

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY

BY-LAW NUMBER 26 - 2009

BEING a By-law to amend Zoning By-law No. 37-2006, of the Municipality of West Grey;

WHEREAS the Council of the Corporation of the Municipality of West Grey deems it in the public interest to pass a By-law to amend By-law No. 37-2006;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:

1. Schedule "26" to By-law No. 37-2006 is hereby changing the zoning symbols on the subject property described as Part Lot 43, Concession 1 SDR, RP16R7535, Part 1, former Township of Bentinck, in the Municipality of West Grey, from the M3-91 (Rural Industrial Exception Zone) and A2 (Rural Zone) to the M3-275 (Rural Exception Zone) and No Development Zone, and shown more particularly on Schedule "26D" attached hereto.

2. Section 35 to By-law No. 37-2006 is hereby amended by adding the following subsection:

"35.275

Notwithstanding Subsection 26.1 of By-law No. 37-2006, the following provision, in addition to any other provision pertaining to the M3 (Rural Industrial Zone) shall apply to the lands zoned Rural Industrial Exception (M3-275) as shown on Schedule "26D" affixed hereto:

Permitted Uses: One single detached dwelling, Welding & Hydraulic Repair Shop, and uses, buildings and structures accessory thereto.

3. For the purposes of this By-law, "No Development Zone" shall mean any activity, such as fill, grading and excavation, that would change the land form and natural vegetative characteristics of the site, and shall prohibit any type of building or structure, creation of a new lot, or the change in use from "No Development Zone".

4. Schedule "26D" and all other notations thereon are hereby declared to form part of this By-law.

5. This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act, R.S.O. 1990, as amended.

Read a first and second time this 4th day of May, 2009.

Read a third time and finally passed this 4th day of May, 2009.

Kevin Eccles, Mayor

Christine Robinson, CAO/Clerk

FORM 1
Planning Act, R.S.O. 1990, as amended

NOTICE OF THE PASSING OF A ZONING BY-LAW
BY THE CORPORATION OF THE
MUNICIPALITY OF WEST GREY

TAKE NOTICE that the Council of the Corporation of the Municipality of West Grey passed By-law No.26-2009 on the 4th day of May, 2009, under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE NOTICE that the Zoning By-law may be appealed to the Ontario Municipal Board by filing with the Clerk of the Corporation of the Municipality of West Grey not later than the 25th day of May, 2009, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection, accompanied by the fee prescribed under the Ontario Municipal Board Act, S.O. 1994.

ONLY individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. 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.

IF a person or public body that files an appeal of a decision of the Municipality of West Grey in respect of the proposed Zoning By-law, does not make oral submissions at the Public Meeting or make written submissions to the Municipality of West Grey before the proposed Zoning By-law is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

AN EXPLANATION of the purpose and effect of the By-law, describing the lands to which the By-law applies are attached. A Key Map is not provided as there are various lands to which the By-law applies. The complete By-law is available for inspection in my office during regular business hours.

DATED AT THE MUNICIPALITY OF WEST GREY

This 5th day of May, 2009.

Mark Turner, Deputy Clerk
Municipality of West Grey
402813 Grey Rd. 4, RR 2,
DURHAM, ON N0G 1R0
Ph: (519) 369-2200
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EXPLANATORY NOTE

The purpose and effect of this By-law is to correct a specific error and omission that occurred during the preparation and approval of the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006. The former Township of Bentinck passed a Site Specific By-law Number 78-2000 on July 17, 2000, for the subject property, to rezone the subject property to a M1-154 (General Industrial Exception Zone) and No Development. The M1-154 Zone permitted in addition to other permitted uses, a single detached dwelling and Welding & Hydraulic Repair Shop. The No Development zone restricted any buildings or structures, or changes to the landform. The Municipality of West Grey Comprehensive Zoning By-law No. 37-2006 did not incorporate this zoning, and the purpose of this by-law is to restore the former approved zoning. This error and omission was discovered after the adoption of By-law No. 37-2006 on May 15, 2006.

The Council of the Municipality of West Grey has adopted this By-law and is now circulating it in accordance with Provincial Regulations.