

**CORPORATION OF THE MUNICIPALITY OF TWEED**

**BY-LAW NO. 2016-39**

Being a By-Law to amend Comprehensive Zoning By-Law No. 2012-30, as amended.

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**WHEREAS** By-Law No. 2012-30, as amended, is the Comprehensive Zoning By-Law governing the lands located within the Corporation of the Municipality of Tweed;

**AND WHEREAS** the Council of the Corporation of the Municipality of Tweed, having received and reviewed an application to amend By-Law No. 2012-30 for the Corporation of the Municipality of Tweed, is in agreement with the proposed changes;

**AND WHEREAS** the Council of the Corporation of the Municipality of Tweed, deems it appropriate to designate a Site Plan Control Area By-Law within the Municipality of Tweed;

**AND WHEREAS** authority is granted under Sections 34 and 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF TWEED ENACTS AS FOLLOWS:**

1. THAT By-Law No. 2012-30, as amended, is hereby amended by the addition of the following to subsection 5 of Section 7 entitled Special RU – Rural Zones immediately after item 7.5.8 thereof:

**RU-9-h Part of Lot 11 , Concession 5, Hungerford**

Notwithstanding any provision of By-Law No. 2012-30 as amended to the contrary, on the lands zoned RU-9, the following provisions shall apply:

- i. Permitted uses shall be limited to the following:
  - 1) Uses permitted in the Rural (RU) Zone;
  - 2) Motocross.
- ii. For the purpose of this By-Law a “Motocross” shall be defined as:

A form of off-road motorbike racing on an off-road circuit.
- iii. The following uses shall be permitted as accessory uses to a “Motocross” and shall only be permitted when the “Motocross” is in operation:
  - 1) Travel Trailer Park; and
  - 2) Portable Canteen(s).
- iv. Front Yard setback for all uses excluding agricultural uses (minimum) 100m (328 ft).
- v. The minimum setback between the closest point of a “Motocross” and a property line shall be 100 m (328 ft). All existing vegetation within the 100 m (328 ft) setback shall be maintained.
- vi. An accessory “Travel Trailer Park” shall be subject to the provisions of Section 17.3 e) of Comprehensive Zoning By-Law No. 2012-30.
- vii. The requirements of Section 41 of the Planning Act, R.S.O. 1990 c.P.13 as amended, relating to Site Plan Control shall apply to the lands zoned RU-9.
- viii. The “h” shall be removed by By-Law when:
  - 1) A detailed acoustical assessment has been undertaken by a qualified professional to the satisfaction of the Municipality, and a peer review agent selected by the Municipality, has provided a satisfactory/approved report; and

- 2) The owner(s) has entered into a Site Plan Agreement with the Corporation of Municipality of Tweed, which agreement shall, among other things, be consistent with and implement the recommendations and requirements of the approved detailed acoustical assessment and all municipal requirements, financial or otherwise, in accordance with Sections 41 of the Planning Act, R.S.O 1990, c.P.13., as amended.

All other provisions of the RU Zone and By-Law No. 2012-30, as amended, shall apply to the lands zoned RU-9.

2. THAT Schedule "A" to By-Law No. 2012-30, as amended, is hereby amended by changing the zone category thereon in accordance with Schedule '1' attached hereto;
3. THAT Schedule '1' attached hereto forms part of this By-Law;
4. THAT the lands as identified on Schedule '1' attached hereto and described as Part of Lot 11, Concession 5, Hungerford, are hereby identified as an area subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended;
5. THAT this By-Law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed pursuant to the provisions of and the regulations made under the Planning Act, R.S.O., 1990, c.P.13, as amended.

Read a first and second time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Read a third and final time, passed, signed and sealed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**As a result of OMB Case No. PL140913 the Ontario Municipal Board ordered that this By-Law be allowed and a number assigned for record keeping purposes effective the 15th day of July, 2016.**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**ACTING CAO/CLERK**

CORPORATION OF THE MUNICIPALITY OF TWEED  
SCHEDULE '1'

BY-LAW NO. 2016-39

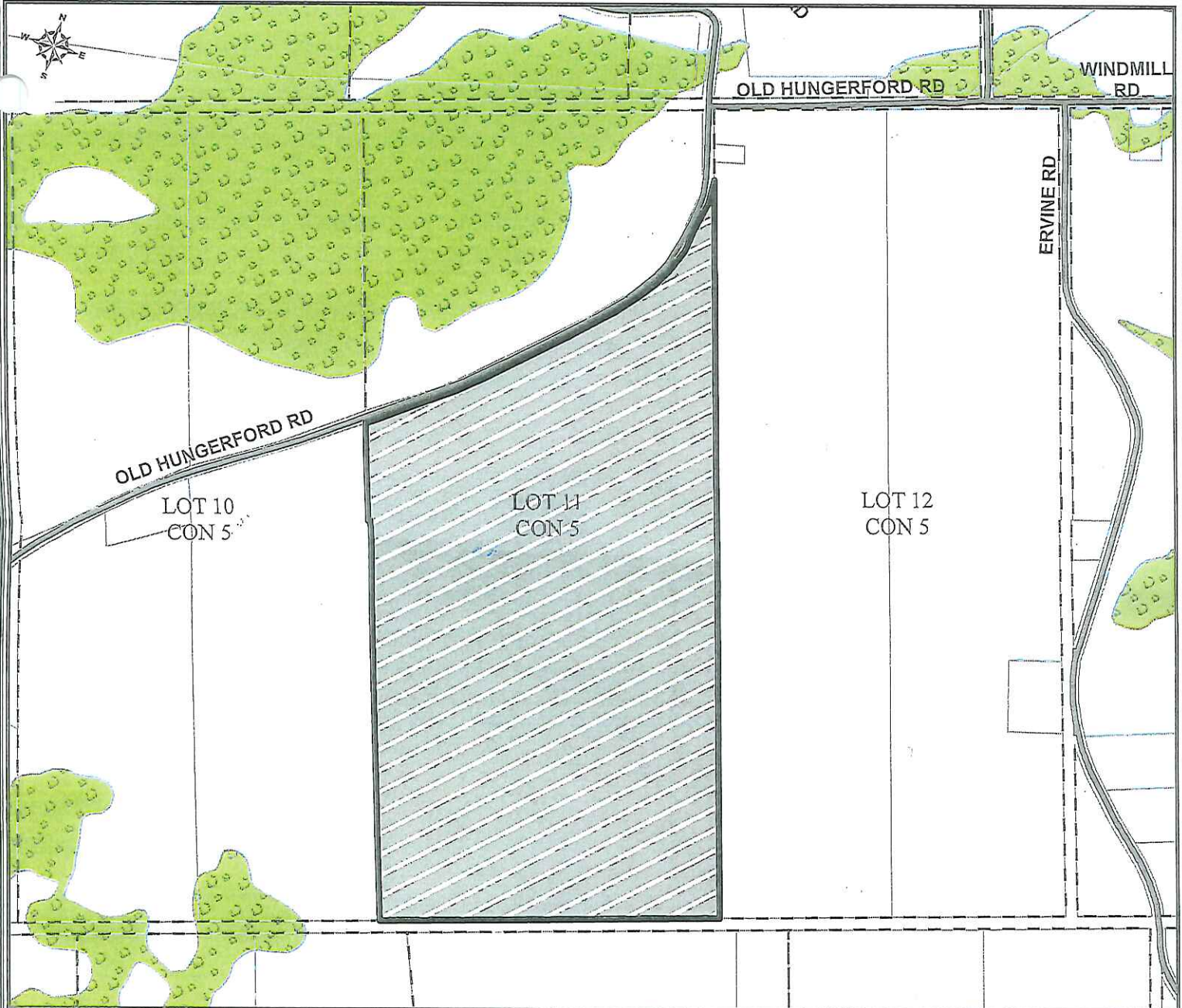
THIS IS SCHEDULE '1' TO BY-LAW NO. 2016-39 AMENDING  
COMPREHENSIVE ZONING BY-LAW 2012-30, AS AMENDED, FOR THE  
MUNICIPALITY OF TWEED, AND ESTABLISHING AN AREA OF  
SITE PLAN CONTROL.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

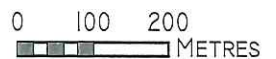
OMB Case No. PL140913 - Order by Ontario Municipal Board effective July 15, 2016.

Jo-Anne Albert Mayor

Betty Gallagher Acting CAO/Clerk



**LOCATION OF SUBJECT LANDS**



LOCATION: Part Lot 11, Concession 5  
Municipality of Tweed (Geographic Township of Hungerford)  
ADDRESS: 1307 Old Hungerford Road



Subject lands and lands subject to Site Plan Control



Lands to be rezoned from the Rural (RU) Zone to the  
Special Rural Holding (RU-9-h) Zone



Prepared For:  
Municipality of Tweed

Prepared By:  
County of Hastings Planning & Dept. GIS Services

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