

VILLAGE OF COBDEN

BY-LAW NO. 77-8

A By-Law pursuant to Section 35 of The Planning Act to regulate the use of land and the size, location and use of buildings within a Plan of Subdivision.

THE CORPORATION OF THE VILLAGE OF COBDEN  
HEREBY ENACTS AS FOLLOWS:

SECTION 1 - TITLE

This By-Law may be cited as the Welk Subdivision Zoning By-Law.

SECTION 2 - INTERPRETATION

2.1 SCOPE

This By-Law applies to an area of land within the Corporation of the Village of Cobden which makes up part of a Draft Plan of Subdivision - 47-T-75113

2.2 ZONES

Those parts of the Welk Draft Plan of Subdivision to be covered by this By-Law shall have the following Zones:

<u>Zone</u>	<u>Symbol</u>
Single Family Residential	R1
Public Park	P

2.3 SCHEDULE

Schedule 'A' attached hereto together with the notations, symbols and other information included thereon are hereby included in and form part of this By-Law.

SECTION 3 - SINGLE FAMILY RESIDENTIAL ZONE (R1)

3.1 Permitted Uses

No person shall, within Lots 1 to 64 inclusive as shown on Schedule 'A', use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.1.1 a single dwelling unit provided it is fully serviced with municipally owned piped water and sewage services

3.1.2 an accessory use or building

3.2 Regulations for Uses Permitted in Section 3.1.1

3.2.1	Minimum Lot Area	5,000 sq. ft.
3.2.2	Minimum Lot Frontage	50 ft.
3.2.3	Minimum Front Yard	20 ft.
3.2.4	Minimum Side Yard	4 ft.
3.2.5	Minimum Exterior Side Yard	10 ft.
3.2.6	Minimum Rear Yard	25 ft.
3.2.7	Maximum Building Coverage	40 %
3.2.8	Maximum Height	35 ft.
3.2.9	Minimum Floor Area	1,000 sq. ft.
3.2.10	Minimum Off-Street Parking Requirement	1 parking space per lot
3.2.11	Maximum Lot Coverage by Open Parking Areas, Driveways, and Vehicle Movement Areas	25 % of the Area of the Lot

3.3 Regulations for Uses Permitted in Section 3.1.2

3.3.1	Minimum Front Yard	25 ft.
3.3.2	Minimum Side Yard	4 ft.
3.3.3	Minimum Exterior Side Yard	10 ft.
3.3.4	Minimum Rear Yard	5 ft.
3.3.5	Maximum Height	15 ft.

SECTION 4 - PARK ZONE (P)

No person shall within Block A, as shown on Schedule 'A', use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.1 Permitted Uses

4.1.1 A public park, and ancillary buildings, provided that such buildings are owned or approved by the Municipal Authority.

4.2 Regulations for Buildings Permitted in Section 4.1.1

4.2.1 Minimum Front Yard 25'

4.2.2 Minimum Side Yard 25'

4.2.3 Minimum Rear Yard 25'

SECTION 5 - ADMINISTRATION

5.1 Administration

This By-Law shall be administered by a person designated by the Council as the Zoning Administrator or Building Inspector.

5.2 Building Permits

After the date of the passing of this By-Law, no building permit shall be issued where the proposed building, structure or use violates the provisions of this By-Law.

### 5.3 Application for Building Permits

Application for a Building Permit shall be accompanied by the following:

5.3.1 Plans - drawn in duplicate (one copy of which shall be retained by the Zoning Administrator or Building Inspector) at a suitable scale showing

5.3.1.1 the true shape and dimensions of the lot

5.3.1.2 the proposed location and dimensions of the building, structure of work in respect of which the permit is applied for

5.3.1.3 the location of every building or structure currently approved.

5.3.1.4 such other information as the Zoning Administrator or Building Inspector considers necessary to determine whether every proposed structure, building or work conforms to the provisions of this By-Law.

5.3.2 Statement - a statement signed by the registered owner shall be required, setting forth in detail the exact use proposed for each structure, building or lot.

### 5.4 Inspection

The Zoning Administrator or Building Inspector is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purposes of carrying out his duties under this By-Law.

### 5.5 Enforcement

Any person convicted of a breach of any provision of this By-Law shall be guilty of an offence, and upon conviction therefore shall forfeit and pay a penalty not exceeding One Thousand Dollars (\$1,000.00) exclusive of costs for each offence, and every such penalty shall be recoverable under the Summary Convictions Act.

5.6 Validity

Every provision of this By-Law is declared to be severable from the remainder of the By-Law, and if any provision of this By-Law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the Validity of the remainder.

SECTION 6 - GENERAL PROVISIONS

6.1 Accessory Uses

6.1.1 Except as otherwise provided herein, in a Single Family Residential Zone (R1), an accessory building or structure which is not part of the main building shall be erected to the rear of any required front yard.

6.1.2 Except as otherwise provided herein, the total lot coverage of all accessory buildings on a lot shall not exceed 5% of the lot area.

6.2 Dwelling Units Under Construction

6.2.1 Notwithstanding anything contained in this By-Law, no person shall use or occupy any building or residential purposes beyond the date of expiry of the building permit, unless the exterior of such building has been completed and finished in all respects in accordance with plans and specifications filed upon application for a building permit and that approved sanitary facilities have been installed and are functioning properly.

6.3 External Design

6.3.1 The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure which is located wholly or partly within 300 feet of an improved public street.

1. asphalt roll - type siding
2. building paper, or tar paper
3. insul - brick siding

All residential dwellings located within the Subdivision shall be faced with a material generally accepted as "finishing materials".

6.4 FRONTAGE ON A PUBLIC STREET

No building permit may be issued in respect of a lot that does not front on an improved public street.

In addition, no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon an improved public street

6.5 Mobile Homes

6.5.1 This By-Law shall not be construed to permit mobile homes.

6.6 One Main Building per Lot

6.6.1 Within any Zone only one main building per lot shall be permitted.

6.7 Temporary Uses

6.7.1 The following uses are permitted in all zones within the Subdivision, a tool shed, construction trailer, scaffold, or other building or structure incidental to construction of the lot where it is situated, and only for so long as it is necessary for work in progress and until the work is completed or abandoned.

"Abandoned" in this sub-section shall mean failure to proceed expeditiously with construction of work.

SECTION - DEFINITIONS

In this By-Law, the following definitions shall apply:

- 7.1 "Accessory Building" - means a detached building that is clearly incidental, subordinate and exclusively devoted to a main building and located within the same lot.
- 7.2 "Accessory Use" - means a use that is clearly incidental, subordinate and exclusively devoted to a permitted use and carried out within the same lot.
- 7.3 "Alter" - means a structural change to a building such as an addition to the area or height or the removal of a part thereof, or any change thereto such as a construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any means of egress or a change to the exterior cladding or trim.
- 7.4 "Ancillary Building" - means a detached building that is clearly incidental, subordinate and exclusively devoted to a park use and located on park property.
- 7.5 "Building" - means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 7.6 "Building Coverage" - means the ratio of the building area to the area of the lot.
- 7.7 "Corporation" - means the Corporation of the Village of Cobden.
- 7.8 "Council" - means the Council of the Corporation of the Village of Cobden.
- 7.9 " Dwelling" - means a building containing one or more dwelling units.
- 7.10 " Dwelling Unit" - means one or more connecting rooms for the exclusive and permanent use of a family as a housekeeping unit and within which cooking, eating, living, sleeping and sanitary facilities are provided.
- 7.11 "Erect" - means to build, construct, reconstruct, locate, relocate, assembly or repair and includes any preliminary site preparation, excavating, filling, grading, draining, in connection therewith.
- 7.12 "Family" - means:
  - (1) a person or two or more related persons and not more than 2 boarders, or
  - (2) a group of not more than five unrelated persons.

- 7.13 "Floor Area" - means total floor area as measured from exterior walls but excluding basements, and cellars, private garages, and porches.
- 7.14 "Front Lot Line" - means the line separating a lot from the street and if a lot abuts on two or more streets, the shortest of such lines.
- 7.15 "Front Yard" - means the yard between the side yards from the front lot line to the nearest wall of any building or structure. In the case of a corner lot, the shorter lot line abutting an improved public street shall be deemed the front lot line.
- 7.16 "Height" - means with reference to a building the vertical distance measured from the average finished grade level at the front elevation of such building to:
- (1) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and
  - (2) in the case of a pitched roof, a point midway between the eaves and the ridge, but

in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse, or a chimney, tower, cupola or steeple is not to be included.

- 7.17 "Improved Public Street" - means a dedicated public roadway which provides the main or principle means of access to abutting lots but does not include a private lane, right-of-way or driveway.
- 7.18 "Lot" - means a parcel of land defined in accordance with a Registered Plan of Subdivision.
- 7.19 "Lot Area" - means the horizontal area within the boundary lines of a lot.
- 7.20 "Lot Coverage" - shall mean the percentage of the lot area covered by the area of all buildings, including accessory buildings.
- 7.21 "Lot Depth" - means the horizontal distance between the front lot line and rear lot line. If the front and rear lot lines are not parallel, "Lot Depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.



- 7.22 "Lot Frontage" - means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant 20 feet from the front lot line.
- 7.23 "Lot Line" - means any boundary of a lot.
- 7.24 "Mobile Home" - means a transportable factory-built single family dwelling unit designed in one or more units to be towed on its own chassis by a special towing vehicle or transported on a railway flat and assembled on the site into one integral unit and which is designed for continuous occupancy on a year round basis, but shall not include a recreational motor home or recreational travel trailer.
- 7.25 "Public Park" - shall mean any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein parks, open areas or one or more athletic fields, field houses, bleachers, swimming pools, botanical gardens, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, refreshment rooms, fair grounds, or similar uses.
- 7.26 "Person" - includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent and the heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.
- 7.27 "Rear Lot Line" - means the lot line farthest from and opposite to the front lot line.
- 7.28 "Rear Yard" - means the yard between the side yards from the rear lot line to the nearest wall of the main building.
- 7.29 "Side Lot Line" - means a lot line other than a front or rear lot line.
- 7.30 "Side Yard" - means the yard between the side lot line and the nearest wall of the main building and extending the full depth of the lot.
- 7.31 "Side Yard, Exterior" - shall mean a side yard immediately adjoining an improved public street.
- 7.32 "Single Dwelling Unit" - means a building consisting solely of one dwelling unit and may include an attached garage.
- 7.33 "Street" - means a dedicated public highway.
- 7.34 "Street Line" - means the line between a street and the abutting property.

SECTION 8 - EFFECTIVE DATE

8. 1 Effective Date

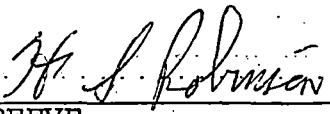
This By-Law shall become effective on the date of passing hereof subject to receiving the approval of the Ontario Municipal Board.


READ A FIRST time this 29th day of March 1977

READ A SECOND time this 29th day of March 1977

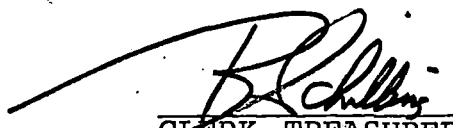
READ A THIRD time this 29th day of March 1977

and given By-Law No. 77-8

  
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REEVE

  
\_\_\_\_\_  
CLERK

I, **RICHARD SCHILLING** Clerk of the Corporation of the Village of Cobden, do hereby certify that the foregoing is a true copy of By-Law No. 77-8 passed by the Council of the said Corporation on the 29th day of March 1977.

  
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CLERK-TREASURER  
VILLAGE OF COBDEN

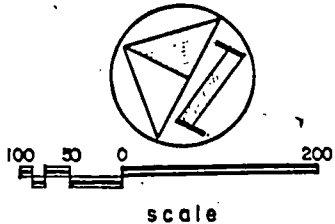
# VILLAGE OF COBDEN

## SCHEDULE 'A' TO BYLAW No

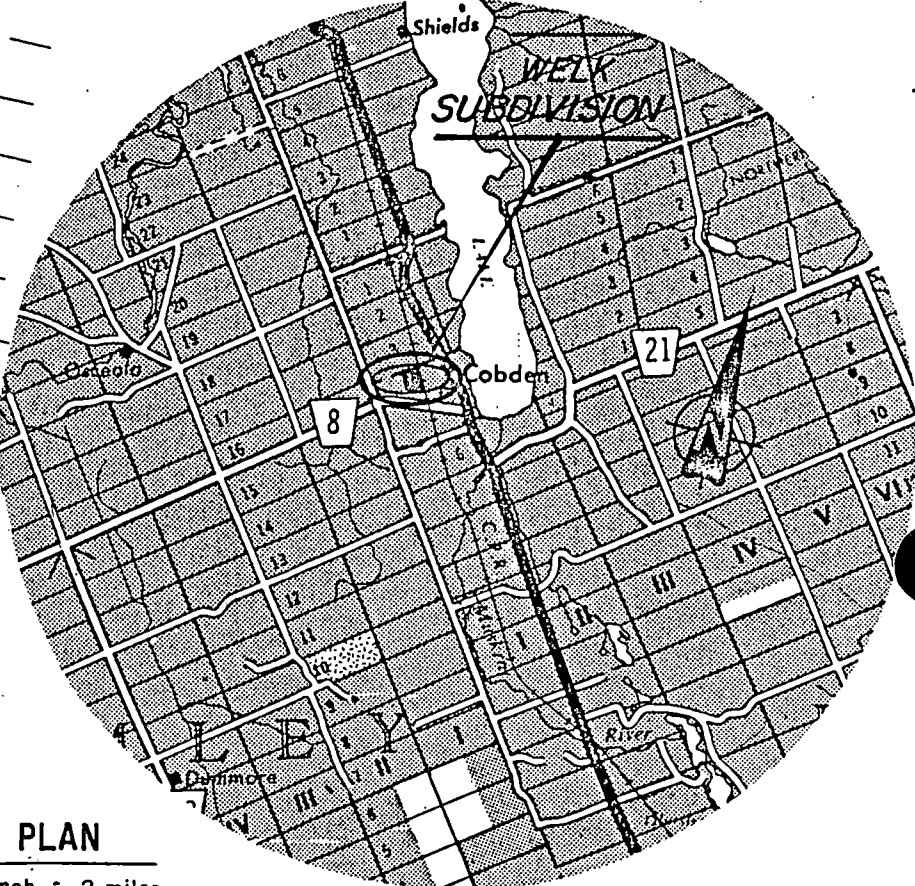
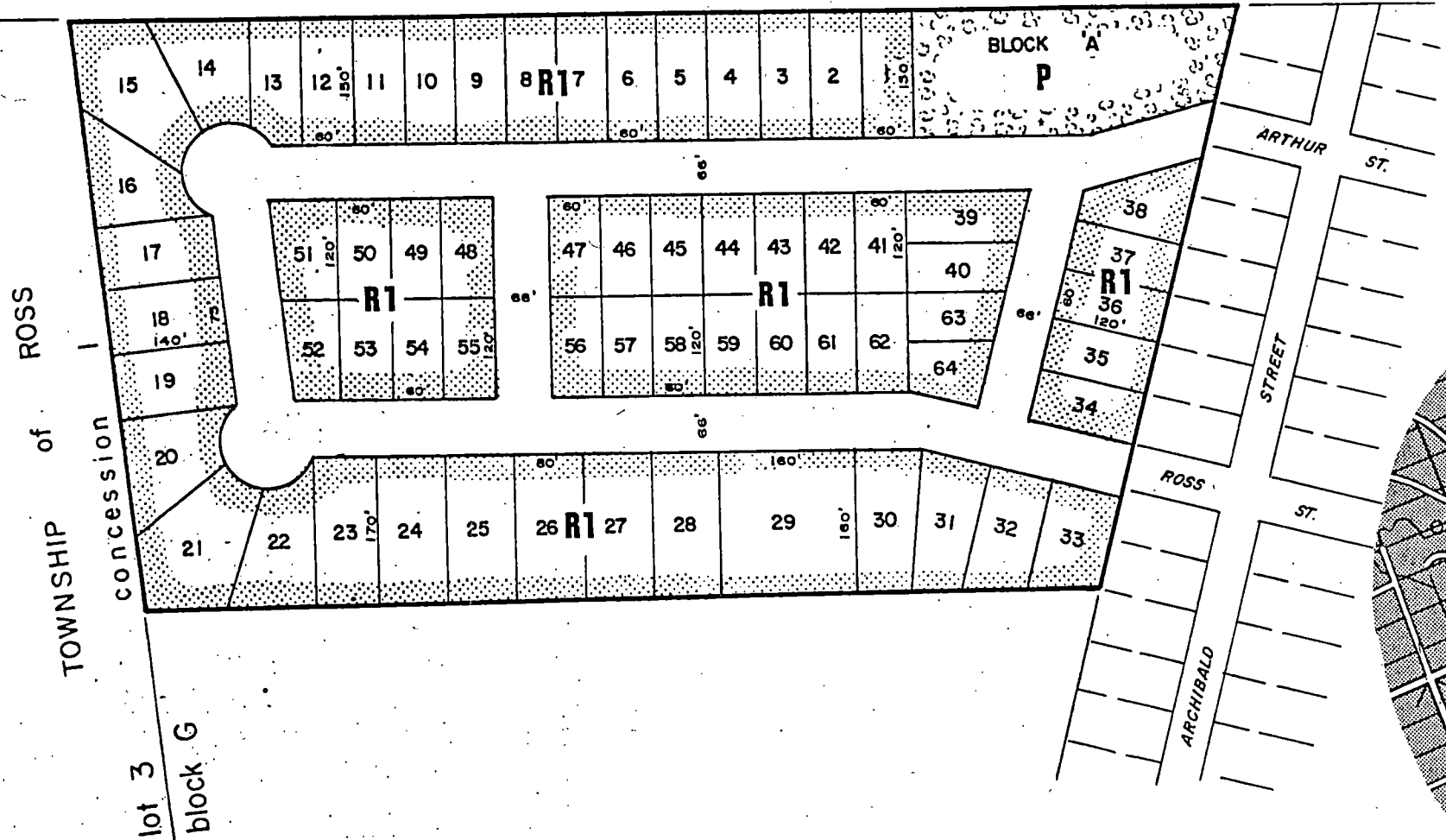
THIS IS SCHEDULE 'A' TO BYLAW 77-8  
PASSED THIS 29 DAY OF March, 1977

SIGNATURES OF THE SIGNING OFFICERS.

signed *Hel Roberts* REEVE  
signed *[Signature]* CLERK



CANADIAN PACIFIC RAILWAY



KEY PLAN

SCALE : 1 inch = 2 miles