

**Notice of the Passing of a Zoning By-Law Amendment
ZBA No. 194 - 11 Iroquois Road**

Take Notice that Council of The Corporation of the Municipality of Leamington has passed **By-law Number 74-19** on November 26, 2019 under Section 34 of the Planning Act, R.S.O. 1990.

And Take Notice that only individuals, corporations and public bodies may appeal a zoning 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 Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

Appeal to the Local Planning Appeal Tribunal in respect of the by-law may be completed by filing with the Clerk of The Corporation of the Municipality of Leamington not later than December 17, 2019, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection accompanied by the required fee of \$300.00 (certified cheque or money order) made payable to the Minister of Finance. Upon receipt, the letter of appeal, a copy of the appeal form, which is available from the Local Planning Appeal Tribunal website at www.elto.gov.on.ca, and other documents from the application file will be forwarded to the Local Planning Appeal Tribunal.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies are attached. The complete by-law and any associated information are available for inspection in my office during regular office hours or at www.learmington.ca. **For additional information, please contact Danielle Truax, Manager of Planning Services at dtruax@learmington.ca or 519-326-5761, extension 1405.**

Dated at the Municipality of Leamington this 27th day of November, 2019.
Brenda M. Percy, Clerk

Explanatory Note

The effect of the passing of By-law 74-19 is to provide relief from the provisions of Zoning By-law 890-09, as amended, to allow the construction of a proposed contractor's shop and yard, light industrial building and associated loading bays and parking areas, as shown on the attached site plan. The approved amendment provides relief from the following zone provisions of Section 18.1.3 Light Industrial (M1) Zone:

- i. Reduction to the interior side yard setback along the northern property line from 6m to 3m; and
- ii. Reduction to the rear yard setback along the western property line (Cherry Lane) from 10m to 7.22m.
- iii. minimum number of standard parking spaces to be provided on-site shall be 26, in addition to 4 barrier spaces;
- iv. maximum width of primary driveway (Iroquois Road) shall be 19 m;

- v. Minimum Separation Distance for a Class I Industrial Use from a sensitive use shall be 12.5m along the southern property line;
- vi. Minimum Separation Distance for a Class I Industrial Use from a sensitive use shall be 7.22m along the western property line;
- vii. Minimum Separation Distance for a Class II Industrial Use from a sensitive use shall be 43m along the southern property line;
- viii. Minimum Separation Distance for a Class II Industrial Use from a sensitive use shall be 7.22m along the western property line; and
- ix. the Holding (H) provision will be removed by By-law upon receipt of an Acoustical Study to the satisfaction of the Municipality in support of the separation distance and mitigation measures to the existing residential land uses.

Development of the property for a proposed contractor's shop and yard, light industrial building and associated loading bays and parking areas is subject to Site Plan Control Approval Application SPC-12-19. Oral comments from an abutting residential neighbor in support of the overall development were received by Council at the Public Meeting. Written comments from prescribed agencies will be implemented through site plan control approval.



 Subject Lands - ZBA 194