SCHEDULE 1
CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY
BY-LAW No. 20 -2016

WHEREAS the Municipal Council of the Corporation of the Municipality of Morris-Turnberry considers it advisable to amend Zoning By-law 45-2014, as amended, of the Corporation of the Municipality of Morris-Turnberry and;

NOW THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry ENACTS as follows:

1. This by-law shall apply to land in the Municipality of Morris-Turnberry.

   a) Section 7.2 Agricultural Small Holding (AG4) -- Accessory Uses is amended by adding a "Farm Produce Sales Outlet" as an accessory use.

   b) Section 2 Definitions is amended by removing the following definition for Farm Produce Sales Outlet: "Farm Produce Sales Outlet: means a fruit, vegetable, flower or farm produce stand set up as an accessory use to an agricultural use on a farm, used for the sale of produce from that same agricultural use"

   c) Section 3.29 Non-Conforming Uses is amended by as below. Text to be removed is shown with strike-through. Text to be added is shown in bold italic.

      - Revise the title of Section 3.29.1 from "Discontinuation and/or Replacement of Non-Conforming Uses" to "Continuation of Existing Uses"

      - Add a clause that reads "and all other applicable provisions of this By-law are complied with." to the end of Section 3.29.1

      - Remove Section 3.29.2 as shown below.

3.29.2 Replacement of Buildings or Structures for Non-Conforming Uses

If a building or structure used for a non-conforming use is removed or destroyed, it may be replaced provided the non-conforming use has continued and the replacement building or structure does not further reduce the compliance with the
provisions of the By-law to which the removed or destroyed building or structure did not comply, if any.

- Remove Section 3.29.4 as shown below.
3.29.4 Strengthening, Repair or Renovation of Non-Conforming Buildings and Structures
Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure which does not comply with the provisions of this By-law, provided:

- such alteration or repair does not increase the height, size or volume of such building or structure by more than 10%;
- the alteration, repair or renovation does not involve any alteration of use and the building or structure continues to be used for the same purpose; and
- all other applicable provisions of this By-law are complied with.

- Add Section 3.29.4 as shown below.
3.29.4 Strengthening, Repairing or Renovating of Buildings or Structures Used for Non-Conforming Uses
Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or renovation of any building or structure or part of any building or structure which use does not conform with the provisions of this By-law, provided such strengthening, repair or renovation:

- does not further reduce the compliance with the provisions of the By-law to which the building or structure does not comply, if any; and
- does not involve any alteration of use and the building or structure continues to be used for the purpose.

- Remove 3.29.5 as shown below
3.29.5 Change in Use, Extension or Enlargement
No change in use, including the extension or enlargement of a non-conforming building or structure shall be permitted except as may be allowed under Section 34(10) or 45(2) of The Planning Act, as amended from time to time, following an application to the Committee of Adjustment. In reviewing such application the Committee will have regard for the provisions of the Planning Act and the principles of the Morris-Turnberry Official Plan.

- Remove 3.29.6 as shown below
3.29.6 Status Zoning
Notwithstanding the provisions of Section 3.29, where an otherwise existing non-conforming use, building or structure has been recognized through status zoning by this by-law as a permitted use any significant change or expansion will only be permitted through an amendment to the zoning by-law. In considering any such amendment Council will have regard to the provisions of the Municipal Official Plan. Where a use is status zoned and accidentally destroyed, it may be reestablished to its prior size, dimensions and use.

- Remove 3.29.7 as shown below
3.29.7 Comply with Other Provisions
All other applicable provisions of this By-law shall be complied with.

- Add 3.29.5 as shown below
3.29.5 Conservation Authority Regulated Lands
Within Natural Environment zones, Flood Way zones, Flood Fringe zones and areas regulated by the Conservation Authority, a Conservation Authority permit may be required.
2. A site specific amendment is shown on the attached Schedule 'A' and applies to Lot 95 and 96, Plan 410 and Lot 110, Plan 410 Wingham, s/t Easement R48382, Turnberry, Municipality of Morris-Turnberry (300 Augusta Street). The property is zoned R4-1 (Residential Park-Special) and is amended to VR1 (Village Residential). The mapping change for this amendment is on Key Map- Lower Town.

READ A FIRST TIME ON THE
READ A SECOND TIME ON THE
READ A THIRD TIME AND PASSED THIS

Paul Gowin, Mayor

1st DAY OF March, 2016.
1st DAY OF March, 2016.
1st DAY OF March, 2016.

Nancy Michie, Administrator Clerk Treasurer
Purpose and Effect:
This housekeeping Zoning By-law Amendment includes the following changes.

1. a) Adding a “Farm Produce Sales Outlet” to AG4 (Agricultural Small Holdings) zone, Section 7.2 Accessory Uses
   b) Removing the following definition from Section 2 Definitions “Farm Produce Sales Outlet: means a fruit, vegetable, flower or farm produce stand set up as an accessory use to an agricultural use on a farm, used for the sale of produce from that same agricultural use”
   c) Amending Section 3.29 Non-Conforming Provisions including revisions to:
      - Section 3.29.1
      - Section 3.29.2 regarding replacement of buildings or structures for non-conforming uses and
      - Section 3.29.4 regarding strengthening, repairing or renovating of buildings or structures used for non-conforming uses.
      - Removing Sections 3.29.5, 3.29.6, 3.29.7
   d) Site specific amendment to Lot 95 and 96, Plan 410 and Lot 110, Plan 410 Wingham, s/t Easement R48382, Turnberry, Municipality of Morris-Turnberry (300 Augusta Street). The property is zoned R4-1 (Residential Park-Special) and is proposed to be changed to VR1 (Village Residential). The property is 1.1. acre (approximately .44 ha) and the entire property is subject to the zone change.

This by-law amends the Municipality of Morris-Turnberry Zoning By-law 45-2014.

2. The map showing the location of the property specific zone change to which this by-law applies is shown on the following page and is entitled 'Location Map'.
Location of site specific zoning by-law amendment to Lots 95 and 96, Plan 410 and Lot 110, Plan 410.
Zone change from R4-1 (Residential Park - Special) to VR1 (Village Residential - Low Density)
Purpose and Effect:
This housekeeping Zoning By-law Amendment includes the following changes.

1. Adding a "Farm Produce Sales Outlet" to AG4 (Agricultural Small Holdings) zone, Section 7.2 Accessory Uses
2. Removing the following definition from Section 2 Definitions "Farm Produce Sales Outlet: means a fruit, vegetable, flower or farm produce stand set up as an accessory use to an agricultural use on a farm, used for the sale of produce from that same agricultural use"
3. Amending Section 3.29 Non-Conforming Provisions including revisions to:
   - Section 3.29.1
   - Section 3.29.2 regarding replacement of buildings or structures for non-conforming uses and
   - Section 3.29.4 regarding strengthening, repairing or renovating of buildings or structures used for non-conforming uses.
   - Removing Sections 3.29.5, 3.29.6, 3.29.7
4. Site specific amendment to Lot 95 and 96, Plan 410 and Lot 110, Plan 410 Wingham, s/t Easement R48382, Turnberry, Municipality of Morris-Turnberry (300 Augusta Street). The property is zoned R4-1 (Residential Park-Special) and is proposed to be changed to VR1 (Village Residential). The property is 1.1 acre (approximately .44 ha) and the entire property is subject to the zone change.

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