

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

BY-LAW 2006-74

Being a By-law to amend certain sections of Zoning By-law 91-19, as amended.

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;

WHEREAS Council is committed to updating By-law 91-19 to reflect the evolving character of the Township that meets the General Intent and Purpose of the Official Plan;

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13 allows Municipalities to pass By-laws that are in the best interests of the Township;

AND WHEREAS Section 34(5) of the Planning Act, R.S.O. 1990, c.P.13 allows municipalities to prohibit the use of land or the erection of buildings and structures unless such municipal services, as may be set out in the by-law are available to service the land, building or structures, as the case may be.

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

1. That Schedules C4 and C5 of By-law 91-19 is hereby amended by changing the zoning on the lands identified as Parts of Lots 30, 31, 32 and 33, Concession 2 (Baxter) as follows:
 1. CT-2 to RM-4-1
 2. CT-2-3 to EP-1
 3. CT-2-3 to OS-5
 4. CT-2-3 to RM-4-1
 5. EP to EP-1
 6. OS to R-4
 7. R-1 to OS-5
 8. RU to OS-5
 9. RU to RM-4-1
 10. RU to EP-1, EP-2, EP-1-2; and EP-2-2
 11. SR-2 to RM-4-1
 12. SR-2 to EP-1
 13. SR-5 to EP-1
 14. SR-5 to OS-5

So as to give effect to changing the zone setbacks on Schedules C4 and C5 from the current zones to the zones shown on Schedule A, attached to and forming part of the this By-law.

2. A new Schedule, Schedule A is added to By-law 91-19 as attached to and forms part of this By-law.
3. Section 4.15 Residential Multiple Type Four (RM-4) Zone is hereby amended by adding the following after Section 4.15.2;
 4. 15.3 Exceptions

4.15.3.1 Residential Multiple Type Four Exception One (RM-4-1) Zone

Notwithstanding Sections 4.15.1 and 4.15.2 to the contrary, the following Permitted Uses and Regulations for Permitted Uses shall apply to the

lands within the Residential Multiple Type Four Exception One (RM-4-1) Zone:

Permitted Uses

- 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 not exceeding six units

Regulations for Permitted Uses

Dwelling Type	Minimum Lot Frontage	Minimum Lot Area	Minimum Yard Requirements			
			Front Yard	Rear Yard	Interior Side Yard(i)	Exterior Side Yard
Single Detached	15 M	540 Sq.M.	6.0 M	7.5 M	2.0 M	6.0 M
Semi-Detached	9 M/Unit	360 Sq.M./Unit.	6.0 M	7.5 M	2.0 M	6.0 M
Duplex	15 M/Unit	465 Sq.M./Unit.	6.0 M	7.5 M	2.0 M	6.0 M
Tri-Plex	9 M/Unit	240 Sq.M./Unit.	6.0 M	7.5 M	2.0 M	6.0 M
Four-Plex	9 M/Unit	630 Sq.M	6.0 M	7.5 M	2.0 M	6.0 M
Townhouse	6 M	240 Sq.M./Unit	6.0 M	7.5 M	2.0 M	6.0 M
Apartment	9M/Unit	630 Sq.M.	7.5 M	7.5 M	4.0 M	7.5 M

(i) Where units have an attached wall the minimum interior side yard requirement is Nil.

(ii) The minimum outdoor amenity space for triplex dwellings, four-plex dwellings apartments dwellings, and townhouse dwellings are as follows:

Triplex Dwelling Unit	40 Sq. M. Per Dwelling Unit
Four-Plex Dwelling Unit	40 Sq. M. Per Dwelling Unit
Townhouse Dwelling Unit	30 Sq. M. Per Dwelling Unit
Apartment Dwelling Unit	20 Sq. M Per Dwelling Unit

(iii) Maximum height of buildings 11 M and 3 storeys

(iv) Maximum number of dwelling units with attached walls

Townhouse Dwellings 8

(v) No driveway or garage shall exceed 40% of the width of a lot.

(vi) No part of any garage shall extend beyond the front face or a covered verandah of the dwelling unit.

(vii) 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 Condominium Act.
- **Driveway** a defined area providing access for motor vehicles from a public or private road 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 or a combination of vertically and horizontally into four dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule;
- **Outdoor Amenity Space** an outdoor space, unobstructed by buildings and which cannot be traveled upon by motor vehicles;
- **Lot** for the purpose of this zoning by-law is the sum of the total of all lands that comprise a registered condominium, being all the units and common elements; and;
- **Yard** shall be measured from the limits of the condominium road or limit of the vacant land to be used for a condominium unit.

viii) Notwithstanding the provisions of this By-law to the contrary, within the Blocks identified on Schedule A and in the Residential Multiple Type Four Exception One (RM-4-1) 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	
1	15	81
2	10	47
3	25	129
13	55	93
14	25	50
15	50	62
16	20	20
Total	200	482

- ix) Notwithstanding the provisions of this By-law to the contrary, where there is a conflict between Section 4.15.3.1 Regulations for Permitted Uses and Section 4.15.3.1(viii), the Regulations for Permitted Uses contained in the first table shall prevail.
- x) For the purpose of this zoning by-law, the erection of any buildings or structures shall only 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 Four (RM-4) shall apply.

4. Section 4.35.4 is hereby amended by adding the following:

4.35.4.5 Open Space Exception Five (OS-5) Zone

Notwithstanding the Permitted Uses in the Open Space (OS) Zone, within the Open Space Exception Five (OS-5) Zone a golf course shall also be a permitted use. In all other respects the provisions of the Open Space (OS) Zone shall apply.

5. Section 4.33.3. is hereby amended by adding the following

4.33.3.2 Environmental Protection Type One Exception Two (EP-1-2) Zone

Notwithstanding the Permitted Uses in the Environmental Protection Type One (EP-1) Zone, within the Environmental Protection Type One Exception Two (EP-1-2) Zone passive nature trails and accessory buildings not exceeding a gross area of 15 Sq.M. shall also be a permitted use. In all other respects the provisions of the Environmental Protection Type One (EP-1) Zone shall apply.

6. Section 4.34 is hereby amended by adding the following:

4.34.3 Exceptions.

4.34.3.1 Environmental Protection Type Two Exception One (EP-2-1) Zone

Notwithstanding the Permitted Uses in the Environmental Protection Type Two (EP-2) Zone, within the Environmental Protection Type Two Exception One (EP-2-1) Zone passive nature trails and accessory buildings not exceeding a gross area of 15 Sq.M shall also be a permitted use. A boathouse shall not be permitted. In all other respects the provisions of the Environmental Protection Type Two (EP-2) Zone shall apply.

7. Section 3.8 is amended by the addition of the following paragraph.

Where the "H" follows the zone symbol on Schedules C4 and C5 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, when the following condition(s) have been fulfilled.

i) Open Space Exemption Five (OS-5) H Zone

- 1) a Site Plan Agreement between the Township and the Owner that incorporates an Integrated Pest Management and Golf Course Management Plan and a Stormwater Management Plan has been completed; and;
- 2) Documentation that the policies of the Provincial Policy Statement and the municipality with respect to species at risk have been satisfied on the subject lands.

ii) Residential Multiple Type Four Exception One (RM-4-1) H Zone

- 1) a subdivision or condominium agreement between the Township and the Owner has been completed; and;
- 2) an agreement to ensure the availability of sewage and water services between the Owner and the District of Muskoka has been completed.

iii) Environmental Protection Type Two Exception One (EP-2-1) H Zone

- 1) approval of trail design by the Township; and;
- 2) approval of any structures from the Department of Fisheries and Oceans and/or Ministry of Natural Resources

8. Section 4.22.3 is hereby amended by adding the following.

4.22.3.7 Marine Commercial Type One Exception Seven (CM-1-7) Zone

Notwithstanding the Permitted Uses and Regulations for permitted uses in the Marine Commercial Type One (CM-1) Zone to the contrary, on the lands within the Marine Commercial Type One Exception Seven (CM-1-7) Zone the following shall apply:
Permitted Uses

In addition to the uses permitted in Section 4.22.1, an accessory restaurant shall also be permitted.

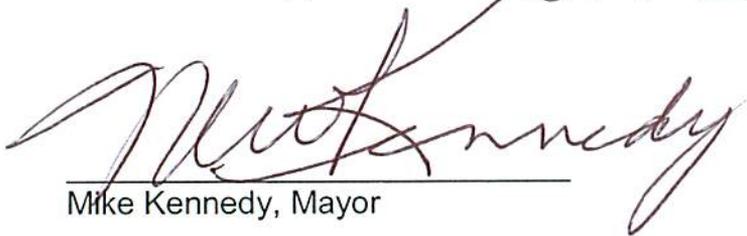
Special Provisions

- | | |
|---------------------------------|--------|
| a) Maximum number of Boat Slips | 60 |
| b) Maximum lot coverage | 50% |
| c) Maximum height of buildings | 11.0 M |

In all other respects the provisions of the Marine Commercial Type One (CM-1) Zone shall apply.

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.

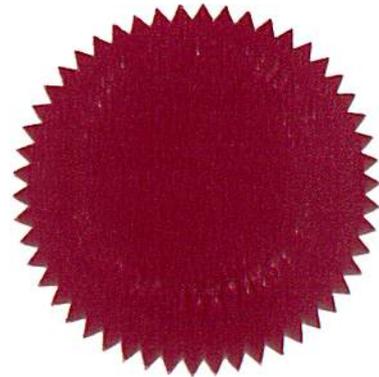
Read and finally passed on this 6th day of November 2006.



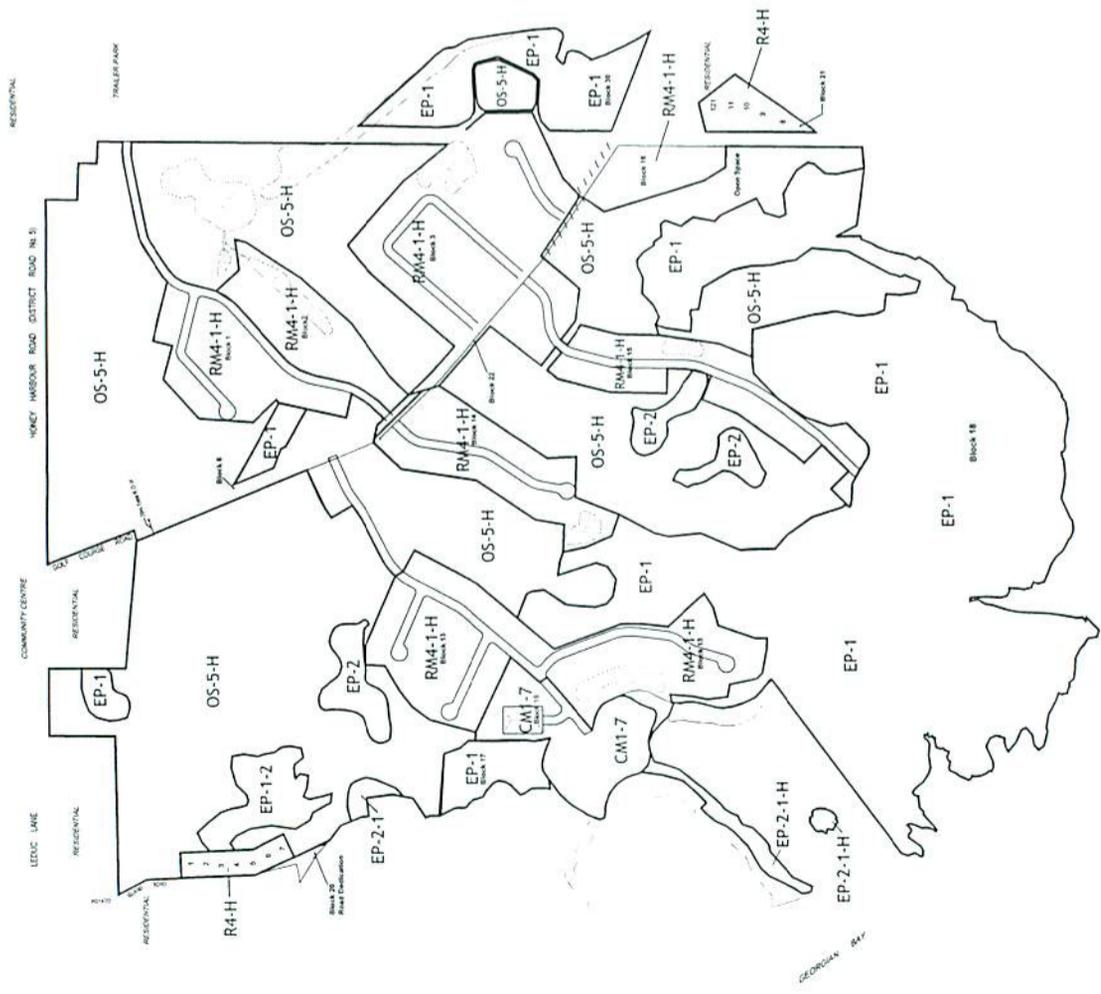
Mike Kennedy, Mayor



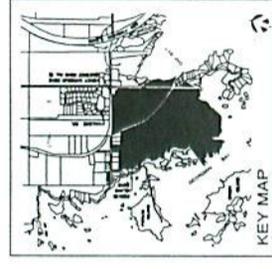
Susan Boonstra, Clerk



Schedule A to By-law 2006-74



PART OF LOTS 30, 31, 32 AND 33
CONCESSION 2
Geographic Township of Eganville
Now in the
TOWNSHIP OF GEORGIAN BAY
DISTRICT MUNICIPALITY OF MUSKOKA



LEGEND

- R4-H RESIDENTIAL TYPE FOUR HOLDING
- RM4-1-H RESIDENTIAL MULTIPLE TYPE FOUR EXCEPTION ONE-HOLDING
- CM1-7 MARINE COMMERCIAL TYPE ONE EXCEPTION SEVEN
- EP-1 ENVIRONMENTAL PROTECTION TYPE ONE
- EP-2 ENVIRONMENTAL PROTECTION TYPE TWO
- EP-2-1-H ENVIRONMENTAL PROTECTION TYPE TWO -HOLDING
- OS-5-H OPEN SPACE EXCEPTION FIVE -HOLDING



LANDS TO BE REZONED