

SECTION 4 - ZONES AND INTERPRETATION

4.1 Establishment of Zones

The provisions of this By-law apply to all lands within the boundaries of the Corporation of the Town of St. Marys. For the purpose of this By-law, the following zone classifications are established:

Zone	Zone Symbol
Agricultural Zone One	A1
Agricultural Zone Two	A2
Residential Zone One	R1
Residential Zone Two	R2
Residential Zone Three	R3
Residential Zone Four	R4
Residential Zone Five	R5
Residential Zone Six	R6
Residential Zone Seven	R7
Residential Zone Eight	R8
Central Commercial Zone	C1
Limited Commercial Zone	C2
Highway Commercial Zone	C3
Special Commercial Zone	C4
Light Industrial Zone	M1
General Industrial Zone	M2
Extractive Industrial Zone	M3
Environmental Constraint Zone	EC
Institutional Zone	I
Open Space Zone	OS
Flood Plain Zone	FP
Special Policy Area Constraint Zone Overlay	-SPA
Conservation Authority Regulation Limit Overlay	Conservation Authority Regulation Limit Overlay
Holding Zone	-H
Development Zone	D or RD
Natural Heritage	NH
Wellhead Protection Area A	WHPA-A
Wellhead Protection Area B	WHPA-B

Various zoning requirements and/or regulations for the **zones** as established above are set out in Sections 6 through 28 of this By-law. The zoning requirements and regulations set forth for the respective **zones** pertain to matters such as **permitted uses, permitted buildings and structures**, minimum **lot area**, minimum **lot frontage**,

maximum **coverage**, minimum front, side and rear yard requirements, maximum **building height**, landscaped open space requirements, **parking** requirements, and requirements for **accessory buildings** and **structures**.

Amended by By-law No. Z107-2014

4.2 Key Maps

For the purpose of this By-law, Schedule "A", consisting of a Key Map Index, and Key Maps 1 to 20, inclusive, are attached to this By-law and are hereby declared to form part of this By-law.

The Key Maps which are attached as Schedule "A" to this By-law indicate the **zones** for all of the lands in the **Corporation** of the Town of St. Marys as established by this By-law. The **zones** are indicated through the **use** of the **zone** symbols identified for their respective **zones** in Section 4.1 above.

Amended By By-law No. Z31-2001

The Key Maps also are intended to display the boundaries of parcels of land and lots. These boundaries are intended to show the location and configuration of properties in the Town. Where a change in the configuration of a **lot(s)** occurs as a result of the approval of a Plan of Subdivision, or Consent application, or through some other legal manner, or in the case where more than one **lot** has been assembled, the revised and/or new **lot** configuration(s) on the various Key Maps may be displayed without the necessity of amending this By-law to show such revised and/or new **lot** configuration(s).

The Key Maps which are attached as Schedule "A" to this By-law identify the "UTRCA Regulation Limit" which represents the approximate location of the boundaries those lands that may be subject to flooding, erosion and unstable slopes. The provisions of the "UTRCA Regulation Limit" as established by this By-law are to be applied in conjunction with the **zone** provisions for the "underlying" zones as established by this By-law. The inclusion of the "UTRCA Regulation Limit" on the Key Maps is for information purposes only and the Upper Thames Conservation Authority should be contracted to determine how the Conservation Authorities Act may impact **development** proposals.

The Key Maps which are attached as Schedule "A" to this By-law identify parcels of land which have some Heritage Interest either by being designated by the Town under the Ontario Heritage Act or noteworthy to Town **Council** through comments from the Town's Heritage Committee. The inclusion of the "Heritage Classified" identification on the Key Maps is for information purposes only.

4.3 Use of Zones and Zone Symbols

The **zones** and symbols identified in Section 4.1 above shall be used when referring to **land, buildings, and structures**, and the **uses** thereof **permitted** by this By-law in said **zones**. Where the various **zone** symbols are shown on the Key Maps, such reference is intended to indicate that the lands on which the **zone** symbol is placed are located within the corresponding **zones** as established by Section 4.1 above and shall be subject to the applicable **zone** provisions as set forth in this By-law for that respective **zone**.

Where a **zone** symbol applying to certain lands as shown on the Key Maps attached to this By-law on Schedule "A" is followed by a dash and a number (e.g. A1-1), such dash and number are intended to indicate that such land is the subject of one or more special **zone** provisions. The special **zone** provisions can be determined by referring to the "special provisions" section for the applicable **zone** as set forth in this By-law. Lands **zoned** in this manner will be subject to all other provisions for the respective **zone** except as otherwise provided for by the special provisions.

4.4 Multiple Zones

Where a **lot** is divided into two or more **zones**, each such portion of the said **lot** shall be considered a separate **lot** as defined herein and shall be **used** in accordance with the provisions of this By-law which are applicable to the **zone** wherein such portion of the said **lot** is located.

Notwithstanding the paragraph above, where a **use** or **uses** are **permitted** by the **zones** applying to two or more portions of the **lot**, those portions shall be considered to constitute a single **lot** as defined herein and the highest or most restrictive **zone** requirements pertaining to such **use** or **uses** in all the pertinent **zones** shall apply throughout.

4.5 Interpretation of Zone Boundaries

The **zones**, identified by **zone** symbols, as shown on the Key Maps of Schedule "A" to this By-law are bounded by thick black lines, the purpose of which lines is to indicate the extent of the **zones**. The following "rules of interpretation" are to be applied when determining the location of **zone** boundaries on the Key Maps, of Schedule "A" of By-law No. Z1-1997, as adopted by **Council**, and kept in the Office of the **Zoning Administrator**:

- 4.5.1 Where any **zone boundary** is shown on Schedule "A" as following the boundary of a **street**, **watercourse**, or railway right-of-way, the **zone boundary** shall be considered to follow the centre line of such **street**, **watercourse**, or railway right-of-way;
- 4.5.2 Except as provided for in Section 4.5.1 above, where a **zone boundary** is shown on Schedule "A" as approximately following the boundary of a **lot** that is shown on a registered plan or a registered reference plan, the **zone boundary** shall be considered to be such **lot** boundary as shown on said registered plan or registered reference plan;
- 4.5.3 Where a **zone boundary** is shown on Schedule "A" as being parallel to, or approximately parallel to, a **street** and the distance from the **street** is not indicated, the **zone boundary** shall be considered as being parallel to such **street** and its distance from the **street** shall be determined by using the scale shown on the Schedule "A" Key Map, to scale or measure the distance; and
- 4.5.4 Where a **zone boundary** is shown on Schedule "A" as being between the "Flood Plain (FP)" **zone** and any other **zone** classification, the Regulatory Floodline

shall be considered as the boundary between the **zones**. The Regulatory Floodline, as determined by the Upper Thames River Conservation Authority, is based on the 1937 observed storm event which has a return period of approximately 1:250 years. Where the "Flood Plain (FP)" **zone** contains a suffix [e.g., "FP(R1-4)"] the provisions of the "Flood Plain (FP)" apply to those lands located below the Regulatory Floodline elevation and the provision of the applicable suffix symbol (e.g "R1-4") **zone** apply to those lands located above the Regulatory Floodline elevation.

- 4.5.5 Where any **zone boundary** is left uncertain after the application of the provisions of Sections 4.5.1, 4.5.2, and 4.5.3 of this By-law, the location of the **zone boundary** shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the applicable distances.

4.6 Interpretation of Certain Words

- 4.6.1 In this By-law, the word "shall" is considered to mean mandatory.
- 4.6.2 In this By-law, words used in the present tense include the future tense and vice-versa.
- 4.6.3 In this By-law, words used in the singular shall also be considered to include the plural unless the context of the application clearly indicates the contrary.
- 4.6.4 In this By-law, certain word(s) are printed in bold and italic. These words are highlighted for the sole purpose of demonstrating to the reader of this By-law that the word(s) in bold and italic are defined in Section 3 of this By-law. It is not intended that these words be considered more significant or substantive than any other word in this By-law.