

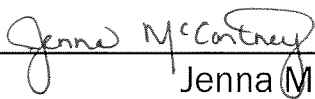
DECLARATION

Under Section 34(22) of the Planning Act, RSO 1990

I, Jenna McCartney, Clerk of the Town of St. Marys, hereby declare that written notice for By-law No. Z144-2021 of the Town of St. Marys passed by Council of the Corporation of the Town of St. Marys on June 8, 2021 was given in the manner and form and to the person and agencies prescribed by regulation made by the Lieutenant Governor-in-Council under subsection 18 of Section 34 of *The Planning Act, RSO 1990*.

I also declare that no notice of appeal was filed by any person in the office of the Clerk under subsection 19 of Section 34 of *The Planning Act, RSO 1990*, within the time (20 days) allowed for appeal.

DATED July 13, 2021



Jenna McCartney, Clerk

THE CORPORATION OF THE TOWN OF ST. MARYS

BY-LAW NO. Z144-2021

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 all lands 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 the introductory sentence of Section 5.1.1 of By-law No. Z1-1997 is hereby amended by deleting the words "per lot" to read as follows:

5.1.1 In a Single-detached, Semi-detached or Row or Townhouse Dwelling

A maximum of one **accessory apartment** is permitted in any **single-detached, semi-detached or row or townhouse dwelling** provided that:

2. That Section 5.1.1(a) of By-law No. Z1-1997 is hereby amended by replacing "40" with "45" and adding the following sentence "This does not apply to an **accessory apartment** located entirely in a **basement** or cellar" to read as follows:

- (a) The maximum **gross floor area** of the **accessory apartment** shall not exceed 45 percent of the **gross floor area** of the **main building** (including the **gross floor area** of the **accessory apartment**) and shall not exceed 100 square metres (1,076 ft²); This does not apply to an **accessory apartment** located entirely in a **basement** or cellar.

3. That Section 5.1.2 of By-law No. Z1-1997 is hereby amended by deleting Subsection (b) and renumbering all existing sections following thereafter.

4. That Section 5.1.2(c) of By-law No. Z1-1997 is hereby deleted and replaced with the following:

- (c) The accessory building or structure complies with Section 5.1.3A; and,

5. That Section 5.8 of By-law No. Z1-1997 is hereby amended by adding "with the exception of an accessory apartment" and deleting the following sentence "This section shall not apply to accessory apartment" to read as follows:

5.8 Dwelling Units Below Grade

No **dwelling unit** shall, in its entirety, be located in a cellar with the exception of an accessory apartment. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage or utility room, recreation room, bedroom subject to applicable Building Code requirements, or for a similar use. However, a dwelling unit, in its entirety, may be located in a basement subject to applicable Building Code requirements.

6. That By-law No. Z1-1997 is hereby amended by updating all cross references in sections accordingly.

7. All other provisions of By-law No. Z1-1997, as amended, shall apply.
8. 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, second and third time this 8th day of June 2021.



Mayor Al Stratthdee



Jenna McCartney, Clerk