

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2005-42

Being a By-law to amend Zoning By-law No. 83-40
which may be cited as "The Zoning By-law of the
Township of Collingwood".

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. 83-40;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, 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. Map 1 to Schedule A to the Zoning By-law of the Township of Collingwood, being By-law No. 83-40 is hereby amended by rezoning from the Recreational Commercial C4-6 zone to the Land Lease Community LLC-6-h zone those lands lying and being in the Town of The Blue Mountains and comprised of Part Lot 39, Concession 12 as shown on the attached key map Schedule "A-1"
2. Section 3 to the Zoning By-law of the Township of Collingwood being By-law No. 83-40 is hereby amended by adding the following definition:

"3.92(a) Land Lease Community" shall mean a residential development incorporating individual sites leased to individuals for the purposes of erecting, or having erected, accommodation units owned in whole or in part by the lessee and constituting part of an overall development scheme that provides internal sanitary, water and other services supporting year round accommodation. For the purposes of a Land Lease Community, an individual site shall be identified on an approved Site Plan approved by Council and incorporated under a Development Agreement.

3. Section 10 to the Zoning By-law of the Township of Collingwood being By-law No. 83-40 is hereby amended by adding the following section:

10.15 Land Lease Community

No person shall hereafter, use any land, or erect any building or structure, in the Land Lease Community (LLC) zone except in accordance with the following provisions:

10.15.1 Permitted Uses

- a) One Park Model Trailer home on an approved site;
- b) One mobile home on an approved site;
- c) Modular Homes on an approved site ;
- d) One accessory storage shed on an approved site
- e) Accessory Decks to a use permitted in (i) to (iii); and
- f) Accessory Uses to a use permitted in (i) to (iii).
- g) A Community Park
- h) One Administration/Sales Office as an accessory use to the Land Lease Community;
- i) One permanent residential dwelling attached to the Administration/Sales Office
- j) A Recreational Centre that includes private clubs not

- accessory to the park use;
- k) Outdoor Recreational Uses;
- l) Maintenance and Open Storage Use; and
- m) Any other Accessory Uses, Buildings or Structures necessary for the operation of the Land Lease Community;

10.15.2 Regulations for Uses Permitted in Clause a) of Subsection 10.15.1

- a) Minimum Site Area 260 square metres
- b) Minimum Site Frontage 11.5 metres
- c) Minimum Site Front Yard 4.25 metres
- d) Minimum Site Rear Yard 3 metres
- e) Minimum Site Side Yard 1.2 metres on one side and 3 metres on the other side
- f) Minimum Site Setback from internal lane 4.5 metres
- g) Maximum Site Coverage 40%
- h) Minimum Landscaped Area 50%
- i) Open Storage Not permitted
- j) Minimum parking spaces per site 2
- k) Maximum Accessory Deck Area 18.6 square metres
- l) Maximum Accessory Storage Shed 7.5 square metres

10.15.3 Regulations for Uses Permitted in Clause b) and c) of Subsection 10.15.1

- a) The following setbacks shall apply to the following types of units:

	Detached	Semi - Detached	Row House (Three- Unit)	Town House (2 storey, 4-plex)	Town House (2 storey, 6-plex)
Minimum Frontage:	10.50m	17.75m	25.0m	35.3m	50.0m
Front Yard Setback:	4.25m	4.25m	4.25m	4.25m	4.25m
Rear Yard Set Back:	3.0m	3.0m	3.0m	3.0m	3.0m
Side Yard Setbacks:	1.5m	1.5m	1.5m	3.0m	3.0m
Maximum Coverage:	40%	45%	45%	45%	45%

- b) Notwithstanding the front yard setback, the minimum setback for an attached private garage shall be 6 metres.

10.14.4 The maximum occupancy permitted for any park model trailer unit permitted in Subsection 10.15.1(a) shall be for a maximum of 270 days in a calendar year.

4 . Section 32 to the Zoning By-law of the Township of Collingwood being By-law No. 83-40 is hereby amended by deleting exception 6 and replacing it with the following:

“6 These lands may only be used for a Land Lease Community with a maximum of 212 sites and subject to the following special provisions:


Notwithstanding any other provisions of the By-law to the contrary, the following provisions shall apply to these lands:

- a) Existing park model trailer units or recreational vehicles that are currently used for full time residential purposes on the effective date of passing of this By-law and identified in the Development Agreement shall be permitted to continue to be utilized for year round occupancy.
 - b) The maximum number of units permitted until such time as the Municipal water and sewer services are provided to the site is 149 park model trailer or equivalent mobile or modular home which equals 1.3 park model trailers.
 - c) All other units or recreational vehicles existing as of date of passing of this by-law shall be permitted a maximum occupancy of 180 days per year and restricted to the period between May 1 and October 31.
 - d) An accessory shed located on a site shall be located in the rear half of the site and located a minimum distance of 1 metre from the side or rear site line or 4.5 metres from an internal lane.
 - e) Prior to the removal of the "h" a maximum of eight model units may be permitted on an existing site subject to the granting of Site Plan Approval under s.41 of the Planning Act including the execution of a required Development Agreement.
4. In accordance with the provisions of Section 36 of the Planning Act R.S.O. 1990, c-P.13, as amended, the holding symbol "h" shall not be removed from the whole or part of the lands until such time as a Development Agreement has been executed with Council that includes a detailed Site Plan identifying Site for new development and site occupied by existing units.
5. Schedule "A-1" is hereby declared to form part of this By-law.
6. This By-law shall come into full effect upon the date of approval of the Town of The Blue Mountains Official Plan including Official Plan Amendment No. 1

READ A FIRST TIME THIS 16th DAY OF May, 2005.

READ A SECOND TIME THIS 16th DAY OF May, 2005.

READ A THIRD TIME AND FINALLY PASSED THIS 16th DAY OF May, 2005.


Ellen Anderson, Mayor


Stephen Keast, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2005-42 as enacted by the Council of the Corporation of the Town of The Blue Mountains on the 16th day of May, 2005.

DATED at The Blue Mountains

this 18th day of

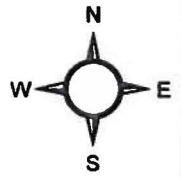
May, 2005.

Signed: 
Stephen Keast, Clerk

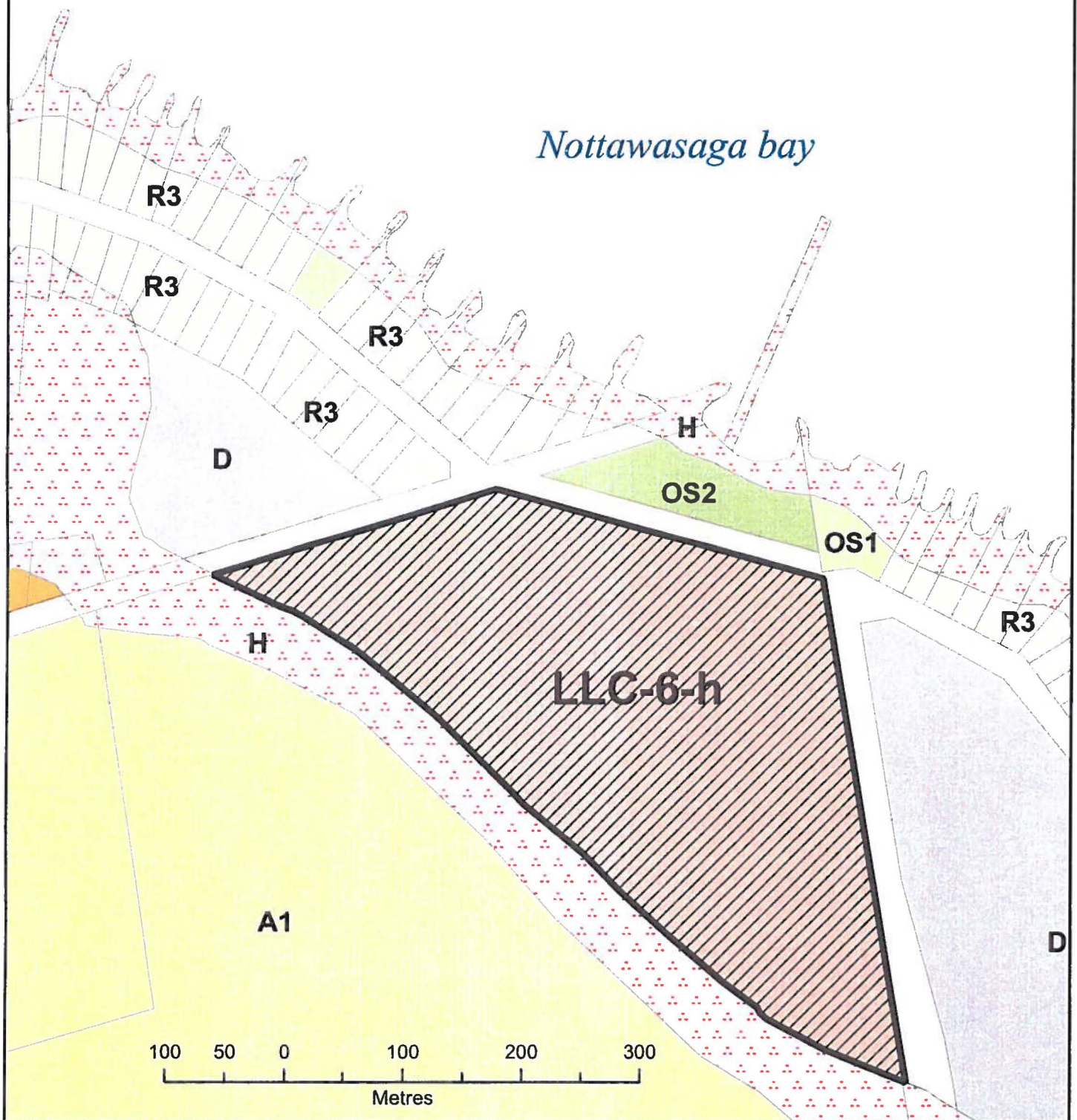
Town of The Blue Mountains

Key Map Schedule A-1

By-Law No. 2005-42



Area changed from C4-6 to LLC-6-h



NOTICE OF THE PASSING OF A ZONING BY-LAW

THE TOWN OF THE BLUE MOUNTAINS

TAKE NOTICE THAT the Council of the Town of The Blue Mountains passed By-law No. 2005-42 on the 16th day of May, 2005 under Section 34 of the Planning Act.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filing with the Clerk of the Town of The Blue Mountains not later than the 7th day of June, 2005 a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, together with the required \$125 fee.

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies (or, alternatively, an explanation as to why a key map is not provided) are attached. The complete by-law is enclosed for inspection.

DATED at the Town of The Blue Mountains, this 18th day of May, 2005.

Stephen Keast
Clerk
Town of The Blue Mountains
P.O. Box 310
26 Bridge Street
THORNBURY, Ontario
NOH 2P0 (519) 599-3070

PURPOSE AND EFFECT OF THIS BY-LAW

The purpose of this By-law is to consider a request by the Owner to modify their current zoning provisions to implement their proposed new Community Master Plan and to bring the zoning in consistency with the new Official Plan.

The effect of the By-law is as follows:

1. Rezoning the lands to the Land Lease Community LLC-6 zone, which will delete the identification of the detailed Site Plan under the Zoning By-law;
2. Establish a new Land Lease Community Zone that permits duplex, row house and townhouse modular units in addition to the single detached modular homes subject to specific site performance standards;
3. Modify exception 6 to limit the development to 212 units based on full municipal services and allow interim development within the undeveloped Phase 2 area under the existing communal services;
4. Utilization of the Holding -h symbol in accordance with the Planning Act, which will require an Amendment to the Development and Responsibility Agreement prior to its removals. The Amendment will address the requirement for a detailed site plan, implementation of the transition program, Site Plan issues such as storm water management, internal road requirements amongst other matters.

The lands subject of this By-law are comprised of Part Lot 39, Concession 12 as shown on the attached map.