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File

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THE CORPORATION OF THE TOWN OF ORANGEVILLE

87 Broadway,
Orangeville, On. L9W 1K1
Phone: (519) 941-0439

NOTICE OF THE PASSING OF A ZONING BY-LAW

TAKE NOTICE THAT the Council of The Corporation of the Town of Orangeville passed By-law 22-2000 on the 6th day of March, 2000, under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

AND TAKE NOTICE THAT a notice of appeal to the Ontario Municipal Board in respect to the by-law may be submitted to the Clerk of The Corporation of the Town of Orangeville no later than the **4th day of April, 2000**. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection. Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. 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. The Ontario Municipal Board requires that a notice of appeal be accompanied by a cheque in the amount of \$125 payable to the Minister of Finance.

DATED AT THE TOWN OF ORANGEVILLE THIS 15th DAY OF MARCH, 2000

LINDA J. DEAN, A.M.C.T.
Town Clerk

PURPOSE AND EFFECT

The effect of By-law 22-2000 is to amend the Zoning By-law (By-law 22-90, as amended) to:

- Create a definition of "adult entertainment parlour";
- Permit an adult entertainment parlour within the Service Commercial (C3) zone only as an accessory use within a hotel containing 50 guest rooms or more provided that such accessory use is located no closer than 500 metres in a continuous path over the shortest distance from a residence or a Residential or Institutional zone.
- Permit an adult entertainment parlour within the General Industrial (M1) zone only in free standing structures located no closer than 500 metres in a continuous path over the shortest distance from a residence or a Residential or Institutional zone.

No key map is provided since the proposed amendments affect lands located in various parts of the Town of Orangeville.

On March 6, 2000, Council also adopted Official Plan Amendment 62 which incorporates similar provisions regarding adult entertainment parlours into the Official Plan.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 22-2000

A BY-LAW TO AMEND BY-LAW NUMBER 22-90, AS AMENDED
(Adult Entertainment Study, December 1999)

Whereas the Corporation of the Town of Orangeville deems it appropriate to enact this by-law;

NOW THEREFORE THE CORPORATION OF THE TOWN OF ORANGEVILLE BY THE MUNICIPAL COUNCIL ENACTS AS FOLLOWS:

1. That Section 2- Definitions - of By-law 22-90, as amended, be amended to add the following:

2.2A "ADULT ENTERTAINMENT PARLOUR" - means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

- (i) 'to provide' when used in relation to services includes to furnish, perform, solicit, or give such services and 'providing' and 'provision' have corresponding meanings;
- (ii) 'services' includes activities, facilities, performances, exhibitions, viewing and encounters but does not include the exhibition of film approved under the Theatres Act;
- (iii) "services designed to appeal to erotic or sexual appetites or inclinations" includes,
 - (a) services of which a principal feature or characteristic is the nudity or partial nudity of any person;
 - (b) services in respect of which the words 'nude', 'naked', 'topless', 'bottomless', 'sexy', 'erotic', 'nu', 'erotic' or 'exotic' or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

Except where stated otherwise, an adult entertainment parlour is prohibited as an accessory use in any zone.

2. That Section 16.1 (Service Commercial (C3) Zone) of By-law 22-90, as amended, is hereby amended by adding "an adult entertainment parlour" as a permitted use.
3. That Section 16 (Service Commercial (C3) Zone) of By-law 22-90, as amended, is hereby amended by adding the following text thereto:

"16.4 Regulations for Adult Entertainment Parlours

An adult entertainment parlour is permitted only as an accessory use within a hotel containing 50 guest rooms or more provided that such accessory use is located no closer than 500 metres in a continuous path over the shortest distance from a residence or a Residential or Institutional zone."

4. That Section 19.1 b) (Permitted Uses in a General Industrial (M1) Zone - Industrial Use) of By-law 22-90, as amended, is hereby amended to add "an adult entertainment parlour".
5. That Section 19.2 (Regulations) of By-law 22-90, as amended, be amended to add the following:
 - "14) Adult entertainment parlours are permitted only in free standing structures and shall be located no closer than 500 metres in a continuous path over the shortest distance from a residence or a Residential or Institutional zone."

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 6TH DAY OF MARCH, 2000.



Robert S. Adams, Mayor



Linda J. Dean, Clerk