

**The Corporation of the Municipality of West Grey**

**By-law Number 14 - 2015**

**Being** a By-law to amend Zoning By-law No. 37-2006, for 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 hereby enacts as follows:**

1. By-law No. 37-2006 is hereby amended by affecting a portion of the lands described as Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey, and shown more particularly on Schedule "44D".
2. Schedule "44" to the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006 is hereby amended by rezoning lands described as Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey from 'A3' (Restricted Rural) and 'NE' (Natural Environment) to 'M1-237-h1' (Industrial Exemption), 'M1-237-h2' (Industrial Exemption) and 'NE' (Natural Environment), as shown on Schedule "44D" attached to and forming part of this by-law.
3. Section 35 of the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006 is hereby amended by adding the following:

Notwithstanding the foregoing, on those lands zoned 'M1-237-h1' and described as Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey, no site alteration or development shall be permitted until such time as the holding suffix "h1" has been lifted, and such suffix shall not be lifted until either:

- a. The works and activities are registered with the Ministry of Natural Resources and Forestry, as per Ontario Regulation 242/08; or,
- b. It has been demonstrated to the satisfaction of the Ministry of Natural Resources and Forestry and the Municipality of West Grey by a qualified professional that the Bobolink and Eastern Meadowlark birds and habitat do not exist on-site.

Notwithstanding the foregoing, on those lands zoned 'M1-237-h2' and described as Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey, no development or site alteration shall be permitted until such time as the holding suffix "h2" has been lifted, and such suffix shall not be lifted until an Environmental Impact Study has demonstrated to the satisfaction of the Saugeen Valley Conservation Authority and the Municipality of West Grey that the proposed site alteration and proposed development would create no negative impact on the adjacent wetland feature or its ecological function.

4. That this By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.

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**Read a first and second time this 16<sup>th</sup> day of March, 2015.**

**Read a third time and finally passed this 16<sup>th</sup> day of March, 2015.**

**(Signed)**  
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**Kevin Eccles, Mayor**

**(Signed)**  
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**Larry C. Adams, CAO/Deputy Clerk**

**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 Number 14-2015 on the 16<sup>th</sup> day of March, 2015, 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 8<sup>th</sup> day of April, 2015, 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.

**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, corporation or public body did not make oral submissions at the public meeting or make a written submission to the Municipality of West Grey before the bylaw was passed, the person, corporation or public body is not entitled to appeal the decision of the Municipality of West Grey Council to the Ontario Municipal Board. If a person, corporation or public body did not make oral submissions at a public meeting or make a written submission to the Municipality of West Grey before the bylaw was passed, the person, corporation or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

**An explanation** of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies are attached.

**Dated at the Municipality of West Grey this 19<sup>th</sup> day of March, 2015.**

**Mark Turner, Clerk**  
Municipality of West Grey  
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R.R. 2, Durham, ON NOG 1R0  
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**Explanatory Note**

The purpose of the Zoning By-law Amendment is to change the zoning of the subject property from 'A3' (Restricted Rural) and 'NE' (Natural Environment) to 'M1-237' (Industrial Exemption) and 'NE' (Natural Environment). This rezoning will allow for a new industrial use on the subject lands, which is proposed to function as an expansion to the neighbouring abutting industrial use to the north east. The new proposed use is being proposed as a separate building (i.e. it would not be attached to the building on the lot to the north east). Holding ("h") suffixes have been added to the 'M1-237' zoning of this site to ensure that certain environmental matters are addressed prior to any site alteration or development occurring.

The lands subject to the proposed rezoning are also the subject of an amendment to the County of Grey Official Plan which would change the land use designation of these lands from 'Rural' to 'Space Extensive Industrial'.

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