

**The Corporation of the Township of Brock**

**By-law Number XX-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 Lot 17, Concession 4 (Thorah), as in CO241977 (parcel 2), Except Pt 2, 40R7025, municipally known as 84 McLennans Beach Road, in the Township of Brock, Region of Durham (Roll No. 183901000405000)**

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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, semi-detached and townhouse dwellings and related park and open space 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 on May 30, 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** changes were made to the By-law following the public meeting with respect to the subject lands held on May 30, 2022 in response to agency and public comments received and 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 determined 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 Lot 17, Concession 4 (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 Lot 17, Concession 4 (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 "**Residential Type One Exception Thirty-one (R1-31) Zone**", "**Residential Type One Exception Thirty-two (R1-32) Zone**", "**Residential Type One Exception Thirty-three (R1-33) Zone**", "**Residential Type Two Exception Twelve (R2-12) Zone**", "**Residential Type Three Exception Sixteen (R3-16) Zone**", "**Rural Buffer Exception Nine (RB-9) Zone**", "**Recreation (RE) Zone**", "**Open Space Exception Eight (OS-8) Zone**", and "**Environmental Protection (EP) Zone**".

3. 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:

"9.9.31 Holding Residential Type No. 1 Exception Thirty-one ((H) R1-31) 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-one (R1-31) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Front Yard (east)

Dwelling	4.0 metres
Attached Garage	6.0 metres
- b) Minimum Exterior Side Yard (north) 4.0 metres
- c) Minimum Rear Yard (west) 5.0 metres
- d) Maximum Height 10.0 metres
- e) Maximum Encroachment into Front or Exterior Side Yard for Unenclosed, Covered or Uncovered Porches  
1.5 metres
- f) The provisions of Section 10.25 (Through Lots) shall not apply to these lands.

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.

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

“9.9.32 Holding Residential Type No. 1 Exception Thirty-two ((H) R1-32) 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-two (R1-32) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Frontage 12.1 metres
- b) Minimum Rear Yard 7 metres
- Minimum Rear Yard for Corner Lot adjacent to Mclennans Beach Rd 3.6 metres
- c) Minimum Interior Side Yard 1.3 metres
- d) Minimum Exterior Side Yard 3.7 metres
- e) Minimum Side Yard adjacent to OS Zone 2 metres
- f) Maximum Height 10.0 metres
- g) The provisions of Section 10.25 (Through Lots) shall not apply to these lands.

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 9.9, entitled “Residential Type One (R1) Zone Category Exceptions” is here by amended by inserting the following clauses which shall read as follows:

“9.9.33 Holding Residential Type No. 1 Exception Thirty-three ((H) R1-33) 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-three (R1-33) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Frontage 6 metres
- b) Minimum Setback from north lot line 10 metres
- c) Minimum Setback from the south lot line 8 metres
- d) Minimum Setback from the east lot line 2.5 metres
- e) Minimum Setback from the west lot line 2.5 metres
- f) Maximum Height 10.0 metres
- g) Maximum Encroachment into Front or Exterior Side Yard

for Unenclosed, Covered or Uncovered Porches

1.5 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 Section 9.10, entitled “Residential Type Two (R2) Zone Category Exceptions” is here by amended by inserting the following clauses which shall read as follows:

“9.10.12 Holding Residential Type No. 2 Exception Twelve ((H) R2-12) 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 Two Exception Twelve (R2-12) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Area 240 m<sup>2</sup>
- b) Minimum Lot Frontage 7.5 metres
- c) Minimum Interior Side Yard 1.3 metres one side  
0 m common wall
- d) Maximum Height 10.0 metres
- e) The provisions of Section 10.25 (Through Lots) shall not apply to these lands.

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.”

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

“9.11.16 Holding Residential Type No. 3 Exception Sixteen ((H) R3-16) 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 Sixteen (R3-16) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Area 200m<sup>2</sup>
- b) Minimum Lot Frontage 6 metres
- c) Minimum Interior Side Yard 1.8 metres one side  
0 m common wall
- d) Minimum Side Yard adjacent to OS Zone 2 metres

- e) Maximum Height 10.0 metres
- f) Notwithstanding Section 10.18 Parking and Regulations, the following shall apply:

Minimum Number of Parking Spaces per lot (including visitor parking) - 2 spaces of which 1 may be provided within an enclosed garage

- g) The height of a building may not exceed the height limit in metres as specified except for the following projections:
  - i. Parapets, architectural screens, guardrails, green roofs, privacy screening, maintenance equipment, mechanical equipment and chimneys up to 1.25m in height;
  - ii. Enclosed stairwells/roof access up to 2.4m in height.
- h) An enclosed stairwell/roof access and guardrails located above the Maximum Height shall be limited to 8m<sup>2</sup> in size and shall be setback a minimum of 2.5 metres from the front main wall.

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.”

8. That Section 9.5, entitled “Rural Buffer (RB) Zone Category Exceptions” is here by amended by inserting the following clauses which shall read as follows:

“9.5.9 Rural Buffer Exception Nine (RB-9) 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 Rural Buffer Exception Nine (RB-9) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the following provisions apply:

- a) Minimum Lot Area 10 ha

9. That Section 9.2, entitled “Open Space (OS) Zone Category Exceptions” is here by amended by inserting the following clauses which shall read as follows:

“9.2.8 Open Space Exception Eight (OS-8) Zone

- a) Notwithstanding the uses permitted within the Open Space (OS) Zone on Plate “B,” entitled “Permitted Uses and Activities in General Zone Categories” of Zoning By-law Number 287-78-PL, as otherwise amended to the contrary, within the Open Space Exception Eight (OS-8) Zone, located in Part of Lot 17, Concession 4 (Thorah), Township of Brock, the uses shall be restricted to:
  - i. Stormwater management facility;
  - ii. Conservation;
  - iii. Passive recreation uses, including a trail.

10. That Zoning By-law 287-78-PL shall, in all other respects, remain in full force and effect and continue to apply.

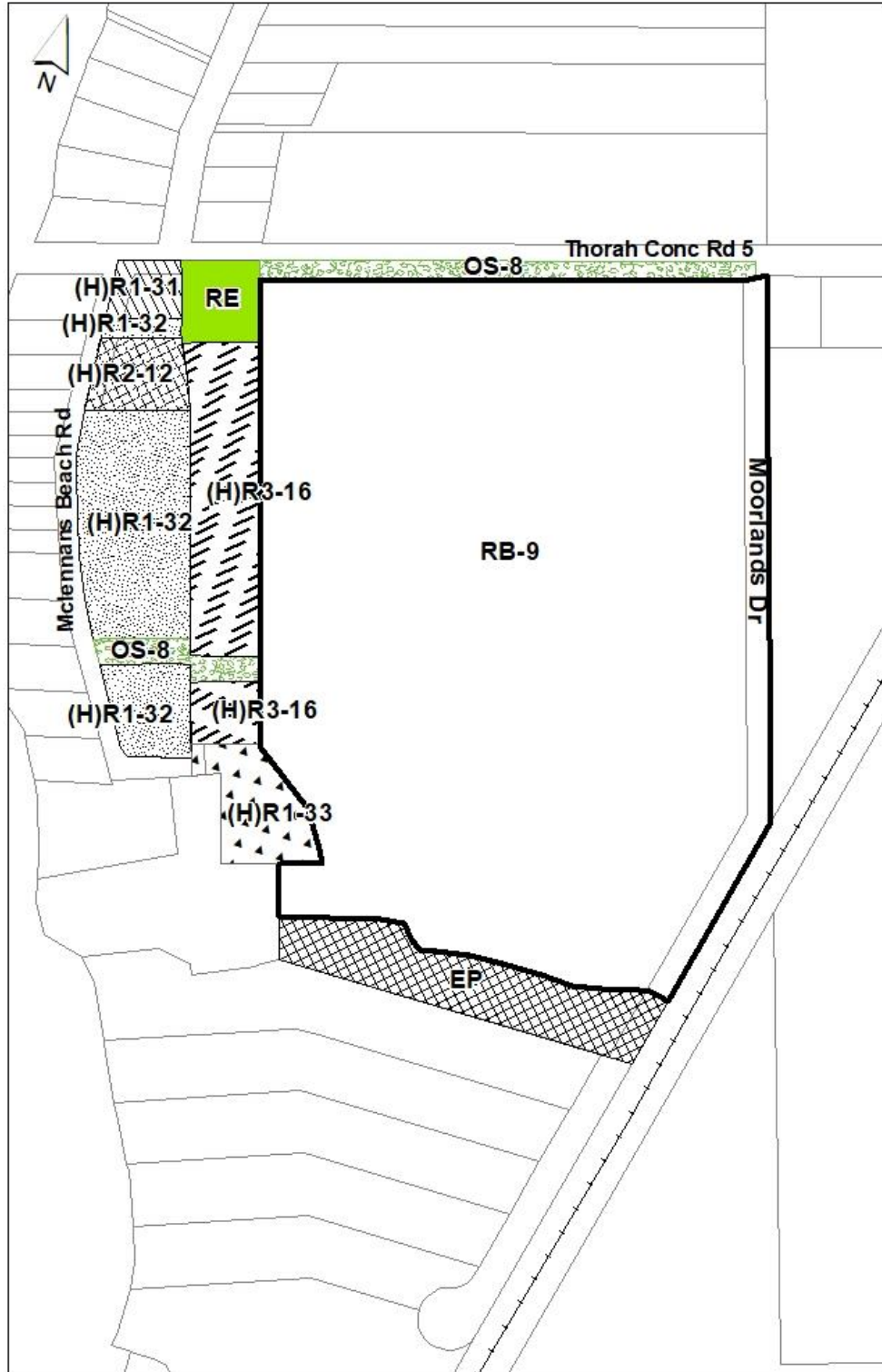
11. This By-law shall come into force in accordance with Section 34 of the Planning Act, R.S.O., 1990, as amended.

**Enacted and Passed this XX day of XX, A.D., 2024.**

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Mayor,  
Walter Schummer

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Deputy CAO/Clerk,  
Fernando Lamanna

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



	EP
	From D to (H)R1-31
	From D to (H)R1-32
	From D to (H)R1-33
	From D to (H)R2-12
	From D to (H)R3-16
	From D to (H)RB-9
	From D to OS-8
	From D to RE

