

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. Z160-2025 on the 26th day of August, 2025 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 Z160-2025 may be made by filing with the Clerk of the Town of St. Marys not later than the 24th day of September, 2025 a notice of appeal setting out the reason(s) for the appeal and accompanied by the proper fee required by the Tribunal.

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 4th day of September, 2025.

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

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.

THE TOWN OF ST. MARYS

BY-LAW NO. Z160-2025

EXPLANATORY NOTE

The subject lands are approximately 0.48 hectares in size and are generally located southeast of the intersection of Queen Street East and Cain Street, as shown on the General Location Map. The lands subject to the Zoning By-law Amendment consist of 11 Cain Street (0.21 hectares) and approximately 0.27 hectares proposed to be severed from the northern part of 16 Hillside Court (currently owned by the Grace Community Church).

The subject property is designated “Residential” in the Town of St. Marys Official Plan” and zoned “Residential Zone Three (R3)” and “Institutional (I)” according to the Town of St. Marys Zoning By-law Z1-1997, as amended.

The Applicant is proposing to develop the subject lands for residential uses consisting of 44 apartment dwelling units in four (4) buildings, as shown in the concept site plan included with this notice. Vehicular access is proposed from Cain Street via a private roadway that connects to a proposed off-street parking area with 65 parking spaces. A common amenity area is proposed internally to the site for use by the residents of the proposed development.

The purpose and effect of the Zoning By-law Amendment Application is to change the zoning of the subject lands to “Residential Zone Five (R5-19)” with the following site-specific regulations:

- i. Minimum lot area per dwelling unit: 100 square metres
- ii. Minimum Rear Yard Setback (eastern property line): 3.0 metres
- iii. Minimum Exterior Side Yard Setback: 3.0 metres
- iv. Minimum Side Yard Setback (south side) of 3.0 metres where abutting land that is zoned as non-residential
- v. More than one building may be erected on a lot provided that the separation distances between buildings shall be according to all applicable requirements of the Ontario Building Code, as amended, and in compliance with the following:



1. the minimum distance between two exterior walls of different buildings facing each other shall be 5.0 metres, where there is no private amenity space
- vi. Maximum Density: 95 units per hectare
- vii. Minimum Landscaped Open Space: 30%
- viii. Maximum Number of Storeys: 4
- ix. Minimum Off-Street Parking: 1.4 spaces per Dwelling Unit
- x. A planting strip shall be required in accordance with the provisions of Section 5.25, where an interior side or rear lot line of a lot abuts a lot that is:
 - a) in a Residential Zone or a Residential (-H) Holding Zone
 - b) used for residential purposes;and shall constitute one of the following, or any combination of the following:
 1. A planting strip with a minimum width of 1.8 metres, planted with trees, evergreens, and/or shrubs, which at the time of planting shall be 1.0 metres in height and they must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity
 2. Existing trees and/or shrubs; and/or
 3. Solid wood fence with a minimum of 2.0 metres in height
- xi. Steps, and patios, whether they be covered or uncovered, and unenclosed porches and verandas may project into any required front yard, side yard, and rear yard, a distance of not more than 1.8 metres.
- xii. Where lands have been comprehensively planned and are subject to an approved site plan and associated agreement pursuant to Section 41 of the *Planning Act*, any zoning deficiencies resulting from the creation of condominium units, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with.

Proposed Concept Site Plan

