

WATERFRONT RESIDENTIAL ZONING AMENDMENT

VARIOUS RESIDENTIAL ZONE CHANGES

VILLAGE OF SOUTH RIVER

PN : 0690/6

DRAFTED: 15 June 2010

REVISED: 10 September 2010

ADOPTED:

THE PLANTARIO GROUP LTD.

EAST YORK, ONTARIO

THE CORPORATION OF THE VILLAGE OF SOUTH RIVER

BY-LAW NO. 25-2010

A BY-LAW TO AMEND ZONING BY-LAW NO. 17-95

WHEREAS the Council of the Corporation of the Village of South River deems it advisable to amend By-law No. 17-95 (the Comprehensive Zoning By-law of the Village of South River);

AND WHEREAS this Amendment is designed to recognize a number of changes to the residential sector having taken place over a number of years, and in part a response to Official Plan Amendment No. 3;

NOW THEREFORE the Council of the Corporation of the Village of South River **ENACTS** in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended, the following:

1. Section 2 of By-law No. 17-95, is hereby amended, by renumbering subsections (28)(c), (d), (e), (f), (g), (h), (i), (j), (k), and (l), as subsections (28)(d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) respectively, and by the addition of a new subsection (28)(c) as follows:
“(c) **BED AND BREAKFAST ESTABLISHMENT**, means a single detached dwelling house in which a portion of the dwelling is supplied for gain, with or without meals, for the purpose of providing accommodations to the travelling or vacationing public.”
2. Section 2(62) of By-law No. 17-95, as amended, is hereby further amended by the deletion of the definition and the addition of a new definition as follows:
“**MARINE FACILITY**, means a building or structure which is used to place a boat into, or take a boat out of, a waterbody; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation, or any boat service, repair or sales facility.”
3. Section 2 of By-law No. 17-95, as amended, is hereby further amended by the addition of a new subsection between subsection (100) and (101) as follows:

“(100A) TOURIST ESTABLISHMENT, means a building or buildings designed or used for the accommodation of the travelling or vacationing public.

(a) LODGE, means a tourist establishment containing therein five or more guest rooms served by a common building entrance while additional guest rooms may have separate entrances directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

(b) MOTEL, means a tourist establishment containing therein five or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.”

4. Section 4(1)(a) of By-law No. 17-95 is hereby amended by the addition of the following new line at the end thereof:

“Mixed Residential-Commercial zone R5

Waterfront Residential zone R6”

5. Sections 9, 10, 11, 12, 13, 14, 15, 16 and 17 of By-law No. 17-95 are hereby amended by renumbering the sections as Sections 11, 12, 13, 14, 15, 16, 17, 18 and 19 respectively, and by introducing new Sections 9 and 10 as follows:

“SECTION 9 MIXED RESIDENTIAL-COMMERCIAL (R5) ZONE

(1) USES PERMITTED:

No person shall within any R5 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R5 uses, namely:

(a) RESIDENTIAL USES:

a bed and breakfast establishment;

a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

- an art gallery;
- an interpretation centre;
- a live/work arrangement which provides for artists, sculptors, and similar crafters who work from home;
- a museum;
- a home occupation;
- a home profession;
- a marine facility;
- a public park;
- a rental shop, primarily for canoes, boats and bikes;
- a tourist establishment, being a lodge, or a motel;
- a tourist outfitters.

(2) ZONE PROVISIONS:

No person shall within any R5 zone use any lot or erect, alter or use any building or structure, unless such lot is served by a public water system and in accordance with the following provisions:

- | | |
|---|-----------------------|
| (a) LOT AREA (minimum): | 1,400.0 square metres |
| (b) LOT FRONTAGE (minimum): | - 30.0 metres |
| (c) DWELLING HOUSES PER LOT (maximum): | - 1 only |
| (d) BUILDING AREA (maximum): | - 40% |
| (e) BUILDING SETBACK, FRONT (minima): | |
| (i) where the lot is a standard waterfront lot | |
| - a marine facility | - nil |
| - all other uses | - 15.0 metres |
| (ii) where the lot is not a standard waterfront lot | - 5.0 metres |
| (f) BUILDING SETBACK, FLANK (minimum): | - 5.0 metres |
| (g) BUILDING SETBACK, REAR (minimum): | - 8.0 metres |
| (h) BUILDING SETBACK, SIDE (minima): | |
| (i) with private garage or carport | - 2.5 metres |

- (ii) without private garage or carport - 7.0 metres
on driveway
side; 2.5 metre
on other side
- (iii) other accessory buildings - 1.5 metres
- (i) **BUILDING SEPARATION (minimum):** - 5.0 metres
- (j) **BUILDING HEIGHT (maximum):** - 2 storeys, provided a
maximum of 10.0 metres
is not exceeded
- (k) **DWELLING UNIT AREA (minimum):** - 110.0 square metres
- (l) **LANDSCAPING AREA (minimum):** - 30%
- (m) **ENTRANCE SETBACK (minimum):** - 8.0 metres
- (n) **DRIVEWAY SETBACK (minimum):** - 1.2 metres
- (o) **PARKING SPACES (minima):**
 - (i) bed and breakfast establishment - 1 for each bedroom
 - (ii) single detached dwelling house - 1 for each dwelling house
 - (iii) art gallery, interpretation centre,
museum - 1 for each 40.0
square metres of net floor
area, or portion thereof
 - (iv) live/work arrangement - 4 per lot
 - (v) a marine facility - nil
 - (vi) tourist establishment - 1 for each guest room,
plus 1 for each 10 seats
in a beverage and dining room
 - (vii) other non-residential uses - the greater of: 2 per
lot or 1 for each 20.0
square metres of net floor
area, or portion thereof

(p) SPECIFIC FOOD SERVICE PROHIBITED:

No drive-thru or fast-food outlets shall be permitted within an area zoned R5.

(q) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.

SECTION 10 WATERFRONT RESIDENTIAL (R6) ZONE

(1) USES PERMITTED:

No person shall within any R6 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R6 uses, namely:

(a) RESIDENTIAL USES:

a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a home occupation;

a home profession;

a marine facility;

a public park.

(2) ZONE PROVISIONS:

No person shall within any R6 zone use any lot or erect, alter or use any building or structure, unless such lot is served by a public water system and in accordance with the following provisions:

(a) LOT AREA (minimum): - 3,500.0 square metres

(b) LOT FRONTAGE (minimum): - 40.0 metres

(c) DWELLING HOUSES PER LOT (maximum): - 1 only

(d) BUILDING AREA (maximum): - 30%

(e) BUILDING SETBACK, FRONT (minima):

(i) main building - 15.0 metres

(ii) accessory building - 8.0 metres

(iii) marine facility - nil

(f) BUILDING SETBACK, FLANK (minimum): - 8.0 metres

- (g) **BUILDING SETBACK, REAR (minimum):** - 10.0 metres
- (h) **BUILDING SETBACK, SIDE (minima):**
 - (i) with private garage or carport - 1.5 metres
 - (ii) without private garage or carport - 6.0 metres
on driveway
side; 1.5 metre
on other side
 - (iii) other accessory buildings - 1.5 metres
- (i) **BUILDING SEPARATION (minimum):** - 4.0 metres
- (j) **BUILDING HEIGHT (maximum):** - 2 storeys, provided a
maximum of 8.0 metres
is not exceeded
- (k) **DWELLING UNIT AREA (minimum):** - 120.0 square metres
- (l) **LANDSCAPING AREA (minimum):** - 40%
- (m) **ENTRANCE SETBACK (minimum):** - 9.2 metres
- (n) **DRIVEWAY SETBACK (minimum):** - 1.2 metres
- (o) **PARKING SPACES (minima):**
 - (i) Residential uses - 1 for each dwelling unit
 - (ii) marine facility - nil
 - (iii) Other Non-Residential uses - the greater of: 2 per
lot or 1 for each 20.0
square metres of net floor
area or portion thereof

(p) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.”

6. Schedule ‘A’, Zone Map, attached hereto and forming part of By-law No. 17-95, as amended, is hereby amended by changing from RU to R5 the zone symbol on the land designated “ZONE CHANGE TO R5” on Schedule ‘A’ hereto.

7. Schedule 'A', Zone Map, attached hereto and forming part of By-law No. 17-95, as amended, is hereby further amended by changing from RU to R6 the zone symbol on the land designated "ZONE CHANGE TO R6" on Schedule 'A' hereto.

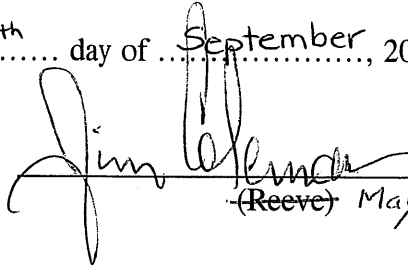
8. Schedule 'A', Zone Map, attached hereto and forming part of By-law No. 17-95, as amended, is hereby further amended by changing from RU to R2 the zone symbol on the land designated "ZONE CHANGE TO R2" on Schedule 'A' hereto.

9. This By-law shall become effective on the date hereof subject to:
 - (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
 - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the notice of the passing of this By-law.

THIS BY-LAW read a first and second time this 13th day of September, 2010.

THIS BY-LAW read a third time and passed this 13th day of September, 2010.

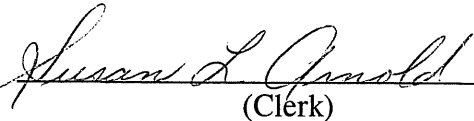
Signed:



(Reeve) Mayor

(SEAL)

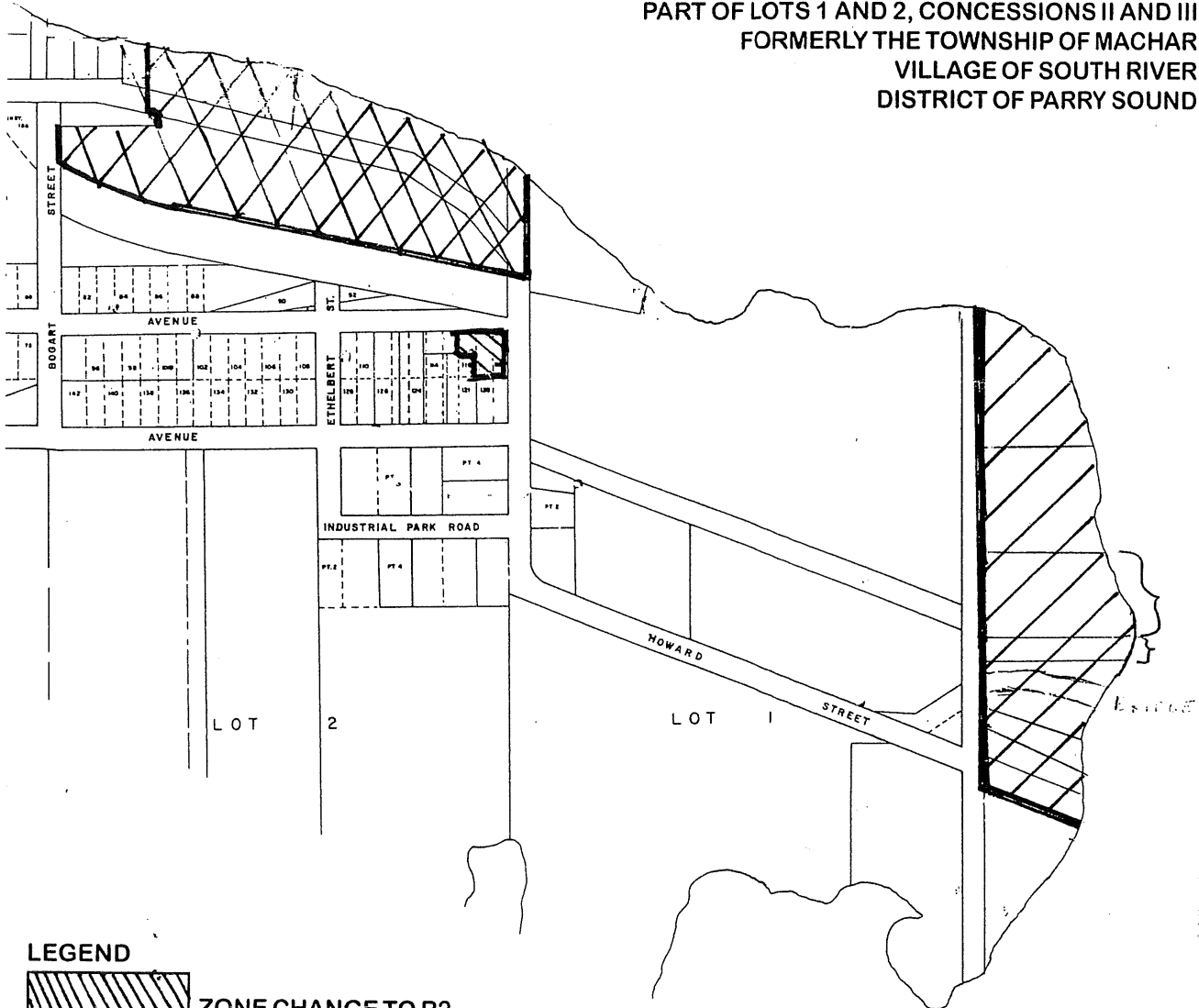
Signed:





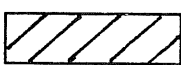
(Clerk)

SCHEDULE 'A'
BY-LAW NO. 25-2010

PART of LOT 1, CONCESSION II
 FORMERLY THE TOWNSHIP OF LAURIER
 PART OF LOTS 1 AND 2, CONCESSIONS II AND III
 FORMERLY THE TOWNSHIP OF MACHAR
 VILLAGE OF SOUTH RIVER
 DISTRICT OF PARRY SOUND



LEGEND

-  ZONE CHANGE TO R2
-  ZONE CHANGE TO R5
-  ZONE CHANGE TO R6



METRES

100 0 100



The Plantario Group Ltd.

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(416) 698-3655

THIS IS SCHEDULE 'A' TO BY-LAW NO. 25-2010
 PASSED THE 13th DAY OF September, 2010.

(MAYOR):

Jim Coleman

(SEAL)

(CLERK):

Susan D. Arnold

DWG NO. : 0690/6 - A
 REVISED: 10 Sept '10
 DRAFTED: 15 June '10