THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW 5000-180

Being a By-law to amend Comprehensive Zoning By-law 5000, as amended, of the Township of Springwater with respect to Housekeeping Matters and Incorporation of Amendments into the By-law

(HOUSEKEEPING ZBA)

WHEREAS By-law 5000, as amended, is the main Zoning By-Law of the Township of Springwater; and

WHEREAS the Council of The Corporation of the Township of Springwater deems it appropriate and necessary to amend its Comprehensive Zoning By-law with respect to housekeeping matters; and

WHEREAS authority is granted under Section 34 of the Planning Act, RSO 1990, c.P.13 to enact such amendments;

NOW THEREFORE be it enacted that By-law 5000, as amended, is further amended by:

1) Correcting all spelling, numbering, grammatical, inclusion and exclusion errors within the text of the By-law;

2) Adding a new Subsection 3.13 to read as follows:

“Notwithstanding any other provision of this By-law, and more particularly notwithstanding any Holding Symbol (H) on the lands, where a model home agreement has been executed between the Township and the owner, and where:

a) Draft Plan Approval has been granted and
b) The required easements, agreements and securities are provided to facilitate servicing to the plan, the total number of permits for single detached or semi-detached model home dwellings shall not exceed ten percent (10%) of the total number of single detached and semi-detached building lots in the plan of subdivision to a maximum of 10, and in addition, one street townhouse building containing a maximum of 8 dwelling units, subject to the following restrictions:

i) the type of Model Home shall be consistent with the zone classification in which the Model Home is to be located;

ii) the Model Home shall be used for the purpose of a Model Home only and shall not be occupied as a dwelling unit prior to the date of the registration of the plan of subdivision, and substantial completion of services, obtaining any required Building Permits to the satisfaction of the Township;
iii) the Model Home shall comply with all other provisions of this By-law, as though the units were constructed on the lot within the registered plan of subdivision; and

iv) the Model Home shall comply with all applicable terms and conditions of the said Model Home Agreement.

3) Adding to Section 3.7.1 the words “provided that in no case shall the gross floor area of an accessory building or structure to a residential use exceed the gross floor area of the residential use”.

4) Adding the words “Maximum total area of accessory buildings or structures shall be 65 m² (699.68 sq. ft.)” to Sections 4, 5, 6, 9, 10, 11, 12, 13 and 14”.

5) Adding “In addition to Section 3.7, the maximum total area of accessory buildings or structures shall be 115 m² (1238 sq. ft.) in total” to Sections 7, 8, 18 and 26.

6) Deleting Subsection 3.7.4 in its entirety and re-numbering appropriately.

7) Adding a new subsection to 3.7 to read as follows:

“In all zones other than Residential, any accessory building or structure to an accessory residential use shall remain equal to or less than the gross floor area of the dwelling unit on the lot.”

8) Deleting Section 3.7.5 and adding a new subsection to 3.7 to read as follows:

“a) Attached Accessory Buildings

No attached garage to a residential use shall exceed the height of the dwelling.

b) Detached Accessory Buildings

In the Agricultural (A) and Rural Residential (RR) Zones, no detached accessory building to any residential or accessory residential use shall exceed the height of the dwelling, to a maximum height of 4.5 metres.

In all other Residential Zones no detached accessory building to any residential or accessory residential use shall exceed the height of the dwelling, to a maximum height of 4.5 metres.”

9) Deleting the word “inground” in Sections 3.9(b) and (c).
10) Deleting Section 3.9(d) in its entirety and re-numbering the section appropriately.

11) Amending Section 3.15 by adding the word “Street” prior to the word “Access” in the heading and by adding the words “frontage and” prior to the words “street access” in the second line of the text; and adding the following:

“This does not apply to prohibit the erection of any buildings or structures on any lot existing on a private road at the date of passing of this By-law, but all other provisions of this By-law apply.

The above provisions do not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period.”

12) Amending Section 3.40.3 by adding “or other applicable legislation” after the word “provisions”.

13) Amending Section 3.42 by changing the title to “Storage / Parking”.

14) Amending Section 3.42 by deleting the words “parking or” in subsections 3.42.1; 3.42.3; 3.42.4; 3.42.5; 3.42.6 and 3.42.8 and changing Subsection 3.42.11 to read as follows:

“Nowithstanding the preceding subsections, the parking on a driveway of an auto trailer, travel trailer, boat or boat trailer may be permitted in a Residential or Agricultural Zone during the season for which it was designed, provided that such lot is not used for apartment building dwelling purposes.”

15) Amending Section 28.158 by deleting the words “or storage”.

16) Amending Section 28.135 by adding the “year-round” before “recreational trailer”.

17) Amending Section 28.174 by deleting “and which is self-propelled or so” and adding, after “motor vehicle, the word “or as defined by Section 28.135”.

18) Amending Section 28 by adding a new definition as follows and re-numbering appropriately:

“PARKING SPACE shall mean a portion of a building or lot for use for the parking of a vehicle and/or recreational trailer.”

19) Amending Section 4.4.11 by reinserting the words “for residential buildings” after
the word setback.

20) Amending Section 18.2.2(d) by deleting the words “where applicable, exclusive of any livestock facilities” and adding “in accordance with Sections 26.3 and 3.45”.

21) Amending Section 19.2.1.a) by deleting the words “or a detached accessory dwelling” and changing the section reference appropriately.

22) Amending Section 20.2.1.a) by deleting the words “or a detached accessory dwelling” and changing the section reference appropriately.

23) Amending Subsection 12.4.2 by adding at the beginning “A towing service/operation is permitted.”

24) Amending Section 3.40.3 by adding the words “or office space associated with a commercial or industrial use” after “Banks, business and professional offices” in the first box.

25) Amend Section 3.40.5 “Industrial” by deleting the words “Interior side and rear yards only” and replacing them with “All yards” adding, at the beginning, “Visitor parking may be located in the front yard.”

26) Amending Section 9 – Residential Seasonal (RS) Zone, subsection 9.3.8(b) – Accessory Buildings by adding “(i) front – 9.0 metres (29.53 ft.) and replacing 1.5 metres (4.92 ft.) in both (ii) and (iii) with 1.2 metres (3.94 ft.).

27) Amending Section 26 – Agricultural (A) Zone, subsection 3.14.1(h) Accessory Buildings, by adding the following: “Minimum front yard and exterior side yard setbacks – 9.0 metres (29.53 ft.). Minimum interior side and rear yard setbacks – 3 metres (9.84 ft.).”

28) Deleting the first sentence of Section 3.7.8.

29) Adding “in order to strengthen the building” after the word “permitted” in the last sentence of Section 3.27.4 by and deleting from the last sentence, from and including the word “same” to the end and replacing it with “the volume and useable floor area are not increased.”

30) Amend Section 3.27.9 by adding the word “street” before the words “access to such street” in the last sentence.

31) Changing “MDS1” to “MDS I” in Section 3.45.1.2; changing “MDS11” to “MDS II” in Section 3.45.2 and deleting from subsection 3.45.2.2 to the end of the Section
3.45.

32) Adding a new clause as 9.3.7 as follows: “Minimum Opening Elevation 223.11 metres GCD” and re-numbering appropriately.

33) Adding a new clause as 10.3.7 as follows: “Minimum Opening Elevation 223.11 metres GCD” and re-numbering appropriately.

34) Deleting subsections 15.3.13 and 16.3.13 in their entirety.

35) Amend Sections 26.2.1(b) and 26.2.2(b) by deleting “26.3.14.4” and replacing it with “18.3.6(c)”.

36) Amend Section 28.83 by deleting the words “provided however that for the purposes of determining lines of setback and side yards”.

THAT this By-law shall take effect and come into force pursuant to the provisions of and regulations made under the Planning Act, R.S.O. 1990, c.P.13, as amended.


THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

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Linda Collins, Mayor

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John Daly, Clerk