

The Corporation of the Municipality of Temagami  
By-Law No. 07-697  
Being a By-Law to designate a Site Plan Control Area for  
The Municipality of Temagami

**WHEREAS** the Municipality of Temagami has deemed it desirable to promote development that limits impacts on adjacent uses, and to create attractive development;

**AND WHEREAS** the Planning Act Section 41 (2) states, Where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situated may, by by-law, designate the whole or any part of such area as a site plan control area;

**AND WHEREAS** the Planning Act Section 41 (3) states, A by-law passed under subsection (2) may designate a site plan control area by reference to one or more land use designations contained in a by-law passed under section 34.

**AND WHEREAS** The Official Plan Section 9.11 states, The entire area covered by this Plan is hereby designated as a proposed site plan control area;

**AND WHEREAS** the Municipality passed Zoning By-law 06-650 under Section 34 of the Planning Act on February 23, 2006.

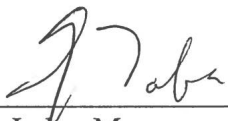
**NOW THEREFORE** the Corporation of the Municipality of Temagami hereby enacts as follows:


1. All lands and all development within the corporate limits of the Municipality of Temagami (the “municipality”) are hereby designated as a Site Plan Control Area.
2. The following classes of development shall be exempted from site plan control:
  - i) Any temporary building or structure as may be defined in the Zoning By-Law
  - ii) Wayside pits
  - iii) Low density residential (RL) development containing less than three dwelling units except for dwelling units and accessory structures in the Lake Temagami, Marten River, Matabitchuan and Backcountry Neighbourhoods and rural and remote residential development in the Urban Neighbourhood
  - iv) Any building or structure on land owned or leased by the Municipality
3. Notwithstanding Paragraph 2 hereof, no development may be undertaken without the approval of plans and drawings required under subsection (4) or (5) of Section 41 of the Planning Act, R.S.O. 1990, c.P.13 where:
  - i) Site plan control is imposed as a condition of rezoning by Council
  - ii) Site plan control is imposed as a condition of approval by the Committee of Adjustment.
4. For the purpose of this By-law “development” shall have the same meaning as set out in Section 41(1) of the Planning act, R.S.O. 1990, c.P. 13.
5. The Planning Co-ordinator of the Municipality of Temagami or his or her designate(s) is hereby delegated to exercise Council’s powers and authority under Section 41 of the Planning Act, to approve plans and drawings, to impose conditions and to require site plan control agreements, where appropriate, for:
  - i) Waterfront properties
  - ii) All residential zones (except RL in which the development consists of fewer than three units)
  - iii) Contractors’ yards
  - iv) Home industries
  - v) Sleep cabins

- vi) Minor Revisions where there is a change to a previously approved site plan or site plan agreement which does not involve additional building area on the site or other new works.
6. Notwithstanding the above, the Planning Co-ordinator at his or her discretion, may refer site plan control applications to Council.
7. If the Planning Co-ordinator and/or designate(s) does not execute a regular site plan control agreement within ten (10) days of its submission, the site plan control agreement may be referred to Council at its next regular meeting.
8. The Committee of Adjustment is hereby delegated the committee of Council to exercise Council's powers and authority under Section 41 of the Planning Act, to approve plans and drawings, to impose conditions, and to require site plan control agreements for minor variances and for new lots created through consent.
9. Council will retain the powers and authority under Section 41 of the Planning Act, with the assistance of the Planning Advisory Committee, to approve plans and drawings, to impose conditions and to require site plan control agreements for all other designated lands including but not limited to:
- i) Lake access points
  - ii) Lands designated for aggregate operations,
  - iii) New lots from crown land and new patented lots through a Plan of Subdivision or Condominium,
  - iv) Lands subject to Official Plan or Zoning Bylaw amendments
  - v) Development that will substantially alter the use or size of structures, or change the use of the subject lands,
  - vi) All lands designated as commercial or industrial
  - vii) Lands adjacent to or abutting a provincial highway, or a municipal road
  - viii) Any development in the SMA surrounding Lake Temagami
  - ix) Parks (P) and Open Spaces (OS) Zones
  - x) Private development on Crown Land tenure in the IMA and SMA zones
  - xi) Development on non-conforming and non-complying lots
10. After approval of an application by the Planning Co-ordinator or Council, the Mayor and Clerk are hereby authorized to sign any site plan agreement and any documents which may be required to implement the conditions of approval.
11. All site plan agreements shall be registered on title and shall be subject to fees as described in the Fee Bylaw.

READ A FIRST TIME ON THIS 25<sup>th</sup> DAY OF January 2007.

READ A SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 8<sup>th</sup> DAY OF FEBRUARY, 2007.

  
Ike Laba, Mayor

  
Brian Koski, CAO/Clerk