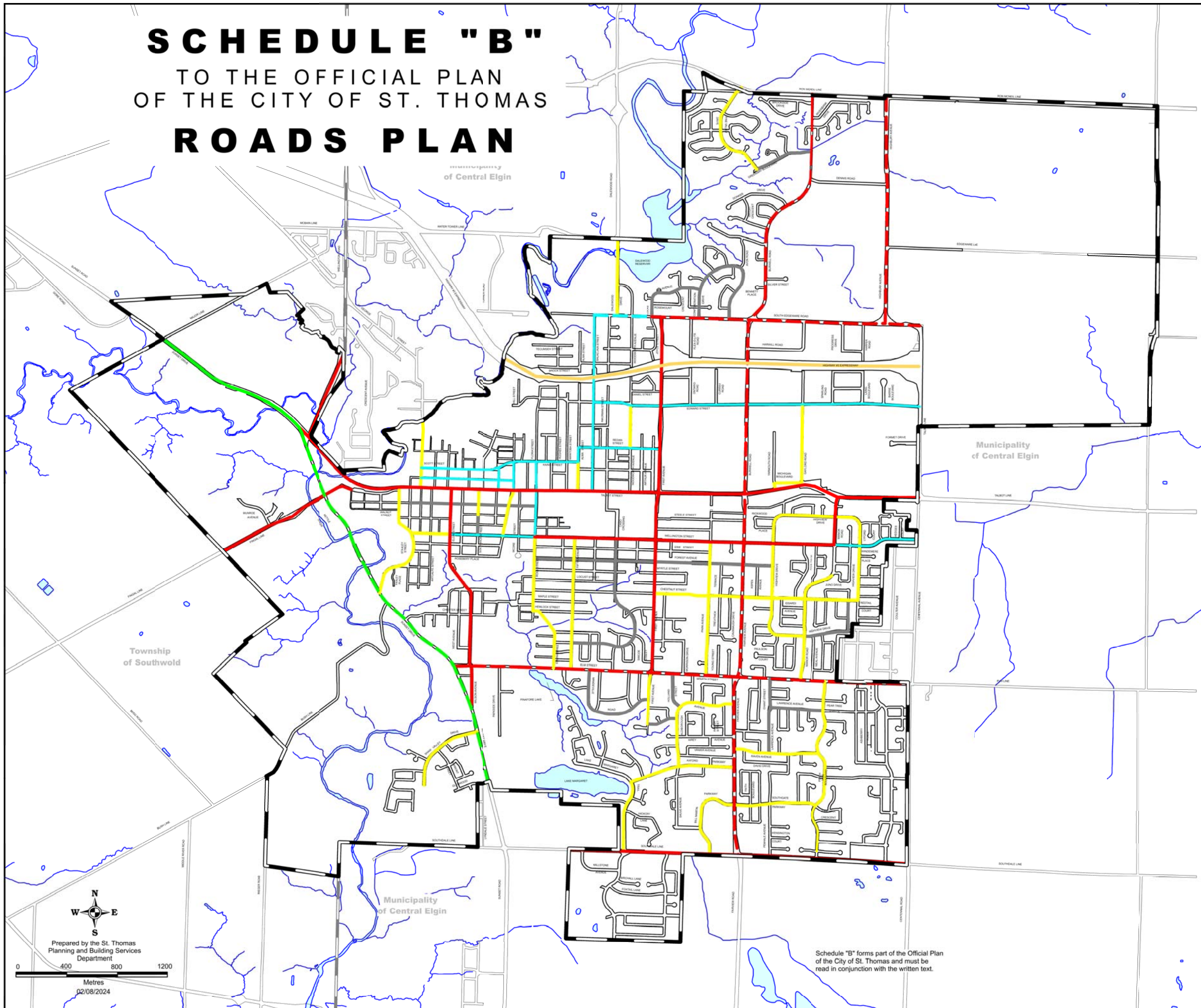
ROADS CLASSIFICATION

- Expressway
- Highway or Major County Road
- - - Highway or Major County Road with Bike Lane
- Major Arterial
- - - Major Arterial with Bike Lane
- Minor Arterial
- - - Minor Arterial with Bike Lane
- Major Collector
- Minor Collector

— Local Road

Legend

- +— Railway
- Water Course
- Water Body
- St. Thomas Boundary



Schedule "B" forms part of the Official Plan of the City of St. Thomas and must be read in conjunction with the written text.



SCHEDULE "C"

TO THE OFFICIAL PLAN OF THE CITY OF ST. THOMAS

ROADS WIDENING PLAN

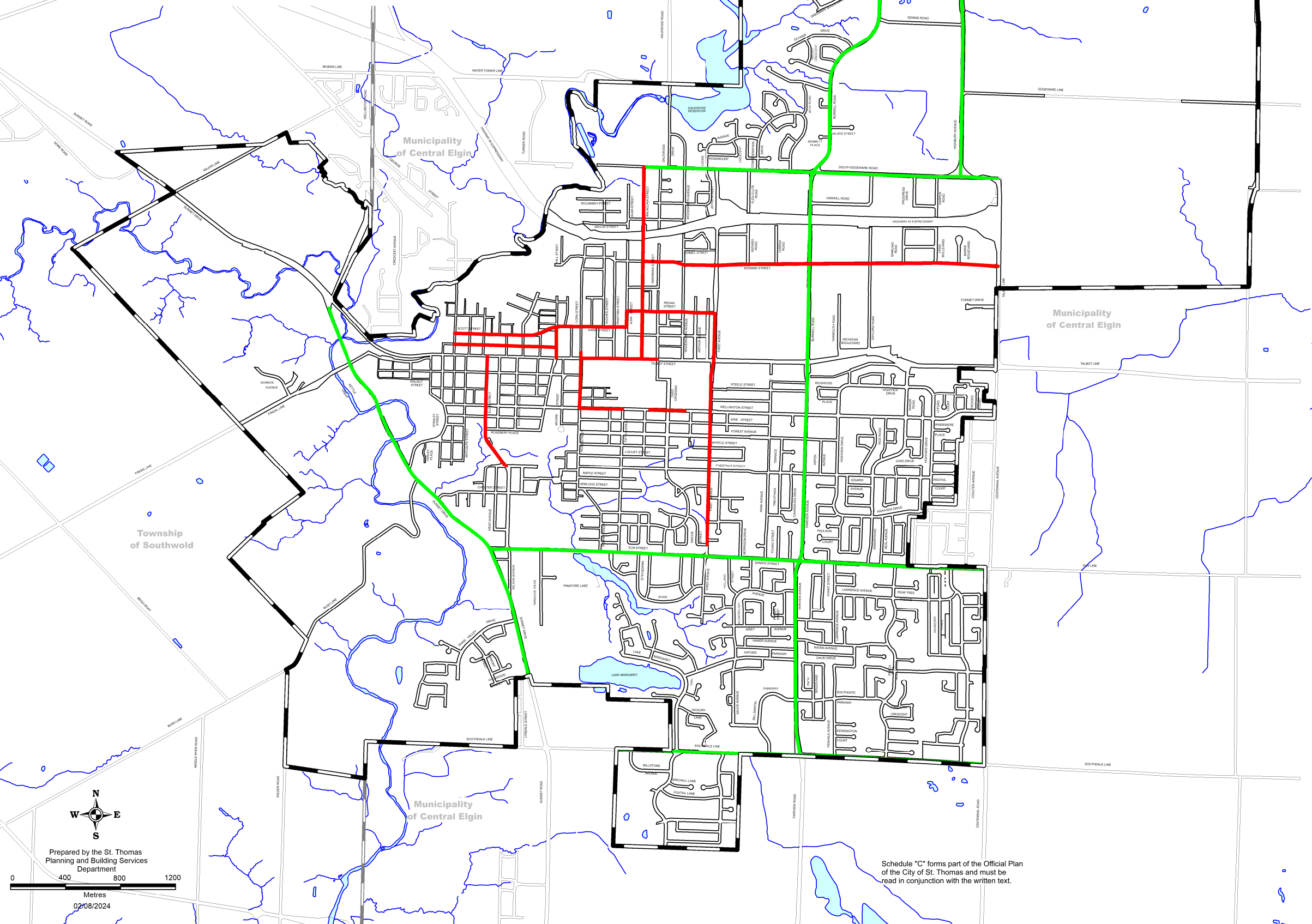
PROPOSED ROAD WIDENING

Minimum Widths Required

- 26 Metre Road Allowance
- 29 Metre Road Allowance

Legend

- Water Course
- Water Body
- St. Thomas Boundary



Schedule "C" forms part of the Official Plan of the City of St. Thomas and must be read in conjunction with the written text.



SCHEDULE "II"
TO OFFICIAL PLAN AMENDMENT No. 109
CITY OF ST. THOMAS

W

N

E

S

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Metres

02/08/2024

SCHEDULE "D"

TO THE OFFICIAL PLAN
OF THE CITY OF ST. THOMAS

COMMUNITY IMPROVEMENT PROJECT AREA

COMMUNITY IMPROVEMENT

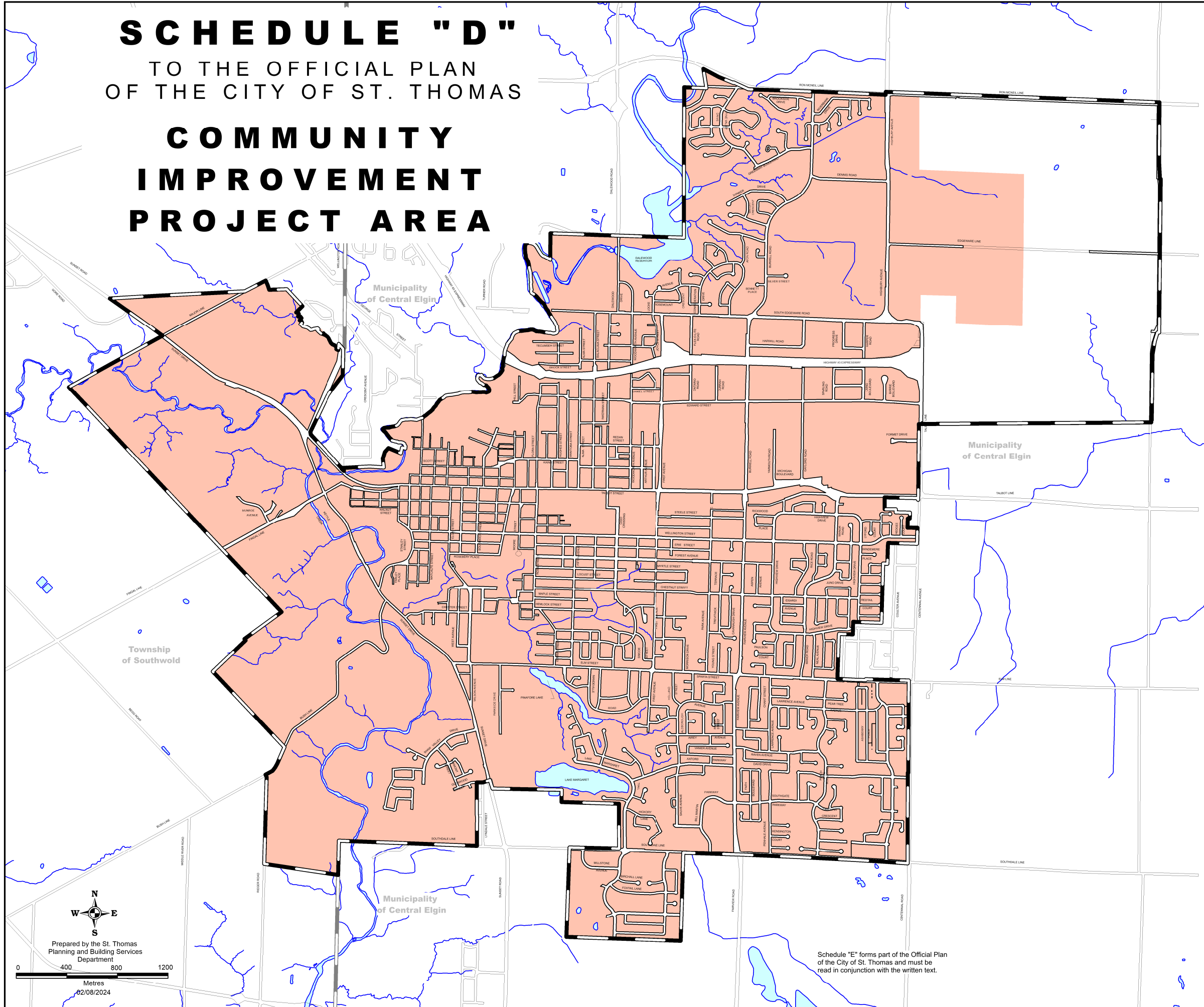
 Community Improvement Area

Legend

 Water Course

 Water Body

 St. Thomas Boundary



Schedule "E" forms part of the Official Plan
of the City of St. Thomas and must be
read in conjunction with the written text.



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02/08/2024


ST. THOMAS
THE RAILWAY CITY

SCHEDULE "IV"
TO OFFICIAL PLAN AMENDMENT No. 109
CITY OF ST. THOMAS

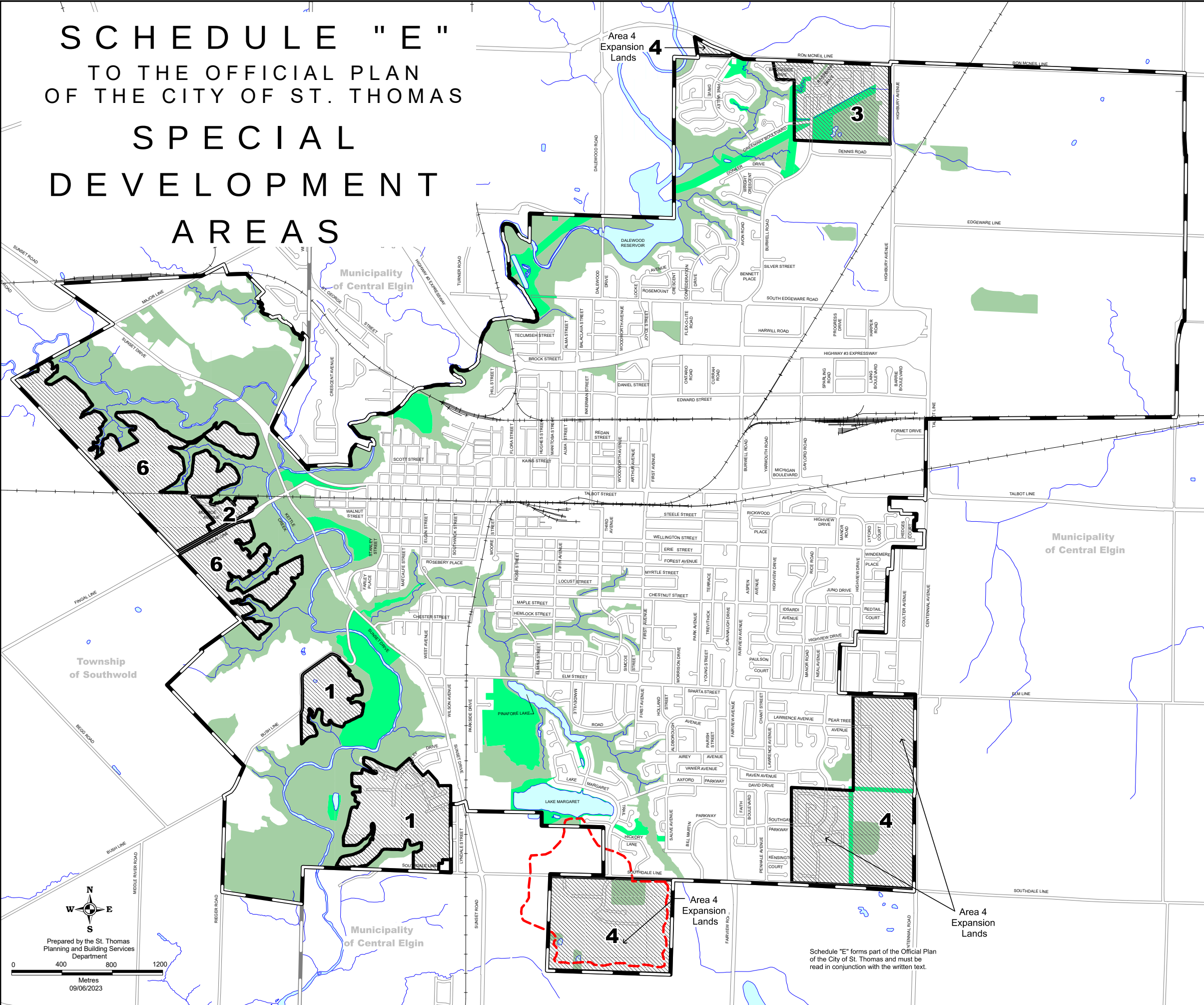
SCHEDULE "E"
TO THE OFFICIAL PLAN
OF THE CITY OF ST. THOMAS
SPECIAL
DEVELOPMENT
AREAS

SPECIAL DEVELOPMENT AREAS

- Special Development Areas 1 - 4, 6
- Special Development Area 5
- Natural Heritage
- Open Space and Conservation

Legend

- Railway
- Water Course
- Water Body
- St. Thomas Boundary



SCHEDULE "I"
TO OFFICIAL PLAN AMENDMENT No. 108
CITY OF ST. THOMAS

Schedule "E" forms part of the Official Plan of the City of St. Thomas and must be read in conjunction with the written text.

SCHEDULE "F"

TO THE OFFICIAL PLAN OF THE CITY OF ST. THOMAS

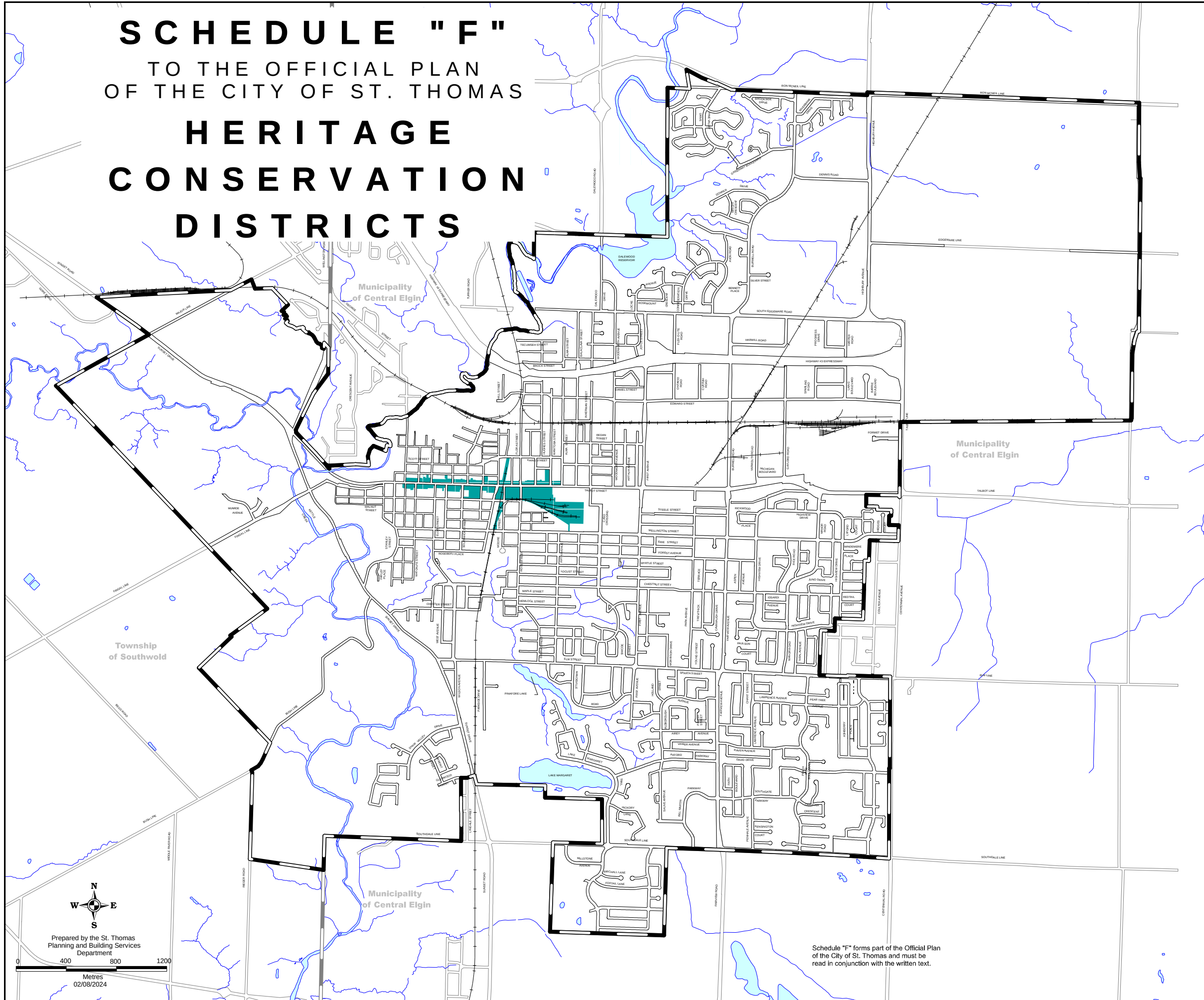
HERITAGE CONSERVATION DISTRICTS

HERITAGE CONSERVATION DISTRICTS

 Heritage Conservation Districts

Legend

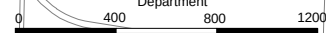
-  Railway
-  Water Course
-  Water Body
-  St. Thomas Boundary



Schedule "F" forms part of the Official Plan of the City of St. Thomas and must be read in conjunction with the written text.



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02/09/2024