

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY**

**BY-LAW NUMBER 2 - 2009**

**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 ENACTS AS FOLLOWS:**

1. By-law No. 37-2006 is hereby amended by affecting those lands described as Part Lot 61, Concession 1 SDR, former Township of Bentinck, Municipality of West Grey, and shown more particularly on Schedule "26C".
2. Schedule "26C" to the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006, is hereby amended by changing the zone symbol of Part Lot 61, Concession 1 SDR, former Township of Bentinck, Municipality of West Grey from the Rural (A2) Zone to the Rural Exception (A2-266) Zone, as shown on Schedule "26C" attached to and forming part of this by-law.
3. Section 35 to By-law No. 37-2006 is hereby further amended by adding the following subsections:

**A2-266 (see Schedule 26C)**

Notwithstanding Section 6.14 b) and Appendix A of By-law No. 37-2006, as amended, an automotive sales and service establishment shall be permitted on those lands zoned A2-266 in accordance with the provisions of Section 6.14. In no instance shall the number of automobiles parked on the property exceed six, not including the owner's personal vehicle(s). The Minimum Distance Separation requirement shall be 90 metres. The hours of operation of the automotive sales and service establishment shall be Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.; and Saturdays, from 8:00 a.m. to 12 noon.

Notwithstanding subsection 9.2.4 d), the minimum interior side yard setback of the existing accessory structure (shop) shall be 2.1 metres; and notwithstanding subsection 6.1.2. c), the existing accessory structure (shop) shall be permitted in the front yard.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2009.**

**Read a third time and finally passed this 19<sup>th</sup> day of January, 2009.**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**CAO/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 2- 2009 on the 19<sup>th</sup> day of January, 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 10<sup>th</sup> day of February, 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.

**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.

A person or public body that did not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey with regard to the Zoning By-law Amendment prior to the Amendment being adopted is not entitled to appeal the Zoning By-law Amendment. Also, a person or public body that did not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey with regard to the Zoning By-law Amendment prior to the Amendment being adopted 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 21<sup>st</sup> day of January, 2009.**

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**EXPLANATORY NOTE**

The By-law applies to lands described as Part Lot 61, Concession 1 SDR, Part 2, RP16R-7261, former Township of Bentinck, Municipality of West Grey.

The purpose of the proposed Zoning By-law Amendment is to amend the Rural (A2) zoning of the subject lands to permit an automotive service and repair establishment in accordance with the home industry provisions of the Zoning By-law. The Amendment will restrict the number of automobiles permitted on site to six, not including the owner's personal vehicles; establish hours of operation for the proposed automotive service and repair establishment use; reduce the required Minimum Distance Separation (MDS) that currently exists between the subject property and an adjacent barn; recognize the existing interior side yard setback of the accessory structure (shop); and recognize the front yard location of the existing accessory structure (shop).

The lands subject to the proposed amendment are designated 'Rural' on Schedule A to the County of Grey Official Plan.

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