

PROPOSED ZONING BY-LAW TOWN OF GEORGETOWN

This is the second instalment of a series reproducing the proposed Georgetown Zoning By-Law in its entirety.

A Restricted Area (Zoning) By-Law being a by-law to regulate the use of land and the character, location and use of buildings, in the Town of Georgetown.

(continued from last week)

SECTION 4 General Provisions

4.1. Zones: In order to carry out the purpose and provisions of this By-Law, the Town of Georgetown is hereby divided into fifteen zones, known as:

Class, Residential; Zone, First Density Residential, Symbol, R1; Second Density Residential, R2; Third Density Residential, R3; Fourth Density Residential, R4; Commercial, Neighbourhood Commercial, C1; General Commercial, C2; Industrial, First Industrial, M1; Second Industrial, M2; Third Industrial, M3.

Transportation, Transportation, T; Storage and Service Storage and Service, SS; Open Space, Open Space, public, O1; Open Space, semi-public and private, O2; Conservation, O3.

Agricultural, Agricultural, A.

4.1.1. Zoning Map: The zones aforesaid and the boundaries of such zones are shown upon the map attached hereto, which map, designated as the Zoning Map, together with all the notations and references contained thereon shall be part of this By-Law as if the information set forth by said map were fully described herein.

4.1.2. Boundaries of Zones: Where uncertainty exists with respect to the boundaries of the various zones, as shown on the Zoning Map, the following rules shall apply:

4.1.2.1. Streets or Lanes: The zone boundaries are either streets or lanes unless otherwise shown, and where the indicated boundaries on the Zoning Map are approximately streets or lanes, said streets or lanes shall be construed to be zone boundaries.

4.1.2.2. Lot Lines: Where the zone boundaries are not shown to be streets or lanes, and where the property has been or may hereafter be divided into blocks and lots, the zone boundaries shall be construed to be the lot lines and where the indicated boundaries on the Zoning Map are approximately lot lines, said lot lines shall be construed to be the zone boundaries unless said boundaries are otherwise indicated on the map.

4.1.2.3. Symbol of Zone: Where one symbol is used on the Zoning Map to indicate the zone classification of an area divided by a lane or lanes, said symbol shall establish the classification of the whole of such area.

4.1.2.4. Street or Right of Way—Allocation or Division: A street, lane, railroad or railway right of way, electrical transmission line right of way, or water course included on the Zoning Map shall, unless otherwise indicated, be included within the zone of adjoining property on either side thereof; and where such street, lane, right of way or watercourse serves as a boundary between two or more different zones a line midway or watercourse and extending in the general direction of the long dimension thereof shall be considered the boundary between zones.

4.1.2.5. Closed Street or Lane: In the event a dedicated street or lane shown on the Zoning Map is closed the property formerly in said street or lane shall be included within the zone of the adjoining property on either side of the said closed street or lane. In the event said street or lane was a zone boundary between two or more different zones, the new boundary shall be the former centre line of said closed street or lane.

4.2. Licences and Permits: Nothing in this By-Law shall operate to relieve any person from the obligation to comply with the requirements of By-Law No. 489 (Building By-Law), as amended or any other By-Law of the Town of Georgetown in force from time to time, or the obligation to obtain any licence, permit, authority or approval required under any other By-Law of the Town of Georgetown.

4.3. Building Under Construction: Nothing in this By-Law shall apply to prevent the ultimate erection, to the full height, of any building or structure, of any building erected to a lesser height prior to the passing of this By-Law, provided that the said proposed full height is duly set forth in the original plans and specifications of the said building or structure filed on the application for the original building permit, and provided further that the said full height is structurally designed and provided for in the existing structure.

4.4. Restoration to a Safe Condition: Nothing in this By-Law shall prevent the strengthening or restoration to a safe condition of any

building or structure or part of any building or structure, provided that the strengthening or restoration does not increase the building height, area of building, or change the use of the building or structure.

4.5. Reduction of Yards: (1) No person shall reduce any lot area either by the conveyance or alienation of any portion of the lot or otherwise so that the lot coverage exceeds the maximum permitted by the By-Law or so that the yards provided are less than the minimum permitted by this By-Law for the zone in which the lot is situated.

(2) When any part of a lot is required by this By-Law to be reserved as a yard or other open space, the part shall continue to be so used regardless of any change in ownership of the lot or any part thereof, and shall not be deemed to form part of an adjoining lot for the purpose of computing the lot area of an adjoining lot available for building purposes.

4.6. Permitted Yard Encroachments: (1) Every part of any required yard shall be open and unobstructed from the ground to the sky by any structure, except for unenclosed porches, sills, belt courses, cornices, eaves or gutters, provided however that the same shall not project more than eighteen inches (18") into any required yard.

(2) Fire escapes shall be permitted in side and rear yards only; exterior stairways shall be permitted in rear yards only and balconies shall be permitted in front and rear yards only.

(3) Fire escapes, stairways and balconies which are open and unenclosed and are permitted under subsection (2) may project not more than five feet (5') into a yard, chimneys and pilasters may project not more than eighteen inches (18") into a required yard.

4.7. Lanes or Rear Yards: Notwithstanding anything in this By-Law, where a lot abuts on a lane, one half of the width of the lane may be considered a part of the lot for the purpose of computing the lot area, lot coverage and the rear yard depth for the lot as required under this By-Law.

4.8. Yards for Reversed Corner Lots: Where a building is erected on a reversed corner lot the minimum distance from the wall of the main building to the side lot line shall be either ten feet (10') or half of the required depth of the front yard of the Key lot to its rear, whichever is the greater.

4.9. Lots on Zone Boundary Line: Where a lot line is part of a boundary line between two zones, the minimum width or depth of the side yard or rear yard which abuts on the boundary line in the less restricted zone shall be the average of the minimum width or depth of such yards as permitted in the two zones of this By-Law.

4.10. Uses of Lots Without Buildings: Where a lot is used for a permitted use other than gardening or public playgrounds and there are no buildings or structures on the lot, the minimum lot area and front yard requirements of the zone in which the lot is situated shall be complied with, as if there were a building on the lot.

4.11. Through Lots: (1) The Zoning Administrator of this By-Law may designate either street line of a through lot as the front lot line. (2) When a lot line of a through lot has been designated a front lot line, the minimum depth of the rear yard shall be twenty (20) feet.

4.12. Non-Conforming Land, Buildings and Uses:

4.12.1. Non-Conforming Buildings:

4.12.1.1. (a) Existing Non-Conforming Buildings: Subject to clause (b) of this sub-section and Section 4.12.3, a building which, at the date of enactment of this By-Law is used for a purpose not permissible within the zone in which it is located, shall not be enlarged, extended or structurally altered, unless such building is thereafter used for a purpose permitted within such zone, provided, however, that the interior of such building may be reconstructed or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of enactment of this By-Law, such building is used.

4.12.1.2. (b) Partial Destruction of Existing Non-Conforming Buildings: A building which is damaged to the extent of fifty per cent or more of its real value (exclusive of walls below grade) as at the date of the damage and as determined by fair building standards, which does not comply with the use, area, or height regulations of this By-Law, shall not be restored except in conformity with the regulations for the use zone in which such building is located.

4.12.1.3. (c) Reconstruction of Damaged Non-Conforming Buildings: Nothing in this By-Law shall

apply to prevent the reconstruction, or continued use of any non-conforming buildings or structures which is damaged by causes beyond the control of the owner subsequent to the enactment thereof, providing the residual real value of such building or structure exceeds fifty per cent of the real value thereof immediately prior to the damage.

4.12.2. Non-Conforming Use of Buildings: (a) Continuation of Use: The non-conforming use of an existing building or structure may be continued provided that no structural alterations are made therein, other than those which may be required by existing law or by-law, or which may render the same more convenient or commodious for the purposes for which, at the date of enactment of this By-Law, such building is used, and provided also that no new building or extension to such building is erected.

4.12.2.2. (b) Change of Use: A Non-Conforming use of a building or structure shall not be changed except to a conforming use. If such non-conforming use or portion thereof is changed to a conforming use, any future use of such building, structure or portion thereof shall be in conformity with the regulations of the zone in which such building or structure is located.

4.12.2.3. (c) Discontinued Use: Any non-conforming use of a building or structure which is discontinued or unused shall not be resumed nor shall such non-conforming use be changed to any other nonconforming use. Provided that where the non-conforming use is of a dwelling for dwelling purposes such use may be resumed even if such use is discontinued or the dwelling becomes vacant.

4.12.3. Non-Conforming Use of Land:

4.12.3.1. (a) Continuation of Use: (1) The non-conforming use of land existing at the date of the enactment of this By-Law may be continued so long as it is used for such non-conforming purposes and notwithstanding clause 4.12.2; subsections 4.12.2.1, 4.12.2.2, and 4.12.2.3, buildings which at the passing of this By-Law were used for the operation of a farm, market garden or greenhouse and or nursery on land which is zoned for residential, industrial or commercial purposes, may be used, enlarged, rebuilt or suitable new building erected so long as they are used for operation of a farm, market garden or greenhouse and or nursery.

(b) Any sign or billboard or commercial advertising structure which is lawfully maintained at the date of enactment of this By-Law may be continued although such use does not conform with the provisions thereof, provided however, that no structural alterations are made thereto.

4.12.3.2. (b) Extension of use: The Non-conforming use of land shall not in any way be expanded or extended to any property adjoining that actually used for a non-conforming purpose at the date of enactment of this By-Law.

(c) Discontinuance and Change of Use: (a) If the non-conforming use of land, or portion thereof, is discontinued or changed, any future use of such land shall be in conformity with the provisions of this By-Law.

(b) Any non-conforming use of a sign, billboard of commercial advertising structure which is discontinued or unused for more than six months shall not be resumed and if any sign, billboard, or commercial advertising structure is removed such sign, billboard or commercial advertising structure shall not be reconstructed.

4.13. Special Uses Permitted: Nothing in this By-Law shall prevent the use of land or the use or erection of a building or structure for:

(a) a scaffold or other temporary building or structure incidental to construction in progress within the premises designated for such purpose by the Zoning Administrator until such time as the work has been finished or abandoned.

(b) a sign having an area of not more than fifty (50) sq. ft. incidental to construction on the premises.

(c) A "No Trespassing" or other announcement or sign having an area of not more than two (2) sq. ft. other than an advertisement.

(d) an authorized traffic sign or signal.

(e) a public election list or other proclamation by governmental authority.

(f) any undertaking authorized or maintained by governmental authority or a public utilities corporation where the land is used in conformity with the established character of the zone in which it is situated.

4.14. Building Permits:

(a) No excavation for any building shall be started until a Building Permit has been issued by the Inspector of Buildings.

(b) Every person proposing to erect or structurally alter any building or structure shall, when applying for a Building Permit, file with the Inspector of Buildings, a signed statement as to the use or purpose for which such building or structural alteration is intended and that the lot to be built upon

SEE BY-LAW
(continued on Page 5)

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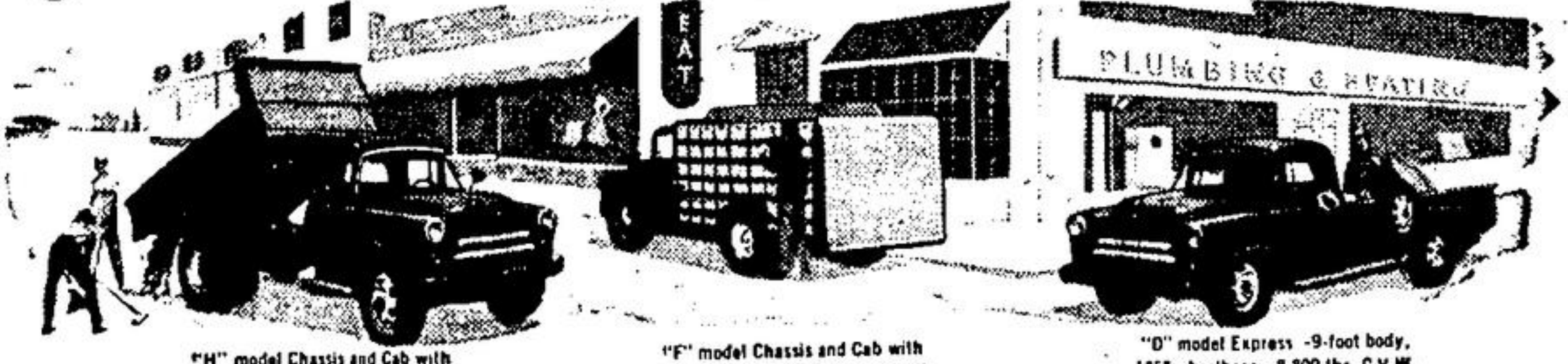


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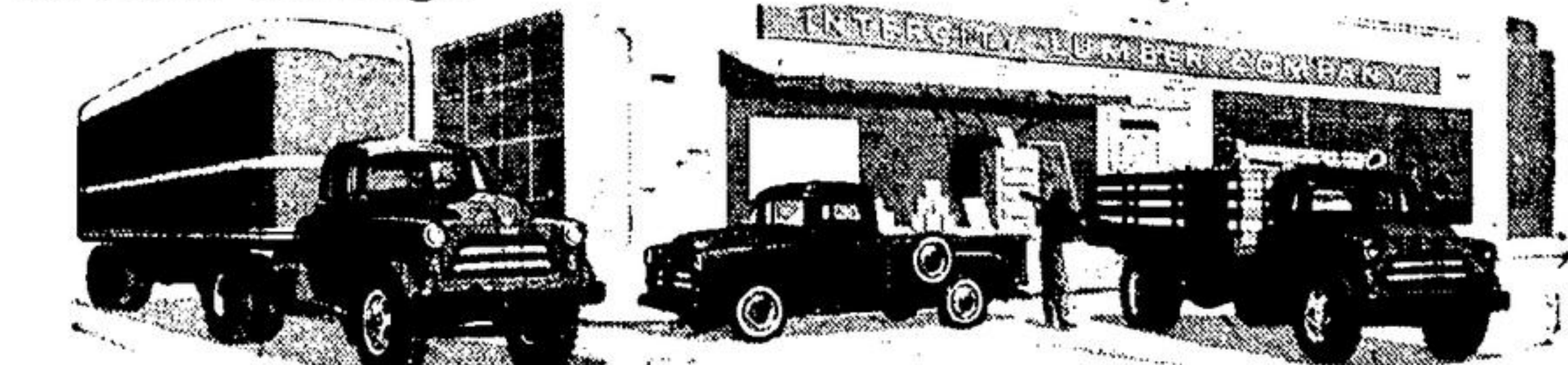


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MANITOBA 4-H MEMBERS VISIT ONTARIO JUNIORS

Two Manitoba 4-H members, Keith Leask, 21, of Clandeboye and Bill Ransom, 20, of Mountainside, have recently returned from a 3-week exchange visit to Ontario. Keith and Bill, both farming in partnership with their parents, were selected for the trip by the

Manitoba 4-H Council on the basis of their outstanding records in 4-H club work.

Their itinerary, which commenced in Toronto on June 4th, was arranged by the Junior Farmers' Association of Ontario. While in the province they lived and worked on farms and met with a delegation of farm young people from Great Br-

tain presently on an exchange visit to Ontario. In addition, they were taken on conducted tours of the Ontario Agricultural College, the St. Lawrence Seaway and Power Development project, the Kempsville Agricultural College, Ottawa, Niagara Falls and the grain elevators at the Lakehead. Last year Miss Katherine Merry,

4-H member from Milton, travelled to Manitoba for a similar trip. The value of these exchange visits is widely recognized. They not only develop friendly relations and understanding but also provide educational experiences which are stimulating greater interest in farming and homemaking and in community leadership.