

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW # 92-27

A By-law to amend By-law Number 81-9

WHEREAS By-law No. 81-9 regulates the use of lands and the erection, location and use of buildings and structures within the Township of Westmeath;

AND WHEREAS Council deems it appropriate to further amend By-law No. 81-9;

NOW THEREFORE the Council of the Corporation of the Township of Westmeath amends By-law No. 81-9 as follows;

1. The area affected by this By-law is composed of parts of Lots 22 & 23, Concession A EML, as indicated on the attached Schedule 'A', which forms part of this By-law.
2. The lands identified as item one on Schedule 'A' to this By-law shall henceforth be zoned Rural, Special Exception Three (RU-3).
3. The lands identified as item two on Schedule 'A' to this By-law shall henceforth be zoned Rural Commercial (CR).
4. Section 17(3) is amended by adding the following new subsection:

"(c) RU-3 REDUCED BUILDING SETBACK, REAR

Notwithstanding any provisions of subsection 17(2)(g) to the contrary, on the land identified as Rural, Special Exception Three (RU-3), the following provisions shall apply:

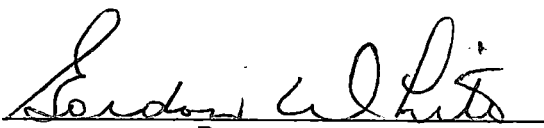
Building Setback, Rear (minimum)	
North & Northeast sides	
(abutting the Ottawa River)	10.0 metres
Northwest side	5.0 metres

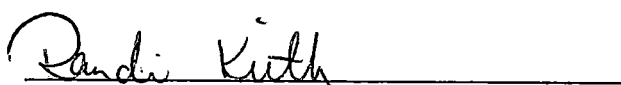
Notwithstanding any provision of sections 2(19)(b), 2(23)(c), 3(26) and 17(2)(g) to the contrary, an uncovered deck may extend a maximum of 2.5 metres from the exterior building wall.

5. Schedule 'A', Map 1 to By-law No. 81-9 is amended in accordance with the provisions of this By-law.

This By-law shall become effective on the date of passing hereof subject to the appeal provisions of the Planning Act.

PASSED and ENACTED this 21st day of October 1992.


Reeve


Clerk

FORM 1

PLANNING ACT, 1983

NOTICE OF THE PASSING
OF A ZONING BY-LAW AMENDMENT BY
THE TOWNSHIP OF WESTMEATH

TAKE NOTICE that the Council of the Corporation of the Township of Westmeath passed By-law 92-27 on the 21st day of October 1992 under Section 34 of the Planning Act, 1983. as amended

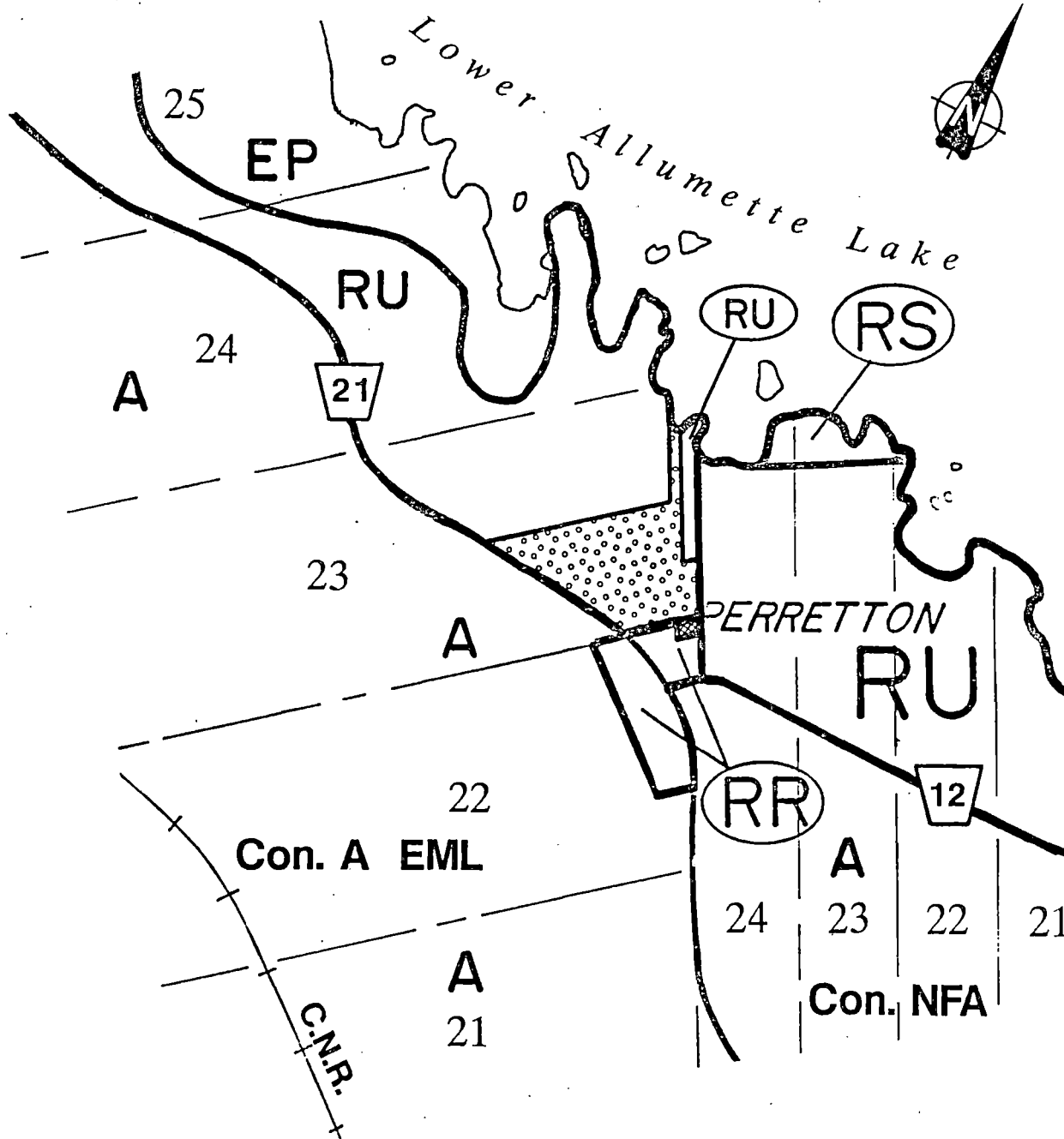
AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-Law by filing with the Clerk of the Township of Westmeath no later than the 12th day of November, 1992, a notice of appeal setting out the objection to the By-Law and the reasons in support of the objection.

An explanation of the purpose and effect of the By-Law and a copy of the By-Law are attached.

Dated at the Township of Westmeath this 22nd day of October, 1992

Randi Keith

Randi Keith, Clerk-Treasurer
Township of Westmeath



Area(s) Affected by this By-law

Item One

Rural - Special Exception Three (RU-3) 

Item Two

Rural Commercial (CR) 

Certificate of Authentication

This is Schedule "A" to By-law No. 92-27,
 passed this 21st day of October 1992.

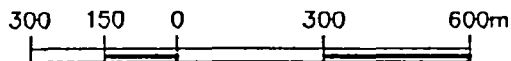

 Reeve


 Clerk

Schedule "A"
 to By-law No. 92-27

Part of Lots 22 and 23, Con. A, EML
 Township of Westmeath

Prepared: 10/09/92
 Scale 1:16000



EXPLANATORY NOTE

The purpose of this amendment is to permit the applicant to construct a single family dwelling on a narrow portion of the subject property near the Ottawa River. In order to do this, reductions to the rear yard setback and water setback, as it applies to the proposed deck, are required.

On August 18, 1992, the Renfrew County Land Division Commission approved Consent Application No. B-75/92 creating a lot of approximately 2 acres in area on which an existing dwelling is located. The remnant parcel is an irregularly shaped lot which abuts the Ottawa River to the north, the severed parcel and the Township road located on the road allowance between Concession NFA and Concession A, EML to the east and County Road No. 21 to the south. The applicant wishes to construct a dwelling on this retained parcel near the Ottawa River.

The definitions and regulations of comprehensive Zoning By-law No. 81-9 state that the lot line abutting the Ottawa River and the northeasterly lot line are "rear lot lines." Section 17(2)(g) requires a minimum building setback, rear, of 12.0 metres. This By-law proposes to place the subject property in a special exception to the Rural zone requiring a 10.0 metre rear lot line for the north and northeast portions of the property and 5.0 metres for the northwest side in order to accommodate the applicant's building plans.

The applicant also wishes to have an uncovered deck projecting 2.5 metres out from the exterior wall of the building toward the Ottawa River. The comprehensive Zoning By-law normally permits only a 1.5 metre projection into a required setback area. Section 4 of this Zoning By-law amendment makes these changes.

A second purpose of this Zoning By-law amendment is to relocate the Rural Commercial (CR) zone which was originally shown on the Zoning By-law Schedule being located in part of Lot 23. As a result of the preparation of this amendment, it was discovered that this business is actually located in part of Lot 22. Item 2, shown on the Zoning By-law amendment schedule, makes this change.

PUBLIC INVOLVEMENT

Prior to the passing of the By-Law a public meeting was held. Three members of Council, the Applicant, the Applicant's Solicitor and the Clerk were present at the meeting. The Clerk read letters from the Renfrew County and District Health Unit and Ministry of Natural Resources. The Health Unit had no objection to the amendment. The Ministry of Natural Resources objected to the passing of the By-Law. They feel that approving this by-law would allow for construction of a residential dwelling in an area considered to be floodway, when the applicant has substantial area outside the floodplain of which the dwelling could be constructed. The Solicitor asked for Council's support and reminded Council that a previous court order had ordered Council to pass the by-law to approve the amendment.

No other comments and objectives had been received.