

BY-LAW NUMBER 2018-20 OF THE CITY OF ORILLIA

AMENDMENT NUMBER 64 TO BY-LAW NUMBER 2014-44, THE ZONING BY-LAW FOR THE CITY OF ORILLIA (371 VICTORIA CRESCENT, A PORTION OF THE FOREST AVENUE SOUTH ROAD ALLOWANCE, A WATER LOT IN LAKE SIMCOE IN FRONT OF THE FOREST AVENUE SOUTH ROAD ALLOWANCE AND ADJACENT PORTIONS OF THE LAKE BED OF LAKE SIMCOE)

WHEREAS the Council of the Corporation of the City of Orillia may pass by-laws pursuant to Section 34 and 39 of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS the Council of the Corporation of the City of Orillia has received a municipally-initiated application for a Temporary Use By-law (Zoning By-law Amendment) with respect to the property municipally known as 371 Victoria Crescent together with a portion of the Forest Avenue South road allowance, a water lot in Lake Simcoe in front of the Forest Avenue South road allowance and adjacent portions of the lake bed of Lake Simcoe;

AND WHEREAS the Council of the Corporation of the City of Orillia deems the said application to be in conformity with the Official Plan of the City of Orillia, as amended, and deems it advisable to amend By-law Number 2014-44, as amended, by enacting a Temporary Use By-law pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF ORILLIA HEREBY ENACTS AS FOLLOWS:

1. THAT Section 4, "Definitions" of Zoning By-law Number 2014-44, as amended, is further amended by adding the following new definitions, in alphabetical order, with all existing definitions being renumbered accordingly:

	Boat Lift means a Structure free of enclosing walls, located on, over or adjacent to a Waterbody which is used to place a Watercraft into or take a Watercraft out of a navigable waterway, or used to moor, berth or store a Watercraft accessory to a Residential Use. Watercraft moored, berthed or stored in a Boat Lift shall be elevated above the level of the water.
	Dock, Permanent means a Dock that is permanently attached to lands under water, which is used to provide access to the water for Persons and Watercraft.
	Dock, Seasonal means a Dock that is not permanently affixed to the shoreline or lake bed and is designed for seasonal removal. Such Docks may include a floating Dock, post/pole dock or wheel-in Dock, but shall not include a cantilevered Dock or Docks supported by cribs, steel piles or any supporting structures permanently affixed to the lake bed or Shoreline.
	Lot, Water means a Lot consisting of a portion of the lake bed of a Waterbody exclusive of surface rights.
	Waterfront Landing means the Use of land as a docking and boat launching facility which serves as a mainland access point for residential properties that are accessible

only by water, but which does not include Watercraft sales or rental or services, the sale of fuel or the parking or storage of vehicles or trailers.

2. THAT Map Number 33 of Schedule "A" to By-law Number 2014-44, as amended, is hereby amended by:

- a. changing the zoning of the lands identified on Schedule "A-1" attached from the "Residential One Exception Three" (R1-3) Zone to the "Temporary Use Two- Residential One Exception Three" (T2-R1-3) Zone, from the "Open Space One" (OS1) Zone to the "Temporary Use Three - Open Space One" (T3-OS1) Zone and from the "Open Space One" (OS1) Zone to the "Temporary Use Four - Open Space One" (T4-OS1) Zone; and
- b. by zoning a portion of the Forest Avenue South road allowance, as identified on Schedule "A-1" attached, to the "Temporary Use Five - Open Space One" (T5-OS1) Zone.

3. THAT Section 14.1 "Holding Zones, Temporary Use Zones and Interim Control Zones" of Zoning By-law Number 2014-44, as amended, shall be amended by adding Temporary Use Zones "T2", "T3", "T4" and "T5" to the end of Table 14.2.1, as follows:

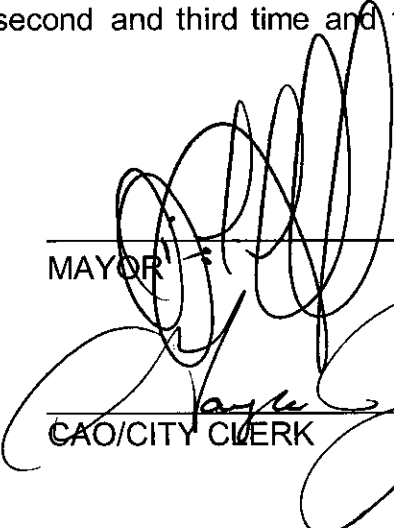
Column 1	Column 2	Column 3	Column 4	Column 5
Municipal Address	Temporary Use Number	Temporary Uses Permitted	Date Enacted	Date Expires
371 Victoria Crescent	T2	Additional Permitted Uses: <ul style="list-style-type: none"> • Existing Shoreline Structure (stairs) may be permitted in accordance with the following zone provisions: <ul style="list-style-type: none"> • Setback from easterly Side Lot Line (min) - 0 m 	March 5, 2018	March 5, 2020
A portion of the lake bed of Lake Simcoe in front of 371 Victoria Crescent and the westerly 6 m of the water lot at the foot of the Forest Avenue South road allowance	T3	Additional Permitted Uses: <p>A Seasonal Dock and a Boat Lift associated with property known municipally as 371 Victoria Crescent may be located in the T3-OS1 Zone subject to the following zone provisions:</p> <ul style="list-style-type: none"> • Seasonal Dock length (max) - 20.0 m (measured from the Shoreline of Lake Simcoe) • Seasonal Dock width (max) - 2.4 m • Boat Lift width (max) - 2.4 m • Setback of Seasonal Dock and Boat Lift from the straight line projection of the westerly Side Lot Line of 371 Victoria Crescent into Lake Simcoe (min) - 0 m • Setback of Seasonal Dock and Boat Lift from the westerly Lot Line of the municipally owned water lot in front of the Forest Avenue South road allowance - (min) 0 m, (max) 6.0 m 	March 5, 2018	March 5, 2020

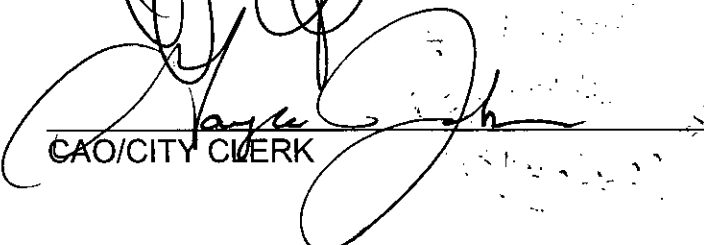
Water Lot in Lake Simcoe in front of Forest Avenue South road allowance and a portion of the lake bed of Lake Simcoe to the east thereof	T4	Additional Permitted Uses: <ul style="list-style-type: none"> • Waterfront Landing • Seasonal Docks (1) for the purpose of access to Grape Island may be located in T4-OS1 Zone subject to the following zone provisions: <ul style="list-style-type: none"> • Seasonal Dock length (max) - 30.0 m (measured from the shoreline) • Seasonal Dock width (max) - 3.0 m • Setback of Seasonal Dock from the easterly Interior Side Lot Line of a water lot (min) - 0 m • Setback of Seasonal Dock from the westerly Interior Side Lot Line of a water lot (min) - 6.0 m 	March 5, 2018	March 5, 2020
Portion of Forest Avenue South road allowance between the southerly limit of Victoria Crescent and the Shoreline of Lake Simcoe	T5	Permitted Uses: <ul style="list-style-type: none"> • Waterfront Landing • An Existing Detached Deck and stairs associated with property known municipally as 371 Victoria Crescent may be located in the T5-OS1 Zone subject to the following zone provisions: <ul style="list-style-type: none"> • Setback of Existing Shoreline Structures (stairs and Detached Deck) from westerly boundary of road allowance (min) - 0 m • Setback of Existing Shoreline Structures (stairs and Detached Deck) from shoreline of Lake Simcoe (min) - 0 m 	March 5, 2018	March 5, 2020

4. THAT this by-law shall take effect as of the date of passing, subject to the provisions of the *Planning Act*, R.S.O. 1990, Chap. P.13 as amended.

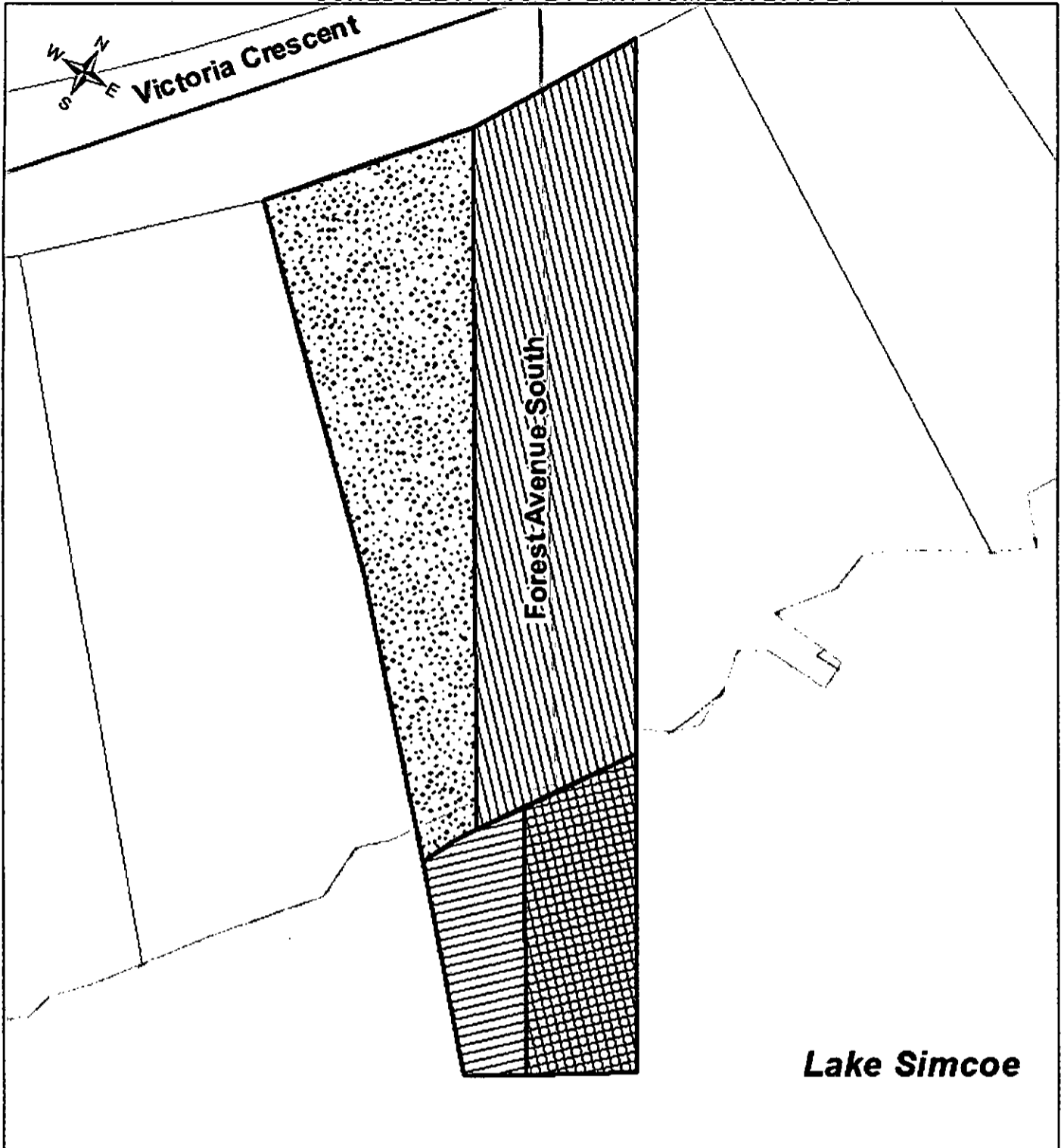
5. THAT with the exception of Paragraph 1, this by-law shall expire two years from the date of passing pursuant to Subsection 39(2) of the *Planning Act*.

BY-LAW read a first, second and third time and finally passed this 5th day of March, A.D. 2018.

MAYOR 

CAO/CITY CLERK 

SCHEDULE A-1 TO BY-LAW NUMBER 2018-20



371 Victoria Crescent, a Portion of the Forest Avenue South Road Allowance, a Water Lot in Lake Simcoe in front of the Forest Avenue South Road Allowance and Adjacent Portions of the Lake Bed of Lake Simcoe



Property to be rezoned from the "Residential One Exception Three" (R1-3) Zone to the "Temporary Use Two - Residential One Exception Three" (T2-R1-3) Zone



Property to be rezoned from the "Open Space One" (OS1) Zone to the "Temporary Use Three - Open Space One" (T3-OS1) Zone



Property to be zoned to the "Temporary Use Four - Open Space One" (T4-OS1) Zone



Property to be rezoned from the "Open Space One" (OS1) Zone to the "Temporary Use Five - Open Space One" (T5-OS1) Zone

City of Orillia

Schedule A-1 to By-law 2018-20 enacted and passed the 5th day of March, A.D. 2018