

The Corporation Of The Municipality Of West Grey
By-Law Number 8 - 2017

Being a By-law to further 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. The Table of Contents of By-law No. 37-2006 is hereby amended by adding "6.35.3 Shipping Containers".
2. The Definition Index of Section 5 of By-law No. 27-2006 is hereby amended by adding "Shipping Containers".
3. The Definitions of Section 5 of By-law No. 27-2006 is hereby amended by adding:

5.232.1 SHIPPING CONTAINER, means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal freight containers (sea containers), body of transport trailer or straight truck box, but does not include a motor vehicle.

4. Section 6.35.2 of By-law No. 37-2006 is hereby amended by deleting the ninth bullet point and replacing it with following:
 - An abandoned vehicle used for the storage of goods or materials;
5. Section 6.35 of By-law No. 37-2006 is hereby amended by adding the following to Section 6.35:

6.35.3 SHIPPING CONTAINERS

Shipping containers shall also be prohibited except in accordance with the following instances:

- a) Shipping containers shall be permitted in the: A1, A2 and A3 zones provided the lot comprises more than 2.0 hectares of land; C2 zone; C4 zone; C6 zone; MU1 zone; M1 zone; M2 zone; M3 zone; M4 zone; and I zone;
- b) Shipping containers shall only be permitted as an accessory use to a permitted use where a principal building exists;
- c) Shipping containers shall be treated as an accessory building, and shall comply with the requirements of the Ontario Building Code and require a Building Permit.

- d) Shipping containers shall be located on a property in accordance with Section 6.1.2 and 6.1.4;
- e) Shipping containers shall not be located in a required parking area or required landscaping area;
- f) Shipping containers shall be screened from all properties zoned R1A, R1B, R3 and ER that are adjacent to or within 50 metres of the property;
- g) Shipping containers shall only be permitted for the use of accessory storage and shall not be used for human habitation, display, screening or fencing.
- h) The maximum number of shipping containers on a property shall be limited to two;
- i) Shipping containers shall not exceed a height of 3 metres and a length of 12 metres, and shall not be stacked on top of each other; and,
- j) Shipping containers shall be of a condition free from rust, peeling paint and any other form of visible deterioration;

6. Section 18.2 of By-law No. 37-2006 is hereby amended by adding the following:

18.2.9 ACCESSORY RESIDENTIAL USE

A permitted commercial use or building may contain one accessory residential dwelling units subject to the following:

- a) The accessory residential dwelling unit shall be located above or to the rear of the main commercial use.
- b) The accessory residential dwelling unit shall not occupy any more than fifty percent (50%) of the ground floor area of a main commercial use.
- c) The accessory residential dwelling unit shall have a minimum floor area of 50 m² (538.2 ft²).
- d) The accessory residential unit shall be provided with a minimum of one off-street parking space which is on the same lot as the accessory residential unit.

7. Section 25.1 of By-law No. 37-2006 is hereby amended by adding the following:

- Warehouse.

8. Section 35 of By-law No. 37-2006 is hereby amended by adding the following:

M2-364 (See Schedule 55I)

Notwithstanding 25.1 of By-law No. 37-2006 to the contrary, the lands zoned 'M2-364' shall be used in accordance with the M2' zone provisions excepting however that a detached dwelling shall also be permitted.

C2-365 (See Schedule 55I)

Notwithstanding 18.1 of By-law No. 37-2006 to the contrary, the lands zoned 'C2-365' shall be used in accordance with the C2' zone provisions excepting however that a shopping centre including a retail store(s) shall also be permitted.

9. By-law No. 37-2006 is hereby amended by amending the schedules as shown on the attached Schedules 4E, 7C, 12G, 27E, 33D and 55I.
10. 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 6th day of February, 2017.

Read a third time and finally passed this 6th day of February, 2017.

(Signed)
Kevin Eccles, Mayor

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

NOTICE OF A PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT
IN THE MUNICIPALITY OF WEST GREY

TAKE NOTICE that the Council of the Corporation of the Municipality of West Grey will hold a Public Meeting on January 16th, 2017, at 1:05 p.m., in the Municipal Council Chambers at 402813 Grey Rd. #4 to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act R.S.O. 1990, as amended.

The purpose of this Amendment is to update the Zoning By-law for the Municipality of West Grey by correcting a few errors and omissions that have been detected since the By-law was adopted in 2006 and to make other changes to the By-law including the addition of provisions for the placement of "shipping containers" in certain zones.

ANY PERSON may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the bylaw is passed, the person 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 or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of West Grey before the bylaw is passed, the person 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.

ADDITIONAL information relating to the proposed Zoning By-law Amendment may be obtained by contacting the undersigned during regular business hours.

DATED AT THE MUNICIPALITY OF WEST GREY
This 23rd day of December, 2016.

Mark Turner, AMCT, Deputy Clerk
Municipality of West Grey,
402813 Grey Rd. 4, RR 2,
DURHAM, Ontario, N0G 1R0
Ph: (519) 369-2200; Fax: (519) 369-
5962

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 8-2017 on the 6th day of February, 2017, 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 8th day of March, 2017, 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, R.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, 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 nor can that person, corporation or public 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.

Please be advised that all written and oral submissions received regarding this application were considered, the effect of which helped make an informed recommendation and decision.

An explanation of the purpose and effect of the By-law describing the lands to which the By-law applies is provided below. The complete By-law is available for inspection in my office during regular business hours.

Dated at the Municipality of West Grey
This 16th day of February, 2017.

Mark Turner, Clerk
Municipality of West Grey
402813 Grey Rd. 4, RR 2,
DURHAM, ON N0G 1R0
Ph: (519) 369-2200
Fax: (519) 369-5962

Explanatory Note

The purpose of this Amendment is to update the Zoning By-law for the Municipality of West Grey by correcting a few errors and omissions that have been detected since the By-law was adopted in 2006 and to make other changes to the By-law including the addition of provisions for the placement of "shipping containers" in certain zones.

The Council of the Municipality of West Grey has adopted this By-law and is now circulating it in accordance with Provincial Regulations. Please be advised that all written and oral submissions received regarding this application were considered, the effect of which helped make an informed recommendation and decision.