

NOTICE OF THE PASSING OF A BY-LAW  
BY THE CORPORATION OF THE TOWN OF PENETANGUISHENE  
TO REGULATE LAND USE PURSUANT TO  
SECTION 35 OF THE PLANNING ACT



TAKE NOTICE that the Council of the Corporation of the Town of Penetanguishene has passed By-law No. 1980-41 on the 23rd day of June 1980 pursuant to the provisions of section 35 of The Planning Act.

The following Schedules are attached hereto:

1. Schedule 1, being a copy of By-law No. 1980-41
2. Schedule 2, consisting of the following:
  - i. An explanation of the purpose and effect of the by-law.
  - ii. A key map which shows the location of the lands to which the by-law applies (or, where there is no key map, an explanation as to why a key map is not included).
3. Schedule 3, being a statement from the chief planning officer of the municipality in which the land to which the by-law applies is situated.

ANY PERSON INTERESTED MAY, within twenty-one days after the date of the mailing, personal service or publication of this notice, file with the clerk of the Corporation of the Town of Penetanguishene notice of an objection to the approval of the said By-law or part thereof together with details of all or that portion of the By-law to which there is objection and detailed reasons thereof.

ANY PERSON wishing to support the application for approval of the By-law may, within twenty-one days after the date of the mailing, personal service or publication of this notice, file with the clerk of the Corporation of the Town of Penetanguishene notice of support of the application for approval of the said By-law.

If no notice of objection has been filed with the Clerk of the municipality within the time provided, the By-law thereupon comes into effect and does not require the approval of the Ontario Municipal Board.

If a notice of objection has been filed with the clerk of the municipality within the time provided, the By-law shall be submitted to the Ontario Municipal Board and the By-law does not come into effect until approved by the Ontario Municipal Board.

THE LAST DATE FOR FILING OBJECTIONS IS July 18, 1980.....

THE OBJECTION MUST BE RECEIVED BY THIS DATE IN ORDER TO BE VALID.

DATED at the Town of Penetanguishene this 27th... day of

June ..... 19..... 80.....

Y. A. Cagné, Clerk-Treasurer  
Town of Penetanguishene,  
10 Robert Street West,  
Penetanguishene, Ontario.  
LOK 1P0

SCHEDULE 1

The following is a copy of By-law No. 1980-41.

THE CORPORATION OF THE TOWN OF  
PENETANGUISHENE  
BY-LAW NO. 1980-41

A by-law to amend Restricted Area (Zoning) By-law No. 1975-20 as amended of the Corporation of the Town of Penetanguishene.

The Council of the Corporation of the Town of Penetanguishene pursuant to Section 35 of The Planning Act, R.S.O. 1970 and amendments thereto, ENACTS AS FOLLOWS:

1. Schedule "A" to By-law No. 1975-20 as amended is hereby further amended by rezoning the area shown on Schedule 1 to this by-law from Institutional (C) to Commercial General (CC), the area shown on Schedule 1 to this by-law from Holding (H) to Commercial General (CC), the area shown on Schedule 1 to this by-law from Open Space (O) to Commercial General (CC), the area shown on Schedule 1 to this by-law from Residential Second Density (R2) to Commercial General (CC) and the area shown on Schedule 1 to this by-law from Commercial Neighbourhood (CN) to Commercial General (CC).
2. Section 2.3.1 is hereby amended by adding a new subsection 2.31.1.1 as follows:
 

"2.31.1.1 DWELLING, BACHELOR APARTMENT  
means a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms and providing therein living, dining and sleeping accommodation, but under no circumstances shall a separate bedroom be provided."
3. Section 2 (Definitions) is hereby amended by adding a new subsection 2.45.4 as follows:
 

"2.45.4 HOME FOR THE ACED  
means a home for the aged within the meaning of The Homes for the Aged and Rest Homes Act of Ontario."
4. Section 3 (General Provisions) is hereby amended by adding a new subsection 3.5.3 as follows:
 

"3.5.3 NON-COMPLYING BUILDINGS AND STRUCTURES  
Where a building or structure has been erected prior to the date of passing of this by-law on a lot having less than the minimum frontage and/or depth and/or area, or having less than the minimum setback and/or side yard and/or rear yard required by this by-law, the said building or structure may be extended, enlarged, reconstructed, repaired or renovated provided that:

3.5.3.1 the extension, enlargement, reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard having less than the minimum required by this by-law, and

3.5.3.2 all other applicable provisions of this by-law are complied with."

5. Section 3.27 (General Provisions Parking Regulations) is hereby amended by adding a new subsection 3.27.25 as follows:
 

"3.27.25 Homes for the Aged One (1) parking space for every three (3) beds."
6. Section 3.27 (General Provisions Parking Regulations) is hereby amended by adding a new subsection 3.27.26 as follows:
 

"3.27.26 Notwithstanding the requirements of this Section, in the area designated on Schedule 2 to this by-law, one parking space will be required for an apartment above a store, and all or part of the required parking spaces may be allowed in municipally controlled parking lots, with the issue of parking permits by the town."
7. Section 6.3.1 (Commercial General (CC) Zone, Uses Permitted) is hereby amended by deleting it in its entirety and replacing it with the following:
 

"6.3.1 Uses Permitted  
Agricultural services including open air markets, gardening supply outlets and small animal veterinarian establishments  
Automobile Service Stations  
Commercial Entertainment Establishments such as theatres, bowling alleys, billiard parlours, health clubs, squash or tennis courts and recreational facilities.  
Commercial Parking Lots  
Day Nurseries  
Dwelling Units including apartments, converted dwellings, duplexes, triplexes, double duplexes, maisonettes, row houses, semi-detached, and units built in conjunction with commercial or institutional premises (in accordance with Section 6.3).  
Funeral Homes  
General Offices, such as banks and trust company branch offices  
Hotels, Motels, Restaurants such as take-out food outlets, open-air terraces or areas for food and beverage establishments  
Local Retail Stores such as antique or craft shops where products are made, processed, finished or refinished for sale on the premises  
Motor Vehicle Service Establishments  
Personal Services  
Professional Services  
Retail Trade Establishments  
Service Shops  
Wholesale uses except those that have outside storage of equipment or material which is not for retail sale on the premises  
Marinas  
Institutions (in accordance with Section 6.3.3)"
8. Section 6.3.2 (Commercial General (CC) Zone, Zone Regulations) is hereby amended by deleting it in its entirety and replacing it with the following:
 

"6.3.2 Zone Regulations  
Maximum Lot Coverage 80%  
Minimum Yard Requirements 7.6 m  
Maximum Rear Yard 13.5 m"  
Maximum Height
9. Section 6.3 (Commercial General (CC) Zone) is hereby amended by adding a new subsection 6.3.3. as follows:
 

"6.3.3 Institutions in a Commercial General Zone will exclude public or private educational facilities for primary or secondary school students."
10. Section 6.5.1 (Commercial General (CC) Zone) is hereby amended by deleting it in its entirety and replacing it with the following:
 

"6.5.1 Not more than 50% of the ground floor area in a commercial building shall be devoted to the residential use."
11. Section 6.5.2 (Commercial General (CC) Zone) is hereby amended by deleting it in its entirety and replacing it with the following:
 

"6.5.2 The minimum floor area per unit shall be as follows:  
Bachelor Units 25.6m<sup>2</sup>  
1 Bedroom Units 36.7m<sup>2</sup>  
2 Bedroom Units 42.7m<sup>2</sup>  
and for each additional bedroom 6m<sup>2</sup>
12. Section 6.5.3 (Commercial General (CC) Zone) is hereby deleted in its entirety.
13. Section 6.5.4 (Commercial General (CC) Zone) is hereby deleted in its entirety.
14. Section 6.5.5 (Commercial General (CC) Zone) is hereby deleted in its entirety.