

# THE CORPORATION OF THE TOWNSHIP OF ESSA

## BY-LAW 2009 – 26

### **A By-law to amend Township of Essa By-law 2003-50, as amended, for Part of Lot 31, Concession 4, Township of Essa (Queensgate Subdivision).**

WHEREAS pursuant to Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended, By-law No. 2003-50, as amended, constitutes the comprehensive Zoning By-law for the Township of Essa, and was passed to control the use of lands, buildings and structures; and

WHEREAS the Council of the Corporation of the Township of Essa deems it appropriate, and in the public interest, to pass certain amendments to the aforesaid Zoning By-law No. 2003-50, as amended; and

WHEREAS the matters herein as set out are in conformity with the Official Plan of the Township of Essa;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1. That Schedule “B” of By-law No. 2003-50, as amended, is hereby further amended by changing the zoning in Part of Lot 31, Concession 4 of the Township of Essa from Residential (R1) Zone to:  
Residential, Low Density, Detached Special (R1-28) Zone,  
Residential, Low Density, Detached Special (R1-29) Zone,  
Environmental Protection (EP) Zone,  
Public Service (PS) Zone, and  
Open Space Park (OSP) Zone  
as shown on Schedule “A” attached hereto and forming part of this By-law.
2. That Section 9.4, Special Provisions of the Residential, Low Density, Detached (R1) Zone of By-law 2003-50, as amended, is hereby further amended by adding Section 9.4.28 (R1-28) Zone as follows:

#### **“9.4.28 R1-28: Part of Lot 31, Concession 4**

Notwithstanding the permitted uses and zone regulations of this section, on those lands zoned as R1-28 Zone and located in Part of Lot 31, Concession 4 on Schedule “B” the following shall apply:

Dimension Type	Standard
Minimum Lot Frontage	
Interior Lot	12.0 m
Corner Lot	15.0 m

Minimum Lot Area		
	Interior Lot	400 m <sup>2</sup>
	Corner Lot	500 m <sup>2</sup>
Minimum Rear Yard		7.0 m
Minimum Interior Side Yard		1.2 m* may be reduced to 0.6 m where the abutting lot contains a setback of 1.2 m provided that there is no fencing constructed between the lots
Minimum Exterior Side Yard – Corner Lot		4.5 m
Maximum Lot Coverage		40%

Note 1: The minimum interior side yard and minimum exterior side yard requirements for a detached accessory building shall be 1.2 m and 3.0 m, respectively.

Note 2: An unenclosed deck attached to a dwelling unit and located in the rear yard may project into the required rear yard setback a distance of not more than 3.5 m and may exceed the maximum permitted lot coverage, provided the deck is not more than 1.8 m above the finished grade.

All other provisions of the R1 Zone shall apply.”

- That Section 9.4, Special Provisions of the Residential, Low Density, Detached (R1) of By-law 2003-50, as amended, is hereby further amended by adding Section 9.4.29 (R1-29) Zone as follows:

**“9.4.29 R1-29: Part of Lot 31, Concession 4**

Notwithstanding the permitted uses and zone regulations of this section, on those lands zoned as R1-29 Zone and located in Part of Lot 31, Concession 4 on Schedule “B” the following shall apply:

Dimension Type		Standard
Minimum Lot Frontage		
	Interior Lot	15.0 m
	Corner Lot	18.0 m
Minimum Lot Area		
	Interior Lot	500 m <sup>2</sup>
	Corner Lot	600 m <sup>2</sup>
Minimum Rear Yard		7.0 m
Minimum Interior Side Yard – Interior Lot		1.2 m* may be reduced to 0.6 m where the abutting lot contains a setback of 1.2 m provided that there is no fencing constructed between the lots
Minimum Exterior Side		4.5 m

Yard – Corner Lot	
Maximum Lot Coverage	40%


Note 1: The minimum interior side yard and minimum exterior side yard requirements for a detached accessory building shall be 1.2 m and 3.0 m, respectively.

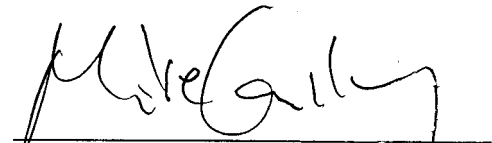
Note 2: An unenclosed deck attached to a dwelling unit and located in the rear yard may project into the required rear yard setback a distance of not more than 3.5 m and may exceed the maximum permitted lot coverage, provided the deck is not more than 1.8 m

All other provisions of the R1 Zone shall apply.”

4. That Section 4.26, Setbacks from Streams and Watercourses, shall not apply to this property – the minimum required setback shall be determined by the Nottawasaga Valley Conservation Authority.
5. That Section 8.3, Regulations for Daylighting Triangles, shall be amended such that 5.0 m shall be required for all lots except those abutting Centre Street which will be required to have 10.0 m daylighting triangles.
6. That this By-law shall come into force on the date of passage and take effect in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the First day of April 2009.

  
David Guergis, Mayor

  
Mike Galloway, Clerk