

**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. Z124-2017 on the _____ day of _____, 2017 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 _____, 2017 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 _____, 2017.

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. Z124-2017

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 Lot 17, Concession 19 (825 and 895 Queen Street East) 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 the dotted pattern on the attached map, Schedule “A”, and described as Part of Lot 17, Concession 19 (825 and 895 Queen Street East) in the Town of St. Marys shall be removed from the “Highway Commercial Zone (C3-H)”, of By-law No. Z1-1997, shall be placed in the “Highway Commercial Zone (C3-11-H)” of By-law No. Z1-1997, and shall be subject to the provisions of Section 17.4.11 of By-law No. Z1-1997 as hereinafter set forth. The zoning of this land shall be shown as “C3-11-H” on Key Map 10 of Schedule “A” to By-law No. Z1-1997, as amended.
2. That Section 17.4 of By-law No. Z1-1997 is hereby amended by adding the following special provision: 17.4.11 C3-11-H
 - a. Location: Part of Lot 17, Concession 19 Key Map 10
 - b. Notwithstanding the provisions of Section 17.1 of this By-law to the contrary, two existing single detached dwellings shall be permitted on the land within the “C3-11-H” Zone as shown on Key Map 10 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law Z124-2017).
 - c. Notwithstanding any provision of Section 17.2 of By-law No. Z1-1997 to the contrary, the following regulations shall apply for existing residential uses on the land within the “C3-11-H” Zone as shown on Key Map 10 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law Z124-2017):
 - i. Lot Area, Minimum 3,000 square metres;
 - ii. Lot Area, Maximum 4, 000 square metres;
 - iii. Lot Frontage, Minimum 45.0 metres;
 - iv. Lot Depth, Minimum 65.0 metres;
 - v. Front Yard, Minimum 35.0 metres;
 - vi. Interior Side Yard, Minimum 5.0 metres;
 - vii. Rear Yard, Minimum 10.0 metres
 - viii. Building Height, Maximum height of existing dwelling
 - ix. Lot Coverage, Maximum 35 per cent.

- d. Notwithstanding the definition of 'front lot line' in Section 3.88 of By-law No. Z1-1997 to the contrary, the lot line adjacent to Road 120 shall be deemed to be the front lot line for the purposes of any through lot on the land within the "C3-11-H" Zone as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z124-2017);
 - e. The minimum interior side yard requirement for any existing non-residential building is 1.0 metres;
 - f. All other provisions of this By-law, as amended, shall apply.
- 3. Schedule "A", attached hereto, shall form part of this By-law.
 - 4. All other provisions of By-law No. Z1-1997, as amended, shall apply.
 - 5. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act, as amended, and to Regulations thereunder.
 - 6. When no notice of appeal is filed pursuant to the provisions of the Planning Act, and when Official Plan Amendment No. 32 comes into full force and effect, this By-law shall be deemed to have come into force on the day it was passed.

Read a first and second time this 27th day of June, 2017.

Read a third and final time and passed this 27th day of June, 2017.

Mayor Al Stratthdee

Brent Kittmer, CAO / Clerk

THIS IS SCHEDULE “A”

TO BY-LAW NO. Z124-2017

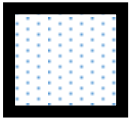
OF THE CORPORATION OF THE TOWN OF ST.
MARYS

PASSED THIS 27TH DAY OF JUNE, 2017

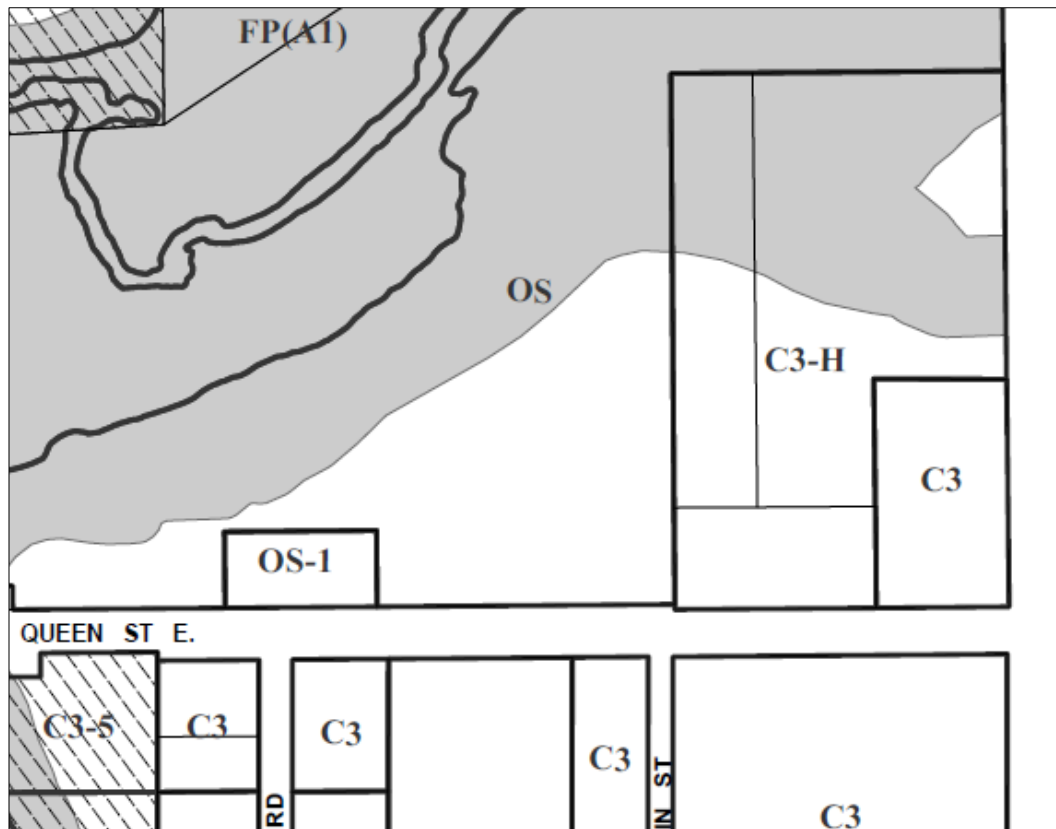
Al Stratthdee, Mayor

Brent Kittmer, CAO-Clerk

AREA AFFECTED BY THIS BY-LAW



Remove from the “Highway Commercial Zone (C3-H)” of By-law No. Z1-1997, place in the “Highway Commercial Zone (C3-11-H)” and shall be subject to the provisions of Section 17.4.11 of By-law No. Z1-1997.



THE TOWN OF ST. MARYS

BY-LAW No. Z124-2017

EXPLANATORY NOTE

By-law No. Z124-2017 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 properties in the Town described as Part of Lot 17, Concession 19 (825 and 895 Queen Street East), located at the east end of the municipality, northwest of the intersection of Queen Street East and Road 120 (the municipal boundary).

Council has adopted By-law No. Z124-2017 based on an application submitted by the owners of the subject properties. By-law No. Z124-2017 implements Official Plan Amendment No. 32 (which added special policies to the Official Plan affecting the subject property) and is also intended to facilitate three related Consent to Sever Applications to permit the creation of two proposed residential lots and the consolidation of the remaining lands.

The Zoning By-law Amendment does not change the existing Zone category (Highway Commercial) that currently applies to the subject properties. However, the proposed By-law adds new special provisions to:

- specifically recognize two existing single detached dwellings as permitted uses
- provide lot area size, yard, height and lot coverage requirements for the existing residential uses
- deems the lot line adjacent to Road 120 to be the front lot line for the purposes of any through lot
- provides a minimum interior side yard requirement of 1.0 metres for any existing non-residential building to specifically recognize the existing storage barn relative to proposed new lot lines

Schedule "A" to the attached By-law No. Z124-2017 is a map showing the location and zoning of the subject property.