

Corporation of the Township of McMurrich/Monteith

By-law No. 09-2013

Being a By-law to regulate the use of lands
and the erection of buildings and structures pursuant to
Section 34 of the Planning Act. (Zoning By-law)
(Axe Lake Eco Developments Ltd. and 1737239 Ontario Inc.)

WHEREAS pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, Ch. P13, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of McMurrich/Monteith deems it advisable to provide zoning requirements for a property in Lots 1, 2, Concessions 1 and Lots 1, 2, and 3, Concession 2, Monteith, as a condition of subdivision approval by the South East Parry Sound District Planning Board (File S-01-11) and the Ontario Municipal Board (File PL110735);

NOW THEREFORE the Council of the Corporation of the Township of McMurrich/Monteith enacts as follows:

1. The lands subject to the provisions of this by-law are as shown on Schedules "A" and "A-1" attached hereto and forming part of this by-law, and are generally described as Lots 1, 2, Concessions 1 and Lots 1, 2 and 3, Concession 2, Geographic Township of Monteith, now in the Township of McMurrich/Monteith.
2. No person shall use any land or erect, alter or use any building or structure except in conformity with the provisions of this By-law.
3. This By-law does not imply the provision or availability of a specific level of municipal services on individual lots. Lots that do not abut a year round publicly maintained road may not have the same level of municipal services as do lots fronting on year round publicly maintained roads.
4. The lands subject to the provisions of this by-law are divided into the following zones, as shown on Schedules "A" and "A-1":
 - a. Limited Services Residential (LSR);
 - b. Environmental Protection One (EP1);
 - c. Environmental Protection Two (EP2);
 - d. Environmental Protection Three (EP3);
 - e. Open Space One (O1).

5. The following provisions apply to the specific zones:

(a) Limited Services Residential (LSR) Zone:		
	Permitted Uses are limited to the following:	<ul style="list-style-type: none">• single detached dwelling unit;• sleeping cabin, no to exceed 50 square metres in area;• accessory building, structure or use.
	Maximum Number of Dwelling Units on a Lot	One

	Minimum Lot Area	1 hectare
	Minimum Lot Frontage	90 metres
	Minimum Front Yard	20 metres
	Minimum Side Yard	6 metres
	Minimum Rear Yard (Lots 18, 19, 20 as shown on Schedule A)	6 metres ; provided no pathway or driveway is permitted within the required minimum rear yard.
	Maximum height of all buildings or structures:	<ul style="list-style-type: none"> • 9 metres for a single detached dwelling unit; • 6 metres for any other building or structure.
	Maximum cumulative footprint for a single detached dwelling unit	400 square metres
	Maximum cumulative footprint for all accessory structures	100 square metres
	Parking requirements	<ul style="list-style-type: none"> • Minimum of two parking spaces per dwelling unit, each space having a minimum area of 18 square metres. • Maximum of six parking spaces per dwelling unit, with a maximum cleared area for all parking spaces not to exceed 150 square metres.
(b) Environmental Protection One (EP1) Zone:		
	Permitted Uses are limited to the following:	<ul style="list-style-type: none"> • conservation; • lands to remain in their natural state except for removal of hazardous trees and a maximum 1.5 metre wide pathway; • boardwalk and/or bridge as part of the pathway.
	Prohibited Uses/Activities	<ul style="list-style-type: none"> • no other buildings or structures are permitted; • no placement of fill, yard waste or debris is permitted; • no parking or use of a motorized vehicle is permitted; • no hunting or discharging of firearms is permitted.
	Minimum Lot Area	none
	Minimum Lot Frontage	none
	Minimum Yard	n/a
(c) Environmental Protection Two (EP2) Zone:		

	Permitted Uses are limited to the following:	<ul style="list-style-type: none"> conservation; lands to remain in their natural state except for removal of hazardous trees and a 1.5 metre wide pathway; boardwalk and/or bridge as part of the pathway.
	Prohibited Uses/Activities	<ul style="list-style-type: none"> no other buildings or structures are permitted; no placement of fill, yard waste or debris is permitted; no parking or use of a motorized vehicle is permitted; no hunting or discharging of firearms is permitted. No pathway is permitted within 3 metres of the western and southern boundaries (rear and side lot lines) of the property.
	Prohibited Uses/Activities within 30 metres of PSW	<ul style="list-style-type: none"> No structure or pathway is permitted within any PSW or within 30 metres of the PSW, as shown on Schedule "A".
	Minimum Lot Area	none
	Minimum Lot Frontage	none
	Minimum Yard	n/a
(d) Environmental Protection Three (EP3) Zone:		
	Identification	The EP3 zone is a 5 metre wide strip of land located on Lots 1 to 17 as identified on Schedules "A" and "A-1".
	Permitted Uses are limited to the following:	<ul style="list-style-type: none"> conservation; lands to remain in their natural state except for removal of hazardous trees and a maximum 1.5 metre wide pathway; temporary clearing for construction related purposes.
(e) Open Space One (O1) Zone:		
	Permitted Uses are limited to the following:	<ul style="list-style-type: none"> conservation; a maximum 18.6 square metre canoe rack; a maximum 13 square metre dock, anchored to the mainland only; a maximum 300 square metre graveled parking area; a maximum 18.6 square metre outdoor educational kiosk/pavilion;

		<ul style="list-style-type: none"> existing roadway.
	Location of permitted uses:	As shown on Schedule "A-1"
	Minimum Lot Area	none
	Minimum Lot Frontage	10 metres
	Minimum Front Yard	10 metres
	Minimum Side and Rear Yard	As shown on Schedule "A-1"

6. For the purposes of this by-law, the following definitions apply:

Accessory	A use, Building or Structure that is incidental, subordinate and exclusively devoted to the permitted principal use, Building or Structure, and located on the same Lot.
Building	Any structure used for the shelter or accommodation or enclosure of persons, animals, chattels, or equipment, having a roof which is supported by columns, or walls.
Conservation	The preservation, protection and improvement of components of the natural environment, through a comprehensive management and maintenance program.
Footprint	The area of a lot occupied by a Building or Structure.
Height	Means the vertical distance between the finished grade at the front of the Building and, in the case of: <ul style="list-style-type: none"> a flat roof, the highest point of the roof surface; a mansard roof, the deck roof line; and a gable, hip or gambrel roof, the midpoint between the eaves and ridge.
Lot	A parcel of land legally capable of being conveyed separately from any other lands.
Lot Line	A boundary of a Lot.
Lot Line, Front	The Lot Line that divides the Lot from the private internal road, upon which it abuts.

6. Cont'd

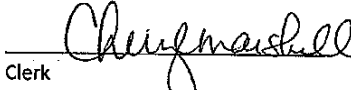
Lot Line, Rear	The Lot Line furthest from or opposite to the Front Lot Line.
Lot Line, Side	A Lot Line other than a Front or Rear Lot Line.
Setback	The horizontal distance between a Lot or zone boundary and a Building, Structure or use on a lot.
Single Detached Dwelling Unit	<p>Means a room or a group of rooms in a building used or intended to be used by only one household as a single, independent and separate housekeeping establishment, in which food preparation and sanitary facilities are provided for the exclusive use of such household.</p> <p>A single detached dwelling unit does not include a tent, trailer, or a room or suite of rooms in a hotel or other commercial establishment.</p>
Sleeping Cabin	A detached accessory building or structure, located on the same lot as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary facilities may be provided, but shall not contain cooking facilities.
Structure	Anything constructed, erected or placed on the ground, that is fastened to or into the earth or another structure, or rests on the earth by its own mass, and includes a satellite dish.
Yard	That part of a Lot which is open, uncovered and unoccupied between a Lot Line and a Building or Structure.

7. This By-law shall come into force and effect on the date it is passed by Council subject to the applicable provisions of the Planning Act, R.S.O 1990, Ch. P.13, as amended.

READ a first and second time this 4th day of February, 2013

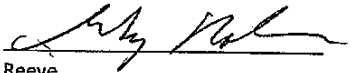


Reeve



Clerk

READ a third time and passed this 4th day of February, 2013



Reeve



Clerk

NOTE: DIMENSIONS OF ZONE TO REFLECT PLAN OF SUBDIVISION AND COMMON ELEMENT CONVEYANCE DOCUMENTS

LIMIT OF PROVINCIAL SIGNIFICANT WETLAND
30M BUFFER

LIMIT OF PROVINCIAL SIGNIFICANT WETLAND
30M BUFFER

LIMIT OF PROVINCIAL SIGNIFICANT WETLAND
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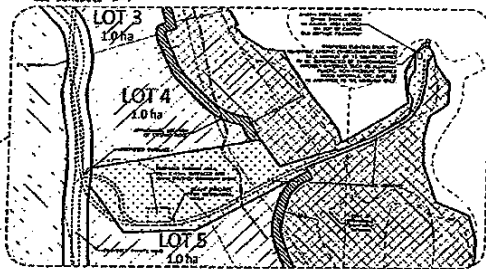
SOUND FEITH

DWELL CITY OF MUSKOKA






VACANT ROAD

LOTS 1 and 2, CONCESSION 1 and
LOTS 1, 2 and 3, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF MONTEITH
TOWNSHIP OF McMURRICH/MONTEITH
DISTRICT OF PARRY SOUND
NOT TO SCALE

SEE SCHEDULE "A-1"



ZONING LEGEND:

-  LIMITED SERVICE RESIDENTIAL (LSR)
-  ENVIRONMENTAL PROTECTION ONE (EP1)
-  ENVIRONMENTAL PROTECTION TWO (EP2)
-  ENVIRONMENTAL PROTECTION THREE (EP3)
-  OPEN SPACE ONE (OS1)

THIS IS SCHEDULE "A" TO BY-LAW 09-2013
OF THE TOWNSHIP OF McMURRICH/MONTEITH
PASSED THIS 4th DAY OF February 2013

[Signature]
REEVE

[Signature]
CLERK

LOT 13, CONCESSION 1
TOWNSHIP OF McMURRICH
DISTRICT OF PARRY SOUND

LOT 14, CONCESSION 2
TOWNSHIP OF STATED
DISTRICT MUNICIPALITY
OF MUSKOKA

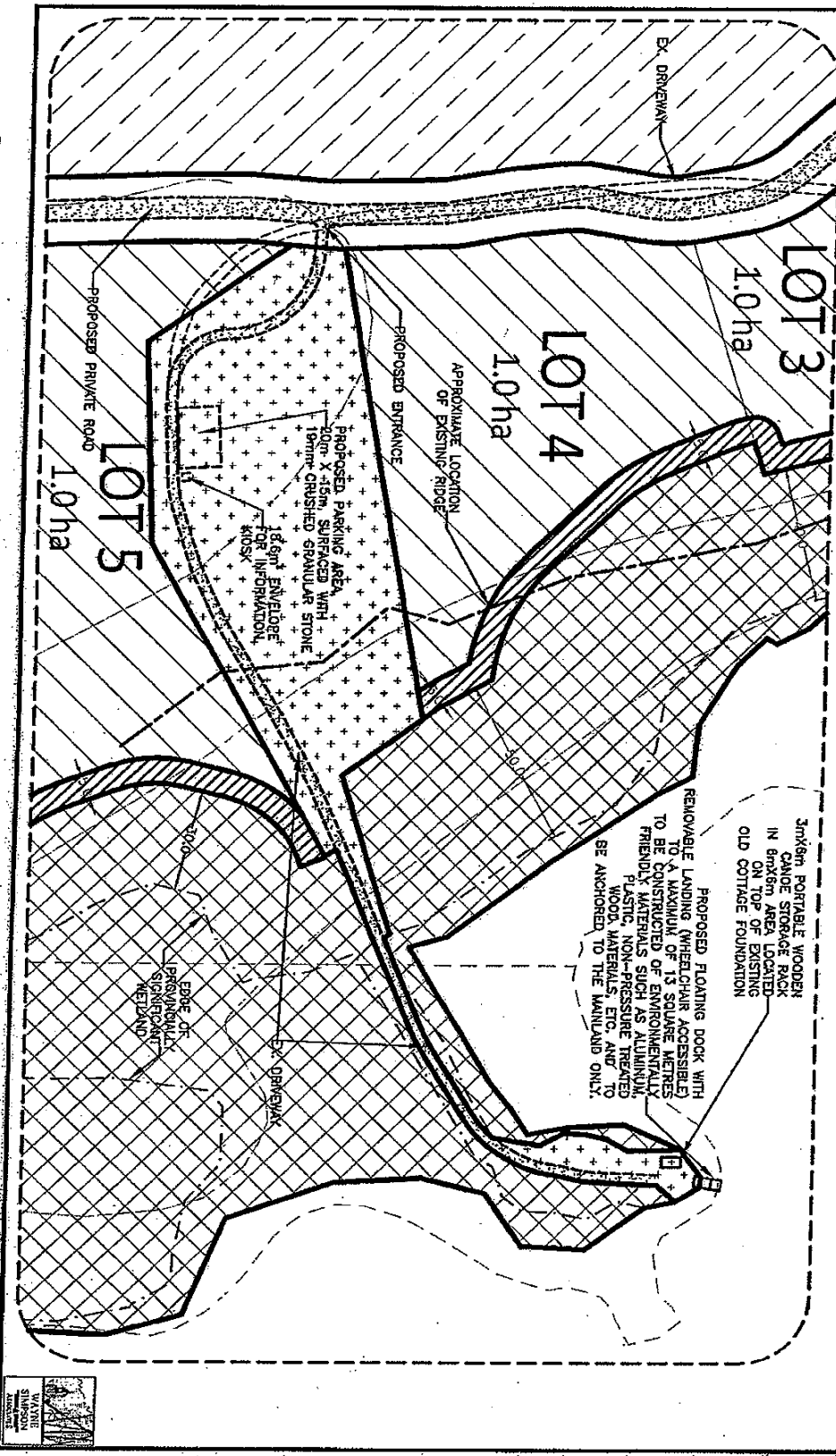
LOT 3 LOT 2 LOT 1



LOTS 1 and 2, CONCESSION 1 and
 LOTS 1, 2 and 3, CONCESSION 2
 GEOGRAPHIC TOWNSHIP OF MONTEITH
 TOWNSHIP OF McMURRICH/MONTEITH
 DISTRICT OF PARRY SOUND

NOT TO SCALE

NOTE: BOUNDARIES OF ZONE TO REFLECT PLAN OF SUBDIVISION AND
 COMMON ELEMENT CONDOMINIUM BOUNDARIES



THIS IS PROPERTY DETAIL SCHEDULE "A-1"
 TO BY-LAW 09-2013 OF THE
 TOWNSHIP OF McMURRICH/MONTEITH
 PASSED THIS 4th DAY OF February 2013

Andy Wallace
 REEVE

Christina Maxwell
 CLERK

