



VILLAGE OF PORT McNICOLL

NOTICE OF APPLICATION BY THE CORPORATION OF THE VILLAGE OF PORT McNICOLL

THE CORPORATION OF THE VILLAGE OF PORT McNICOLL BY-LAW NUMBER 609

Being a By-Law to amend By-Law 533
NOTICE OF APPLICATION to The Ontario Municipal Board by The Corporation of the Village of Port McNicoll for approval of a by-law to regulate land use passed pursuant to Section 35 of The Planning Act.

READ A THIRD TIME AND FINALLY PASSED THIS 9th day of August, 1977.

Robert Talbot Reeve
Alexander J. Hancox Clerk

Date of ONTARIO MUNICIPAL BOARD APPROVAL

EXPLANATORY NOTE BY-LAW NO. 605

By-law number 605 is a by-law of the Corporation of the Village of Port McNicoll to amend by-law number 533 of the Village of Port McNicoll being the zoning by-law for the Village. By-law number 533 provided that the Paradise Point portion of the Village was to be zoned to permit seasonal residential use. The amending by-law number 605 provides that the seasonal residential use category is done away with and the Paradise Point area is to be zoned third density residential (R3) which has no seasonal requirement or restriction. The third density residential zone provisions are detailed and reference should be made to by-law number 605, but generally speaking the by-law provides that no person shall use or erect any building or structure in a third density residential zone unless the lot is serviced by municipal piped water and sanitary sewer system. The uses are restricted to residential single family detached dwellings and institutional uses such as churches, community centres, public libraries and schools. In certain circumstances an office can be located in a single family detached dwelling for use by physicians, dentists and similar uses. The by-law further provides for minimum lot frontage sizes, minimum lot area sizes, maximum lot coverage and minimum front, side and rear yard areas.

TAKE NOTICE that the Council of the Corporation of the Village of Port McNicoll intends to apply to The Ontario Municipal Board pursuant to the provisions of Section 35 of The Planning Act for approval of by-law number 609 passed on the fourth day of October, 1977. A copy of the by-law is furnished herewith. A note giving an explanation of the purpose and effect of the by-law and stating the lands affected thereby is also furnished herewith.

ANY PERSON INTERESTED MAY, within fourteen (14) days after the date of this notice, send by registered mail or deliver to the clerk of the Corporation of the Village of Port McNicoll notice of his objection to approval of the said by-law, together with a statement of the grounds of such objection.

ANY PERSON wishing to support the application for approval of the by-law may within fourteen (14) days after the date of this notice, send by registered mail or deliver to the clerk of the Corporation of the Village of Port McNicoll notice of his support of approval of the said by-law together with a request for notice of any hearing that may be held giving also the name and address to which such notice should be given.

THE ONTARIO MUNICIPAL BOARD may approve of the said by-law but before doing so it may appoint a time and place when any objection to the by-law will be considered. Notice of any hearing that may be held will be given only to persons who have filed an objection or notice of support and who have left with or delivered to the clerk, undersigned, the address to which notice of hearing is to be sent.

THE LAST DATE FOR FILING OBJECTIONS will be December 30, 1977.

Dated at the Village of Port McNicoll this 7th day of December, 1977.

Alexander Hancox, Clerk, Village of Port McNicoll, Third Street, P.O. Box 160, Port McNicoll, Ontario.

WHEREAS THE COUNCIL of the Corporation of the Village of Port McNicoll deems it desirable to amend the provisions of By-Law 533 pursuant to the provisions of the Planning Act, R.S.O. 1970, Chapter 349, Section 35.

AND WHEREAS the Ontario Municipal Board, in the decision dealing with approval of By-Law 533 directed that the following amendments should occur, as a condition to its approval.

NOW THEREFORE the Council of the Corporation of the Village of Port McNicoll enacts as follows:

1. That By-Law 533 be amended as follows:

A. THAT SECTIONS 5.7, 5.10.2, 5.17 and 11.3 be and the same are hereby deleted.

B. THAT SECTION 10 be and the same is hereby amended by adding thereto new subsection 10.1.1 as follows:

"10.1.1 MUNICIPAL SERVICES No person shall erect or use any building or structure on any lot in a General Industrial (M1) Zone unless such lot is serviced by a municipal piped water supply and sanitary sewer system."

C. THAT SECTION 11 be and the same is hereby amended by adding thereto new sub-section 11.1.1 as follows:

"11.1.1 MUNICIPAL SERVICES No person shall erect or use any building or structure on any lot in a Public Service (PS) Zone unless such lot is serviced by a municipal piped water supply and sanitary sewer system."

D. THAT SECTION 12 be and the same is hereby amended by adding thereto new sub-section 12.1.1 as follows:

"12.1.1 MUNICIPAL SERVICES No person shall erect or use any building or structure on any lot in an OPEN Space (OS) Zone unless such lot is serviced by a municipal piped water supply and sanitary sewer system."

2. THAT BY-LAW 533 be and the same is hereby amended only to the extent necessary to give effect to the provisions of this By-Law.

3. NO PART of this By-Law shall come into force without the approval of the Ontario Municipal Board but subject to such approval this By-Law shall take effect from the date of passing thereof. By-Law read a first and second time this 4th day of October, 1977

Robin Talbot Reeve
Alexander J. Hancox Clerk

By-Law read a third time and finally passed this 4th day of October 1977.

Robin Talbot Reeve
Alexander J. Hancox Clerk

EXPLANATORY NOTE BY-LAW NO. 609

By-law number 609 is a by-law of the Corporation of the Village of Port McNicoll to amend by-law number 533 of the Village of Port McNicoll being the zoning by-law for the Village. By-law number 609 provides that paragraph 5.7 of by-law number 533 be deleted which was a provision requiring site plans to be filed before erecting more than one main building on any lot, and for the deletion of paragraph 5.10.2 which was a provision for the surfacing of parking lots, and for the deletion of paragraph 5.17 which provided a prohibition for the use of the land, buildings and structures for the manufacture or storage or use in manufacturing of combustible products without the consent of the Committee of Adjustment or Planning Board, and for the deletion of paragraph number 11.3 which provided for the filing of site plans to the satisfaction of the Council before the issuance of any building or occupancy permit.

By-law number 609 also provides that the zoning by-law number 533 is further amended by providing that no person shall erect or use any building in a general industrial zone or in a public service zone or an open space zone unless the lot is serviced by a municipal piped water supply and sanitary sewer system. The amending by-law number 609 will have application to the whole of the Corporation of the Village of Port McNicoll.

NOTICE OF APPLICATION to The Ontario Municipal Board by The Corporation of the Village of Port McNicoll for approval of a by-law to regulate land use passed pursuant to Section 35 of The Planning Act.

TAKE NOTICE that the Council of the Corporation of the Village of Port McNicoll intends to apply to The Ontario Municipal Board pursuant to the provisions of Section 35 of The Planning Act for approval of by-law number 605 passed on the ninth day of August, 1977. A copy of the by-law is furnished herewith. A note giving an explanation of the purpose and effect of the by-law and stating the lands affected thereby is also furnished herewith.

ANY PERSON INTERESTED MAY, within fourteen (14) days after the date of this notice, send by registered mail or deliver to the clerk of the Corporation of the Village of Port McNicoll notice of his objection to approval of the said by-law, together with a statement of the grounds of such objection.

ANY PERSON wishing to support the application for approval of the by-law may within fourteen (14) days after the date of this notice, send by registered mail or delivery to the clerk of the Corporation of the Village of Port McNicoll notice of his support of approval of the said by-law together with a request for notice of any hearing that may be held giving also the name and address to which such notice should be given.

THE ONTARIO MUNICIPAL BOARD may approve of the said by-law but before doing so it may appoint a time and place when any objection to the by-law will be considered. Notice of any hearing that may be held will be given only to persons who have filed an objection or notice of support and who have left with or delivered to the clerk, undersigned, the address to which notice of hearing is to be sent.

THE LAST DATE FOR FILING OBJECTIONS will be December 30, 1977.

DATED at the Village of Port McNicoll this 7th day of December, 1977.

Alexander Hancox, Clerk, Village of Port McNicoll, Third Street, P.O. Box 160, Port McNicoll, Ontario.

THE CORPORATION OF THE VILLAGE OF PORT McNICOLL BY-LAW NUMBER 605

Being a By-Law to amend By-Law 533

WHEREAS THE COUNCIL of the Corporation of the Village of Port McNicoll deems it desirable to amend the provisions of By-Law 533 pursuant to the provisions of the Planning Act, R.S.O. 1970, Chapter 349, Section 35.

NOW THEREFORE the Council of the Corporation of the Village of Port McNicoll enacts as follows:

A. TEXT AMENDMENTS

1. THAT SECTION 2.10.1 be and the same is hereby deleted in its entirety.

2. THAT SECTION 3.1.1 be and the same is hereby amended by deleting the word "Seasonal" and inserting therefore the words "Third Density" and a new zone "Environmental Protection Zone" (EP) so that the section shall now read as follows:

3.1.1 The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Village of Port McNicoll which lands are divided into the following zones and their extent and location and boundaries are shown on the zoning Map which forms Schedule "A" of this By-law.

Table with 2 columns: ZONE and SYMBOL. Lists zones like First Density Residential (R1), Second Density Residential (R2), Third Density Residential (R3), General Commercial (C1), General Industrial (M1), Open Space (OS), Public Service (PS), Exemptions (E), and Environmental Protection (EP).

3. THAT SECTION 5.10.1 be and the same is hereby amended by deleting the words "Seasonal dwelling 1 space" so that the section shall now read as follows:

5.10.1. The owner or occupant of every building or structure shall provide and maintain motor vehicle parking spaces and areas on the same lot or within three hundred (300) feet as follows:

Table with 2 columns: Type of use and Minimum Parking requirements. Lists requirements for single family detached dwelling, apartment house, residential, hotel, motel, theatre, assembly hall, church, undertaking establishment, hospital, retail store, restaurant, and office building.

Commercial building other than listed in this table
1 space per 300 square feet of floor space and in no instance shall there be less than two parking spaces

Industrial building
1 space per 300 square feet of floor space and in no instance shall there be less than two parking spaces.

Medical, dental, drugless practitioner, clinics
2 spaces per doctor

4. THAT SECTIONS erroneously numbered 4.21, 4.22 and 4.22.1 be numbered 5.21, 5.22 and 5.22.1 respectively.

5. THAT SECTION 5.21 be and the same is hereby amended by deleting therefrom the words "one seasonal dwelling" so that the section shall now read as follows:

5.21. USE OF RESIDENTIAL LOTS
No person shall erect more than one single-family detached dwelling, or one semi-detached dwelling on any lot in any R Zone.

6. THAT SECTION 8 be and the same is hereby deleted and the following inserted therefore:

SECTION 8 - THIRD DENSITY RESIDENTIAL (R3) ZONE

8.1 No person shall hereafter use any land or erect or use any building or structure in any Third Density Residential (R3) Zone except in accordance with the following provisions:

8.1.1 MUNICIPAL SERVICE
No person shall erect or use any building or structure on any lot in a Third Density Residential (R3) Zone unless such lot is serviced by a municipal piped water supply, and sanitary sewer system.

8.2 USES PERMITTED

- 8.2.1 Residential: a single family detached dwelling
8.2.2 Institutional: a church, a community centre, a public library, a school
8.2.3 Home Occupation: an office located in the single family detached dwelling used by such person as his private residence provided:

- (i) such office in the case of physician, dentist, or drugless practitioner shall be used for consultation and emergency treatment only and not as a clinic or hospital.
(ii) in the case of a veterinarian there shall be no boarding of animals.
(iii) such office shall not be used for retail sales purposes.
(iv) the floor area for such use shall be in addition to the minimum floor area requirements of a Third Density Residential (R3) Zone, but shall not exceed twenty-five (25) percent of the total floor area of the building.

8.3 RESIDENTIAL Single-Family Detached Dwelling

- (i) Minimum Lot Frontage: 50 ft.
Sanitary Sewers and Water Supply available
(ii) Minimum Lot Area: Sanitary Sewers and Water Supply available 7,500 SQ. FT.
(iii) Maximum Lot Coverage: 30 percent
(iv) Minimum Yard Requirements: Front Yard 25 ft., Interior Side Yard 14 ft. on one side and 6 ft. on the other plus 2 ft. for each additional or partial storey above the first provided however, that where a garage or carport is attached or is within the main building or the lot is a corner lot, the width of the interior side yard(s) shall be 4 ft. plus 2 ft. for each additional or partial storey above the first.
Exterior Side Yard 25 ft., Rear Yard 25 ft.
(v) Minimum Ground Floor Area Requirements: 1 storey 900 sq. ft., 1 1/2 storey 700 sq. ft., 2 storey 600 sq. ft.
(vi) Minimum Landscaped Open Space 30 percent of LOT AREA
(vii) Maximum Building Height 35 feet

8.3.1 Existing Lots

Nothing in section 8.3 shall prevent the erection of a single-family detached dwelling on a lot in any Residential (R3) Zone provided that such lot was under separate ownership prior to the date of passing of this by-law and the owner of such existing lot does not own any abutting land and provided further that the following requirements are complied with:

Table with 2 columns: Lot Frontage, Lot Area, Front Yard, Rear Yard, Side Yard, Floor Area, Lot Coverage. Lists minimum requirements for each.

8.3.2 INSTITUTIONAL

- (i) Maximum Lot Coverage: 30 percent
(ii) Minimum Yard Requirements: Front Yard 25 ft., Interior Side Yard Height of building or 25 ft. whichever is the greater, Exterior Side Yard 25 ft., Rear Yard 25 ft.
(iii) Minimum Landscaped Open Space: 15 percent of lot area.
(iv) Maximum Height of Building: 40 ft.

8.4 parking
Parking spaces shall be provided in accordance with the provision of Section 5.10

7. THAT a new section 12A be added as follows:

Section 12A—Environmental Protection (EP) Zone.

12A.1 No person shall hereafter use any land or erect or use any building or structure in an Environmental Protection (EP) Zone except in accordance with the following provisions:

12A.2. USES PERMITTED

a) Residential Accessory "Residential Accessory", uses, buildings and structures normally incidental and accessory to a single family dwelling unit located on the same property and in a zone external to the Environmental Protection (EP) Zone, shall be permitted and such uses may include a private garage, bathhouses and docking facilities.

b) Environmental Buildings or structures necessary for flood or erosion control purposes and in accordance with the regulations and approval of the Ministry of Natural Resources.

c) Agricultural Agricultural uses of a non-intensive nature which do not require any building, accessory buildings, machinery or disturbance of the soil, such as pasture operations, shall be permitted.

d) Forestry and Outdoor Recreation Forestry and outdoor recreation uses such as reforestation projects, natural forest, playgrounds, natural skating rinks, (golf courses) and athletic fields shall be permitted and may include buildings incidental and accessory to such use.

B. SCHEDULE "A" AMENDMENTS

1. THAT SCHEDULE "A" of By-Law 533 be and the same is hereby amended as shown on Schedule "A" attached hereto.

C. THAT BY-LAW 533 be and the same is hereby amended only to the extent necessary to give effect to the provisions of this By-law.

D. NO PART of this by-law shall come into force without the approval of the Ontario Municipal Board but subject to such approval this by-law shall take effect from the date of passing thereof.

READ A FIRST AND SECOND TIME this 9th day of August, 1977.

Robin Talbot Reeve
Alexander J. Hancox Clerk

THE CORPORATION OF THE VILLAGE OF PORT McNICOLL

SCHEDULE "A" TO BY-LAW 605

PASSED THE 9 DAY OF AUGUST 1977

Signed: Robin Talbot REEVE

Signed: Alexander J. Hancox CLERK

