

Corporation Of the Township of Tarbutt & Tarbutt Add'l

EXPLANATORY NOTE

The approval of this zoning by-law by the Ontario Municipal Board will permit single family dwellings to be built on lots within the proposed "Birch Hill Subdivision" on the south half of lot 7 concession 6 Township of Tarbutt Add'l. Owners will be permitted to construct one single family dwelling with accessory building per lot provided they have prior approval from the Algoma Health Unit for a sewage disposal system. ✓

By-Law No. 3-79

Of the Corporation of Municipality of Tarbutt & Tarbutt  
Additional

Whereas Section 35 of the Planning Act, R.S.O. 1970 Chapter 349 as amended provides that by-laws may be passed by the Councils of Municipalities for the purposes therein mentioned including the restriction of the use of land and of the erection or use of the buildings.

No land shall hereafter be used and no building or structure shall hereafter be erected, altered or used except in accordance with the terms of the by-law.

NOW THEREFORE the Council of the Corporation of Municipality of Tarbutt & Tarbutt Additional Enacts as follows:

1. Definitions

The following definitions shall apply to this By-Law:

Residential Dwelling: A dwelling having one or more habitable rooms designed for use by and occupied by not more than one family and occupied on a year round basis.

Accessory Buildings: Accessory Uses means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot and includes the erection of ~~auxiliary~~ buildings necessary for the operation of the principal use, but does not include buildings used for human habitation.

Building: means any structure whether temporary or permanent, moved, placed, located, built, erected or constructed on, over or under land and every part of the same whether fixed to the realty or not, and which is designated or intended for supporting or sheltering any use of occupancy.

Floor Area: means the total area of all floors contained within the walls of a building, excluding, in the case of a dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar.

Front Lot Line: means the lot line that divides the lot from the road upon which it abuts.

Frontage: means the width of a lot measured along a straight line, 8 metres back from and parallel to a line joining the intersections of the two side lot lines with the front lot line.

Lot: means a numbered Lot on the plan of the Birch-Hill Subdivision and which can be legally conveyed.

Lot Line: means any boundary of a lot.

Open Space: means Public Parks and Open Space for public recreational use or for public parkland.

Rear Lot Line: means the lot opposite the front lot line.

Road: means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Township of Tarbutt and Tarbutt Additional within a registered plan of subdivision, or is a road the maintenance of which has been assumed by the Corporation.

Side Lot Line: means a lot line other than the front or rear lot line.

Structure: means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

2. General Provisions:

1. The provisions of this By-Law shall apply to the area of land known as "The Birch Hill Subdivision" and shown hatched on the plan attached and marked Schedule "A" which forms part of the By-Law.

2. Schedule "A" consists of Part of the South Half of lot 7, Concession 6 in the Township of Tarbutt Additional which part is shown on the proposed plan of subdivision dated June 30th, 1978 by Chambers & Miller Ltd, Ontario Land Surveyer and which proposed plan forms part of this By-Law as Schedule "A"

3. No more than one residential dwelling and its accessory building shall be erected on any one lot.

4. No other use than permitted uses hereunder are to be made of any part of the subdivision lots or blocks.

5. Prior to any development or redevelopment, a sewage disposal system shall be required to be approved by the Ministry of Health or agency having jurisdiction.

6. No person shall erect any building or structure on the lands to which this by-law applies unless the land upon which such building or structure is to be erected fronts upon a road.

3. Permitted Uses:

- a; Residential
- b: Public Parks or Open Spaces
- c: Accessory Uses

4. Dwelling Locations and Restrictions:

a: No dwelling shall have a floor area of less than 92.903 square metres (approximate 1000 sq ft)

b. No building shall be erected on any lot unless:

- (1) It is not less than 7.82 metres from the rear lot line. (approximate 25 ft)

- (2) It is not less than 1.524 metres from the side lot line, (approximate 5 ft)
- (3) It is not less than 8 metres from the front lot line, (approximate 25 ft)
- (4) For the purpose of this by-law the minimum area and frontage of the respective lots within the said subdivision shall be given as those on the draft approved plan, subject to a final survey corresponding with the said dimensions of the lots on the draft plan.

5. Penalties:

Any person or corporation contravening the provisions of the By-Law shall be liable to a penalty not exceeding \$1,000.00 exclusive of costs, punishable upon summary conviction.

6. Administration

This By-Law is administered by the clerk of the municipality or, in the clerk's absence, by such other employee of the municipality as the Council designates, from time to time.

7. Effective Date:

This By-Law shall come into force and take effect on the day that it is passed by Council, subject to the approval of the Ontario Municipal Board.

FIRST READING

Allan Shackleton  
Reeve

Joe Wickuker  
Clerk-Administrator

1. A. Jeffrey 2. B. Lewis 3. W. Spence 4. Ann C. Kirk  
Council

SECOND READING

Allan Shackleton  
Reeve

Joe Wickuker  
Clerk-Administrator

1. A. Jeffrey 2. B. Lewis 3. W. Spence 4. Ann C. Kirk  
Council

THIRD READING

Allan Shackleton  
Reeve

Joe Wickuker  
Clerk-Administrator

A. Jeffrey B. Lewis W. Spence Ann C. Kirk  
Council

Enacted this 30 day of January 1979

Allan Shackleton  
Reeve

Joe Wickuker  
Clerk-Administrator

SEAL