

THE MUNICIPALITY OF MARMORA AND LAKE

BYLAW NUMBER 2010-01

Being a bylaw to amend the Marmora and Lake
Comprehensive Zoning Bylaw 2003-11, as amended

WHEREAS Bylaw Number 2003-11, as amended, is the Comprehensive Zoning Bylaw governing the lands located with the Corporation of the Municipality of Marmora and Lake;

AND WHEREAS authority is granted under Section 34 of the Planning Act R.S.O. 1990, C.P.13, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MARMORA AND LAKE ENACTS AS FOLLOWS:

1. All General Provisions of Bylaw 2003-11 shall apply, except as herein varied.
2. All Definitions of Section 3 of Bylaw 2003-11 shall apply, except as may be carried below:
3. "INN"
Shall mean one or more buildings where a total of four or more guest rooms are provided for the sleeping accommodation of the traveling public and which may include common dining, recreational, meeting or other ancillary facilities but shall exclude a rooming or boarding house, a bed and breakfast establishment, or other accommodation other wise defined herein."
4. Uses in the **Urban Commercial Zone** that lawfully exist on the date of passage of this bylaw shall be permitted to continue.
5. For the purposes of this bylaw, commercial zones shall mean **Main Street Centre Zone, General Commercial Zone, and Local Commercial Zone.**
6. Section 5.31 OFF STREET PARKING PROVISION of bylaw 2003-22 shall apply to the commercial zones of this bylaw, except as herein varied below by **Minimum Off-Street Parking Requirements:**

Type or Nature of Use	Minimum Off-Street Parking Requirements
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop including a Home Business	One parking space for each 19m2 (204.52 sq. ft) of gross floor area of building directly related to the specified permitted use.
Eating Establishment	One parking space for each 9.0m2 (94 sq. ft.) of fraction thereof of gross floor area.
Motel, Hotel	One parking space for each guest room, cottage or cabin plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the <i>Liquor Licence Act</i> , as amended.
Liquor Licensed Premises exclusive of an eating establishment but including an entertainment lounge, public house or lounge licensed in accordance with the <i>Liquor Licence Act</i> , as amended.	One parking space for each four persons that may be legally accommodated at any one time.

7. THAT bylaw 2003-11, as amended, is hereby amended by deleting Section 15, the UC (Urban Commercial) Zone, in its entirety and replacing it with the following sections:

“SECTION 15 – MC – MAIN STREET CENTRE ZONE

15A.1 Within an MC-Main Street Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

15.A.2 PERMITTED USES

15.A.2.1 Residential Uses

The following residential uses are permitted, subject to specific provisions of this bylaw.

- a) an existing single-detached dwelling unit
- b) bed and breakfast establishment;
- c) home occupation; and
- d) dwelling units in a portion of a non-residential building

15A.2.2 Non-residential Uses

The following one or more non-residential uses are permitted, subject to specific provisions of this bylaw:

- a) art gallery
- b) bank or financial institution
- c) bakery
- d) boutique
- e) business or administrative office
- f) commercial club
- g) eating establishment
- h) theatre, cinema or other place of entertainment
- i) farmers market
- j) food market
- k) inn
- l) hotel
- m) laundromat/dry cleaning service
- n) local pub or other public place of refreshment, licensed under the *Liquor Control Act*, R.S.O. 1990, c.L.18, as amended.
- o) medical clinic, excluding a treatment centre
- p) merchandise service shop
- q) museum
- r) parking lot/garage, other than for trucks/buses
- s) personal service shop
- t) public uses
- u) post office
- v) retail store
- w) retail store, convenience
- x) tea room
- y) movie/game rental

- 15A.2.3 Accessory Uses: Uses, buildings and structures accessory to the foregoing uses are permitted in accordance with general provision 5.25 of this bylaw.

15A.3 REGULATIONS FOR PERMITTED USES

15A.3.1	Minimum Services	Public Sewer and Water
15A.3.2	Minimum lot area	existing
15A.3.3	Minimum lot frontage	existing
15A.3.4	Front Yard (minimum):	existing non-encroaching
15A.3.5	Rear Yard (Minimum):	15 feet
15A.3.6	Interior Side Yard (Minimum):	
15A.3.6.1	Abutting a Commercial Zone:	0 feet
15A.3.6.2	Abutting other zones:	6 feet
15A.3.6.3	Exterior Side Yard (minimum):	0 feet
15A.3.7	Lot Coverage (Maximum):	Greater of 60% or existing
15A.3.8	Building Height (Maximum):	40 feet
15A.3.9	Minimum Landscaped Open Space:	10%
15A.3.10	Accessory Buildings	
15A.3.10.1	Rear yard minimum:	3 feet
15A.3.10.2	Interior side yard (minimum)	3 feet
15A.3.10.3	Exterior side yard (minimum)	6 feet
15A.3.10.4	Building Height (maximum)	15 feet

15A.4 REGULATIONS FOR DWELLING UNITS IN A NON-RESIDENTIAL BUILDING

- 15A.4.1 Dwelling units shall be located to the rear ½ of the main storey or to the upper-storey of a permitted non-residential use.
- 15A.4.2 More than one dwelling unit may be permitted subject to the following minimum dwelling unit floor areas.
- | | |
|---|------------|
| a) Guest room of an inn or bed and breakfast: | 150 sq. ft |
| b) Guest room of a hotel | 250 sq. ft |
| c) Bachelor unit: | 455 sq. ft |
| d) One-bedroom unit: | 590 sq. ft |
| e) Two-bedroom unit: | 650 sq. ft |
| f) Three-bedroom unit: | 700 sq. ft |

15A.5 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS

All provisions of General Provisions and Section 5, Parking, Driveway and Loading provisions of this bylaw where applicable to the use of any land, building or structure permitted within the Main Street Commercial (MC) Zone shall apply and be complied with.

15A.6 SPECIAL MC – MAIN STREET COMMERCIAL ZONES

15A.6.1 MC-1 (Lot 11, R.P. 83, 41 Forsyth Street, Village of Marmora)

Notwithstanding any provisions of this bylaw to the contrary, on lands zoned MC-1 and shown on Schedule "A" attached hereto the following special provisions shall apply:

The permitted uses shall be:

- i) tea house;
- ii) antique display;
- iii) Chiropractic office;
- iv) One residential dwelling unit.

All other General Provisions of bylaw 2003-11 and specific provisions of the MC (Main Street Centre), as amended, shall apply.

15A.6.2 MC-2 (Plan 307 Lots 7 and 8 RP 21R13299 Part 1)

Notwithstanding any provisions of this bylaw to the contrary, on lands zoned MC-2 and shown on Schedule "A" attached hereto the following special provisions shall apply:

The permitted non-residential uses shall be the uses of the **MC (Mainstreet Commercial) Zone** and the additional uses of:

- i) gas bar and service station
- ii) eating establishment; and,
- iii) used car sales.

15A.6.3 MC-3 (Main Street Commercial – Exception 3) Zone

Notwithstanding any provisions of this bylaw to the contrary, on lands zoned MC-3, located #1 Forsyth Street, as shown on Schedule "A" attached hereto the following special provisions shall apply:

Permitted Uses for "MC-3" Zone (Main Street Commercial – Exception 3) Zone:

- i. Three residential units (apartments), one on the main story and two on the upper-story;
- ii. Special Provisions for "MC-3" Zone (Main Street Commercial – Exception 3) Zone:
 - Minimum Lot Area and Frontage: existing
 - Minimum Yard dimensions: non-encroaching – existing
 - Maximum Lot Coverage: existing
 - Minimum number of off-street parking spaces: 1
 - Minimum Special Needs Parking: none

SECTION 15B – GC – GENERAL COMMERCIAL ZONE

- 15B.1 Within a GC – General Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

15B.2 PERMITTED USES

15B.2.1. Permitted Residential Uses

- a) Bed and Breakfast Establishment
- b) Dwelling units in the form of apartments as an accessory use in buildings in which commercial uses are permitted in accordance with the provisions of Section 5.19 and 5.20
- c) Home Industry – Types A and B
- d) Home Occupations – Types A and B

15B.2.2 Permitted Non-Residential Uses:

- a) automobile sales agency
- b) automobile service station
- c) commercial school/college
- d) commercial recreation establishment
- e) boutique
- f) business and professional offices
- g) commercial club
- h) eating establishment
- i) equipment or merchandise sales, rental and repair establishment
- j) entertainment/amusement facility
- k) farmers market
- l) food market
- m) funeral home
- n) garden centre
- o) hardware store and lumber yard
- p) health spa
- q) home-furnishings & appliance
- r) hotel
- s) laundry/dry cleaning
- t) medical clinic
- u) motel
- v) motor vehicle sales/repair/service
- w) parking lot
- x) personal service shop
- y) printing/publishing establishment
- z) recreational vehicle sales
- aa) retail store
- bb) retail store, convenience
- cc) shopping centre
- dd) tavern
- ee) movie/game rental
- ff) veterinarian clinic

- 15B.2.3 Accessory Uses: Uses, buildings and structures accessory to the foregoing uses are permitted in accordance with general provision 5.25 of this bylaw.

15B.2.4 REGULATIONS FOR PERMITTED USES

15B2.4.1 Serviced by Public Water and Sewer:

15B.2.4.1.1 Minimum Lot Area: 5,000 sq. ft.

15B.2.4.1.2 Minimum Lot Frontage: 50 ft.

15B2.4.2 Serviced by Public Water and Private Sewage:

15B.2.4.2.1 Minimum Lot Area: 43,560 sq. ft.

15B.2.4.2.2 Minimum Lot Frontage: 150 ft.

15B.2.4.3 Front Yard (Minimum): 25 ft.

15B.2.4.4 Rear Yard (Minimum): 20 ft.

15B.2.4.5 Interior Side Yard (Minimum): 12 ft.

15B.2.4.6 Exterior Side Yard (Minimum): 20 ft.

15B.2.4.7 Lot Coverage (Maximum): 40%

15B.2.4.8 Building Height (Maximum): 40 ft.

15B.2.4.9 Minimum Landscaped Open Space: 20%

15B.2.4.10 More than one permitted dwelling unit may be permitted subject to the following minimum dwelling unit floor areas:

a) Guest room as part of a bed and breakfast: 150 sq. ft.

b) Guest room as part of a motel/hotel: 250 sq. ft.

c) Bachelor unit: 455 sq. ft.

d) One-bedroom unit: 590 sq. ft.

e) Two-bedroom unit: 650 sq. ft.

f) Three-bedroom unit: 700 sq. ft.

15B.2.5 PROVISIONS FOR AUTOMOBILE SERVICE STATIONS

15B.2.5.1 Lot Area (Minimum)

a) public water supply and sewage disposal 1,160 m2 (12,500 sq. ft.)

b) public water supply and private sewage disposal 2,040 m2 (22,000 sq. ft.)

c) private water supply and sewage disposal 2,780 m2 (30,000 sq. ft.)

15B.2.5.2 Lot Frontage (Minimum) 30 metres (98 feet)

15B.2.5.3 Front Yard (Minimum) 15 metres (49.2 ft)

15B.2.5.4 Rear Yard (Minimum) 7.5 metres (24.6 ft.)

(except where the rear yard abuts a residential zone, the rear yard shall be a minimum of 12 metres (39.4 ft.) of which the 3 metres (9.8 ft.) adjacent to the lot line shall be retained in an open space condition.)

15B.2.5.5 Interior Side Yard

i. Abutting a Residential Zone 9 m (30 ft.)

ii. Abutting any other Zone 6 m (20 ft.)

15B.2.5.6 Exterior Side yard (Minimum) 12 metres 40 ft.)

15B.2.5.7 A sight triangle of 15 metres (49.2 ft) minimum shall be provided on a corner lot.

15B.2.5.8 Light stands and signs may be located in any required minimum yard at a minimum distance of 2.5 metres (8.2 ft.) from any street line.

- 15B.2.5.9 Fuel pump islands and fuel pumps may be located in any required minimum yard at a minimum distance of 6 metres (19.7 ft.) from any street line. A sight triangle is not to be construed to be part of the required minimum yard for the purposes of this paragraph. Where a lot is a corner lot, no portion of any pump island or gasoline pump shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15 m from the intersection of such lot lines.
- 15B.2.5.10 The distance between means of access or ramps shall be 12 metres (39.4 ft.) and on a corner lot, no ramp may be located within 15 metres (49.2 ft.) of the intersection of the street lines.
- 15B.2.5.11 Each ramp shall have a width of 7.5 metres (24.6 ft.) and the interior angle formed between the lot line and the centre line of the ramp shall be between seventy (70) and ninety (90) degrees.
- 15B.2.5.12 No ramp shall be located within 4.5 metres (14.8 ft.) of a side lot line.
- 15B.2.5.13 Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.31 and 5.32.
- 15B.2.6 PROVISIONS FOR MOTELS AND HOTELS
- 15B.2.6.1 Minimum Lot Area Requirements
- | | | |
|----|---|--------------------------------------|
| a) | public water supply and sewage disposal | 930 m ² (10,000 sq.ft.) |
| b) | public water supply and private sewage disposal | 2780 m ² (30,000 sq. ft.) |
| c) | private water supply and sewage disposal | 3700 m ² (40,000 sq. ft.) |
- 15B.2.6.2 Minimum Lot Frontage Requirements
- | | | |
|----|---|----------------|
| a) | public water supply and sewage disposal | 38 m (125 ft.) |
| b) | public water supply and private sewage disposal | 45 m (150 ft.) |
| c) | private water supply and sewage disposal | 53 m (175 ft.) |
- 15B.2.6.3 Minimum Yard Requirement
- | | | |
|----|--------------------------------|----------------|
| a) | front yard depth | 7.5 m (25 ft.) |
| b) | exterior side yard width | 7.5 m (25 ft.) |
| c) | interior side yard width | |
| | i. Abutting a Residential Zone | 9 m (30 ft) |
| | ii. Abutting any other Zone | 6 m (20 ft.) |
| d) | rear yard depth | 7.5 m (25 ft.) |
- 15B.2.6.4 Maximum Lot Coverage of All Buildings 80 percent
- 15B.2.6.5 Minimum Setback from Street Centerline
- | | | |
|----|--------------------|-------------------|
| a) | Provincial Highway | 32 m (105 ft) |
| b) | Municipal Road | 17.5 m (57.5 ft.) |
- 15B.2.6.6 Minimum Gross Guest Room Area Requirement 23 m² (250 sq. ft.)
- 15B.2.6.7 Maximum Height of Buildings 11 m (37 ft.)

15B.3 LANDSCAPE PLANTING/BUFFER STRIPS

Where the interior side or rear lot line of a "GC – General Commercial" Zone abuts a Residential Zone, a planting strip with a minimum width of 1.5 metres (5 feet) adjoining such abutting lot line shall be provided on the lot within the Commercial Zone. Such planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 metres (5 feet) high at planting, planted immediately adjacent to the lot line or portion thereof along which such planting strip is required. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

15B.4 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS

All provisions of General Provisions and Section 5, Parking, Driveway and Loading Provisions, of this Bylaw where applicable to the use of any land, building or structure permitted within the General Commercial (GC) Zone shall apply and be complied with.

15B.5 SPECIAL GC-GENERAL COMMERCIAL ZONES

15B.5.1 Notwithstanding any provisions of this bylaw to the contrary, on lands zoned "GC-1 (General Commercial – Exception1)", as shown on Schedule "A" attached hereto the permitted uses shall include permitted uses of the General Commercial together with an existing residential use of a single detached dwelling unit.

15B.5.2 A "General Commercial – Exception – 2 (GC-2)" Zone shall apply to the northeast corner of Matthew and North Maloney Streets as shown on Schedule "A" to the amending bylaw. It would carry forward the zone amendment #2006-18 and would read,

GC-2 ZONE (Plan 307 Pt BLK W RP 21R16240 Part 1)

Notwithstanding provisions of this bylaw to the contrary, on lands zoned GC-2 as shown on Schedule "A" attached hereto shall permit the uses of the GC-General Commercial Zone subject to the following special provisions:

Minimum Side Yard Depths: 20 feet along the north and south lot lines and 10 feet along the east and west lot lines.

SECTION 15C – LC – LOCAL COMMERCIAL ZONE

15C.1 Within a LC – Local Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted or regulated hereunder.

15C.2 PERMITTED USES

- 15C.2.1 Residential Permitted Uses
- a) existing single detached dwelling units
 - b) bed and breakfast establishment
 - c) dwelling units as part of a permitted commercial use
 - d) home industry – Types A and B
 - e) home occupations – Types A and B

15C.2.2 Non-residential Permitted Uses

- a) convenience store
- b) eating establishment
- c) funeral home
- d) personal service shop
- e) business and professional office, excluding a medical clinic
- f) Laundromat
- g) Public uses or utilities

15C.2.3 Accessory Uses: Uses, buildings and structures accessory to the foregoing uses are permitted in accordance with general provision 5.25 of this bylaw.

15C.2.4 REGULATIONS FOR PERMITTED USES

15C.2.4.1 Serviced by Public Water and Sewer

15C.2.4.1.1 Minimum Lot Area: 5,000 sq. ft.

15C.2.4.1.2 Minimum Lot Frontage 50 ft.

15C.2.4.2 Serviced by Public Water and Private Sewage:

15C.2.4.2.1 Minimum Lot Area: 43,560 sq. ft.

15C.2.4.2.2 Minimum Lot Frontage 150 ft.

15C.2.4.3 Front Yard (Minimum): 25 ft.

15C.2.4.4 Rear Yard (Minimum): 20 ft.

15C.2.4.5 Interior Side Yard (Minimum): one- 4ft. and the second – 12 feet

15C.2.4.6 Exterior Side Yard (Minimum): 20 feet

15C.2.4.7 Lot Coverage (Maximum): 35%

15C.2.4.8 Building Height (Maximum): 30 feet

15C.2.4.9 Minimum Landscaped Open Space: 20%

15C.2.4.10 More than one dwelling unit may be permitted while meeting the following minimum floor area per dwelling unit:

- a) Guest room of a bed and breakfast: 150 sq. ft.
- b) Bachelor unit: 455 sq. ft.
- c) One-bedroom unit: 590 sq. ft.
- d) Two-bedroom unit: 650 sq. ft.
- e) Three-bedroom unit: 700 sq. ft.

15C.3 LANDSCAPE PLANTING/BUFFER STRIPS

Where the interior side or rear lot line of a "LC – Local Commercial" Zone abuts a Residential Zone, a planting strip with a minimum width of 1.5 metres (5 feet) adjoining such abutting lot line shall be provided on the lot within the Commercial Zone. Such planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 metres (5 feet) high at planting, planted immediately adjacent to the lot line or portion thereof along which such planting strip is required. The remainder of the strip shall be used for no other purpose than the planting of shrubs flower beds, grass or a combination thereof.

15C.4 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS

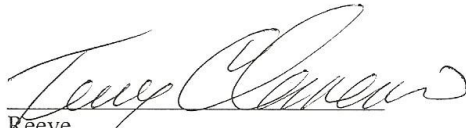
All provisions of General provisions and Section 5, Parking, Driveway and Loading Provisions, of this bylaw where applicable to the use of any land, building or structure permitted within the Local Commercial (LC) Zone shall apply and be complied with.

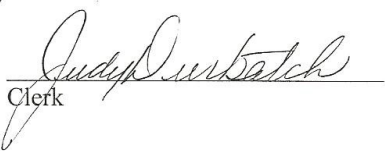
15C.5 SPECIAL LC – LOCAL COMMERCIAL ZONES

15C.5.1 Reserved.”

2. THAT SCHEDULE “C” TO bylaw Number 2003-11, as amended, is hereby amended by changing the zone category thereon in accordance with Schedule “A” attached hereto and forming part of this bylaw;
3. THAT THIS BYLAW shall come into force and take effect pursuant to the provisions and regulations of the Planning Act R.S.O., 1990 c.P.13, as amended;

THIS BYLAW IS READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
19TH DAY OF JANUARY, 2010.


Reeve


Clerk

Municipality of Marmora & Lake: Schedule "A" to Zoning Bylaw No. _____ - _____

