



LOFT PLANNING

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October 10, 2023

Ms. Julie Nolan, MCIP RPP
Community Planner, Township of Clearview
97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5

Dear Ms. Nolan:

**RE: Planning Justification Letter (Zoning By-law Amendment)
329 Third Street, Town of Collingwood
PLAN 73 PT LOTS 28, 29 AND 30 RP 51R40341 PART 1; COLLINGWOOD
433105000204500
Municipal File: D00-1123
LPI File: HIM-74523-213 (HIMES)**

1.0 INTRODUCTION

We have been retained by Gerry Himes and Pamela Campbell, owners of 329 Third Street, Town of Collingwood, to act as planners for a proposed Zoning By-law Amendment to permit a detached accessory structure with a three-car garage on the main floor and loft for private recreational space and accessory dwelling unit (a holding provision would apply). This Planning Justification Letter is being submitted as part of a complete application.

2.0 LOCATION

The subject lands are municipally known as 329 Third Street in the Town of Collingwood and legally described PLAN 73 PT LOTS 28, 29 AND 30 RP 51R40341 PART 1; COLLINGWOOD. The lands are located on the north side of Third Street, between Walnut Street and Cedar Street.

3.0 SITE DESCRIPTION & SURROUNDING USES

The subject lands are a long and narrow lot with a lot area of 1359.6 sqm and a frontage of 22.92 m onto Third Street (Figure 1 – Subject Lands). The lands contain an existing two storey brick dwelling that is set-back into the site, with a driveway and court yard in the front yard. The majority of the lands are grass covered with a few large trees and fencing along the perimeter. The lands are centrally located in the Town of Collingwood, surrounded entirely by residential uses (Figure 2 – Location).



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The lands are designated Residential in the Town of Collingwood Official Plan and are zoned Residential Second Density (R2) in the Town of Collingwood Zoning By-law 2010-040. The lands are regulated by the Nottawasaga Valley Conservation Authority.

4.0 DESCRIPTION OF PROPOSAL

The applicant proposes to construct a detached accessory structure with a three-car garage on the main floor and private recreational space on the second floor. The proposal includes permissions related to an accessory dwelling unit which will be subject to a holding provision.

The accessory structure is proposed along the western property line, in the front yard of the property. A minor variance was approved in July of 2017, which permits the construction of two detached accessory buildings closer to the front lot line than the existing dwelling. We have incorporated this provision within the proposed Amendment for clarity and to ensure this permission remains intact. The accessory structure has a proposed ground floor area of 110.9 sqm, a height of 8.3 metres and a finished private recreational space on the upper floor with a gross floor area of 87.6 sqm. (Figure 3 – Site Plan, Lloyd Hunt Architect)

A Zoning By-law Amendment has also been submitted (attached) to rezone the lands to permit the proposed development:

1. Zoning By-law Amendment

Purpose: To rezone the lands to permit an accessory structure with a ground floor area of 110.9 sqm and a height of 8.3 metres.

Effect: To rezone the lands from Residential Second Density (R2) to Residential Second Density Exception (H-XX) (R2-XX). Exception XX will recognize a building height (S4.33.7) where 7.0 meters is permitted and 8.3 meters is required; a ground floor area (S4.33.6) where 75 sqm is required and 110.9 is provided; where the proposed structure is located closer to a front lot line than the closest exterior wall of the residence (S4.33.4); and a maximum floor area (S4.40.14) of 75 sqm is required and 87.6 sqm is provided.

Should staff be of the opinion, through consultation with the Nottawasaga Valley Conservation Authority, that a holding (h) provision be placed on a portion of the accessory structure, as it relates to a future accessory apartment, we would propose the following language:



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Holding Provision

<i>Holding Zone</i>	<i>Conditions</i>
<i>H-XX</i>	<i>As it relates only to the accessory dwelling unit, the Town being satisfied that a Nottawasaga Valley Conservation Authority regulatory permit is available for an accessory dwelling unit.</i>

5.0 PLANNING ANALYSIS

A review of planning documents was undertaken to determine compliance of the Applications to the Planning Act and the provincial and municipal planning documents. A review of the applications in light of the planning documents made the following conclusions:

1. **The Applications Have Regard for Matters of Provincial Interest (Section 2 of the Planning Act, 1990).** The proposed development is appropriately located within a Settlement Area and on lands designated Residential. The proposed zoning by-law amendment will facilitate the construction of a detached accessory structure with private recreational space on an existing residential lot. The amendment would permit a future accessory unit by way of a holding provision.
2. **The Applications are in the Public Interest.** The Application will facilitate an accessory structure with upper floor recreational space on a residential lot which efficiently uses the available infrastructure and is located in an appropriate area for development.
3. **The Applications are Consistent with the Provincial Policy Statement 2020.** The proposed Application is consistent with policies that apply to lands within the settlement area and residential lands.
4. **The Applications Conform to the Growth Plan for the Greater Golden Horseshoe, the County of Simcoe Official Plan and the Town of Collingwood Official Plan.** The proposed Application conforms to the policies that guide land use and development residential lands.
5. **The Proposed Applications generally comply with the Zoning By-law.** The proposed Application generally meets the intent of the Zoning By-law. A Zoning By-law Amendment is required and is outlined in subsequent sections.

A detailed review of the applicable planning documents is provided in the following sections.

5.1 PLANNING ACT

The Planning Act must be considered when reviewing development applications.

- **Section 2 – Matters of Provincial Interest**



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Planning applications must have regard for “Provincial Interest” under Section 2 which includes:

- Protection of ecological systems, including natural areas and functions,
- Conservation of features of significant scientific interest,
- Protection of health and safety and,
- Appropriate location of development.

The application will facilitate the construction of a detached accessory structure which includes a three-car garage on the main floor and private recreational space on the second floor. The application also contemplates a future accessory dwelling unit, should a NVCA Regulatory Permit be available in the future. This would provide an accessory dwelling unit to be rented and available in close proximity to the downtown core. The proposed structure has a ground floor area of 110.9 sqm. The lands are an existing residential lot in close proximity to the downtown core. The lands regulated by the Nottawasaga Valley Conservation Authority.

- **Section 3 – Consistency and Conformity to Provincial Policy**

Planning decisions must be consistent with the Provincial Policy Statement. The Provincial Policy Statement (PPS) 2020 applies to the Applications and is addressed in the following section.

Conclusion: The proposed applications meet the requirements of the Planning Act

5.2 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest in regard to land use planning and development within Ontario. The PPS directs growth to settlement areas and emphasizes efficient development patterns that optimize the use of land, resources and infrastructure.

- **Section 1.0 Building Strong Healthy Communities**

Section 1.1.1 promotes efficient development and land use patterns and directs development to be within settlement areas. This section encourages development on lands where existing infrastructure and public services are provided and discourages development on lands that pose a threat to the natural environment and public health.

Section 1.1.3 provides policies related to land use patterns in settlement areas. Section 1.1.3 encourages land use planning within settlement areas that efficiently use land, is appropriate for the existing or planned infrastructure, has minimal impact on the environment and climate change, is supportive of public transit and active transportation and is freight supportive.

The subject lands are located in the Settlement Area of the Town of Collingwood and are also located within the built boundary. The lands are a large existing residential lot, serviced municipal water and sewer. An NVCA Permit is



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required for the construction of the accessory structure and the application contemplates a future accessory dwelling unit should an NVCA Permit be available in the future.

- **Section 2.0 – Wise Use and Management of Resources**

Section 2.1 requires that natural features and areas be protected for the long term. There are no natural heritage features identified on the site. The lands are regulated by the NVCA. The lands are within the core of the Town and are within a built-up area, being Third Street.

- **Section 3.0 – Protecting Public Health and Safety**

This section of the PPS directs development away from natural or human-made hazards. No natural or human-made hazards have been identified on the subject lands. An NVCA Permit is required.

Conclusion: Consistency with the Provincial Policy Statement has been demonstrated.

5.3 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2020

The Growth Plan for the Greater Golden Horseshoe, 2020 provides a plan that manages growth and development while supporting economic prosperity, protecting the environment, and helping communities achieve a high quality of life.

Section 2.2.1 provides policies related to the location and strategies for growth. The majority of growth will be directed to settlement areas that have a built boundary, sufficient public services including water and sewer, and where complete communities can be achieved.

The subject lands are located within the Settlement Area of Collingwood, as identified on Schedule 5.1 of the County of Simcoe Official Plan and are located within the Urban Settlement Area Boundary of Collingwood, as identified on Schedule A – Land Use Plan of the Town of Collingwood Official Plan. The lands are serviced by municipal water and sewer.

The proposed amendment would permit the construction of a detached accessory building to be located within the front yard of an existing residential lot. The lands have a lot area of 1359.6 sqm and a depth of 59 m. The existing residence was constructed in 1910 and is set back on the lot. The only possible location for a detached structure is within the front yard of the existing residence based on the location of the existing house. We would note that the proposed structure does meet all setbacks and allows vehicles to pull in off of Third Street. The exceptions requested relate to the maximum floor area and location within the front yard, as well as the permissions related to an accessory dwelling unit and subject to a holding provision.

With respect to the streetscape, the proposed structure is well setback from the front lot line (13.7 meters), whereas the adjacent residences at 333 Third Street and 158 Cedar Street are located 5.3 meters and 4.6 meters from Third



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Street, respectively. It is our opinion, that the intent of the accessory building provisions is maintained based on the location of the existing residence and the setback in comparison to the adjacent residences along Third Street.

The subject lands are located within the Simcoe Sub-area. Policies related to the Simcoe Sub-area are centered around the efficient use of existing infrastructure and ensuring land availability for appropriate residential growth (Section 6.0). Simcoe Sub-area policies promote compact design, efficient growth, and the protection of the natural environment.

Conclusion: Conformity to the Growth Plan for the Greater Golden Horseshoe has been demonstrated.

5.4 COUNTY OF SIMCOE OFFICIAL PLAN

The lands are designated Settlements in the County of Simcoe Official Plan. Settlements are diverse in size and context, and the County of Simcoe Official Plan directs growth and development to Settlements. Due to forecasted growth projections in the County of Simcoe and within Settlement areas and Primary Settlement areas, it is the objective of this plan to manage that growth and ensure an appropriate range of land uses, including housing and employment opportunities.

- Settlement Areas

Section 3.5 directs population and employment growth to settlement areas. This plan promotes development which minimizes servicing costs and land consumption. The subject lands are located within the settlement area of Collingwood and within the built-up boundary. The proposed amendment is appropriate for the surrounding area and utilizes land and services efficiently.

Conclusion: Conformity to the County of Simcoe Official Plan has been demonstrated.

5.5 TOWN OF COLLINGWOOD OFFICIAL PLAN

The subject lands are designated as Residential on Schedule 'A' – Land Use Plan and identified as Low Density on Schedule 'C' – Residential Density.

Consideration must be given to Growth Management policies in Section 2.5, Urban Design standards in Section 3.8 and Commercial policies in Section 4.4 which guide development on the subject lands.

- Urban Design Standards

Urban design policies in Section 3.8 are used to assess new development proposals in the Town of Collingwood. The objectives of the urban design policies are to ensure development is of high-quality urban form and public spaces, the proposal fulfills of the community' vision and the development considers the protection of the environment and community health, livability and functionality. Urban design objectives address the following:



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- Maintenance of existing topography, vegetation and grades.
 - ✓ The proposed development will not significantly impact existing topography, or grades. There are existing trees adjacent to the fence along the western property line that will be affected by the proposed construction. This portion of the lot is currently vacant and will continue to allow vehicles to pull in from Third Street.
- Emphasize public access, safety and health.
 - ✓ The lands can be accessed by a range of transportation options, including vehicular, public transit and pedestrian. The existing dwelling is setback from the front lot line 33.97 m and the proposed detached structure is setback 13.71 m, maintaining the existing streetscape.
- Landscaping that blends with adjacent properties and the character of the area.
 - ✓ The existing trees adjacent to the fence along the western property line will be affected by the proposed construction and are proposed to be removed. There is an existing boarded fence on both the west, east and north boundary that are proposed to remain. The current entrance is proposed to be shifted (see Site Plan) to allow vehicular access. The site has a proposed landscape area of 756 square meters, providing 55.6% landscaped open space.



Existing Landscape	
Setback of Adjacent Property (158 Cedar Street)	



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Setback of Adjacent Property (333 Third Street)	

- Scale of buildings and structures appropriate to surroundings.
- ✓ The existing building is a two-storey residential brick dwelling. The proposed detached accessory structure with a three-car garage on the main floor and private recreational space on the second floor is proposed to stand two-storeys (8.3m). The existing structure is appropriate to the surrounding land uses. The adjacent residence to the east is two storeys and the residence to the west is two storeys.

Conclusion: Conformity to the Town of Collingwood Official Plan has been demonstrated.



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5.6 TOWN OF COLLINGWOOD ZONING BY-LAW

The lands are zoned Residential Second Density (R2) in the Town of Collingwood Zoning By-Law (Figure 4 – Town of Collingwood Zoning By-law).

The following is the proposed Zoning By-law Amendment wording:

- “1. **THAT** Schedule “A” Map 17 of the Town of Collingwood Zoning By-law No. 2010-04, as amended is hereby further amended as it pertains to lands shown more particularly on Schedule ‘A’ affixed hereto and forming part of the by-law, by rezoning said lands from the RESIDENTIAL SECOND DENSITY (R2) ZONE to the RESIDENTIAL EXCEPTION (H-XX) (R2-XX) ZONE.
- 2. **THAT** Section 6.5 titled Residential Zones of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part as follows;

*7.5.XX Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *XX on the Schedules of this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.*

RESIDENTIAL EXCEPTION ZONE (R2-XX) ZONE

The following zoning exceptions shall apply:

- i. A maximum building height (S4.33.7) of 8.3 meters.
- ii. A maximum ground floor area (S4.33.6) of 110.9 m.
- iii. A proposed structure located closer to the front lot line than the closest exterior wall of the residence (S4.33.4).
- iv. A maximum floor area (S4.40.14) of 87.6 sqm.

(a) Table 2.5.5.1 is amended in part by adding a holding zone (H-XX) as shown in the chart below:

<i>Holding Zone</i>	<i>Condition</i>
H-XX	As it relates only to the accessory dwelling unit, the Town being satisfied that a Nottawasaga Valley Conservation Authority regulatory permit is available for an accessory dwelling unit.

A zoning conformity chart below outlines the proposed developments compliance with the Residential Second Density (RS2) zoning provisions:



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Residential (R2)	Required	Provided
Minimum Lot Area (sqm)	450	1,359.6 m ²
Minimum Lot Frontage (m)	15.0	22.92m
Minimum Front Yard (m)	4.5m	33.97m
Minimum Interior Side Yard (m)	1.2m	2.39m
Minimum Rear Yard (m)	7.5	4.74m Existing
Maximum Height (m)	12.0	+9.0m
Maximum Lot Coverage (%)	40%	21.3%
Minimum Landscaped Open Space (%)	35%	55.6%
Maximum Accessory Building Height (S4.33.7) (m)	7.0m	8.3m (Exception Requested)
Maximum Accessory Building Ground Floor Area (S4.33.6) (m ²)	75 sqm	110.0 sqm (Exception Requested)
Accessory Building Closer to Front Lot Line Than Residence (S4.33.4)		Exception Requested
Accessory Building Maximum Floor Area (S4.40.14) (m ²)	75 sqm	87.6 sqm (Exception Requested)

6.0 CONCLUSION

This planning report has been prepared in support of application for a Zoning By-law Amendment. The Application is in keeping with the Planning Act RSO 1990, are consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, the County of Simcoe Official Plan, the Town of Collingwood Official Plan and the Town of Collingwood Zoning By-Law, as applied for. Furthermore, it is our opinion that the applications represent good land use planning.

Respectfully Submitted,

LOFT PLANNING INC.

Kristine A. Loft, MCIP RPP
Principal

Figure 1 – Subject Lands
Figure 2 – Aerial



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Figure 3 – Site Plan – Lloyd Hunt Architect

Figure 4 – Town of Collingwood Zoning By-law

Appendix

Draft Zoning By-law Amendment


Architectural Plans – Lloyd Hunt Architect

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Figure 1
Subject Lands
329 Third Street
Town of Collingwood

 Subject Lands



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October 3, 2023



Figure 2
Location
329 Third Street
Town of Collingwood

 Subject Lands





LLOYD HUNT
architect

705 466 3111
lloyd@lloydhuntarchitect.com
21 Station Street, Glen Huron
Ontario, L0M 1L0, Canada



LICENCE BCDN: 4188 PRACTICE BCDN: 2773
THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT. UNAUTHORIZED USE OF THE DRAWINGS IS PROHIBITED. REPORT ANY DISCOVERY OF ERROR OR DISCREPANCY TO THE ARCHITECT. ALL MEASUREMENTS MUST BE CHECKED ON SITE BY THE CONTRACTOR. USE ONLY THE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.
SCALE: 1:300
DATE: 23.09.20
DRAWN BY: L.H. / E.B. / A.G.

- ISSUE NO. / DATE: ISSUE NO.: 8
- 22.05.13 SCHEMATIC DESIGN
 - 22.05.25 DESIGN DEVELOPMENT
 - 22.06.01 DESIGN DEVELOPMENT
 - 22.06.24 DESIGN DEVELOPMENT
 - 22.06.28 FOR MINOR VARIANCE
 - 22.11.09 FOR MINOR VARIANCE
 - 23.07.14 ZONING BY-LAW AMENDMENT
 - 23.09.20 ZONING BY-LAW AMENDMENT

DRAWING TITLE:

SITE PLAN

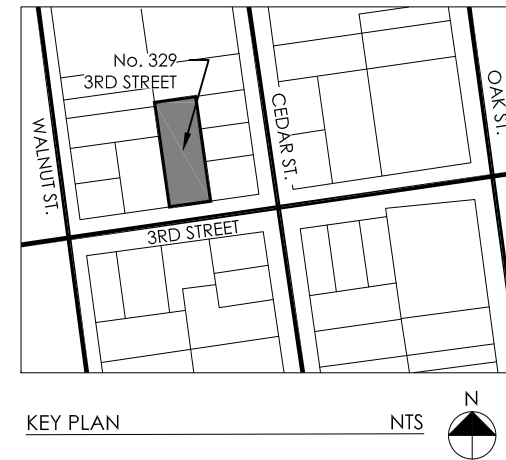
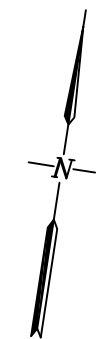
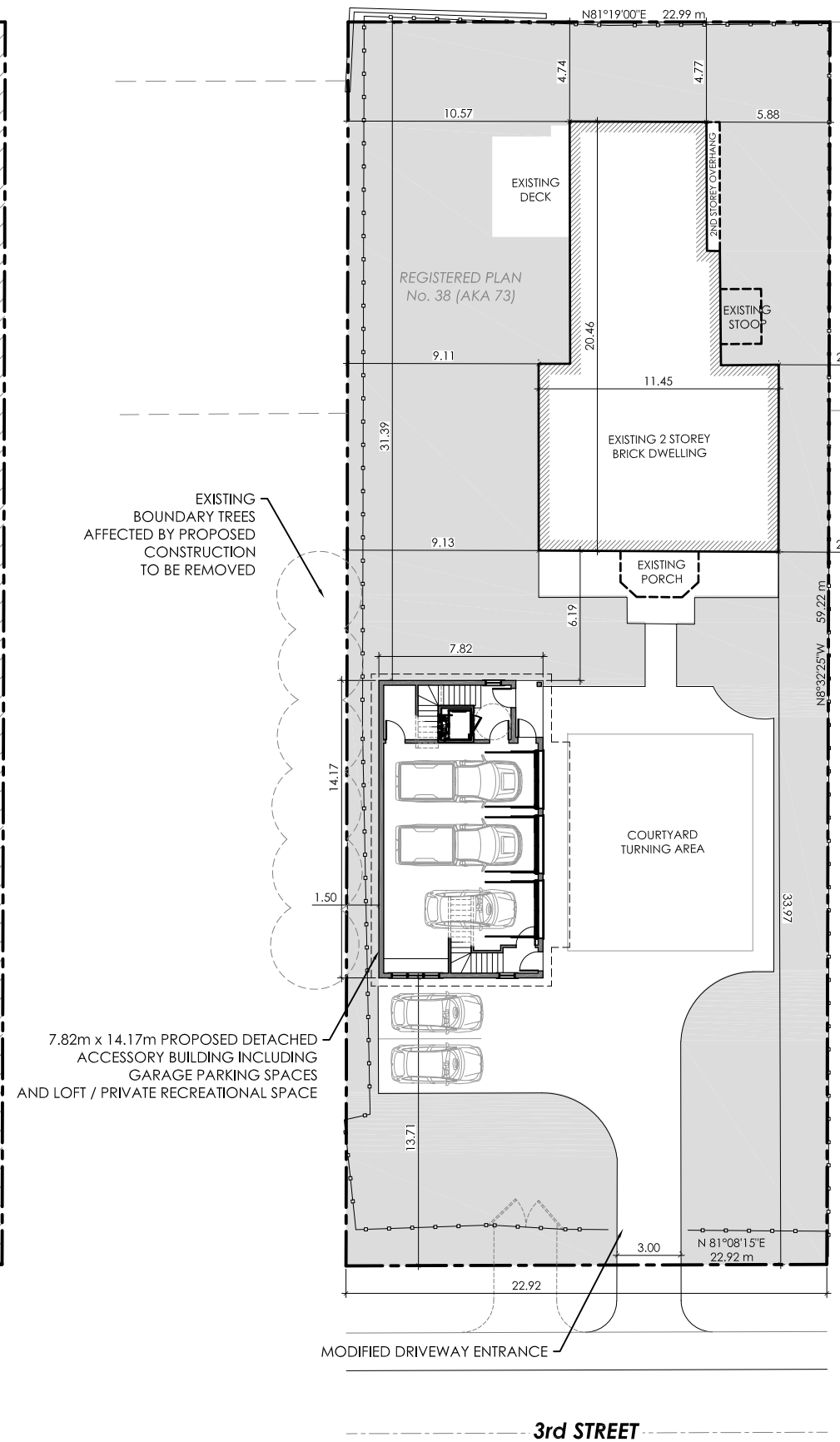
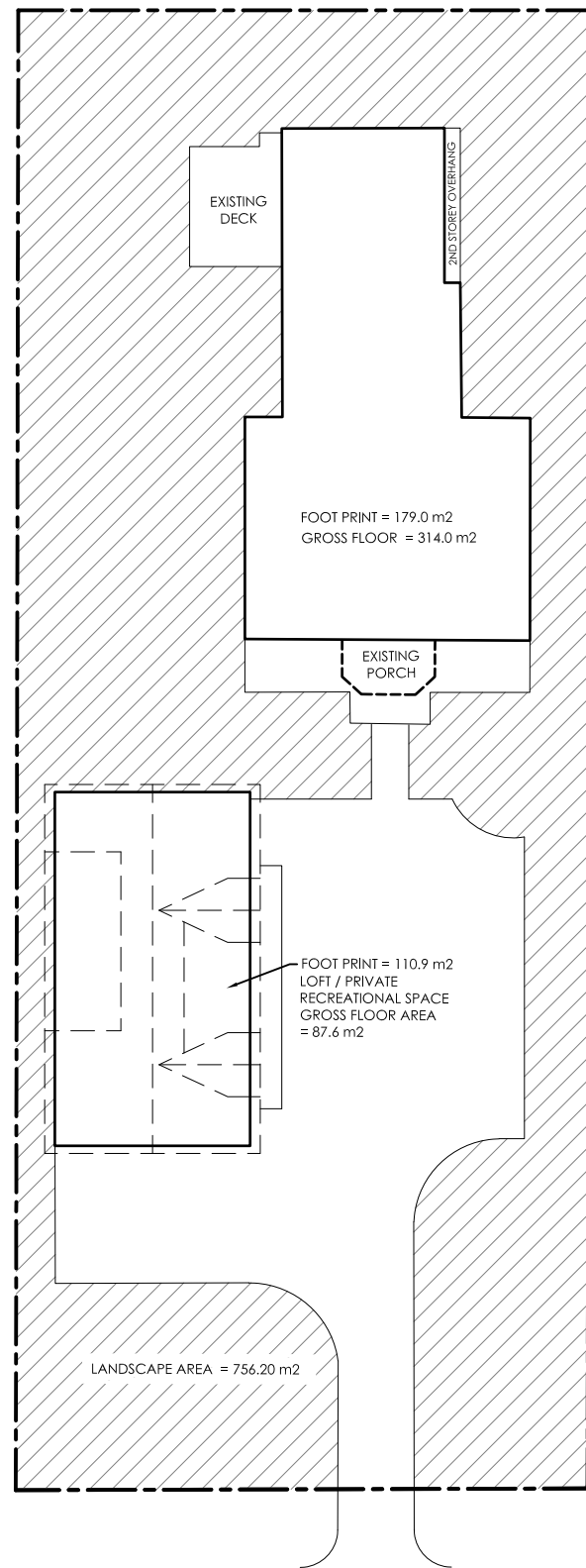
PROJECT:

**329 THIRD STREET
ACCESSORY
BUILDING**

COLLINGWOOD
ONTARIO

PROJECT NO.: 21.670

DRAWING NO.: SP-01



SITE PLAN ANALYSIS		
ZONE: RESIDENTIAL SECOND DENSITY R2		
	REQUIRED	PROVIDED
EXISTING DWELLING		
FRONT YARD SETBACK (m):	4.5m	33.97m
INT. SIDE YARD SETBACK (m):	1.2m	2.39m
REAR YARD SETBACK (m):	7.5m	4.74m LEGAL NON-COMPLYING
BUILDING HEIGHT (m):	12.0m	±9.0m
BUILDING FOOTPRINT (m ²):	-	±179.0m ²
EXISTING HOUSE GFA (m ²):	-	±314.0m ²
ACCESSORY BUILDING		
FRONT YARD SETBACK (m):	4.5m	13.71m
INT. SIDE YARD SETBACK (m):	1.0m	1.5m
REAR YARD SETBACK (m):	1.0m	31.39m
MIN. SEPARATION DISTANCE (m):	2.0m	6.0m
BUILDING HEIGHT (m):	7.0m	8.3m
BUILDING FOOTPRINT (m ²):	75m ² (MAX)	110.9m ²
LOFT / PRIVATE RECREATIONAL SPACE GFA (m ²):	75m ² (MAX) BUT SHALL NOT EXCEED 40% OF DWELLING GFA	87.6m ² /28%
LOT COVERAGE OF ALL DETACHED ACCESSORY BUILDINGS (m ²):	15% (MAX.)	8.0%
SITE ANALYSIS		
LOT FRONTAGE (m):	15.0m (MIN.)	22.92m
LOT DEPTH (m):	N/A	59.22m
LOT AREA (m ²):	450m ² (MIN.)	1,359.6m ²
TOTAL BUILDING FOOTPRINT:	-	289.9m ²
LOT COVERAGE:	40% (MAX.)	21.3%
LANDSCAPE OPEN SPACE:	35% (MIN.)	55.6%
PARKING SPACES:	3 spaces	5 spaces
DRIVEWAY ENTRANCE WIDTHS	6.5m OR 50% MAX, WHICHEVER IS LESS	3.0m

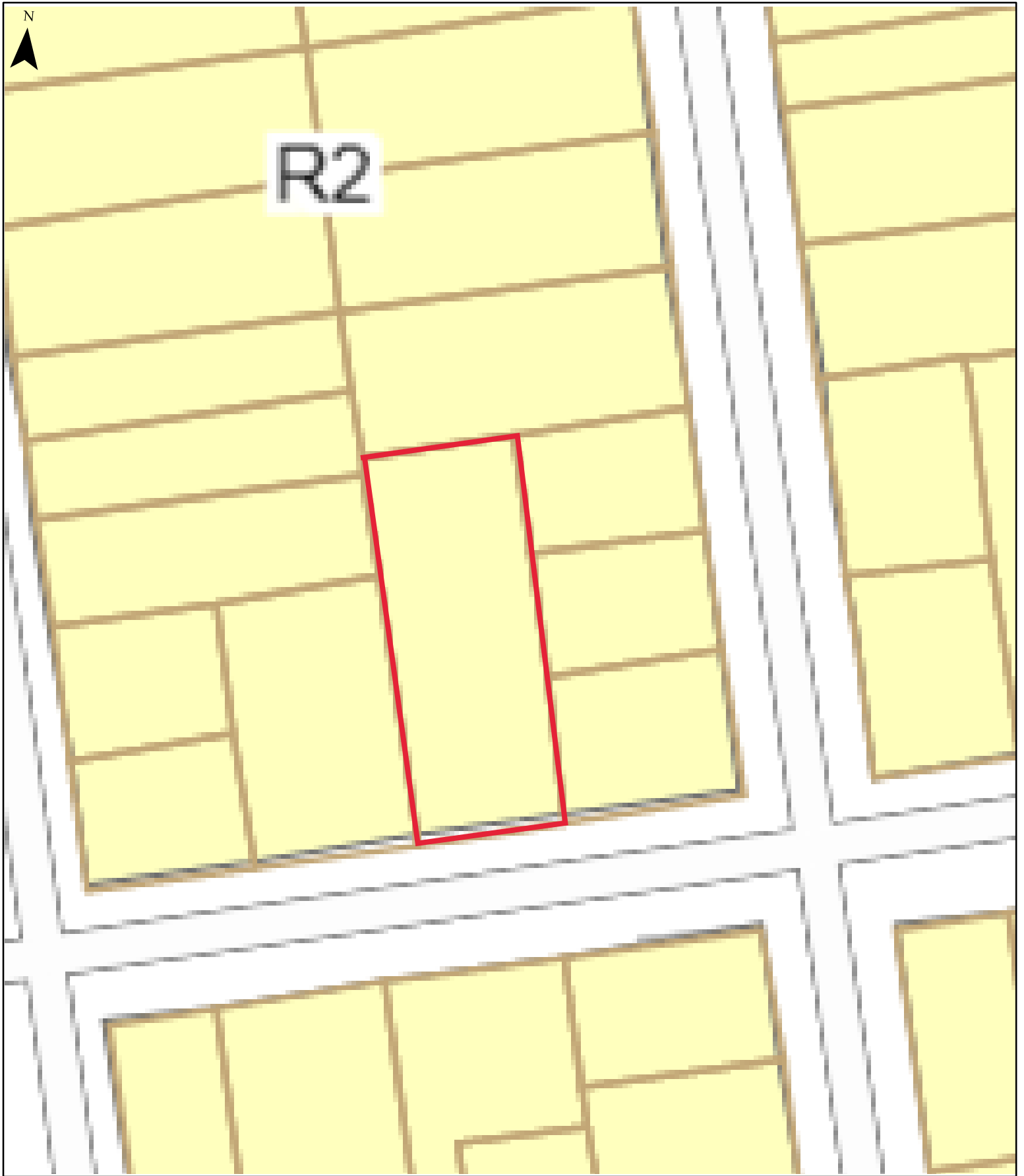



Figure 4
Zoning By-law
329 Third Street
Town of Collingwood

 Subject Lands



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October 3, 2023



EXPLANATORY NOTE

TO THE CORPORATION OF THE TOWN OF COLLINGWOOD

BY-LAW NO. 2023-XX

By-law No. 2023-0XX is a By-law under the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, amended, for prohibiting the use of land for or except for such purposes as may be set out in this By-law.

THE PURPOSE of the proposed Zoning By-law Amendment is to rezone the 'subject lands' (629 Hurontario Street, Town of Collingwood) from the Residential Zone (R2) to Residential Exception (H-XX) (R2-XX) Zone.

THE EFFECT of the proposed Zoning By-law Amendment would permit the construction of a detached accessory building on the subject lands.

DRAFT OF PROPOSED ZONING BY-LAW AMENDMENT

BY-LAW No. 2023 – XX
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD



BEING A BY-LAW UNDER THE PROVISION OF SECTION 34 OF THE *PLANNING ACT*, R.S.O. 1990,
C. P.13, AS AMENDED

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas;

AND WHEREAS Collingwood Zoning By-law No. 2010-040 is the governing By-law of The Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12, 2010;

AND WHEREAS the Council of the Corporation of the Town of Collingwood has deemed it advisable to amend Collingwood Zoning By-law No. 2010-040, and thus implement the Official Plan of the Town of Collingwood;

AND WHEREAS Council deemed that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held _____, 2023, and that a further public meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Schedule "A" Map 17 of the Town of Collingwood Zoning By-law No. 2010-04, as amended is hereby further amended as it pertains to lands shown more particularly on Schedule 'A' affixed hereto and forming part of the by-law, by rezoning said lands from the RESIDENTIAL SECOND DENSITY (R2) ZONE to the RESIDENTIAL EXCEPTION (H-XX) (R2-XX) ZONE.

2. **THAT** Section 6.5 titled Residential Zones of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part as follows;

7.5.XX Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *XX on the Schedules of this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

RESIDENTIAL EXCEPTION ZONE (R2-XX) ZONE

The following zoning exceptions shall apply:

- i. A maximum building height (S4.33.7) of 8.3 meters.
- ii. A maximum ground floor area (S4.33.6) of 110.9 m.

- iii. A proposed structure located closer to the front lot line than the closest exterior wall of the residence (S4.33.4).
- iv. A maximum floor area (S4.40.14) of 87.6 sqm.

(a) Table 2.5.5.1 is amended in part by adding a holding zone (H-XX) as shown in the chart below:

Holding Zone	Condition
H-XX	As it relates only to the accessory dwelling unit, the Town being satisfied that a Nottawasaga Valley Conservation Authority regulatory permit is available for an accessory dwelling unit.

- 3. **THAT** Zoning By-law No. 2010-040 is hereby amended to give effect to the foregoing, but Collingwood Zoning By-Law 2010-040 shall in all other respects remain in full force and effect.
- 4. **THAT** this By-law shall come into force and effect on the date it is enacted and passed by The Council of the Corporation of the Town of Collingwood, and subject to notice hereof being circulated in accordance with the provisions of the Planning Act and Ontario Regulation 545/06, and if required as a result of such circulation the obtaining of the approval of the Ontario Land Tribunal.

ENACTED AND PASSED this ____ day of _____, 2023

MAYOR

CLERK