



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
BY-LAW NUMBER 3643-2023
BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2965, AS AMENDED
(1241 & 1243 County Road 2)**

WHEREAS pursuant to the provisions of the Planning Act, Section 34, the Council of a Municipality may enact By-Laws to regulate the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited;

AND WHEREAS By-Law No. 2965, as amended regulates the use of land and the use and erection of buildings and structures within the Township of Augusta;

AND WHEREAS the Municipal Council of the Corporation of the Township of Augusta deems it desirable to amend Zoning By-Law No. 2965, as amended, under Section 34 of the Planning Act, R.S.O. 1990, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Augusta hereby enacts as follows:

1. **THAT** Section 7.6.4 Exception Zones is amended by adding the following sub-section:

7.6.4.3 Village Commercial Exception Three Zone (CV-X3)

Notwithstanding the provisions of Section 6 and Section 7.6 hereof to the contrary, on the approximately 2.7 hectare parcel of land known as 1241 and 1243 County Road 2 in the Township of Augusta and zoned 'CV-X3' on Schedule A to By-law No. 3643-2023, the following provisions shall apply:

- | | |
|--------------------|---|
| (a) Holding Symbol | The Holding provision H-CV-X3 applies to restrict new development in Areas A and B subject to the Municipality's approval of sufficient archaeological assessment. |
| (b) Holding Symbol | The Holding provision applies to the following uses within the CV-X3 zone subject to the Municipality's approval of sufficient hydrogeological assessment: <ul style="list-style-type: none">/ Hotel;/ Laundromat./ Micro-Brewery / Micro-Distillery;/ Motel;/ Restaurant;/ Tavern;/ Tourist Establishment. |

(c) Permitted Uses

* denotes definition to be added
"H" denotes uses subject to the Municipality's approval of sufficient hydrogeological assessment

Accessory Dwelling
Bake Shop
Bank
Biological Field Station*
Business Office
Clinic
Commercial Club

Community Garden*
 Convenience Store
 Drug Store
 Dry Cleaning Outlet
 Equipment Rental Establishment
 Farmer's Market
 Flea Market
 Garden Centre
 Health Retreat
 H - Hotel
 H - Laundromat
 Library
 Marine Facility
 Marine Rental Facility*
 H- Micro-Brewery/Micro-Distillery*
 H - Motel
 Museum
 Office
 Outdoor Café
 Personal Service Establishment
 Pet Shop
 Place of Amusement
 Place of Assembly
 Place of Worship
 Private Club
 Public Market
 Public Service Use
 Public Utility
 Recreational Commercial Establishment
 H - Restaurant
 Retail Grocery Store
 Retail Outlet
 Retail Store
 School, Commercial
 Second Hand Shop
 Service Outlet
 Snack Bar or Coffee Shop
 Studio
 H - Tavern
 Theater, Cinema
 H - Tourist Establishment
 Veterinary Establishment
 Video Rental Outlet
 Wildlife Rehabilitation Facility*
 Workshop or Custom Workshop
 Accessory uses to the foregoing

For the purposes of the CV-X Zone, the following definitions shall apply:

- (i) **Biological Field Station:** means the use of any lot or building for academic research, including laboratories and data collection sites, that are focused on ecology and support research, teaching, and public education.
- (ii) **Community Garden:** means the use of any lot or building managed and maintained by a group of individuals for the purpose of cultivation of plants for personal use or consumption and includes other forms of urban agriculture such as tree planting projects or similar uses. Permitted accessory uses include the sale or donation of produce grown in the community garden.
- (iii) **Marine Rental Facility:** a commercial building, part of a building or structure wherein the primary use is the rental of marine equipment. This definition excludes a marina.

- (iv) **Micro-Brewery / Micro-Distillery:** means a facility for the small-scale production and distribution of spirit products and the brewing of beer producing a limited amount of beer per year for sale. Accessory retail commercial, office space, and tasting areas shall be permitted provided they are limited to 35% of the total gross floor area and are limited to production activities which are not deemed to be noxious to adjacent properties or the general public.
- (v) **Wildlife Rehabilitation Facility:** a facility that treats, rehabilitates, and releases injured animals.

- (d) Maximum Tower Height 32 metres
- (e) Wharf Setback (min) Notwithstanding Section 6.1.2, a wharf shall be permitted within 2 metres of the east lot line projection.
- (f) Loading Space A loading space shall not be required.

2. **THAT** Schedule G1 of By-Law 2965, as amended, is hereby amended by changing the zone symbol of the subject lands from Residential Village – RV zone and Village Commercial – CV zone to Village Commercial Exception Three Zone (CV-X3), as shown on Schedule A of this By-Law.
3. **THAT** Zoning By-Law 2965 is amended hereby to give effect to the foregoing, but Zoning By-Law 2965 shall remain in all other respects, in full force and effect save as may be amended otherwise or dealt with hereafter.
4. **THAT** this By-Law shall come into force on the date it is passed by the Council of the Corporation of the Township of Augusta subject to:
- (a) The expiration of the time period specified for the filing of objections by the Notice of Passing of this By-Law, provided that no Notice of objection has been filed within the time period specified; or
- (b) The approval of the By-Law by the Ontario Land Tribunal, where an objection to the approval of this By-Law has been filed within the time period specified in the Notice of Passing of this By-Law.

Read a first, second, and third time and finally passed this 10th day of July, 2023.


MAYOR


CLERK

**SCHEDULE A to BY-LAW 3643-2023
(1241 & 1243 County Road 2)**

**To amend Schedule G1 of Zoning By-Law 2965, as amended
Applicable to Roll No. 0706 000 035 13800**

RV and CV zone to be CV-X3 zone and Holding provision applicable to restrict new development in Areas A and B

