

The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Town of The Blue Mountains By-law"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. **THAT** Map 15 to Schedule 'A' of the Town of The Blue Mountains Zoning By-law 2018-65 as amended, is hereby further amended by rezoning the subject lands from the Open Space 'OS' Zone to the Hazard exception (H-XX) Zone and, from the Residential 1 exception 59 holding 14 'R1-1-59-h14' Zone and Open Space Exception 59 holding 'OS-59-h18' Zone to the Residential 3 Exception X1 (R3-X1) Zone and, from the Open Space Exception 59 holding 'OS-59-h18' Zone and Residential 2 Exception 59 holding 14 'R2-59-h14' Zone to Residential 3 Exception X2 (R3-X2) and, from the Residential 2 Exception 59 holding 14 'R2-59-h14' Zone and Commercial 6 Exception 59 holding 15 Zone and the Hazard 'H' Zone to the Recreation 3 Exception XX (REC3-XX) Zone and, from the Commercial 6 Exception 59 holding 15 'C6-59-h15' Zone to the Residential 2 Exception X5 (R2-X5) Zone and, from the Residential 2 Exception 59 holding 14 'R2-59-h14' Zone to the Residential 2 Exception X5 holding (R2-X4) Zone and, from the Residential 2 Exception 59 holding 14 'R2-59-h14' Zone to the Residential 2 Exception X3 (R2-X3) Zone all for those lands lying and being in the Town of The Blue Mountains, comprised of Part Lot 21 and 22 Concession 1, as indicated on Key Map Schedule 'A-1'.
2. **THAT** Section 9.1 to the Zoning By-law of the Town of The Blue Mountains, being By-law 2018-65, as amended, is hereby amended by adding Exception XX as follows:

"XX Map 15 – Part Lots 20 and 21, Concession 1 (Royalton-Craigleith)

Notwithstanding the list of permitted uses zone provisions of Sections 6 and 8, the following provisions shall apply to the Lands:

- (A) Residential Third Density Zone Exception X1 (R3-X1)
Uses shall be limited to a maximum of 143 apartment type dwelling units.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Site Plan Agreement under Section 41 of the Planning Act.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

Prior to removal of the Holding symbol (h) one model home building may be permitted on these Lands subject to the granting of Site Plan Approval under Section 41 of the Planning Act including the execution of a required Agreement.

Where any lot abuts an H zone accessory buildings and structures shall not be permitted in the rear yard.

Notwithstanding provisions of Part 3 to By-law 2018-65, as amended, for purposes of determining building height, the Finished Grade shall be considered the Finished Grade at the principal, main foyer entrance building face.

Notwithstanding provisions of Part 4.13 to By-law 2018-65, as amended, height requirements shall not apply to rooftop outdoor amenity areas designated for the exclusive use of building occupants.

Despite any future severance, partition or division of the subject lands depicted as 'R3-X1' on Schedule 'A1', the provisions of this By-law shall apply to the whole of the subject lands as if no severance, partition or division occurred.

(B) Residential Third Density Zone Exception X2 (R3-X2)

Uses shall be limited to a maximum of 33 apartment type dwelling units.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Site Plan Agreement under Section 41 of the Planning Act.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

Prior to removal of the Holding symbol (h) one model home building may be permitted on these Lands subject to the granting of Site Plan Approval under Section 41 of the Planning Act including the execution of a required Agreement.

Where any lot abuts an H zone accessory buildings and structures shall not be permitted in the rear yard.

Notwithstanding provisions of Part 3 to By-law 2018-65, as amended, for purposes of determining building height, the Finished Grade shall be considered the Finished Grade at the principal, main foyer entrance building face.

Notwithstanding provisions of Part 4.13 to By-law 2018-65, as amended, height requirements shall not apply to rooftop outdoor amenity areas designated for the exclusive use of building occupants.

Despite any future severance, partition or division of the subject lands depicted as 'R3-X2' on Schedule 'A1', the provisions of this By-law shall

apply to the whole of the subject lands as if no severance, partition or division occurred.

(C) Residential Second Density Zone Exception X3 (R2-X3)

Uses shall be limited to a maximum of 2 single detached and 18 semi-detached type dwelling units having a maximum height of 2 storeys or 9m.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Site Plan Agreement under Section 41 of the Planning Act.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

Prior to removal of the Holding symbol (h) a maximum of four model homes may be permitted on these Lands subject to the granting of Site Plan Approval under Section 41 of the Planning Act including the execution of a required Agreement.

Despite any future severance, partition or division of the subject lands depicted as 'R2-X3' on Schedule 'A1', the provisions of this By-law shall apply to the whole of the subject lands as if no severance, partition or division occurred.

(D) Residential Second Density Zone Exception X4 (R2-X4)

Uses shall be limited to a maximum of 36 Townhouse/Rowhouse/Multi type dwelling units having a maximum height of 2 storeys or 9m and a minimum building setback of 8m from Highway 26.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Site Plan Agreement under Section 41 of the Planning Act.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

Prior to removal of the Holding symbol (h) a maximum of four model homes may be permitted on these Lands subject to the granting of Site Plan Approval under Section 41 of the Planning Act including the execution of a required Agreement.

Despite any future severance, partition or division of the subject lands depicted as 'R2-X4' on Schedule 'A1', the provisions of this By-law shall apply to the whole of the subject lands as if no severance, partition or division occurred.

(E) Residential Second Density Zone Exception X5 (R2-X5)

Uses shall be limited to a maximum of 2 semi-detached type dwelling units having a maximum height of 2 storeys or 9m and a minimum building setback of 8m from Highway 26.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- I. Execution of a Development Agreement with the Town.
- II. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

(F) Recreational 3 Zone Exception X (Rec3-X)

A maximum 700 square metre Private Recreational Building shall also be permitted having minimum side yard setbacks of 1m, minimum rear yard of 4m and a minimum front yard of 4m.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Site Plan Agreement under Section 41 of the Planning Act.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

(G) Institutional Zone Exception X (I-X)

In addition to those uses permitted in the Institutional Zone, a seniors' building and/or a purpose built rental apartment building as well as uses, buildings and structures accessory thereto shall be permitted to a maximum of 100 residential dwelling units and or sleeping care rooms with a maximum height of 15m or five storeys and a minimum building setback of 8m from Highway 26.

In accordance with the provisions of Section 36 of the Planning Act, the Holding '-h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Development Agreement with the Town.
- ii. Execution of a Site Plan Agreement under Section 41 of the Planning Act.

(H) Village Commercial Exception XX (C6-XX)

In addition to those uses permitted in the Village Commercial Zone, the maximum number of dwelling units and/or live work units permitted on the Lands zoned C6 east of Hope Street shall be 74.

(I) Hazard Zone Exception XX (H-XX)

Uses shall be limited to a Private Park and Conservation with passive recreational uses.

In accordance with the provisions of Section 36 of the Planning Act, the Holding 'h' Symbol shall not be removed from the lands until such time as the following has been completed:

- i. Execution of a Development Agreement with the Town.
- ii. Registration of a Plan of Subdivision applicable to a phase to which the Holding symbol is to be removed.

3. A unit established under a Vacant Land Plan of Condominium shall be considered a Lot in accordance with Section 3.0 of By-law 2018-65 as amended.

4. *That Schedule 'A-1' is declared to form part of this By-law.*

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2020

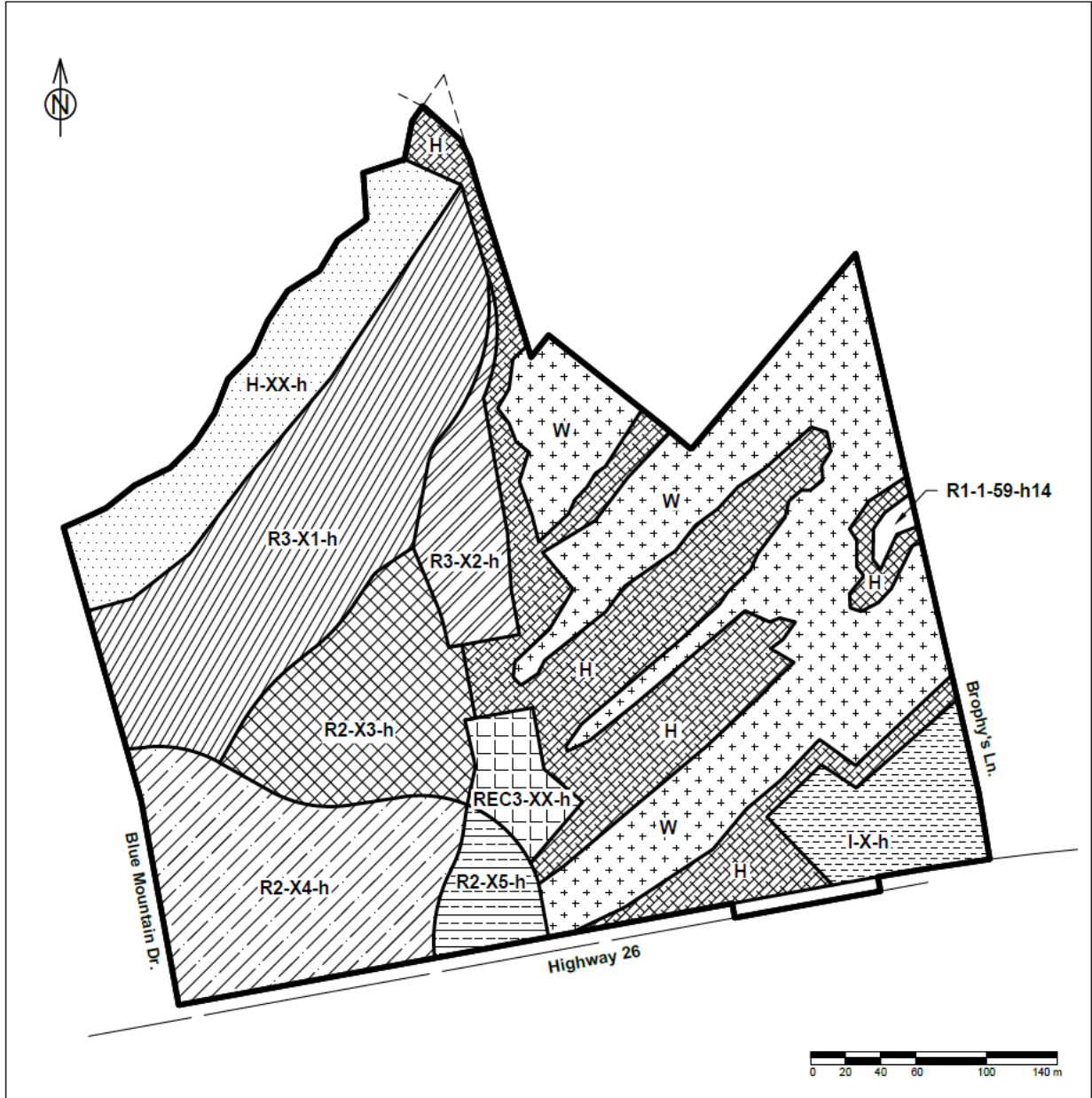
, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2020-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the xx day of xxxx, 2020.

Dated at the Town of The Blue Mountains, this x day of xx, 2020.

Corrina Giles, Clerk



LEGEND		PROPOSED ZONING BY-LAW AMENDMENT	
Subject Lands	Lands to be rezoned from the OS-59-h18, H Zone to the H-XX-h, H Zone	Lands to be rezoned from the R1-1-59-h14, R2-59-h14, OS-59-h18, H Zone to the R3-X1-h, R2-X3-h, R3-X3-h, H Zone	AQUAVIL - WEST LANDS DRAFT PLAN OF SUBDIVISION OF LOTS 59, 110, 111 AND 112 PART OF LOTS 86, 87, 88, 89, 113 AND 114 PART OF BLOCK D (CLOSED BY BY-LAW) REGISTERED PLAN S29 (FORMERLY TOWNSHIP OF COLLINGWOOD) TOWN OF THE BLUE MOUNTAINS COUNTY OF GREY
Lands to be rezoned from the R2-59-h14, OS-59-h18 Zone to the R3-X2-h Zone	Lands to be rezoned from the R2-59-h14, OS-59-h18 Zone to the R2-X3-h Zone	Lands to be rezoned from the R2-59-h14, OS-59-h18 Zone to the R2-X3-h Zone	
Lands to be rezoned from the R2-59-h14, C6-59-h15, H Zone to the REC3-XX-h Zone	Lands to be rezoned from the C6-59-h15, H, W Zone to the R2-X5-h Zone	Lands to be rezoned from the R2-59-h14 Zone to the R2-X4-h Zone	travis & associates planning consultants approvals facilitator development manager 7 - 275 first street collingwood orlando ontario L9Y 1A8 v 700 448 9917 f 448 9918 travisho.ca
Lands to be rezoned from the I-59-h16 Zone to the I-X-h Zone	Lands zoned W Zone to remain W Zone	Lands zoned H Zone to remain H Zone	