

**The Comprehensive Zoning By-law
of the Corporation of the Town of St. Marys**

By-law No. Z1-1997

Being a By-law, under Section 34 of the Planning Act, R.S.O. 1990 to regulate the **use** of land and the character, **erection**, location and **use** of **buildings** and **structures** and to prohibit certain **buildings, structures** and **uses** in various defined areas of the **Corporation** of the Town of St. Marys.

WHEREAS the **Council** of the **Corporation** of the Town of St. Marys deems it expedient to implement the Official Plan for the Town of St. Marys:

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

SECTION 1 - GENERAL

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of the **Corporation** of the Town of St. Marys.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the **Corporation** of the Town of St. Marys.

1.3 CONFORMITY REQUIREMENTS

1.3.1 No **person** shall **use** any land or **erect**, locate, **alter**, or **use** any **building, structure** or part thereof within the boundaries of the **Corporation** of the Town of St. Marys except in conformity with the provisions of this By-law.

1.3.2 No **person** shall **use** any **building, structure** or part thereof, **erected**, located, or **altered** in contravention of this By-law so long as such **building, structure**, or part thereof, continues to contravene the provisions of this By-law.

1.3.3 No **lot** shall be reduced in **area, frontage**, or **depth** by the conveyance, mortgage, or other alienation of a part thereof so that the area of such **lot** or the applicable site requirements contained in this By-law are less than that required by this By-law. If any such reduction occurs, such **lot** and any **building** or **structure** situated thereon shall not thereafter be **used** by any **person** unless and until the said **lot area, frontage**, or **depth** or other applicable site requirement of this By-law are complied with.

1.3.4 Section 1.3.3 above shall not apply to a **lot** reduced in **area**, **frontage**, or **depth** by the conveyance or expropriation by the **Corporation** of the Town of St. Marys or any other authority having the powers of expropriation.

1.3.5 No **person** shall change the purpose for which any **lot**, **building**, or **structure** is **used**, or **erect**, locate, **alter**, or **use** any **building** or **structure**, or sever any **area** from any **existing lot**, if the effect of such action is to cause the **building**, **structure**, or **lot**, whether original, adjoining, remaining, or new, to be in contravention of the provisions of this By-law.

1.4 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous Zoning By-laws that have been adopted by the **Council** of the **Corporation** of the Town of St. Marys shall be repealed. Also, any other restricted area zoning by-laws and amendments thereto, passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended, or a predecessor thereto, in force in the municipality are also hereby repealed.

1.5 SEVERABILITY

If any section, clause, or provision of this By-law, including anything contained in Schedule "A" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any other part thereof other than the section, clause, or provision so declared to be invalid, and it is hereby declared to be the intention that all remaining sections, clauses, or provisions of this By-law shall remain in full force and effect in the **Corporation** of the Town of St. Marys until repealed, notwithstanding that one or more sections, clauses, or provisions thereof shall have been declared to be invalid.

1.6 UNLAWFUL USES

Any **use** established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully and therefore shall be considered to be an unlawful or illegal **use** under the provisions of this By-law unless the **use** is **permitted** under this By-law.

1.7 EFFECTIVE DATE

This By-law shall come into force on the day it is passed by the **Council** of the **Corporation** of the Town of St. Marys, pursuant to the provisions of the Planning Act, and to Regulations thereunder.