

ONTARIO REGULATION XXX/22

made under the

PLANNING ACT

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ZONING ORDER - TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY

Definition

1. In this Order,

“Zoning By-Law” means the Town of The Blue Mountains Zoning By-law 2018-65.

Application

2. This order applies to lands in the Town of The Blue Mountains, County of Grey in the Province of Ontario, being the lands on a map numbered XXX filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Zoning By-law

3. That the Town of The Blue Mountains Zoning By-law 2018-65, as amended from time to time and in its entirety applies to those lands being the lands on a map numbered XXX filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Hazard Zone

4. (1) This section applies to lands located in the area shown as the Hazard Zone on the map referred to in section 2 of this Order.

(2) Every use of land and every erection, location or use of any building or structure is limited on the lands described in subsection (1) to the following,

(a) uses permitted under table 8.1, Hazard Zone (H) of the Zoning By-law; and

(b) an enhanced naturalized stream corridor.

(3) The zoning requirements for the uses permitted under clause (2) (a) are the zoning requirements for the Hazard Zone (H) set out in table 8.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(4) That the boundary of the Hazard Zone may be refined by an environmental impact study and in consultation with the local Conservation Authority, and that minor revisions to the boundaries of the Hazard Zone shown on the map referred to in section 2 of this Order may be revised without an amendment.

Community Campus of Care Zone

5. (1) This section applies to lands located in the area shown as the Community Campus of Care Zone on the map referred to in section 2 of this Order.

(2) Every use of land and every erection, location or use of any building or structure is limited on the lands described in subsection (1) to the following,

(a) uses permitted under table 6.1, Residential One Zone (R1) of the Zoning By-law;

(b) uses permitted under table 6.1, Residential Two Zone (R2) of the Zoning By-law;

(c) uses permitted under table 6.1, Residential Three Zone (R3) of the Zoning By-law;

(d) uses permitted under table 8.1, Institutional Zone (I) of the Zoning By-law;

(e) business office;

(f) commercial fitness centre;

(g) commercial school;

(h) dry cleaning depot;

(i) laundromat;

(j) medical office;

(k) parking area;

(l) personal service shop;

(m) retail store that retails local convenience goods;

(n) retail store that retails pharmacy related goods, and

(o) outdoor recreation use.

(3) The zoning requirements for the uses permitted under clause (2) (a) are the zoning requirements for the Residential One Zone (R1-3) set out in table 6.2.1 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(4) The zoning requirements for the uses permitted under clause (2) (b) and clause (2) (c) are the zoning requirements for the Residential Two Zone (R2) and the Residential Three Zone (R3) set out in table 6.2.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(5) The zoning requirements for the uses permitted under clause (2) (d) and clause (2) (o) are the zoning requirements for the Institutional Zone (I) set out in table 8.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

(6) The zoning requirements for the uses permitted under clause (2) (e) through (n) inclusive are the zoning requirements for the Village Commercial Zone (C1) set out in table 7.2 of the Zoning By-law, with the zone exceptions as noted in section 6 of this Order.

Zone Exceptions

6. (1) This section applies to lands located in the area shown as the Hazard Zone and the Community Campus of Care Zone on the map referred to in section 2 of this Order.

(2) Despite the zone requirements of the Hazard Zone in section 4 of this Order, and the Community Campus of Care Zone in Section 5 of this Order, the following zone exceptions shall apply:

1. That provision 1.5 (g) of the Zoning By-law does not apply.
2. That general provision 4.1 of the Zoning By-law is amended by permitting one accessory apartment unit in a single detached, semi-detached, duplex or townhouse dwelling and/or one accessory apartment unit within a detached accessory building to a single detached, semi-detached, or duplex dwelling.
3. That general provision 4.15 of the Zoning By-law does not apply.
4. That general provision 4.20 of the Zoning By-law is amended by removing the requirements for a “Draft Plan of Subdivision or Condominium”.
5. That general provision 4.27 of the Zoning By-law does not apply. However, a 3.0 metre-wide landscaping strip is required adjacent to the full length of a lot line that abuts Highway 26, County Road 113 and Peel Street South. Furthermore, a 4.0 metre-wide landscaping strip is required adjacent to the full length of a lot line that abuts 139 Peel Street South and 208048 Highway 26.
6. That general provision 4.34.1 of the Zoning By-law shall also include Peel Street South, and that no building or structure shall be located any closer than 12.5 metres to edge of the existing right-of-way of Peel Street South.
7. That provision 5.1.8 (a) through (d) inclusive of the Zoning By-law does not apply.
8. That provision 5.3.6, table 5.2 of the Zoning By-law is amended as follows:

single detached, semi-detached, rowhouse and townhouse dwelling unit	1.5 parking spaces
apartment building dwelling unit or multiple dwelling unit	0.8 parking spaces per studio/bachelor or 1-bedroom unit 1 parking space per 2-bedroom unit or larger Plus 0.25 parking spaces per unit for visitor parking

9. That provision 5.4.3, table 5.3 of the Zoning By-law is amended as follows:

business office, commercial fitness centre, commercial school, dry cleaning depot, laundromat, medical office, personal service shop, retail store	1 space per 33m ²
long term care facility	1.5 spaces per 4 beds

10. That provision 5.7, table 5.6 of the Zoning By-law shall also include the following:

apartment building dwelling unit or multiple dwelling unit	0.7 parking spaces per dwelling unit to a total maximum of 15 parking spaces
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11. That provision 5.8, table 5.7 of the Zoning By-law is amended whereas the number of loading spaces is a minimum of one (1) for a long term facility and a minimum of one (1) for a community centre.
12. That despite any provisions of the Zoning By-law to the contrary a maximum building height of 6 storeys and 25.0 metres is permitted for the following uses:

long term care facility

retirement home

apartment building or multiple dwelling containing employee housing

Terms of use

7. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed By-law

8. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Town of The Blue Mountains.

Commencement

9. **This Regulation comes into force on the day it is filed.**

Made by:

STEVE CLARK
Minister of Municipal Affairs and Housing

Date made: XXXXXXXX, 2022