

The Corporation of the Municipality of Brockton



By-Law 2021-105

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Being a By-Law to Amend the Municipality of Brockton Comprehensive Zoning By-Law No. 2013-26, as Amended.

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**Whereas** The Council for the Corporation of the Municipality of Brockton deems it expedient to amend By-law 2013-26, as amended, being the Comprehensive Zoning By-Law for the Municipality of Brockton;

**Now Therefore** the Council of the Corporation of the Municipality of Brockton pursuant to Section 34 of the Planning Act, R.S.O. 1990, enacts as follows;

1. That Schedule 'A' to By-Law No. 2013-26, as amended, is hereby further amended by changing the zoning symbol that applies to CON A PT LOT 23 RP 3R7834;PART 1 2 AND 3 WITH ROW (Brant) [203 CARGILL ROAD], Municipality of Brockton, from HC – Hamlet Commercial and EP – Environmental Protection to HC-7-H – Hamlet Commercial Special with Holding and EP – Environmental Protection, attached to and forming part of this By-law.
2. That By-law No. 2013-26, as amended, is hereby further amended by adding the following subsections to Section 11.6 thereof:

Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-7-H' on Schedule 'A' to this By-law shall be used in accordance with the 'HC' Zone provisions contained in this By-law, excepting however, that:

- i) 'Dwelling, Accessory Apartment' shall be a permitted residential use, however this use shall not be permitted until the 'H' Holding provisions are removed, and the 'H' Holding provisions shall only be removed by Council when:
  - (1) It has been demonstrated to the satisfaction of the Municipal Zoning Administrator and the Saugeen Valley Conservation Authority that development and site alteration on the property can occur outside the natural hazards associated with the Teeswater River, or that mitigation can be provided in accordance with provincial standards where appropriate;
  - (2) It has been demonstrated to the satisfaction of the Municipal Zoning Administrator and the Saugeen Valley Conservation Authority that the site has safe access appropriate for the nature of the development and the natural hazards associated with the Teeswater River;
  - (3) It has been demonstrated to the satisfaction of the Municipal Zoning Administrator and the Saugeen Valley Conservation Authority that off-site parking can be provided, and that agreements relating to the provision of parking are in place between the property owner and external landowners to the satisfaction of the Municipal Zoning Administrator; and
  - (4) It has been demonstrated to the satisfaction of the Saugeen Ojibway Nation that an Archaeological Assessment is not required. If an Archaeological Assessment is required, the assessment shall be:
    - (a) Conducted by an archaeologist licensed in the Province of Ontario;

- (b) Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and
  - (c) Confirmed to the satisfaction of the Municipal Zoning Administrator that the recommendations of the Archaeological Assessment (if any) have been implemented; and
- ii) Upon removal of the 'H' Holding provisions per clause i) above, the following provision shall apply:
    - (1) No more than five 'Dwelling, Accessory Apartment' units shall be permitted; and
    - (2) Notwithstanding Section 3.8.1.2, the minimum 'Dwelling' 'floor area, gross' shall be 23 m<sup>2</sup> for a dwelling consisting of a single room; and
  - iii) Buildings and structures existing as of August 10, 2021 which do not comply with the provisions of the By-Law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-Law.
3. That this By-law shall come into force and effect on the final passing thereof by the Council of the Municipality of Brockton, subject to compliance with the provisions of the Planning Act, R.S.O. 1990.
4. This By-law may be cited as the "Zoning Amendment By-law – McKague Z-2021-038".

**Read, Enacted, Signed and Sealed this 10<sup>th</sup> day of August, 2021.**

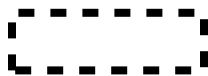
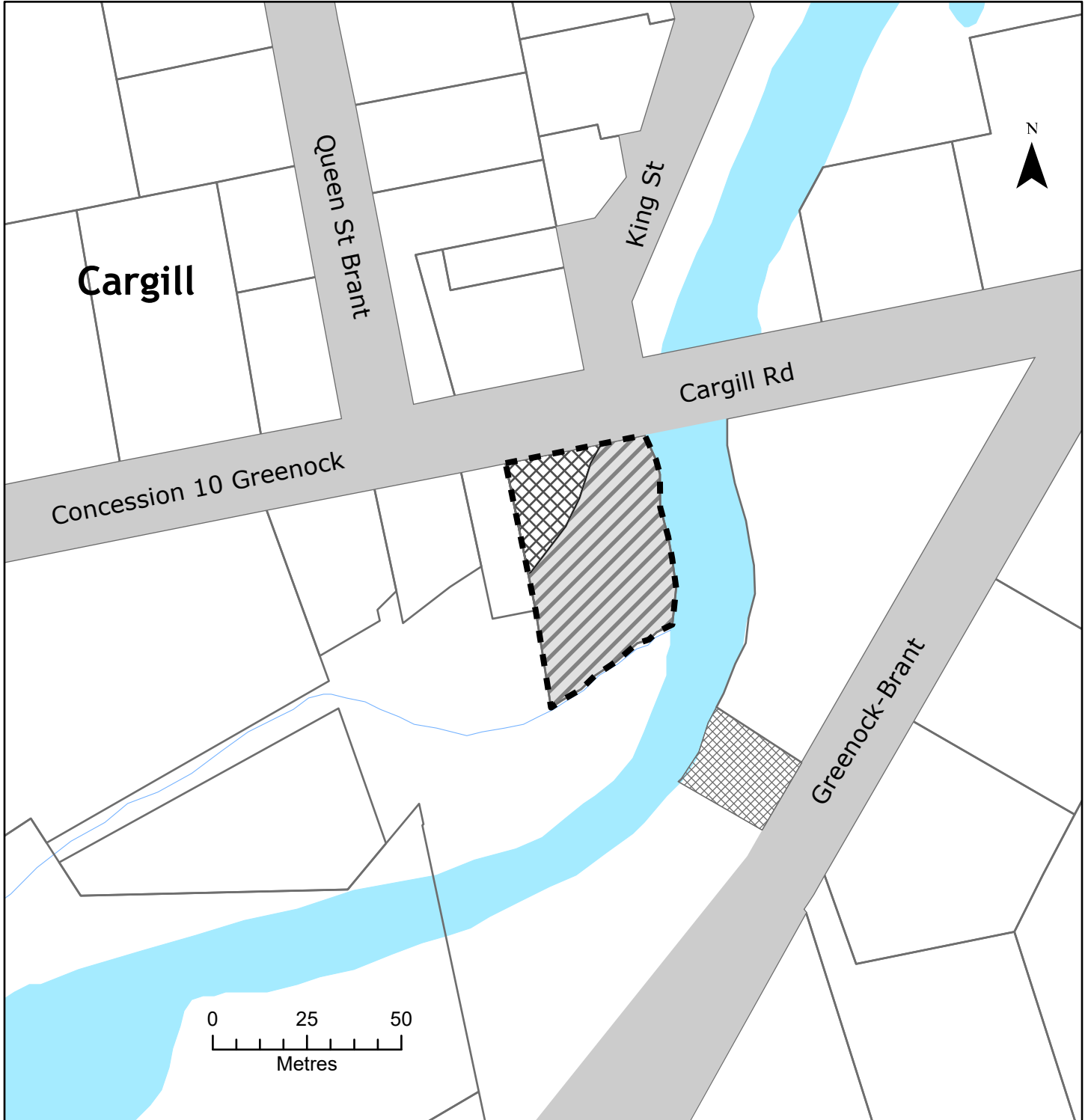
Original Signed By  
Mayor – Chris Peabody

Original Signed By  
Clerk – Fiona Hamilton

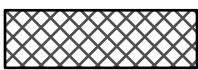
Roll Number 4104-340-004-02600

# Schedule 'A'

203 CARGILL RD - CON A PT LOT 23 RP 3R7834;PART 1 2 & 3 with Row - Roll # 410434000402600  
Municipality of Brockton (geographic Township of Brant)



Subject Property



Lands to be zoned HC-7-H – Hamlet Commercial Special with Holding



Lands zoned EP - Environmental Protection

This is Schedule 'A' to the zoning by-law  
amendment number 2021-105 passed this  
10th day of August 2021

Mayor Original Signed By

Clerk Original Signed By