

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY

BY-LAW NUMBER 37 - 2011

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 a portion of the lands described as Part of Lots 16 and 17, Concession 2 NDR and Part of Lots 17, 18, 19 and 20, Concession 1 NDR, Geographic Township of Glenelg, Municipality of West Grey, and shown more particularly on Schedule "20E".
2. Schedule "20" to the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006 is hereby amended by rezoning lands described as Part of Lots 16 and 17, Concession 2 NDR and Part of Lots 17, 18, 19 and 20, Concession 1 NDR, Geographic Township of Glenelg, Municipality of West Grey from the Rural (A2) Zone and the Rural Exception (A2-181) Zone to the Extractive Industrial (M4-h) Zone, as shown on Schedule "20E", attached to and forming part of this by-law.
3. The "h" (holding) suffix attached to the 'M4' zone shall be removed in accordance with Section 36 of The Planning Act, R.S.O. 1990 once the Municipality has signed the Development Agreement.
4. THAT this by-law will not come into force and effect until Amendment No. 99 to the County of Grey Official Plan is in force and effect or until Amendment No. 80 to the County of Grey Official Plan is in force and effect and renders Amendment No. 99 unnecessary.
5. 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.

Read a first and second time this _____ day of _____, 2011.

Read a third time and finally passed this _____ day of _____, 2011.

Kevin Eccles, Mayor

Christine Robinson, CAO

NOTICE OF REFUSAL 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 refused a By-law to amend the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006, as amended, by By-law No. 37-2011, on the 16th day of May, 2011, under Section 34 of the Planning Act R.S.O. 1990, as amended.

AND TAKE NOTICE that Council's refusal of 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 8th day of June, 2011, a notice of appeal setting out the objection to the decision on 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 the refusal of the 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, corporation or public body that did not make oral submissions at the public meeting or make a written submission to the Municipality of West Grey with regard to the Zoning By-law Amendment prior to the Amendment being refused is not entitled to appeal the refusal. Also, a person, corporation or public body that did not make oral submissions at a public meeting or make a written submission to the Municipality of West Grey with regard to the Zoning By-law Amendment prior to the Amendment being refused 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 refused By-law, describing the lands to which the refused By-law applies, and a Key Map showing the location of the lands to which the refused By-law applies are attached.

DATED AT THE MUNICIPALITY OF WEST GREY

This 19th day of May, 2011.

Mark Turner, Clerk
Municipality of West Grey
402813 Grey Road 4
R.R. 2, Durham
Ontario, NOG 1R0
Ph: (519) 369-2200
Fax: (519) 369-5962

EXPLANATORY NOTE

The refused By-law applies only to those lands described as Part of Lots 16 and 17, Concession 2 NDR and Part of Lots 17, 18, 19 and 20, Concession 1 NDR, Geographic Township of Glenelg, Municipality of West Grey.

The purpose of this refused By-law was to rezone the subject lands from the Rural (A2) Zone and the Rural Exception (A2-181) Zone to the Extractive Industrial (M4-h) Zone to permit the operation of a licensed gravel pit, with a "h" (holding) suffix attached to the 'M4' zone, having the effect of prohibiting the licensed pit on the subject property temporarily. The "h" was proposed to be removed in accordance with Section 36 of The Planning Act, R.S.O. 1990 once the Municipality signed the Development Agreement.