

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

By-Law No. 2019-29

Being a By-law to Amend By-law No. 2011-08

WHEREAS authority is given to the Council of the Corporation of the Township of McGarry by Section 34 of the *Planning Act* to regulate the use of land and the use and erection of buildings and structures within the Township of McGarry;

AND WHEREAS By-law No. 2011-08 regulates the use of land and the use and erection of buildings and structures within the Township of McGarry

AND WHEREAS authority is given to the Council of the Corporation of the Township of McGarry by Section 39 of the *Planning Act* to authorize the temporary use of land, buildings or structures, which is otherwise prohibited by the said By-law;

AND WHEREAS the Council of the Corporation of the Township of McGarry deems it advisable to amend By-law No. 2011-08 as hereinafter set forth;

NOW THEREFORE the Council of the Corporation of the Township of McGarry enacts as follows:

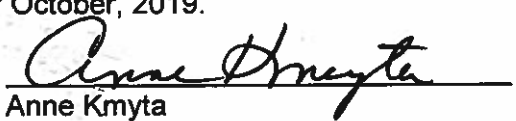
1. The property affected by this By-law is located in Lots 163, 164, and 165, Plan M126TIM; PCLS 2803, 11182, and 10727 SEC CST; 83 and 85 Connell Avenue, Township of McGarry, as indicated by the shaded tone on Schedule 'A' attached hereto and forming part of this By-law.
2. By-law No. 2011-08 is hereby amended as follows:
 - (a) Townsite Map (Schedule A) of By-law No. 2011-08 is hereby amended by rezoning the affected property from General Residential (R1) Zone to the General Residential Exception (R1-1) Zone in accordance with the provisions of this By-law.
 - (b) By-law No. 2011-08, as amended, is hereby further amended by adding the following clause, immediately after Section 5.5.4:
 - (a) General Residential Exception (R1-1) Zone (83 and 85 Connell Avenue)

Notwithstanding the provisions of Sections 4.1.1 c) and 5.5.1 to the contrary, on the land zoned R1-1:
 - (1) an Auto Repair Shop, accessory to a permitted use, shall also be permitted.
 - (2) All lots zoned R1-1 Zone shall be considered a single lot for the purposes of this By-law and shall be used in accordance with the provisions outlined below.
 - (3) The minimum exterior side yard setback for the existing shed adjacent to Colville Street shall be..... 1 m (3.28 ft).
3. This By-law shall come into full force and effect in accordance with the *Planning Act*, R.S.O. 1990.

READ a first and second time this 8th day of October, 2019.

READ a third time and finally passed this 8th day of October, 2019.


Matt Reimer
Mayor


Anne Kmyta
Clerk-Treasurer

**THE CORPORATION OF THE TOWNSHIP OF MCGARRY
NOTICE OF PASSING OF A ZONING BY-LAW AMENDMENT**

**LOTS 163, 164, AND 165, PLAN M126-TIM;
PARCELS 7803, 11182, AND 10727 SEC CST;
83 AND 85 CONNELL AVENUE, VIRGINIATOWN
TOWNSHIP OF MCGARRY**

TAKE NOTICE that the Council of the Corporation of the Township of McGarry passed By-law No. 2019-29 on the 8th day of October, 2019, under Section 34 of the *Planning Act*.

The purpose of the Zoning By-law Amendment is to rezone the property located on Lots 163, 164, and 165, Plan M126TIM; PCLS 2803, 11182, and 10727 SEC CST; 83 and 85 Connell Avenue, Virginiatown, Township of McGarry, from General Residential (R1) zone to General Residential Exception (R1-1) zone in order to permit the existing use of the accessory auto repair shop. The amendment also recognizes a reduced exterior side yard setback for an existing shed.

No written and oral submissions were submitted for Council's consideration prior to passing the By-law.

Take Notice that an individual, corporation or public body may appeal to the Local Planning Appeal Tribunal, by filing a notice of appeal with the clerk of the Township of McGarry not later than the 28th day of October, 2019 (insert date as 20 days after notice is given). The notice of appeal must set out the reasons for the appeal, and must be accompanied by the fee required by the Tribunal.

Take Notice that only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal. 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 the group on its behalf.

And Take Notice that no person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

A copy of the By-law is available for inspection at the Township Office during regular office hours.

DATED at the Township of McGarry this 8th day of October, 2019.

Ms. Anne Kmyta,
Clerk-Treasurer
Township of McGarry
27 Webster Street
Virginiatown, ON P0K 1X0
Tel: 705-634-2145 Ext. 223

ZONING BY-LAW AMENDMENT

**LOTS 163, 164, AND 165, PLAN M126-TIM;
PARCELS 2803, 11182, AND 10727 SEC CST;
83 AND 85 CONNELL AVENUE, VIRGINIATOWN**

Prepared for:

TOWNSHIP OF MCGARRY

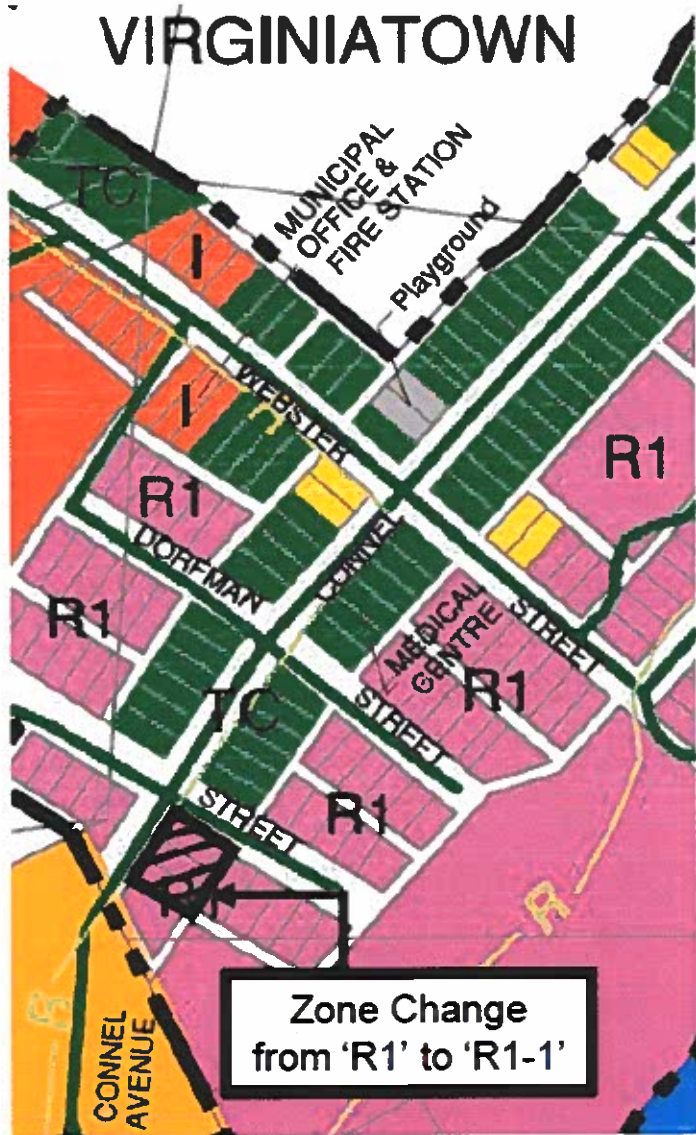
October 2, 2019

J.L. RICHARDS & ASSOCIATES LIMITED
Engineers • Architects • Planners
314 Countryside Drive
Sudbury, Ontario
P3E 6G2

JLR 28717 (01)

EXPLANATORY NOTE

The purpose of this proposed Zoning By-law Amendment is to rezone the property located on Lots 163, 164, and 165, Plan M126TIM; PCLS 2803, 11182, and 10727 SEC CST; 83 and 85 Connell Avenue, Virginiatown, Township of McGarry, from the General Residential (R1) zone to General Residential Exception (R1-1) Zone in order to permit the existing development which includes a residential dwelling and an accessory auto repair shop. The proposed amendment will also recognize a reduced exterior side yard setback for an existing shed.



Area(s) Affected by this By-law

General Residential Exception (R1-1) Zone



Certificate of Authentication

This is Schedule "A" to By-law No. 2019-29
 passed this 24 day of October, 2019

Matthew Heider
 Mayor

Carolyn Hynes
 Clerk

**Schedule "A"
 to By-law No. 2019-29**

Lots 163, 164, and 165, Plan M126TIM; PCLS 2803, 11182,
 and 10727 SEC CST; 83 and 85 Connel Avenue,
 Virginiatown

Township of McGarry

Prepared: October 2, 2019

