

No. 2023 - XX

**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2003 - 25, BEING THE
COMPREHENSIVE ZONING BY-LAW FOR
THE MUNICIPALITY OF KINCARDINE**

Alex and Edna Stewart

Concession 1 North Durham Road Lot 11 To 12, Municipality of Kincardine
(geographic Township of Kincardine)

WHEREAS Section 34 of the Planning Act, R.S.O 1990 Chapter 13 authorizes the Councils of Municipalities to enact and amend zoning by-laws which comply with an approved official plan;

AND WHEREAS the Council of the Corporation of the Municipality of Kincardine has enacted By-law No. 2003 - 25, a zoning by-law enacted under Section 34 of the said Planning Act;

AND WHEREAS the Council of the Corporation of the Municipality of Kincardine desires to amend By-law No. 2003 - 25;

NOW THEREFORE the Council of the Corporation of the Municipality of Kincardine **ENACTS** as follows:

1. Schedule 'A' to By-law No. 2003 - 25 as amended, is hereby further amended by changing thereon from 'General Agriculture (A1)' Zone and 'Environmental Protection (EP)' Zone to 'General Agriculture Special (A1-a)' Zone, 'General Agriculture Special with a holding (A1-a-H1)' Zone, 'General Agriculture (A1)' Zone, and 'Environmental Protection (EP)' Zone on those lands described as CON 1 NDR LOT 11 TO 12, Municipality of Kincardine (geographic Township of Kincardine) [5772 Highway 9] as outlined on the attached Schedule 'A'.

2. By-law No. 2003-25 as amended, being the Comprehensive Zoning By-law for the Municipality of Kincardine, is hereby further amended by adding the following subsection to Section 9.5 thereof:

7.1.2 holding 'H1' Zone

- .1 Notwithstanding their underlying zoning designation, on those lands identified as being subject to the "**H1**" **Holding zone**, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:
 - i. Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - (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) Includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards; and,
 - ii. Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.
- 3. This By-law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990.
- 4. This By-law may be cited as the “Amendment to Comprehensive Zoning By-law 2003-25, Con 1 NDR Lot 11 To 12 [Stewart] By-law”.

READ a FIRST and SECOND TIME this 14 day of August, 2023.

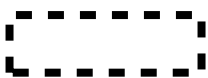
READ a THIRD TIME and FINALLY PASSED this 14 day of August, 2023.

Mayor

Clerk

Schedule 'A'

5772 HIGHWAY 9 - CON 1 NDR LOT 11 TO 12 - Roll 410821000117300
Municipality of Kincardine (Kincardine Township)



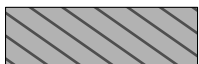
Subject Property



Lands zoned A1 - General Agriculture



Lands to be zoned A1-a - General Agriculture Special



Lands to be zoned A1-a-H1 - General Agriculture Special



Holding Lands zoned EP - Environmental Protection

This is Schedule 'A' to the zoning by-law
amendment number _____ passed this
_____ day of _____

Mayor _____

Clerk _____