

**The Corporation of the Township of Brock**

**By-law Number 3238-2024**

**Being a by-law under the provisions of Section 34 and 36 of the Planning Act, R.S.O., 1990, as amended to amend Zoning By-law 287-78-PL, as otherwise amended, of the Corporation of the Township of Brock, Region of Durham, with respect to Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, (Roll No.183902002003510)**

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**WHEREAS** the Council of the Corporation of the Township of Brock has received a formal application to amend Zoning By-law 287-78-PL, as otherwise amended, with respect to the above-noted lands to permit a residential plan of subdivision comprised of a mix of single detached and townhouse dwellings and related park and environmental protection lands; and

**WHEREAS** By-law No. 287-78-PL was passed under the authority of Section 34 of the Planning Act, R.S.O. 1990, c P.13, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Brock; and

**WHEREAS** the Council of the Corporation of the Township of Brock held a public meeting January 24, 2022, pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended, with respect to this matter and has considered the application following that public meeting; and

**WHEREAS** Council has, pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, as amended, considered whether further notice is to be given with respect to the By-law prior to the passing thereof and has determined that the By-law hereinafter set out substantially implements the proposal presented at the public meeting with respect to the subject lands held on January 24, 2022, and that no further public meeting is necessary; and

**WHEREAS** the matters hereinafter set forth are in conformity with the Official Plans of the Regional Municipality of Durham and the Township of Brock as are currently in force and effect;

**NOW THEREFORE**, the Council of the Corporation of the Township of Brock hereby amends Zoning By-law 287-78-PL as follows:

1. That the lands subject to this By-law are outlined on Schedule A attached to this By-law and described as Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, Regional Municipality of Durham.
2. That Plate A3 to Zoning By-law 287-78-PL, as otherwise amended to the contrary, is hereby further amended, by changing the Zone classification on those lands located in Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, Regional Municipality of Durham, more particularly shown on

Schedule "A" attached hereto from "**Development (D) Zone**" and "**Environmental Protection (EP) Zone**" to "**Environmental Protection (EP) Zone Exception 11 (EP-11)**", "**Holding Residential Type One Exception 29 (R1-29)**", "**Holding Residential Type One Exception 30 (R1-30)**", "**Holding Residential Type Three Exception 15 (R3-15)**" and "**Recreation (RE) Zone**".

3. That Section 9.1, entitled "Environmental Protection (EP) Zone Category Exceptions" is hereby amended by inserting the following clauses which shall read as follows:

**"9.1.11 ENVIRONMENTAL PROTECTION EXCEPTION ELEVEN (EP-11) ZONE**

Notwithstanding the uses permitted within the Environmental Protection (EP) Zone and the permitted provisions of Plate "D", entitled "Provisions for Non-Residential Uses and Activities" of Zoning By-law 287-78-PL, as otherwise amended to the contrary, within the Environmental Protection Exception Eleven (EP-11) Zone, located in Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, the following provisions apply:

- a) Residential Uses Prohibited
- b) Permitted Non-Residential Uses
  - i) Conservation Uses;
  - ii) Forestry Uses;
  - iii) Passive Recreation Uses including a trail and related facilities including a parking lot;
  - iv) Flood control and stormwater management Uses; and,
  - v) Accessory buildings and structures.

c) Regulations

The provisions of Plate "D", Column B regarding the Environmental Protection (EP) Zone shall apply to the lands in the EP-11 Zone."

4. That Section 9.9, entitled "Residential Type One (R1) Zone Category Exceptions" is hereby amended by inserting the following clauses which shall read as follows:

**"9.9.29 HOLDING RESIDENTIAL TYPE NO. 1 EXCEPTION 29 ((H) R1- 29) ZONE**

Notwithstanding the provisions of Plate "C", entitled "PROVISIONS FOR RESIDENTIAL USES" of Zoning By-law 287-78-PL, as otherwise amended to the contrary, within the Residential Type One Exception Twenty-Nine (R1-29) Zone, located in Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Area 330 square metres
- b) Minimum Lot Frontage 11.0 metres
- c) Minimum Front Yard Setback
  - i) Dwelling 4.5 metres
  - ii) Attached Garage 6.0 metres

d)	Minimum Interior Side Yard Setback	
	i) One side	1.2 metres
	ii) Opposite side	0.6 metres
e)	Minimum distance between buildings on adjacent lots	1.8 metres
f)	Minimum Exterior Yard Setback except abutting Mara Road	3.0 metres 9.5 metres
g)	Minimum Rear Yard Setback	7.0 metres
h)	Maximum Lot Coverage	50 percent
i)	Maximum Height	10.0 metres
j)	Maximum Encroachment into Front or Exterior Side Yard for Unenclosed, Covered or Uncovered Porches	1.5 metres
k)	Maximum Encroachment into Front Yard or Exterior Side Yard for Stairs	2.5 metres
l)	Maximum Encroachment into Rear Yard Decks	1.5 metres
m)	Minimum Sight Triangle except abutting Mara Rd	5.0 metres 10.0 x 15.0 metres
n)	Minimum Distance between a Driveway and Intersection of Street Lines except at an intersection with Mara Road	7.5 metres 10.0 metres
o)	Minimum Distance between an Attached Garage and Interior Side Lot Line	0.6 metres
p)	Driveway Location abutting Mara Rd.	Adjacent to interior lot line

Where the zone symbol is preceded by the letter (H), the use of the lands shall be limited to conservation, forestry and farm uses exclusive of any livestock operations. The (H) Holding symbol may be removed upon the execution of a Subdivision Agreement securing conditions of approval in respect of servicing and access matters as well as any associated financial requirements.

#### 9.9.30 HOLDING RESIDENTIAL TYPE NO. 1 EXCEPTION THIRTY ((H) R1-30) ZONE

Notwithstanding the provisions of Plate "C", entitled "PROVISIONS FOR RESIDENTIAL USES" of Zoning By-law 287-78-PL, as otherwise amended to the contrary, within the Residential Type One Exception Thirty (R1-30) Zone, located in Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, the following provisions apply:

a)	Minimum Lot Area	300 square metres
b)	Minimum Lot Frontage	10.0 metres
c)	Minimum Front Yard Setback	
	i) Dwelling	4.5 metres
	ii) Attached Garage	6.0 metres
d)	Minimum Interior Side Yard Setback	
	i) One side	1.2 metres
	ii) Opposite side	0.6 metre
e)	Minimum Distance Between Buildings On Adjacent Lots	1.8 metres

f)	Minimum Exterior Yard Setback	3.0 metres
g)	Minimum Rear Yard Setback	7.0 metres
h)	Maximum Lot Coverage	50 percent
i)	Maximum Height	10.0 metres
j)	Minimum Sight Triangle	5.0 metres
k)	Maximum Encroachment into Front or Exterior Side Yard for Unenclosed, Covered or Uncovered Porches	1.5 metres
l)	Maximum Encroachment into Front Yard or Exterior Side Yard for Stairs	2.5 metres
m)	Maximum Encroachment into Rear Yard for Decks	1.5 metres
n)	Minimum Distance between a Driveway and Intersection of Street Lines	7.5 metres
o)	Minimum Distance Between an Attached Driveway and Interior Side Lot Line	0.6 metres

Where the zone symbol is preceded by the letter (H), the use of the lands shall be limited to conservation, forestry and farm uses exclusive of any livestock operation. The (H) Holding symbol may be removed upon the execution of a Subdivision Agreement securing conditions of approval in respect of servicing and access matters as well as any associated financial requirements.”

5. That Section 9.11, entitled “Residential Type Three (R3) Zone Category Exceptions” is hereby amended by inserting the following clauses which shall read as follows:

“9.11.15 HOLDING RESIDENTIAL TYPE NO. 3 EXCEPTION FIFTEEN (R3-15) ZONE

Notwithstanding the provisions of Plate “C”, entitled “PROVISIONS FOR RESIDENTIAL USES” of Zoning By-law 287-78-PL, as otherwise amended to the contrary, within the Residential Type Three Exception Fifteen (R3-15) Zone, located in Part of Lots 13 and 14, Concession 6 (Thorah), Township of Brock, the following provisions apply:

a)	Only Permitted Residential Uses	
	Row Townhouse	
b)	Minimum Lot Area	
	i) Interior Rowhouse Unit	180 square metres
	ii) Exterior Rowhouse Unit	220 square metres
	iii) Corner Lot Rowhouse Unit	270 square metres
c)	Minimum Lot Frontage	
	i) Interior Rowhouse Unit	6.0 metres
	ii) Exterior Rowhouse Unit	7.5 metres
	iii) Corner Lot Rowhouse Unit	9.0 metres
d)	Minimum Front Yard Setback	
	i) Dwelling	4.5 metres
	ii) Attached Garage	6.0 metres

- e) Minimum Interior Side Yard Setback
  - i) Interior Rowhouse Unit 0.0 metres
  - ii) Exterior Rowhouse Unit 1.2 metres one side  
0 metres opposite side
- f) Minimum Exterior Yard Setback 3.0 metres  
except abutting Mara Road 7.0 metres
- g) Minimum Rear Yard Setback 7.5 metres
- h) Maximum Lot Coverage 55 percent
- i) Maximum Height 10 metres
- j) Maximum Encroachment into Front or Exterior Side Yard for Unenclosed, Covered or Uncovered Porches 1.5 metres
- k) Maximum Encroachment into Front Yard or Exterior Side Yard for Stairs 2.5 metres
- l) Maximum Encroachment into Rear Yard for decks 1.5 metres
- m) Minimum Sight Triangle 5.0 metres
- n) Minimum Number of Parking Spaces per lot (including visitor parking) 2 of which 1 may be within an enclosed garage
- o) Minimum Distance between a Driveway and Intersection of Street Lines 6.5 metres

Where the zone symbol is preceded by the letter (H), the use of the lands shall be limited to conservation, forestry and farm uses exclusive of any livestock operation. The (H) Holding symbol may be removed upon the execution of a Subdivision Agreement securing conditions of approval in respect of servicing and access matters as well as any associated financial requirements.”

- 6. That Zoning By-law 287-78-PL shall, in all other respects, remain in full force and effect and continue to apply.
- 7. This By-law shall come into force in accordance with Section 34 of the Planning Act, R.S.O., 1990, as amended.

ENACTED AND PASSED THIS 29th DAY OF JANUARY, A.D., 2024.

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Mayor  
Walter Schummer

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Clerk/Deputy CAO  
Fernando Lamanna

**Schedule "A"**  
**to Zoning By-law No. 3238-2024**  
**Township of Brock**  
**Amendment to Plate A3 of Zoning By-law 287-78-PL**

