

**NOTICE OF THE PASSING
OF A ZONING BY-LAW BY
THE CORPORATION OF THE TOWN OF ST. MARYS**

TAKE NOTICE that the Council of the Corporation of the Town of St. Marys passed By-law No. Z117-2016 on the _____ day of _____, 2016 under Section 34 of the Planning Act, R.S.O. 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Town of St. Marys not later than the _____ day of _____, 2016 a notice of appeal setting out the objection to the By-law and the reasons in support of the objection and accompanied by the proper fee.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a key map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in my office during regular office hours.

Dated at the Town of St. Marys this _____ day of _____, 2016.

Mr. Brent Kittmer, CAO-Clerk
Town of St. Marys
175 Queen Street East, P.O. Box 998
St. Marys, Ontario N4X 1B6
Telephone: (519) 284-2340; Fax (519) 284-3881

NOTE: Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group.

No person or public body shall be added as a party to the hearing of the appeal unless, before the By-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

THE CORPORATION OF THE TOWN OF ST. MARYS

BY-LAW NO. Z117-2016

BEING a By-law pursuant to the provisions of Section 34 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" affecting land located on Part of Block 13, Registered Plan No. 250 in the Town;

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 Part of Block 13, Registered Plan No. 250 in the Town of St. Marys shall be removed from the "Residential Zone Two (R2-1)", of By-law No. Z1-1997, shall be placed in the "Residential Zone Five (R5-6)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 12.9.6 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as "R5-6-H-H" on Key Map 14 of Schedule "A" to By-law No. Z1-1997, as amended.

2. That Section 12.9.6 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

12.9.6 R5-6

- (a) Location: Part of Block 13, Registered Plan No. 250, Key Map 14
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, one fourplex dwelling; one six-plex dwelling (6 units); and accessory uses, buildings, and structures shall be permitted on the land within the "R5-6" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z117-2016).
- (c) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the following regulations shall apply for the permitted uses on the land within the "R5-6" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
 - (i) Lot Area, Minimum 2,000 square metres;
 - (ii) Lot Frontage, Minimum 21.0 metres;
 - (iii) Lot Depth, Minimum 37.0 metres;
 - (iv) Lot Coverage, Maximum 35 per cent;
 - (v) Landscaped Open Space, Minimum 35 per cent;
 - (vi) Parking Requirements In accordance with the provisions of Section 5.21.
- (d) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the site regulation for a fourplex dwelling as permitted by clause (b) on the land within the "R5-6" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
 - (i) Front Yard, Minimum 6.0 metres;
 - (ii) Interior Side Yard, Minimum 3.5 metres;
 - (iii) Rear Yard, Minimum 7.5 metres;
 - (iv) Building Height, Maximum 10.5 metres;
 - (v) Gross Floor Area per Dwelling Unit, Minimum 55.0 square metres.
- (e) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the site regulation for a six-plex dwelling (6 units) as permitted by clause (b) on the land within the "R5-6" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
 - (i) Front Yard, Minimum 38.0 metres;
 - (ii) Interior Side Yard, (westerly)

Minimum	7.5	metres;
(iii) Interior Side Yard, (northerly)		
Minimum	7.0	metres;
(iv) Rear Yard, Minimum	7.5	metres;
(v) Building Height, Maximum	10.5	metres;
(vi) Number of Stories, Maximum	2.	

(d) All other provisions of this By-law, as amended, shall apply.

3. That Section 12.9.6 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

12.9.6.1 R5-6-H

- (a) Location: Part of Block 13, Registered Plan No. 250, Key Map 14
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, one fourplex dwelling; one existing dwelling; a bed and breakfast establishment; a home occupation; one existing detached garage; and accessory uses, buildings, and structures shall be permitted on the land within the "R5-6-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z117-2016).
- (c) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the following regulations shall apply for the permitted uses on the land within the "R5-6-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
- | | | |
|------------------------------------|--|---------------|
| (i) Lot Area, Minimum | 2,000 | square metres |
| (ii) Lot Frontage, Minimum | 21.0 | metres |
| (iii) Lot Depth, Minimum | 37.0 | metres |
| (iv) Lot Coverage, Maximum | 35 | per cent |
| (v) Landscaped Open Space, Minimum | 35 | per cent |
| (vi) Parking Requirements | In accordance with the provisions of Section 5.21. | |
- (d) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the site regulation for a fourplex dwelling as permitted by clause (b) on the land within the "R5-6-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
- | | | |
|---|------|----------------|
| (i) Front Yard, Minimum | 6.0 | metres; |
| (ii) Interior Side Yard, Minimum | 3.5 | metres; |
| (iii) Rear Yard, Minimum | 7.5 | metres; |
| (iv) Building Height, Maximum | 10.5 | metres; |
| (v) Gross Floor Area per Dwelling Unit, Minimum | 55.0 | square metres. |
- (e) Notwithstanding any provision of Section 12.2 of By-law No. Z1-1997 to the contrary, the site regulations for one existing single-detached dwelling and one existing detached garage as permitted by clause (b) on the land within the "R5-6-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be as they lawfully existed on the day of adoption of By-law No Z117-2016.
- (d) All other provisions of this By-law, as amended, shall apply.

4. That Section 12.9.6 of By-law No. Z1-1997 is hereby amended by adding the following special provision:

12.9.6.2 R5-6-H-H

- (a) Location: Part of Block 13, Registered Plan No. 250, Key Map 14
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary,

one existing dwelling; a bed and breakfast establishment; a home occupation; one existing detached garage; and accessory uses, buildings, and structures shall be permitted on the land within the "R5-6-H-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z117-2016).

- (c) Notwithstanding any provision of Section 12 of this By-law to the contrary, the regulations of Section 9.2.4 thru 9.2.12, inclusive and Sections 9.3, 9.4, 9.5, and 9.6 shall apply to one existing dwelling; a bed and breakfast establishment; a home occupation; one existing detached garage; and accessory uses, buildings, and structures permitted on the land within the "R5-6-H-H" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z117-2016)

5. Schedule "A", attached hereto, shall form part of this By-law.
6. All other provisions of By-law No. Z1-1997, as amended, shall apply.
7. 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.
8. 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 _____ DAY OF _____, 2016.

Al Strathdee, Mayor

Brent Kittmer, CAO-Clerk

THIS IS **SCHEDULE "A"**
TO **BY-LAW NO. Z117-2016**
OF THE **CORPORATION OF THE TOWN OF ST MARYS**
PASSED THIS ____ DAY OF _____, 2016

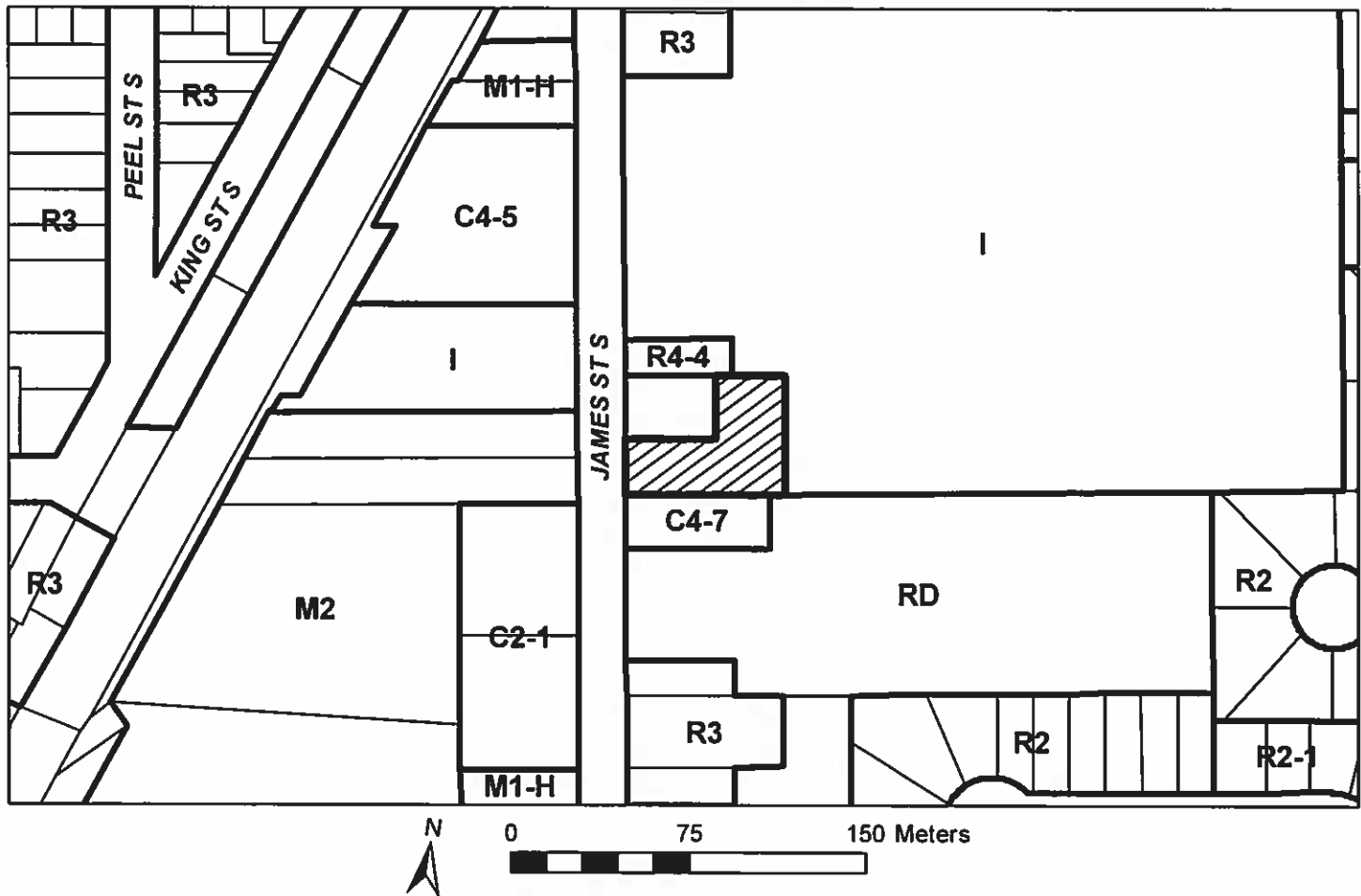
Al Strathdee, Mayor

Brent Kittmer, CAO-Clerk

AREA AFFECTED BY THIS BY-LAW



Shall be removed from the "Residential Zone Two (R2-1)", of By-law No. Z1-1997, shall be placed in the "Residential Zone Five (R5-6)" of By-law No. Z1-1997, and shall be subject to the provisions of Section 12.9.6 of By-law No. Z1-1997



THE TOWN OF ST. MARYS

BY-LAW NO. Z117-2016

EXPLANATORY NOTE

By-law No. Z117-2016 of the Corporation of the Town of St. Marys is an amendment to the Town of St. Marys Zoning By-law No. Z1-1997 and affects property in the Town described as Part of Block 13, Registered Plan No. 250.

By-law No. Z117-2016 changes the zone classification of the land shown in hatching on the attached map from its current "Residential Zone Two (R2-1)", to "Residential Zone Five (R5-6)" to permit the development of the property for multi-unit residential purposes in two phases. The initial phase will see the construction of a fourplex dwelling at the front (west) of the property and will retain the existing single-detached dwelling for a total of five (5) residential units. The second phase will see the replacement of the single-detached dwelling with a six-plex (6 units) resulting in ten (10) units on the property.

The "R5" zone permits: an apartment dwelling; one boarding or lodging house, containing more than four guest rooms; one converted dwelling on one lot, containing more than four dwelling units and less than eight dwelling units; a public park; row house or townhouse dwellings; and accessory uses, buildings, and structures.

By-law No. Z117-2016 has been adopted by Council on the basis of an application for Zoning By-law Amendment initiated by the Owner of the subject property. The Owner is seeking to develop the property for up to ten (10) residential units in the form of two (2) multi-unit buildings. Site specific provisions have been developed to regulate the residential uses to include only 1 fourplex dwelling (4 units) and the existing house in the first phase of development and 1 fourplex dwelling (4 units) and 1 six-plex dwelling (6 units) in the second phase of the development.

Two Holding symbols (-H) have been placed on the subject property. The "-H-H" symbol will permit the existing dwelling and accessory uses but will require that the Owner enter into a Site Plan Agreement with Council pursuant with Section 41 of the Planning Act to permit the first phase of the development (i.e., the fourplex and the existing house) and the "-H" zone will require that the Owner enter into a revised Site Plan Agreement with Council pursuant with Section 41 of the Planning Act before the second phase will be permitted. A Site Plan Agreement governs matters such a landscaping, fencing, and on-site parking.

Schedule "A" to the attached By-law No. Z117-2016 is a map showing the location and zoning of the subject property.