

## NOTICE OF PASSING OF A ZONING BY-LAW BY THE CORPORATION OF THE TOWN OF COLLINGWOOD

**TAKE NOTICE** that the Council of The Corporation of the Town of Collingwood passed By-law No. 2022-007 on the 28<sup>th</sup> day of February, 2022 under Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

Amending Zoning By-law No. 2022-007 pertains to the entirety of the geographic area of the Town of Collingwood, except where specifically exempted and therefore no key map is provided.

**THE PURPOSE** of the proposed Zoning By-law Amendment is to prohibit the use of land or the erection or use of buildings or structures unless adequate municipal water and wastewater services are available to service the land, buildings or structures, except where development is permitted on private individual onsite water and wastewater systems and/or for minor construction activities. The proposed change was recommended through the Land Use Planning Policy Study associated with Interim Control By-law No. 2021-024, as amended.

**THE EFFECT** of the proposed Zoning By-law Amendment is to provide the opportunity for the Town to confirm whether adequate municipal water and wastewater services are available through the zoning compliance process when considering an application for a building permit, thereby providing an ability to control and track the allocation of municipal servicing capacity at the building permit stage if not already addressed through previous planning approvals and/or agreements.

**EFFECT OF WRITTEN AND ORAL SUBMISSIONS ON DECISION:** Public comments, as summarized in the [Report P2022-05](#) and/or as provided directly to Council subsequent to the posting of the staff report, were considered as part of the decision making process. No changes were made to the proposed Zoning By-law Amendment as a result of the feedback, but revisions were considered to other related implementation products and processes were clarified.

**AND TAKE FURTHER NOTICE** that any person or agency may appeal the By-law to the Ontario Land Tribunal, not later than the 29<sup>th</sup> day of March, 2022, by filing with Ms. Sara Almas, Clerk, The Corporation of the Town of Collingwood, P.O. Box 157, 97 Hurontario Street, Collingwood, Ontario, L9Y 3Z5 or by email: [salmas@collingwood.ca](mailto:salmas@collingwood.ca). The appeal must contain an appeal form setting out the objection to the By-law and the reasons in support of the objection, accompanied by the fee required by the Tribunal in the amount of \$1,100.00 which must be in the form of a certified cheque or money order payable to the Minister of Finance. If you wish to appeal to the Tribunal, a copy of an appeal form is available from the Tribunal website.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

DATED at the Town of Collingwood  
this 9<sup>th</sup> day of March, 2022.

Town File No. D14121



**EXPLANATORY NOTE  
TO THE CORPORATION OF THE TOWN OF COLLINGWOOD  
BY-LAW No. 2022-007**

By-law No. 2022–007 is a By-law under the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, for prohibiting the use of land for or except for such purposes as may be set out in the By-law.

**THE PURPOSE** of the proposed Zoning By-law Amendment is to prohibit the use of land or the erection or use of buildings or structures unless adequate municipal water and wastewater services are available to service the land, buildings or structures, except where development is permitted on private individual onsite water and wastewater systems and/or for minor construction activities. The proposed change was recommended through the Land Use Planning Policy Study associated with Interim Control By-law No. 2021-024, as amended.

**THE EFFECT** of the proposed Zoning By-law Amendment is to provide the opportunity for the Town to confirm whether adequate municipal water and wastewater services are available through the zoning compliance process when considering an application for a building permit, thereby providing an ability to control and track the allocation of municipal servicing capacity at the building permit stage if not already addressed through previous planning approvals and/or agreements.

**BY-LAW No. 2022-007**  
**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 passed Interim Control By-law No. 2021-024 on April 26, 2021 in order to undertake a review and study in respect of the Town's land use planning policies, including but not limited to, its Official Plan and Zoning By-law, as a result of a significant and ongoing water and wastewater capacity concerns;

**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 to include provisions as provided for under Section 34(5) of the *Planning Act*, R.S.O. 1990, c. P.13 to prohibit the the use of land or the erection or use of buildings or structures unless adequate municipal services are available;

**AND WHEREAS** Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held January 24<sup>th</sup>, 2022, and that a further 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** Section 4.15 titled "Municipal Services" of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part by adding three new provisions as follows;


- 4.15.3 Notwithstanding any other provision in this By-law, the use of any land, buildings or structures or the erection or use of buildings or structures is not permitted unless adequate municipal water and wastewater services are available to service the use, buildings or structures.
- 4.15.4 Section 4.15.3 does not apply if a proposal for construction, alteration or expansion:
  - i) Is for a deck, patio, fence, porch, accessory building or structure, temporary building or structure, or interior or exterior renovation to an existing building; or,
  - ii) Is for the repair, re-build or restoration of an existing building or structure, or part thereof, provided that the building or structure continues to be used for the same purpose, and in the same manner, as it was used on the date of passing of the coming into effect of Section 4.15.3.

4.15.5 The use of any land, building or structure or the erection or use of buildings or structures subject to Sections 6.2.2.1, 7.4.1.14, or 9.4.1.2 or where otherwise permitted to be serviced by individual private on-site water and/or wastewater systems in accordance with this Zoning By-law, is exempted from Section 4.15.3.

2. **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.
3. **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.

**ENACTED AND PASSED** this 28<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK