

**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. Z125-2018 on the 13th day of March, 2018 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 _____, 2018 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 _____, 2018.

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. Z125-2018

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 Lots 14-20, west side of Thomas Street, Lots 16-20, east side of Ontario Street, Registered Plan 235 (121 Ontario Street South) 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 Lots 14-20, west side of Thomas Street, Lots 16-20, east side of Ontario Street, Registered Plan 235 (121 Ontario Street South) in the Town of St. Marys shall be removed from the “Institutional Zone (I)” 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” on Key Map 12 of Schedule “A” to By-law No. Z1-1997, as amended.
2. That Section 12.9 of By-law No. Z1-1997 is hereby amended by adding the following special provision:
12.9.6 R5-6
 - a) Location: Lots 14-20, west side of Thomas Street, Lots 16-20, east side of Ontario Street, Registered Plan 235 (Key Map 12 of Schedule “A”)
 - b) Notwithstanding the provisions of Section 3.47.2 of this By-law to the contrary and only for the purpose of the land within the “R5-6” Zone, an ‘apartment dwelling’ shall mean a dwelling containing 5 or more dwelling units each of which has an independent entrance either directly or from a common corridor within the building.
 - c) Notwithstanding the provisions of Section 3 of this By-law to the contrary and only for the purpose of the land within the “R5-6” Zone, the Ontario Street frontage shall be deemed to be the front lot line, the Thomas Street frontage shall be deemed to be the rear lot line, and the Park Lane frontage shall be deemed to be the exterior side lot line.
 - d) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, permitted uses, buildings and structures shall be limited to apartment dwellings on the land within the “R5-6” Zone, with a maximum of 23 apartment units permitted on the property.
 - e) Notwithstanding the provisions of Section 12.2 of this By-law to the contrary, the following provisions shall apply to the land within the “R5-6” Zone:
 - i. Rear Yard, Minimum 9.0 metres
 - ii. Subsection 12.2.15 shall not 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.

Read a first and second time this 13th day of March, 2018.

Read a third and final time and passed this 13th day of March, 2018.

Mayor Al Stratheed

Brent Kittmer, CAO / Clerk

THIS IS

SCHEDULE "A"

TO

BY-LAW NO. Z125-2018

OF THE

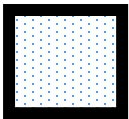
CORPORATION OF THE TOWN OF ST. MARYS

PASSED THIS 13TH DAY OF MARCH, 2018

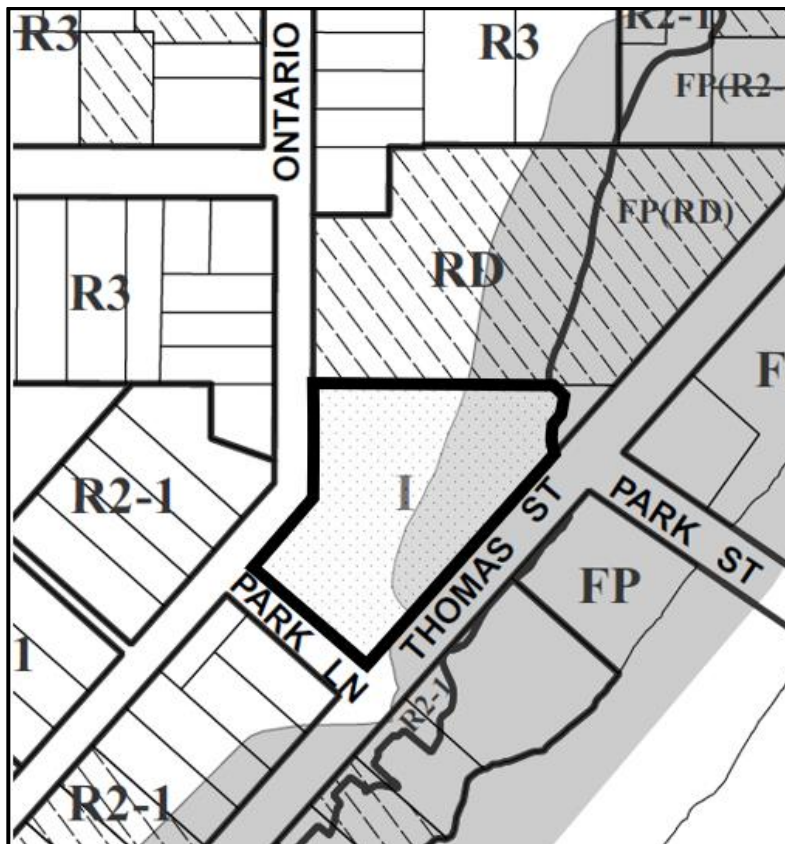
Al Strathdee, Mayor

Brent Kittmer, CAO-Clerk

AREA AFFECTED BY THIS BY-LAW



Remove from the "Institutional Zone (I)" of By-law No. Z1-1997, place in the "Residential Zone Five (R5-6)" 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. Z125-2018

EXPLANATORY NOTE

By-law No. Z125-2018 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 Lots 14-20, west side of Thomas Street, Lots 16-20, east side of Ontario Street, Registered Plan 235 (121 Ontario Street South).

Council has adopted By-law No. Z125-2018 based on an application submitted by the owner of the subject property. The purpose and intent of the proposed Zoning By-law Amendment is to rezone areas of the subject property currently zoned Institutional (I) to Residential Zone Five (R5-6) to facilitate the development of a maximum of 23 apartment units in four buildings, as follows:

- 5 apartments (1 & 2 bedroom units) in the existing/former early learning centre building; and,
- 6 apartments (2 & 3 bedroom units) in each of 3 new buildings.

The proposed Zoning By-law Amendment also includes special provisions to revise the definition of 'apartment dwelling' as it applies to the subject property to read as follows:

“Apartment dwelling: a dwelling containing 5 or more dwelling units, each of which has an independent entrance either directly or from a common corridor within the building”

Other special provisions in the proposed Zoning By-law Amendment applying to the subject property include:

- deeming the Ontario Street South frontage as the front lot line, the Thomas Street frontage as the rear lot line and the Park Lane frontage as the exterior side lot line
- reducing the rear yard minimum requirement from 12.0 metres to 9.0 metres
- Section 12.2.15 of the Zoning By-law (no ingress or egress driveway shall be located closer than 1.5 metres to any side or rear lot line) shall not apply

Schedule “A” to the attached By-law No. Z125-2018 is a map showing the location and zoning of the subject property.