

THE CORPORATION OF THE TOWN OF ST. MARYS

BY-LAW NO. Z163-2026

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 lands located at 446 Queen Street West in the Town of St. Marys.

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;

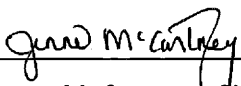
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ST. MARYS ENACTS AS FOLLOWS:

1. That Section 9.6.4.1 of By-law No. Z1-1997 is hereby amended by adding the following special provision:
 - (d) Subsection 9.6.4.1 (b)(x) shall be replaced by "(x) dwelling units" only as it applies to the property known 446 Queen Street West (legally described as Pt Lot 3 S/S Queen St Plan 217 St Marys; Pt Lot 4 S/S Queen St Plan 217 St Marys; Pt Lot 5 S/S Queen St Plan 217 St Marys as in R79718; save and except right of way therein; St Marys)
2. Former subsection 9.6.4.1 (d) shall be renumbered to 9.6.4.1(e).
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. When no notice of appeal is filed pursuant to the provisions of the Planning Act, this By-law shall be deemed to have come into force on the day it was passed.

Read a first, second and third time this 14th day of April, 2026.



Mayor Al Stratthdee



Jenna McCartney, Clerk

By signing this by-law on April 14, 2026, Mayor Al Stratthdee will not exercise the power to veto this By-law.

NOTICE OF THE PASSAGE 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. Z163-2026 on the 14th day of April, 2026 under Section 34 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that an appeal to the Ontario Land Tribunal in respect of the Town's decision to pass By-law No. Z162-2026 may be made by filing with the Ontario Land Tribunal ([OLT E-File Portal](#)) not later than the 11th day of May, 2026. A notice of appeal must set out the reason(s) for the appeal, and must be accompanied by the required fee and made payable to the Minister of Finance. If the OLT e-portal is not accessible due to a technical issue, notices of appeal may be provided to clerksoffice@town.stmarys.on.ca .

An explanation of the purpose and effect of the Zoning By-law, describing the lands to which the By-law applies, and a map showing the location of the lands to which the By-law apply 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 21st day of April, 2026.

Jenna McCartney, Clerk
Town of St. Marys
175 Queen Street East, P.O. Box 998
St. Marys, Ontario N4X 1B6
Telephone (519) 284-2340 ext. 212
clerksoffice@town.stmarys.on.ca

NOTE:

Only the following will be able to appeal the decision of the Town of St. Marys to the Ontario Land Tribunal:

- the applicant;
- the Minister of Municipal Affairs and Housing; and,
- a specified person and public body (as defined in the Planning Act) and registered owners of lands to which the bylaw will apply and who made submissions at the public meeting or who have made written submissions to the Town before the bylaw was passed.

Be advised that a person is no longer able to appeal the decision, other than any persons listed above.

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 Tribunal, there are reasonable grounds to add the person or public body as a party.

Prior to making this decision, Council considered all written and oral submissions received.

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EXPLANATORY NOTE

The 0.17 hectare (0.42 acre) subject property is located at the southeast corner of Queen Street West and Pelissier Street as shown on the General Location Map. The property is designated “Residential” in the Town of St. Marys Official Plan and is zoned “Special Commercial Zone (C4-1)” in the Town of St. Marys Zoning By-law Z1-1997, as amended. The C4-1 Zone permits a limited range of commercial uses, along with residential dwelling units in the upper or rear portions of a commercial building.

In 2024, the Town granted Site Plan Approval to permit the construction of the 3-storey building on the property, with one commercial unit (72 m²/775 ft²), 11 residential units ranging in size from 61 m² (660 ft²) to 80 m² (862 ft²), and 22 off-street parking spaces.



The purpose and effect of the Zoning By-law Amendment is to amend the C4-1 zoning as it applies to the subject property to permit the vacant commercial unit to also be utilized as a dwelling unit, removing the requirement for a commercial use on site. The Amendment proposes to maintain the existing commercial land-use permissions to provide flexibility in the future to convert the space back to commercial usage.