

**CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA**

**BY-LAW NUMBER 9 - 2015**

**A BY-LAW TO AMEND BY-LAW 60-2004, AS AMENDED**

**WHEREAS** the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Sections 34 and 36 of the Planning Act, 1990, as amended;

**AND WHEREAS** the Township of East Garafraxa has initiated an application for the lands described as Concession B, Part of East and West Lots 6 and 7 to amend By-law No. 60-2004, as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

1. Schedule "A" to By-Law 60-2004, as amended is further amended by rezoning the lands described as Concession B, Part of East and West Lots 6 and 7 identified on Schedule "A" to this By-Law from Rural (RU) Zone to Business Park Exception Three (H) [BP-3 (H)] Zone.
2. Section 4.8.3 Exceptions Business Park of Zoning By-Law 60-2004 as amended is further amended by adding the following as Section 4.8.3.3:
  - 4.8.3.3 Notwithstanding anything else to the contrary in Zoning By-law 60-2004 as amended, the following Holding Provision applies to the Business Park Exception Three (BP-3) Zone in this By-law:

**HOLDING PROVISION**

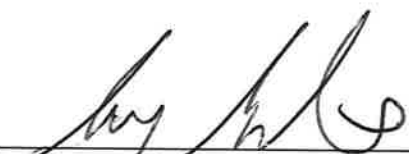
- i) A Holding (H) Provision is hereby established and identified on Schedule 'A' attached hereto, by the letter "H" in parentheses following a zoning symbol established in this By-law.
- ii) Where a zoning symbol is followed by the letter "H" in parentheses, the provisions of the By-law applicable to the zone symbol shall apply only upon the removal of the letter "H" by an Amending By-law as approved by Council in accordance with the provisions of Section 36 of the Planning Act.
- iii) Until the removal of the letter "H", no land, building or structure shall be used for any purpose other than that for which it was lawfully used prior to the passing of this By-law with the exception of a use by a public authority or agricultural uses. No new buildings or structures or extensions or enlargements to existing buildings or structures will be permitted while a Holding (H) Provision is in effect. The installation or maintenance of a watermain, well, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telephone line or associated tower or transformer, together with installations or structures appurtenant thereto are permitted prior to the removal of the letter "H", provided that such matters are installed or maintained in accordance with an Agreement between the Owner and the Township.
- iv) The Holding (H) Provision may be lifted in whole or in part and shall only be lifted when the Township of East Garafraxa is satisfied that the following items have been addressed:
  - a) That the Owner has entered into a Development Agreement with the Township of East Garafraxa;

- a) That the Owner has entered into a Development Agreement with the Township of East Garafraxa;
  - b) The appropriate sanitary services and water supply have been approved to service the land;
  - c) The required permits from all other approval agencies have been issued;
  - d) Where the lands are affected by adverse environmental or other constraints and those constraints have been resolved to the satisfaction of Township Council;
  - e) Where development of the lands may impose adverse financial impacts on the Township and those impacts have been resolved to the satisfaction of Council;
  - f) That the permitted use does not result in a significant groundwater threat or alternatively that a Risk Management Plan has been approved.
3. The use of process water as part of the permitted uses is prohibited.
4. This By-law shall take effect from the date of final passing thereof, provided no appeal has been filed pursuant to Section 34, Subsection (19) of the Planning Act, 1990, as amended. Where an appeal(s) to the By-law is received in accordance with provisions of the Planning Act, the By-law shall come into effect upon approval of the Ontario Municipal Board.

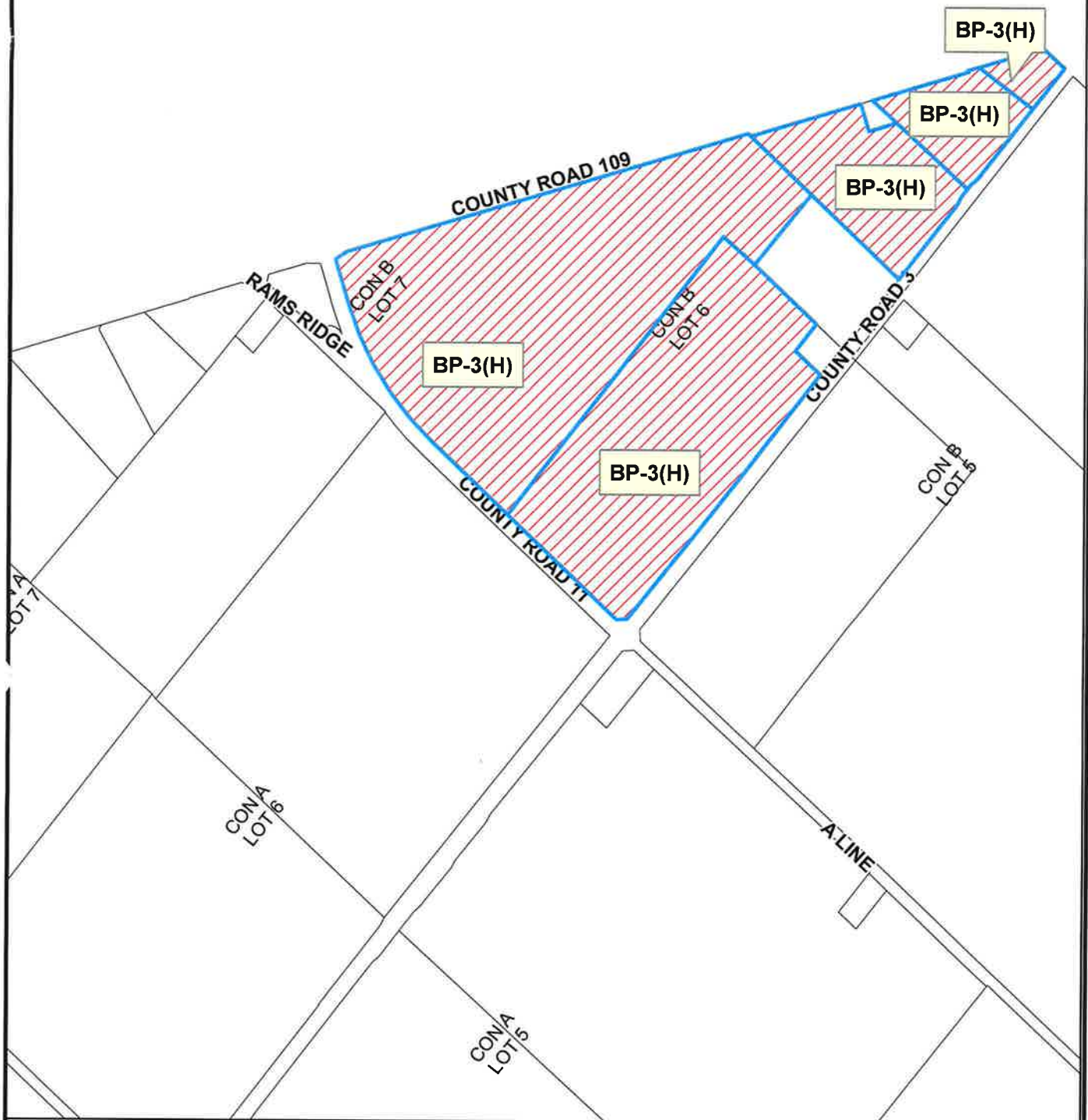
BY-LAW READ A FIRST AND SECOND TIME THIS 10<sup>th</sup> DAY OF MARCH 2015.

BY-LAW READ A THIRD TIME AND PASSED THIS 10<sup>th</sup> DAY OF MARCH 2015.

  
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Susan M. Stone. CAO/Clerk

  
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Guy Gardheuse, Mayor

Subject Lands to be rezoned from Rural [RU] Zone to Business Park Exception Three Holding [BP-3(H)] Zone



**TOWNSHIP OF EAST GARAFRAXA ZONING BY-LAW**

SCHEDULE 'A' TO ZONING BY-LAW 9- 2015  
A by-law to amend Zoning By-law 60-2004

