

The Corporation of The Township of East Garafraxa

By-law Number 42-2021

Being a By-law to further amend Zoning By-law 60-2004 as amended to permit an agriculture-related transportation depot including a motor repair garage, agricultural uses and accessory uses including two accessory detached dwelling units for property location 152457 County Road 5, Concession 13, West Part, Lot 18, RP 7R1579 Part 1 and 7R4339 Part 1

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 Council of the Corporation of the Township of East Garafraxa has, pursuant to Section 34 (17) of the Planning Act, R.S.O. 1990, as amended, considered whether further notice is to be given with respect to the By-law prior to the passing thereof and has determined that the By-law hereinafter set out substantially implements the proposal presented at the public meeting with respect to the subject lands held on the 9th day of September, 2020 and that no further public meeting is necessary.

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

1. THAT Schedule "A" to Zoning By-law 60-2004, as amended, is further amended by changing the Zone classification with respect to certain lands described as 152457 County Road 5, located in Concession 13, West Part, Lot 18, RP 7R1579 Part 1 and 7R4339 Part 1 in the Township of East Garafraxa from the "General Commercial Exception Three (CG-3) Zone", to the "General Commercial Exception Three – Holding (CG-3-H) Zone" which CG-3-H Zone and classification is hereinafter defined, in accordance with Schedule "A" attached hereto and by reference forming part of this By-law."
2. THAT Section 4.6.3 entitled "Exceptions" of Zoning By-law No. 60-2004, as amended, is hereby further amended by the addition of the underlined words and symbols:

"4.6.3.3 General Commercial Exception Three - Holding (CG-3-H) Zone

(Concession 13, West Part, Lot 18, RP 7R1579 Part 1 and 7R4339 Part 1)

Notwithstanding the provisions of the General Commercial Zone to the contrary, on lands zoned General Commercial Exception Three-Holding (CG-3-H) Zone, an accessory dwelling, including a separate building or structure which is used as a dwelling, is permitted in an accessory building existing as of January 26, 2021 with a maximum size of 95 square metres.

In addition to the permitted accessory dwelling in an accessory building existing as of January 26, 2021, the only permitted uses shall be:

- i) an agriculture-related transportation depot with a parking area/main yard with a maximum surface area of 11149 square metres for the storage of truck tractor units and trailers, excluding any access driveway, and accessory uses located in non-residential buildings and structures existing as of July 20, 2021 limited to:
 - a) a motor repair garage,
 - b) a business and/or administrative office,
 - c) meeting facilities for uses such as safety and training; and,
 - d) other uses accessory to the agriculture-related transportation depot use such as storage and a workshop.
- ii) a single detached dwelling legally existing as of July 20, 2021; and,
- iii) agricultural use

The regulations of Section 4.6.2 shall be applicable to the lands in the CG-3 -H Zone.

Notwithstanding any other provisions of this subsection a Holding Provision in accordance with Section 2.6 of this By-law shall be applicable to the CG-3-H Zone and only the existing legal uses as of January 26, 2021 shall be permitted until the Holding (H) symbol is removed by amendment to this By-law. Council of the Corporation of the Township of East Garafraxa shall not remove the Holding (H) Symbol from the CG-3-H Zone until a Site Plan and other required documentation have been completed and approved by the Township. The Site Plan shall reflect the zoning and address the location of buildings, structures, parking and landscaping and other related matters to ensure any impacts are minimized on adjacent uses and that the development can be well integrated into the surrounding rural area."

3. This by-law shall take effect from the date of final passing thereof, providing no appeal has been filed pursuant to Section 34, Subsection (19) of the Planning Act 1990, as amended.

BY-LAW READ A FIRST AND SECOND TIME THIS 20th DAY OF JULY, 2021.

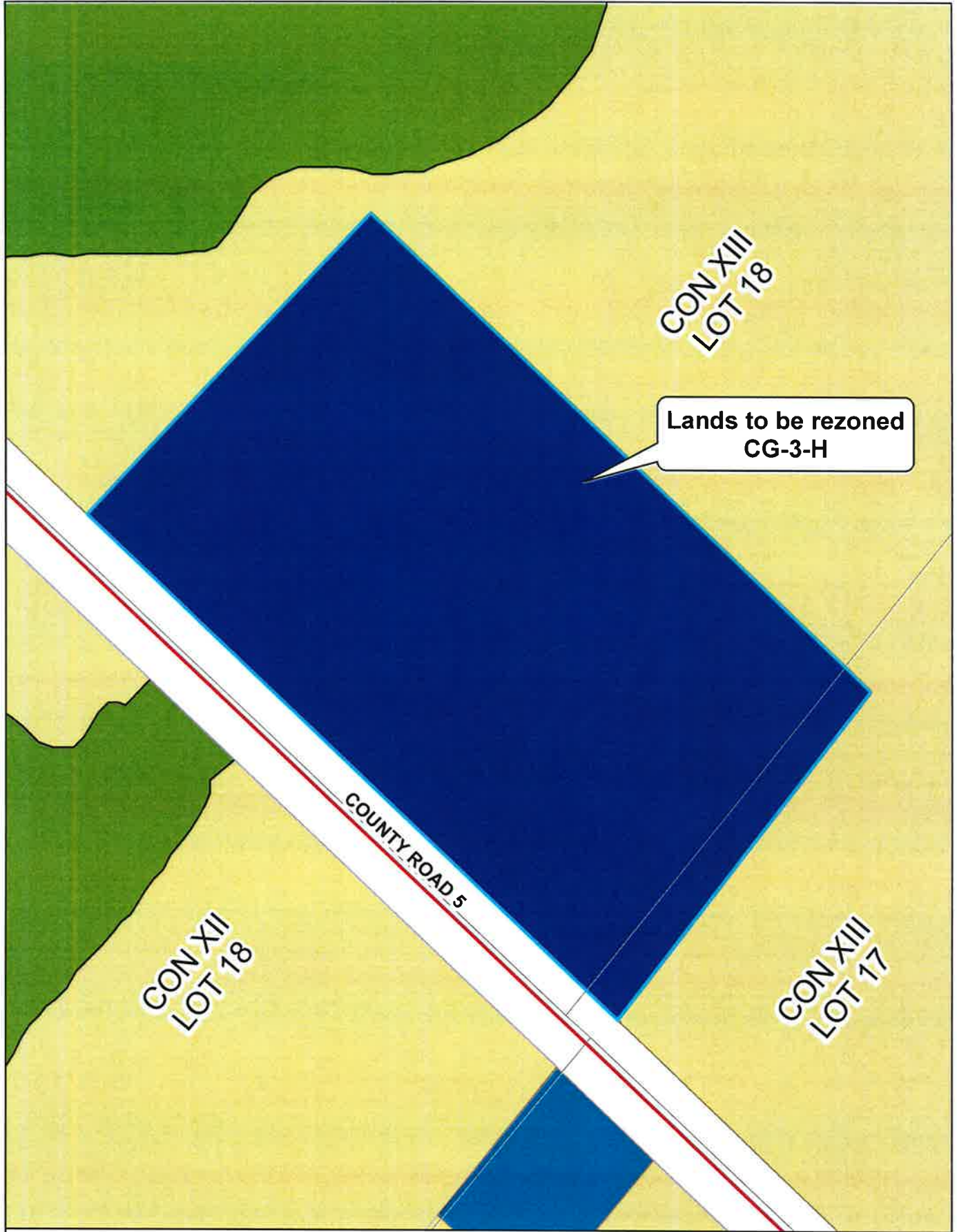
BY-LAW READ A THIRD TIME AND PASSED THIS 20th DAY OF JULY, 2021.

CLERK



HEAD OF COUNCIL





TOWNSHIP OF EAST GARAFRAXA ZONING BY-LAW



SCHEDULE 'A' TO ZONING BY-LAW 42-2021 Being a By-Law to amend Zoning By-Law 60-2004 as amended