

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW NUMBER 92-30

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;

AND WHEREAS Council passed By-Law No. 92-27 and now wishes to repeal that By-Law;

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 part of Lot 23, Concession A EML, as indicated on the attached Schedule 'A', which forms part of this By-Law.
2. The lands identified with shaded tone on Schedule 'A' to this By-Law shall henceforth be zoned Rural, Special Exception Three (RU-3).
3. 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:

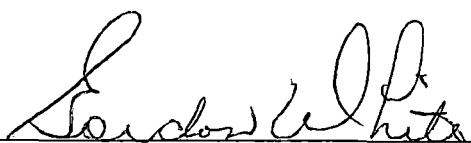
- Building Setback, Rear (minimum)
 - North & Northeast sides
(abutting the Ottawa River) 10.0 metres
 - Northwest side 5.0 metres

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.

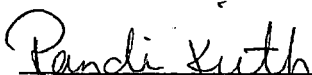
4. Schedule 'A', Map 1 to By-Law No. 81-9 is amended in accordance with the provisions of this By-Law.
5. By-Law No. 92-27 is hereby repealed.

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 18th day of November, 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 92-30 on the 18th day of November 1992 under Section 34 of the Planning Act, 1983. as amended

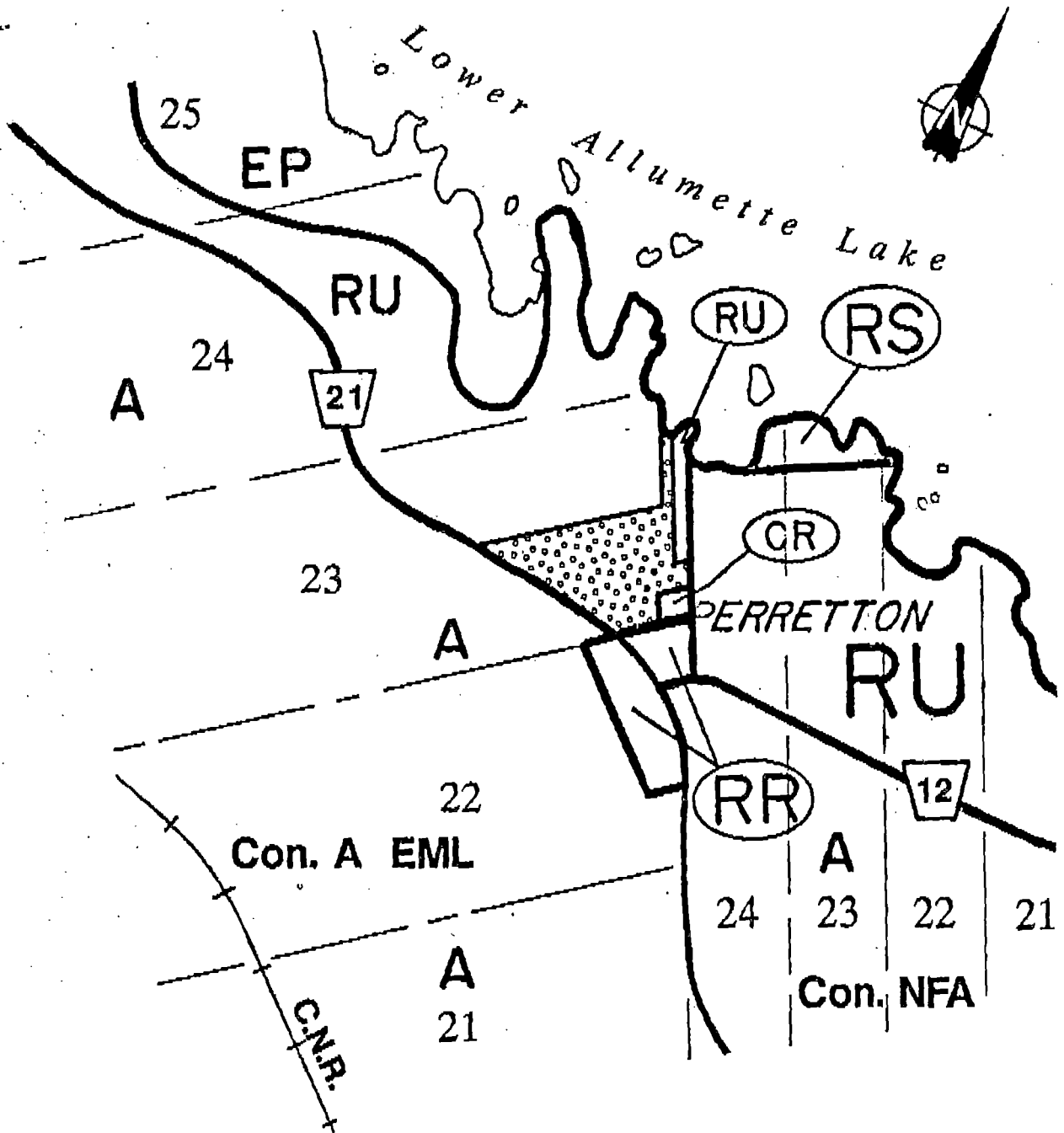
AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-Law by filing with the Clerk of the Township of Westmeath no later than the 10th day of December, 1992, a notice of appeal setting out the objection to the By-Law and the reasons in support of the 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 19th day of November, 1992

Randi Keith

Randi Keith, Clerk-Treasurer
Township of Westmeath



Area(s) Affected by this By-law

Rural - Special Exception Three (RU-3) 

Certificate of Authentication

This is Schedule "A" to By-law No. 92-30, passed this 18th day of November 1992.

Carole White Randi Keith
 Reviser Cert

Schedule "A" to By-law No. 92-30

Part of Lot 23, Con. A, EML
 Township of Westmeath

Prepared: 10/09/92 Revised: 17/11/92
 Scale 1:16000



EXPLANATORY NOTE

This amendment repeals Zoning By-Law Amendment Number 92-27 passed by Council on October 21, 1992 and replaces it with a revised amendment. Two appeals were received to the previous amendment - one from the Ministry of Natural Resources and one from Mr. Clinton Desjardins. Mr. Desjardins objected to the revision to the CR zone boundary and supplied a survey which demonstrated that his concern is valid. The amendment was prepared from Assessment mapping which turned out to be incorrect. This replacement amendment resolves Mr. Desjardins' concern by correctly showing the CR lands in part of Lot 23 rather than in Lot 22.

The purpose of this revised amendment is to permit the applicant (Mr. Hennessey) 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 slightly reduce the size of the abutting Rural Commercial (CR) zone which was originally shown on the Zoning By-Law Schedule being about twice as large as the actual property owned by Mr. Desjardins.

PUBLIC INVOLVEMENT

A Public Meeting was held on October 21st, 1992 to deal with the amendment.