

THE CORPORATION OF THE TOWN OF ST. MARYS

BY-LAW NO. Z98-2012

Being a By-law to amend By-law No. Z1-1997, as amended, which may be cited as "The Zoning By-law of the Town of St. Marys", and which is a By-law to prohibit the use of land and the erection, location, and use of buildings or structures except for certain purposes, and to regulate the height, bulk, location, size, floor area, spacing, character, and use of buildings and structures to be erected or located within the municipality, and the minimum frontage and depth of the parcel of land and the proportion of the area of the parcel of land that any building or structure may occupy.

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

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, as amended, By-laws may be passed by Councils of municipalities for prohibiting or regulating the use of land and the erection, location, or use of buildings or structures within the municipality for or except for such purposes as may be set out in the By-law, and for regulating in certain respects buildings or structures to be erected or located within the municipality;

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

1. The area shown in the hatching on the attached map, Schedule "A", and described as Part of Lot 15, Thames Concession, Part of Lot 15, Concession 17, and Part of Lot 16, Concession 17 in the Town of St. Marys shall be removed from the "Agricultural Zone One (A1)" of By-law No. Z1-1997 and shall be placed in the "Residential Zone Three (R3)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 10.10.11 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as "R3-11" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.
2. That Section 10.10 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

10.10.11	R3-11
(a)	Location: Part of Lot 15, Thames Concession, Part of Lot 15, Concession 17, and Part of Lot 16, Concession 17.
(b)	Notwithstanding the provisions of Section 10.2.4 of By-law No. Z1-1997 to the contrary, the minimum front yard for the land within the "R3-11" zone as shown on Key Map 2 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z98-2012) shall be 7.5 metres.
(c)	All other provisions of this By-law, as amended, shall apply.
3. The area shown in the fine-hatching on the attached map, Schedule "A", and described as Part of Lot 15, Thames Concession and Part of Lot 15, Concession 17 in the Town of St. Marys shall be removed from the "Agricultural Zone One (A1)" of By-law No. Z1-1997 and shall be placed in the "Residential Zone Three (R3)" of By-law No. Z1-1997. The zoning of this land shall be shown as "R3" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.
4. The area shown in the fine-stippling on the attached map, Schedule "A", and described as Part of Lot 16, Concession 17, in the Town of St. Marys shall be removed from the "Agricultural Zone One (A1)" of By-law No. Z1-1997, shall be placed in the "Residential Zone Three (R3)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 10.10.12 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as "R3-12" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.

5. That Section 10.10 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

10.10.12 R3-12

- (a) Location: Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 10.2.4 of By-law No. Z1-1997 to the contrary, the minimum front yard for the land within the "R3-12" zone as shown on Key Map 2 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z98-2012) shall be 8.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

6. The area shown in the cross-hatching on the attached map, Schedule "A", and described as Part of Lot 16, Concession 17 in the Town of St. Marys shall be removed from the "Agricultural Zone One (A1)" of By-law No. Z1-1997, shall be placed in the "Residential Zone Three (R3)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 10.10.13 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as "R3-13" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.

7. That Section 10.10 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

10.10.13 R3-13

- (a) Location: Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 10.2.4 of By-law No. Z1-1997 to the contrary, the minimum front yard for the land within the "R3-13" zone as shown on Key Map 2 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z98-2012) shall be 10 metres.
- (c) Notwithstanding the provisions of Section 10.2.5 of By-law No. Z1-1997 to the contrary, the minimum southerly interior side yard for the land within the "R3-13" zone as shown on Key Map 2 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z98-2012) shall be 2.4 metres.
- (d) All other provisions of this By-law, as amended, shall apply.

8. The area shown in the stippling on the attached map, Schedule "A", and described as Part of Lot 16, Concession 17 in the Town of St. Marys shall be removed from the "Agricultural Zone One (A1)" of By-law No. Z1-1997 and shall be placed in the "Residential Zone Three (R3)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 10.10.11 as herein set forth and Section 27.2.4 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as "R3-11-H3" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.

9. That Section 27.2 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

27.2.4 -H3

Purpose

To ensure safe vehicular movements along Emily Street, the H3 symbol shall not be removed until it is demonstrated, to the Town's satisfaction, that the sightlines associated with the Emily Street underpass are adequate for safe vehicular movements in terms ingress and egress to the subject lands.

Permitted Interim Uses

Uses lawfully existing as of the date of adoption of By-law No. Z98-2012.

10. Schedule "A", attached hereto, shall form part of this By-law.

11. All other provisions of By-law No. Z1-1997, as amended, shall apply.

12. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act, as amended, and to Regulations thereunder.

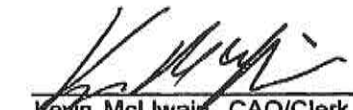
13. This By-law shall come into force on the day it was passed pursuant to the Planning Act, and to the Regulations thereunder.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF JULY, 2012.

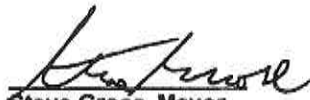

Steve Grose, Mayor


Kevin McIlwain, CAO/Clerk

Certified a true copy of By-law No. Z98-2012 passed by the Council of the Corporation of the Town of St. Marys, July 24, 2012.


Kevin McIlwain, CAO/Clerk

THIS IS **SCHEDULE "A"**
 TO **BY-LAW NO. Z98-2012**
 OF THE **CORPORATION OF THE TOWN OF ST MARYS**
 PASSED THIS 24th DAY OF JULY, 2012


 Steve Grose, Mayor


 Kevin McIlwain, CAO - Clerk



AREA SHOWN IN HATCHING AND AFFECTED BY THIS BY-LAW
 Remove from the "Agricultural Zone (A1)" of By-law No. Z1-1997,
 place in the "Residential Zone Three (R3)" of By-law No. Z1-1997 and
 shall be subject to subject to the provisions of Section 10.10.11 of By-law No. Z1-1997.



AREA SHOWN IN FINE HATCHING AND AFFECTED BY THIS BY-LAW
 Remove from the "Agricultural Zone (A1)" of By-law No. Z1-1997,
 place in the "Residential Zone Three (R3)" of By-law No. Z1-1997.



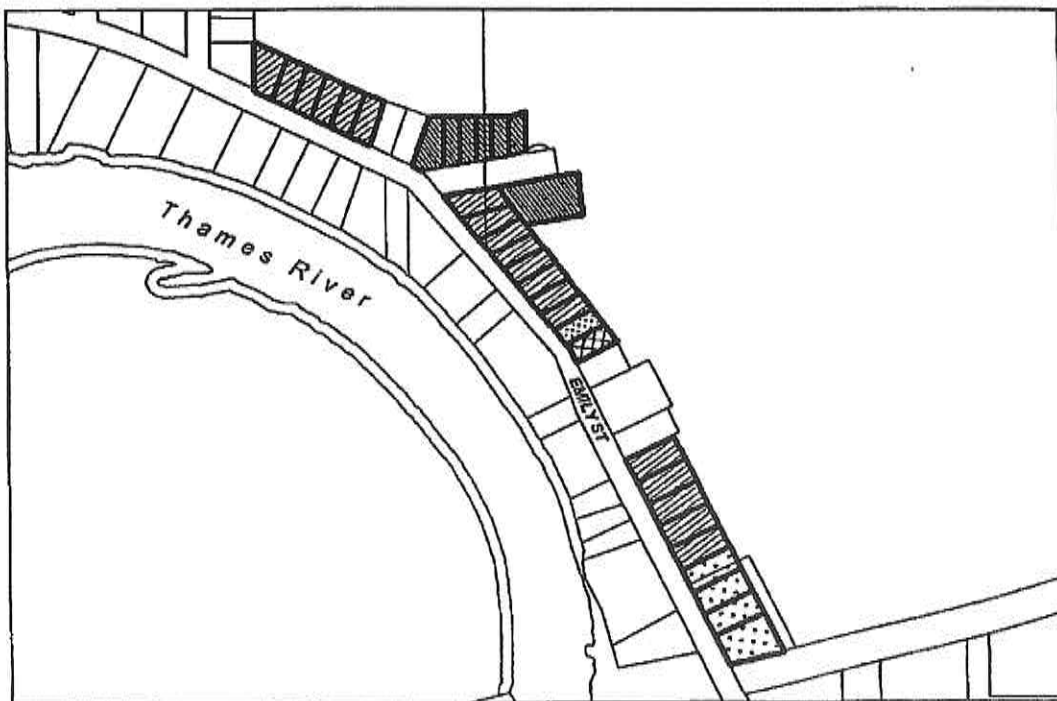
AREA SHOWN IN FINE STIPPLING AND AFFECTED BY THIS BY-LAW
 Remove from the "Agricultural Zone (A1)" of By-law No. Z1-1997,
 place in the "Residential Zone Three (R3)" of By-law No. Z1-1997 and
 shall be subject to subject to the provisions of Section 10.10.12 of By-law No. Z1-1997.



AREA SHOWN IN CROSS-HATCHING AND AFFECTED BY THIS BY-LAW
 Remove from the "Agricultural Zone (A1)" of By-law No. Z1-1997,
 place in the "Residential Zone Three (R3)" of By-law No. Z1-1997 and
 shall be subject to subject to the provisions of Section 10.10.13 of By-law No. Z1-1997.



AREA SHOWN IN STIPPLING AND AFFECTED BY THIS BY-LAW
 Remove from the "Agricultural Zone (A1)" of By-law No. Z1-1997,
 place in the "Residential Zone Three (R3-11-Hy)" of By-law No. Z1-1997 and
 shall be subject to subject to the provisions of Section 27.2.4 of By-law No. Z1-1997.



THE CORPORATION OF THE TOWN OF ST. MARYS**BY-LAW NO. Z126-2018**

Being a By-law pursuant to the provisions of Section 36 of the Planning Act to amend By-law No. Z1-1997, as amended, which may be cited as "The Zoning By-law of the Town of St. Marys", to remove holding symbols affecting lands located on 247, 243 and 239 Emily Street (Lots 30, 31 and 32, Registered Plan 44M-64)

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

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

1. The area shown in hatching on the attached map, Schedule "A", and described as Lots 30, 31 and 32, Registered Plan 44M-64 in the Town of St. Marys shall be removed from the "Residential Zone Three (R3-11-H₃)" of By-law No. Z1-1997 and shall be placed in the "Residential Zone Three (R3-11)" of By-law No. Z1-1997. The zoning of this land shall be shown as "R3-11" on Key Map 2 of Schedule "A" to By-law No. Z1-1997, as amended.
2. Schedule "A", attached hereto, shall form part of this By-law.
3. All other provisions of By-law No. Z1-1997, as amended, shall apply.
4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act, as amended, and to Regulations thereunder.
5. This By-law shall come into force on the day it was passed pursuant to the Planning Act, and to the Regulations thereunder.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 12th DAY OF JUNE, 2018.

Al Strathdee, Mayor

Brent Kittmer, CAO-Clerk

THIS IS **SCHEDULE "A"**
TO **BY-LAW NO. Z126-2018**
OF THE **CORPORATION OF THE TOWN OF ST. MARYS**
PASSED THIS 12TH DAY OF JUNE, 2018

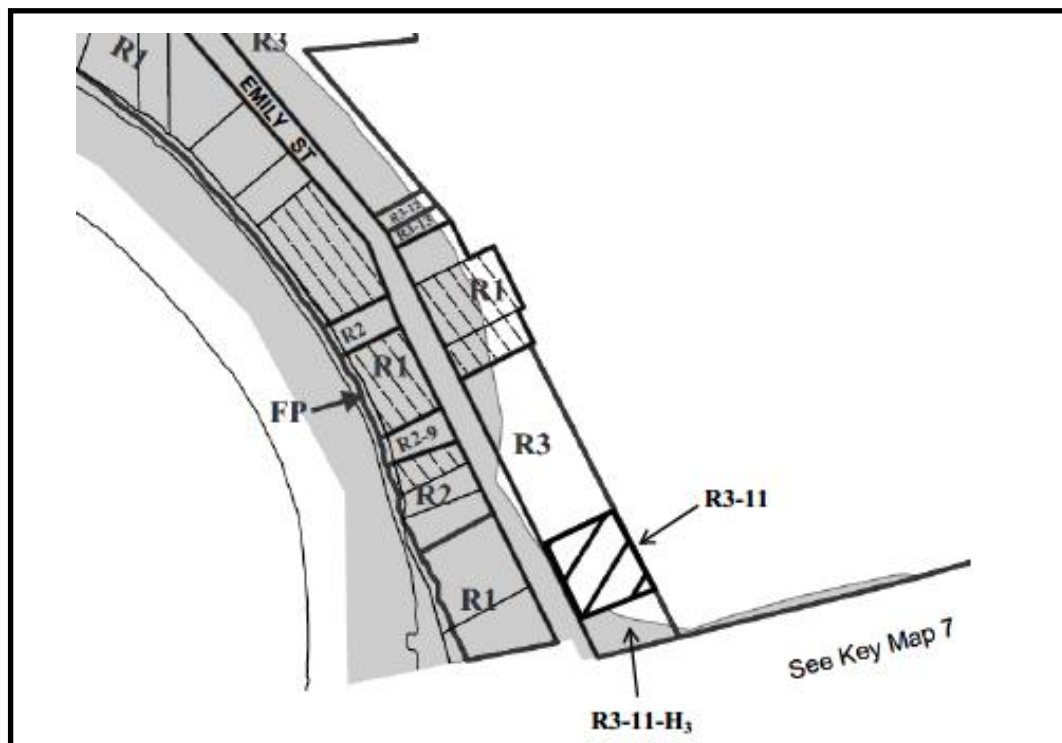
Al Stratheed, Mayor

Brent Kittmer, CAO-Clerk



AREA AFFECTED BY THIS BY-LAW

Remove from the "Residential Zone Three (R3-11-H₃)" of By-law No. Z1-1997, and placed in the "Residential Zone Three (R3-11)" of By-law No. Z1-1997.





MEMO

Engineering & Public Works

To: Susan Luckhardt
cc: Mark Stone
Date: May 31, 2018
File: Z05-2017

From: Jeff Wolfe
☐ For Your Information
☐ For Your Approval
☐ For Your Review
☒ As Requested

Subject: H3 Holding removal of Lots 30,31,32,33 on Emily Street

Susan,
Public Works has had the opportunity to review the request to remove the holding provisions on lots 30,31,32,33 of the Thames Crest Farms Emily Street subdivision.

The holdings were originally placed on the lots to ensure that the driveways of the new lots would be safe to enter and exit due to concern about the nearby overpass impeding sight line of motorists. The developer's consultant completed a sight line analysis specifically looking at the sight line impacts of lot 33. It was determined that a vehicle travelling 50km/hr did not have sufficient sight line or time to stop to avoid a collision with a motorist leaving the driveway of lot 33. We had the sight line analysis reviewed by BM Ross and had BM Ross provide a letter. The original sight line analysis and BM Ross letter are attached.

The following recommendations came as a result of the review for Lot 33:

1. The developer should contact Festival Hydro to determine whether the guy wire and anchor could be replaced with a brace pole, allowing the lot 33 driveway to move further to the north
2. The local speed limit should be reduced to 40km/hr on Emily St. from Water St. N to Glass St.
3. A "hidden driveway" sign should be installed on the south side of the overpass warning northbound traffic of the potential hazard.
4. A 1 foot reserve should be placed on the southerly 10m of lot frontage of Lot 33 so that the driveway entrance could not be installed any closer to the over pass than what was assessed in the sight line analysis.
5. The future extension of Wellington St. N. to Glass St. should reduce the volume of traffic utilizing Emily St. travelling to and from the downtown core. This reduction in traffic would reduce the likelihood of a collision occurring at the Lot 33 driveway. It is recommended that the H3 holding remain in place until the developer extends Wellington St. to Glass St.

MEMO

H3 Holding removal of Lots 30,31,32,33 on Emily Street

For the remaining lots 30, 31 & 32, the only recommendation is that the speed limit be reduced to 40km/hr from Water St. N. to Glass St.

I trust this information is of assistance.

Respectfully submitted,

Jeff Wolfe, C.Tech.,
Public Works

**B. M. ROSS AND ASSOCIATES LIMITED****Engineers and Planners**

62 North Street, Goderich, ON N7A 2T4

p. (519) 524-2641 • f. (519) 524-4403

www.bmross.net

File No. 18014

March 12, 2018

Jeff Wolfe, Engineering Specialist, Public Works
 Town of St. Marys
 Municipal Operations Centre
 P.O. Box 998, 408 James St. S.
 St. Marys, ON, N4X 1B6

Dear Sir

Re: Lot 33 Emily Street, St. Marys

As requested, BMROSS reviewed the Sight Distance Analysis for Emily Street and driveway for Lot 33 (attached) and have the following comments.

1. The analysis assumed that a parked car would be on the north side of the proposed drive for Lot 33. The worst-case scenario would be to do the analysis with the parked car on the south side of the drive. This would result in a shorter Stopping Sight Distance (SSD).
2. The location of the approaching vehicle is approximately in the middle of the westbound lane. This would be a typical location for the analysis.
3. The uphill gradient is noted as 2.27% and 5.77% on the profile. The assumed gradient of 3% used for the analysis is acceptable.
4. The graphical approach of determining the SSD of 61m appears to be consistent with typical Stopping Sight Distance analysis techniques. From the TAC table, a SSD of 61m relates to a Design Speed of 50km/hr as noted in the analysis. If the parked car was closer than the 61m, the SSD criteria for a design speed of 50km/hr would not be achieved.

Since the design speed associated with the Stopping Sight Distance of 61m is 50km/hr and the worst-case scenario was not reviewed, BMROSS would recommend that the Town retain the hold on Lot 33 at least until further design development or analysis can be performed. This analysis could potentially include the relocation of the drive to the north; should consider the parked vehicle entering Emily Street from the south side of the drive and determine what the Operating Speed of vehicles in the area is. The additional design development and analysis should include the following:

1. Contact Festival Hydro to inquire about the replacement of the guy wire & anchor with a brace pole instead. The existing utility pole near the north lot line for Lot 33 has a guy wire and anchor that hinders the location of the driveway to Lot 33. If Festival Hydro is receptive

to this, the brace pole would be located on the north side of the utility pole which could facilitate the removal of the guy and thus permit the relocation of the proposed driveway further north. With the new driveway location the Stopping Sight Distances should improve slightly.

2. It would be beneficial to have some data on the Operating Speed (85th percentile speed of vehicles at times when traffic volumes are low and drivers are free to choose the speed at which they travel) of the vehicles in the vicinity of this underpass so that the SSD requirements for vehicles operating speed could be determined. Even though Emily Street is posted at 50km/hr, the Operating Speed of the vehicles may be less than the posted speed, as drivers tend to slow down when obstructions are located in close proximity to the travel lanes such as the bridge abutments. With data supporting the Operating Speed, the required SSD for this speed may be satisfied.
3. A review of the lighting levels should be performed to determine if the levels satisfy the site conditions.
4. A localized reduction in posted speed is always an option to consider as the provided analysis falls short of the TAC Guidelines.
5. Install a "Hidden Driveway" sign (CW-2) on the south side of the underpass and pass a By-Law for its installation.
6. It is understood that in the near future, Glass Street will be extended between Emily Street and the Wellington Street North extension and that with this construction, the traffic volumes on Emily Street between Glass Street and Water Street will potentially be reduced. This reduction in traffic volumes will reduce the potential risks associated with backing a vehicle onto the street as there will be fewer vehicles on the road.

Hopefully we have addressed all your concerns regarding the proximity of the driveway to the underpass and how to potentially minimize the risks.

Should you have any questions, please contact the undersigned.

Yours very truly

B. M. ROSS AND ASSOCIATES LIMITED

Per 
Darren L. Alexander, P. Eng.

DLA:es
Encl.



TECHNICAL MEMORANDUM

TO:	Jeff Wolfe	MTE FILE NO.:	35499-115
COMPANY:	Town of St. Marys	DATE:	December 6, 2017
CC:	Craig Linton – Developro	FROM:	Jamie Dick
	Land Services Inc.	PROJECT NAME:	Thamescrest Subdivision

Re: Sight Distance Analysis for Emily Street and Lot 33 Driveway

Introduction

MTE Consultants was retained by Thamescrest Farms Ltd to prepare a Sight Distance Analysis between Emily Street and the Lot 33 driveway for the removal of the H3 zoning provision. The Stopping Site Distance analysis was completed according to the Transportation Association of Canada ("TAC") Geometric Design Guide for Canadian Roads, June 2017.

Road Network

Emily Street is a local road within the Town of St Marys with a posted speed limit of 50km/h at the proposed driveway to Lot 33. For the site distance analysis; a design speed of 60km/h (10km/h over the reduced posted speed) was utilized.

Stopping Sight Distance


Sight distance calculations were completed in accordance with the Geometric Design Guide for Canadian Roads ("GDGCR TAC 2017"). The minimum stopping sight distance ("SSD") is based on a design speed of 60km/h and an upgrade of 3%.

The minimum SSD required for Emily Street is 80m; see Figure 1 for (Table 2.5.3 from the GDGCR TAC 2017). The SSD is used to verify that vehicles driving north on Emily Street have an adequate distance to stop for vehicles which may be waiting to pull out from the Lot 33 driveway. The available turning sight distances and the center line road profile for Emily Street are presented on Figure 2.0.

Conclusions

The minimum stopping sight distance of 80m is not achieved for this scenario. A maximum sight distance of 61m is available due to the tunnel abutment. The operating speed limit on Emily Street would need to be reduced to 40km/h to achieve a SSD of 61m for a design speed of 50km/h as seen in the Figure 1 table.

MTE CONSULTANTS INC.



Jamie Dick, P.Eng.
Design Engineer

M:\35499\115 (Emily Street construction)\02 - Reports\MTE Reports\35499-115 - Sight Distance Review.doc

MTE Consultants Inc.

365 Home Street
Stratford, Ontario N5A 2A5
Phone: 519-271-7952
Fax: 519-271-3545

www.mte85.com



TECHNICAL MEMORANDUM

Figure 1.0 – Stopping Sight Distance

Table 2.5.3: Stopping Sight Distance on Grades⁵⁵

Design Speed (km/h)	Stopping Sight Distance (m)					
	Downgrades (%)			Upgrades (%)		
	3	6	9	3	6	9
20	20	20	20	19	18	18
30	32	35	35	31	30	29
40	50	50	53	45	44	43
50	66	70	74	61	59	58
60	87	92	97	80	77	75
70	110	116	124	100	97	93
80	136	144	154	123	118	114
90	164	174	187	148	141	136
100	194	207	223	174	167	160
110	227	243	262	203	194	186
120	263	281	304	234	223	214
130	302	323	350	267	254	243

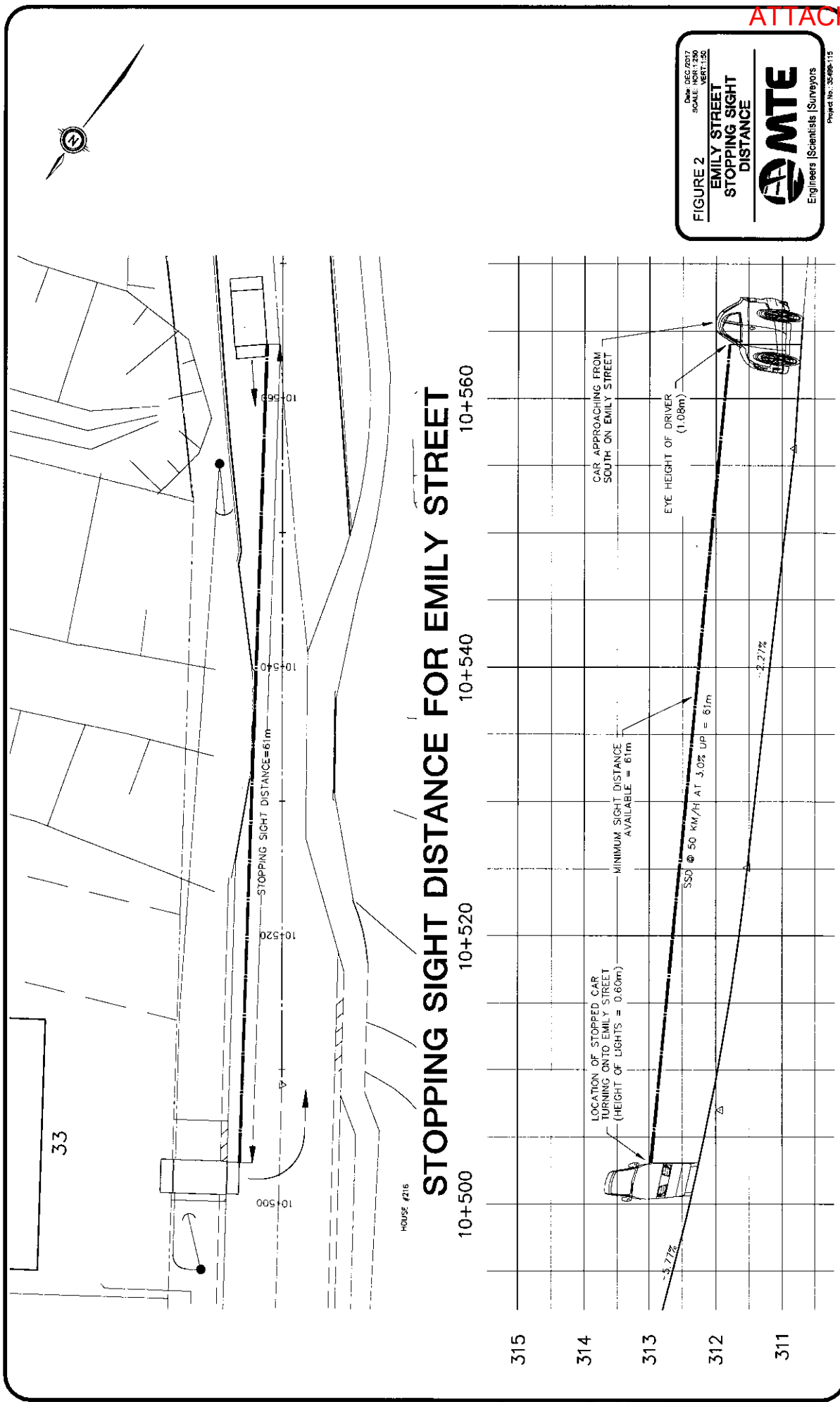


FIGURE 2 Date: DEC 2017
 SCALE: HORIZ 1:250
 VERT 1:50

**EMILY STREET
 STOPPING SIGHT
 DISTANCE**

MTE
 Engineers | Scientists | Surveyors

Project No: 30498-115