

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

**BY-LAW NUMBER 42 - 2013**

**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. By-law No. 37-2006 is hereby amended by affecting the lands described as Part Lots 1 and 2, Concession 13, Geographic Township of Normanby, Municipality of West Grey and shown as “subject lands” on Schedule “59H”.
2. Schedule “59” to By-law No. 37-2006 is hereby amended by changing the zone symbol on the subject property from the Future Development (FD) Zone, Natural Environment (NE) Zone and Flood Way (FL) Zone to the Residential (R2) Zone, Residential Exception (R2-316-h), Future Development (FD) Zone, Natural Environment (NE) Zone, Natural Environment Exception (NE-317) Zone and Flood Way (FL) Zone as shown on Schedule “59H” as affixed hereto.
3. Section 35 to By-law No. 37-2006 is hereby amended by adding the following subsections:

35.316

Notwithstanding Subsections 13.2.1 or 6.20 of By-law No. 37-2006 to the contrary, on those lands zoned Residential Exception (R2-316) development shall occur in accordance with the Residential (R2) Zone excepting however that:

- (i) FRONT YARD, Minimum: 6 m (19.6 feet);
- (ii) Section 6.20.1 shall not apply.

35.317

Notwithstanding Subsection 31.2 of By-law No. 37-2006 to the contrary, on those lands zoned Natural Environment Exception (NE-317) an accessory building shall be permitted in accordance with the accessory building provisions of the Residential (R2) Zone provided:

- (i) such accessory building is non-habitable and portable;
- (ii) the building comprises a maximum floor area of 10 square metres (107 square feet); and,
- (iii) the building is situated within 3 metres (10 feet) of the Residential Exception (R2-316) Zone.

No other buildings or structures or any sort including decks and swimming pools shall be permitted within the Natural Environment Exception (NE-317) Zone.

4. In accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1990, the holding symbol “h” shall not be removed from the whole or part of the lands until such time as the Ministry of Natural Resources has provided confirmation to the Municipality that it is satisfied with the setback from the meander belt of Meux Creek.

5. Schedule "59H" and all other notations thereon are hereby declared to form part of this By-law.
  
6. 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 and subject to the Municipality of West Grey Official Plan or amendments thereto specific to the subject property coming into effect..

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**Read a first and second time this 6<sup>th</sup> day of May, 2013.**

**Read a third time and finally passed this 21st day of May, 2013.**

**(SIGNED)**  
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**Kevin Eccles, Mayor**

**(SIGNED)**  
\_\_\_\_\_  
**Christine Robinson, CAO**

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 Number 42 - 2013 on the 21<sup>st</sup> day of May, 2013, 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 12<sup>th</sup> day of June, 2013, 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, and a Key Map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in my office during regular business hours.

**DATED AT THE MUNICIPALITY OF WEST GREY**  
**This 23<sup>rd</sup> day of May, 2013.**

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**

This By-law applies only to those lands described as Part Lots 1 and 2, Concession 13, Geographic Township of Normanby, Municipality of West Grey, as shown on Schedule 59H affixed hereto.

The purpose of this By-law is to rezone certain lands as required to facilitate a Plan of Subdivision comprising of detached dwellings and townhouses. The proposed By-law would rezone the subject property from the Future Development (FD) Zone, Natural Environment (NE) Zone and Flood Way (FL) Zone to the Residential (R2) Zone, Residential Exception (R2-316-h), Future Development (FD) Zone, Natural Environment (NE) Zone, Natural Environment Exception (NE-317) Zone and Flood Way (FL) Zone as shown on Schedule "59H" as affixed hereto.

The subject lands are designated 'Residential' and 'Hazard Lands'.

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