

The Corporation of the Town of The Blue Mountains

BY-LAW No. 2020-81

BEING A BY-LAW UNDER THE PROVISIONS OF SECTIONS 24(2), 34 AND 36 OF THE
PLANNING ACT, R.S.O 1990, C. P. 13, AS AMENDED

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. p.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas,

AND WHEREAS Section 24(2) of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law that does not conform with the Official Plan but will conform with it when an amendment to the Official Plan comes into effect;

AND WHEREAS The Town of The Blue Mountains Zoning By-law No. 83-40 (Township of Collingwood) is the governing By-law of the Corporation of the Town of The Blue Mountains and such was finally passed by the Council of the former Township of Collingwood on the 15th of October 1984;

AND WHEREAS the Council of the Corporation of the Town of The Blue Mountains has deemed it advisable to amend the Town of The Blue Mountains Zoning By-law No. 83-40 (Township of Collingwood), as amended, and thus implement the Official Plan of the Town of The Blue Mountains;

AND WHEREAS this by-law will come into effect once Official Plan Amendment No. 2 comes into effect;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held May 16, 2016, and that a further meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. **THAT** Map A and Map No. 18 of the Town of The Blue Mountains Zoning By-law No. 83-40, (Township of Collingwood), as amended, is hereby further amended, in accordance with Schedule 'A' attached hereto, by rezoning a portion of the said lands known as Part of Lot 6, RP 16R-9097 Part 1, Concession 4 (formerly the Township of Collingwood),

in the Town of The Blue Mountains from the GENERAL RURAL EXCEPTION (A1-209) ZONE to the EXTRACTIVE INDUSTRIAL (M4) ZONE and from the GENERAL RURAL EXCEPTION (A1-209) ZONE TO THE GENERAL RURAL EXCEPTION (A1-291) - HOLDING (H) ZONE;

2. **THAT** Section 8 (General Rural (A1) Zones) of By-law No. 83-40, as amended, is hereby further amended by adding a new subsection, which shall read as follows:

(1) General Rural Exception (A1-291) Zone

No person shall within the General Rural Exception (A1-291) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

8.1 Permitted Uses

- a) One single detached dwelling on one lot;
- b) Home occupation;
- c) Reforestation;
- d) Conservation;
- e) berm as a buffer from adjacent industrial extractive uses; and,
- f) Uses, buildings and structures accessory to any of the permitted uses;

8.2 Regulations for Uses in Subsection 8.1

All of the provisions and regulations of the General Rural (A1) Zone shall apply.

3. **THAT** the Holding (H) symbol on the General Rural Exception (A1-291) – Holding Zone shall be removed by Council by a By-law passed under Section 36 of the *Planning Act*, R.S.O. 1990, as amended, only at such time as:
- (1) All industrial extractive uses within the abutting Extractive Industrial (M4) Zone have ceased in their use and the Ministry of Natural Resources and Forestry (MNRF) has accepted the surrender of the Aggregate Resources Act (ARA) licence.
4. **THAT** where a zone symbol on Schedule A is followed by a Holding symbol (H), holding provisions under Section 36 of the *Planning Act* are in effect. The permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the Holding symbol (H) is removed in accordance with the provisions of Section 36 of the *Planning Act*. Prior to the removal of the Holding symbol (H), only existing Agriculture

uses, a berm as a buffer from adjacent industrial extractive uses, and the promotion of Reforestation and Conservation uses shall be permitted as of the date of the imposition of the holding provision.

5. **THAT** Schedule "A" is declared to form part of this By-law.

THAT this By-law shall come into force and effect on the date it is approved by the Local Planning Appeal Tribunal, subject to Official Plan Amendment No. 2 coming into force pursuant to Section 24(2) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

Gibraltar Pit Expansion

Roll# 424200000408412




Approved by Local Planning Appeal Tribunal Case and File#: PL180555 dated September 8, 2020.

Town of The Blue Mountains

Schedule A-1, 2020

By-Law No. 2020-81

Legend

-  Subject Lands of this Amendment
-  Area To Be rezoned from the 'General Rural-Exception 209' (A1-209) Zone to the 'Extractive Industrial' (M4) Zone
-  Area To Be rezoned from the 'General Rural-Exception 209' (A1-209) Zone to the 'General Rural-Exception 291' Holding (A1-291-H) Zone

