

ZONING BY-LAW NO. 13-2024

A BY-LAW TO AMEND

ZONING BY-LAW NO. 27-95 as amended

(Flag Lots)

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

Box 533
56 Ontario Street
Burk's Falls, Ontario
P0A 1C0

Planning Consultant:

Robert J. Miller
Professional Land Use Planner

EXPLANATORY NOTE

To Zoning By-law No. 13-2024

Passed by the Council of The Municipal Corporation of the Township of Armour

- Lands Affected: This By-law applies to all non-waterfront, non-floodplain and non-wetland areas in the Rural (Ru) Zone and the Residential Settlement (RS) Zone of the Township.
- By-Law Purpose: The purpose of this By-law is to add a definition and zoning provisions for Flag Lots to the Armour Township comprehensive Zoning By-law.
- Official Plan: The proposed Zoning By-law amendment conforms with the regulations of the Armour Township Official Plan.

ZONING BY-LAW NO. 13-2024

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

Being a By-law under the provisions of Section 34 of the **Planning Act, R.S.O. 1990**, to amend Zoning By-law No. 27-95, as amended, of the Municipal Corporation of the Township of Armour with respect to adding a definition of Flag Lot and provisions for Flag Lots in non-waterfront, non-floodplain and non-wetland areas of the Rural (Ru) Zone and the Residential Settlement (RS) Zone.

WHEREAS THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR has reviewed Zoning By-law No. 27-95, as amended, and deems it advisable to amend same:

NOW THEREFORE THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR ENACTS as follows:

1. **THAT SECTION 2: DEFINITIONS** is hereby amended by adding the following new Subsection 2.108(a):

2.108(a) “Flag Lot” means a lot with two distinct parts:

- (a) the flag, which is the only area to be used for the building envelope, and is located to the rear of the back lot line of another lot;
- (b) the pole, which connects the flag to an open and maintained Township road, and provides the only lot frontage for a flag lot;
- (c) the pole and the flag together, which are to be registered as one lot only; and

2. **THAT SECTION 6: RURAL (Ru) ZONE** is hereby amended by adding the following new Subsection 6.7:

6.7 “Zone Requirements for Flag Lots”

- (a) The flag part of the lot shall contain a lot area at least equal to the minimum required lot area of 0.8 hectares (2 acres) for the non-waterfront, non-floodplain and non-wetland Rural (Ru) Zone areas in which the flag lot must be located. The area of the pole shall not be included in the calculations of the required minimum lot area for the purposes of consent;
- (b) No part of the pole or access strip shall be granted or created by way of a right-of-way, or easement;
- (c) The minimum lot frontage of the pole at the open public road allowance, and the minimum continuous width of the lot along the pole or access from the public road to the flag shall be a continuous 31 metres (102 feet);
- (d) The minimum width of the flag shall be equal to or greater than the minimum lot frontage of 61 metres (200 feet) required for dwellings in the Rural Ru Zone in which the flag lot must be located;
- (e) The front yard for the flag shall be measured from the point where the pole meets the flag;
- (f) The pole shall be suitable for the construction of an access driveway designed to provide continuous access from an open Township road to the flag and its building envelope;

- (g) A flag lot shall not be further subdivided;
- (h) Any flag lot shall meet all other applicable zone standards including standards for accessory residential uses, buildings and structures which shall not be located in the front yard;
- (i) At the time of application for consent to create a flag lot, Council must be assured that a single detached dwelling already exists legally on either the severed or the retained parcels;
- (j) Consents will not be granted for flag lots which have the effect of limiting access to back lands for future uses or which have the effect of creating land locked parcels for either of the severed or retained parcels; and

3. **THAT SECTION 7: RESIDENTIAL SETTLEMENT (RS) ZONE** is hereby amended by adding the following new Subsection 7.3:

7.3 “Zone Requirements for Flag Lots”

- (a) The flag part of the lot shall contain a lot area at least equal to the minimum required lot area of 0.8 hectares (2 acres) for the non-waterfront, non-floodplain and non-wetland Residential Settlement (RS) Zone areas in which the flag lot must be located. The area of the pole shall not be included in the calculations of the required minimum lot area for the purposes of consent;
- (b) No part of the pole or access strip shall be granted or created by way of a right-of-way, or easement; and
- (c) The minimum lot frontage of the pole at the open public road allowance, and the minimum continuous width of the lot along the pole or access from the public road to the flag shall be a continuous 31 metres (102 feet);
- (d) The minimum width of the flag shall be equal to or greater than the minimum lot frontage of 61 metres (200 feet) required for dwellings in the Rural Ru Zone in which the flag lot must be located;
- (e) The front yard for the flag shall be measured from the point where the pole meets the flag; and
- (f) The pole shall be suitable for the construction of an access driveway designed to provide continuous access from an open Township road to the flag and its building envelope;
- (g) A flag lot shall not be further subdivided;
- (h) Any flag lot shall meet all other applicable zone standards including standards for accessory residential uses, buildings and structures which shall not be located in the front yard;
- (i) At the time of application for consent to create a flag lot, Council must be assured that a single detached dwelling already exists legally on either the severed or the retained parcels;
- (j) Consents will not be granted for flag lots which have the effect of limiting access to back lands for future uses or which have the effect of creating land locked parcels for either of the severed or retained parcels; and

4. **THAT** this By-law shall come into force on the date it is passed by the Council of the Municipal Corporation of the Township of Armour subject to the provisions of the **Planning Act, R.S.O. 1990.**

Read in its entirety, approved,
signed and the seal of the
Corporation affixed thereto and
finally passed in open Council
this 27th day of February, 2024.

Original signed by Rod Ward

Rod Ward, Mayor

Original signed by John Theriault

John Theriault, Clerk

MINIMUM
REAR YARD 12m

NON-WATERFRONT AREA

MINIMUM
SIDE YARD 5m

B

FLAG PORTION
BUILDING ENVELOPE

A

MINIMUM
FRONT YARD 15m

POLE
PORTION
NOT PART
OF FLAG
LOT
MINIMUM
AREA

NORMAL RURAL
RESIDENTIAL LOT

MINIMUM LOT
AREA 0.8 hectares
(2 Acres)

MINIMUM
FLAG LOT
FRONTAGE 31m

MINIMUM LOT
FRONTAGE 61m

OPEN TOWNSHIP ROAD

FLAG LOT
ILLUSTRATION FOR
CLARIFICATION.
DOES NOT FORM
PART OF THIS
BY-LAW

$A \times B$ = MINIMUM
FLAG LOT AREA
(EXCLUDES POLE
PORTION OF LOT)
0.8 hectares

