

**THE CORPORATION OF  
THE TOWN OF THE BLUE MOUNTAINS**

**BY-LAW NO. 2009- 33**

Being a By-law to amend Zoning By-law No. 83-40, as amended.

**WHEREAS** the Council of the Corporation of the Town of The Blue Mountains deems it necessary and in the public interest to pass a by-law to amend Zoning By-law No. 83-40, as amended;

**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, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:**

1. Maps 14 and 15 to Schedule "A" of Zoning By-Law No. 83-40, as amended, are hereby amended by rezoning the lands in the manner shown on the attached Schedule "A-1".
2. Section 32 of Zoning By-Law No. 83-40, as amended, is hereby amended by deleting exceptions 194 and 195 and replacing them with the following:

R1-194-h

These lands may only be used for the development of a maximum of 164 residential dwelling units and uses, buildings and structures accessory thereto. These lands shall be developed in accordance with the Residential R1 Zone provisions, save and except for the following:

- a) The R1 provisions shall be modified for these lands as follows:

**Provision**

Minimum Lot Area	300 m <sup>2</sup>
Minimum Lot Frontage	10.5 m
Minimum Front Yard	6.0 m, except where an attached private garage is provided, the front of the dwelling, excluding the attached private garage, may be 5.0 m.
Minimum Rear Yard	9.0 m, save and except those lots shown in hatching on the attached Schedule "A-1" where the minimum rear yard shall be 7.5 m
Minimum Side Yard	1.5 m
Minimum Exterior Side Yard	3.75 m from a Public Street only
Maximum Lot Coverage	50%
Minimum Distance Between a Dwelling and a Private Road	2.75 m
Maximum Height	2 Storeys

- b) In addition to the single detached dwellings, rowhouse units and linked units shall also be permitted subject to the applicable R7 provisions contained in Schedule "AA" as modified for these lands as follows:

**Provision**

Minimum Lot Area	220 m <sup>2</sup>
Minimum Lot Frontage	8.0 m (interior unit) and 9.0 m (end unit) Save and except those lots shown in hatching on the attached Schedule "A-1" where the minimum frontage shall be as shown.
Minimum Front Yard	6.0 m, except where an attached private garage is provided, the front of the dwelling, excluding the attached private garage, may be 5.0 m.
Minimum Rear Yard	7.5 m
Minimum Side Yard	1.5 m for end units only, except those lots shown in hatching on the attached Schedule "A-1" where the minimum side yard shall be 4.0 m.
Minimum Exterior Side Yard	3.75 m from Public Street only.
Minimum Distance Between a Dwelling and a Private Road	2.75 m
Maximum Lot Coverage	55%
Maximum Height	2 Storeys

- c) The Minimum Setback from the centerline of a road allowance does not apply to these lands.
- d) Stormwater Management Facilities and Trails may also be permitted in the R1 zone.
- e) A unit established under a Vacant Land Plan of Condominium shall be considered a Lot in accordance with Section 3.98 of By-law No. 83-40, as amended.
- f) Notwithstanding the provisions of Section 5.15(e), parking may be located 0 metres from a lot line.
- g) A maximum of 8 units may be established for model homes while the Holding (-h) provision is in place.
- h) Where any lot abuts an OS1 zone, with the exception of Block 5 as shown on Schedule "A-1", accessory buildings and structures shall not be permitted within the rear yard.

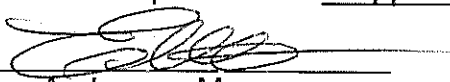
3. In accordance with the provisions of Section 36 of the *Planning Act R.S.O. 1990 c. P.13*, as amended, the holding '-h' symbol shall not be removed from the whole or part of the lands until such time as the following has been completed:


- i) registration of a Plan of Subdivision and Vacant Land Plan of Condominium for the lands;
- ii) granting of Site Plan Approval pursuant to Section 41 of the *Planning Act* where applicable; and,
- iii) the holding provision shall remain in effect for 74 of the 164 permitted residential units until such time as the Town confirms the availability of servicing capacity and the required Development Agreement has been executed to allocate capacity for all or part of the 74 units.

4. Schedule "A-1" is hereby 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 11 day of May, 2009:


  
Ellen Anderson, Mayor

  
Stephen Keast, Clerk

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I hereby certify that the foregoing is a true copy of By-law No. 2009-33 as enacted by the Council of the Corporation of the Town of The Blue Mountains on the 11 day of May, 2009.

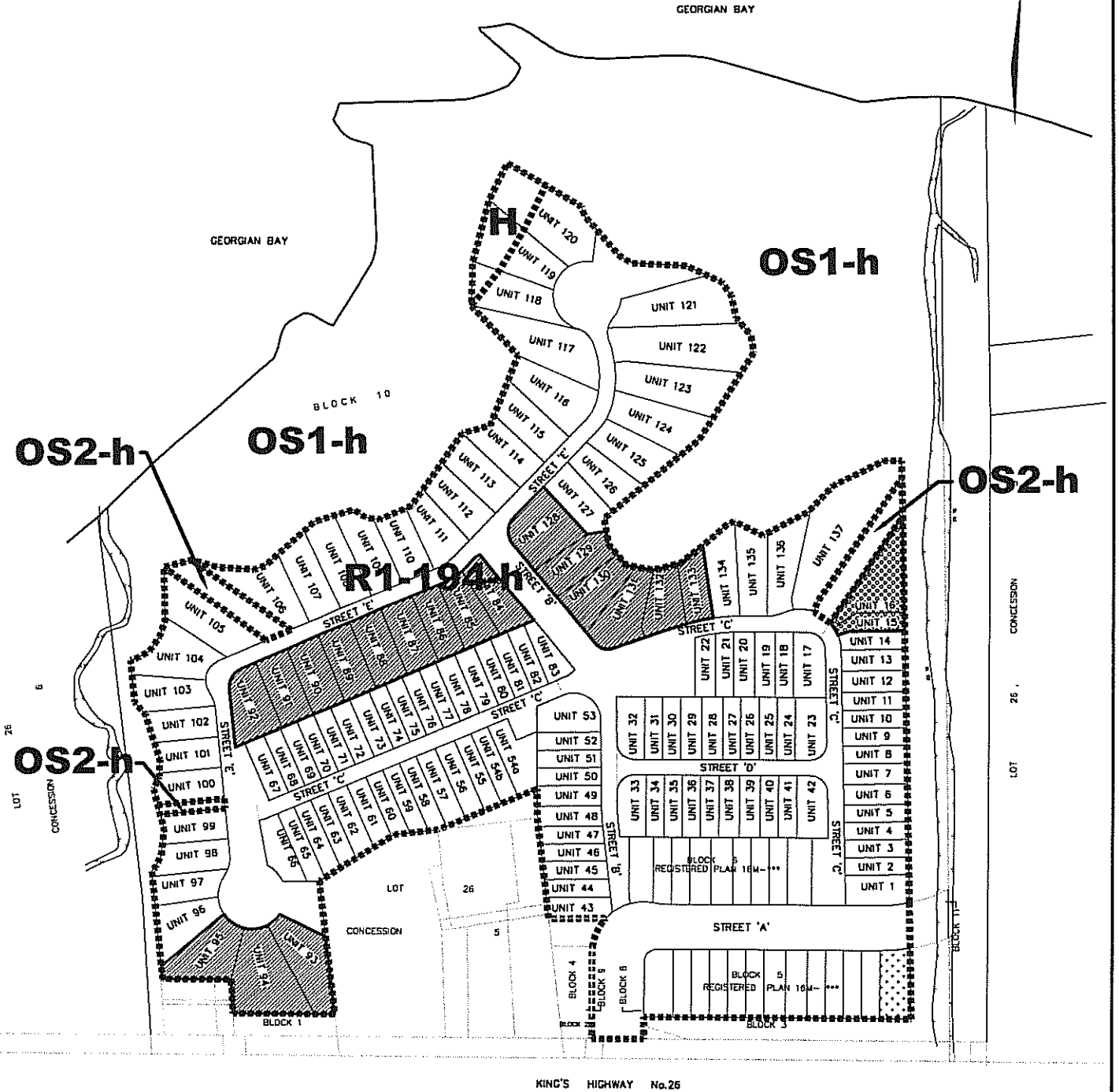
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this 15 day of May, 2009.


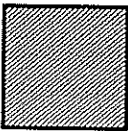
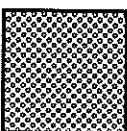
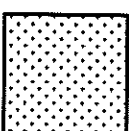
Signed:   
Stephen Keast, Clerk

# Town of The Blue Mountains

Key Map Schedule A-1

By-law No. 2009- 33



-  AREAS TO BE REZONED IN THE MANNER SHOWN
-  REAR YARD EXCEPTION
-  FRONT YARD EXCEPTION
-  SIDE YARD EXCEPTION