

## THE CORPORATION OF THE TOWNSHIP OF NORTH

### DUMFRIES BY-LAW NUMBER XXXX-20

Being a By-Law to amend By-Law Number 689-83, as amended, being a Zoning By-law for the Township of North Dumfries;

WHEREAS an application (File XXX) was received from CRH Canada Group Inc. with respect to lands described as Part Lot 21, Concession 10, municipally known as 1662 Alps Road, Township of North Dumfries, Regional Municipality of Waterloo, to amend By-law Number 689-83, to rezone the subject property from the Zone 1 – Rural (Z.1), Zone 1 – Rural Exception 320 to Zone 14 Exception XXX, Zone 12B Exception XXX, and Zone 1 Rural (Z.1) Exception XXX.

WHEREAS the Planning Act empowers a municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the by-law;

AND WHEREAS the Council of the Corporation of the Township of North Dumfries, under Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, deems it to be desirable to further amend said By-law Number 689-83 to classify certain lands for their long term protection due to environmentally significant features of aggregate materials and aggregate recycling;

NOW THEREFORE, the Council of the Corporation of the Township of North Dumfries enacts as follows:

1. THAT General Zoning By-law Number 689-83, as amended, is hereby further amended insofar as the zoning on these lands, described as Part Lot 21, Concession 10, is changed from Zone 1 – Rural (Z.1) and Zone 1 – Rural (Z.1) Exception 320 to Zone 14 Exception XXX, Zone 12B Exception XXX, and Zone 1 Exception XXX subject to certain restrictions.
2. AND THAT Section 20.1 of General Zoning By-law Number 689-83 is hereby further amended by the additional of a new Subsection immediately following Section 20.1.XXX as follows:

That Comprehensive Zoning By-law No 689-83, as amended, is hereby further amended by adding Section 20.1.XXX as follows:

20.1.XXX Notwithstanding any other provisions of the By-law:

- a) The lands identified as Parts 1 and 2 to Schedule A is changed from Zone 1 - Rural (Z.1) and Zone 1 – Rural (Z.1) Exception 320 to Zone 14 – Gravel Pit (Z.14) with the following regulations:

- i. Parts 1 and 2 to Schedule A may be used for the uses as permitted in Zone 14 (Z.14). Portable processing equipment is permitted.
    - ii. Notwithstanding any other provisions of the By-law, Part 2 to Schedule A includes an additional provision as follows: When the site is licensed under the Aggregate Resources Act the provisions of Zone 14 – gravel Pit (Z.14) Exception 20.1.XXX are in force and effect. Upon the surrender of the Aggregate Resources Act license, Part 2 to Schedule A will be zoned Zone 12B – Environmental Protection Two (EP2) (Z.12B) and the Zone 12B-Environmental Protection Two (EP2) (Z.12B) provisions will be in force and effect.
    - iii. Notwithstanding any other provisions of this By-law, the lands mapped as Parts 1 and 2 and zoned Zone 14- Gravel Pit (Z.14) Exception 20.1.XXX on the map forming Schedule A of this By-law shall be subject to a Holding (H) Zone. The Holding (H) Zone is limited to restricting the use of the lands zoned Zone 14- Gravel Pit (Z.14) to 1.5 meters above the seasonally high water table. No application for the lifting of the Holding (H) provision shall be made until such time as the appropriate studies have been completed to the satisfaction of the Regional Municipality of Waterloo and Township of North Dumfries, in accordance with the Regional Official Plan and Township of North Dumfries Official Plan policies regarding aggregate resource extraction below the water table. In the alternate, Council may lift the Holding (H) provision subsequent to a determination by the Local Planning Appeal Tribunal that vertical zoning as a general principle is not permissible.
  - b) That the lands identified as Part 4 on Schedule A are changed from Zone 1 - Rural (Z.1) to Zone 12B- Environmental Protection Two (EP2) (Z.128) with the following regulations:
    - i. THAT Notwithstanding the provisions of Section 18B, Zone 12B - Environmental Protection Two (EP2) (Z.12B), the lands illustrated on Part 4 of the map forming Schedule A may be licensed under the Aggregate Resources Act. Extraction within Part 4 is prohibited.
    - ii. Part 4 on Schedule A includes the environmental feature and a 10 metre setback.
  - c) That the lands identified as Part 3 on Schedule A are changed from Zone 1 – Rural (Z.1) to Zone 1 – Rural (Z.1) Exception XXX and may be licensed under the Aggregate Resources Act. Extraction within Part 3 is prohibited.
3. That By-law Number 689-83, as amended, is hereby further amended by adding Schedule 'A' - Section 20.1.XXX attached to and forming part of this

by-law.

4. This by-law shall come into force and take effect on the final passing thereof by the Council of the Corporation of the Township of North Dumfries subject to compliance with the provisions of the Planning Act, R.S.O. 1990, c.P.13.

READ a first and second time in the Council Chambers of the Township of North Dumfries this XX day of XXX, 2020.

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Mayor

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Clerk

READ a third time and Finally Passed in the Council Chambers of the Township of North Dumfries this XX day of XXX, 2020.

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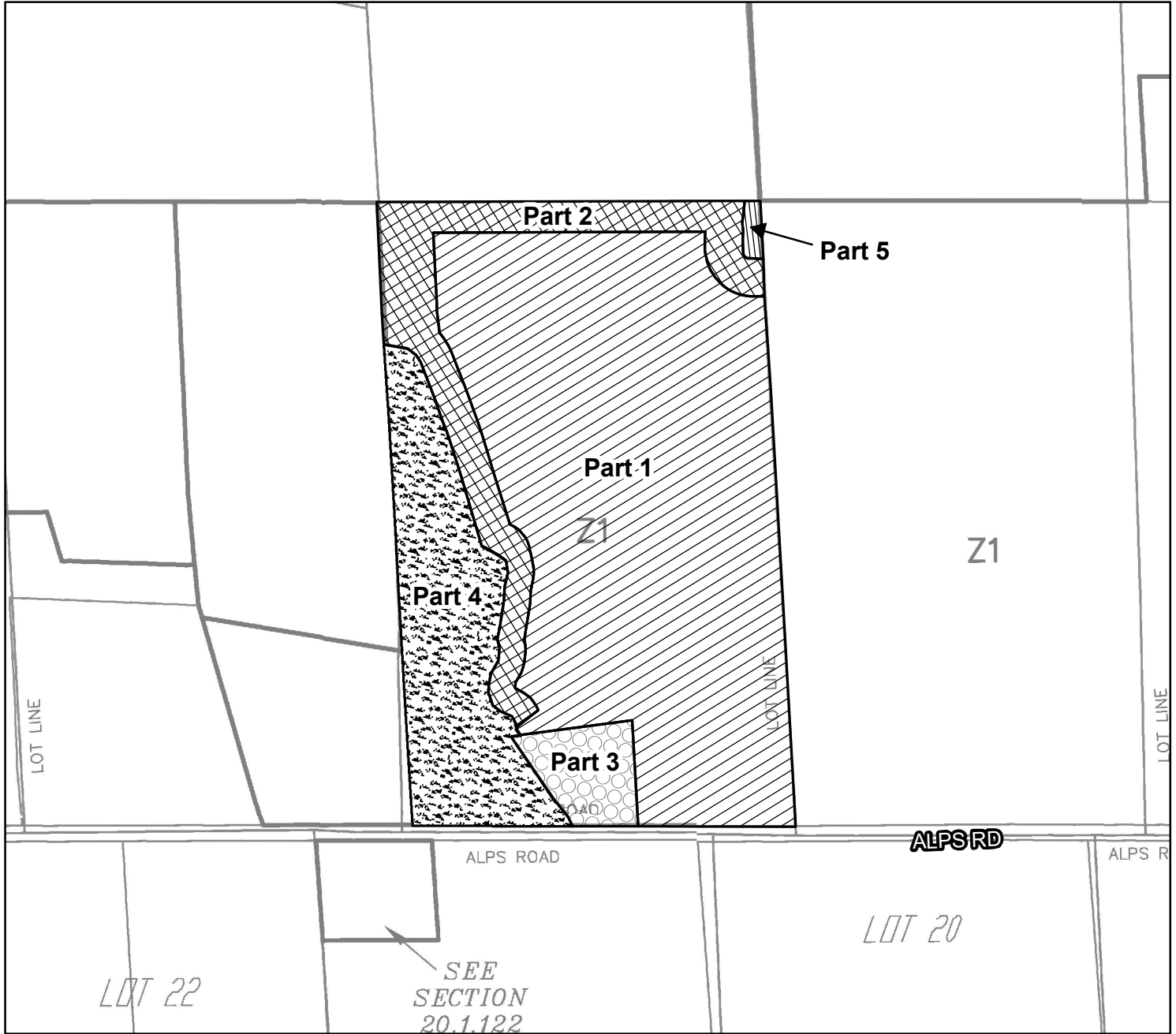
Mayor






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Clerk

# Schedule 'A'

Part of Lot 21, Concession 10  
Township of North Dumfries  
Region of Waterloo



-  Part to be rezoned from (Z.1) to Z.14 Exception (Z.14 Exception 20.1.\_\_\_\_)
-  Part to be rezoned from (Z.1) to Z.14 Exception (Z.14 Exception 20.1.\_\_\_\_)  
This area includes an additional provision that requires Part 2 to be rezoned to Z.12B Exception (Z.12B Exception 20.1.\_\_\_\_) once the ARA Licence is surrendered
-  Part to be rezoned from (Z.1) to Z.12B Exception (Z.12B Exception 20.1.\_\_\_\_)
-  Part to be rezoned from (Z.1) to Z.1 Exception (Z.1 Exception 20.1.\_\_\_\_)
-  Part to remain Z.12B Exception (Z.12B Exception 20.1.320)

This is Schedule 'A' to Zoning By-law \_\_\_\_\_  
Passed this \_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk