

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

BY-LAW NO. 13-14

A BY-LAW TO AMEND ZONING BY-LAW NO. 03-57, AS AMENDED OF THE TOWNSHIP OF ADJALA-TOSORONTIO REZONE CERTAIN LANDS ALONG BOTH NORTH AND SOUTH SIDES OF HIGHWAY 89 BETWEEN COUNTY ROAD #50 AND THE LANDS BORDERING THE TOWN OF NEW TECUMSETH SITUATED AT LOT 32 CONCESSIONS 6 & 7 IN THE FORMER TOWNSHIP OF ADJALA AND PART OF LOT 1 CONCESSIONS 6 & 7 IN THE FORMER TOWNSHIP OF TOSORONTIO FOR THE PURPOSES OF IMPLEMENTING AN EMPLOYMENT CORRIDOR

WHEREAS Zoning By-law No. 03-57, as amended, constitutes the comprehensive Zoning By-law for the Township of Adjala-Tosorontio save and except those lands within the Oak Ridges Moraine area and regulates the use of lands and the character, location and the use of buildings and structures within the Township of Adjala-Tosorontio;

AND WHEREAS it is deemed necessary and desirable to further amend By-law No. 03-57, as amended by rezoning the lands described above from their existing zone to the Employment (E) Zone;

AND WHEREAS authority to pass this By-law is provided pursuant to Section 34 of the Planning Act, R.S.O. 1990 c.P. 13, as amended;

AND WHEREAS this By-law amendment will conform to the Official Plan of the Township of Adjala-Tosorontio;

NOW THEREFORE the Council of the Corporation of the Township of Adjala-Tosorontio enacts as follows:

1. **THAT** Schedule "B-8" to By-law 03-57, as amended, is hereby further amended by changing the zoning of Lot 32 Concession 6 and Lot 32 Concession 7 in the former Adjala Township and in Part of Lot 1 Concession 6 and Part of Lot 1 Concession 7 in the former Tosorontio Township from Agriculture (A) Zone, General Commercial (C1) Zone, General Commercial Exceptions 1, 4, and 7 (C1-1, C1-4, C1-7), Highway Service Commercial (C2) Zone, Institutional (I) Zone, Hamlet Residential (HR1) Zone, Hamlet Residential Exceptions 10, 11, and 13 (HR1-10, HR1-11, HR1-13), Estate Residential Zone, General Industrial (M1) Zone, and General Industrial Exceptions 1, 4, and 9 (M1-1, M1-4, M1-9) Zone to Employment (E) Zone, subzone E1, E1 Exceptions (E1-1, E1-2, E1-3) Zone, E-1Hold (E1(H-1)) Zone, subzone E2, E2 Exception E2-1) Zone and E-2 Hold (E2(H-1)) on Schedule "A", attached hereto.
2. **THAT** Section 2 Definitions, of By-law 03-57, as amended, is hereby further amended by adding the following:

"2.4 a) Agricultural Supply Outlet shall mean wholesale sales and/or service of agricultural-related products in support of the farming community."

"2.5 a) Animal Hospital or Veterinary Clinic shall mean an office use for the temporary accommodation, care and impoundment of animals within an enclosed building but does not include a kennel."

"2.7 a) Auction Facility shall mean the premises used for the sale of items in which the price is determined through bidding and may include a staging area for large items on the day of the sale."

“2.30 a) Dry Use means a use which uses water for domestic purposes only and results only in the production of domestic sewage. Domestic Sewage includes waste from toilet, kitchen, shower and sink waste from offices, factories, institutions, retail or other similar places of employment and restaurants and banquet halls. Domestic sewage does not include chemical or industrial plant effluent that is used in the manufacturing, fabricating, production or assembly processes nor waste as a result of the wholesale processing of food (such as canning or meat packing).”

“2.44 a) Greenhouses shall mean a building with a glass or plastic roof used for the growing of flowers, fruit, vegetables, plants, shrubs, trees and similar vegetation for any purpose which may include associated retail of plants, supplies and seasonal items.”

“2.68 a) Machinery and Equipment Sales and Service shall mean the use of any lot, structure or building where new and/or used equipment for agricultural, commercial or construction are stored or displayed for sale, rent or repaired.”

“2.68 b) Manufacturing, fabricating, assembling and/or processing of materials shall mean the creation or assembling of standardized material by skill or labour for the making or treatment of a product but shall not mean an outdoor bulk storage yard used for materials for storage or sale.”

“2.89 a) A Self-Storage Facility shall mean a facility for the temporary storage of household, recreational, commercial or seasonal equipment, vehicles or boats and will generally have a secured storage unit or locker with access by way of a loading door.

3. **THAT** By-law 03-57, as amended, be further amended by adding Section 21 – Employment (E) Zone comprised of subzones E1 and E2. The E1 Zone is comprised of commercial industrial uses and the E2 Zone is comprised of light industrial park uses :

“Section 21 Employment (E) Zone

21.1 Permitted Uses within the Employment Zone are identified on the following Table 1. Permitted uses in a zone are marked with a letter ‘x’ in the column for that zone corresponding with the row for that permitted use.

Within the Employment Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

Zone	E1 Zone	E2 Zone
Agricultural and Related Uses		
An agricultural supply outlet	X	
An animal hospital or veterinary clinic	X	X
A farm produce storage facility	X	
A feed mill	X	X
Greenhouses	X	
A machine or welding shop	X	
Machinery & equipment sales, service and rental establishment	X	
A seed cleaning plant	X	
Automotive and Related Uses		
An automobile service station	X	X
A bus or trucking operation	X	X
A parking lot, parking structure or commuter lot	X	X
A service repair shop	X	X
Servicing, repair, storage and distribution facilities		X
Building Trades and Related Uses		
A contractor or trades shop	X	
A saw mill	X	X
General Industrial and Related Uses		
An auction facility	X	
Manufacturing, fabricating, assembling and/or processing of materials and operations		X
A self storage facility	X	X
A warehouse	X	X
A wholesale establishment	X	X
Existing uses at the time of passage of the By-law	X	X

21.2 Zone Requirements

Within the Employment (E) Zone, no person shall use any lot, or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

Zone	Use	Lot Standard (m)			Yard Standard (m)			
		Frontage (metres)	Area (ha)	Maximum Coverage	Front	Int Side	Ex Side	Rear
E1	Private services	60m	.8	25%	15.0	5.0	15.0	7.5
	Municipal Services	30m	.4	50%	10.0	5.0	10.0	7.5
E2	Private Services	60m	.8	30%	15.0	5.0	15.0	5.0
	Municipal Services	30m	.4	50%	10.0	5.0	10.0	5.0

21.2.1 All development is subject to Ministry of Transportation review and approval within the required MTO setbacks. All development fronting County Road #50 is subject to County of Simcoe review and approval within their required setbacks;

21.2.2 Building Heights shall correspond with provisions set out in Section 3 General Provisions of By-law 03-57.

21.3 Parking and Loading Spaces shall be provided in accordance with Section 3.12 and 3.24 of By-law 35-57, and the following:

21.3.1 All entrances, aisles, loading and parking areas shall be surfaced with a hard surface such as asphalt, concrete or interlock paving stone so as to provide a surface that is durable and dust free.

21.3.2 Parking and loading areas shall not be located between Highway 89 and the closest building exterior. Parking and loading areas located on the interior or exterior side yards shall be effectively screened with suitable landscape material.

21.3.3 Minimum parking requirements for the E1 and E2 zones are set out in Table 2 below. In the event of a conflict with Section 3.24 of Zoning By-law 03-57, the more stringent parking standard shall apply:

.1	Agricultural Supply Outlet, Greenhouse and Self-Storage Facility	1 space per 35m ² (377 ft ²) of total gross floor area with a minimum of 25 spaces
.2	Auction Facility	1 space per 30m ² (323 ft ²) of gross floor space
.3	Automobile Service Station	3 spaces (minimum)
.4	Bus or Trucking Operation	1 parking space per 100m ² (1076 ft ²) of gross floor area or 1.5 spaces per employee per shift, whichever is more stringent
.5	Contractor, Trades Shop including a Welding or Machine Shop	1 parking space per 35m ² (377 ft ²) of gross floor area
.6	Farm Produce Storage Facility, Feed Mill, Saw Mill and Seed Cleaning Plant	1 parking space per 50m ² (538 ft ²) of gross floor area
.7	Veterinary Clinic or Animal Hospital	5 spaces per practitioner
.8	Machinery and Equipment Sales, Rental, Repair and Service Establishment	1 parking space per 19m ² (204.5 ft ²) of gross floor area
.9	Manufacturing, Fabricating, Assembling and/or Processing of Material and Operations	1 parking space per 50m ² (538 ft ²) of gross floor area or 1.5 spaces per employee per shift, whichever is more stringent
.10	Parking Lot or Parking Structure	1.5 spaces per employee
.11	Warehouse or Wholesale Establishment	1 parking space per 100 m ² (1076 ft ²) of gross floor area or 1.5 parking spaces per employee per shift, whichever is more stringent

21.4 Special Provisions

21.4.1 Where development abuts a zone permitting residential uses, either a continuous landscape buffer having a minimum width of 2.0 metre (6.6 feet) or a continuous 2.0 metre (6.6 feet) high tight board fence shall be provided on all common lot lines shall be provided as a minimum treatment.

- 21.4.2 Generally, no outside storage or inventory is to be permitted within any yard located between Highway 89 and the closest building exterior. Outside storage may be permitted through Site Plan so long as visual screening, using a combination of berming, opaque fencing and/or effective landscape treatment, is provided. The maximum height for permitted storage shall not exceed 5 m (16.4 ft).
- 21.4.3 In addition to landscape treatment required under Site Plan approval, a continuous 5.0m landscape buffer shall be provided to the satisfaction of the Township on all lots abutting Highway 89.
- 21.4.4 All development shall provide structures to contain garbage or refuse and be approved under Site Plan Control.
- 21.4.5 All development is subject to Site Plan Control as approved by Council or as delegated. Each site plan shall provide the appropriate Site Plan Layout, Site Grading/Servicing, Landscape and Architectural Plans by their respective qualified professional in accordance with By-law 01-17 as amended.
- 21.4.6 The continuation of existing residential uses are permitted.
- 21.4.7 Site Plan approval shall be subject to the completion and acceptance by the Township of a Market Study if the size of any single use structure proposed within the Employment (E) Zone is greater than 3,252m² (35,000 ft²) in area. The Market Study shall be peer reviewed in accordance with Township Official Plan policies.
- 21.4.8 Uses permitted under the Employment (E) Zone are permitted accessory retail for products created on-site.

21.5 Holding Provisions

- 21.5.1 The Holding provision, indicated by the symbol 'H' preceding a zone classification sets out that a holding by-law is in force and further development is held until Council is satisfied that certain conditions have been met. To remove the holding symbol 'H', it is necessary to amend this Zoning By-law.
- 21.5.2 Where an existing dwelling unit is located on lands subject to the Holding symbol 'H', an addition or alteration to that dwelling is permitted while the holding symbol is in effect. Such addition or alteration shall be undertaken in conformity with the provisions of Employment Lands (E) Zone.
- 21.5.3 Any land that is subject to the Holding symbol 'H' shall maintain its lot area and lot frontage as it existed on the day of passing of this zoning by-law.
- 21.5.4 All lands within the Employment Lands (E) Zone are subject to a Hold (H) provision which may only be considered for removal following the approval and registration of a Site Plan Agreement.

21.5.5 All lands abutting an Open Space Conservation (OSC) Zone or an Open Space Recreation (OSR) Zone will require the preparation and acceptance of Floodplain mapping and/or Meanderbelt or similar studies, as required, to the satisfaction of the Nottawasaga Valley Conservation Authority and the Township of Adjala-Tosorontio prior to the removal of any Hold (H-1).

21.6 Zone Exceptions:

21.6.1 Schedule B-8, Part of the West Part of Lot 32, Concession 7, Highway 89 (Adjala), PIF: 010-003-123-00

Notwithstanding anything to the contrary found in this By-law, the lands zoned E1-1 shall be used for an Ambulance Service and accessory uses in addition to the permitted uses in the E Zone.

All other provisions of the Employment (E) Zone shall apply.

21.6.2 Schedule B-8, Part Lot 1, Concession 7, Tosorontio By-law 91-49, PIF: 020-002-073-00

Notwithstanding anything to the contrary found in this By-law, the lands zoned E1-2 shall be subject to the following provisions:

- i) The minimum lot frontage shall be 20 metres;
- ii) The minimum lot area shall be 800 square metres;
- iii) The minimum lot depth shall be 39 metres;
- iv) The buildings existing on the property on the date of passage of this By-law shall be deemed to comply with the interior side yard and rear setback requirements of the Employment Lands (E) Zone.

All other provisions of the Employment (E) Zone shall apply.

21.6.3 Schedule B-8, Part of the East Half of Lot 1, Concession 6 being Block 16 on Plan 51M-502, 4936 Dean Drive, Tosorontio By-law 00-5, PIF: 020-002-030-16-00

Notwithstanding anything to the contrary found in this By-law, the following provisions shall apply to lands zoned E2-1:

The minimum distance between a light industrial use and any residential use shall be 30 metres.

All other requirements of the Employment (E) Zone shall apply.

21.6.4 Schedule B-8, Part of the West Part Lot 32, Concession 6 (Adjala) PIF: 010-003-086-00

Notwithstanding anything to the contrary found in this By-law, the following provisions shall apply to the lands zoned E1-3:

A ready-mix concrete batching plant and portable asphalt plant shall be permitted uses on this site along with the necessary ancillary uses such as truck storage and outdoor storage of aggregate materials.

All other provisions of the Employment (E) Zoning shall apply.

- 21.7 **THAT** Schedule "A" is hereby declared to form part of this By-law.
- 21.8 **THAT** this By-law shall come into force on the date of passage and take effect the day after the last date for filing a notice of appeal where no notice of appeal is received, or, where a notice of appeal is received, upon the approval of the Ontario Municipal Board, and, in either case, in accordance with the provisions of the Planning Act, R.S.O. 1990, Ch. P.13, as amended.
- 21.9 **THAT**, notwithstanding anything contrary to the rules of procedure, this By-law, having been introduced and read a first and second time this 2nd day of April, 2013.

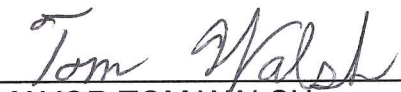


 MAYOR TOM WALSH



 CLERK BARBARA KANE

- 21.10 Read and considered a third time and finally passed this 6th day of May, 2013.












 MAYOR TOM WALSH



 CLERK BARBARA KANE

Schedule 'A' to By-law No. 13-14

TOWNSHIP OF
ADJALA-TOSORONTIO
SCHEDULE 'A'
to BY-LAW No.03-57
Highway 89 Employment Zone

- Zones**
-  Employment (E1) Zone
 -  Employment Hold (E1-(H1)) Zone
 -  Employment (E2) Zone
 -  Employment Hold (E2-(H1)) Zone
 -  Open Space Conservation (OSC) Zone
 -  Open Space Recreation (OSR) Zone
- E1-2 Site Specific Exception Zones**
- Overlays**
-  NVCA Regulated Areas
 -  Streams
 -  Waste Management Site 500m Buffer - see Sec 3.16 By-law 03-56
- Scale: 1:5,000**



THIS IS SCHEDULE 'B8' TO
BY-LAW No. 13-14 PASSED
THE 6th DAY OF May 2013.

Tom Walsh

Mayor Tom Walsh

Barbara Kane

Clerk Barbara Kane