

THE ARCHIPELAGO AREA PLANNING BOARD

BY-LAW NO. PB00-01 MINIMUM STANDARDS BY-LAW

as amended by
By-law Nos. PB01-01, PB01-02, PB04-01, PB05-01,
PB05-02, PB06-01 and PB13-01

To prescribe a minimum lot size and minimum lot frontage requirement for new lots created in those portions of the unincorporated geographic townships of Blair, Brown, Harrison, Henvey, Mowat, Wallbridge and the Unsurveyed Territory that are within the jurisdiction of The Archipelago Area Planning Board

WHEREAS Section 19(1) of the Planning Act authorizes planning boards to enact zoning by-laws for territory without municipal organization;

AND WHEREAS the Minister of Municipal Affairs established The Archipelago Area Planning Board on March 26, 1997 consisting of the Township of The Archipelago, and the unincorporated townships of Wallbridge, Brown, Blair, Mowat and Henvey, that portion of Harrison that is not in the Township of The Archipelago, and the unsurveyed lands north of Henvey to the French River;

AND WHEREAS effective January 1, 1999 the Minister of Municipal Affairs removed from the planning area of The Archipelago Area Planning Board that portion of the geographic township of Mowat west of Highway 69 and the unsurveyed lands lying north of the Henvey Inlet Indian Reserve No. 2 and west of the geographic township of Mowat to the French River;

AND WHEREAS there are no regulations prescribing minimum standards for the creation of new lots within the unincorporated areas within the jurisdiction of The Archipelago Area Planning Board, with the exception of the area covered by the Minister's Order for the Georgian Bay Restricted Area;

AND WHEREAS The Archipelago Area Planning Board wishes to establish a basic lot standard for the unincorporated areas within the planning area as an interim measure until more formal policies may be established through a future official plan;

NOW THEREFORE BE IT ENACTED as a By-law of the Corporation of The Archipelago Area Planning Board as follows:

SECTION 1 - TITLE AND INTERPRETATION

- 1.1 This By-law may be cited as The Archipelago Area Planning Board ("the Planning Board") Minimum Standards By-law ("this By-law").
- 1.2 For the purposes of this By-law, the definitions and interpretations contained herein shall govern.
- 1.3 This By-law applies to all of the lands and islands within those portions of the unincorporated geographic townships of Blair, Brown, Harrison, Henvey, Mowat, Wallbridge and the Unsurveyed Territory that are within the jurisdiction of The Archipelago Area Planning Board.

- 1.4 Numerical figures used in this By-law are given in metric units and are intended to provide the sole standard governing the provisions of this By-law. Conversions of these metric units to equivalent imperial units may be deemed acceptable by the Planning Board when the conversion is made to at least two decimal places.
- 1.5 In this By-law, words importing the singular number include, where appropriate, more persons, parties or things of the same kind than one, and a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 1.6 No parcel of land or lot shall be created by the authority of The Archipelago Area Planning Board except in conformity with the provisions of this By-law.

SECTION 2 – DEFINITIONS

In this By-law:

- 2.1 Dwelling:** means one or more rooms designed for human habitation in which only one separate kitchen is provided, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.2 High Water Mark:** in the case of Georgian Bay, means 176.44 metres G.S.C. above sea level. In all other cases, means the normal water mark of any water at the time of the original surveys of the geographic townships, unless altered by the construction of a dam or dams belonging to any municipal, provincial or other public authority, in which case the measurement shall be from the high water mark as controlled by such dam or dams.
- 2.3 Lot:** means a single, separate parcel of land which is capable of being conveyed, whether such a parcel is described in a registered deed or is shown in a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement.
- 2.4 Lot Area:** means the total horizontal area within the lot lines of a lot.
- 2.5 Lot, Corner:** means a lot situated at the intersection of and abutting upon two or more roads, provided that the angle of intersection of such roads is not more than 135 degrees.

- 2.6 Lot Frontage:** means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured either by a line measured 7.5 metres back from and parallel to the chord of the lot frontage, or by the chord of the lot frontage, whichever is the greater. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines or the lines extending from the side lot lines, intersect the front lot line.
- Where the side, and/or front and/or rear lot lines are not determinable, the lot frontage shall be the distance of the maximum separation between any two points on the boundary of the lot.
- 2.7 Lot, Interior:** means a lot bounded by lots along the side lot lines.
- 2.8 Lot Line:** means any boundary of a lot or the vertical projection thereof.
- 2.9 Lot Line, Front:** means, in the case of an interior lot, the line dividing the lot from the road. In the case of a corner lot, the shorter lot line abutting a road shall be deemed to be the front lot line and the longer lot line abutting the road shall be deemed to be a side lot line. In the case of a through lot, the front lot line shall be where the principal access to the lot is provided.
- In the case of a lot with water frontage on a navigable waterway, the front lot line shall be the high water mark of such navigable waterway. In the case of a lot fronting on a road allowance or Crown Reserve along the shore of a navigable waterway, the front lot line shall be measured between the points where two straight lines extended from the intersection of the side lot lines with the inner limit of that shoreline road allowance or Crown Reserve intersect with the high water mark at an angle of 90 degrees.
- 2.10 Lot Line, Rear:** means the lot line opposite the front lot line.
- 2.11 Lot Line, Side:** means any lot lines other than the front lot line and the rear lot line.
- 2.12 Lot, Through:** means a lot bounded on two opposite sides by roads or navigable water.
- 2.13 Navigable:** means any body of water which is capable, in its natural state or normal water level, of being navigated by floating vessels of any description for the purposes of transportation, recreation or commerce, so long as such navigation does not negatively impact the aquatic environment of that body of water; it also includes a canal and any other body of water created or altered for public use as a result of the construction of any work, as well as any waterway where the public right of navigation exists by dedication of the waterway for public purposes or by the public having acquired the right to navigate through long use.

- 2.14 Shore Road Allowance** means an allowance for road made by the Crown surveyors sixty-six feet in perpendicular width around the shoreline of some waterways.
- 2.15 Waterway** includes any creek, pond, stream, river, lake or standing body of water whether or not such body of water is seasonal.

SECTION 3 - MINIMUM STANDARDS

- 3.1 The minimum lot area shall be 0.5 hectares and the minimum lot frontage shall be 70 metres for any parcel of land proposed to be created by consent of The Archipelago Area Planning Board in the geographic Townships of Blair, Brown, Harrison, Mowat, Henvey and Wallbridge and the unsurveyed territory that is within the jurisdiction of The Archipelago Area Planning Board, saving and excepting thereout and therefrom:
- (a) all of the islands in Georgian Bay in front of the Henvey Inlet Indian Reserve No. 2 and in front of the geographic townships of Henvey and Wallbridge, and a strip of land extending 1000 feet in perpendicular width from the water's edge along the front of the said geographic townships that are not located in the new Municipality of Killarney, as shown on Schedule 'B' attached hereto, and
 - (b) all the lands within the Mill Locations and Lots 43 to 57, both inclusive, in Concession 14 and Lots 38 to 52, both inclusive, in Concession 13 in the geographic Township of Wallbridge, as shown on Schedule 'A' attached hereto.

Exemptions from Section 3.1

1. Summer Resort Location AE 439 together with Part of Summer Resort Location AE 438B are hereby exempted from the provisions of Section 3.1 in By-law PB00-01, to permit the division of the subject lands into two 0.5 hectare (1.26 ± acre) lots with 53.3 metre (175 foot) frontages. (By-law PB01-01)
2. Summer Resort Location AE 438A together with Part of Summer Resort Location AE 437 and the remaining part of Summer Resort Location AE 438B are hereby exempted from the provisions of Section 3.1 in By-law No. PB00-01, to permit a future consent to divide the subject lands into two lots of approximately 0.52 hectares (1.29 acres) and 0.32 hectares (0.8 acres) with 50 metres (165 foot) frontage and 41 metres (135) frontage respectively, such that the two existing dwellings would each be located on a separate lot. (By-law PB01-01)
3. The severed lot proposed to be created by the severance of Parts 44 and 46 of PSR-1322, in the unincorporated Township of Blair, is hereby exempted from the provisions of Section 3.1 of By-law No. PB00-01, and will permit a minimum lot frontage of 36.6 metres (120 feet) and approximate lot area of 0.3 hectares (0.75 acres). (By-law PB05-02)
4. The retained lot proposed to be created by the severance of Parts 44 and 46 of PSR-1322, in the unincorporated Township of Blair, is hereby exempted from the provisions of Section 3.1 of By-law No. PB00-01, and will permit a minimum lot frontage of 30.5 metres (100 feet) and approximate lot area of 0.16 hectares (0.4 acres). (By-law PB05-02)

5. The severed lot proposed to be created by the severance of Part 1 on 42R-17579, being Parcels 5094 and 6319 P.S.N.S., located in Part of Lot 40, Concession 5, in the Unincorporated Township of Wallbridge, is hereby exempted from the provisions of Section 3.1 of By-law No. PB00-01, and will permit a minimum lot frontage of 60 metres (197 feet) and an approximate lot area of 0.45 hectares (1.11 acres). (By-law PB06-01)
- 3.2 The minimum lot area shall be 1.0 hectares and the minimum lot frontage shall be 100 metres for any parcel of land proposed to be created by consent of The Archipelago Area Planning Board on the islands in Georgian Bay in front of the Henvey Inlet Indian Reserve No. 2 and in front of the geographic Townships of Henvey and Wallbridge or within a strip of mainland extending 1000 feet in perpendicular width from the water's edge along the front of the geographic Townships of Henvey and Wallbridge.
- 3.3 The minimum lot area shall be 0.4 hectares and the minimum lot frontage shall be 45 metres for any parcel of land proposed to be created by consent of The Archipelago Area Planning Board within the Mill Locations and Lots 43 to 57, both inclusive, in Concession 14 and Lots 38 to 52, both inclusive, in Concession 13 in the geographic Township of Wallbridge, as shown on Schedule 'A' attached hereto.

Exemptions from Section 3.3

1. The severed lot proposed to be created by the severance of Part of Lot 49, Concession 13, being Summer Resort Location CL236, is hereby exempted from the provisions of Section 3.3 of By-law No. PB00-01, to permit a minimum lot area of .28 hectares (0.7 acres) and a minimum lot frontage of 38.1 metres (125 feet) from the westerly side lot line. (By-law PB04-01)
 2. The severed lot proposed to be created by the severance of Part 1 of 42R-11565 in Part of Mill Location 'B', is hereby exempted from the provisions of Section 3.3 of By-law No PB00-01, and will permit a minimum lot frontage of 41.1 metres (134.8 feet) from the westerly side lot line. (By-law PB05-01)
 3. The severed lot proposed to be created by the severance of remaining Parcel 6261 P.S.N.S., Part of Mill Location, located in Part of Lot 49, Concession 14, in the unincorporated Township of Wallbridge, is hereby exempted from the provisions of Section 3.3 of By-law No. PB00-01, as amended, and will permit a minimum lot frontage of 0 metres. (By-law PB13-01)
- 3.4 The provisions of Sections 3.1, 3.2 and 3.3 shall also apply to any lot proposed to be created by plan of subdivision within the area of application of this By-law.

THIS BY-LAW will take effect and come into force in accordance with the provisions of the Planning Act., R.S.O. 1990.

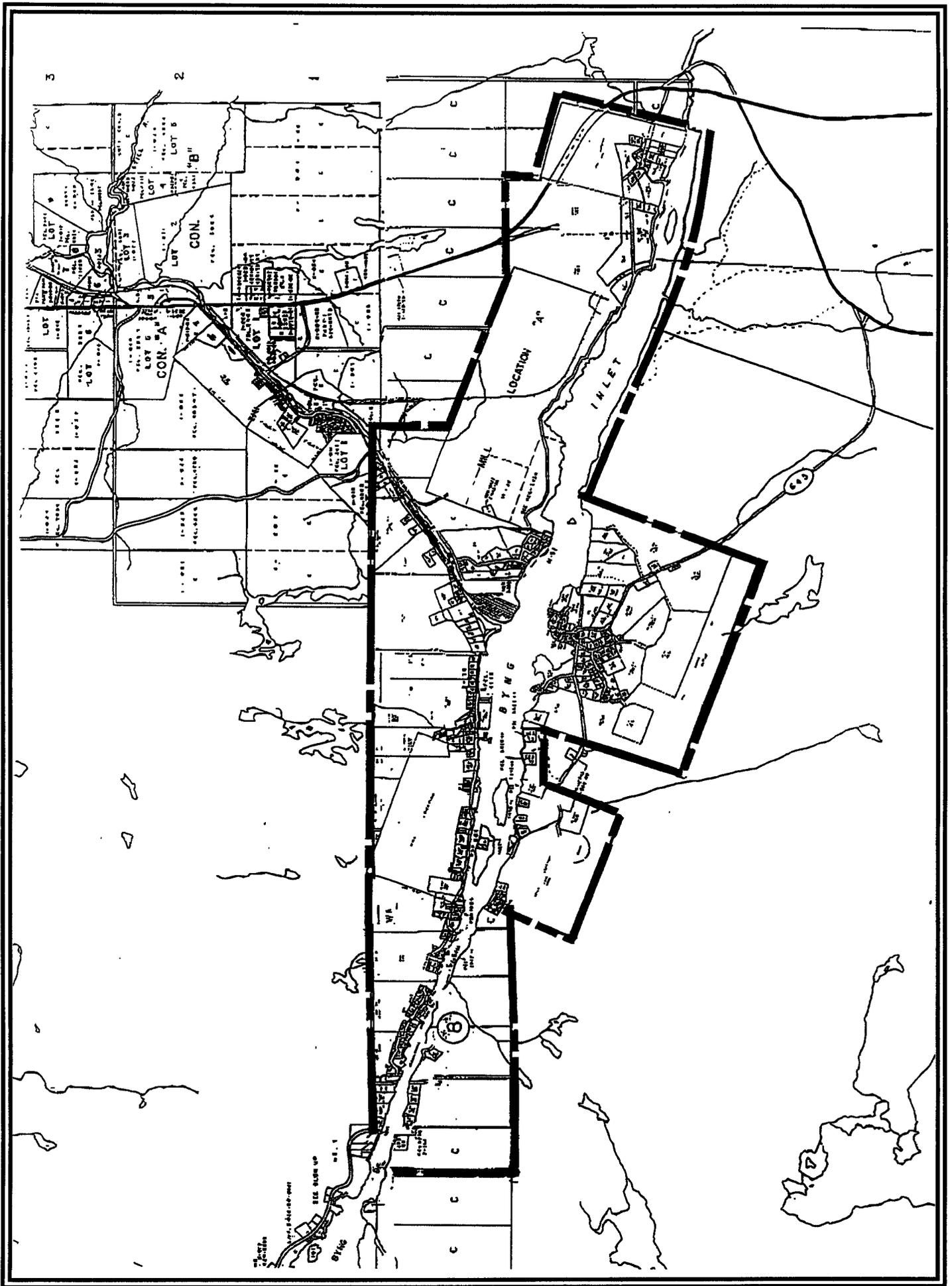
READ and FINALLY PASSED in open meeting this 13th day of July, 2000.

P. M. Stewart

Chair

C. Tudhope

Secretary-Treasurer



THIS IS SCHEDULE 'A' TO BY-LAW NO. PB00-01

THE ARCHIPELAGO AREA PLANNING BOARD

PASSED THIS 13TH DAY OF JULY, 2000

P.M. Stewart
CHAIR

[Signature]
SECRETARY-TREASURER

THE MUNICIPALITY OF KILLARNEY

GEORGIAN BAY

Henvey Inlet Indian Reserve No. 2

Henvey Inlet Indian Reserve No. 2

HENVEY TWP.

HENVEY TWP

WALLBRIDGE TWP

WALLBRIDGE TWP.

The lands affected by Subsection 3.2 are:

- a) the area of mainland west of the dotted line; and
- b) all of the islands in front of the geographic townships of Wallbridge and Henvey; and
- c) the islands in front of the Henvey Inlet Indian Reserve No. 2.

THIS IS SCHEDULE '1' TO BY-LAW NO. PB01-02
THE ARCHIPELAGO AREA PLANNING BOARD
PASSED THIS 19TH DAY OF JULY, 2001

CHAIR

SECRETARY-TREASURER

HARRISON TWP.