

Appendix F – By-law 2014-15

**THE CORPORATION OF
THE TOWNSHIP OF GEORGIAN BAY
BY-LAW NO 2014-15**

Being a By-law to amend Zoning By-law 91-19, as amended, with respect to Concession 3, Part Lot 30, Former Township of Baxter, Township of Georgian Bay, District of Muskoka, municipally known as 74 Honey Harbour Road

WHEREAS the Council of the Township of Georgian Bay enacted By-law 91-19, to regulate the use of land within the Township of Georgian Bay;

AND WHEREAS the Council of the Township of Georgian Bay deems it expedient in the public interest to amend By-law 91-19;

AND WHEREAS authority to pass such a by-law is provided by Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13 and amendments thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BAY ENACTS AS FOLLOWS:

1.0 THAT ZONING BY-LAW 91-19 IS AMENDED AS FOLLOWS:

1.1 ZONE:

1.1.1 Schedule C-5 to By-law 91-19, as amended, is hereby further amended, by rezoning Concession 3, Part Lot 30, Former Township of Baxter, Township of Georgian Bay, District of Muskoka, municipally known as 74 Honey Harbour Road, from the Residential Type One Exception Twenty-One Holding (R-1-21 (H)), in part (hatched), and Residential Multiple Type Three Holding (RM-3 (H)), in part (cross-hatched) to Residential Multiple Type Three Exception One Holding (RM-3-1(H)) zone in Zoning By-law 91-19 as shown on Schedule A, attached hereto.

2.0 PERMITTED USES AND SPECIAL PROVISIONS:

2.1 That the following is added to Section 4.14.3 of Zoning By-law 91-19, as amended

“Notwithstanding Section 4.14.1 and 4.14.2 to the contrary the following Permitted Uses and Regulations for the Permitted Uses shall apply to the lands within the Residential Multiple Type Three Exception One Holding (RM-3-1-H) Zone:

| Dwelling Type | Minimum Lot Frontage | Minimum Lot Area | Minimum Yard Requirements | | | | Maximum Lot Coverage |
|-----------------|----------------------|------------------|---------------------------|-----------|------------------------|--------------------|----------------------|
| | | | Front Yard | Rear Yard | Interior Side Yard (i) | Exterior Side Yard | |
| Single Detached | 15m | 465 sq. m | 7.5m | 7.5 m | 2.0 | 7.5m | 30% |
| Semi-Detached | 7.5m/unit | 300 sq. m/ unit | 7.5m | 7.5 m | 2.0 | 7.5m | 40% |
| Duplex | 7.5m/unit | 300 sq. m/unit | 7.5m | 7.5 m | 2.0 | 7.5m | 40% |
| Tri-Plex | 7.5m/unit | 300 sq. m/unit | 7.5m | 7.5 m | 2.0 | 7.5m | 40% |
| Four-Plex | 7.5m/unit | 300 sq. m/unit | 7.5m | 7.5 m | 2.0 | 7.5m | 40% |
| Townhouses | 5.5m/lot/unit | 200 sq. m/unit | 7.5m (vi) | 7.5 m | 2.0 | 7.5m | 50% |
| Apartments | 30m/lot (viii) | 2000 sq.m/lot | 5.0m | 10m | 5.0 | 10m | 50% |

- i) a detached dwelling
- ii) a semi-detached dwelling
- iii) duplex dwelling
- iv) triplex dwelling
- v) four-Plex dwelling
- vi) townhouse dwelling
- vii) an apartment dwelling with a maximum of 16 units

- i) Where units have an attached wall the minimum interior side yard requirement is Nil.
- ii) The minimum landscaped open space for single detached, semi-detached, duplex, triplex dwellings, Four-plex dwellings, townhouse dwellings, and townhouse dwellings is 20%:
- iii) Maximum height of buildings 11m and 3 storeys
- iv) Maximum number of townhouse dwelling units with attached walls– 8
- v) No driveway or garage shall exceed 45% of the width of the lot
- vi) Minimum Yard Requirements
- Front Yard - 4.5 m to main wall of Dwelling Unit - 6 m to the garage
- vi) Minimum Parking Spaces 1.5 parking spaces per Apartment Dwelling Unit
- viii) A home occupation and accessory dwelling unit are permitted in a single detached dwelling.
- viii) Plus 2m/unit
- ix) For the purposes of this zone the following definitions shall apply:

Condominium – the ownership of individual units in a multiple unit ownership structure with common elements as defined in the “The Condominium Act.”

Driveway - a defined area providing access for motor vehicles from a public or private to facilities such as a parking area, parking lot, loading space, private garage, building or structure.

Dwelling, Four-Plex – a dwelling unit in a building that is divided horizontally into four dwelling units, each has an independent entrance either directly to the outside or through a common vestibule.

Landscaped Open Space - the open space from ground to sky at grade on a lot accessible by walking and which is suitable for the growth and maintenance of grass, flowers, trees, bushes, natural vegetation and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

Lot – a parcel of land described as a whole registered description by the Condominium Act, in which a unit is considered to be a lot, or the definition of “Lot” as defined in the Township’s comprehensive zoning by-law 91-19, as amended for freehold ownership; and;

Road – for the purposes of this by-law means a road but also includes a path or way, including a condominium road, which affords vehicular access to one or more lots and may or may not be owned by a public authority.

Yard – shall be measured from the limits of the condominium road or limit of the vacant land to be used for a condominium unit.

(x)Notwithstanding the provisions of this By-law to the contrary, within the Blocks identified on Schedule “A” and in the Residential Multiple Type Three Exception One Holding (RM-3-1(H)) Zone the following maximum densities shall be permitted:

| Block Number (Schedule A) | Maximum Number of Single dwellings Per Block | Maximum Total Number of Units Per Block |
|------------------------------|--|---|
| | Single Detached | |
| 43 | 2 | 4 |
| 44 | 2 | 4 |
| 45 | 2 | 4 |
| 46 | 2 | 4 |
| 47 | 2 | 4 |
| 48 | 6 | 32 |
| 50 | 8 | 48 |
| 51 | 7 | 32 |
| 52 | 3 | 5 |
| 53 | 2 | 4 |
| 54 | 2 | 4 |
| 55 | 3 | 5 |
| 56 | 2 | 4 |
| 57 | 3 | 5 |
| TOTAL | 46 | 159 |

(xi) For the purposes of this by-law notwithstanding anything to the contrary, no person shall use the lands described as Part of Lot 30, Concession 3, former Baxter Township, now Township of Georgian Bay, District Municipality of Muskoka or erect any or use any buildings or structures unless both of the following municipal services are available to service such land, buildings or structures;

- a) i) Municipal water services; and;
- ii) Municipal sanitary sewage services;

(xii) Notwithstanding the provisions of this By-Law to the contrary, where there is a conflict between Section 4.14.3.1 Regulations for Permitted Uses and Section 4.14.3.1 (x), the Regulations for Permitted Uses contained in the first table shall prevail.

(xiii) For the purposes of this zoning by-law, the erection of any buildings or structures shall occur if sufficient water and sewer capacity exists, as determined by the municipality, to service the proposed buildings and structures on site. In all other respects the provisions of the Residential Multiple Type Three (RM-3) shall apply.

2.2 That the following is added to Section 3.8 of By-Law 91-19, as amended

Where the "H" follows the zone symbol on Schedule "A" to this By-Law, the lands shall be subject to a Holding Provision under Section 37 of the Planning Act. Council may pass a by-law to lift the Holding Provision over all, or part of any Block or Lot when the following conditions have been fulfilled:

- i) A servicing agreement providing for the availability and construction of the water and sanitary sewage works necessary to provide such services between the Owner and the District of Muskoka has been completed.

3.0 OTHER:

- 3.1 Schedule A, attached hereto is hereby made part of this By-law.
- 3.2 This By-law shall come into force on the date of passage and take effect the day after the last date for filing objections where no objections are received, or where objections are received, upon the approval of the Ontario Municipal Board.

Read and enacted in Open Council this 10th day of February, 2014.

LARRY BRAID, MAYOR

SUSAN BOONSTRA, CLERK

**THE CORPORATION OF
THE TOWNSHIP OF GEORGIAN BAY**

- 1.0 This is Schedule "A" to By-law 2014-DRAFT, being a portion of Schedule C-5 of By-law 91-19, which amends Schedule C-5 of By-law 91-19, passed this 10th day of February 2014.

LARRY BRAID, MAYOR

SUSAN BOONSTRA, CLERK

