

THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 62-95

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 22-90 TO AMEND THE PROVISIONS OF THE BY-LAW APPLICABLE TO DECKS AND POOLS.

WHEREAS THE CORPORATION OF THE TOWN OF ORANGEVILLE DEEMS IT APPROPRIATE TO ENACT THIS BY-LAW.

NOW THEREFORE THE CORPORATION OF THE TOWN OF ORANGEVILLE BY THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:

1. THAT By-law 22-90, as amended, is hereby amended to add Section 2.48A thereto, as follows:

2.48A "GROUND-ORIENTED AMENITY AREA" means

- a) an unroofed, unexcavated deck that, excluding railings or fencing, has a maximum height of 1.2 metres above the average elevation of the finished surface of the ground around the base of the deck, or
- b) an unroofed swimming pool that, excluding railings or fencing, has a maximum height of 1.2 metres above the average elevation of the finished surface of the ground around the base of the pool, but

shall exclude a front porch and a gazebo.

2. THAT Section 2.64 of By-law 22-90, as amended, is hereby amended to read as follows:

2.64 "LOT COVERAGE" means that part of the lot covered by a building or other structure including an accessory building or structure but excluding a ground-oriented amenity area that is set back 1.2 metres from both or all side lot lines.

3. THAT clause 2 of Section 5.2 of By-law 22-90, as amended, is hereby amended to read as follows:

- 2) Any accessory building or other structure, other than a ground-oriented amenity area, which is not part of the main building shall be erected to the rear of the front line of the main building, and shall not occupy more than 10 per cent of the lot, exceed 4.27 metres in height, nor be closer than 1.2 metres to a side or rear lot line.

4. THAT Section 5.2 of By-law 22-90, as amended, hereby amended, to add the following clause:

- 2A) Any ground-oriented amenity area shall be located to the rear of the front line of the main building, and shall not be located closer than 1.2 metres to any lot line. Despite the foregoing, in the case of a semi-detached, row house dwelling or other multiple dwelling with units separated by a party wall, no minimum distance is required between a ground-oriented amenity area and the side lot line that is the location of the party wall, subject to the provision of a 1.5 m high privacy fence rising from the surface of the ground-oriented amenity area and extending along the entire side of the ground-oriented amenity area that is exposed to the side lot line.

5. THAT Section 5.5 of By-law 22-90 is hereby amended to read as follows:

5.5 Side Yards for Decks other than Ground-Oriented Amenity Areas

The minimum interior and exterior side yard setback of all decks, other than ground-oriented amenity areas, shall be the established side yard as determined by the distance between the side wall of the dwelling and the side lot line. Despite the foregoing, in the case of a semi-detached, row house dwelling or other multiple dwelling with units separated by a party wall, no minimum distance is required between a deck and the side lot line that is the location of the party wall, subject to the provision of a 1.5 m high privacy fence rising from the surface of the deck and extending along the entire side of the deck that is exposed to the side lot line.

PASSED IN OPEN COUNCIL THIS 14TH DAY OF AUGUST, A.D. 1995.

Dep. CLERK

C. Johns

MAYOR

Mary T. Rose

BY-LAW READ A FIRST AND SECOND TIME THIS 14TH DAY OF AUGUST, A.D. 1995

BY-LAW READ A THIRD AND FINAL TIME THIS 14TH DAY OF AUGUST, A.D. 1995