



**THE PLANNING ACT  
NOTICE OF THE REFUSAL TO PASS  
A ZONING BY-LAW AMENDMENT  
BY THE CORPORATION OF THE TOWN OF GODERICH**

**TAKE NOTICE** that the Council of the Town of Goderich refused to pass a proposed Zoning By-Law Amendment on the 7<sup>th</sup> day of June, 2021, under Section 34 of the Planning Act, R.S.O., 1990, as amended.

**AND TAKE NOTICE** that any person or agency may appeal to the Ontario Land Tribunal in respect to the refusal to pass this By-law by filing with the Clerk of the Town of Goderich, not later than **July 21, 2021**, a notice of appeal setting out the objection to the By-Law and the reasons in support of the objection and accompanied by payment of the fee prescribed under the Ontario Land Tribunal Act. Amount of fee payable on appeal is \$1100.00 with a cheque made payable to the “Minister of Finance.”

**AND TAKE NOTICE** only individuals, corporations and public bodies may appeal a refusal to pass a Zoning By-Law to the Ontario Land 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 group on its behalf. 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 Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

**AN EXPLANATION** of the purpose and effect of the refused by-law, describing the lands to which the refused by-law applies is provided below. A key map is also shown indicating the location of the lands to which this refusal applies. The complete refused By-Law is available for inspection at the municipal office during regular office hours.

The Zoning By-law amendment was not passed due to a number of items including odour, the history of the operation, the Planners recommendation, and non-compliance with the Provincial Policy Statement and non-conformity with the Huron County Official Plan and the Town’s Zoning By-Law. The decision of the Council of the Corporation of the Town of Goderich is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Dated at the Town of Goderich  
this 30th day of June, 2021.

Andrea Fisher, Clerk  
Town of Goderich, 57 West St.  
Goderich  
ON N7A 2K5 (519) 524-8344

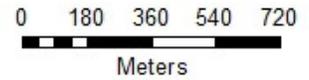
## **PURPOSE AND EFFECT:**

1. The proposed temporary zoning by-law amendment would apply to the lands described as PT LT 106 CON MTLND GODERICH; PT LT 107 CON MTLND GODERICH AS IN R64866, EXCEPT S/T THEREIN & AS IN R134885; S/T R299198, R73579; TOWN OF GODERICH, municipally known as 436 Huron Road, as illustrated on the attached schedule.
2. The subject lands are approximately 2.2 hectares (5.4 acres) in area, and are designated Highway Commercial in the Town of Goderich Official Plan.
3. The purpose of the Temporary Use By-law is to allow the use of the subject lands for a licensed medical marihuana facility.
4. The applicant has indicated that this temporary use is intended to be an interim use before the redevelopment of the subject lands.
5. The application proposes to allow this temporary use for a period of not more than three years.
6. This by-law amends the Town of Goderich Zoning By-law 124-2013. Key maps showing the locations of the lands to which this by-law applies are attached as Schedules A.

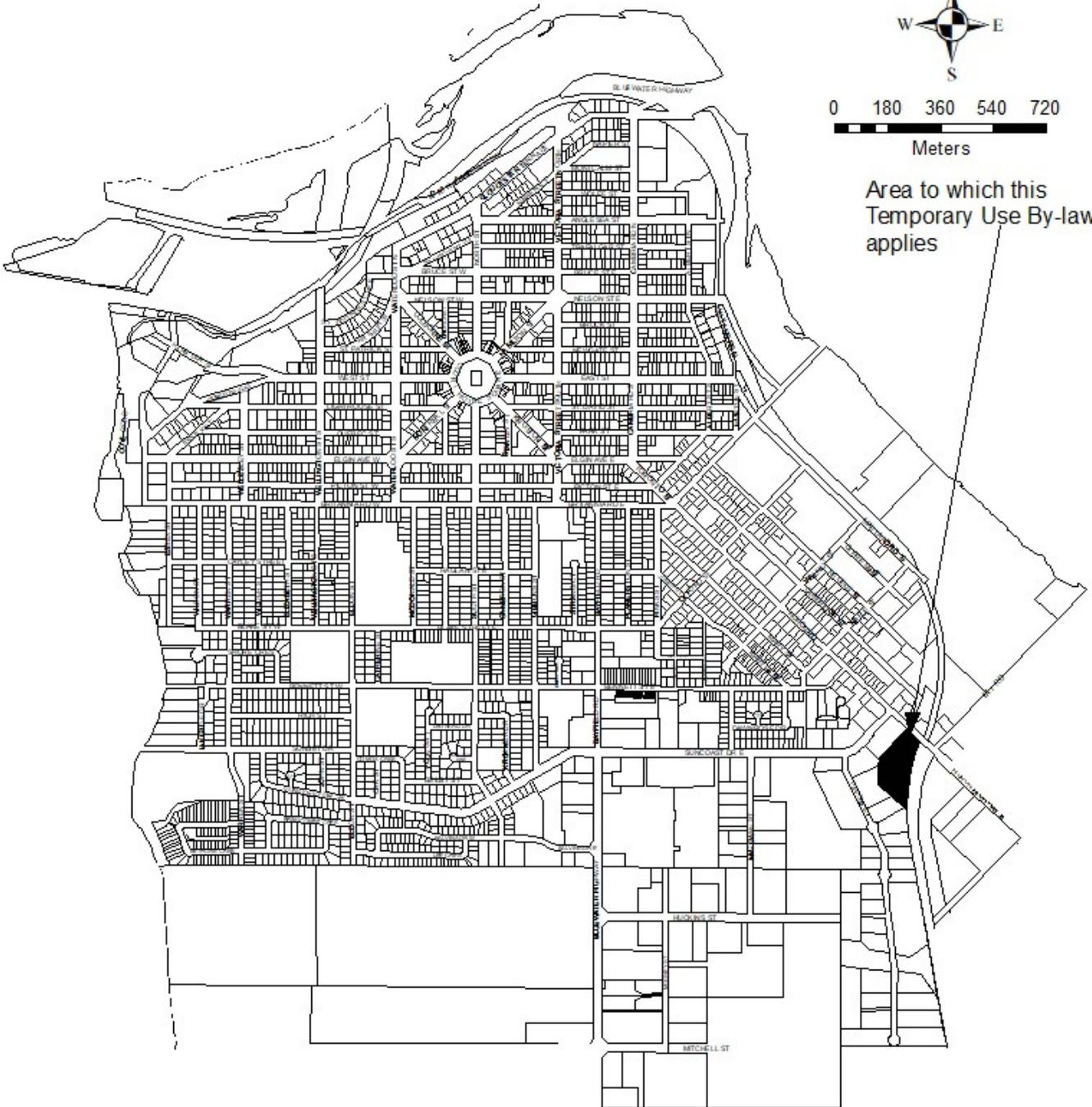
## **EFFECT OF WRITTEN AND ORAL SUBMISSIONS**

Public comments were received from Rob and Shelley Morley of Huron Auto Sales. Their concerns are about the odour and appropriateness of the use. These concerns were thoroughly considered and informed the Planners recommendation to deny the application. No agency comments were received.

# Schedule "A" Location Map Town of Goderich



Area to which this  
Temporary Use By-law  
applies



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