

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 08-768

Being a by-law to amend By-law No. 06-650, the Comprehensive Zoning By-law of the Municipality of Temagami.

WHEREAS the Council of the Corporation of the Municipality of Temagami is empowered to pass by-laws to regulate the use of lands pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it advisable to amend By-law No. 06-650 (the Comprehensive Zoning By-law of the Municipality of Temagami);

AND WHEREAS the Council of the Corporation of the Municipality of Temagami considers that a site specific zoning by-law amendment is appropriate for this property for the following reasons:

1. The topography mitigates the visual impact from Snake Island Lake.
2. The property is adjacent to two commercial properties (TCM and TC).
3. There are other large storage buildings on lots immediately adjacent.
4. The gross floor area of the detached garage is less than the gross floor area of the existing dwelling thus making the garage an accessory building.
5. The proposed garage is 13.7m (45') from the edge of the travelled portion of the road. It is unlikely that the road will be widened more than 2.7m (9') due to the location of the municipal sewer chamber adjacent to the road. Therefore relief from the flankage yard requirements is appropriate.
6. The detached garage is for personal use only and cannot be used for a home industry without a zoning by-law amendment.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami enacts as follows:

Section: 7.7.4 Exceptions - is hereby amended with the addition of the following:

On the land described as 61A Stevens Road. Strathy Plan M251 Pt. Blk. B, RPNR1278 Part 1 Pcl 21431 RP36R3945 Rem. Pcl. 23998 Nip., Township of Strathy; Municipality of Temagami, District of Nipissing, permission is given for the construction of a detached garage with:

- a maximum ground floor area of 111.5 sq. m. (1200 sq. ft.)
- a maximum gross floor area of 170.9 sq. m. (1840 sq. ft.)
- a minimum distance to a flankage lot line on a shoreline lot of 2.1m. (6.8 ft.)

as shown on Schedules A and B, attached.

1. Schedule "A" and Schedule "B" hereto are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

2. This By-law shall become effective on the date hereof with:
- (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objections has been filed within the time period specified; or
 - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time period specified in the notice of the passing of this By-law.

THIS BY-LAW read a first time this 28TH day of February, 2008.

THIS BY-LAW read a second and third time and finally passed this 28th day of February 2008.

MAYOR

CAO/Clerk