

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 13-1121

Being a by-law to amend By-law No. 06-650, the Comprehensive Zoning By-law of the Municipality of Temagami subsequent to a review and amendment of the Official Plan 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 Planning Act, Section 26(9), requires that no later than three years after an Official Plan revision comes into effect, the Council of the Municipality shall amend all zoning by-laws that are in effect in the Municipality to ensure that they conform with the Official Plan;

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

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

1. That references to section numbers in this amendment are references to the sections as they existed in By-law No. 06-650, as amended, prior to this amendment.
2. That Section 5 - Definitions is amended by adding the following definition of 'Apartment Building' after the definition of 'Alter':

'APARTMENT BUILDING shall mean a building containing four (4) or more dwelling units which units have a common entrance from the street level and common halls and/or stairs, elevators and yards.'
3. That Section 5 - Definitions is amended by deleting the words ', but does not include a motor vehicle repair shop' at the end of the definition of 'Auto Body Repair Shop'.
4. That Section 5 - Definitions is amended by adding the words 'A contractor's yard does not include a home industry.' to the end of the definition of 'Contractor's Yard'.
5. That Section 5 - Definitions is amended by amending the definition of 'Floor Area, Gross' by:
 - a) adding the words 'breezeway, unenclosed porch or unenclosed veranda' after the

words 'areas within the building'

b) deleting the words 'excluding car parking areas within the building' and replacing them with the words 'excluding the floor space of the garage in the residential building'

6. That Section 5 - Definitions is amended by deleting the last two sentences in the definition of 'Garden Suite':

'The floor area of the garden suite shall not exceed thirty percent (30%) of the existing living area of the primary residence or seventy one (71) square metres in a floor area on a lot zoned residential, whichever is lesser. The units are portable so that when they are no longer required they may be removed and relocated to a new site.'

7. That Section 5 — Definitions is amended by adding the words 'A home industry does not include a contractor's yard.' to the end of the definition of 'Home Industry'.
8. That Section 5 — Definitions is amended by deleting the words⁶, but does not include any residential use' and replacing them with the words '. The owner or caretaker may live in the hotel accessory to the use' in the definition of 'Hotel'.
9. That Section 5 - Definitions is amended by deleting the definition of 'Lot Coverage' and replacing it with the following definition:

'LOT COVERAGE shall mean that percentage of the lot area, covered by all buildings above ground level, excluding building features that project beyond the main walls of a building such as window sills, cornices, pilasters, cantilevered canopies or roofs, eaves, gutters, bay windows, chimney breasts or that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level. The calculation of lot coverage shall include enclosed and unenclosed decks, enclosed and unenclosed porches and enclosed and unenclosed platforms and buildings, including those less than ten (10.0) sq. m. ground floor area. For the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.'

10. That Section 5 - Definitions is amended by adding the words 'of the floor' after the words 'of the floor area' in the definition of 'Mezzanine'.
11. That Section 5 - Definitions is amended by adding the words 'For the purpose of this By-law, a mobile home is deemed not to be a modular home.' after the word 'meters' in the definition of 'Mobile Home'.
12. That Section 5 - Definitions is amended by amending the definition of 'Narrow Water Body' by:
 - a) deleting the word '60' and replacing it with '60.0'
 - b) deleting the word '6.40' and replacing it with '6.42'
13. That Section 5 - Definitions is amended by deleting the all of the words after the words 'of sale or display' in the definition of 'Parking Space'.

14. That Section 5 - Definitions is amended by deleting the definitions of 'Restaurant', 'Restaurant, Drive-in', and 'Restaurant, Take-out' and replacing it with the following definition:

'RESTAURANT shall mean:

- a) a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the site but does not include a drive-in restaurant; or
- b) a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure or off the premises; or
- c) an establishment in which the design of physical facilities, the serving or packaging procedures permit or encourage the purchase of prepared, ready-to-eat foods intended to be consumed off the premises, and where space for the consumption of foods in motor vehicles on the premises is not provided.'

15. That Section 5 - Definitions is amended by deleting the word 'county' and replacing with it with the word 'country' in the definition of 'Recreational Trail'.

16. That Section 5 - Definitions is amended by adding the following definitions of 'School, Commercial' and 'School, Private' after the definition of 'School':

'SCHOOL, COMMERCIAL shall mean a school, other than a private school, operated by one or more persons for gain or profit.'

'SCHOOL, PRIVATE shall mean a school other than an elementary, secondary or commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable organization, used primarily for the instruction of students receiving education. The term private school shall include a Montessori school.'

17. That Section 5 - Definitions is amended by deleting the word '6.31' and replacing with it with the word '6.34' in the definition of 'Screening'.

18. That Section 5 - Definitions is amended by deleting the word '15' and replacing it with the word '15.0' in the definition of 'Shoreline Activity Area'.

19. That Section 5 - Definitions is amended by adding the following definition of 'Trail' after the definition of 'Tradesperson':

'TRAIL, when used to describe a trail from the shoreline to a private cottage, shall mean an area no wider than two (2.0) metres, not constructed at right angles to the shoreline, routed to avoid trees larger than ten (10.0) cm in diameter at a point two

(2.0) metres above the ground, cleared of shrubs and cleared of branches the encroach into the two (2.0) metre width, to a height of approximately three (3.0) metres.’

20. That Section 5 - Definitions is amended by adding the following definitions of ‘Vegetative Buffer’ and ‘Viewing/Ventilation Corridor’ after the definition of ‘Use’:

‘VEGETATIVE BUFFER shall mean the area that either extends from the shoreline to the front wall of the main building on the lot or extends back from the shoreline a distance equal to the minimum front yard setback for the main building on the lot, whichever distance is greater. The vegetative buffer is comprised of all vegetation including, but not limited to grasses, shrubs, bushes and trees.’

‘VIEWING/VENTILATION CORRIDOR shall mean a clearing between the shoreline and a private cottage to provide a view towards the lake and ventilation to the cottage, that of which can be characterized as no wider than six (6.0) metres, does not involve the removal of any trees greater than ten (10.0) cm in diameter at a point two (2.0) metres above the ground, does not involve the removal of any naturally occurring grasses or shrubs, does not include the mowing of grass or shrubs and does include the trimming of branches (to a height of three [3.0] metres above ground) of trees located within the corridor and the trimming of branches of trees located outside the corridor where those branches encroach into the six (6.0) metre corridor, also to a height of approximately two (2.0) metres above ground level. However, where a Viewing/Ventilation Corridor also functions as a Trail, vegetation to a maximum width of two (2.0) metres within the Viewing/Ventilation Corridor may be cleared in accordance with the provisions for a Trail.’

21. That Section 6.01 - Zones is amended by adding the words ‘High Density Residential (RH) Zone (RH)’ after the words “Medium Density Residential (RM) Zone (RM)”

22. That Section 6.04 - Accessory Buildings and Uses is amended by:

- a) adding the words ‘, unless otherwise noted in this By-law’ after the words ‘incidental thereto’ in part a)
- b) adding the words ‘, in accordance with Section 6.04,’ after the words ‘An accessory building,’ in part b)
- c) adding the word ‘gross’ after the words ‘square metres in’ in part b)
- d) adding the words ‘, except as otherwise permitted in this By-law’ at the end of part b)
- e) adding the words ‘gross floor area.’ after the words ‘square metres’
- f) deleting the word ‘and’ and replacing it with the word ‘or’ at the end of the second paragraph in part f)

23. That Section 6.06 - Boathouses is amended by deleting the fourth paragraph and replacing it with the following:

‘A boathouse containing sleeping accommodations in the Remote Residential (R2) Zone or the Rural Residential (R3) Zone is not deemed to be a sleep cabin for the purpose of calculating the number of sleep cabins on a residential lot.’

24. That Section 6.06 - Boathouses is amended by:
- a) deleting the words 'or a hip roof and replacing with it with the words ', hip or flat roof in the sixth paragraph.
 - b) adding the word 'not' after the words 'detached garage shall' in the last paragraph.
25. That Section 6.07 - Building Repair and Reconstruction is amended by deleting all of the words and replacing it with the following:
- 'Nothing in this By-law shall prevent the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner, provided that the minimum frontage or area, or the minimum front, side or rear yards, or any other standards required by this By-law are not further reduced or its original use altered, except in accordance with the provisions of this By-law.'
26. That Section 6.15 - Dwelling Units in a Commercial Building is amended by:
- a) deleting the words 'on the ground floor or' in part b)
 - b) adding a new part c) as follows and re-lettering the subsequent parts:
- 'c) The dwelling unit(s) shall not occupy more than 50% of the gross floor area of the ground floor;'
27. That Section 6.15 Dwelling Units in a Commercial Building is amended by deleting the word '6.31 ' and replacing with it with the word '6.33' in part c).
28. That Section 6 - General Provisions - All Zones is amended by deleting all of Section 6.16 - Excepted Land Buildings and Non-Conforming Uses and re-numbering the subsequent sections.
29. That Section 6.18- Frontage On A Public Street or Road is amended by adding the words ', RH' after the words 'RM' in the first paragraph.
30. That Section 6 - General Provisions - All Zones is amended by adding the following section, after Section 6.18- Frontage On A Public Street or Road, and re-numbering the subsequent sections:
- '6.19 GARDEN SUITE
The gross floor area of the garden suite shall not exceed thirty percent (30%) of the existing living area of the primary residence or seventy one (71) square metres in gross floor area on a lot zoned residential, whichever is lesser. The units are portable so that when they are no longer required they may be removed and relocated to a new site.'
31. That Section 6.23 - Home Occupations is amended by
- a) deleting the words 'except as noted is (i),' in part g)
 - b) deleting part i), and re-lettering the subsequent parts.
32. That Section 6.26 - Loading Space Regulations and Requirements Zone Requirement part e) is amended by adding the word 'gross' before the words 'floor area'.

33. That Section 6.28 - Non-Complying Uses is amended by deleting all of the words in the section and replacing it with the following:

‘Continuation of existing non-complying uses

Nothing in this By-law shall prevent the strengthening to a safe condition, the rebuilding, repair or use of a building, structure or fence which is either lawfully non-complying itself or is situated on a lawfully non-complying lot, provided that the use of the building or structure is conforming and that the non-compliance, if any, of the original building, structure or fence is not increased, and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law.

Enlargements, additions or alterations are permitted to buildings or structures, which are either lawfully non-complying themselves, or are situated on lawfully non-complying lots, provided that:

- The use of the lot and the building or structure is conforming; and
- The extent to which the building, structure or lot does not meet the requirements of this By-law is not increased; and
- None of the requirements of this By-law, which were not infringed by the building or structure as it existed immediately prior to the construction of any enlargement, addition or alteration hereby permitted, are affected.

Continuation of non-complying lots

A lot held as a single lot prior to the date of the passing of this By-law may be built upon, even though said lot is of such size that it cannot comply with the minimum frontage and/or depth and/or area required by this By-law and/or cannot comply with the minimum separation distances with the exception of waste disposal sites, provided that the proposed use complies with all other applicable provisions of this By-law.’

34. That Section 6 - General Provisions - All Zones be amended by deleting the word ‘Uses’ and replacing it with the words ‘Tots and buildings’ in the title of Section 6.28 - Non-Complying Uses.
35. That Section 6 - General Provisions - All Zones be amended by adding the following section, after Section 6.28 - Non-Complying Uses, and re-numbering the subsequent sections:

‘6.29 NON-CONFORMING USES AND BUILDINGS

The provisions of this By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the date of the passing of this By-law so long as it continues to be used for that purpose.’

Nothing in this By-law shall apply to prevent the alteration of a residential building existing at the date of passing of this By-law in a Commercial Zone, provided that such alteration does not contravene any of the provisions of this By-law.’

36. That Section 6.29 - Number of Dwelling Units on One Lot is amended by deleting the words 'See also Section 6.39' and replacing it with the words ', subject to the provisions of Section 6.41.'
37. That Section 6.30 - Parking Area Regulations is amended by deleting the table in part a) and replacing it with the following:

Type of building accessed by road	Minimum Parking Required
Residential units accessed by road	2 parking spaces per dwelling unit
Condominium Apartment Building	1.45 parking spaces per dwelling unit for resident parking plus 0.3 parking spaces per unit for visitor parking
Rental Apartment Building	1.25 parking spaces per dwelling unit for resident parking plus 0.33 parking spaces per unit for visitor parking
Accessory apartments	1 parking spaces per apartment
Bed and Breakfast Establishment	1 parking spaces per guest room in addition to the parking required for the main dwelling unit
Medical, Dental or Drugless Practitioner's Office or Clinic	5 parking spaces for each practitioner
Seniors Facility	0.75 parking spaces per unit for resident parking plus 0.2 parking spaces per unit for visitor parking
Nursing Home	1 parking space for every 4 beds
Church, Funeral Home, Auditorium, Restaurant, Theatre, Arena, Hall, Private Club, or other Places of Assembly.	Where there are fixed seats, 1 parking space for every 5 seats or 3 metres of bench space, where there are no fixed seats, 1 parking space for each 9.0 sq. metres of floor area devoted to public use.
Hospital or Institution	1 parking space for each 2 beds or 40 sq. metres of gross floor area whichever is greater plus 1 additional space for each resident doctor or resident employee.
Hotel, Motel and Tourist Establishments	1 parking space per unit or guestroom and 1 additional parking space for each 10.0 sq. metres of gross floor area devoted to public use.
Office, including a Home Occupation	1 parking space per 30 square metres of gross floor area.
Home Industry	1 parking space per employee plus 1 parking space for patrons.

Type of building accessed by road	Minimum Parking Required
Neighbourhood Commercial	1 parking space for every 30 square metres of gross commercial floor area of building.
Other Commercial Uses	1 parking space for each 30 square metres of gross commercial floor area of building.
Schools	1 parking space for each teaching area, plus separate bus loading area per 2 teaching areas.
Industrial	At least 1 parking space for every 150 sq. metres of gross floor area.
Marina	1 parking space for each 20 sq. metres of gross retail floor area, plus 1 parking space for each non-transient boat slip provided plus 10 additional spaces.
Bowling Alleys, Curling Rinks and Arenas	1 parking space for each 2 persons in the designed capacity of the establishment (designed capacity shall mean 6 persons per bowling lane and 8 persons per curling sheet).

38. That Section 6 - General Provisions - All Zones is amended by adding the following section, after Section 6.37 - Reduction of Requirements, and re-numbering the subsequent sections:

‘6.39 SETBACKS FROM PROVINCIAL HIGHWAYS

Notwithstanding any other provisions of this By-law, the minimum building setback for a residential building and any building or structure accessory thereto from a provincial highway shall be 8.0 metres from the right-of-way or 26 metres from the centre line of the right-of-way, whichever is greater.

Notwithstanding any other provisions of this By-law, the minimum building setback for a non-residential building and any building or structure accessory thereto from a provincial highway shall be 8.0 metres from the right-of-way or 26 metres from the centre line of the right-of-way, whichever is greater

Notwithstanding any other provisions of this By-law, the minimum setback for a well from a provincial highway shall be 30 metres from the right-of-way.’

39. That Section 6.38 - Shoreline Activity Area is amended by deleting all of the words after the words ‘whichever is less.’ in part a) and replacing it with the following:

‘b) Notwithstanding the above the total lot coverage shall not exceed eight percent (8.0%).

c) For tourist commercial or institutional lots the maximum area of all structures

- within the SAA is thirty three (33.0%) of the SAA; and
- d) For marinas the maximum area of all structures within the shoreline activity area is fifty percent (50.0%) of the shoreline activity area.
- e) Disturbances in the natural vegetation adjacent to the shoreline shall be limited to the following:

Meandering pathways or access points to the shoreline constructed of permeable materials no wider than two (2.0) metres, pruning of trees for viewing and ventilation purposes. Ventilation clearing around buildings shall be limited to three (3.0) metres and viewing corridors shall be limited to six (6.0) metres, and the removal of trees for safety reasons; or

Twenty five percent (25%) of the shoreline, whichever is the lesser.'

40. That Section 6.39 - Sleep Cabins is amended by:
- a) deleting the word '6.29' and replacing with it with the word '6.30' in the first paragraph.
- b) adding the following paragraphs after the last paragraph:
- 'For the purpose of complying with the provisions of this section, the severed sleep cabin with kitchen and bathroom facilities shall be deemed to be the main building on the new lot and shall conform to the standards for a main building on a lot.

Sleep cabins shall not be used to accommodate guests as part of a bed and breakfast establishment.'

41. That Section 6.40 - Special Setbacks is amended by:
- a) adding the words 'from shoreline to shoreline' after the words 'distance in width' in part a) under the title Narrow Water Bodies
- b) adding the words 'from shoreline to shoreline' after the words 'distance in width' in part b) under the title Narrow Water Bodies
- c) deleting the word 'waterbody' and replacing it with the word 'water body' in part b) under the title Narrow Water Bodies
- d) deleting all of the words in part c) under the title Narrow Water Bodies and replacing it with the following:
- 'Between thirty (30.0) and sixty (60.0) metres in a straight line distance in width from shoreline to shoreline, the maximum a structure is permitted to project into the water is no more than eleven (11.0) metres into the narrow water body unless separated by more than one hundred and fifty (150.0) metres from another structure extending into the narrow water body in which case the structure can extend fifteen (15.0) metres into the narrow water body from the shoreline.'
- e) deleting the word '6.46' and replacing it with the word '6.49' at the end of the second last paragraph
- f) adding the following title and paragraph after the last paragraph:
- 'Waste Management Facilities
- A special setback of thirty (30.0) metres for all buildings and structures shall be maintained from the boundaries of a waste management facility site.'

42. That Section 6 - General Provisions - All Zones be amended by adding the following section, after Section 6.45 - Use For Hazardous Purposes, and re-numbering the

subsequent sections:

‘6.48 VEGETATIVE BUFFER AND TRAIL

A vegetative buffer, as defined in this By-law, shall be maintained on all residential lots abutting a lake or other water body, except as otherwise noted in this section.

Within a vegetative buffer on a residential lot, one trail, one viewing corridor and one ventilation corridor as defined in this By-law shall be permitted.’

43. That Section 7.1 - Protected Area (PA) Zone is amended by adding the following sections after Section 7.2.2:
‘7.1.3 RESTRICTIONS
7.1.4 EXCEPTIONS’
44. That Section 7.2 - Special Management Area (SMA) Zone is amended by deleting the word ‘zone’ in the title of Section 7.2.3.
45. That Section 7.3 - Integrated Management Area (IMA) Zone is amended by adding the following section after Section 7.3.2, and re-numbering the subsequent sections:
‘7.3.3 RESTRICTIONS’
46. That Section 7.4.1 - Permitted Uses is amended by:
 - a) deleting the word ‘6.39’ and replacing it with the word ‘6.41’ in the second bullet point.
 - b) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the fourth bullet point.
 - c) adding the following bullet point after the first bullet point:
‘ • a modular home ’
 - d) adding the following bullet point after the fourth bullet point:
‘ • a detached garage in accordance with Section 7.4.2’
47. That Section 7.4.2 - Zone Requirements is amended by:
 - a) adding the word ‘gross’ before the words ‘floor area’ in part e) under the title ‘Any dwelling unit’
 - b) deleting the word ‘6.38’ and replacing it with ‘6.40’ in part d) under the title ‘A land based boathouse’
 - c) deleting all of the words after the words ‘Minimum side yard’ and replacing it with the words ‘5.0 m’ in part b) under the title ‘Any sleep cabin without both bathroom and kitchen facilities’
 - d) deleting the word ‘6.39’ and replacing it with the word ‘6.41’ in part e) under the title ‘Any sleep cabin without both bathroom and kitchen facilities’
 - e) deleting the word ‘the’ and replacing it with the word ‘a’ after the words ‘and bathroom facilities,’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
 - f) deleting the word ‘6.39’ and replacing it with ‘6.41’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
 - g) adding the following title and paragraphs after the last paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’:
‘Detached garage

- a) Maximum gross floor area 72.5 sq. m
- b) Maximum building height 5.0 m
- c) Minimum distance to a side or rear lot line 1.2 m
- d) Minimum distance from the shore 15.0 m'

48. That Section 7.4.3 - Restrictions is amended by:

- a) deleting the word 'the' and replacing it with the words 'all other' after the words 'in accordance with' in the first paragraph.
- b) deleting the words 'Section 6.39' and replacing it with the words 'this By-law' in the first paragraph.
- c) deleting the word '6.38' and replacing it with the word '6.40' in the second paragraph.
- d) deleting the word '6.40' and replacing it with the word '6.42' in the second paragraph.
- e) deleting all of the words in the third paragraph.
- f) adding the following paragraph after the last paragraph:

'Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.'

49. That Section 7.5.1 - Permitted Uses is amended by:

- a) deleting the word '6.39' and replacing it with the word '6.41' in the second bullet point.
- b) deleting the word '6.38' and replacing it with the word '6.40' in the fourth bullet point.
- c) adding the following bullet point after the first bullet point:
 - *• a modular home'
- d) adding the following bullet point after the fourth bullet point:
 - "• a detached garage in accordance with Section 7.5.2'

50. That Section 7.5.2 - Zone Requirements is amended by:

- a) adding the word 'gross' before the words 'floor area' in part e) under the title 'Any dwelling unit'
- b) deleting the word '6.38' and replacing it with '6.40' in part d) under the title 'A land based boathouse'
- c) deleting all of the words after the words 'Minimum side yard' and replacing it with the words '5.0 m' in part b) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
- d) adding the word 'gross' before the words 'floor area' in part d) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
- e) deleting the word '6.39' and replacing it with the word '6.41' in part e) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
- f) deleting the word 'the' and replacing it with the word 'a' after the words 'and

- bathroom facilities,’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
- g) deleting the word ‘6.39’ and replacing it with ‘6.41 ’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
- h) adding the word ‘gross’ before the words ‘floor area’ in part a) under the title ‘Detached garage’
- i) deleting the word ‘72.0’ and replacing it with word ‘72.5’ after the words ‘floor area’ in part a) under the title ‘Detached garage’

51. That Section 7.5.3 - Restrictions is amended by:

- a) adding the word ‘and’ after the words ‘(1.6) ha’ in the first paragraph.
- b) deleting the word ‘the’ and replacing it with the words ‘all other’ after the words ‘in accordance with’ in the first paragraph.
- c) deleting the words ‘Section 6.39’ and replacing it with the words ‘this By-law’ in the first paragraph.
- d) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the second paragraph.
- e) deleting the word ‘6.40’ and replacing it with the word ‘6.42’ in the second paragraph.
- f) adding the following paragraph after the last paragraph:

‘Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.’

52. That Section 7.5.4 - Exceptions is amended by adding the following:

‘a) Notwithstanding any other provisions of this By-law, the following shall apply to the land and buildings within Plan 36M-610:

1. No building or structure shall be located below the two hundred and ninety two decimal three(292.3) metre a.s.l. flood level except:
 - Where such buildings and structures are intended for flood or erosion control, or
 - Where a boathouse is being erected or altered.
2. No building or structure shall be permitted within twenty five (25.0) metres of the normal high water mark of Cassels lake for Block and Lots 40,41 and 42.

No building or structure shall be permitted within fifteen (15.0) metres of any drainage course.’

53. That Section 7.6.1 - Permitted Uses is amended by:
- a) deleting the word '6.39' and replacing it with the word '6.41' in the second bullet point.
 - b) deleting the word '6.38' and replacing it with the word '6.40' in the fourth bullet point.
 - c) adding the following bullet point after the first bullet point:
 '» a modular home'
 - d) adding the following bullet point after the fourth bullet point:
 '• a detached garage in accordance with Section 7.6.2'
54. That Section 7.6.2 - Zone Requirements is amended by:
- a) adding the words 'for lots greater than 0.8 ha' '10.0 for lots between 0.4 and 0.8 ha' and '12.0 for lots less than 0.4 ha' after the word '8.0' in part h) under the title 'The lot'.
 - b) adding the word 'gross' before the words 'floor area' in part g) under the title 'Any dwelling unit'.
 - c) deleting all of the words after the words 'Minimum side yard' and replacing it with the words '5.0 m' in part b) under the title 'Any sleep cabin without both bathroom and kitchen facilities'.
 - d) adding the word 'gross' before the words 'floor area' in part d) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - e) deleting the word '6.39' and replacing it with the word '6.41' in part e) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - f) deleting the word 'the' and replacing it with the word 'a' after the words 'and bathroom facilities,' in the first paragraph under the title 'Any sleep cabin with both kitchen and bathroom facilities'
 - g) deleting the word '6.39' and replacing it with '6.41' in the first paragraph under the title 'Any sleep cabin with both kitchen and bathroom facilities'
 - h) adding the word 'gross' before the words 'floor area' in part a) under the title 'Detached garage'
 - g) deleting the word '72.0' and replacing it with word '72.5' after the words 'floor area' in part a) under the title 'Detached garage'
55. That Section 7.6.3 - Restrictions is amended by:
- a) deleting the word '6.38' and replacing it with the word '6.40' in the first paragraph.
 - b) deleting the word '3.40' and replacing it with the word '6.42' in the first paragraph
 - c) adding the word 'and' after the words '(1.6) ha' in the second paragraph.
 - d) deleting the word 'the' and replacing it with the words 'all other' after the words 'in accordance with' in the second paragraph.
 - e) deleting the words 'Section 6.39' and replacing it with the words 'this By-law' in the second paragraph.
 - f) deleting all of the words in the fourth paragraph.
 - g) adding the following paragraphs after the last paragraph:
 'A detached garage may contain bathroom facilities connected to an approved sewage disposal system.'

Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and

kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.’

56. That Section 7.7.1.1 - Residential Uses is amended by:
- a) adding the following bullet point after the third bullet point:
‘ • a modular home ’
 - b) adding the following bullet point after the sixth bullet point:
*• a detached garage in accordance with the provisions of Section 7.7.2’
 - c) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the last bullet point.
57. That Section 7.7.2 - Zone Requirements is amended by:
- a) adding the word ‘A’ before the words ‘Detached garage’ in the title ‘Detached garage’
 - b) deleting the word ‘72.0’ and replacing it with word ‘72.5’ after the words ‘floor area’ in part a) under the title ‘Detached garage’
58. That Section 7.8.2 - Zone Requirements is amended by:
- a) deleting the word ‘35’ and replacing it with word ‘50.0’ after the words ‘lot coverage (%)’ in part c) under the title ‘A street townhouse dwelling or lot’.
 - b) deleting the words ‘, which may include the privacy area’ after the words ‘30.0% of lot’ in part j) under the title ‘A street townhouse dwelling or lot’.
 - c) deleting the word ‘30’ after the words ‘Minimum lot frontage’ and replacing it with the word ‘50’ in part a) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’
 - d) deleting all of part b) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’ and renumbering the subsequent sections.
 - e) deleting the word ‘f’ after the words ‘the building or’ and replacing it with the word ‘e’ in part h) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
 - f) deleting the word ‘40’ and replacing it with word ‘60’ after the words ‘Maximum density’ in part 1) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
 - g) deleting the word ‘50.0%’ and replacing it with the word ‘40%’ after the words ‘Minimum landscaped open space’ in part m) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
59. That Section 7 - Specific Zones is amended by adding the following section after Section 7.8 - Medium Density Residential (RM) Zone, and re-numbering the subsequent sections and section references:

'SECTION 7.9 - HIGH DENSITY RESIDENTIAL (RH) ZONE

7.9.1 PERMITTED USES

No person shall within any High Density Residential (RH) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- an apartment building
- a nursing home
- a seniors facility
- accessory buildings in accordance with section 6.04

7.9.2 ZONE REQUIREMENTS

No person shall within any High Density Residential (RH) Zone use any lot, or erect, alter or use any building or structure except in accordance with the provisions of this section, the applicable provisions of Section 6, General Provisions - All Zones, and Section 8, Special Provisions and the following:

An apartment building, nursing home, seniors facility or lot:

- | | | |
|----|--|--|
| a) | Minimum lot frontage | 30.0 m |
| c) | Maximum lot coverage (%) | 30.0 |
| d) | Minimum front yard | 7.5 m |
| e) | Minimum front yard on a shoreline lot | 15.0 m |
| f) | Minimum rear yard | 10.0 m |
| g) | Minimum side yard | the height of the building or
10.0 m,
whichever is greater |
| h) | Minimum flankage yard | 7.5 m
15.0 m on a shoreline lot |
| i) | Maximum building height | 16.0 m |
| j) | Minimum distance between buildings on the
same lot, excluding accessory buildings | 3.0 m between walls not
containing windows to
habitable rooms
10.0 m between walls where
one wall contains windows to
habitable rooms
15.0 m between walls where
both walls contain windows
to habitable rooms |
| l) | Maximum density | 80 units per ha |
| m) | Minimum landscaped open space | 35.0% |

All accessory buildings

- | | | |
|----|--|---------------------------|
| a) | Minimum distance to an interior side
or rear lot line | 1.2 m |
| b) | Minimum distance to shoreline | 3.0 m |
| c) | Minimum distance to a flankage lot line | 7.5 m |
| | | 15.0 m on a shoreline lot |
| d) | Maximum building height | 5.0 m |

7.9.3 RESTRICTIONS

Within the High Density Residential (RH) Zone, sleep cabins and boathouses are not permitted as accessory buildings.

7.9.4 EXCEPTIONS'

60. That Section 7.9.1 - Permitted Uses is amended by adding the following bullet points after the second bullet point:
- a detached or attached garage in accordance with the provisions of Section 7.10.2
 - accessory buildings in accordance with Sections 6.04 and 7.10.2'
61. That Section 7.9.2 - Zone Requirements is amended by deleting the word '6.32' and replacing it with the word '6.33' after the word 'Section' in part f)
62. That Section 7.9 - Mobile Home Park (RMH) Zone is amended by adding the following section after Section 7.9.2, and re-numbering the subsequent sections:
'7.10.3 RESTRICTIONS'
63. That Section 7.9.4 - Exceptions is amended by::
- a) deleting the word '7.9.1' and replacing it with the word '7.10.1' in the first exception;
 - b) deleting the word '7.9.1' and replacing it with the word '7.10.1' in the second exception
 - c) deleting the word '7.9.2' and replacing it with the word '7.10.2' in the third exception
64. That Section 7.10.1 - Permitted Uses is amended by:
- a) deleting the word '7.10.2' and replacing it with the word '7.5.2' in the second last bullet point;
 - b) deleting the word '7.10.3' and replacing it with the word '7.11.3' in the last bullet point.
65. That Section 7.10.2 - Zone Requirements is amended by:
- a) adding the following section after the section titled 'A water based boathouse':
'A detached garage
- | | | |
|----|---------------------------------|-------------|
| a) | Maximum gross floor area | 110.0 sq. m |
| b) | Maximum building height | 5.0 m |
| c) | Minimum distance to an interior | |

	side or rear lot line	1.2 m
d)	Minimum distance to a flankage lot line	10.0 m
e)	Minimum distance from the shore	15.0 m'

- b) adding the words 'and accessory buildings' after the words 'permitted uses' in the title 'All other lots or permitted uses'.
- c) deleting all of parts h) and i) under the title 'All other lots or permitted uses', and re-lettering the subsequent parts.

66. That Section 7.10.3 - Restrictions in amended by:
 - a) deleting the words 'the rental of houseboats' after the word 'restaurants' in the third paragraph;
 - b) adding the words 'the rental of house boats,' after the words 'limited to' in the third paragraph.
67. That Section 7.10.4 - Exceptions is amended by adding the following words before the words 'a) minimum lot area':

'Notwithstanding any other provisions of this By-law, on the lands known as 6612 and 6628 Hwy. UN. (Temagami Shores Inn and Resort), the following shall apply:'.
68. That Section 7.10.2 - Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections.
69. That Section 7.11.2- Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections
70. That Section 7.11.3 - Restrictions is amended by deleting the word '7.11.1' and replacing it with the word '7.12.1' in the first paragraph.
71. That Section 7.12.2 - Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections
72. That Section 7.12.4 - Exceptions is amended by deleting the word '7.12.1' and replacing it with the word '7.13.1' in the first exception
73. That Section 7.13.2 - Permitted Uses is amended by adding the following bullet point after the second last bullet point:
 - *• an apartment building'
74. That Section 7.13.2 - Zone Requirements is amended by:
 - a) deleting the word '11.0' and replacing it with the word ' 16.0' in part f) under the title 'A commercial use'
 - b) adding the following section after the section titled 'A commercial use':

'Apartment Building
In accordance with the provisions of the High Density Residential (RH) Zone'
75. That Section 7.13.3 - Restrictions is amended by deleting the word '7.13.1' and replacing it with the word '7.14.1' in the first paragraph.

76. That Section 7.14.2 - Zone Requirements is amended by:
- a) deleting the word '100.0' and replacing it with the word '80.0' after the words 'Maximum lot coverage (%)' in part c).
 - b) deleting all of part h), and re-lettering the subsequent parts.
77. That Section 7.14.3 - Restrictions is amended by deleting the word '7.14.1' and replacing it with the word '7.15.1' in the second paragraph.
78. That Section 7.15.2 - Zone Requirements is amended by deleting all of parts f) and g) under the title 'A commercial use', and re-lettering the subsequent parts.
79. That Section 7.16.2 - Zone Requirements is amended by:
- a) deleting all of part c) under the title 'An industrial lot', and re-lettering the subsequent parts.
 - b) deleting all of parts e) and f) under the title 'An industrial use', and re-lettering the subsequent parts.
80. That Section 7.17.2 - Zone Requirements is amended by:
- a) deleting all of parts c) under the title 'An industrial lot', and re-lettering the subsequent parts.
 - b) deleting all of parts d) and e) under the title 'An industrial use', and re-lettering the subsequent parts.
81. That Section 7.17.4 - Exceptions is amended by adding the following:
- 'a) Notwithstanding any other provisions of this By-law, the land within Plan 36R-10857 is subject to the following provisions:

Permitted uses are limited to an automobile repair shop, bulk sales establishment' industrial uses, open storage, sawmill and scrap yard.

All buildings and structures, parking and loading areas and outdoor storage areas shall be set back a minimum of fifteen (15.0) metres from the average high water mark of Link Lake.

The minimum lot size shall be one (1.0) hectare.

The minimum lot frontage shall be thirty (30.0) metres

The minimum front yard shall be nine (9.0) metres

The minimum exterior side yard shall be nine (9.0) metres.

The minimum interior side yard shall be six (6.0) metres.

The minimum rear yard shall be six (6.0) metres.

The minimum setback from any lot line for open storage shall be six (6.0) metres.

All other applicable provisions of this By-law shall apply to the land.

Further, the Holding Zoning (H) on the land within Plan 36R10857 shall be lifted only when Council is satisfied that:

- Proposed accessory uses do not include a residence, day care centre or educational or health facility;
- The use/uses proposed on the site are those listed above or other dry uses permitted through a rezoning which do not have 'process' water flowing to septic tanks or to Link Lake; or
- The applicant has met the Health Unit or Ministry of the Environment requirements for a sewage disposal system; and
- All structures to be located on the site are a minimum of fifteen (15.0) metres from the average high water mark of Link Lake'

82. That Section 7.17.4 - Exceptions is amended by adding the following:

- 'b) Notwithstanding any other provisions of this By-law, on the lands described as
- a) 6167 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486;
 - b) 6155 Hwy. 11 N, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 2 Parcel 25028;
 - c) 6159 Hwy. 11 N, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Parcel 25029A; and
 - d) 6151 Hwy. UN, legally described as Strathcona Pt. Loc. HS2190, Reference Plan 36R-10482 Part 1 Parcel 28865 Nip;
- the permitted uses are limited to:
- a warehouse
 - a business office accessory to a permitted use
 - a contractors shop or yard
 - a builders supply yard
 - an equipment or materials storage yard
 - a transport terminal
 - a petroleum storage depot
 - a saw or planing mill
 - open storage in conjunction with a permitted use
 - accessory uses

Notwithstanding any other provisions of this By-law, on the land described as 6167 Hwy. 11 N, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486, the following is permitted:

- a dwelling unit for the owner/operator/caretaker accessory to the main industrial use, in accordance with Section 7.6.2 and Section 6.15 a) b) d) and e)'

83. That Section 7.19.2 - Zone Requirements is amended by deleting all of parts i) and j) under the title 'For all uses', and re-lettering the subsequent parts.

84. That Section 7.21.2 - Zone Requirements is amended by deleting all of parts j) and k) under the titles 'For community centres, an arena and a curling rink' and 'For all other

permitted uses’, and re-lettering the subsequent parts.

85. That Section 7.21.3 - Restrictions is amended by deleting the word ‘7.19.1’ and replacing it with the word ‘7.22.1’ in the second paragraph.
86. That Section 7.23 - Future Development (FD) Zone is amended by adding the following section after Section 7.23.2, and re-numbering the subsequent sections:
‘7.24.3 RESTRICTIONS’
87. That Section 7.23.3 - Exceptions is amended by:
 - b) deleting the word ‘7.23.1’ and replacing it with the word ‘7.24.1’ in part a) in the first exception
 - c) deleting the word ‘7.23.3.1’ and replacing it with the word ‘7.24.4.1’ in part d) in the first exception
88. That Schedule “A-1 1” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Open Space (OS) to the Low Density Residential - Holding (RL-H) Zone on the lands as identified on Schedule “A-1” attached hereto and forming part of the By-law.
89. That Schedule “A-6” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 6426 Highway 11 North; STRATHCONA SUMMER RESORT; LOCATION RW 101 LOCATION CL; 12571 AND RP 36R11238 PART 1; PCL 18462SEC PCL 19576SEC; PCL 29285SEC from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone as identified on Schedule “A-2” attached hereto and forming part of the By-law.
90. That Schedule “A-6” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 6454 Highway 11 North; STRATHCONA LOCATION HS2159; PCL 16319 from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone as identified on Schedule “A-2” attached hereto and forming part of the By-law.
91. That Schedule “A-4” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Waste Disposal (WD) Zone to the Special Management Area (SMA) Zone on the lands as identified on Schedule “A-3” attached hereto and forming part of the By-law.
92. That Schedule “A-4” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Special Management Area (SMA) Zone to the Waste Disposal (WD) Zone on the lands as identified on Schedule “A-3” attached hereto and forming part of the By-law.
93. That Schedule “A-10” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Heavy Industrial (MH) Zone to the Urban Commercial (UC) Zone on the lands as identified on Schedule “A-4” attached hereto and forming part of the By-law.

94. That Schedule “A-2” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as PLAN 36M610 BLOCK 52 from the Future Development (FD) Zone to the Tourist Commercial (TC) Zone as identified on Schedule “A-5” attached hereto and forming part of the By-law.
95. That Schedule “A-2” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 34 Kanichee Mine Road; STRATHY PT MINING LOCATIONS; RW 49 WD 257 AND RP 36R12210; PART 1 PCL 17823 from the Rural Residential (R3) Zone to the Remote Residential (R2) Zone as identified on Schedule “A-6” attached hereto and forming part of the By-law.
96. That Schedule “A-2” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 30 Kanichee Mine Road; STRATHY PCL 19219 ISLAND PCL; 2499 from the Rural Residential (R3) Zone to the Remote Residential (R2) Zone as identified on Schedule “A-6” attached hereto and forming part of the By-law.
97. That Schedule “A-3” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 381 Fox Run; STRATHY PLAN 36M610 BLOCKS 48,53,54,;56,57 from the Remote Residential (R2) Zone to the Open Space (OS) Zone as identified on Schedule “A-7” attached hereto and forming part of the By-law.
98. That Schedule “A-3” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone on the lands as identified on Schedule “A-7” attached hereto and forming part of the By-law.
99. That Schedule “A-3” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Integrated Management Area (IMA) Zone to the Open Space (OS) Zone on the lands as identified on Schedule “A-7” attached hereto and forming part of the By-law.
100. That Schedule “A-6” of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as
 - a) 6167 Hwy. 11 N, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486;
 - b) 6155 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 2 Parcel 25028;
 - c) 6159 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Parcel 25029A; and
 - d) 6151 Hwy. UN, legally described as Strathcona Pt. Loc. HS2190, Reference Plan 36R-10482 Part 1 Parcel 28865 Nip;from the Rural Residential (R3) Zone and Highway Commercial (HC) Zone to the Heavy Industrial Exception Two (MH-2) Zone on the lands as identified on Schedule “A-8” attached hereto and forming part of the By-law.

101. 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.

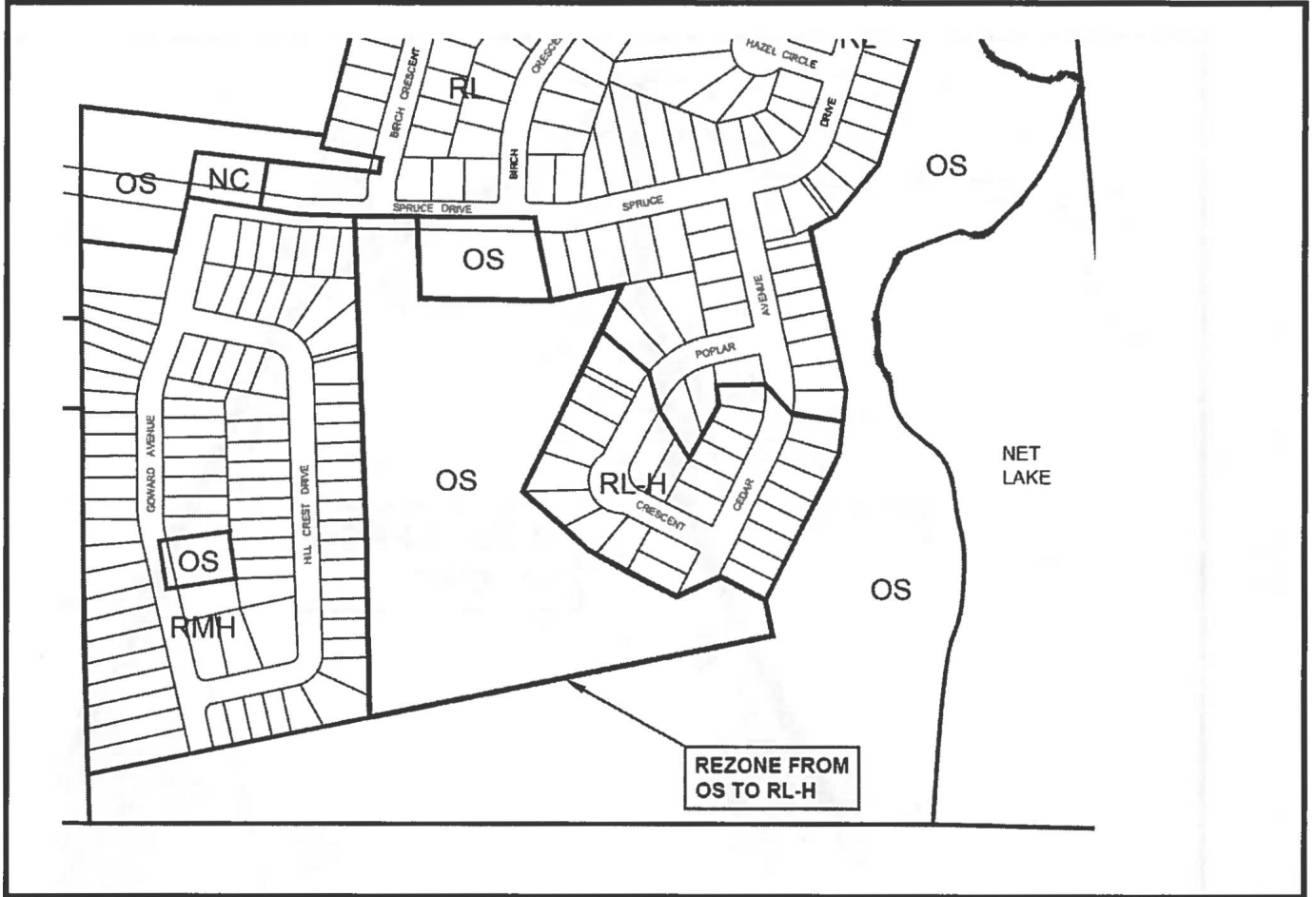
102. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedules, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

BE TAKEN AS READ A FIRST time on this 25th day of April, 2013
~~READ A SECOND~~ 4ime on ~~14th~~ day ~~September~~, ~~2013~~
~~READ A SECOND AND~~ THIRD time and finally passed this 17th day of November,
2013. *ef*


 Mayor

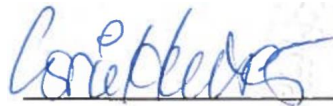

 Clerk

SCHEDULE A-I
To By-law 13-1121

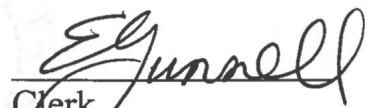


Lands to be Rezoned

This Schedule "A-I" to By-law 13-1121
Passed this 17th day of November 2012?

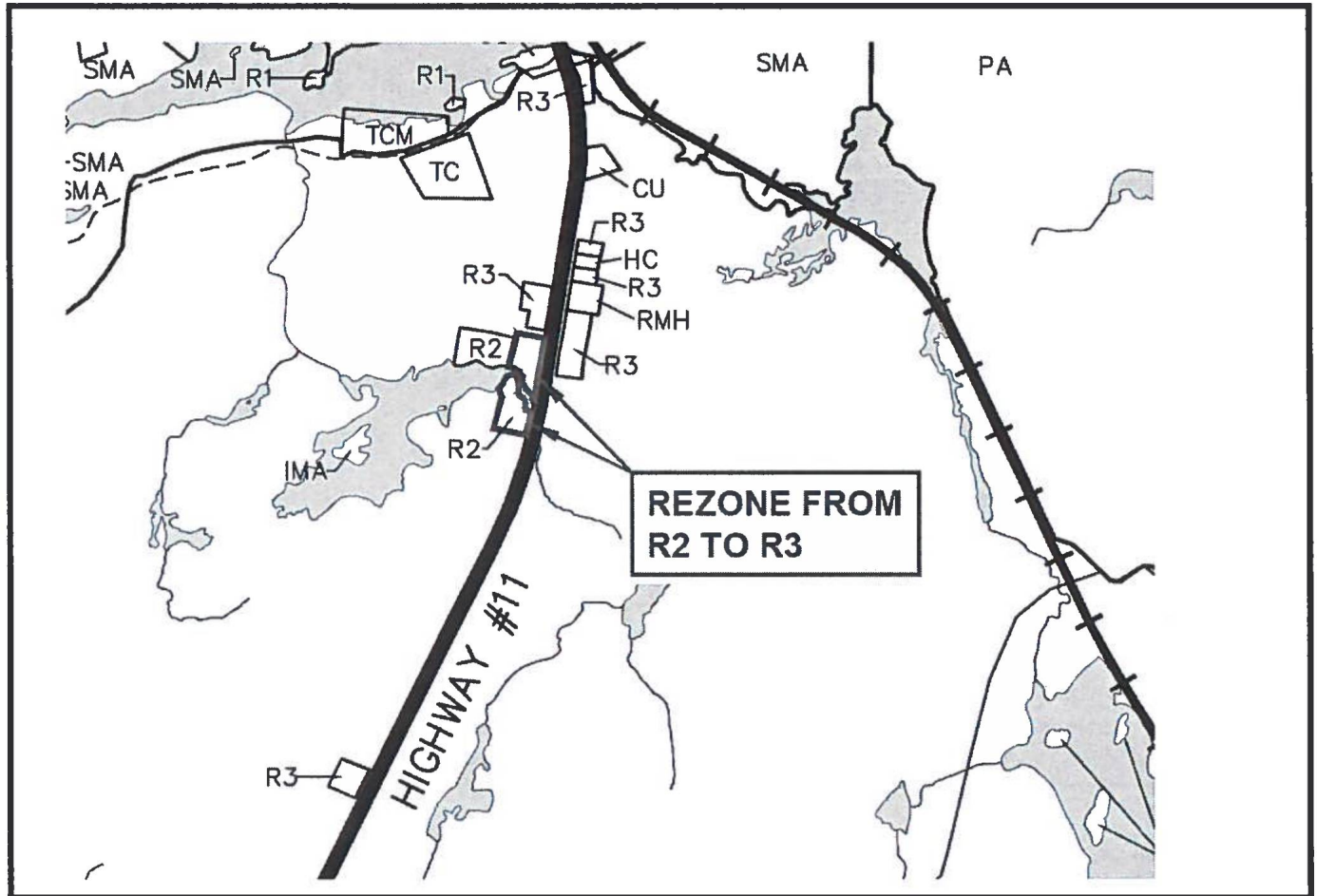


Mayor



Clerk

SCHEDULE A-2
To By-law 13-1121



Lands to be Rezoned

This Schedule "A-2" to By-law 13-1121

Passed this ^ay of

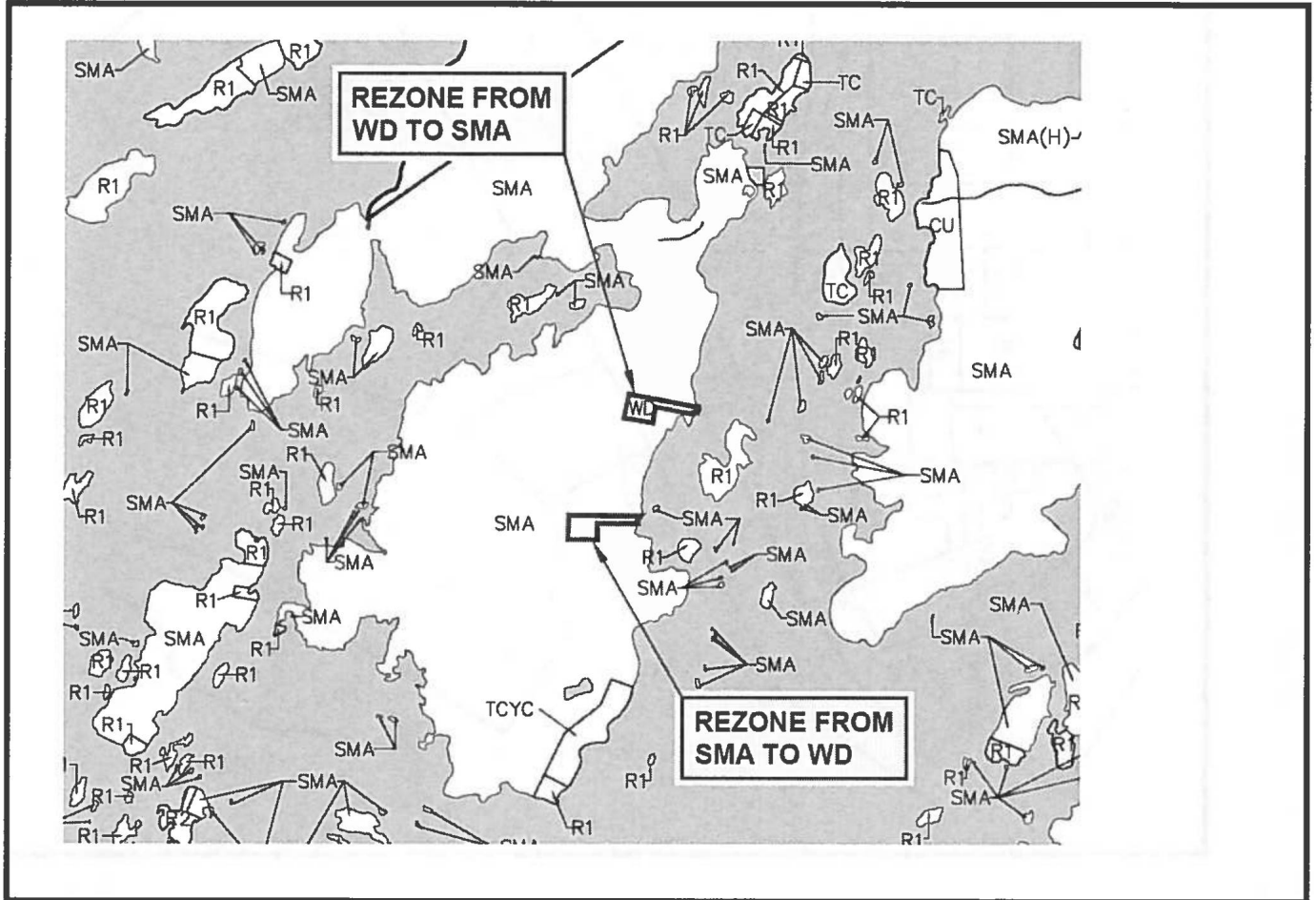
November 2013

Mayor

Clerk

SCHEDULE A-3

To By-law 13-1121



Lands to be Rezoned

This Schedule "A-3" to By-law 13-1121

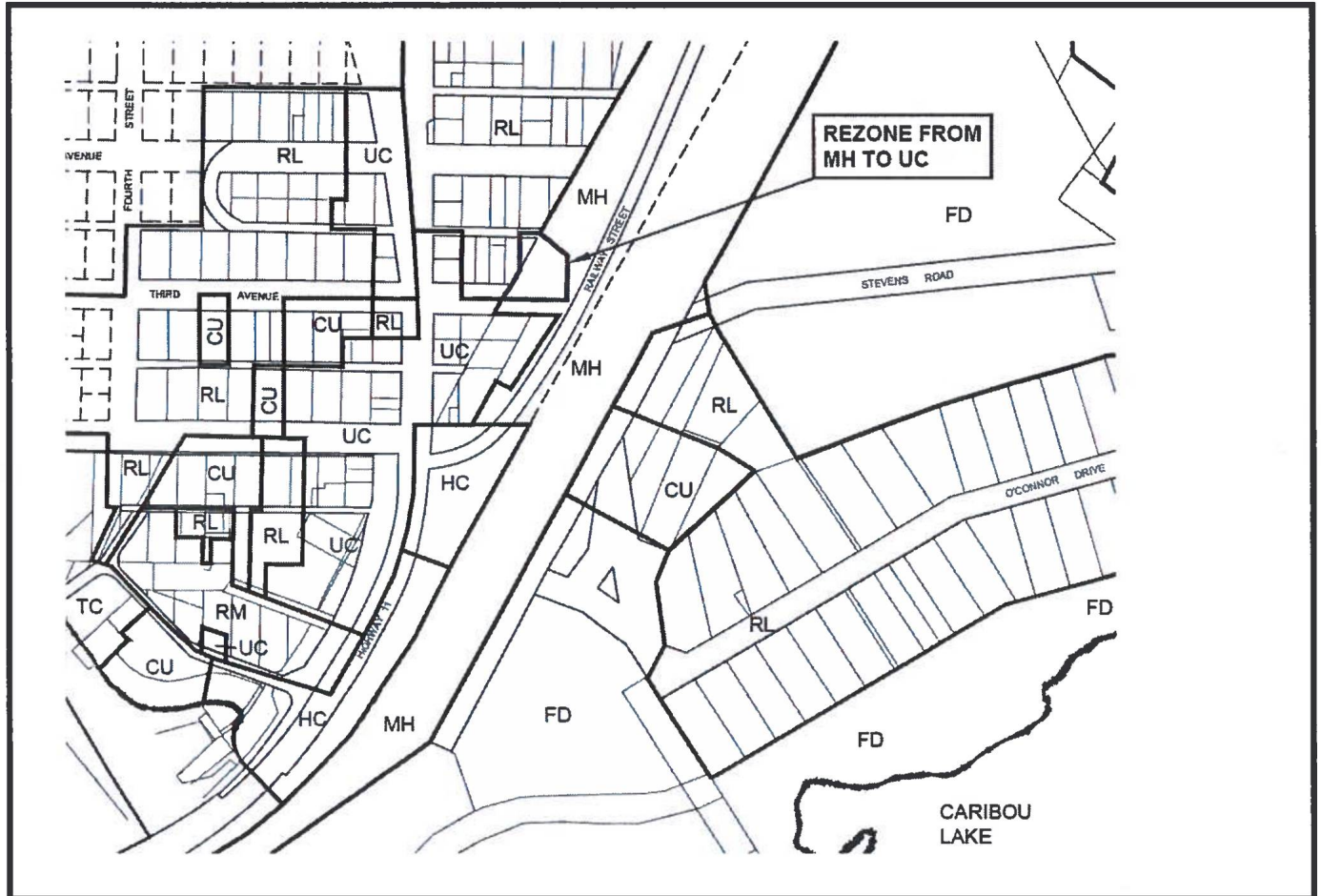
Passed this 1st day of

November 2013.

Mayor

Clerk

SCHEDULE A-4
To By-law 13-1121



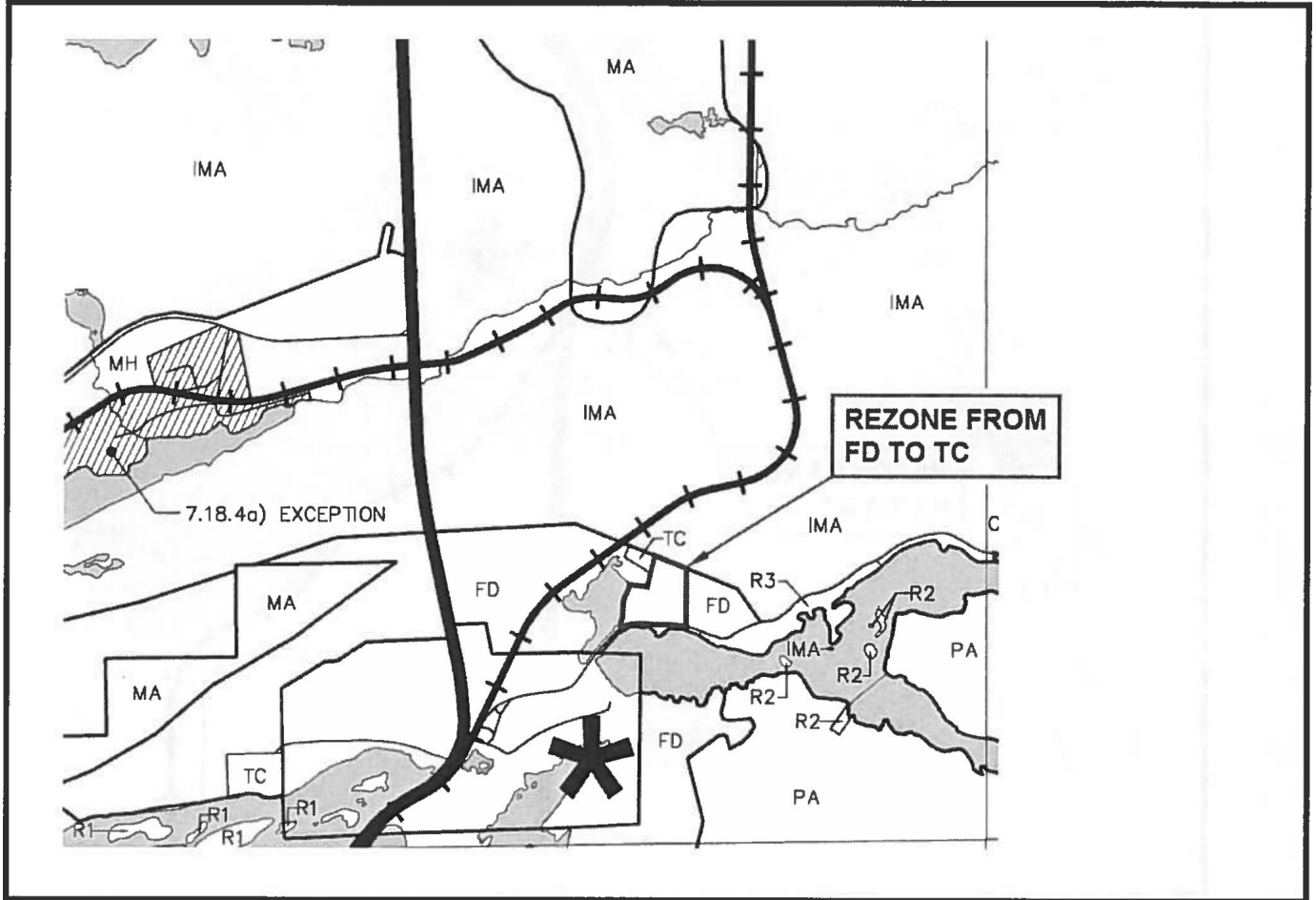
Lands to be Rezoned

This Schedule "A-4" to By-law 13-1121
Passed this [^]/_^ day of November 2013


Mayor


Clerk

SCHEDULE A-5
To By-law 13-1121



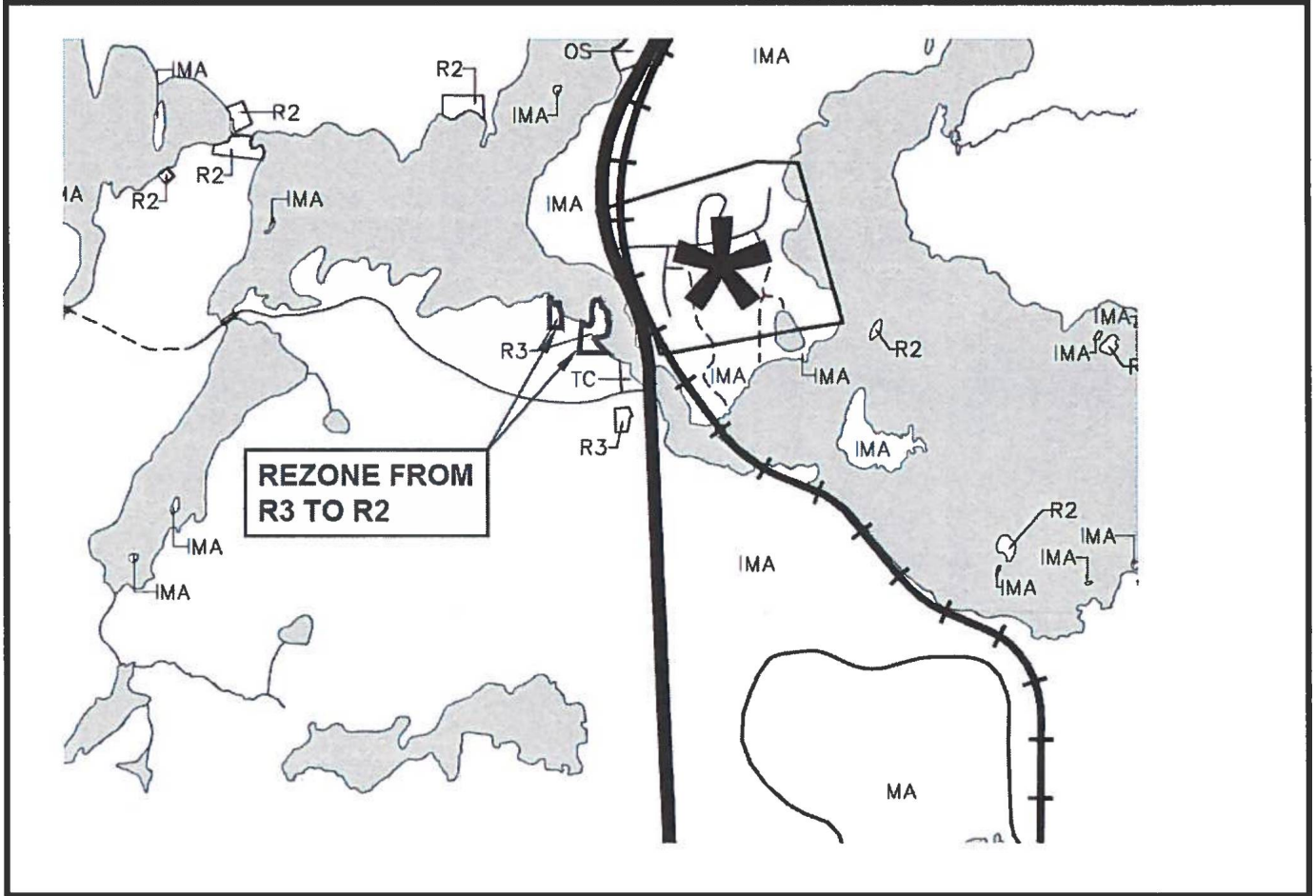
Lands to be Rezoned

This Schedule "A-5" to By-law 13-1121
Passed this 21st day of November 2013.


Mayor


Clerk

SCHEDULE A-6
To By-law 13-1121



Lands to be Rezoned

This Schedule "A-6" to By-law 13-1121
Passed this day of 20

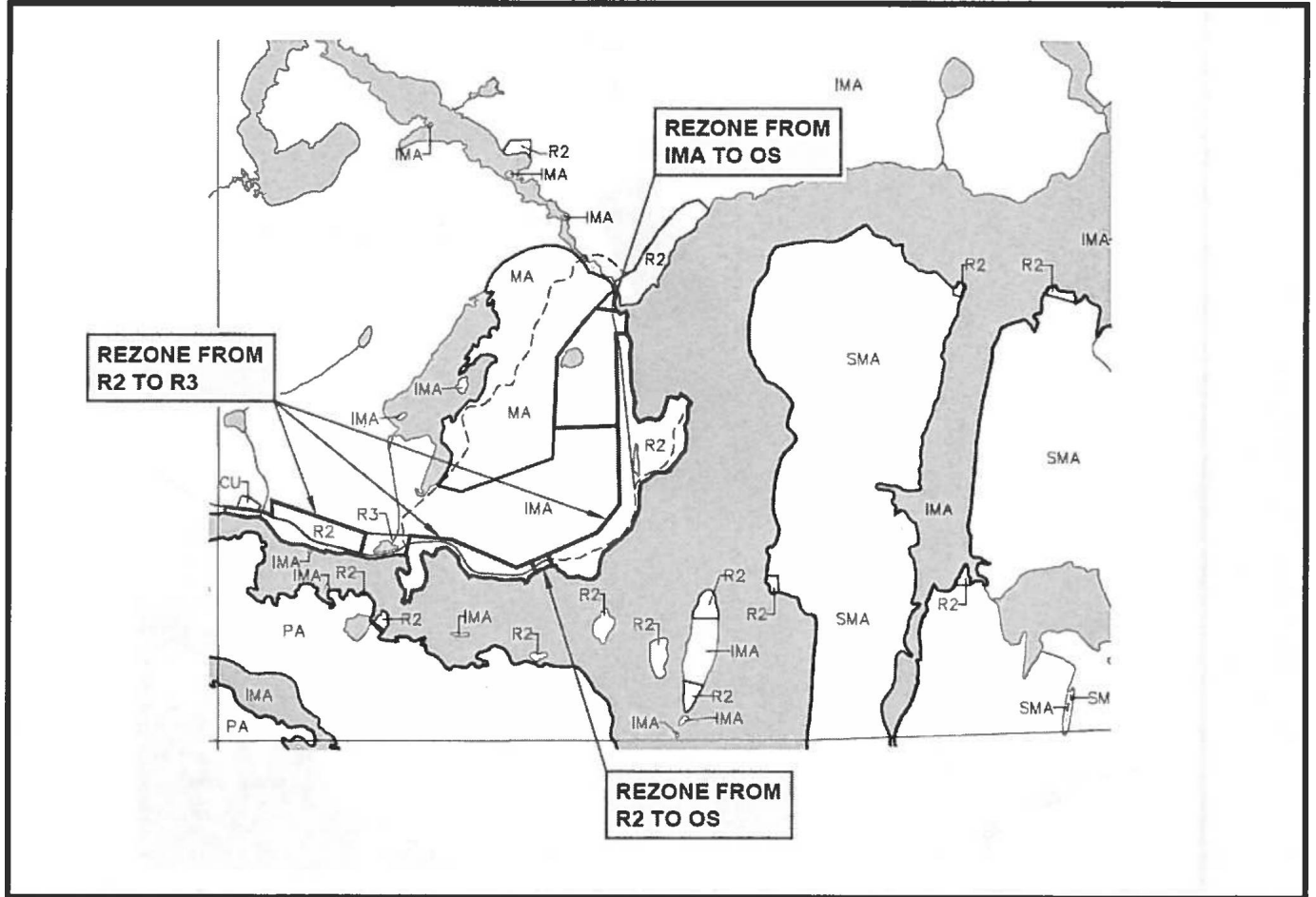
Lois Kewer

Mayor

E. Gunnell

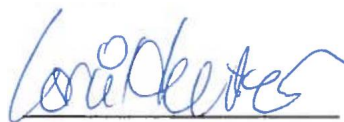
Clerk

SCHEDULE A-7
To By-law 13-1121

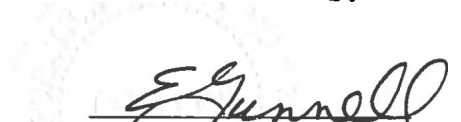


Lands to be Rezoned

This Schedule "A-7" to By-law 13-1121
Passed this day 21st November 2013.

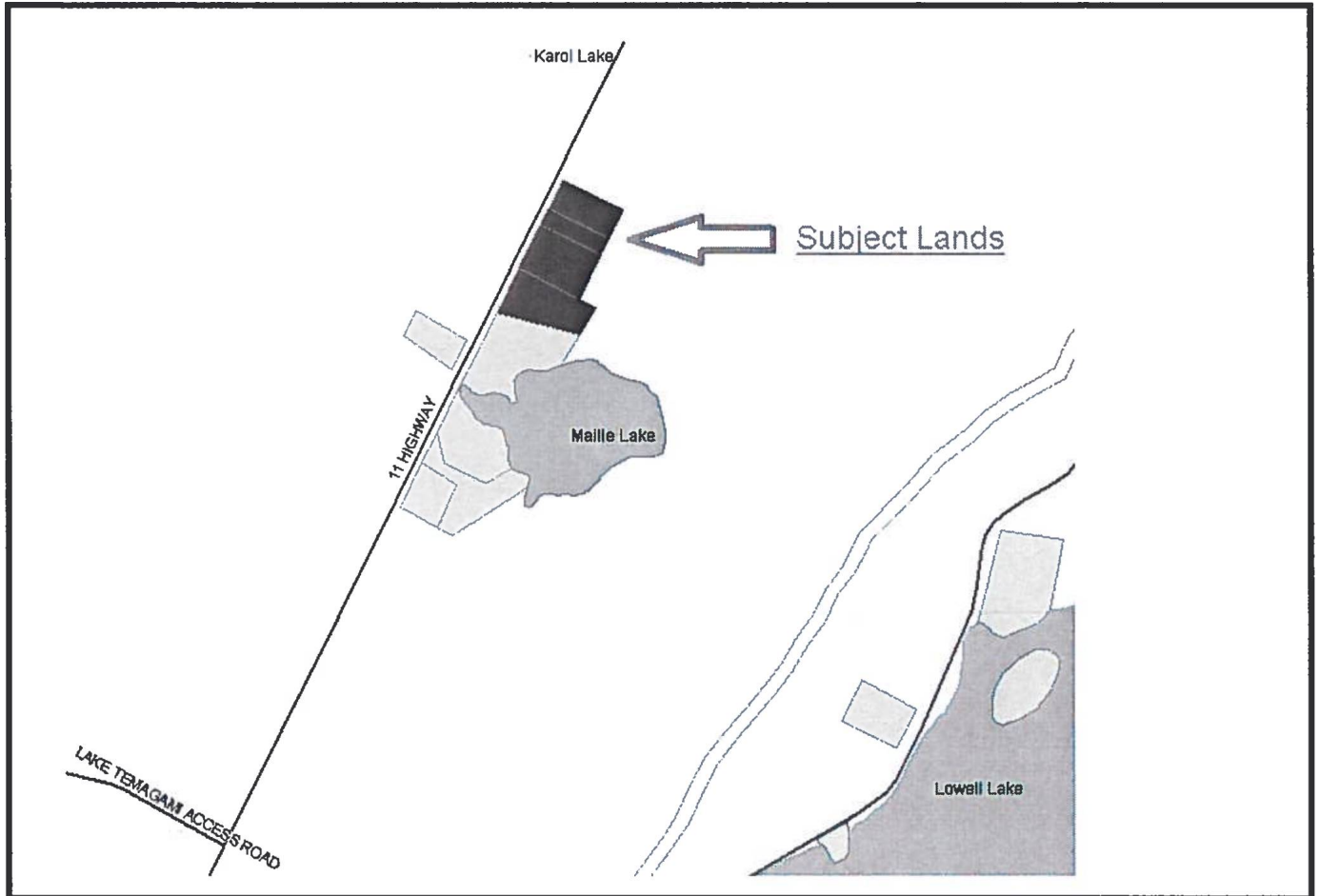


Mayor



Clerk

SCHEDULE A-8
To By-law 13-1121

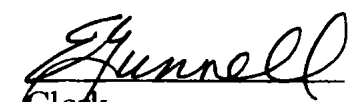


Lands to be Rezoned

This Schedule "A-8" to By-law 13-1121
Passed this 1st day of November 2013.



Mayor



Clerk

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario

6^4



ISSUE DATE: July 11, 2014

CASE NO(S): PL131380

PROCEEDING COMMENCED UNDER Subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Shirley St. Jean
Subject: By-law No. No. 13-1121
Municipality: Township of Temagami
OMB Case No.: PL131380
OMB File No.: PL131380

Heard: July 3, 2014 by telephone conference call

APPEARANCES:

Parties

Municipality of Temagami

Shirley St. Jean and Karen
Beauchamp

Counsel/Representative

Dennis Trinaistich*

Ivan Beauchamp

File 0IncomingQOI^{her}

Mayor

Council 01 OA

CAO#

Building 0

Finance OS QC

Ec Dev OS OC

Parks & Rec OS DC

Planning pSOC

Public Wks OS OC

PPPO
Social Services U

clerk

**MEMORANDUM OF ORAL DECISION DELIVERED BY C. HEFFERON ON
JULY 3, 2014 AND ORDER OF THE BOARD**

BACKGROUND

[1] Shirley St. Jean appealed to the Ontario Municipal Board ("Board") the November 21, 2013 decision of the Municipality of Temagami ("Municipality") approving Zoning By-law No. 13-1121, which amends the Municipality's comprehensive Zoning By-law No. 06-650, as amended ("By-law").

[2] Karen Beauchamp is Shirley St. Jean's daughter. She is the current owner of 6151,6155, 6159 and 6167 Highway 11 North, Temagami, Ontario ("subject property").

[3] The subject property has historically had a number of uses. Most recently, it is leased by a construction business owned by Ivan Beauchamp, who is Ms. Beauchamp's husband and agent in this matter.

[4] In approving Zoning By-law No. 13-1121, the municipality proposed to re-zone the subject property to Highway Commercial (HC-1), which would reflect its location on the busy north bound lane of Provincial Highway No. 11 but which would, Ms. Beauchamp contended, ignore its current use as a construction business.

SETTLEMENT PRESENTED

[5] The parties had presented a signed Minutes of Settlement ("Minutes") for the Board's consideration. The Minutes were entered into the evidence as Exhibit 1.

EVIDENCE AND FINDINGS

[6] The Board qualified Jamie Robinson, who was retained by the Municipality, to present opinion evidence on land use planning. Mr. Robinson's evidence was presented in both *viva voce* and affidavit form.

[7] He advised that the proposed settlement would see section 7.14 of Zoning By-law No.13-1121 amended from the original form approved by Council in November 2013 by adding a new s. 7.14.1.1. Pursuant to s. 7.14.1.1 of Zoning By-law No.13-1121, as amended, the subject property would be zoned "Highway Commercial Exception One". This site specific zone permits all Highway Commercial uses plus some exceptions to permit its current use as a construction business. Schedule A of Zoning By-law No. 13-1121 lists the modifications to Zoning By-law No.13-1121 and the permitted uses on the subject property. Zoning By-law No.13-1121 was entered into the evidence as Exhibit 2.

[8] Mr. Robinson testified that the proposed settlement as contained in the Minutes is consistent with the 2014 Provincial Policy Statement ("PPS"). He specifically referenced PPS Policy 1.1.5.2, which deals with permitted uses on rural lands located in municipalities and PPS Policy 1.3.1, which deals with economic development and competitiveness. He explained that the current uses on the subject property provide not only steady employment for a number of local workers but also a valuable service to both cottagers and permanent residents in the area since the construction business builds and services septic systems.

[9] He further advised that the subject property is subject to the Northern Ontario Growth Plan ("NOGP"). NOGP Policy 1.4.1 provides that in considering a land use classification and the range of permitted uses on a parcel of land, the municipality is required also to take into account the range of possible future uses that may be appropriate. Mr. Robinson testified that the proposed zoning not only provides for the current uses on the subject property but also possible future uses that may be appropriate, such as a truck stop.

[10] He testified that the proposed site specific zoning classification conforms to the Municipal Official Plan ("MOP") designation of the subject property as "Integrated Management Area". He explained that the focus of land use planning in the Municipality is economic development and the protection of the water quality in Lake Temagami. He advised that the current use of the subject property for a business that builds and services septic tanks for both seasonal and permanent residences is consistent with this vision and, as well, provides important economic and environmental benefits to the area.

[11] Finally, he testified that the proposed zoning represents good planning not only because it is consistent with Provincial policy as defined in both the PPS and the NOGP, but also because it provides for both the existing uses on the property as well as a range of possible future highway commercial uses that would be compatible with its location on a busy Provincial highway.

[12] Mr. Robinson's affidavit evidence was entered into the evidence as Exhibit 3.

[13] The Board accepts Mr. Robinson's unopposed and un-contradicted opinion evidence and finds that the proposal represents good planning and has appropriate regard to s. 2.0 of the *Planning Act*.

[14] After consideration of the evidence, the Board accepts the Minutes of Settlement.

ORDER

[15] The Board orders the appeal is allowed and Zoning By-law No. 13-1121, as amended, is approved. A signed copy of Zoning By-law No. 13-1121, as amended, is appended to this decision as Attachment 1.

"C. Hefferon"

C.HEFFERON
MEMBER

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario

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**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 13-1121

Being a by-law to amend By-law No. 06-650, the Comprehensive Zoning By-law of the Municipality of Temagami subsequent to a review and amendment of the Official Plan 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 Planning Act, Section 26(9), requires that no later than three years after an Official Plan revision comes into effect, the Council of the Municipality shall amend all zoning by-laws that are in effect in the Municipality to ensure that they conform with the Official Plan;

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

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

1. That references to section numbers in this amendment are references to the sections as they existed in By-law No. 06-650, as amended, prior to this amendment
2. That Section 5 - Definitions is amended by adding the following definition of 'Apartment Building' after the definition of 'Alter':

'APARTMENT BUILDING shall mean a building containing four (4) or more dwelling units which units have a common entrance from the street level and common halls and/or stairs, elevators and yards.'
3. That Section 5 - Definitions is amended by deleting the words ', but does not include a motor vehicle repair shop' at the end of the definition of 'Auto Body Repair Shop'.
4. That Section 5 - Definitions is amended by adding the words 'A contractor's yard does not include a home industry.' to the end of the definition of 'Contractor's Yard'.
5. That Section 5 - Definitions is amended by amending the definition of 'Floor Area, Gross' by:
 - a) adding the words 'breezeway, unenclosed porch or unenclosed veranda' after the

words 'areas within the building'

b) deleting the words 'excluding car parking areas within the building' and replacing them with the words 'excluding the floor space of the garage in the residential building'

6. That Section 5 - Definitions is amended by deleting the last two sentences in the definition of 'Garden Suite':

'The floor area of the garden suite shall not exceed thirty percent (30%) of the existing living area of the primary residence or seventy one (71) square metres in a floor area on a lot zoned residential, whichever is lesser. The units are portable so that when they are no longer required they may be removed and relocated to a new site.'

7. That Section 5 — Definitions is amended by adding the words 'A home industry does not include a contractor's yard.' to the end of the definition of 'Home Industry'.
8. That Section 5 - Definitions is amended by deleting the words¹, but does not include any residential use' and replacing them with the words '. The owner or caretaker may live in the hotel accessory to the use' in the definition of 'Hotel'.
9. That Section 5 - Definitions is amended by deleting the definition of 'Lot Coverage' and replacing it with the following definition:

'LOT COVERAGE shall mean that percentage of the lot area, covered by all buildings above ground level, excluding building features that project beyond the main walls of a building such as window sills, cornices, pilasters, cantilevered canopies or roofs, eaves, gutters, bay windows, chimney breasts or that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level. The calculation of lot coverage shall include enclosed and unenclosed decks, enclosed and unenclosed porches and enclosed and unenclosed platforms and buildings, including those less than ten (10.0) sq. m. ground floor area. For the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.'

10. That Section 5 — Definitions is amended by adding the words 'of the floor' after the words 'of the floor area' in the definition of 'Mezzanine'.
11. That Section 5 - Definitions is amended by adding the words 'For the purpose of this By-law, a mobile home is deemed not to be a modular home.' after the word 'meters' in the definition of 'Mobile Home'.
12. That Section 5 - Definitions is amended by amending the definition of 'Narrow Water Body' by:
- a) deleting the word '60' and replacing it with '60.0'
- b) deleting the word '6.40' and replacing it with '6.42'
13. That Section 5 - Definitions is amended by deleting the all of the words after the words 'of sale or display' in the definition of 'Parking Space'.

14. That Section 5 - Definitions is amended by deleting the definitions of 'Restaurant', 'Restaurant, Drive-in', and 'Restaurant, Take-out' and replacing it with the following definition:

'RESTAURANT shall mean:

- a) a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the site but does not include a drive-in restaurant; or
- b) a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure or off the premises; or
- c) an establishment in which the design of physical facilities, the serving or packaging procedures permit or encourage the purchase of prepared, ready-to-eat foods intended to be consumed off the premises, and where space for the consumption of foods in motor vehicles on the premises is not provided.'

15. That Section 5 - Definitions is amended by deleting the word 'county' and replacing with it with the word 'country' in the definition of 'Recreational Trail'.

16. That Section 5 - Definitions is amended by adding the following definitions of 'School, Commercial' and 'School, Private' after the definition of 'School':

'SCHOOL, COMMERCIAL shall mean a school, other than a private school, operated by one or more persons for gain or profit.'

'SCHOOL, PRIVATE shall mean a school other than an elementary, secondary or commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable organization, used primarily for the instruction of students receiving education. The term private school shall include a Montessori school.'

17. That Section 5 - Definitions is amended by deleting the word '6.31' and replacing with it with the word '6.34' in the definition of 'Screening'.

18. That Section 5 - Definitions is amended by deleting the word '15' and replacing it with the word '15.0' in the definition of 'Shoreline Activity Area'.

19. That Section 5 - Definitions is amended by adding the following definition of 'Trail' after the definition of 'Tradesperson':

'TRAIL, when used to describe a trail from the shoreline to a private cottage, shall mean an area no wider than two (2.0) metres, not constructed at right angles to the shoreline, routed to avoid trees larger than ten (10.0) cm in diameter at a point two

(2.0) metres above the ground, cleared of shrubs and cleared of branches the encroach into the two (2.0) metre width, to a height of approximately three (3.0) metres.’

20. That Section 5 - Definitions is amended by adding the following definitions of ‘Vegetative Buffer’ and ‘Viewing/Ventilation Corridor’ after the definition of ‘Use’:

‘VEGETATIVE BUFFER shall mean the area that either extends from the shoreline to the front wall of the main building on the lot or extends back from the shoreline a distance equal to the minimum front yard setback for the main building on the lot, whichever distance is greater. The vegetative buffer is comprised of all vegetation including, but not limited to grasses, shrubs, bushes and trees.’

‘VIEWING/VENTILATION CORRIDOR shall mean a clearing between the shoreline and a private cottage to provide a view towards the lake and ventilation to the cottage, that of which can be characterized as no wider than six (6.0) metres, does not involve the removal of any trees greater than ten (10.0) cm in diameter at a point two (2.0) metres above the ground, does not involve the removal of any naturally occurring grasses or shrubs, does not include the mowing of grass or shrubs and does include the trimming of branches (to a height of three [3.0] metres above ground) of trees located within the corridor and the trimming of branches of trees located outside the corridor where those branches encroach into the six (6.0) metre corridor, also to a height of approximately two (2.0) metres above ground level. However, where a Viewing/Ventilation Corridor also functions as a Trail, vegetation to a maximum width of two (2.0) metres within the Viewing/Ventilation Corridor may be cleared in accordance with the provisions for a Trail.’

21. That Section 6.01 - Zones is amended by adding the words ‘High Density Residential (RH) Zone (RH)’ after the words ‘Medium Density Residential (RM) Zone (RM)’

22. That Section 6.04 - Accessory Buildings and Uses is amended by:

- a) adding the words ‘, unless otherwise noted in this By-law’ after the words ‘incidental thereto’ in part a)
- b) adding the words ‘in accordance with Section 6.04,’ after the words ‘An accessory building,’ in part b)
- c) adding the word ‘gross’ after the words ‘square metres in’ in part b)
- d) adding the words ‘, except as otherwise permitted in this By-law’ at the end of part b)
- e) adding the words ‘gross floor area.’ after the words ‘square metres’
- f) deleting the word ‘and’ and replacing it with the word ‘or’ at the end of the second paragraph in part f)

23. That Section 6.06 - Boathouses is amended by deleting the fourth paragraph and replacing it with the following:

‘A boathouse containing sleeping accommodations in the Remote Residential (R2) Zone or the Rural Residential (R3) Zone is not deemed to be a sleep cabin for the purpose of calculating the number of sleep cabins on a residential lot.’

24. That Section 6.06 - Boathouses is amended by:
- a) deleting the words 'or a hip roof and replacing with it with the words *, hip or flat roof in the sixths paragraph.
 - b) adding the word 'nof after the words 'detached garage shall' in the last paragraph.
25. That Section 6.07 - Building Repair and Reconstruction is amended by deleting all of the words and replacing it with the following:
- 'Nothing in this By-law shall prevent the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner, provided that the minimum frontage or area, or the minimum front, side or rear yards or any other standards required by this By-law are not further reduced or its original use altered, except in accordance with the provisions of this By-law.'
26. That Section 6.15 - Dwelling Units in a Commercial Building is amended by:
- a) deleting the words 'on the ground floor or' in part b)
 - b) adding a new part c) as follows and re-lettering the subsequent parts:
- 'c) The dwelling unit(s) shall not occupy more than 50% of the gross floor area of the ground floor;'
27. That Section 6.15 - Dwelling Units in a Commercial Building is amended by deleting the word '6.31 ' and replacing with it with the word '6.33 ' in part c).
28. That Section 6 - General Provisions - All Zones is amended by deleting all of Section 6.16- Excepted Land Buildings and Non-Conforming Uses and re-numbering the subsequent sections.
29. That Section 6.18 - Frontage On A Public Street or Road is amended by adding the words ', RH' after the words 'RM' in the first paragraph.
30. That Section 6 - General Provisions - All Zones is amended by adding the following section, after Section 6.18 - Frontage On A Public Street or Road, and re-numbering the subsequent sections:
- '6.19 GARDEN SUITE
The gross floor area of the garden suite shall not exceed thirty percent (30%) of the existing living area of the primary residence or seventy one (71) square metres in gross floor area on a lot zoned residential, whichever is lesser. The units are portable so that when they are no longer required they may be removed and relocated to a new site.'
31. That Section 6.23 - Home Occupations is amended by
- a) deleting the words 'except as noted is (i),' in part g)
 - b) deleting part i), and re-lettering the subsequent parts.
32. That Section 6.26 - Loading Space Regulations and Requirements Zone Requirement part e) is amended by adding the word 'gross' before the words 'floor area'.

33. That Section 6.28 - Non-Complying Uses is amended by deleting all of the words in the section and replacing it with the following:

‘Continuation of existing non-complying uses

Nothing in this By-law shall prevent the strengthening to a safe condition, the rebuilding, repair or use of a building, structure or fence which is either lawfully non-complying itself or is situated on a lawfully non-complying lot, provided that the use of the building or structure is conforming and that the non-compliance, if any, of the original building, structure or fence is not increased, and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law.

Enlargements, additions or alterations are permitted to buildings or structures, which are either lawfully non-complying themselves, or are situated on lawfully non-complying lots, provided that:

- The use of the lot and the building or structure is conforming; and
- The extent to which the building, structure or lot does not meet the requirements of this By-law is not increased; and
- None of the requirements of this By-law, which were not infringed by the building or structure as it existed immediately prior to the construction of any enlargement, addition or alteration hereby permitted, are affected.

Continuation of non-complying lots

A lot held as a single lot prior to the date of the passing of this By-law may be built upon, even though said lot is of such size that it cannot comply with the minimum frontage and/or depth and/or area required by this By-law and/or cannot comply with the minimum separation distances with the exception of waste disposal sites, provided that the proposed use complies with all other applicable provisions of this By-law.’

34. That Section 6 - General Provisions - All Zones be amended by deleting the word ‘Uses’ and replacing it with the words ‘lots and buildings’ in the title of Section 6.28 - Non-Complying Uses.
35. That Section 6 - General Provisions - All Zones be amended by adding the following section, after Section 6.28 - Non-Complying Uses, and re-numbering the subsequent sections:

‘6.29 NON-CONFORMING USES AND BUILDINGS

The provisions of this By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the date of the passing of this By-law so long as it continues to be used for that purpose.’

Nothing in this By-law shall apply to prevent the alteration of a residential building existing at the date of passing of this By-law in a Commercial Zone, provided that such alteration does not contravene any of the provisions of this By-law.’

36. That Section 6.29 - Number of Dwelling Units on One Lot is amended by deleting the words ‘. See also Section 6.39’ and replacing it with the words *, subject to the provisions of Section 6.41.’
37. That Section 6.30 - Parking Area Regulations is amended by deleting the table in part a) and replacing it with the following:

Type of building accessed by road	Minimum Parking Required
Residential units accessed by road	2 parking spaces per dwelling unit
Condominium Apartment Building	1.45 parking spaces per dwelling unit for resident parking plus 0.3 parking spaces per unit for visitor parking
Rental Apartment Building	1.25 parking spaces per dwelling unit for resident parking plus 0.33 parking spaces per unit for visitor parking
Accessory apartments	1 parking spaces per apartment
Bed and Breakfast Establishment	1 parking spaces per guest room in addition to the parking required for the main dwelling unit
Medical, Dental or Drugless Practitioner’s Office or Clinic	5 parking spaces for each practitioner
Seniors Facility	0.75 parking spaces per unit for resident parking plus 0.2 parking spaces per unit for visitor parking
Nursing Home	1 parking space for every 4 beds
Church, Funeral Home, Auditorium, Restaurant, Theatre, Arena, Hall, Private Club, or other Places of Assembly.	Where there are fixed seats, 1 parking space for every 5 seats or 3 metres of bench space, where there are no fixed seats, 1 parking space for each 9.0 sq. metres of floor area devoted to public use.
Hospital or Institution	1 parking space for each 2 beds or 40 sq. metres of gross floor area whichever is greater plus 1 additional space for each resident doctor or resident employee.
Hotel, Motel and Tourist Establishments	1 parking space per unit or guestroom and 1 additional parking space for each 10.0 sq. metres of gross floor area devoted to public use.
Office, including a Home Occupation	1 parking space per 30 square metres of gross floor area.
Home Industry	1 parking space per employee plus 1 parking space for patrons.

Type of building accessed by road	Minimum Parking Required
Neighbourhood Commercial	1 parking space for every 30 square metres of gross commercial floor area of building.
Other Commercial Uses	1 parking space for each 30 square metres of gross commercial floor area of building.
Schools	1 parking space for each teaching area, plus separate bus loading area per 2 teaching areas.
Industrial	At least 1 parking space for every 150 sq. metres of gross floor area.
Marina	1 parking space for each 20 sq. metres of gross retail floor area, plus 1 parking space for each non-transient boat slip provided plus 10 additional spaces.
Bowling Alleys, Curling Rinks and Arenas	1 parking space for each 2 persons in the designed capacity of the establishment (designed capacity shall mean 6 persons per bowling lane and 8 persons per curling sheet).

38. That Section 6 - General Provisions — All Zones is amended by adding the following section, after Section 6.37 - Reduction of Requirements, and re-numbering the subsequent sections:

‘6.39 SETBACKS FROM PROVINCIAL HIGHWAYS

Notwithstanding any other provisions of this By-law, the minimum building setback for a residential building and any building or structure accessory thereto from a provincial highway shall be 8.0 metres from the right-of-way or 26 metres from the centre line of the right-of-way, whichever is greater.

Notwithstanding any other provisions of this By-law, the minimum building setback for a non-residential building and any building or structure accessory thereto from a provincial highway shall be 8.0 metres from the right-of-way or 26 metres from the centre line of the right-of-way, whichever is greater

Notwithstanding any other provisions of this By-law, the minimum setback for a well from a provincial highway shall be 30 metres from the right-of-way.’

39. That Section 6.38 - Shoreline Activity Area is amended by deleting all of the words after the words ‘whichever is less.’ in part a) and replacing it with the following:

‘b) Notwithstanding the above the total lot coverage shall not exceed eight percent (8.0%).

c) For tourist commercial or institutional lots the maximum area of all structures

- within the SAA is thirty three (33.0%) of the SAA; and
- d) For marinas the maximum area of all structures within the shoreline activity area is fifty percent (50.0%) of the shoreline activity area.
 - e) Disturbances in the natural vegetation adjacent to the shoreline shall be limited to the following:

Meandering pathways or access points to the shoreline constructed of permeable materials no wider than two (2.0) metres, pruning of trees for viewing and ventilation purposes. Ventilation clearing around buildings shall be limited to three (3.0) metres and viewing corridors shall be limited to six (6.0) metres, and the removal of trees for safety reasons; or

Twenty five percent (25%) of the shoreline, whichever is the lesser.'

40. That Section 6.39 - Sleep Cabins is amended by:
- a) deleting the word '6.29' and replacing with it with the word '6.30' in the first paragraph.
 - b) adding the following paragraphs after the last paragraph:
 - 'For the purpose of complying with the provisions of this section, the severed sleep cabin with kitchen and bathroom facilities shall be deemed to be the main building on the new lot and shall conform to the standards for a main building on a lot.

Sleep cabins shall not be used to accommodate guests as part of a bed and breakfast establishment.'

41. That Section 6.40 - Special Setbacks is amended by:
- a) adding the words 'from shoreline to shoreline' after the words 'distance in width' in part a) under the title Narrow Water Bodies
 - b) adding the words 'from shoreline to shoreline' after the words 'distance in width' in part b) under the title Narrow Water Bodies
 - c) deleting the word 'waterbody' and replacing it with the word 'water body' in part b) under the title Narrow Water Bodies
 - d) deleting all of the words in part c) under the title Narrow Water Bodies and replacing it with the following:
 - 'Between thirty (30.0) and sixty (60.0) metres in a straight line distance in width from shoreline to shoreline, the maximum a structure is permitted to project into the water is no more than eleven (11.0) metres into the narrow water body unless separated by more than one hundred and fifty (150.0) metres from another structure extending into the narrow water body in which case the structure can extend fifteen (15.0) metres into the narrow water body from the shoreline.'
 - e) deleting the word '6.46' and replacing it with the word '6.49' at the end of the second last paragraph
 - f) adding the following title and paragraph after the last paragraph:
 - 'Waste Management Facilities
 - A special setback of thirty (30.0) metres for all buildings and structures shall be maintained from the boundaries of a waste management facility site.'

42. That Section 6 - General Provisions - All Zones be amended by adding the following section, after Section 6.45 - Use For Hazardous Purposes, and re-numbering the

subsequent sections:

‘6.48 VEGETATIVE BUFFER AND TRAIL

A vegetative buffer, as defined in this By-law, shall be maintained on all residential lots abutting a lake or other water body, except as otherwise noted in this section.

Within a vegetative buffer on a residential lot, one trail, one viewing corridor and one ventilation corridor as defined in this By-law shall be permitted.’

43. That Section 7.1 - Protected Area (PA) Zone is amended by adding the following sections after Section 7.2.2:
‘7.1.3 RESTRICTIONS
7.1.4 EXCEPTIONS’
44. That Section 7.2 - Special Management Area (SMA) Zone is amended by deleting the word ‘zone’ in the title of Section 7.2.3.
45. That Section 7.3 - Integrated Management Area (IMA) Zone is amended by adding the following section after Section 7.3.2, and re-numbering the subsequent sections:
‘7.3.3 RESTRICTIONS’
46. That Section 7.4.1 - Permitted Uses is amended by:
 - a) deleting the word ‘6.39’ and replacing it with the word ‘6.41’ in the second bullet point.
 - b) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the fourth bullet point.
 - c) adding the following bullet point after the first bullet point:
‘• a modular home’
 - d) adding the following bullet point after the fourth bullet point:
‘• a detached garage in accordance with Section 7.4.2’
47. That Section 7.4.2 - Zone Requirements is amended by:
 - a) adding the word ‘gross’ before the words ‘floor area’ in part e) under the title ‘Any dwelling unit’
 - b) deleting the word ‘6.38’ and replacing it with ‘6.40’ in part d) under the title ‘A land based boathouse’
 - c) deleting all of the words after the words ‘Minimum side yard’ and replacing it with the words ‘5.0 m’ in part b) under the title ‘Any sleep cabin without both bathroom and kitchen facilities’
 - d) deleting the word ‘6.39’ and replacing it with the word ‘6.41’ in part e) under the title ‘Any sleep cabin without both bathroom and kitchen facilities’
 - e) deleting the word ‘the’ and replacing it with the word ‘a’ after the words ‘and bathroom facilities,’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
 - f) deleting the word ‘6.39’ and replacing it with ‘6.41’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
 - g) adding the following title and paragraphs after the last paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’:
‘Detached garage

- a) Maximum gross floor area 72.5 sq. m
 - b) Maximum building height 5.0 m
 - c) Minimum distance to a side or rear lot line 1.2 m
 - d) Minimum distance from the shore 15.0 m'
48. That Section 7.4.3 - Restrictions is amended by:
- a) deleting the word 'the' and replacing it with the words 'all other' after the words 'in accordance with' in the first paragraph.
 - b) deleting the words 'Section 6.39' and replacing it with the words 'this By-law' in the first paragraph.
 - c) deleting the word '6.38' and replacing it with the word '6.40' in the second paragraph.
 - d) deleting the word '6.40' and replacing it with the word '6.42' in the second paragraph.
 - e) deleting all of the words in the third paragraph.
 - f) adding the following paragraph after the last paragraph:
 'Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.'
49. That Section 7.5.1 - Permitted Uses is amended by:
- a) deleting the word '6.39' and replacing it with the word '6.41' in the second bullet point.
 - b) deleting the word '6.38' and replacing it with the word '6.40' in the fourth bullet point.
 - c) adding the following bullet point after the first bullet point:
 '* a modular home'
 - d) adding the following bullet point after the fourth bullet point:
 '* a detached garage in accordance with Section 7.5.2'
50. That Section 7.5.2 - Zone Requirements is amended by:
- a) adding the word 'gross' before the words 'floor area' in part e) under the title 'Any dwelling unit'
 - b) deleting the word '6.38' and replacing it with '6.40' in part d) under the title 'A land based boathouse'
 - c) deleting all of the words after the words 'Minimum side yard' and replacing it with the words '5.0 m' in part b) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - d) adding the word 'gross' before the words 'floor area' in part d) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - e) deleting the word '6.39' and replacing it with the word '6.41' in part e) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - f) deleting the word 'the' and replacing it with the word 'a' after the words 'and

- bathroom facilities,’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
- g) deleting the word ‘6.39’ and replacing it with ‘6.41 ’ in the first paragraph under the title ‘Any sleep cabin with both kitchen and bathroom facilities’
- h) adding the word ‘gross’ before the words ‘floor area’ in part a) under the title ‘Detached garage’
- i) deleting the word ‘72.0’ and replacing it with word ‘72.5’ after the words ‘floor area’ in part a) under the title ‘Detached garage’

51. That Section 7.5.3 - Restrictions is amended by:

- a) adding the word ‘and’ after the words ‘(1.6 ha’ in the first paragraph.
- b) deleting the word ‘the’ and replacing it with the words ‘all other’ after the words ‘in accordance with’ in the first paragraph.
- c) deleting the words ‘Section 6.39’ and replacing it with the words ‘this By-law’ in the first paragraph.
- d) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the second paragraph.
- e) deleting the word ‘6.40’ and replacing it with the word ‘6.42’ in the second paragraph.
- f) adding the following paragraph after the last paragraph:

‘Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.’

52. That Section 7.5.4 - Exceptions is amended by adding the following:

‘a) Notwithstanding any other provisions of this By-law, the following shall apply to the land and buildings within Plan 36M-610:

1. No building or structure shall be located below the two hundred and ninety two decimal three(292.3) metre a.s.l. flood level except:
 - Where such buildings and structures are intended for flood or erosion control, or
 - Where a boathouse is being erected or altered.
2. No building or structure shall be permitted within twenty five (25.0) metres of the normal high water mark of Cassels lake for Block and Lots 40, 41 and 42.

No building or structure shall be permitted within fifteen (15.0) metres of any drainage course.’

53. That Section 7.6.1 - Permitted Uses is amended by:
- a) deleting the word '6.39' and replacing it with the word '6.41' in the second bullet point.
 - b) deleting the word '6.38' and replacing it with the word '6.40' in the fourth bullet point.
 - c) adding the following bullet point after the first bullet point:
 - '• a modular home'
 - d) adding the following bullet point after the fourth bullet point:
 - '* a detached garage in accordance with Section 7.6.2'
54. That Section 7.6.2 - Zone Requirements is amended by:
- a) adding the words 'for lots greater than 0.8 ha' '10.0 for lots between 0.4 and 0.8 ha' and '12.0 for lots less than 0.4 ha' after the word '8.0' in part h) under the title 'The lot'.
 - b) adding the word 'gross' before the words 'floor area' in part g) under the title 'Any dwelling unit'.
 - c) deleting all of the words after the words 'Minimum side yard' and replacing it with the words '5.0 m' in part b) under the title 'Any sleep cabin without both bathroom and kitchen facilities'.
 - d) adding the word 'gross' before the words 'floor area' in part d) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - e) deleting the word '6.39' and replacing it with the word '6.41' in part e) under the title 'Any sleep cabin without both bathroom and kitchen facilities'
 - f) deleting the word 'the' and replacing it with the word 'a' after the words 'and bathroom facilities,' in the first paragraph under the title 'Any sleep cabin with both kitchen and bathroom facilities'
 - g) deleting the word '6.39' and replacing it with '6.41' in the first paragraph under the title 'Any sleep cabin with both kitchen and bathroom facilities'
 - h) adding the word 'gross' before the words 'floor area' in part a) under the title 'Detached garage'
 - g) deleting the word '72.0' and replacing it with word '72.5' after the words 'floor area' in part a) under the title 'Detached garage'
55. That Section 7.6.3 - Restrictions is amended by:
- a) deleting the word '6.38' and replacing it with the word '6.40' in the first paragraph.
 - b) deleting the word '3.40' and replacing it with the word '6.42' in the first paragraph
 - c) adding the word 'and' after the words '(1.6) ha' in the second paragraph.
 - d) deleting the word 'the' and replacing it with the words 'all other' after the words 'in accordance with' in the second paragraph.
 - e) deleting the words 'Section 6.39' and replacing it with the words 'this By-law' in the second paragraph.
 - f) deleting all of the words in the fourth paragraph.
 - g) adding the following paragraphs after the last paragraph:
 - 'A detached garage may contain bathroom facilities connected to an approved sewage disposal system.'

Notwithstanding Section 6.44 of this By-law, one sleep cabin may be constructed prior to the construction of the main dwelling on the lot. The sleep cabin may have either bathroom or kitchen facilities. The sleep cabin may have permanent bathroom and

kitchen facilities subject to an approved connection to an independent, on-site sewage disposal system. The fully serviced sleep cabin shall be located on the lot so that the sleep cabin and the associated sewage disposal system could be severed from the remainder of the lot. Further, the minimum lot size for a lot with a fully serviced sleep cabin is such that the severed and retained lots shall conform to the provisions and standards for the Zoning By-law.’

56. That Section 7.7.1.1 - Residential Uses is amended by:
- a) adding the following bullet point after the third bullet point:
 - a modular home’
 - b) adding the following bullet point after the sixth bullet point:
 - a detached garage in accordance with the provisions of Section 7.7.2’
 - c) deleting the word ‘6.38’ and replacing it with the word ‘6.40’ in the last bullet point.
57. That Section 7.7.2 - Zone Requirements is amended by:
- a) adding the word ‘A’ before the words ‘Detached garage’ in the title ‘Detached garage’
 - b) deleting the word ‘72.0’ and replacing it with word ‘72.5’ after the words ‘floor area’ in part a) under the title ‘Detached garage’
58. That Section 7.8.2 - Zone Requirements is amended by:
- a) deleting the word ‘35’ and replacing it with word ‘50.0’ after the words ‘lot coverage (%)’ in part c) under the title ‘A street townhouse dwelling or lot’.
 - b) deleting the words ‘which may include the privacy area’ after the words ‘30.0% of lot’ in part j) under the title ‘A street townhouse dwelling or lot’.
 - c) deleting the word ‘30’ after the words ‘Minimum lot frontage’ and replacing it with the word ‘50’ in part a) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’
 - d) deleting all of part b) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’ and renumbering the subsequent sections.
 - e) deleting the word ‘f’ after the words ‘the building or’ and replacing it with the word ‘e’ in part h) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
 - f) deleting the word ‘40’ and replacing it with word ‘60’ after the words ‘Maximum density’ in part l) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
 - g) deleting the word ‘50.0%’ and replacing it with the word ‘40%*’ after the words ‘Minimum landscaped open space’ in part m) under the title ‘A nursing home, a block townhouse or low rise apartment dwelling or lot’.
59. That Section 7 - Specific Zones is amended by adding the following section after Section 7.8 - Medium Density Residential (RM) Zone, and re-numbering the subsequent sections and section references:

'SECTION 7.9 - HIGH DENSITY RESIDENTIAL (RH) ZONE

7.9.1 PERMITTED USES

No person shall within any High Density Residential (RH) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- an apartment building
- a nursing home
- a seniors facility
- accessory buildings in accordance with section 6.04

7.9.2 ZONE REQUIREMENTS

No person shall within any High Density Residential (RH) Zone use any lot, or erect, alter or use any building or structure except in accordance with the provisions of this section, the applicable provisions of Section 6, General Provisions - All Zones, and Section 8, Special Provisions and the following:

An apartment building, nursing home, seniors facility or lot:

- | | | |
|----|---|--|
| a) | Minimum lot frontage | 30.0 m |
| c) | Maximum lot coverage (%) | 30.0 |
| d) | Minimum front yard | 7.5 m |
| e) | Minimum front yard on a shoreline lot | 15.0 m |
| o | Minimum rear yard | 10.0 m |
| g) | <u>Minimum</u> side yard | the height of the building or
10.0 m,
whichever is greater |
| h) | Minimum flankage yard | 7.5 m
15.0 m on a shoreline lot |
| i) | Maximum building height | 16.0 m |
| j) | Minimum distance between buildings on the same lot, excluding accessory buildings | 3.0 m between walls not containing windows to habitable rooms
10.0 m between walls where one wall contains windows to habitable rooms
15.0 m between walls where both walls contain windows to habitable rooms |
| l) | Maximum density | 80 units per ha |
| m) | Minimum landscaped open space | 35.0% |

All accessory buildings

- a) Minimum distance to an interior side
or rear lot line 1.2 m
- b) Minimum distance to shoreline 3.0 m
- c) Minimum distance to a flankage lot line 7.5 m
15.0 m on a shoreline lot
- d) Maximum building height 5.0 m

7.9.3 RESTRICTIONS

Within the High Density Residential (RH) Zone, sleep cabins and boathouses are not permitted as accessory buildings.

7. 9.4 EXCEPTIONS'

- 60. That Section 7.9.1 - Permitted Uses is amended by adding the following bullet points after the second bullet point:
 - *• a detached or attached garage in accordance with the provisions of Section 7.10.2
 - accessory buildings in accordance with Sections 6.04 and 7.10.2'
- 61. That Section 7.9.2 - Zone Requirements is amended by deleting the word '6.32' and replacing it with the word '6.33' after the word 'Section' in part f)
- 62. That Section 7.9 - Mobile Home Park (RMH) Zone is amended by adding the following section after Section 7.9.2, and re-numbering the subsequent sections: '7.10.3 RESTRICTIONS'
- 63. That Section 7.9.4 — Exceptions is amended by:
 - a) deleting the word '7.9.1' and replacing it with the word '7.10.1' in the first exception;
 - b) deleting the word '7.9.1' and replacing it with the word '7.10.1' in the second exception
 - c) deleting the word '7.9.2' and replacing it with the word '7.10.2' in the third exception
- 64. That Section 7.10.1 - Permitted Uses is amended by:
 - a) deleting the word '7.10.2' and replacing it with the word '7.5.2' in the second last bullet point;
 - b) deleting the word '7.10.3' and replacing it with the word '7.11.3' in the last bullet point.
- 65. That Section 7.10.2 - Zone Requirements is amended by:
 - a) adding the following section after the section titled 'A water based boathouse':
 - 'A detached garage
 - a) Maximum gross floor area 110.0 sq. m
 - b) Maximum building height 5.0 m
 - c) Minimum distance to an interior

	side or rear lot line	1.2 m
d)	Minimum distance to a flankage lot line	10.0 m
e)	Minimum distance from the shore	15.0 m'

- b) adding the words 'and accessory buildings' after the words 'permitted uses' in the title 'All other lots or permitted uses'.
- c) deleting all of parts h) and i) under the title 'All other lots or permitted uses', and re-lettering the subsequent parts.

66. That Section 7.10.3 - Restrictions is amended by:
 - a) deleting the words 'the rental of houseboats' after the word 'restaurants' in the third paragraph;
 - b) adding the words 'the rental of house boats,' after the words 'limited to' in the third paragraph.
67. That Section 7.10.4 - Exceptions is amended by adding the following words before the words 'a) minimum lot area':

'Notwithstanding any other provisions of this By-law, on the lands known as 6612 and 6628 Hwy. UN. (Temagami Shores Inn and Resort), the following shall apply:'.
68. That Section 7.10.2 - Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections.
69. That Section 7.11.2 - Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections
70. That Section 7.11.3 - Restrictions is amended by deleting the word '7.11.1' and replacing it with the word '7.12.1' in the first paragraph.
71. That Section 7.12.2 - Zone Requirements is amended by deleting all of part e) under the title 'A Boat Storage Area (Dry Land)', and re-lettering the subsequent sections
72. That Section 7.12.4 - Exceptions is amended by deleting the word '7.12.1' and replacing it with the word '7.13.1' in the first exception
73. That Section 7.13.2 - Permitted Uses is amended by adding the following bullet point after the second last bullet point:
 - an apartment building'
74. That Section 7.13.2 - Zone Requirements is amended by:
 - a) deleting the word '11.0' and replacing it with the word ' 16.0' in part f) under the title 'A commercial use'
 - b) adding the following section after the section titled 'A commercial use':

'Apartment Building
In accordance with the provisions of the High Density Residential (RH) Zone'
75. That Section 7.13.3-Restrictions is amended by deleting the word '7.13.1' and replacing it with the word '7.14.1' in the first paragraph.

76. That Section 7.14.2 - Zone Requirements is amended by:
- a) deleting the word '100.0' and replacing it with the word '80.0' after the words 'Maximum lot coverage (%)' in part c).
 - b) deleting all of part h), and re-lettering the subsequent parts.
77. That Section 7.14.3 - Restrictions is amended by deleting the word '7.14.1' and replacing it with the word '7.15.1' in the second paragraph.
78. That Section 7.15.2 - Zone Requirements is amended by deleting all of parts f) and g) under the title 'A commercial use', and re-lettering the subsequent parts.
79. That Section 7.16.2 - Zone Requirements is amended by:
- a) deleting all of part c) under the title 'An industrial lot', and re-lettering the subsequent parts.
 - b) deleting all of parts e) and f) under the title 'An industrial use', and re-lettering the subsequent parts.
80. That Section 7.17.2 - Zone Requirements is amended by:
- a) deleting all of parts c) under the title 'An industrial lot', and re-lettering the subsequent parts.
 - b) deleting all of parts d) and e) under the title 'An industrial use', and re-lettering the subsequent parts.
81. That Section 7.17.4 - Exceptions is amended by adding the following:

- 'a) Notwithstanding any other provisions of this By-law, the land within Plan 36R-10857 is subject to the following provisions:

Permitted uses are limited to an automobile repair shop, bulk sales establishment' industrial uses, open storage, sawmill and scrap yard.

All buildings and structures, parking and loading areas and outdoor storage areas shall be set back a minimum of fifteen (15.0) metres from the average high water mark of Link Lake.

The minimum lot size shall be one (1.0) hectare.

The minimum lot frontage shall be thirty (30.0) metres

The minimum front yard shall be nine (9.0) metres

The minimum exterior side yard shall be nine (9.0) metres.

The minimum interior side yard shall be six (6.0) metres.

The minimum rear yard shall be six (6.0) metres.

The minimum setback from any lot line for open storage shall be six (6.0) metres.

All other applicable provisions of this By-law shall apply to the land.

Further, the Holding Zoning (H) on the land within Plan 36R10857 shall be lifted only when Council is satisfied that:

- Proposed accessory uses do not include a residence, day care centre or educational or health facility;
- The use/uses proposed on the site are those listed above or other dry uses permitted through a rezoning which do not have 'process' water flowing to septic tanks or to Link Lake; or
- The applicant has met the Health Unit or Ministry of the Environment requirements for a sewage disposal system; and
- All structures to be located on the site are a minimum of fifteen (15.0) metres from the average high water mark of Link Lake'

82. That Section 7.17.4 - Exceptions is amended by adding the following:

- 'b) Notwithstanding any other provisions of this By-law, on the lands described as
- a) 6167 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486;
 - b) 6155 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 2 Parcel 25028;
 - c) 6159 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Parcel 25029A; and
 - d) 6151 Hwy. UN, legally described as Strathcona Pt. Loc. HS2190, Reference Plan 36R-10482 Part 1 Parcel 28865 Nip;

the permitted uses are limited to:

- a warehouse
- a business office accessory to a permitted use
- a contractors shop or yard
- a builders supply yard
- an equipment or materials storage yard
- a transport terminal
- a petroleum storage depot
- a saw or planing mill
- open storage in conjunction with a permitted use
- accessory uses

Notwithstanding any other provisions of this By-law, on the land described as 6167 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486, the following is permitted:

- a dwelling unit for the owner/operator/caretaker accessory to the main industrial use, in accordance with Section 7.6.2 and Section 6.15 a) b) d) and e)'

83. That Section 7.19.2 - Zone Requirements is amended by deleting all of parts i) and j) under the title 'For all uses', and re-lettering the subsequent parts.

84. That Section 7.21.2 - Zone Requirements is amended by deleting all of parts j) and k) under the titles 'For community centres, an arena and a curling rink' and 'For all other

permitted uses', and re-lettering the subsequent parts.

85. That Section 7.21.3 -Restrictions is amended by deleting the word '7.19.1' and replacing it with the word '7.22.1' in the second paragraph.
86. That Section 7.23 - Future Development (FD) Zone is amended by adding the following section after Section 7.23.2, and re-numbering the subsequent sections:
'7.24.3 RESTRICTIONS'
87. That Section 7.23.3 - Exceptions is amended by:
 - b) deleting the word '7.23.1' and replacing it with the word '7.24.1' in part a) in the first exception
 - c) deleting the word '7.23.3.1' and replacing it with the word '7.24.4.1' in part d) in the first exception
88. That Schedule "A-H" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Open Space (OS) to the Low Density Residential - Holding (RL-H) Zone on the lands as identified on Schedule "A-I" attached hereto and forming part of the By-law.
89. That Schedule "A-6" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 6426 Highway 11 North; STRATHCONA SUMMER RESORT; LOCATION RW 101 LOCATION CL; 12571 AND RP 36R11238 PART 1; PCL 18462SEC PCL 19576SEC; PCL 29285SEC from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone as identified on Schedule "A-2" attached hereto and forming part of the By-law.
90. That Schedule "A-6" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 6454 Highway 11 North; STRATHCONA LOCATION HS2159; PCL 16319 from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone as identified on Schedule "A-2" attached hereto and forming part of the By-law.
91. That Schedule "A-4" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Waste Disposal (WD) Zone to the Special Management Area (SMA) Zone on the lands as identified on Schedule "A-3" attached hereto and forming part of the By-law.
92. That Schedule "A-4" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Special Management Area (SMA) Zone to the Waste Disposal (WD) Zone on the lands as identified on Schedule "A-3" attached hereto and forming part of the By-law.
93. That Schedule "A-10" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Heavy Industrial (MH) Zone to the Urban Commercial (UC) Zone on the lands as identified on Schedule "A-4" attached hereto and forming part of the By-law.

94. That Schedule "A-2" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as PLAN 36M610 BLOCK 52 from the Future Development (FD) Zone to the Tourist Commercial (TC) Zone as identified on Schedule "A-5" attached hereto and forming part of the By-law.
95. That Schedule "A-2" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 34 Kanichee Mine Road; STRATHY PT MINING LOCATIONS; RW 49 WD 257 AND RP 36R12210; PART 1 PCL 17823 from the Rural Residential (R3) Zone to the Remote Residential (R2) Zone as identified on Schedule "A-6" attached hereto and forming part of the By-law.
96. That Schedule "A-2" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 30 Kanichee Mine Road; STRATHY PCL 19219 ISLAND PCL; 2499 from the Rural Residential (R3) Zone to the Remote Residential (R2) Zone as identified on Schedule "A-6" attached hereto and forming part of the By-law.
97. That Schedule "A-3" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as 381 Fox Run; STRATHY PLAN 36M610 BLOCKS 48,53,54,;56,57 from the Remote Residential (R2) Zone to the Open Space (OS) Zone as identified on Schedule "A-7" attached hereto and forming part of the By-law.
98. That Schedule "A-3" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Remote Residential (R2) Zone to the Rural Residential (R3) Zone on the lands as identified on Schedule "A-7" attached hereto and forming part of the By-law.
99. That Schedule "A-3" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification from the Integrated Management Area (IMA) Zone to the Open Space (OS) Zone on the lands as identified on Schedule "A-7" attached hereto and forming part of the By-law.
100. That Schedule "A-6" of Zoning By-law 06-650, as amended, is hereby amended by changing the zone classification on certain lands described as
 - a) 6167 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 1 Parcel 21486;
 - b) 6155 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Part 2 Parcel 25028;
 - c) 6159 Hwy. UN, legally described as Strathcona Loc. RW110 PT Reference Plan 36R-4928 Parcel 25029A; and
 - d) 6151 Hwy. 11 N, legally described as Strathcona Pt. Loc. HS2190, Reference Plan 36R-10482 Part 1 Parcel 28865 Nip;from the Rural Residential (R3) Zone and Highway Commercial (HC) Zone to the Heavy Industrial Exception Two (MH-2) Zone on the lands as identified on Schedule "A-8" attached hereto and forming part of the By-law.

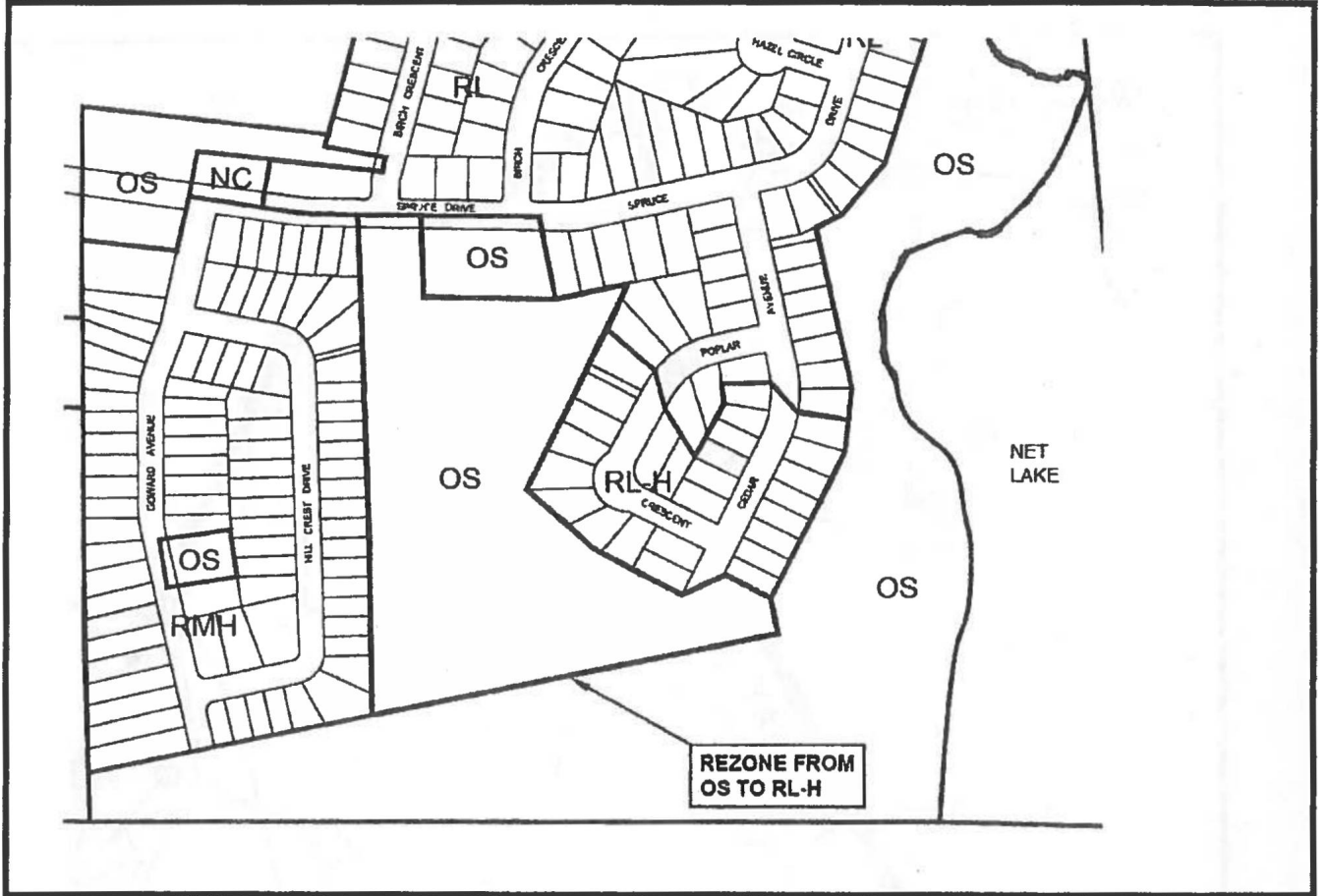
101. This By-law shall become effective on the date hereof with:
- (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objections has been filed within the time period specified; or
 - (ii) the determination 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.
102. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedules, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

BE TAKEN AS READ A FIRST time on this ffth day of I Apri, 2013
~~READ A SECOND~~ ^{4th} time on ~~Uvs~~ ^{19th} day of ~~September~~ ^{QPIS}
~~READ A SECOND AND~~ ^{THIRD} time and finally passed this ^^ day of November,
2013. *EF*


 Mayor

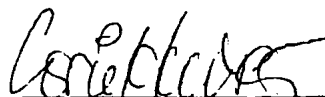

 Clerk

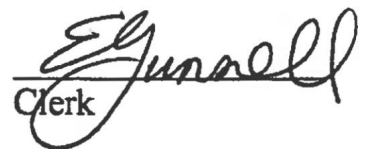
SCHEDULE A-1
To By-law 13-1121



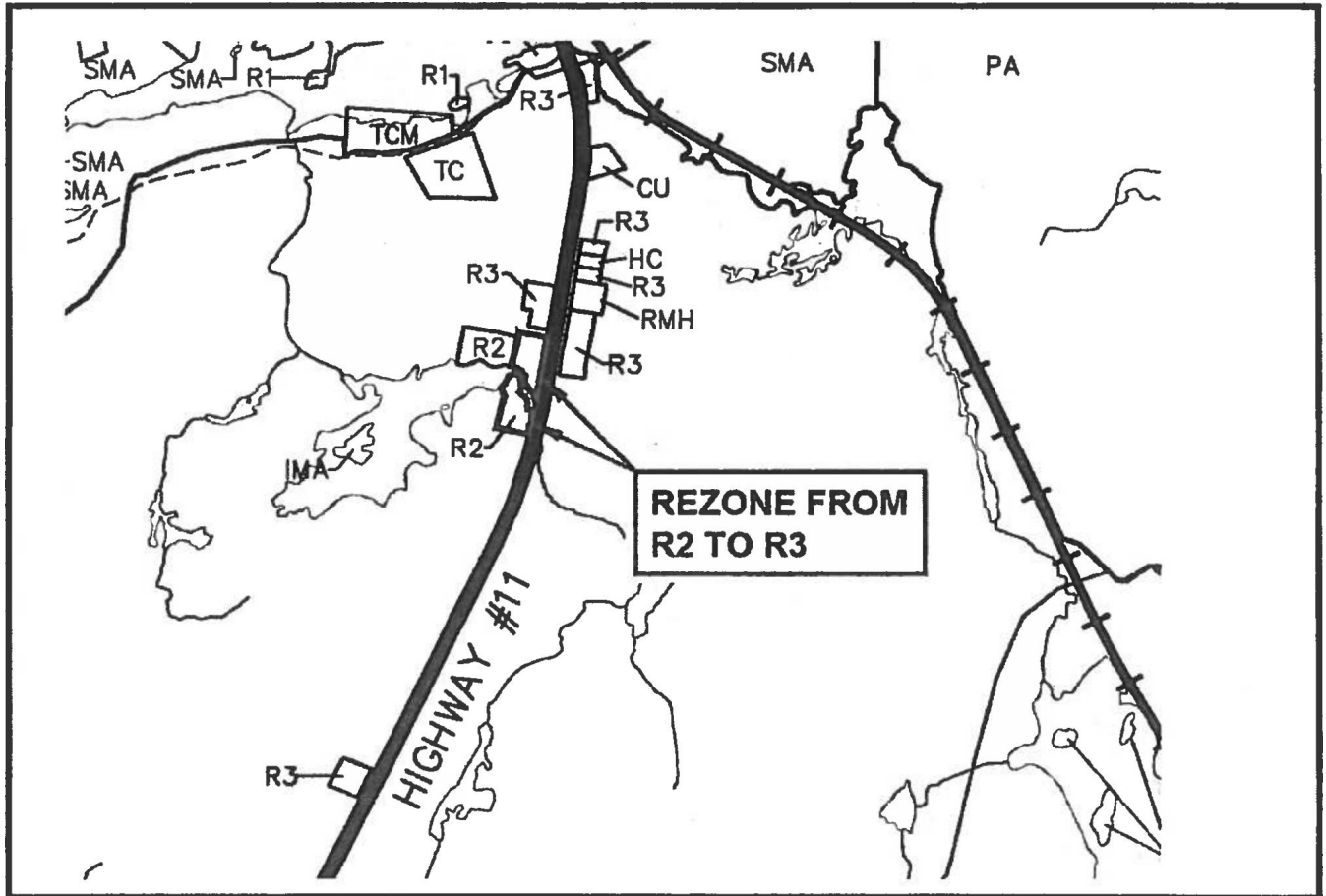
Lands to be Rezoned

This Schedule "A-1" to By-law 13-1121
Passed this 21 day of November 2013


Mayor


Clerk

SCHEDULE A-2
To By-law 13-1121



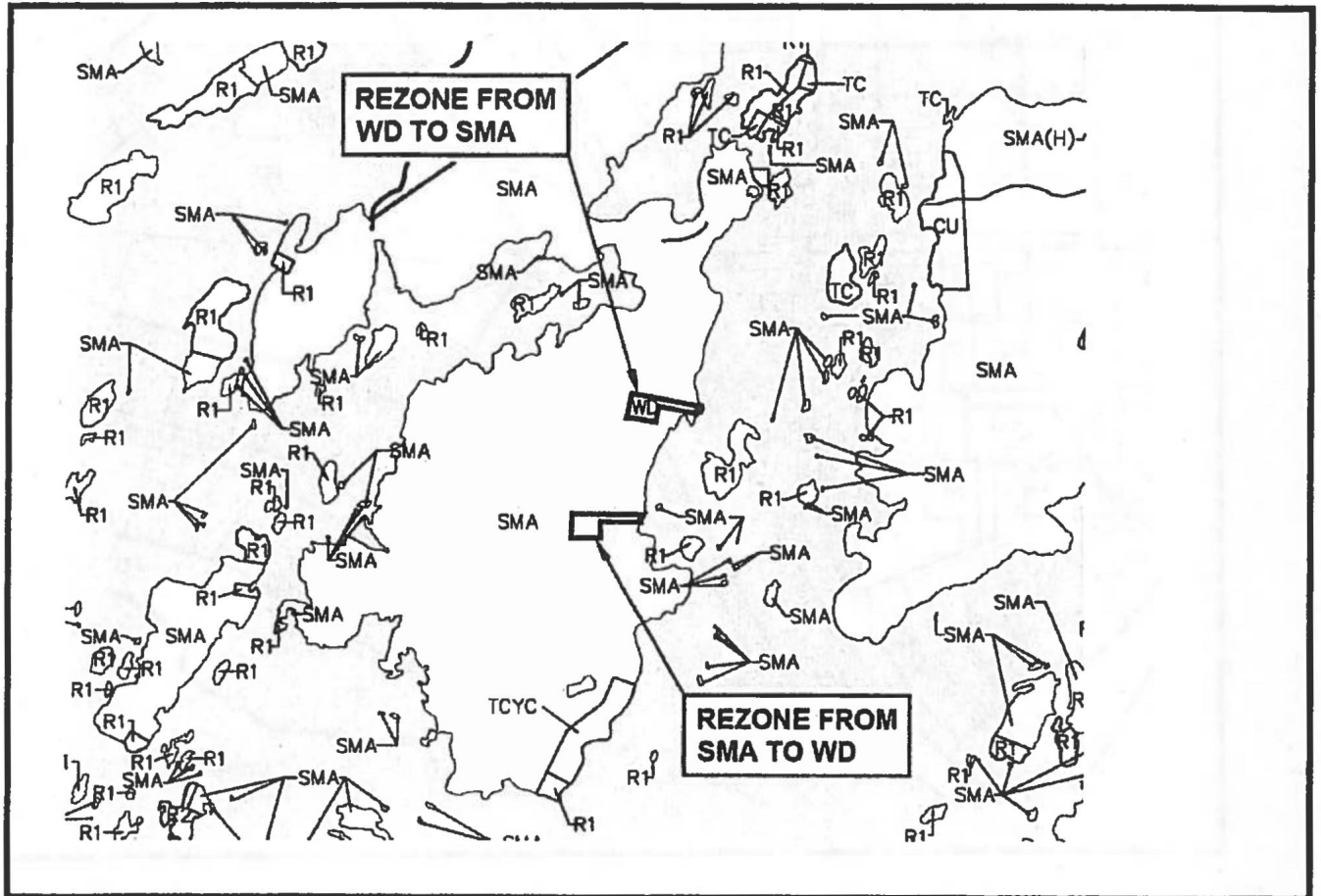
Lands to be Rezoned

This Schedule "A-2" to By-law 13-1121
Passed this 4th day of *November 2013*

[Signature]
Mayor

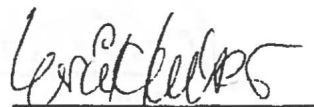
[Signature]
Clerk

SCHEDULE A-3
To By-law 13-1121




Lands to be Rezoned

This Schedule "A-3" to By-law 13-1121
Passed this ^ay of November 2013.

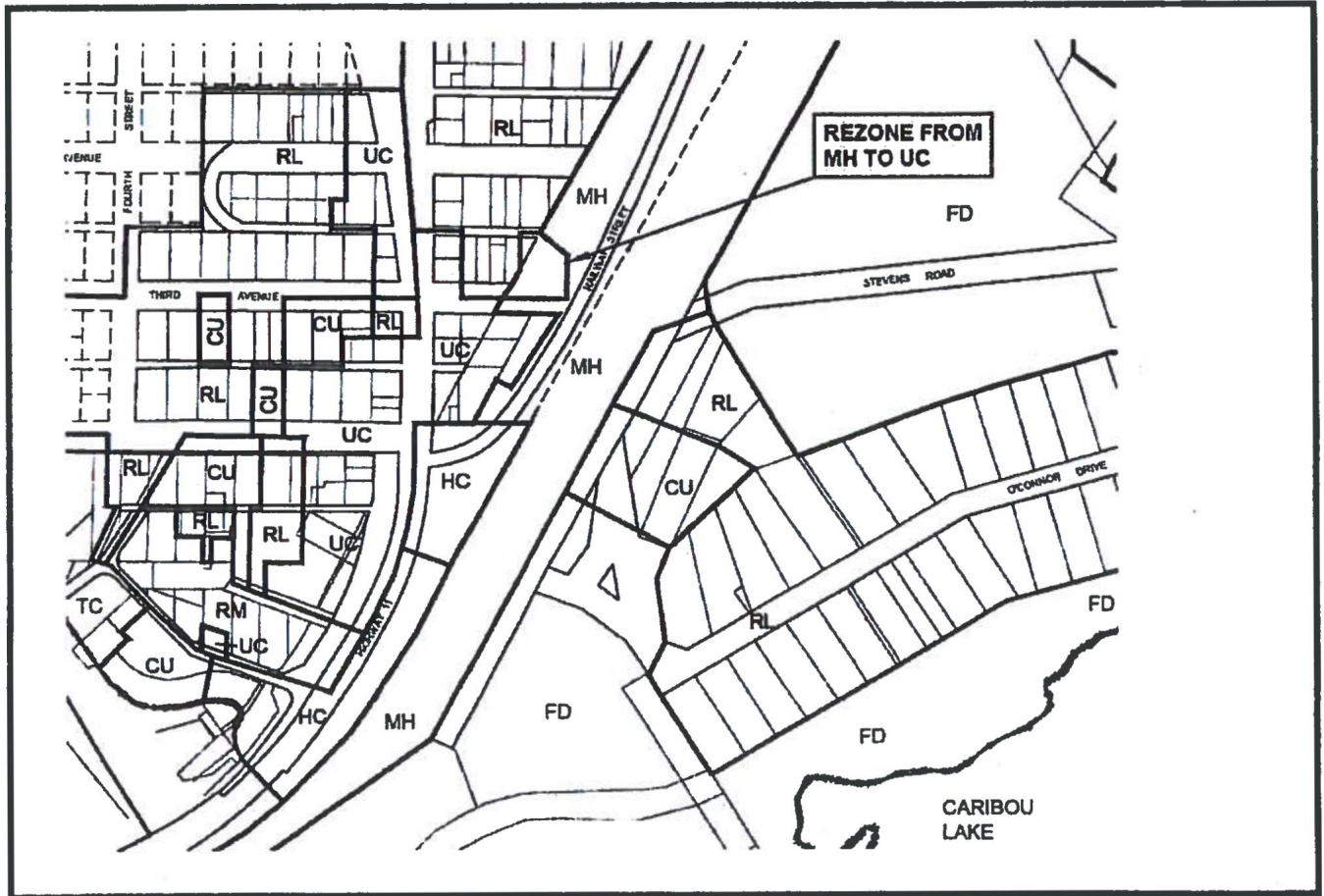


Mayor



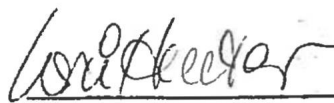
Clerk

SCHEDULE A-4
To By-law 13-1121



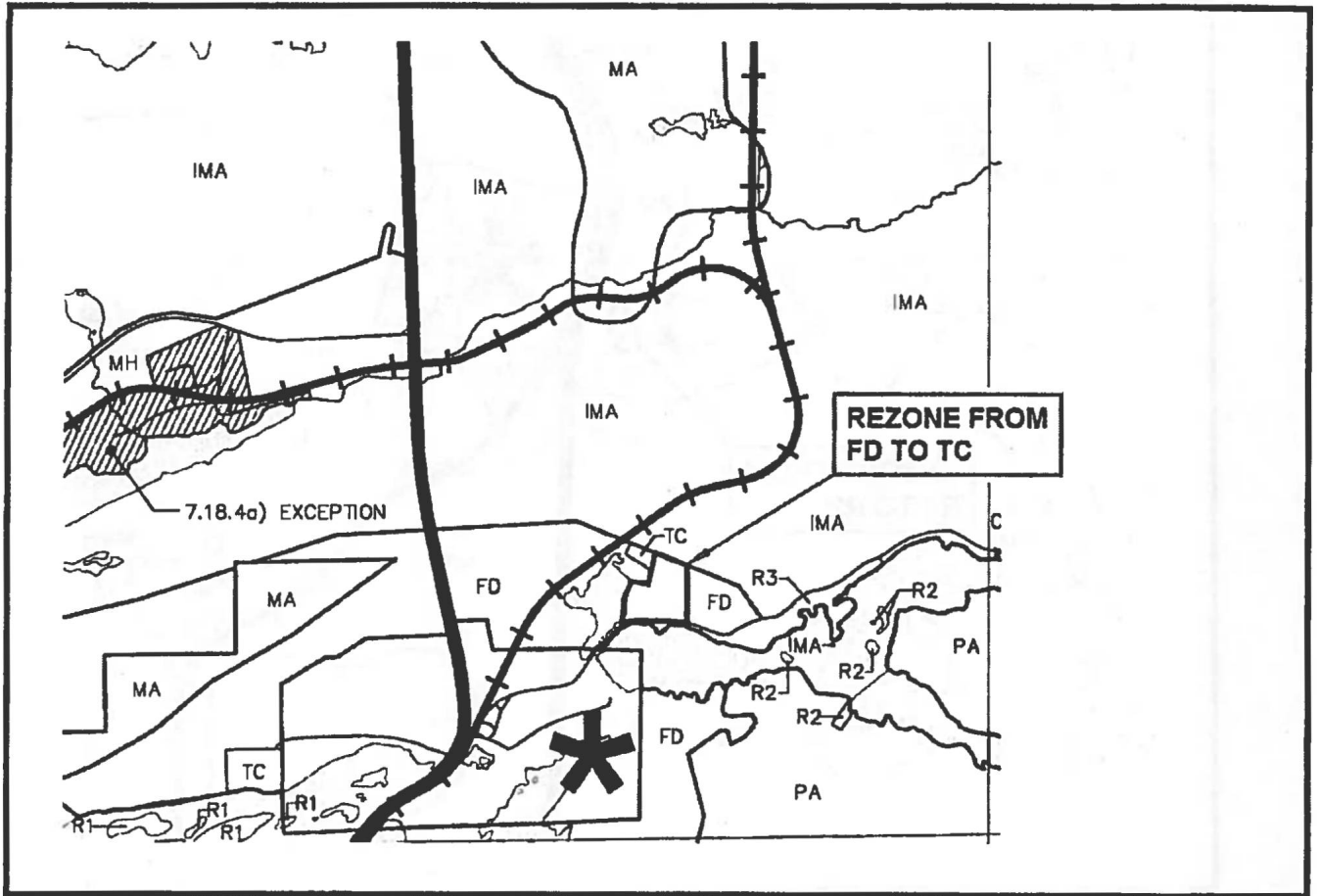
Lands to be Rezoned

This Schedule "A-4" to By-law 13-1121
Passed this [^]/_•[^] day of November 2013


Mayor


Clerk

SCHEDULE A-5
To By-law 13-1121



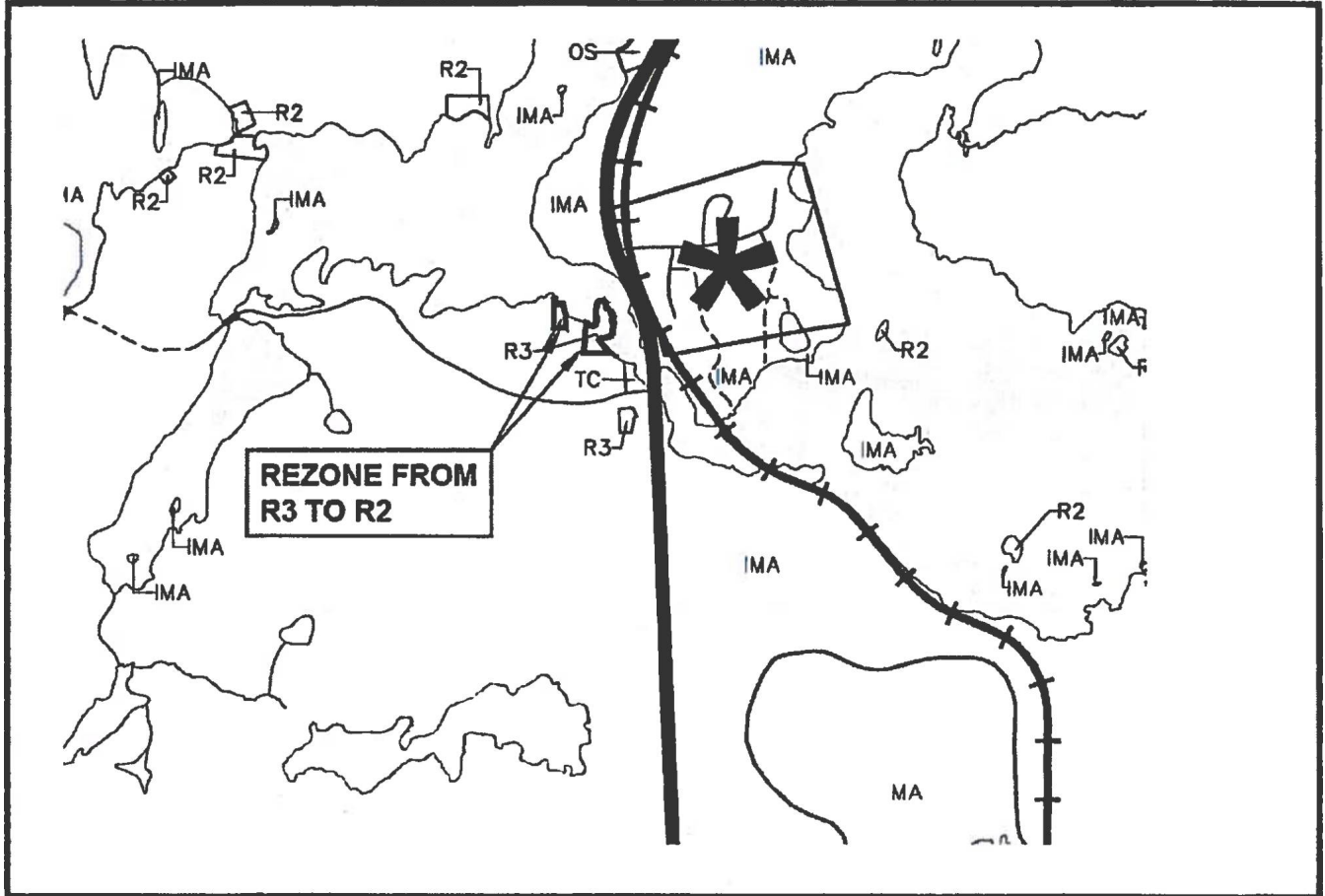
Lands to be Rezoned

This Schedule "A-5" to By-law 13-1121
Passed this day of 21st November 2013.

Corey Clark
Mayor

E. Gunnell
Clerk

SCHEDULE A-6
To By-law 13-1121



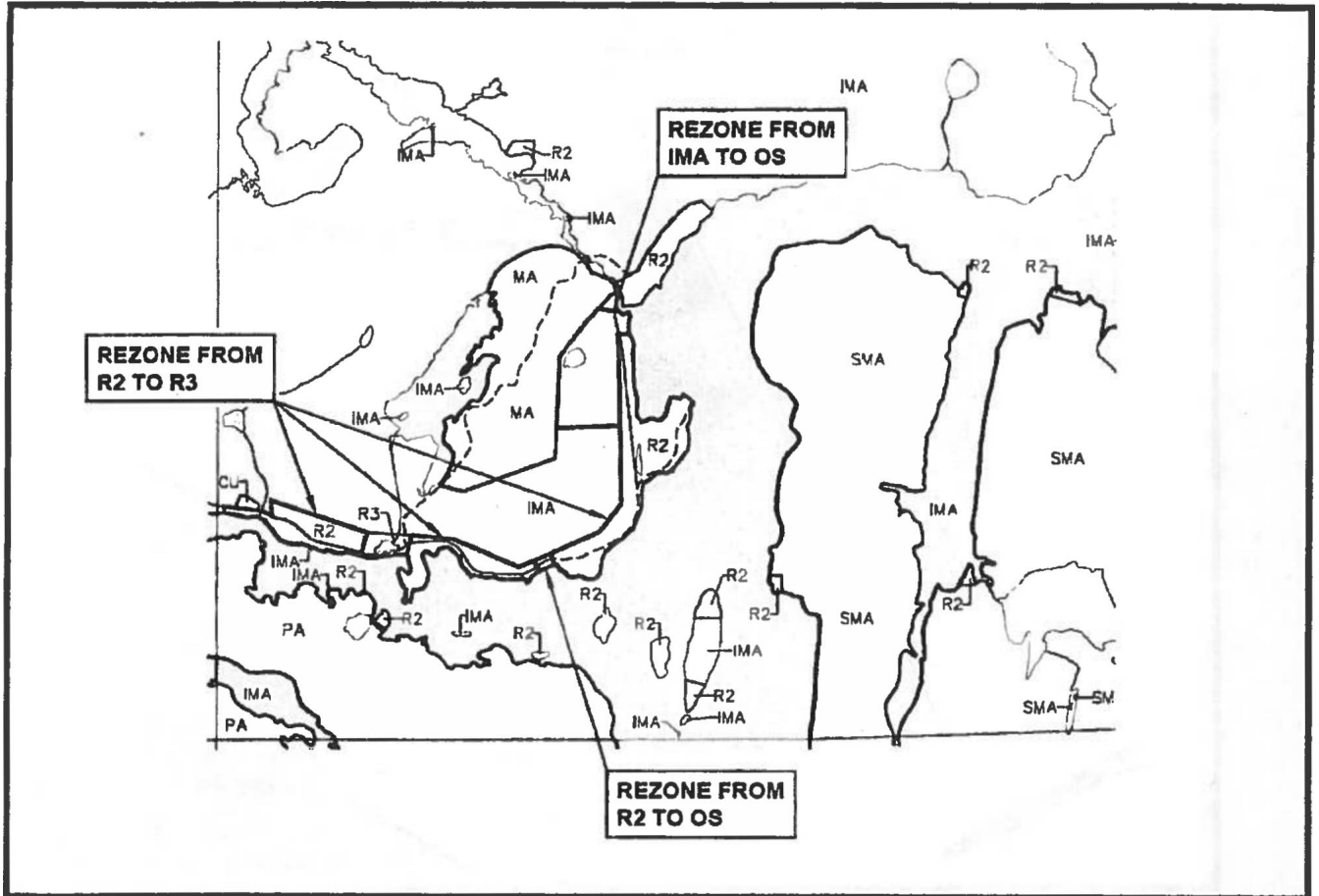
Lands to be Rezoned

This Schedule "A-6" to By-law 13-1121
Passed this ^/day of November 2013

Conrad Keller
Mayor

E. Gunnell
Clerk

SCHEDULE A-7
To By-law 13-1121



Lands to be Rezoned

This Schedule "A-7" to By-law 13-1121
Passed this ~~day~~ 21st November 2013.

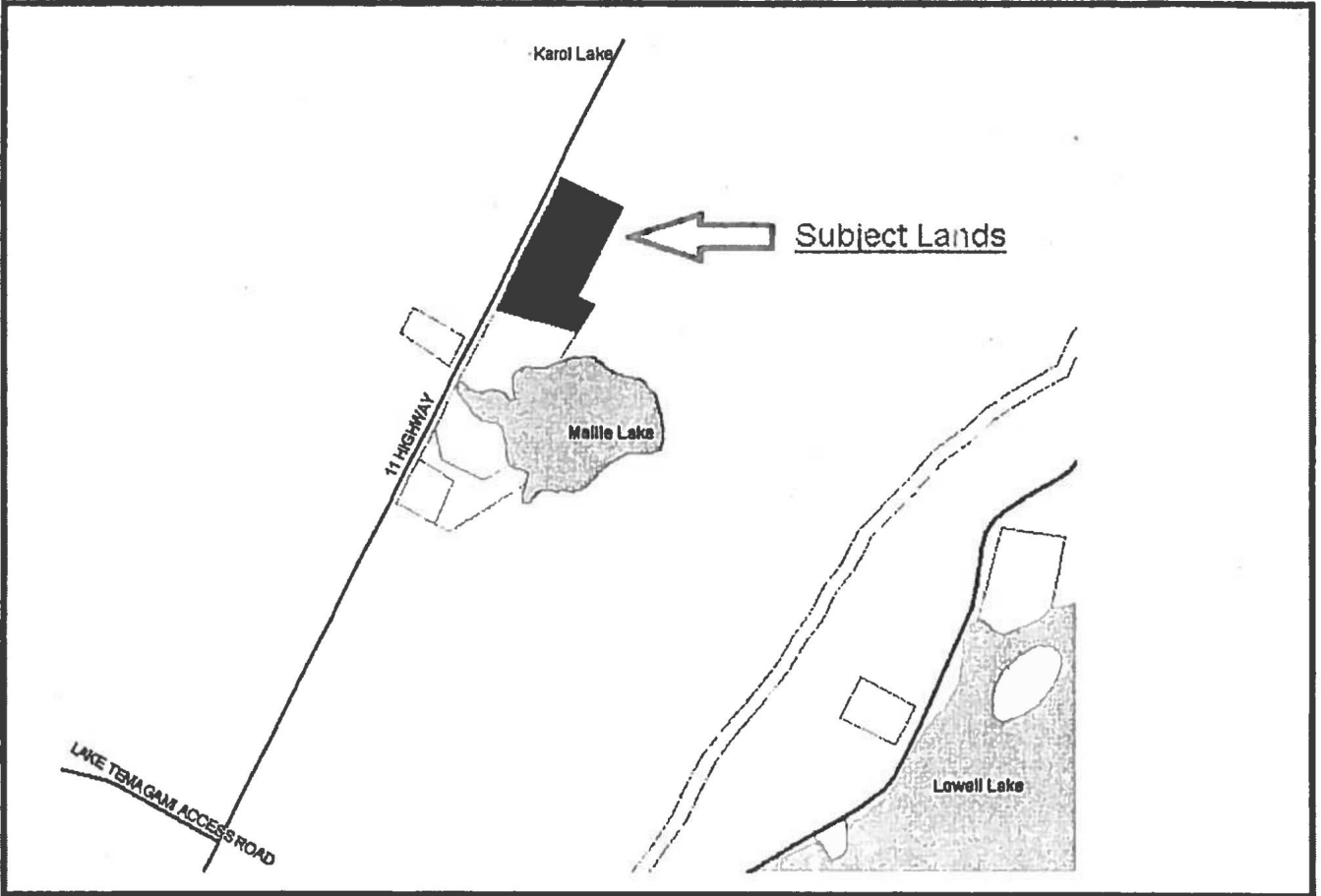
Lois Decker

Mayor

E. Gunnell


Clerk

SCHEDULE A-8
To By-law 13-1121

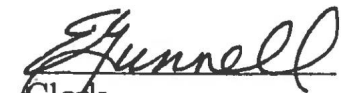


Lands to be Rezoned

This Schedule "A-8" to By-law 13-1121
Passed this ^{^/}[^] day of November 2013.



Mayor



Clerk