



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, November 21, 2017
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive

Agenda

1. **Call to Order**

2. **Roll Call**

3. **Review of Revisions or Deletions to Agenda**

4. **Approval of Agenda**

Draft Motion

Be it resolved that City Council approves the agenda as printed/amended.

5. **Disclosure of Pecuniary Interest and General Nature**

6. **Review and adoption of Council Minutes**

Draft Motion

Be it resolved that City Council approves the following minutes as printed:

- a) Regular Meeting of Council – November 7, 2017

7. **Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes**

7.1. *Application for Zoning Amendment ZBA-2017-06 (H)*

Owner: Maria and Thomas McLean

Subject Land: 1191 Lakeshore Road South

Purpose: To rezone the subject land from Hazard (HAZ) to Hazard Exception (HAZ-E) to permit the reconstruction of the existing single detached dwelling on the subject land.

8. **Question and Answer Period**

9. **Presentations / Delegations**

10. **Communications**

- a) Nancy Michie, Administrator Clerk-Treasurer – Municipality of Morris-Turnberry

Re: Request for Support – Farm Tax Class properties

Reference: Received for Information

- b) Mary Masse, Clerk – Town of Lakeshore

Re: Request for Support – Provincial Flood Insurance Program

Reference: Received for Information

c) J-M Pellerin, Advisor – Canadian Stimulus Fund Ltd.

Re: Request for Support – Letter of Support from Ontario Government

Reference: Received for Information

d) Stephanie Hodsoll, Community Relations Officer – Hyrdo One Networks Inc.

Re: Notice – Wood Pole Replacement Program

Reference: Received for Information

e) Judy Dezell, Director - LAS

Re: LAS Natural Gas Program – 2015-16 Reserve Fund Rebate
(\$7,372.68)

Reference: Received for Information

f) Ministry of Natural Resources and Forestry

Re: Temagami Management Unit 2019-2029 Forest Management Plan

Reference: Letter Received for Information / Complete Plan provided to
Council members via email

Draft Motion

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10.) according to the Agenda references.

11. Committees of Council – Community and Regional

Draft Motion

Be it resolved that the following minutes and/or reports be accepted for information:

- a) Minutes of the OCWA Consultation meeting held on October 19, 2017; and
- b) Minutes of the Temiskaming Shores Public Library Board meeting held on October 18, 2017.

12. Committees of Council – Internal Departments

Draft Motion

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Public Works Committee meeting held on October 12, 2017; and
- b) Minutes of the Building Maintenance Committee meeting held on November 9, 2017.

13. Reports by Members of Council

14. Notice of Motions

15. New Business

- a) **Support – Employment Standards Act (Bill 148) (Item 10 d) from Nov 7/17)**

Draft Motion

Whereas changes proposed to on-call provisions in the Employment Standards Act by Bill 148 will result in exorbitant tax increases to maintain fire prevention services and on-call system for snow plowing and road maintenance in a rural municipality; and

Whereas many Ontario municipalities will be unable to afford these services if this change is enacted; and

Whereas the Association of Municipalities of Ontario has submitted a position paper to the Ontario government specifically requesting the exemption of all municipal employees who are required to be on call to provide statutory mandated public safety services;

Now therefore be it resolved that the City of Temiskaming Shores hereby requests that all municipal employees be specifically exempted from the on-call changes proposed by Bill 148; and

Furthermore that the City of Temiskaming Shores hereby requests that the government of Ontario conduct a full economic impact study of Bill 148 to study the effect of the Bill on businesses and municipalities across Ontario; and

Furthermore that this resolution be circulated to Premier Kathleen Wynne; Minister of Labour, Kevin Daniel Flynn; the Association of Municipalities and The Township of Drummond/North Elmsley.

b) Memo No. 006-2017-PPP – Amendments to Emergency Response Plan

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 006-2017-PPP; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2004-132, as amended (Emergency Management Program) adopting the recommended amendments by the Emergency Management Program Committee for consideration at the November 21, 2017 Regular Council meeting.

c) Administrative Report No. RS-010-2017 – 2018 Recreation Fee Increases

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. RS-010-2017; and

That Council approves the proposed 2% to the nearest dollar annual fee increase to the hourly arena ice rental rate for 2018, 2019 and 2020 for all categories with the exception of College/Cubs as well as incorporate a \$40/participant fee for registration into the minor ball program and directs staff to prepare the necessary by-law to amend By-law No. 2012-039

(Departmental User Fees) for Council's consideration at the November 21, 2017 Regular Council meeting.

d) Administrative Report No. CS-039-2017 – Adoption of a new Sign By-law

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-039-2017;

That Council directs staff to prepare a notice for a public meeting to be held on December 5, 2017 in regards to a new Sign Policy; and

That Council directs staff to prepare the necessary by-law for the adoption of a new Sign Policy and repeal of By-law No. 2007-022 for consideration at the December 19, 2017 Regular Council meeting.

e) Administrative Report No. CS-040-2017 – Disposition of Land – Part 1 on Plan 54R-6002 (Roland/Raymond) to District of Timiskaming Social Services Administration Board

Presentation by Municipal Clerk

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-040-2017;

That Council directs staff to prepare the necessary by-law for the disposition of Part 1 on Plan 54R-6002 to the District of Timiskaming Social Services Administration Board (DTSSAB) through donation as part of the municipalities contribution under the Investment in Affordable Housing (IAH) program through the Ministry of Municipal Affairs and Housing (MAH);

That a provision be included that in the event development and construction is not at completed within 3 years of the date of Transfer, ownership shall revert back to the City of Temiskaming Shores;

That Council hereby agrees to contribute an upset limit of \$98,000 towards the development of Part 1 Plan 54R-6002 by the District of Timiskaming Social Services Administration Board under the Ministry of Municipal Affairs and Housing's Investment in Affordable Housing program under the following categories:

Donation of Land	\$ 56,000
Building Permit Fees	5,000
Survey (Reference Plan)	10,000
Water/Sewer connections	20,000
Zoning Amendment Application	2,000
<u>Legal Fees</u>	<u>5,000</u>
Total:	\$98,000

That Council hereby authorizes staff to adjust values under these categories to reflect actual costs as development proceeds provided the upset limit of \$98,000 is not exceeded without Council authorization.

f) Administrative Report No. CS-041-2017 – Lease Agreement – Hlby Medical Centre – Dr. Peter Hutten-Czapski

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-041-2017;

That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Doctor Peter Hutten Czapski for the rental of 578 square feet of office space in the Haileybury Medical Centre from January 1, 2018 to December 31, 2021 at a rate of \$13.17 per square foot plus HST and to apply a Consumer Price Index (CPI) increase annually for the term of the lease.

16. By-laws

Draft Motion

Be it resolved that:

By-law No. 2017-143 Being a by-law to amend By-law No. 2004-132, as amended being a by-law to adopt an Emergency Management Program

By-law No. 2017-144 Being a by-law to provide for Municipal Capital Facilities for Municipal Housing Project Facilities

By-law No. 2017-145 Being a by-law to authorize the Disposition of Lands to the District of Timiskaming Social Services Administration Board, being Part 1 on Plan 54R-6002, Township of Dymond

By-law No. 2017-146 Being a by-law to amend By-law No. 2012-039, as amended being a by-law to adopt Schedules and Departmental User Fees and Services for the City of Temiskaming Shores – Schedule “D” Recreation Fees

By-law No. 2017-147 Being a by-law to authorize the entering into a lease agreement with Dr. Peter Hutten Czapski for the rental of space at the Haileybury Medical Centre

be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that:

By-law No. 2017-143;

By-law No. 2017-144;

By-law No. 2017-145;

By-law No. 2017-146; and

By-law No. 2017-147

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

17. Schedule of Council Meetings

- a) Regular – Tuesday, December 5, 2017 at 6:00 p.m.
- b) Regular – Tuesday, December 19, 2017 at 6:00 p.m.

18. Question and Answer Period

19. Closed Session

20. Review of Comprehensive Zoning By-law for the City of Temiskaming Shores

a) Presentation by Planning Consultant

21. Confirming By-law

Draft Motion

Be it resolved that By-law No. 2017-148 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular Meeting held on **November 21, 2017** be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that By-law No. 2017-148 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

22. Adjournment

Draft Motion

Be it resolved that City Council adjourns at _____ p.m.



**The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, November 7, 2017
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive**

Minutes

1. Call to Order

The meeting was called to order by Mayor Carman Kidd at 6:00 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors Jesse Foley, Doug Jelly, Patricia Hewitt, Jeff Laferriere, Mike McArthur and Danny Whalen

Present: Christopher W. Oslund, City Manager
David B. Treen, Municipal Clerk
Doug Walsh, Director of Public Works
Tammie Caldwell, Director of Recreation
Kelly Conlin, Director of Corporate Services (A)
Tim Uttley, Fire Chief

Regrets:

Media: Bill Buchberger, CJTT 104.5 FM
Diane Johnston, Temiskaming Speaker

Members of the Public Present: 1

3. Review of Revisions or Deletions to Agenda

Additions:

Under Item 15 – New Business add:

- m) Memo No. 038-2017-CS – Solar Park Lease – TransCanada sale of Solar Portfolio to Axium Infinity Solar LP

4. Approval of Agenda

Resolution No. 2017-429

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that City Council approves the agenda as amended.

Carried

5. Disclosure of Pecuniary Interest and General Nature

Councillor Foley disclosed a pecuniary interest in regards to Item 19 d) Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Negotiations (2018-2020)

6. Review and adoption of Council Minutes

Resolution No. 2017-430

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that City Council approves the following minutes as printed:

- a) Regular Meeting of Council – October 17, 2017

Carried

7. Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes

None

8. Question and Answer Period

None

9. Presentations / Delegations

None

10. Communications

- a) Betty Smallwood, Program Coordinator – Timiskaming Hospice Palliative Care

Re: Invitation – “Time to Remember” service - Thursday, November 23, 2017 at 5:30 p.m. at New Liskeard Community Hall

Reference: Received for Information

- b) Brent Kennedy, Director (Rural Branch Program) – Ministry of Agriculture, Food and Rural Affairs

Re: Ontario Community Infrastructure Fund (OCIF) Formula Component – Funding Allocation: 2018 = \$205,197; 2019 = \$318,735; 2020 = \$334,319

Reference: Referred to the Treasurer

- c) Email: Federal Gas Tax Program

Re: AMO's Federal Gas Tax Fund Annual Report ending December 31, 2016 – Temiskaming Shores received \$632,386 in Federal Gas Tax

Reference: Received for information

- d) Cathy Ryder, Deputy Clerk/HR – Township of Drummond/North Elmsley

Re: Request for Support – Employment Standards Act (Bill 148)

Reference: Received for information

- e) Mayor Carman Kidd – City of Temiskaming Shores

Re: Letter to Minister of Health and Long-Term Care – Report of the Expert Panel on Public Health

Reference: Received for information

- f) Alicia Pinelli, Outreach & Education Team Member – National Eating Disorder Information Centre

Re: Proclamation Request – February 1-7, 2018 “Eating Disorder Awareness Week

Reference: Received for information

- g) Honorable Minister Glen Thibeault – Ministry of Energy

Re: Release of Ontario’s 2017 Long-Term Energy Plan

Reference: Received for information

Resolution No. 2017-431

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10. g) according to the Agenda references.

Carried

11. Committees of Council – Community and Regional

Resolution No. 2017-432

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the following minutes and/or reports be accepted for information:

- a) Minutes of the Temiskaming Transit Committee meeting held on September 20, 2017;
- b) Minutes of the Age Friendly Community Committee meeting held on April 10, 2017;
- c) Minutes of the Age Friendly Community Committee meeting held on May 8, 2017;
- d) Minutes of the Age Friendly Community Committee meeting held on June 12, 2017;

- e) Minutes of the Age Friendly Community Committee meeting held on August 14, 2017;
- f) Minutes of the Temiskaming Shores Public Library Board meeting held on September 20, 2017;
- g) Minutes of the Temiskaming Shores Public Library Board meeting held on October 4, 2017;
- h) Minutes of the Emergency Management Program Committee meeting held on September 28, 2017;
- i) Minutes of the Temiskaming Municipal Association meeting held April 27, 2017;
- j) Minutes of the Temiskaming Municipal Association's Executive meeting held May 8, 2017;
- k) Minutes of the Temiskaming Municipal Association meeting held May 27, 2017;
- l) Minutes of the Earlton-Timiskaming Regional Airport Authority meeting held on August 17, 2017;
- m) Minutes of the Earlton-Timiskaming Regional Airport Authority meeting held on August 31, 2017;
- n) August 2017 Earlton-Timiskaming Regional Airport Authority Activity Report;
- o) Minutes of the Temiskaming Shores Police Services Board meeting held on September 18, 2017; and
- p) Minutes of the Temiskaming Transit Committee meeting held on October 25, 2017.

Carried

12. Committees of Council – Internal Departments

Resolution No. 2017-433

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Recreation Committee meeting held on May 8, 2017;
- b) Minutes of the Recreation Committee meeting held on June 12, 2017;

- c) Minutes of the Recreation Committee meeting held on September 11, 2017;
- d) Minutes of the Building Maintenance Committee meeting held on October 12, 2017; and
- e) Minutes of the Protection to Persons and Property Committee meeting held on October 12, 2017.

Carried

13. Reports by Members of Council

Councillor Jelly reported on the following:

- Police Services Act: The Police Services Act has been opened and is being reviewed. There will be some matters that will affect our community, but will not have as big of an impact as we had thought. Understands that the City would have the option of maintaining its' own Board (Police Services Board) or into a District Board. Will be addresses matters such as suspension without pay, utilize non-police personnel for certain jobs (i.e. directing traffic, court security, prisoner transportation, etc.). Special constables will be under the same scrutiny as uniformed officers. Attending the fall seminar with the City Manager next week.

Mayor Kidd reported on the following:

- Remembrance Day: Services will be held this Saturday (November 11th).
- Village Noel: Is upcoming and anticipate that staff are working on a float for the Santa Clause parade.

14. Notice of Motions

None

15. New Business

- a) **Support - AMO's response to the Expert Panel on Public Health**

Resolution No. 2017-434

Moved by: Councillor Whalen

Seconded by: Councillor Jelly

Whereas the Minister of Health and Long-Term Care (MHLTC) established an Expert Panel on Public Health to provide advice on structural, organizational and governance changes for Ontario's public health sector within a transformed health system; and

Whereas the Minister's Expert Panel released a report entitled ***Public Health within an Integrated Health System*** dated June 9, 2017; and

Whereas the Association of Municipalities of Ontario (AMO) released a Briefing Note in regards to the Panel Report dated October 12, 2017 identifying that neither the Expert Panel nor the Ministry have provided analysis on the implications of integrating from either a patient, program/service, or cost benefit perspective; and

Whereas AMO has identified a variety of issues, if the recommendations were implemented, that would have a negative impact on Northern and Rural communities.

Now therefore Council for the City of Temiskaming Shores hereby concurs with the Association of Municipalities of Ontario and does not support the recommendations of the Expert Panel on Public Health as outlined in the report, ***Public Health within an Integrated Health System***, released on July 20, 2017 and petitions the government to not change the public health system as recommended; and

Furthermore that a copy of this resolution be sent to the Honorable Eric Hoskins, Minister of Health and Long-Term Care and the Association of Municipalities of Ontario.

Carried

b) Memo No. 016-2017-PW – McCamus Subdivision – Assumption of Roadway (McCamus Avenue: Shepherdson Road to Dixon Street)

Resolution No. 2017-435

Moved by: Councillor Foley

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 016-2017-PW; and

That Council directs staff to prepare the necessary by-law for the assumption of McCamus Avenue from Shepherdson Road to Dixon Street and repeal By-law No. 2014-086 for consideration at the November 7, 2017 Regular Council meeting.

Carried

c) Memo No. 010-2017-CGP – NOHFC Funding – Temiskaming Region Business Training Series

Resolution No. 2017-436

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 010-2017-CGP;

That Council directs staff to prepare the necessary by-law to enter into an Event Funding Partnership agreement with the Northern Ontario Heritage Corporation (NOHFC) for the Temiskaming Region Business Training Series in the amount of \$2,625 for consideration at the November 7, 2017 Regular Council meeting.

Carried

d) Memo No. 033-2017-CS – Confirmation of Road Name – Wilson Road

Resolution No. 2017-437

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 033-2017-CS;

That Council confirms that the official road name of that section of roadway between Highway 11 and Clover Valley Road to the east of Highway 11 in line with Seed's Road is known as **Wilson Road**; and

That Council hereby requests the Ministry of Transportation of Ontario ensure the appropriate signage is installed on Highway 11.

Carried

e) Memo No. 034-2017-CS – Accountability and Transparency – Bill 68 – Integrity Commissioner

Resolution No. 2017-438

Moved by: Councillor Whalen

Seconded by: Councillor McArthur

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 034-2017-CS; and

That Council hereby acknowledges the request from the Temiskaming Municipal Association (TMA) in regards to the retention of an Integrity

Commissioner and authorizes the TMA to pursue this initiative on behalf of the City of Temiskaming Shores as a participating municipality.

Carried

f) Memo No. 035-2017-CS – Appointment to Temiskaming Shores Public Library Board – Anna Turner

Resolution No. 2017-439

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 035-2017-CS; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2015-030 being a by-law to appoint community representatives to various Committees and Board for the 2015-2018 Term of Council by appointing Anna Turner to the Temiskaming Shores Public Library Board.

Carried

g) October 2017 Capital Financial Report

Resolution No. 2017-440

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of the October 2017 Year-to-Date Capital Financial Report for information purposes.

Carried

h) Memo 036-2017-CS – Ontario Infrastructure & Land Corporation Loan Application (Haileybury Water Treatment Plant MCC Replacement Project and New Liskeard Water Treatment Plant Iron Removal Project)

Resolution No. 2017-441

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 036-2017-CS;

That Council directs the Treasurer to proceed with the application(s) to OILC for capital works as approved in By-law 2017-060 in the amount of \$849,000; and

That Council directs the Treasurer to proceed with other applicable by-laws as per the OILC program being a funding agreement and debenture(s) as required upon the completion or substantial completion of the approved capital works.

Carried

i) Administrative Report No. CS-037-2017 – Transit Fares and Schedule

Resolution No. 2017-442

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-037-2017;

That Council endorses and approves the recommendation of the Temiskaming Transit Committee to reduce transit service on Sundays from every hour to every two hours effective January 1, 2018; and

That Council endorses and approves the recommendation of the Temiskaming Transit Committee to increase the Temiskaming Transit Fares by \$0.25 and the monthly passes by \$5.00 effective January 1, 2018 as follows:

Adult Fare	\$ 3.25
Senior/Student Fare	\$ 3.00
Book of 10 Adult Tickets	\$ 32.50
Book of 10 Senior/Student Tickets	\$ 30.00
Adult Monthly Pass	\$ 90.00
Senior/Student Monthly Pass	\$ 70.00

Carried

j) Memo 037-2017-CS – Snow Clearing/Winter Maintenance – Temiskaming Shores & Area Chamber of Commerce Parking Lot

Resolution No. 2017-443

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that Council for the City of Temiskaming Shores hereby acknowledges receipt of Memo 037-2017-CS; and

That Council directs staff to include the clearing of snow/ winter maintenance of the Temiskaming Shores & Area Chamber of Commerce parking lot within its Winter Operations Plan for the 2017-2018 Season in accordance with the

City's Strategic Alliance Agreement with the Chamber of Commerce as authorized through By-law 2008-124.

Carried

k) Administrative Report No. CS-038-2017 – Conseil des Arts Temiskaming Arts Council Strategic Alliance Agreement

Resolution No. 2017-444

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-038-2017; and

That Council directs staff to prepare the necessary by-law to enter into a Strategic Alliance Agreement with the Conseil des Arts Temiskaming Arts Council for consideration at the November 7, 2017 Regular Council meeting.

Carried

l) District Social Services Administration Board Review

Resolution No. 2017-445

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Whereas the Ministry of Community and Social Services is currently conducting a comprehensive review of the governance and accountability of the District Social Services Administration Boards;

And whereas the Ministry's consultant has prepared a "Consultation for Municipal Representatives" questionnaire for Council's consideration outlining the following key review priorities;

- Accountability and Transparency
- Board Composition
- Term Start Dates
- Access to Bulk Financing
- Apportionment
- Other Governance and Accountability Issues

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby provides the following input for consideration during the Ministry of Community and Social Services District Social Services Board Review:

1. Accountability and Transparency - encourage DSSAB administrators and Board Members to strengthen their ongoing communication strategies including regular reports from DSSAB representatives to their respective Council(s)
2. Board Composition – the District of Timiskaming Social Services Administration Board has a disproportionate amount of representation for the Unincorporated areas (10% of the population with 20% representation on the Board). The City of Temiskaming Shores hereby recommends that one Unincorporated position be eliminated and redistributed amongst the municipalities that have shared representatives.
3. Term Start Dates – recommend using a clause similar to that used by Public Library Boards under the Public Libraries Act as follows:

*A board member shall hold office for a term concurrent with the term of the appointing council, or until a **successor is appointed**.*

The first appointments of members of a new board shall be made by the respective Council(s) at their first meeting after a municipal election, but if the appointing council(s) fail to make the appointments at its first meeting, it shall do so at any regular or special meeting held within 60 days thereafter.

4. Access to Bulk Financing – DSSABs should have the same power to borrow as municipalities within the appropriate limits as prescribed by the Ministry. Access to loan programs, such as the Ontario Infrastructure & Land Corporation should be made available to DSSABs.
5. Apportionment – the District of Timiskaming Social Services Administration Board has a cost apportionment formula that works well and helps to avoid conflict and disputes amongst contributing municipalities. The City of Temiskaming Shores would not support a mandated province-wide approach.

Carried

m) Memo No. 038-2017-CS – Solar Park Lease – TransCanada sale of Solar Portfolio to Axium Infinity Solar LP

Resolution No. 2017-446

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 038-2017-CS;

That Council authorizes the Mayor and Clerk to issue a Consent to Assignment to TransCanada Energy Ltd as “Tenant” and Axium Infinity Solar LP as “Assignee” acknowledging and consenting to TransCanada’s assignment of all rights, title and interest in regards to the lease of land from the City for the Solar Park on Rockley Road; and

That Council directs staff to prepare the necessary by-law to enter into a Tri-Party Agreement with Axium Infinity Solar LP as “Lessee” and The Canada Life Assurance Company as “Collateral Agent” and repeal By-law No. 2012-162 for Council consideration upon notification of the transaction closing between TransCanada and Axium.

Carried

16. **By-laws**

Resolution No. 2017-447

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2017-136 Being a by-law for the Assumption of a Highway for Public use within the City of Temiskaming Shores – McCamus Avenue from Shepherdson Road to Dixon Street

By-law No. 2017-137 Being a by-law to authorize the Sale of Land to Timmins Forest Products Ltd. being Parcel 9551 SST, Part of Lot 1, Concession 2, Bucke Township

By-law No. 2017-138 Being a by-law to amend By-law No. 2015-030 (Appointment of Community Representatives to various Committees and Boards for the 2014-2018) – Appointment of members to the Temiskaming Shores Public Library Board

By-law No. 2017-139 Being a by-law to authorize certain new capital works of the Corporation of the City of Temiskaming Shores; to authorize the submission of an application to Ontario

Infrastructure and Lands Corporation (“OILC”) for financing such capital works; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures to OILC

By-law No. 2017-140 Being a by-law to enter into a Strategic Alliance Agreement with the Conseil des Arts Temiskaming Arts Council

By-law No. 2017-141 Being a by-law to enter into an Event Funding Partnership agreement with the Northern Ontario Heritage Fund Corporation (NOHFC) for the Temiskaming Region Business Training Series

be hereby introduced and given first and second reading.

Carried

Resolution No. 2017-448

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2017-136;

By-law No. 2017-137;

By-law No. 2017-138;

By-law No. 2017-139;

By-law No. 2017-140; and

By-law No. 2017-141

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

17. Schedule of Council Meetings

- a) Special – Tuesday, November 14, 2017 at 6:00 p.m. (Budget)
- b) Regular – Tuesday, November 21, 2017 at 6:00 p.m.

- c) Special – Tuesday, November 28, 2017 at 6:00 p.m. (Draft Zoning By-law)
- d) Regular – Tuesday, December 5, 2017 at 6:00 p.m.

18. Question and Answer Period

None

19. Closed Session

Resolution No. 2017-449

Moved by: Councillor Jelly
Seconded by: Councillor Foley

Be it resolved that Council agrees to convene in Closed Session at 7:00 p.m. to discuss the following matters:

- a) **Adoption of the September 19, 2017 – Closed Session Minutes**
- b) **Under Section 239 (2) (a) of the Municipal Act, 2001 – Security of the property of the municipality – Sacre Coeur School;**
- c) **Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Human Resources Update;**
- d) **Under Section 239 (2) (e) of the Municipal Act, 2001 – litigation or potential litigation – Insurance Claims.**
- e) **Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Negotiations (2018-2020); and**

Carried

Resolution No. 2017-450

Moved by: Councillor Whalen
Seconded by: Councillor Laferriere

Be it resolved that Council agrees to rise with report from Closed Session at 7:44 p.m.

Carried

Matters from Closed Session:

a) Adoption of the September 19, 2017 – Closed Session Minutes

Resolution No. 2017-451

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that Council approves the September 19, 2017 Closed Session Minutes as printed.

Carried

b) Under Section 239 (2) (a) of the Municipal Act, 2001 – Security of the property of the municipality – Sacre Coeur School

Council was provided with an update in Closed on this matter.

c) Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Human Resources Update

Council was provided with an update on Human Resource matters.

d) Under Section 239 (2) (e) of the Municipal Act, 2001 – litigation or potential litigation – Insurance Claims

Council provided direction to staff in Closed.

e) Under Section 239 (2) (d) of the Municipal Act, 2001 – labour relations – Negotiations (2018-2020)

Council provided direction to the City Manager in Closed.

20. Confirming By-law

Resolution No. 2017-452

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that By-law No. 2017-142 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for

its Regular Meeting held on **November 7, 2017** be hereby introduced and given first and second reading.

Carried

Resolution No. 2017-453

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that By-law No. 2017-142 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2017-454

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that City Council adjourns at 7:45 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen



The Corporation of the City of Temiskaming Shores

Special Meeting of Council

Tuesday, November 14, 2017

6:00 P.M.

City Hall Council Chambers – 325 Farr Drive

Minutes

1. Call to Order

The meeting was called to order by Mayor Carman Kidd at 6:00 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors Jesse Foley, Doug Jelly, Patricia Hewitt, Jeff Laferriere, Mike McArthur and Danny Whalen

Present: Christopher W. Oslund, City Manager
David B. Treen, Municipal Clerk
Doug Walsh, Director of Public Works
Tammie Caldwell, Director of Recreation
Kelly Conlin, Director of Corporate Services (A)
Tim Uttley, Fire Chief
Laura-Lee MacLeod, Treasurer
Mitch Lafreniere, Manager of Physical Assets
Paul Allair, Superintendent of Parks and Facilities
Rebecca Hunt, Library CEO
Jeff Thompson, Superintendent of Recreation

Regrets:

Media: Diane Johnston, Temiskaming Speaker

Members of the Public Present: 1

3. Approval of Agenda

Resolution No. 2017-455

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that City Council approves the agenda as printed.

Carried

4. Declaration of Special Council Meeting

Resolution No. 2017-456

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores declares this meeting a “Special Meeting of Council” in accordance to Section 7 of Procedural By-law No. 2008-160.

Carried

5. Disclosure of Pecuniary Interest and General Nature

None

6. New Business

a) 2017 Municipal Operational Budget – Draft No. 1

Treasurer, Laura-Lee MacLeod outlined the process for reviewing Draft No. 1 of the 2017 Municipal Operational Budget.

Utilizing the projector and excel files, City Manager Chris Oslund reviewed the General Operations budget Summary by Department. Chris proceeded to review operational budgets of individual departments summarized as follows:

<u>Department</u>	<u>2017 Budget</u>	<u>2018 Budget</u>
Council	136,942	140,773
City Manager	209,703	208,458
Fire & Emergency	578,346	663,136
Economic Development	303,670	315,770
Corporate Services	2,091,328	1,995,044
CGP	327,179	292,692
Recreation	1,455,358	1,561,770
Public Works	5,008,686	4,950,298
Transit	238,750	251,300
Libraries	370,752	372,669
Net Expenditures	10,720,714	10,751,910

Policing	2,225,645	2,183,989
Health & Social Services	2,789,955	2,846,000
External Agencies	5,015,600	5,029,989
Net General Operations	15,736,314	15,781,899
General Taxation	(12,878,568)	(12,980,219)
OMPF	(3,573,000)	(3,485,000)
Total Revenue	(16,451,568)	(16,465,219)

Throughout the presentation, City Manager Chris Oslund outlined the main drivers in the various departments based on specific budget line items.

Chris reviewed the 2018 Operating Projects for each Department summarized as follows:

<u>Department</u>	<u>Cost</u>	<u>Funding</u>	<u>Net Cost</u>
<i>Fire & Emergency</i>			
Pagers	28,691	0	28,691
SCBA	56,500	0	56,500
Total	85,191	0	85,191
<i>Economic Development</i>			
PDAC Event	585,000	585,000	0
Northern Ont. Exhibit	50,000	48,000	2,000
Total	635,000	633,000	2,000
<i>Comm. Growth & Planning</i>			
Archeological Plan	75,000	75,000	0
Contractor's Night	3,500	0	3,500
Total	78,500	75,000	3,500
<i>Recreation</i>			
Benches (STATO)	3,000	0	3,000
Garbage Cans (20)	12,000	0	12,000
Banners Downtown	5,000	0	5,000
Picnic Tables (20)	3,000	0	3,000
NL Arena showers	5,000	0	5,000
Dock Repairs	7,500	0	7,500
Hlby Marina Retaining Wall	7,500	0	7,500
Canoe/Kayak Rack	1,000	0	1,000
Ball Park Upgrades	15,000	0	15,000
Christmas Lights	10,000	0	10,000

<u>Hlby Arena Energy</u>	<u>35,000</u>	<u>0</u>	<u>35,000</u>
Total	104,000	0	104,000

Property Maintenance

Hlby Med Centre Washroom	7,500	0	7,500
Dym Hall Flooring	10,000	0	10,000
Dym Hall Upstairs Washroom	5,000	0	5,000
Dym Hall Heating	2,500	0	2,500
NL Ball Park Washroom	5,000	0	5,000
NL Arena Paint Gable Ends	20,000	0	20,000
Hlby Arena Stair Treads	7,500	0	7,500
Dock Assembly (Contractor)	5,000	0	5,000
Hlby Beach Upgrades	1,500	0	1,500
<u>Hlby Marina Gate Upgrades</u>	<u>5,000</u>	<u>0</u>	<u>5,000</u>
Total	72,000	0	72,000

Environmental

Expenditure Requests	160,000	0	160,000
Master Electrician	11,500	0	11,500
Dym Reservoir Chemical Pump	6,000	0	6,000
SCADA System Programming	20,000	0	20,000
Facility Maintenance	40,000	0	40,000
NL Lagoon Aeration	20,000	0	20,000
Auto Samplers	7,500	0	7,500
<u>NL Lagoon Flow Meter</u>	<u>25,000</u>	<u>0</u>	<u>25,000</u>
Total	290,000	0	290,000

b) 2017 Municipal Capital Budget

Again utilizing the projector and excel files, City Manager Chris Oslund reviewed the summary of 2018 Capital Projects followed by each Department Director/Manager reviewing their specific capital project requests.

Department	Cost	Funding	Borrowing	Reserves	City Cost
FEMS	114,500	0	0	0	114,500
Public Works	3,480,230	1,684,265	0	787,335	1,011,630
Recreation	140,200	12,500	0	0	127,700
Property Maint.	1,420,000	62,500	0	55,000	1,302,500
Fleet	1,203,000	0	1,203,000	0	0
Transit	32,000	32,000	0	0	0

Total Capital	6,389,930	1,788,265	1,203,000	842,335	2,556,330
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With a Transfer from Operations of \$683,320 there is a shortfall of in Capital Project envelope of \$1,873,010.

Environmental	Cost	Funding	Borrowing	Reserves	City Cost
Enviro Project	1,840,000	332,921	1,136,923	205,156	165,000

With a Transfer from Operations of \$165,644 there is a shortfall of in Environmental Capital Project envelope of \$644.

The Director/Manager presented each of the individual Capital Project Lists.

Fire and Emergency

Project	Cost	Funding	Borrowing	Reserves	City Cost
Cylinder Fill Station	6,000	0	0	0	6,000
Washer-Extractor	8,500	0	0	0	8,500
Station Bldg Reserve	100,000	0	0	0	100,000
Total FEMS	114,500	0	0	0	114,500

Projects that did not make the Capital list are:

Replacement of Cascade System (Station 2)	\$34,000
Hurst Rescue Ram (53") – Station 3	12,212

Public Works

Project	Cost	Funding	Borrowing	Reserves	City Cost
2018 Roads Program	2,810,230	1,681,265	0	677,335	451,630
Golf Course Bridge	500,000	0	0	0	500,000
Elm St. Resurfacing	35,000	0	0	0	35,000
Ditching (Resurfacing)	25,000	0	0	0	25,000
Landfill Expansion	110,000	0	0	0	110,000
Total Public Works	3,480,230	1,681,265	0	787,335	1,011,630

2018 Roads Program consists of the following:

Armstrong Street	720,470
Lakeshore/Ferguson	243,240
Rorke/King	550,107
West Road	1,260,273
Environmental Approvals	2,675

Project Design & Mngt. 33,465

Projects that did not make the Capital list are:

Clover Valley Rd. Realignment (engineering)	\$ 50,000
Highway 65 E Realignment (engineering)	200,000
Grant Drive Extension (engineering)	25,000

Recreation

Project	Cost	Funding	Partners	Reserves	City Cost
Splash Pad	25,000	0	12,500	0	12,500
Hlby Arena Floor	40,000	0	0	0	40,000
Zero Turn Lawnmower	20,000	0	0	0	20,000
Playground Strategy	50,000	0	0	0	50,000
Ball Groomer	5,200	0	0	0	5,200
Total Recreation	140,200	0	12,500	0	127,700

Projects that did not make the Capital list are:

Dymond Fireman's Park – trail resurfacing	\$ 120,000
Playground Strategy Program	100,000
NL Tennis Courts Upgrade	110,000

Property Maintenance

Project	Cost	Funding	Borrowing	Reserves	City Cost
NL Cemetery Office	25,000	0	0	25,000	0
NL Library (Carry over)	125,000	62,500	0	30,000	32,500
PFC Upgrades	1,000,000	0	0	0	1,000,000
NL Library Relocate	100,000	0	0	0	100,000
Hlby Marina Rehab	150,000	0	0	0	150,000
NL Arena Accessibility	20,000	0	0	0	20,000
Total Recreation	1,420,000	62,500	0	55,000	1,302,500

Projects that did not make the Capital list are:

NL Library Relocation (Retrofit 2019)	\$ 750,000
Hlby Library – boiler replacement	50,000
Hlby Medical Centre – parking lot upgrades	105,000

NL Community Hall – Accessibility design 20,000

2018 Fleet

Project	Cost	Funding	Borrowing	Reserves	City Cost
Sweeper	350,000	0	350,000	0	0
Sidewalk Machine	170,000	0	170,000	0	0
Loader (Blower)	130,000	0	130,000	0	0
¾ Ton Truck	40,000	0	40,000	0	0
½ Ton Truck	33,000	0	33,000	0	0
Van	40,000	0	40,000	0	0
Water Tanks (2)	70,000	0	70,000	0	0
Fire Pumper	370,000	0	370,000	0	0
Total Fleet	1,203,000	0	1,203,000	0	0

Transit

Project	Cost	Funding	Borrowing	Reserves	City Cost
Surveillance System (4 Units)	32,000	32,000	0	0	0
Total Transit	32,000	32,000	0	0	0

Environmental Capital

Project	Cost	Funding	Borrowing	Reserves	City Cost
TS Infrastructure (Phase 1) carry over	900,000	0	723,000	177,000	0
NC Water Stabilization	75,000	0	60,000	15,000	0
Iron Removal System NL WTP	700,000	332,921	353,923	13,156	0
Sedimentation Rebuild HIby WTP	110,000	0	0	0	110,000
HIby STP Effluent Quality (eng.)	55,000	0	0	0	55,000
Total Enviro	1,840,000	332,921	1,136,923	205,156	165,000

Projects that did not make the Capital list are:

Lakeshore Rd. N. Sewer (engineering) \$ 125,000

Beach Gardens (Servicing Upgrades)	505,000
NL/Dym Water Linking (CWWF App 2019)	720,000

City Manager, Chris Oslund recapped a projection of \$6.4 M worth of projects of that anticipating \$1.77 M in funding; \$1.2 M in borrowing dedicated to the fleet replacement which is already built into the Operating Budget (principle and repayment); \$0.82 M from reserves with a City cost of \$2.596 M with 683 K from operating to the capital leaving an unfinanced Capital Program of \$1.9 M.

Four options or a combination of those three options available for Council's consideration; Option 1, borrowing; Option 2, tax increase; Option 3, reserves and Option 4, defer projects.

Within the Environmental Capital Program of \$1.84 M with funding at \$332 K and are projecting borrowing at \$1.13 M and using some of the reserves for a balanced Environmental Capital Program. Staff have discussed the long term financial plan for Environmental Services as we are at the maximum with respect to borrowing.

Treasurer, Laura-Lee MacLeod outlined that some analysis as be done in regards to the \$1.9 M Capital shortfall. OILC rates were considered based on three payback terms (10 year, 15 year and 20 year). Interest payments on the three terms were \$270,000 (10 yr), \$437,563 (15 yr) and \$611,897 (20 yr). If Council was to borrow it would have a significant effect on the 2019 and 2020 Capital Budgets. Will not be able to sustain these borrowing levels into the future.

Laura reviewed the current borrowing in place dating back to 2008 of \$11.2 M and as of December 31, 2017 we still owe \$8.7 M; thus have a substantial amount of borrowing in place. The City had a balance at the end of 2016 in Reserve Funds of \$1.3 M.

Chris reviewed the estimated, thus unknown items in the 2018 Budget. DTSSAB and Health have not finalized their budgets, but are currently being worked on; OMPF funding has been estimate, but not notified by province as to what it will be; monitoring Bill 148 changes (minimum wage, standby/Call-Out pay, etc.); currently under ongoing negotiations with Union and Non-Union, Operational budget presented represents Status Quo as well as the 2018 Assessment Roll has not been finalized.

Chris outlined that if Council borrows the \$1.9 M a 2% tax levy increase would be required to just to fund the interest and principle repayments.

Laura reviewed two scenarios based on a 0.8% tax Levy increase with 4% water/wastewater increase and a 2.8% tax levy increase with a 4% water/wastewater increase as well as a house assessed in 2017 at \$200,000.

A 0.8% increase would result in an annual increase in the taxes paid of \$58.74; while a 2.8% increase would result in an annual increase in the taxes paid of \$ 107.58.

Mayor Kidd thanked staff for the budget presentations.

Council deliberated various aspects of the budget and recommended that the individual department committee's to review their operating and capital budgets with the objective of having staff prepare Draft No. 2 and finalizing the budget prior to the end of the year.

c) Request for Support – Temiskaming Shores Seniors' Affordable Housing Working Group

Mayor Kidd reviewed a letter from the Temiskaming Shores Senior's Affordable Housing working Group requesting a grant of \$5,000. Council deliberated the letter and the commitment from the City was not clearly understood.

Mayor Kidd outlined that he would seek clarification from the Housing Group.

7. Adjournment

Draft Motion

Resolution No. 2017-457

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that City Council adjourns at 8:55 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen

Public Meeting – Zoning By-law Amendment



Zoning By-law Amendment

Application No.: ZBA-2017-06(H)

Owner: Maria & Thomas McLean

Subject Land:

- 1191 Lakeshore Road South
- Bucke Concession 5, North Part of Lot 9
- RP TER-847, Part of Part 1
- Parcel 17761SST



Purpose of the Amendment

- Site-specific amendment to permit the reconstruction of the existing single detached dwelling on the property.
- Property is zoned Hazard (HAZ) in the Town of Haileybury Zoning By-law 85-27.
 - Residential uses are not permitted in the HAZ zone. Existing residential use of the property is considered legal non-conforming.
 - Construction of an accessory building is considered expansion of the legal non-conforming residential use.
 - **Section 2.8 Changes or Modifications to Existing Non-Conforming Uses:**
 - 2.8.1.4 Except that the expansion or redevelopment of an existing use is not permitted in the Hazard (HAZ), Mining Constraint (MC) and Sensitive (SEN) Zones except by a zoning by-law amendment
 - **Section 2.38 Special Provisions for Expansion and Redevelopment in the HAZ, MC and SEN Zones**
 - Notwithstanding any other provision to the contrary in the By-law, in the HAZ, MC and SEN-zones, no expansion or redevelopment of an existing use is permitted except by a zoning by-law amendment.

Public Meeting – Zoning By-law Amendment



ZBA-2017-06(H) – November 21, 2017

Public Meeting – Zoning By-law Amendment



ZBA-2017-06(H) – November 21, 2017

Public Meeting – Zoning By-law Amendment



ZBA-2017-06(H) – November 21, 2017

Public Meeting – Zoning By-law Amendment



Public Meeting – Zoning By-law Amendment



ZBA-2017-06(H) – November 21, 2017

Public Meeting – Zoning By-law Amendment





Current and Proposed Use

Current Use:

- Agriculture (horse farm)
- Single detached dwelling and accessory dwelling

Proposed Use:

- No change – reconstruction of existing single detached dwelling



Official Plan Designation

- Designated Rural Areas
 - Limited residential uses are permitted, including:
 - ✓ Resource-related accessory dwellings;
 - ✓ Recreational dwellings;
 - ✓ Infill along the shoreline of Lake Timiskaming;
 - ✓ Along Lakeshore Road between New Liskeard and Haileybury;
 - ✓ Along West Road;
 - ✓ On existing lots of record;
 - ✓ Tourism or recreation-based residential uses including B &B's

Public Meeting – Zoning By-law Amendment



Current Zoning

- Zoned Hazard (HAZ)
 - Permitted uses:
 - ✓ Existing uses;
 - ✓ Agriculture;
 - ✓ Forestry;
 - ✓ Public utilities;
 - ✓ Conservation uses;
 - ✓ Parks

Public Meeting – Zoning By-law Amendment



Proposed Zoning

- Hazard Exception (HAZ-E)
 - Permit the reconstruction of the existing single detached dwelling on the property in its current location

MUNICIPALITY OF MORRIS-TURNBERRY

P.O. Box 310, 41342 Morris Road, Brussels, Ontario N0G 1H0

Tel: 519-887-6137 ext. 21 Fax: 519-887-6424 Email: nmichie@morristoryrnberry.ca



Nancy Michie
Administrator Clerk-Treasurer

October 17,2017

Re: Resolution concerning the Tenanted Farm Tax Class properties being changed to the Residential Tax Class

Motion: 553-2017 Moved by John Smuck Seconded by Dorothy Kelly

Whereas, MPAC conducts ongoing reviews to ensure properties are accurately assessed and corrections are made where necessary. A review of a property could be triggered from ongoing data verification, updated tenant information, sales investigations, building permits and severances which may result in changes to the valuation or classification of a property. This could include wooded acreage on a farm property;

And Whereas, MPAC recently changed the assessment classifications on properties with portions of land tenanted for farming. MPAC is responsible for assessing and classifying all properties in Ontario in accordance with the *Assessment Act* and regulations established by the Government of Ontario. All properties in Ontario are continuously reviewed as part of the MPAC valuation process to ensure accurate information is used in determining our assessed values and tax classifications;

And Whereas, MPAC has stated: Under the *Assessment Act*, all properties are classified according to their use, and Ontario Regulation 282/98 sets out how various property uses are classified. By default, farm properties are classified in the residential property class in accordance with section 3(1)2 of Ontario Regulation 282/98 of the *Assessment Act*. Farm properties that meet the eligibility requirements will have farmland and associated outbuildings placed in the farm property class and are taxed at up to 25% of the municipal residential tax rate. An application for inclusion in the Farm Property Class Tax Rate Program must be approved by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

Under the *Assessment Act*, all properties are classified according to their use. If a portion (or portions) of a farm property is used for non-farm purposes, the portion is valued and classified according to its use. This is to ensure that the appropriate value and tax class is applied to the various uses of the property;

And Whereas, MPAC has assessed non-tillable acreage that is **rented to tenants** as residential. MPAC has explained that this is a correction under the *Assessment Act*/Ontario Regulation 282/98 with properties being assessed according to their use. They explained that it was a review of the Farm Forestry Exemption Class that prompted this action;

And Whereas, Most of these non-tillage acres cannot be built upon, or generate any revenues. However, they do provide benefit to the wider community as woodlots, wetlands, streams. Therefore taxing at the higher residential ratio appears unfair;

And Whereas, many properties have resulted in a substantial increase in property taxes due to this assessment class shift, an example being, with the tax billing increase of 572%. Tax increases to this magnitude are unacceptable. This process will force retired farmers to share crop to avoid the tax increases or it will cause land rent to increase to cover the increased taxes. That will create a burden on the property owner and the tenant farmers;

And Whereas, MPAC did not advise the municipalities of these corrections or the impact that it may have on taxation write-offs going forward, as MPAC reviews appeals on these changes;

Now Therefore, The Council of the Municipality of Morris-Turnberry hereby requests that MPAC conduct a review on the effects of the tax class shift from farm land to residential;

And that MPAC act immediately on applications for reconsideration for the 2018 tax year and where possible for the 2017 year;

And that MPAC advise the municipalities prior to any future tax class shifts or mass property assessment corrections;

And that the Province of Ontario review Regulation 282/98 under the Assessment Act, in respect to the property tax classification of non-tillage acres;

And that this resolution be circulated to Premier Kathleen Wynne, Minister of Finance, MPAC and the Association of Municipalities of Ontario and all Ontario municipalities.

Disposition Carried

Thank you

Yours truly,

A handwritten signature in black ink, appearing to read 'Nancy Michie', written over a horizontal line.

Nancy Michie



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

October 11, 2017

Honourable Kathleen Wynne, Premier
Legislative Building, Room 281
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Wynne:

RE: PROVINCIAL FLOOD INSURANCE PROGRAM

At their meeting of October 10, 2017 the Council of the Town of Lakeshore duly passed the following resolution.

Councillor Wilder moved and Councillor Janisse seconded:

That:

WHEREAS weather patterns seem to have changed, in that excessive and prolonged rains are now becoming more frequent and regular,

WHEREAS there is an increased chance of flooding, as result of excessive and prolonged rains;

WHEREAS property owners in areas that are at an increased risk of flooding are often unable to purchase flood insurance to protect their properties; and

WHEREAS the cost of property repairs after a flood cause financial hardship for individuals, families and businesses.

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be urged to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Horwath, Leader

of the New Democratic Party, and all MPPs in the Province of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Motion Carried Unanimously

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse
Clerk

/cl

cc: Hon. Patrick Brown, Leader of Progressive Conservative Party
cc: Hon. Andrea Horwath, Leader of New Democratic Party
cc: Association of Municipalities Ontario (AMO)
cc: Via Email - All Ontario Municipalities
cc: Via Email - MPPs in the Province of Ontario

Canadian Stimulus Fund Ltd.

Helping to bring economic growth and job creation to communities

November 1, 2017

Municipal Mayors

Hello Your Worships,

I have been asked to provide you with the attached information in order to bring to your attention and to hopefully gather your support for an initiative that was presented by the Canadian Stimulus Fund Ltd. (further referred to as "CSF") to the Ontario Government. CSF has requested from Minister Albanese a simple letter stating that it would "consider" the application of participants to CSF under the OINP in return the CSF would invest a minimum of \$400 million/year into Northern Ontario to stimulate the economy and create 3 sustainable employment opportunities for every million dollars it places. Despite having commenced this process more than 18 months ago it would appear that CSF's request for a simple letter continues to be prevented in light of pressures by southern Ontario MPPs. It is important to note that on February 2, 2017, the Provincial and Federal Government approved the "Toronto Global" initiative (link to press release):

<https://www.theglobeandmail.com/report-on-business/economy/new-agency-aims-to-attract-foreign-investment-to-the-gta/article33888928/>

In addition to providing them with \$19.5 Million of government funding over the next 3 years to allow them to deliver on their business plan. Toronto Global is a Toronto based private company established to attract foreign investment solely for the GTA. Despite both (Toronto Global and CSF) initiatives having the same intensions, CSF has not and does not require funding from any levels of government but a simple non-committal letter to proceed in the placement of investment in the north. It is truly disturbing that the Ontario Government by its continued delays is prejudicing Northern Ontario, preventing much needed investment, and preventing employment opportunities from being created.

As the participants to CSF are losing faith in being able to obtain such a simple letter from the Ontario Government, we are hoping for your support and suggesting that you communicate in writing with MPP Gille Bisson by the end of the week of November 8th expressing your support to the CSF initiative. After reading the attached documents I would be happy to answer any of your questions or provide you with any further material. At the request of some of the Mayors we have attached a draft support letter which can be placed on your municipal letterhead and can be altered to your liking.

We look forward to hearing from you.

Kind regards,

J-M Pellerin
Advisor
289-387-1031

Hydro One Networks Inc.
Public Affairs
483 Bay Street
South Tower, 6th Floor
Toronto, ON M5G 2P5

Tel: 1-877-345-6799
Community.Relations@HydroOne.com



www.HydroOne.com

Mayor Carman Kidd and members of Council
City of Temiskaming Shores
325 Farr Drive
Haileybury, ON P0J 1K0
Via e-mail: ckidd@temiskamingshores.ca

November 9, 2017

Re: Wood Pole Replacement Program on the 115 kilovolt transmission structures (circuit D4Z) in your community

Dear Mayor Kidd and members of Council:

I am writing to notify you that Hydro One Networks Inc. (Hydro One) has initiated a Class Environmental Assessment (EA) to refurbish approximately 15 structures along four kilometres of the existing 115 kilovolt transmission line (circuit D4Z) in your community. The project area is shown on the attached map.

This project was determined through Hydro One's annual wood pole testing program as some of the wood pole structures on the circuit have reached their end-of-life. Replacing damaged and aging structures would ensure the continued reliability and integrity of this transmission line and electricity supply to the area. Most work would be carried out within the existing transmission corridor, with no new corridor being required. Where possible, access would be accomplished using existing roads and trails. There would be very little noticeable difference in this transmission line after the project has been completed.

This type of project is considered routine maintenance work with relatively minor effects, and is subject to the Class EA for Minor Transmission Facilities (Hydro One, 2016), in accordance with the Ontario *Environmental Assessment Act*. The Class EA is a streamlined planning process that has proven effective in ensuring that minor transmission projects that have a predictable range of effects have feasible environmental mitigation and/or protection measures in place. The Class EA Process contains screening provisions that may apply to this project.

Contingent on the outcome of the Class EA, the replacement of wood poles may begin as early as January 2018 and be completed by the end of 2018.

Hydro One has notified First Nations and Métis communities of the Class EA and the project; we will also be notifying property owners adjacent to the work areas.

We welcome your comments and feedback regarding the proposed project. Your input for this project is valued, and would be appreciated by December 7, 2017.

As per the request of the Minister of the Environment and Climate Change, information regarding the *Freedom of Information and Protection of Privacy Act* is included and can be viewed below.

Sincerely,

A handwritten signature in black ink that reads "Stephanie Hodsoll".

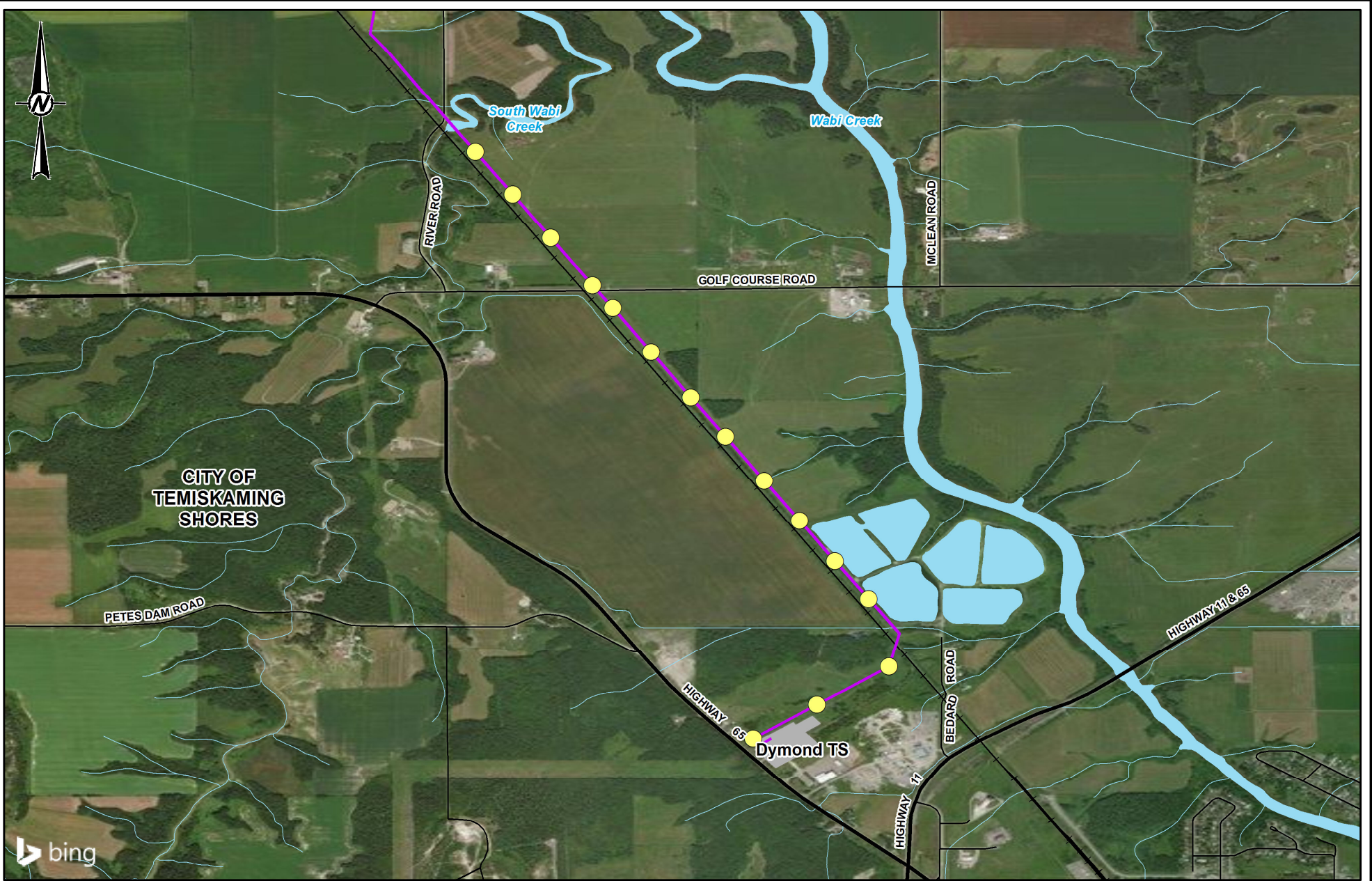
Stephanie Hodsoll
Community Relations Officer
Hydro One Networks Inc.

Enclosed (1)

CC: David Treen, Municipal Clerk, City of Temiskaming Shores
Christopher Oslund, City Manager, City of Temiskaming Shores

Freedom of Information and Protection of Privacy Act

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment and Climate Change for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment and Climate Change's Freedom of Information and Privacy Coordinator at 416-327-1434.



- LEGEND**
- Wood Pole Replacement (Approximate Work Area)
 - Circuit D4Z - 115 kV Transmission Line
 - Existing Transformer Station (TS)
 - Highway
 - Roads
 - Railway
 - Water



PROJECT
2018 WOOD POLE REPLACEMENT PROJECT - CIRCUIT D4Z
 TITLE
GENERAL AREA MAP

REFERENCE(S)
 1 BASE DATA: MBP LTD. OBTAINED 2017
 2 PRODUCED BY GOLDER ASSOCIATES LTD. UNDER LICENCE FROM ONTARIO MINISTRY OF NATURAL RESOURCES. © QUEEN'S PRINTER 2017
 3 SERVICE LAYER CREDIT: SOURCES: ESRI, HERE, DELORME, INTERMAP, INCREMENT P CORP, GEBCO, USGS, FAD, NPS, NRCAN, GEBCOBASE, IGN, KADASTER NL, ORDANCE SURVEY, ESRI, JAPAN, METI, ESRI CHINA (HONG KONG), GINSEKONG, MAPBOX, IN 50 METRE GRID CONTRIBUTOR, AND THE GIS USER COMMUNITY
 4 DATA: WGS 1984 COORDINATE SYSTEM, GCS NAD 83
 5 © COPYRIGHT HYDRO ONE NETWORKS INC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED OR REPRODUCED IN ANY FORM BY ANY PHOTOGRAPHIC, ELECTRONIC, MECHANICAL OR ANY OTHER MEANS, OR USED IN ANY INFORMATION STORAGE OR RETRIEVAL SYSTEM, NEITHER HYDRO ONE NETWORKS INC. NOR ANY OF ITS AFFILIATES ASSUMES LIABILITY FOR ANY ERRORS OR OMISSIONS.

PROJECT NO.
 1777250

DATE
 2017-10-10

REV.
 1



IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET HAS BEEN MODIFIED FROM ANS/A

25mm



RECEIVED
NOV - 8 2017

November 2, 2017

Mayor Carman Kidd
City of Temiskaming Shores
P.O. Box 2050, 325 Farr Drive
Haileybury, ON P0J 1K0

Dear Mayor Carman Kidd:

RE: LAS Natural Gas Program – 2015-16 Period Reserve Fund Rebate

LAS is pleased to announce a rebate to all LAS Natural Gas Program members. The amount being rebated back to your municipality is **\$7 372.68**.

This amount represents your municipality's proportionate share of the \$1 million reserve fund surplus that is being returned to program members that had accounts enrolled in the LAS Natural Gas Program during the 2015-16 program year (November 1, 2015 - October 31, 2016).

A copy of this letter and the cheque for your municipality has been sent to the designated LAS program contact (see CC below).

Your municipality's share of the program reserve fund was calculated using actual consumption data for all accounts enrolled in the LAS program for the period. The consumption data was aggregated at the organizational level and the payment amount is based on your proportionate share of the total LAS program volume.

We look forward to your continued involvement in this valuable program. Should you have any questions please contact Eleonore Schneider, LAS Program Manager at ext. 320 or at eschneider@amo.on.ca.

Sincerely,

A handwritten signature in black ink that reads "Judy Dezell".

Judy Dezell
Director

CC: Mitch Lafreniere, Manager of Assets



REVIEW

RECEIVED
NOV 09 2017

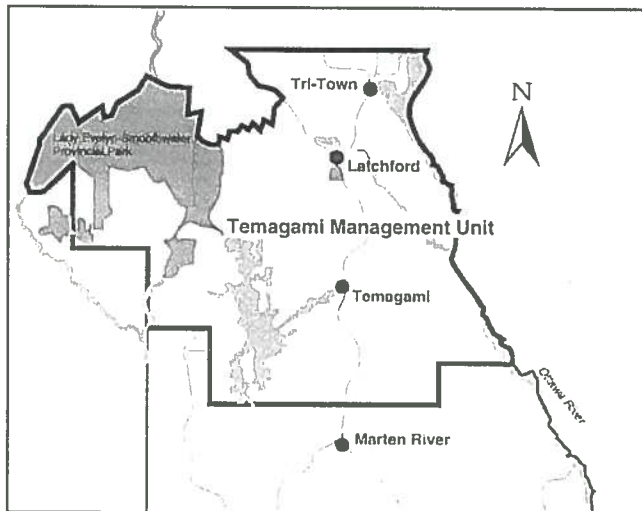
Review of Long-Term Management Direction Temagami Management Unit 2019 - 2029 Forest Management Plan

The Ontario Ministry of Natural Resources and Forestry (MNRF), First Resource Management Group and the Temagami Local Citizens' Committee (LCC) invite you to review and comment on the proposed long-term management direction for the 2019 - 2029 Forest Management Plan (FMP) for the Temagami Management Unit.

The Planning Process

The FMP takes approximately three years to complete. During this time, five formal opportunities for public consultation and First Nation and Métis community involvement and consultation are provided. The first opportunity (Stage One) for this FMP occurred on February 8, 2017 when the public was invited to "Participate" in the development of the plan. This 'Stage Two' notice is:

- To invite you to review and comment on:
 - the proposed long-term management direction for the forest;
 - the areas which could reasonably be harvested, and the preferred areas for harvest operations, during the 10-year period of the plan;
 - the analysis of alternative one kilometer wide corridors for each new primary road which is required for the next 20 years.
- To request your contribution to background information to be used in planning.



How to Get Involved

To facilitate your review, a summary of the proposed long-term management direction for the forest can be obtained on the Ontario government website (www.ontario.ca/forestplans). A summary map(s) of the preferred and optional harvest areas for the 10-year period of the plan and alternative corridors for each new primary road which is required for the next 20 years, will also be available.

In addition to the most current versions of the information and maps which were available at Stage One of public consultation, the following information and maps will be available:

- Draft First Nation and Métis Background Information Report (only if the First Nation and Métis community(s) agree);
- Summary of public comments and submissions received to date and any responses to those comments and submissions;
- A summary report of the results of the desired forest and benefits meeting;
- Environmental analysis, including use management strategies of the alternative corridors for each new primary road;
- Maps that portray past and approved areas of harvest operations for the current forest management plan and the previous 10 years;
- Criteria used for the identification of areas that could reasonably be harvested during the 10-year period of the plan;
- The rationale for the preferred areas for harvest;
- Summary report of the activities of the local citizen's committee to date.

The above information is available at the First Resource Management Group and MNRF North Bay District Office identified below during normal office hours for a period of 30 days **November 8, 2017 to December 7, 2017**.

Comments on the proposed long-term management direction for the Temagami Management Unit be received by Robert Baker of the planning team at the MNRF North Bay District Office by **December 7, 2017**.

Meetings with representatives of the planning team and the LCC can be requested at any time during the planning process. Reasonable opportunities to meet planning team members during non-business hours will be provided upon request. If you require more information or wish to discuss your interests and concerns with a planning team member, please contact one of the individuals listed below:

Robert Baker, R.P.F.
MNRF North Bay District Office
3301 Trout Lake Road
North Bay, ON P1A 4L7
tel: 705-475-5521
e-mail: Robert.baker@ontario.ca

Etienne Green, R.P.F.
First Resource Management Group
22 Paget Street, P.O. Box 850
New Liskeard, ON P0J 1P0
tel: 705-650-3360
e-mail: Etienne.green@frmg.ca

Lorne Hillcoat
Local Citizen Committee Rep.
Site C - 74 Scott Street, P.O. Box 1810
New Liskeard, ON P0J 1P0
tel: 705-628-2444
e-mail: Lhillcoat@temfund.ca

During the planning process there is an opportunity to make a written request to seek resolution of issues with the MNRF District Manager or the Regional Director using a process described in the 2017 *Forest Management Planning Manual (Part A, Section 2.4.1)*.

Stay Involved

There will be three more formal opportunities for you to be involved. These stages are listed and tentatively scheduled as follows:

Stage 3 -	Information Centre: Review of Proposed Operations	March 2018
Stage 4 -	Information Centre: Review of Draft Forest Management Plan	September 2018
Stage 5 -	Inspection of MNRF-Approved Forest Management Plan	January 2019

If you would like to be added to a mailing list to be notified of public involvement opportunities, please contact Robert Baker at 705-475-5521.

The Ministry of Natural Resources and Forestry is collecting your personal information and comments under the authority of the *Crown Forest Sustainability Act*. Any personal information you provide (address, name, telephone, etc.) will be protected in accordance with the *Freedom of Information and Protection of Privacy Act*, however, your comments will become part of the public consultation process and may be shared with the general public. Your personal information may be used by the Ministry of Natural Resources and Forestry to send you further information related to this forest management planning exercise. If you have questions about the use of your personal information, please contact Marilyn Mills at 705-475-5598.

Renseignements en français : Guylaine Thauvette au 705 475-5539.

1. Call to Order

The meeting was called to order at 9:03 A.M.

2. Roll Call

- Mayor Carman Kidd Victor Legault - OCWA
- Councillor Doug Jelly Eddie Hillman - OCWA
- Doug Walsh, Director – Public Works
- Steve Burnett, Technical and Environmental Compliance Coordinator
- Robert Beaudoin, Environmental Superintendent
- Airianna Misener, Executive Assistant

3. Review of Previous Minutes

The minutes of the September 6, 2017 Contract Consultation Meeting with Operating Authority were reviewed by the Committee.

4. Unfinished Business

FACILITIES

4.1 North Cobalt Wastewater Lagoon – 543083 Proctors Road

Discussion:

Phone line was removed and relocated to Haileybury water plant. OCWA reported that the underdrain pump was repaired.

Discussion:

OCWA reported that groundwater is entering the building near the MCC through the electrical conduit.

4.2 Station St. Sanitary Lift Station

Previous Discussion:

No update

Discussion:

Missing hose at the trailer dumping station.

4.3 Groom Drive

Previous Discussion:

No update.

Discussion:

No update.

4.4 Haileybury Mechanical Wastewater Plant – 275 View St

Sludge

Previous Discussion:

Staff will schedule the fall sludge haul and grid channels.

Discussion:

Sludge haul is on-going. Grit channels to follow. The committee discussed moving the auto sampler unit to Farr.

E-coli issues:

Previous Discussion:

MOECC requires a plan of action be submitted by Sept. 7, 2017. Steve has contacted exp for pricing of UV system. The Federal WSER regulation requires virtually 0 chlorine residual discharged by 2021.

Discussion:

Steve indicated that EXP was the successful bidder for the cost analysis study. Anticipating this will be complete by the end of November.

4.5 Farr Drive Pumping Station

Previous Discussion:

No update.

Discussion:

No update.

4.6 Haileybury Water Treatment Plant – 322 Browning St

MCC/ PLC Replacement

Previous Discussion:

MCC – No response regarding the ESA approval.

Discussion:

Pending ESA report. OCWA noted required repairs to the AC unit and tub within the MCC. Otherwise OCWA reported that the MCC portion of the project is complete. PLC programming is required at the Sewage Treatment Plant and Niven Reservoir.

Security

Previous Discussion:

No update.

Discussion:

No update. OCWA will work with the City's IT administrator to complete the camera install.

4.7 Haileybury Reservoir – Niven St.

Previous Discussion:

The new pump install resulted in a 30 second shut down. Work is on-going with EXP. OCWA will look at options with EXP regarding CT calculations.

Discussion:

EXP schedule C work is on-going. Once approvals are received the pump will be commissioned.

4.8 New Liskeard/Dymond Waste Water Lagoon – 177304 Bedard Rd.

Environment Canada

Previous Discussion:

Due to draining complications of D1, draining has stopped as a new design is pending. Work will commence once the design and approved ECA is received. ECA amendment application is pending a response.

Discussion:

On-going.

4.9 Montgomery Sanitary Lift Station

Previous Discussion:

No update.

Discussion:

No update.

4.10 Cedar St. Sanitary Lift Station

Previous Discussion:

No update. Steve inquired on grease; Eddie noted that it has improved.

Discussion:

No update.

4.11 Goodman Sanitary Lift Station – 132 Jaffray St.

Previous Discussion:

No update.

Discussion:

No update.

4.12 New Liskeard Water Treatment Plant – 305 McCamus Ave.

Previous Discussion:

Iron Removal Filter project discussions will be scheduled in the near future.

Discussion:

The Iron Removal Filter project is scheduled to begin in February.

4.13 New Liskeard Water Reservoir- 150 Shepherdson Rd.

Previous Discussion:

No update.

Discussion:

OCWA to investigate PRV issues.

4.14 Dymond Water Reservoir – 286 Raymond St

Plant Upgrades

Previous Discussion:

Pressure concerns on Zetta Court are on-going. Staff continues to look at options. City staff will coordinate a presentation with EXP on the water model at an upcoming committee meeting.

Discussion:

Steve indicated that EXP presented the Dymond water model with possible optimization options at a recent Public Works committee meeting.

4.15 Gray Road Sanitary Lift Station – 783495 Gray Rd

Previous Discussion:

HVAC design work is on-going. OCWA will forward quotes to City staff for a temporary communication system.

Discussion:

The temporary communication system was installed.

4.16 Niven St Pumping Station – New Liskeard

Previous Discussion:

VFD issues are resolved.

Discussion:

No update. New fuel tank was installed.

4.17 Whitewood Pumping Station – New Liskeard

Previous Discussion:

ABS pump repairs are needed. By-pass is ongoing. OCWA is currently looking at options to repair.

Discussion:

The new pump is on order. Waiting to received ABS pump from repairs. It was noted that there were issues with the ABS pumps since day 1 By-pass valve quote work is on-going.

5. MOE Compliance Issues

This section reviews a number of issues based on the binder compiled and kept at the Public Works Office (Engineering). The numbers are based on the system established within the binder.

5.1 Reservoir Inspections

Previous Discussion:

OCWA is looking to resolve the recent issues with the robotic camera. City staff and OCWA will schedule the camera inspections.

Discussion:

OCWA and City staff will establish routine reservoir inspections.

5.2 Manitoulin Transport - New

Previous Discussion:

Daily UV sampling continues. OCWA will follow up with the supplier.

Discussion:

Softener is still presenting issues. On-going.

6. Communications Upgrades

Previous Discussion:

Waste water plant and reservoir to be completed by year end.

Discussion:

On-going.

7. Schedule of Meetings

The next scheduled contract meeting with OCWA will be on November 29, 2017 at 9:00 AM

8. Adjournment

The Contract Consultation Meeting with Operating Authority – OCWA meeting is adjourned at 9:45 a.m.

DRAFT

Temiskaming Shores Public Library Board

Meeting Minutes

Wednesday, October 18, 2017

7:00 p.m. at the Haileybury Branch

1. Call to Order

Meeting called to order by Chair Donald Bisson at 7:05 p.m.

2. Roll Call

Present: Donald Bisson, Danny Whalen, Brenda Morissette, Roger Oblin, Robert Dodge and CEO/Head Librarian Rebecca Hunt.

Regrets: Jeff Laferriere

Members of the Public: 0

3. Adoption of the Agenda

Moved by: Roger Oblin

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board accepts the agenda as presented.

Carried.

4. Adoption of the Minutes

Moved by: Danny Whalen

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board approves the minutes of the meeting held on Wednesday, September 20, 2017, and the E-meeting of October 4, 2017, as presented.

Carried.

5. Business arising from Minutes

Donald Bisson asked about the new staff member.

Robert Dodge asked about the Shots of the Shores videos that the library is posting again as a part of Ontario Public Library Week on Facebook.

6. Correspondence:

a. From: Jasmine Reil, Student—Timiskaming District Secondary School.

Re: Thank you for Bursary.

Received as information.

b. From: Devin Adams, Student—Timiskaming District Secondary School

Re: Thank you for May Ball Bursary.

Received as information.

7. Secretary–Treasurer’s Report

Report and monthly financial statement included in the trustees’ information packet

Library CEO’s Report

October 13, 2017

Buildings and Equipment:

Fire safety checks were conducted in the library buildings.

Business:

Connectivity Fund: The province re-instated the Connectivity Fund for one more year. I have submitted our application for the period from April 1, 2017-March 31, 2018.

Digital Creator North (Near North Mobile Media Lab Trillium project): Digital Creator has continued to host workshops every Saturday and has begun also hosting workshops on Thursdays. The turnouts have been getting better and better and the kids that come out have been responding very positively. The most recent Saturday

workshop was a Photography workshop at Pete's Dam where we hiked around Pete's Dam and took pictures of the beautiful scenery. Going into October we have some Halloween inspired workshops from Photoshop Pumpkin Carving to some movie editing magic tricks!

Federation of Ontario Public Libraries board: I will be attending the next board meeting on Friday, November 10 via teleconference.

Joint Automation Server Initiative (JASI) Steering Committee: I will attend the next teleconference meeting set for Wednesday, October 11. This is an all user meeting to update the consortia.

Ministry of Tourism, Culture and Sport Digital Public Library consultations: I have been asked to participate in consultations for creating a Digital Public Library in Ontario by the Ministry of Culture. I will be attending a teleconference interview with Shore Consulting on behalf of the Ministry on Monday, November 6.

Proctoring Exams: I proctored one exam in September and have another scheduled for the end of October.

Volunteer Program: We are accepting volunteers to log hours for the fall and winter at this time, and have a number of student volunteers and two adult volunteers who are interested. We will assess the duties to be completed and schedule the volunteers by the end of October.

Programming:

Visits to the Extendicare, Lodge and Manor nursing homes to exchange books
Ongoing on Fridays and Saturdays by staff members and volunteers.

Life Skills visits at the New Liskeard Branch

The Life Skills group continues to visit every second Wednesday for a storytime and craft activity this fall.

Gadget Helper at both branches of the library

This program will start up again on October 26.

Canadian Literary Pumpkin Decorating Contest at both Branches of the Library

Get your pumpkins ready!

Submissions for the Pumpkin Decorating Contest open October 11!

Decorate a pumpkin as a Canadian literary character and e-mail us a picture to newliskeard@temisklibrary.com or haileybury@temisklibrary.com for your submission to the contest. Pictures will be displayed in both branches of the library. Then, come in to your branch to vote for your favourite pumpkin creation from October 26-28. One

vote per person per day. Enter for a chance to win a gift certificate from Chat Noir Books! For more information, call 705-647-4215.

**Digital Creator Workshop at the Haileybury Branch
Match-Cut-Magic**

In this Workshop we will be learning about how to create a match-cut, much like famous videographer “Zach King”. Come to Digital Creator to learn and experiment with some video magic!

Saturday, October 21 at 11:00 a.m.

For more information, call Steve at 705-647-4215

Pumpkin Decorating Program at both Branches of the Library

Children aged 6 to 12 are invited to come and paint/decorate a pumpkin like a favourite Canadian story book character. Once we’ve completed our pumpkins we will take a picture of them and enter them into the library’s Pumpkin Decorating Contest for the public to vote on. The children will bring their decorated pumpkins home with them.

Saturday, October 21

Haileybury Branch: 11:00 a.m. until noon

New Liskeard Branch: 2:00 – 3:00 p.m.

To register or for more info please call 705-647-4215.

**Digital Creator Workshop at the New Liskeard Branch
Match-Cut-Magic**

In this Workshop we will be learning about how to create a match-cut, much like famous videographer “Zach King”. Come to Digital Creator to learn and experiment with some video magic!

Saturday, October 28 at 11:00 a.m.

For more information, call Steve at 705-647-4215

Prepare for the Game of Thrones Challenge!

Are you up for a challenge? Are you unsure of what to read next? FYI **Saturday, November 4** we’re having a **Game of Thrones Challenge** at the New Liskeard Branch of the library. This program will be open to adults 18 years and older and there are prizes to be won. Read **A Game of Thrones by George R.R. Martin** and come on out, have some fun and test your skills. Don’t wait until the last minute.....Winter is coming!

Les Liseuses à la succursale de New Liskeard

Le premier mardi du mois de 10 h 15 à 11 h 15 à la succursale de New Liskeard.

Le 7 novembre— Bonheurs Dérobés par Marthe Gagnon-Thibaudeau

Le 5 décembre— Le Roman de Renée Martel par Danielle Laurin

Pour plus de renseignements composez le 705-647-4215 ou

cpeddie@temisklibrary.com

Finances and Statistics

The Board reviewed the financial and statistical reports as provided by the CEO.

Motion #2017-43

Moved by: Robert Dodge

Seconded by: Danny Whalen

Be it resolved that the Temiskaming Shores Public Library Board accepts the October Secretary-Treasurer's report, Financial report and Workplace Inspection report.

Carried.

8. Committee Reports

- a. **Finance and Property Committee:** Roger Oblin, Chair of the Finance Committee, reported on the budget meeting of Monday, October 5 at 10:00 in Haileybury.

Motion #2017-44

Moved by: Brenda Morissette

Seconded by: Danny Whalen

Be it resolved that the Temiskaming Shores Public Library Board endorses the Library's 2018 first draft Budget estimates as presented by the Finance Committee.

Carried.

- b. **Planning, Personnel, Policy and Publicity Committee.** Nothing to report.
- c. **Building Committee:** Nothing to report.

9. New Business

- a. **Remembrance Day wreaths.** The Board discussed who would lay the Remembrance Day wreaths this year.

10. Plan, Policy review and By-law review

- a. **Review Policy**
 - i. Block Loans Policy.

Motion #2017-45

Moved by: Roger Oblin

Seconded by: Brenda Morissette

Be it resolved that the Temiskaming Shores Public Library Board accepts the library's policies: Block Loans Policy, Circ-8 as reviewed by the Board

Carried.

11. Closed Session

- a. **Staff update**

Motion #2017-46

Moved by: Danny Whalen

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board go into closed session at 7:35 p.m.

Carried.

Motion #2017-47

Moved by: Danny Whalen

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board rise from closed session at 7:50 p.m. without report.

Carried.

12. Adjournment

Adjournment by Roger Oblin at 7:51 p.m.

Chair – Donald Bisson

1. CALL TO ORDER

The meeting was called to order at 8:35 a.m.

2. ROLL CALL

- Mayor Carman Kidd Chris Oslund, City Manager
- Councillor Doug Jelly Councillor Patricia Hewitt
- Doug Walsh, Director of Public Works
- Mitch Lafreniere, Manager of Physical Assets
- Steve Burnett, Technical and Environmental Compliance Coordinator
- Darrell Phaneuf, Public Works
- Airianna Misener, Executive Assistant

OTHER

Nolan Dombrowski, Hayden Fiset, Mike DelMonte – EXP.

3. REVIEW OF REVISIONS OR DELETIONS TO AGENDA

- Addition Under:
 - 10.2 – Union Gas

4. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

- None

5. APPROVAL OF AGENDA

Recommendation PW-2017-036

Moved by: Mayor Carman Kidd

Be it resolved that:

The Public Works Committee agenda for the October 12, 2017 meeting be approved as amended.

Carried

6. REVIEW AND ADOPTION OF PREVIOUS MINUTES

Recommendation PW-2017-037

Moved by: Mayor Carman Kidd

Be it resolved that:

The Public Works Committee minutes for the August 31, 2017 regular meeting be adopted as presented.

Carried

7. CORRESPONDENCE

- MTO Mowat Landing

Received for information purposes.

8. PRESENTATIONS

- EXP – Dymond water distribution model
Representatives from EXP reviewed the Dymond water distribution model. In addition, EXP presented additional Phases to optimize the distribution system as Phase 1 was to deal with water quality in Dymond.

9. UNFINISHED BUSINESS

9.1 AMEC – New Waste Management Capacity

Previous Discussion:

Steve Burnett indicated that there are no new updates in regards to the Landfill EA. Landfill monitoring contract with AMEC is due to expired in 2018. As the City is in contractual agreements with AMEC for both the Landfill Expansion Project and the Landfill monitoring, Steve recommends moving forward with an extension to the Landfill Monitoring Contract with AMEC. Chris Oslund inquire on the life expectancy of the current landfill site. Steve and Chris will meet to discuss estimates and timelines in the coming weeks.

Reccomendation PW-2017-034

Moved by: Mayor Carman Kidd

Be it resolved that:

The Public Works Committee hereby recommends that the City inquire on a two (2) year contract extension with AMEC for the monitoring of the New Liskeard and Haileybury Landfills.

Discussion:

At the regular Council meeting on September 19, 2017, council approved a 2 year contract extension with AMEC for the monitoring at the New Liskeard and Haileybury Landfill sites.

9.2 Access Control Policy – Entrance Permits

Previous Discussion:

Requests from Ontario One call for locates. No update on the status of the Entrance Permits.

Discussion:

911 signs have been installed for Grant Farm entrances.

9.3 Lorne Street and FPT 26 lot Subdivision Update

Previous Discussion:

Doug Walsh indicated that the development continues to move forward. Snow plow concerns on Lorne street. Chris suggested implementing a by-law for drainage.

Discussion:

Material for the Lannon Trunk line will be stored along Lorne Street requiring the street to remain closed for the winter.

9.4 Public Works Staff Training

Previous Discussion:

Training for 2017 is now complete, noted Doug Walsh. 1 day course opportunity for water sewer department and WHIMIS training are being considered. Staff will look into the train the trainer course for the training officer.

Discussion:

Training for 2017 is now complete, noted Doug Walsh.

9.5 Public Works Department Update

Previous Discussion:

Doug Walsh provided the following Department Update:

- 2 candidates have been selected to fill the department vacancies.
- Selected a temp/seasonal
- Cemetery policy is ongoing
- Winter preparation is ongoing

Discussion:

Doug Walsh provided the following Department Update:

- Winter Operations begins November 6, 2017.
- Staff will be attending an upcoming cemetery course.
- Flushing continues.

9.6 Full Solid Waste Management Program

Previous Discussion:

Chris indicated that the City was in receipt of the audited financial statements from the Cochrane Temiskaming Waste Management Program. A final payout of eleven thousand dollars is pending, once received this will complete the file.

Steve expressed interest in attending an upcoming waste free Ontario act conference.

It was noted that the financing plan for the purchase of the recycling and garbage bins will be completed by 2017, which is earlier than anticipated. This is a result of the 2017 payment from WDO associated with the Datacall submission.

Discussion:

On-going. Steve indicated that the timeliness associated with Stewardship Ontario submitting the final Amended Blue Box Plan to the Ministry by February, leaves Municipalities with little time for review and comment.

9.7 Drainage issues – Peter’s Road

Previous Discussion:

Staff indicated that the tender closed and proposal’s came in higher than anticipated. The City will continue to move forward with the project.

Discussion:

Steve indicated that the project will be completed by year end.

9.8 Closed Roads / Old Roads

Previous Discussion:

No update.

Discussion:

No update.

9.9 Water Meters

Previous Discussion:

Steve provided an update. The meters have arrived and are all installed aside from one due to fusion piping. Data collection will begin and staff will continue to provide updates.

Discussion:

Upcoming training with Neptune on data collection.

9.10 STATO Trail

Previous Discussion:

The 2017 extension is 95% complete noted Doug. Grading work will begin along the existing easement behind the mall.

Discussion:

Paving on the section behind the mall is outstanding. Request for traffic stops will be reviewed at an upcoming traffic by-law review.

9.11 North Cobalt Water Stabilization Project – Update

Previous Discussion:

Payment was processed. Currently ensuring proper pressures within the system. Schedule C is pending completion.

Discussion:

Schedule C is pending completion. This project will be carried into 2018 to complete the remaining work.

9.12 2017 Roads Surfacing Program

Previous Discussion:

On-going.

Discussion:

Patching is on-going. 2017 Roads Surfacing Program is on budget, noted Doug Walsh.

9.13 Clean Water Wastewater Fund – Update

Previous Discussion:

The Design/Build Iron Removal Project has been awarded to Pedersen Construction. The City is still waiting on approval on timelines for extension.

Discussion:

Material for the filters have been ordered, anticipating an 8-week construction period. No updates have been received with regards to the funding.

9.14 Temiskaming Shores Infrastructure Upgrades & Gray Road – Update

Previous Discussion:

On-going.

Discussion:

On-going.

9.15 Pronor Development

Previous Discussion:

No update.

Discussion:

Restoration of the encroachment is now complete as per drawings. Steve noted that there are still concerns in the event of a water break.

9.16 Roads Needs Study

Previous Discussion:

On-going, an admin report will be presented at the regular Council meeting on September 5, 2017.

Discussion:

On-going. Asphalt roads have been scanned, waiting to received the data from Streetscan.

9.17 Aginco Eagle Landfill Request

Previous Discussion:

Council presented concerns with the longterm risk associated.

Discussion:

Council approved to enter into an agreement with Aginco Eagle. The project will be moved to 2018.

11 ADMINISTRATIVE REPORTS

- None

12 CLOSED SESSION

- None

13 NEXT MEETING

The next meeting of the Public Works Committee is scheduled for November 9, 2017 to commence at 8:30 a.m.

14 ADJOURNMENT

Recommendation PW-2017-039

Moved by: Mayor Carman Kidd

Be it resolved that:

The Public Works Committee meeting is adjourned at 10:30 a.m.

Carried

CHAIR

RECORDER

1.0 CALL TO ORDER

The meeting was called to order at 10:22 A.M.

2.0 ROLL CALL

- | | |
|---|---|
| <input checked="" type="checkbox"/> Mayor Carman Kidd | <input type="checkbox"/> Chris Oslund, City Manager |
| <input checked="" type="checkbox"/> Councillor Doug Jelly | <input checked="" type="checkbox"/> Councillor Danny Whalen |
| <input checked="" type="checkbox"/> Doug Walsh, Director of Public Works | |
| <input checked="" type="checkbox"/> Mitch Lafreniere, Manager of Physical Assets | |
| <input checked="" type="checkbox"/> Steve Burnett, Technical and Environmental Compliance Coordinator | |
| <input checked="" type="checkbox"/> Airianna Misener, Executive Assistant | |

3.0 REVIEW OF REVISIONS OR DELETIONS TO AGENDA

- Addition: New Business 10.1 Cogeneration Power Plant, 10.2 Splash Pad

4.0 ADOPTION OF AGENDA

Recommendation BM-2017-033
Moved by: Councillor Doug Jelly

Be it resolved that:

The Building Maintenance Committee Meeting Agenda for the November 9, 2017 meeting be adopted as amended.

Carried

5.0 REVIEW AND ADOPTION OF PREVIOUS MINUTES

Recommendation BM-2017-034
Moved by: Mayor Carman Kidd

Be it resolved that:

The Building Committee Meeting minutes of October 12, 2017 be adopted as presented.

Carried

6.0 DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

- None

7.0 CORRESPONDENCE

- None

8.0 PRESENTATION

- None

9.0 UNFINISHED BUSINESS

9.1 PFC

Discussion:

Council will review and discuss the mechanical room upgrades at an upcoming special meeting of Council scheduled for November 14, 2017.

9.2 Building Division Staff Update

Discussion:

All buildings and cemeteries have been winterized noted Mitch.

9.3 DFO Property Erosion

Discussion:

No update.

9.4 New Liskeard Library – Update

Discussion:

Work is scheduled to start November 20, 2017.

9.5 Dymond Hall accessibility upgrades

Discussion:

On-going. Contractors are anticipating project completion by the end of next week.

9.6 New Liskeard downtown infrastructure upgrades

Discussion:

On-going. Doug Walsh suggested replacing light fixtures throughout the downtown.

10.0 NEW BUSINESS

10.1 Cogeneration Power Plant

Discussion:

Councillor Danny Whalen suggested that in the event of any energy funding opportunities a cogeneration power plant could be a cost saving way to operate the Pool Fitness Centre and the Arena.

10.2 Splash Pad

Discussion:

Mitch indicated that discussions are on-going. Steve expressed interest in being involved in the process and decisions as they relate to water sewer operations.

11.0 ADMINISTRATIVE REPORTS

- None

12.0 CLOSED SESSION

- None

13.0 NEXT MEETING

The next meeting of the Building Maintenance Committee will be scheduled for: January 18, 2018 at 10:30 A.M.

14.0 ADJOURNMENT

Recommendation BM-2017-035

Moved by: Mayor Carman Kidd

Be it resolved that:

The Building Maintenance Committee, be hereby adjourned at 10:45 A.M.

Carried

**BUILDING MAINTENANCE COMMITTEE
MEETING MINUTES**

November 9, 2017 – 10:30 AM
City Hall (325 Farr Drive – New Liskeard Boardroom)

CHAIR

RECORDER

DRAFT



Memo

To: Mayor and Council
From: Timothy H. Uttley, Fire Chief/CEMC
Date: November 21, 2017
Subject: Amendments to Emergency Response Plan
Attachments: None

Mayor and Council:

On September 28, 2017 the Emergency Management Program Committee (EMPC) met and conducted their annual review the City's Emergency Response Plan being By-law No. 2004-132, as amended.

As a result of their review of the Emergency Response Plan, the EMPC has recommended a number of amendments to the plan as follows:

- under article 1.1 Introduction replace population of 10,400 with 9,900;
- Any reference to Emergency Control Group be replaced with Municipal Emergency Control Group;
- Under Article 2.2 Authority, replace second bullet with: Filed with Ministry of Community Safety and Correctional Services, and the Office of the Fire Marshal and Emergency Management;
- Under Article 3.3 Procedure for Declaring an Emergency replace (a) with: Office of the Fire Marshal and Emergency Management;
- Under Section Five – Responsibilities of Mayor or Acting Mayor replace (d) with: Notifying the Office of the Fire Marshal and Emergency Management of the declaration of the emergency, and termination of the emergency, and are kept informed of the emergency situation;

It is recommended that Council direct staff to prepare the necessary by-law to amend By-law No. 2004-132, as amended (Emergency Management Program) adopting these modifications as recommended by the EMPC for consideration at the November 21, 2017 Regular Council meeting.

Prepared by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

Timothy H. Uttley
Fire Chief/CEMC

Christopher W. Oslund
City Manager

Subject: 2018 Recreation Fee Increases

Report No.: RS-010-2017

Agenda Date: November 21, 2017

Attachments

Appendix 01: Draft By-law (Fees Increase)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-010-2017; and
2. That Council approves the proposed 2% to the nearest dollar annual fee increase to the hourly arena ice rental rate for 2018, 2019 and 2020 for all categories with the exception of College/Cubs as well as incorporate a \$40/participant fee for registration into the minor ball program and directs staff to prepare the necessary by-law to amend By-law No. 2012-039 (Departmental User Fees) for Council's consideration at the November 21, 2017 Regular Council meeting.

Background

In preparation of the 2018 operating budget, a review was completed on the current user fees for recreation facilities and programs.

A three year fee program has been approved by Council for the Marina's and Bucke Park of which the term will end as of October of 2018.

Pool/Fitness Centre fees and aquatic program fees have been reviewed and are comparable to those of other municipalities of comparable size as Temiskaming Shores in Northeastern Ontario.

Analysis

The Arena Ice Fees have not been increased since 2015 and since that time the facilities have encountered a significant increase in operating costs, mainly that of hydro which is anticipated to increase by 15% in 2018.

To assist in offsetting these costs, and to allow for minor sport organizations to plan accordingly it is recommended that a 2% increase to the nearest dollar be applied in each of the next three years and to take effect as of August 1st, 2018. (See Appendix No. 01 to the report).

The exception to this is the rate for the New Liskeard Cubs which is currently \$16.00 per hour more than that of the youth rate. The difference goes back many years when the arrangements were that in lieu of an hourly rate the Cubs paid a percentage of the

gates to the town and the town collected all the gate fees and gave the cubs their share. Through the years as the hourly rate increased the percentage in lieu became closer and closer to the hourly rate and as a result an hourly rate was set. The Cubs have historically paid a little more than the hourly rate which allowed them their preferred times and their permanent dressing room. It is recommended that the Cub's ice fee remain at the current rate.

Staff has reviewed the minor ball program and currently a \$35/participant registration fee is imposed. It is recommended that that registration fee be increased by \$5/participant; however it has been determined that User Fees By-law No. 2012-039 does not contain a fee for minor ball registration. Therefore it is recommended that a registration fee of \$40/participant be incorporated into By-law No. 2012-039.

Financial / Staffing Implications

This item has been approved in the current budget: Yes No N/A

This item is within the approved budget amount: Yes No N/A

The increase in arena ice fees will have a minimal impact on the operating budget in 2018 as it will only be in effect for five months but will be realized in full in 2019.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for
 Council's consideration by:

"original signed by"

"original signed by"

 Tammie Caldwell
 Director of Recreation Services

 Christopher W. Oslund
 City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2017-000

**Being a by-law to amend By-law No. 2012-039, as amended
being a by-law to adopt Schedules of Departmental User Fees
and Services for the City of Temiskaming Shores – Schedule
“D” Recreation Fees**

Whereas Section 391(1) of the Municipal Act S.O. 2001, c. 25, as amended, authorizes the Council of a local municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

And whereas the Council of The Corporation of the City of Temiskaming Shores adopted By-law No. 2012-039 on April 3, 2012 to adopt Schedules of Departmental User Fees and Service Charges for the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. RS-010-2017 at the November 21, 2017 Regular Council and directed staff to prepare the necessary by-law to amend By-law 2012-039 (Fees By-law) to increase the hourly arena rental rate for 2018, 2019 and 2020 by 2% to the nearest dollar annually for all categories with the exception of College/Cubs as well as a incorporated a \$40/participant fee for registration into the minor ball program for consideration at the November 21, 2017 Regular Council meeting;

Now therefore The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Schedule “D” to Fees By-law No. 2012-039, as amended be further amended by deleting the ***Haileybury / New Liskeard Arena Hourly Ice Rates*** and replacing it with the following:

Haileybury / New Liskeard Arena Hourly Ice Rates				
Category	Season			
	2017-18	2018-19	2019-20	2020-21
Youth	\$ 94.00	\$ 96	\$ 98	\$ 99
Adult	\$ 130.00	\$ 133	\$ 135	\$ 138
College/Cubs	\$ 110.00	\$ 110.00	\$ 110.00	\$ 110.00
Pick-up/Person	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00
Ball Hockey/Lacrosse	\$ 36.00	\$ 37	\$ 38	\$ 39
School	\$ 46.00	\$ 47	\$ 48	\$ 49
Commercial	\$ 138.00	\$ 141	\$ 144	\$ 147

2. That Schedule "D" to Fees By-law No. 2012-039, as amended be further amended by adding the following:

Minor Sports Program	
Minor Sport	Registration Fee
Minor Ball	\$ 40 / annually

3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen

Subject: Adoption of a new Sign By-law

Report No.: CS-039-2017

Agenda Date: November 21, 2017

Attachments

Appendix 01: Draft Signage By-law

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-039-2017; and
2. That Council directs staff to prepare a notice for a public meeting to be held on December 5, 2017 in regards to a new Sign Policy; and
3. That Council directs staff to prepare the necessary by-law for the adoption of a new Sign Policy and repeal of By-law No. 2007-022 for consideration at the December 19, 2017 Regular Council meeting.

Background

At the January 23, 2007 Council-in-Committee meeting the recommendations contained in Administrative Report PDS-04-2007 prepared by the Chief Building Official (CBO) were carried by Council and By-law No. 2007-019 (Sign By-law) was adopted.

The new sign by-law, as outlined in on Administrative Report PDS-04-2007, was based on a variety of rationale including but not limited to the following:

- consolidation of the three existing sign by-laws of the former municipalities now comprising Temiskaming Shores;
- elimination of the wide variance of permit fee structures;
- incorporation of an encroachment agreement process for signage to be erected on municipal lands (i.e. billboards along Lakeshore Road);
- Ontario Building Code (OBC) establishes criteria/threshold when structural design of a sign and its support structure by a P. Eng. is required. The determination of the adequacy of a design for signs under the threshold in the OBC to withstand the effects of snow and wind loads would have been at the discretion of the permit issuer (City). Therefore provisions were included giving discretion to the CBO to require an applicant to use a P. Eng to design the sign and its support structure;
- The CBO was also designated to have the authority to enter into Encroachment Agreements for signs on municipal property (i.e. Billboard Signs).

Schedule “A” to By-law No. 2007-019 identifies twenty-eight (28) defined signs in the definitions section and there are specific provisions for the regulation of Awning signs, Banner signs, Billboard signs, Canopy signs, Facia signs, Freestanding signs, Construction signs, Painted Wall signs, Portable signs, Projecting signs, Roof signs and Under Canopy signs.

There are also general provisions related to all signs as part of the sign permitting process. All signs require a permit issued by the City with some exceptions such as real estate signs, limited construction signs, signs contained in the interior of a building or enclosed lobby, election signs and window signs.

Council considered Administrative Report No. CGP-018-2016 at the August 2, 2016 Regular Council meeting which was a report in response to a request for the installation of an LED Billboard sign at the North Haven Plaza located at the intersection of Armstrong Street and Sharpe Street. Council directed staff to prepare a notice for a public meeting in regards to a site specific amendment to By-law No. 2007-019 for the proposed LED Billboard. A public meeting was held in mid-September 2016 and while staff was working towards the objective of a site specific amendment the applicant corresponded that their plans for the LED Billboard were on hold.

Staff utilized the opportunity to conduct a review of the sign by-law in its entirety. It was felt that the document was complex, difficult to maneuver, created frustration and confusion for both staff and applicants resulting in a non-efficient process.

Analysis:

Staff attended the Protection to Persons and Property Committee meeting held on August 31, 2017 outlining that a new Sign by-law was being developed in order to streamline the process.

Appendix 01 – Draft Sign By-law was circulated to internal departments on several occasions with various modifications be made based on the feedback. The process to issue permits was eliminated as any signs of any significant size are covered through the Ontario Building Code permit process (eliminated permit duplication); however general provisions were retained such as the following:

- Installations cannot interfere with underground utilities (water, sewer, gas, etc.);
- cannot interfere with regulatory signs, traffic or instructional signs;
- cannot promote violence, hatred, or contempt against any sector of the public distinguished by colour, race, ancestry, ethnic origin, sexual orientation or disability;

Specific sections were maintained or created for the following categories:

- Billboard Signs (maintains requirement for an Encroachment Permit);

- Electronic Text Message Signage;
- Sandwich Board Signs (usually seen along sidewalks in commercial areas);
- Real Estate Signs;
- Elections Signs;

It is recommended that Council direct staff to prepare the necessary notice for a public meeting in accordance to Notice By-law No. 2004-022 for the December 5, 2017 Regular Council meeting and direct staff to prepare the necessary by-law for the adoption of a new sign by-law for consideration at the December 19, 2017 meeting as well.

Alternatives

Council could opt to continue use of the existing sign Policy.

Financial / Staffing Implications

This item has been approved in the current budget: Yes No N/A

This item is within the approved budget amount: Yes No N/A

Staffing implications are limited normal staff responsibilities.

Submission

Prepared by:

Reviewed by:

Reviewed and submitted for Council's consideration by:

“Original signed by”

“Original signed by”

“Original signed by”

 David B. Treen
 Municipal Clerk

 Kelly Conlin
 Director of Corporate Services (A)

 Christopher W. Oslund
 City Manager

Corporation of the City of Temiskaming Shores

By-law No. 2017-000

**Being a by-law to regulate Signs and to repeal
all previous by-laws and amendments**

Whereas the Municipal Act S.O. 2001, Section 11 (3), paragraph 7 as amended authorizes Council to pass bylaws regulating structures, including fences and *signs*:

And whereas Sections 99 of The Municipal Act, S.O., 2001, C25 as amended establishes rules that apply to a bylaw of a municipality respecting advertising devices including *signs*;

And whereas section 391(c) of the Municipal Act, 2001 provides that a municipality may pass by-laws imposing fees or charges on any class of persons for the use of its property including property under its control;

And whereas section 398 (2) of the Municipal Act, 2001 provides that the treasurer of a local municipality may add fees and charges imposed by the municipality to the tax roll and collect them in the same manner as taxes;

And whereas Council considered Administrative Report No. CS-000-2017 at the July 11, 2017 Regular Council meeting and directed staff to prepare the necessary by-law for the regulation of signage in the City of Temiskaming Shores for consideration at the July 11, 2017 Regular Council meeting;

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law;

1. That Council adopts a by-law to regulate signs in the City of Temiskaming Shores, a copy attached hereto as Schedule "A" forming part of this by-law.
2. That this by-law shall come into force and take effect on the date of its final passing.
3. That By-law No. 2007-019, as amended is hereby repealed.
4. That the Municipal Clerk or his/her designate is hereby granted signing authority to act on the City's behalf with regards to entering into encroachment agreements with respect to signs, pursuant to this bylaw.
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law.

Read a first, second and third time and finally passed this 19th day of December, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to
By-law No. 2017-000
Sign By-law

Part 1 – Definitions of Words and Phrases

Definitions of words and phrases used in this by-law that are not included in the list of definitions in this section shall have the meanings as defined in Section 1.4.1.2 of the *Ontario Building Code* where provided and otherwise the meanings which are commonly assigned to them in the context in which they are used in this by-law.

The words defined in this section have the following meaning for the purposes of this by-law.

- 1.1 **Abandoned Sign** means a *sign* which no longer identifies or advertises a bona fide business, lesser, service, owner, product, or activity, or for which no legal owner can be found;
- 1.2 **Animation** means the direction of attention to a *sign* through the movement of one or more parts or through the impression of movement including color changes, flashing lights and *illumination* which exhibits noticeable changes in light intensity, but excludes digital time and/or temperature information, flags, *banners* or pennants;
- 1.3 **Animated Sign** means a *sign* that, whether by mechanical and/or electrical means is set in motion, which fixture is an integral part of the construction of said *sign* and shall include any moving or changing image or any animation;
- 1.4 **Billboard** means a *sign* that advertises a product or service available, or a business not conducted on the property where it is located;
- 1.5 **Building By-law** means the City of Temiskaming Shore By-law 2005-066 and amendments thereto, and any subsequent by-laws which may be enacted in substitution thereof;
- 1.6 **Building Code Act** means the Building Code Act, S.O. 1992, C23;
- 1.7 **By-law Enforcement Officer** means a person or persons duly appointed from time to time by *Council* to enforce regulatory by-laws of the Municipality;
- 1.8 **City** means the City of Temiskaming Shores;
- 1.9 **Council** means the Council of the City of Temiskaming Shores;
- 1.10 **Construction Site Sign** means an *incidental sign* erected by an individual or a firm on the premises undergoing construction or a property undergoing subdivision, for which the sign user is advertising or furnishing such items as labor, services, materials or financing;
- 1.11 **Election Sign** means a temporary *sign* to promote the running candidate for public office during the *election campaign period*;

- 1.12 Encroachment Agreement** means a legal contract between the owner (applicant) of a *sign*, and the City with respect to the erection, construction or placement of a *sign* on or over City property, including road allowances;
- 1.13 Height of the Sign** means the vertical distance measured from the highest point of the *sign* to *grade*;
- 1.14 Illumination** means a method of giving forth artificial light, either directly from a source of light incorporated in or connected with a *sign*, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on the *sign* and in the immediate proximity thereof;
- 1.15 No Parking here to Corner Sign** means any sign erected in accordance with the City Traffic By-law to restrict parking within certain distances of the intersection of 2 or more streets, roads, highways or public thoroughfares;
- 1.16 Ontario Building Code** means O. Reg. 332/12 made under the *Building Code Act*. S.O. 1992, c.23 and amendments thereto;
- 1.17 Park or Recreation Facility Sign** means a permanent *sign* which identifies a public park property, neighborhood park, or recreational facility. Information on the *sign* may also advise the public regarding programs or events occurring in the *City*;
- 1.18 Real Estate Sign** means a temporary *sign* used exclusively to advertise the sale, lease or rent of the property on which the *sign* is located;
- 1.19 Sandwich Board Sign or V Sign** means a *sign* not permanently attached which is set upon the ground and has no external support structure. For the purposes of this by-law such *signs* are deemed to be *portable signs*;
- 1.20 Sign, Signs or Signage** means any device, structure, painting, fixture or placard using forms, graphics, symbols, and or written *copy* intended for the primary purpose of identifying, providing directions to, or advertising any establishment, product, goods, services or events;
- 1.21 Sign Structure** means the combination of components necessary to support and keep the *sign* erect, taking into consideration the effects of live and dead loads, and the effects of wind and shall include, but limited to the foundations, above grade framing, fasteners and ancillary support methods;
- 1.22 Site Triangle** means that area lying within the triangle bounded by a line running from two points located 9 meters (29.52 feet) from the corner of any lot (being the hypotenuse of the triangle), and the lines from those two points to the same corner of the lot, where the lot corner is adjacent to an intersection of two or more streets, roads, highways or public thoroughfares.

1.23 Zoning By-Law means all current by-laws and amendments thereto and any subsequent by-laws which may be enacted in substitution therefore under the Planning Act with respect to land use within the *City* of Temiskaming Shores;

Part 2 – General Provisions

Except as otherwise provided for in this By-law;

No person shall erect, construct or maintain:

1. A sign, a guy wire, stay, brace or attachment thereto that is attached to or interferes with any utility wires, poles or supports thereof;
2. A sign that obstructs the means of egress from any building;
3. A sign where any part of the sign or the sign structure is located within the site triangle of an intersection.
4. A sign that interferes with any surface or underground facilities, conduits or lines for water, sewage, gas, electricity, or communications equipment;
5. A sign attached to a tree or other living vegetation;
6. A sign that interferes with any traffic, warning or instructional signs;
7. A sign that promotes violence, hatred, or contempt against any sector of the public distinguished by colour, race, ancestry, ethnic origin, sexual orientation or disability;
8. An illuminated sign that incorporates a strobe light;
9. A sign that interferes with or obstructs the movement of vehicle traffic, maintenance equipment or interferes with or obstructs the free movement of pedestrians or persons in wheelchairs or like conveyances located on or adjacent to public sidewalks, streets or road allowances;
10. An illuminated sign that does not have the light source concealed in order to prevent glare or which is directed at or may cause a hazard on any public thoroughfare;
11. A sign located on or within a highway corridor, a public sidewalk, street or road allowance, or other City owned land without first entering into an encroachment agreement with respect to signs with the City;
12. Notwithstanding the requirement of this subsection, the requirements for entering into an encroachment agreement with respect to signs does not apply where the

- sign promotes or is in support of an event sanctioned by, or affiliated with the City of Temiskaming Shores;
13. A sign located within 400 meters from Provincial Highways No. 11, 11B, 65 East, 65 West, 567, or 558 without first obtaining any necessary permission from the Provincial Ministry of Transportation;
 14. A sign which projects over vehicular traffic areas with a minimum clearance above grade of less than 4.5 m (14.8 ft.);
 15. A sign which projects over pedestrian sidewalks with a minimum clearance of above grade of less than 3 m (9.8 ft.);
 16. A sign that identifies, provides directions to, or advertises any establishment, product, goods, service or event that is not in conformance with the permitted use of the property as established by the Zoning By-law or any other municipal by-law or Provincial or Federal government regulation.
 17. A sign that encroaches onto a public sidewalk or road allowance at the corner of an intersection of 2 or more streets, roads, highways or public thoroughfares and a No Parking Here to Corner Sign is not so located; no part of the sign or the sign structure shall be located within the site triangle of the intersection.

Part 3 – Permitted Signs

Where the use of the land or property is legal non-conforming in relation to the *Zoning By-law*, *signage* is permitted in accordance with the existing non-conforming use of the land.

3.1 Existing Signs

- a. Where a *sign*, **other than a billboard sign**, which is existing on the date of passing of this by-law, was erected or constructed in conformance with the terms of a permission to erect a *sign* issued under the authority of by-laws of the City of Temiskaming Shores, the erection and construction of the *sign* shall be deemed to be in compliance with this by-law;
- b. Where a sign which is existing on the day of passing of this by-law was not erected or constructed in conformance with the terms of a permission to erect a sign issued under the authority of by-laws the City of Temiskaming Shores, the sign shall be considered to be in contravention of this By-law;
- c. Where a Billboard Sign which is existing on the day of passing of this by-law was erected or constructed on private property in conformance with the terms of a permission to erect a sign issued under the authority of by-laws of the former municipalities comprising the City of Temiskaming Shores, the permissions are deemed to terminate on the date of passing of this by-law or the date which any

permissions with respect to the sign has expired. Such signs shall be considered as abandoned signs;

- d. Where a Billboard Sign which is existing on the day of passing of this by-law was erected or constructed on public lands including road allowances in conformance with the terms of a permission to erect a sign issued under the authority of by-laws of the City of Temiskaming Shores, the permissions are deemed to terminate on the date which any permissions with respect to the sign has expired;
- e. Where any Billboard Sign which is existing on the day of passing of this by-law was not erected or constructed in conformance within the terms of a permission to erect a sign issued under the authority of the City of Temiskaming Shores, such *signs* shall be considered not in conformance with this by-law;

3.2 Billboard Signs

Billboard signs may be permitted on *City* property including road allowances, subject to the *person* entering into an *encroachment agreement* with the City and all *Billboard signs* shall conform with the following:

- a. The message on the billboard *sign* shall not promote violence, hatred, or contempt against any sector of the public distinguished by colour, race, ancestry, ethnic origin, sexual orientation or disability;
- b. The Billboard sign shall not be located within 90 m (295 ft.) horizontal distance of another Billboard sign per direction. In situations where a Billboard sign has been erected to be viewed on the left hand side of the roadway by a motorist, no additional Billboard signs are permitted on the opposite side of the roadway within the horizontal distance calculation;
- c. The setback distances for Billboard signs erected within 400 m (1,312.3 ft.) of a Provincial Highway shall be as established by the Ministry of Transportation;
- d. A Billboard sign shall not be located within 90 m (295 ft.) horizontal distance of a Residential (R) zone without the consent of Council through resolution;
- e. The setback distances for Billboard signs and their supporting structure from the nearest edge of the traveled portion of a roadway or highway that is not a Provincial Highway are as follows:

Area of Sign	Minimum Setback
Up to 3 m ² (32.3 ft ²)	6 m (19.7 ft.)
Over 3 m ² up to 14 m ² (150.7 ft ²)	9 m (29.5 ft.)
Over 14 m ² (150.7 ft ²)	18 m (59.1 ft.)
Signage over 24 m ² (258.3 ft ²) are not permitted	

Notes:

1. Notwithstanding the above, the minimum setback distance to the travelled portion of the roadway may be reduced to 3.5 m (11.5 ft.) for billboard signs and their supporting structures, where the area of sign is less than 6 m² (64.6 ft²) and the sign promotes, or is in support of an event sanctioned by, or affiliated with the City of Temiskaming Shores during of the period commencing 50 days prior to the event, and ending 14 days after the event.

f. No Billboard sign shall be erected within 15 m (50 ft.) of the intersection of a roadway with another roadway, highway or railway that would impede sight lines.

3.3 Electronic Text Message Signage

a. An Electronic Text Message sign is permitted on lands with the following uses as defined by the applicable zoning by-law: an arena, a recreation centre, a fire station, a police station, a museum, an art gallery, a public administration office, a school, a church, a hospital, a college/university provided the sign is set back more than 1.5 m (4.9 ft.) from the road allowance.

Note: if any portion of the sign is proposed to be located within the Road Allowance an Encroachment Agreement is required;

b. An Electronic Price Indicator Sign is permitted on a lot with a service station, hotel with a static text message displaying a price or vacancy;

c. No Electronic Sign shall:

i. Emit sound;

ii. Change the brightness during the transitioning of messages;

iii. Contain message(s) that creates the effect of shaking, spinning, twirling, pulsing or flashing;

iv. Contain the words or phrases, 'Stop', 'Go Slow', 'Caution', 'Danger', 'Warning', 'Emergency', 'Yield', or 'Detour', unless such word or phrase is part of the name of a business or product and is displayed solely to identify such business or product;

v. Have images or text projected onto a building structure or any surface;

vi. Be left on if malfunctioning such that the sign is no longer effective in delivering the message.

d. The message/image shall be displayed continuously in a static manner and without change for a period of time not less than 10 seconds;

e. The transition time of the message/image shall be no longer than 0.3 seconds and shall be a change of the entire message/image;

f. A message/image sign must be turned off between the hours of 9:00 p.m. and 7:00 a.m. when located within 120 m (394 ft.) of a Residential Zone;

- g. The sign shall have a maximum luminosity level of 300 candelas per m² at night and 6,000 candelas per m² during the day;
- h. The sign shall be equipped with a monitoring device to ensure that the light generated does not exceed 0.3 candles above ambient light levels at a distance of 40 m (131.2 ft);
- i. Only one (1) Electronic Text Message Sign is permitted per property.

3.4 Sandwich Board Signs

- a. A Sandwich Board or V Sign may be placed on a public sidewalk or road allowance (not the travelled portion of the roadway) without entering into an encroachment agreement with the City;
- b. No Sandwich Board or V sign shall be located as to obstruct the straight free movement of pedestrians or persons using mobility aids or like conveyances, and in no case shall the width of unobstructed conveyance be less than 1.5 meters (5 feet) in width.
- c. The Sandwich Board or V sign shall comply with the following:
Max. Area = 1 m² (10.7 ft²) Max. Height = 1.2 m (4 ft.) Max. Width = 1 m (3.3 ft.);
- d. No part of the sign or the sign structure shall be located closer to an intersection than any No Parking Here to Corner sign;
- e. No Sandwich Board or V sign shall be illuminated or electrified;
- f. The sign shall be securely anchored to the ground by mechanical means so as to resist anticipated wind loads;
- g. The sign may only be displayed at such time as the establishment which it is identifying, providing directions to, or advertising a product, goods or service or event for, is open for business;
- h. The sign may only be displayed between the 1st day of April and the 31st day of October in each calendar year.

Part 4 – Real Estate Signs

Subject to all other provisions of this By-law the following *signs* may be erected without obtaining an Encroachment Permit as follows:

- 1. In Residential (R) zones, one *real estate sign*, provided the *area of sign* shall not exceed 1.5 m² (16.1 ft.²) for a one sided *sign*, or 3 m² (32.3 ft.²) for a *two (2) sided sign*;

2. In all zones other than Residential (R) zones one real estate sign provided the area of sign shall not exceed 3 m² (32.3 ft.²) for a one sided sign, or 6 m² (64.6 ft.²) for a two (2) sided sign, and it is removed within 7 days after the sale, rental or lease has been accomplished.

Part 5 – Election Signs

The Election Campaign period, in the case of elections for Federal and Provincial politicians is the time period beginning on the day the election is called and ending on the day voting takes place.

The Election Campaign period, in the case of elections for Municipal and School Board politicians is the time period beginning on the day nominations are certified by the Clerk and ending on the day voting takes place.

Election signs erected or constructed during an election campaign period shall be removed within 3 calendar days following the election campaign period. Such signs shall be securely affixed to the ground, and must not create a hazard or obstruction to pedestrian or vehicular traffic.

Election signs may be erected or constructed on candidate's campaign offices located on private property during the period commencing 90 calendar days prior to the election day and shall be removed within 3 calendar days following the election campaign period and must be in conformance with all other requirements of this bylaw.

Part 6 – Exemptions

Subject to all other provisions of this By-law the following *signs* may be erected without obtaining an Encroachment Permit as follows:

1. One construction site sign per construction project provided the area of sign does not exceed 3 m² (32.3 ft.²) for a one sided sign, or 3 m² (32.3 ft.²) per side for a two (2) sided sign and the sign shall be erected no more than 14 days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed 5 days after completion of construction and prior to occupancy.
2. All signs erected or constructed by the City on City owned property, including parklands, road allowances or facilities including municipal buildings bus shelters, and garbage/recycling containers provided the sign is in conformance with all other sections of this by-law and shall include park or recreation facility signs.
3. Election signs erected or constructed on private property and or on public property, including road allowances on behalf of candidates for public office during an election campaign period. The election signs shall be removed within 3 calendar days following the election campaign period. Such signs shall be securely affixed

to the ground, and must not create a hazard or obstruction to pedestrian or vehicular traffic.

4. Signs which promote or are in support of events and/or projects sanctioned by, or affiliated with the City of Temiskaming Shores.

Part 7 – Abandoned Signs

Except as otherwise provided in this By-law, any *sign* which pertains to a time, event, business or purpose which no longer applies or no longer fulfills its function under the terms of a permissions to erect a *sign* issued under the authority of by-laws of the former municipalities comprising the City of Temiskaming Shores, or this by-law, shall be deemed to be an *abandoned sign*.

A *By-Law Enforcement Officer* may order the removal of an *abandoned sign* by giving written notice to the property owner who shall remove the *sign* and related *sign structure* within 30 days of the date of the notice of removal. The property owner shall bear all costs related to such removal. If such actions are not completed in the times prescribed the notice the given by the *By-Law Enforcement Officer*, the City may remove the *signs* and collect the costs in like manner as taxes.

Part 8 - Offences

No person shall erect, construct, place, display, rebuild, reconstruct, alter, maintain or move or cause, suffer or permit the erecting, placing, construction, displaying, rebuilding, reconstructing, altering, maintaining or moving of any *sign* contrary to the provisions of this By-law.

Part 9 - Penalties

Every person who contravenes or violates any of the provisions of this By-law, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects or refrains from doing anything required to be done by any of the provisions of this By-law, or who carries out or who suffers, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this By-law, or who fails to comply with any order, direction or notice given under this By-law, is guilty of an offence and is subject to a fine recoverable under the Provincial Offences Act.

Part 10 - Inspection

The *By-law Enforcement Officer* for the City of Temiskaming Shores is hereby authorized to enter, at all reasonable times upon any property or premises subject to

this By-law to ascertain whether the requirements of this By-law are being or have been complied with.

Appendices

Appendix 01: "Encroachment Agreement Fee Schedule"

Appendix 02: **Template:** "Encroachment Agreement with Respect to Signs"

Encroachment Agreement Fee Schedule

Annual Fee

- | | |
|---|------------------|
| ➤ Less than 1 m ² (10.8 ft ²) | \$ 50.00 |
| ➤ Greater than 1 m ² (10.8 ft ²) | \$ 100.00 |
| ➤ City sanctioned event | No Charge |
| ➤ Not for profit group or Service Club | No Charge |
| ➤ Community Service Initiative * | No Charge |

* Examples: Share the Road, Heritage Museum, Health Unit, MADD, etc.

Template

Encroachment Agreement with Respect to Signs

This agreement dated this _____ day of _____, 20_____

Between:

City of Temiskaming Shores
(Hereinafter referred to as the "City")

and:

Insert Applicant's Name
(Hereinafter referred to as the "Applicant")

Whereas the Applicant has requested permission from the City to encroach upon municipally owned lands for the purpose of erecting signage;

And whereas the City may, by by-law, regulate the use of highways and public places and establish terms and conditions according to which a person may encumber or construct on a highway or public place;

And whereas the City has enacted Sign By-law No. 2017-000 authorizing the encroachment onto highways and public place in the City on the terms and conditions set out in this Agreement;

Now therefore the City and the Applicant in consideration of the applicable Encroachment Fee and covenants herein contained agree as follows:

1. The City hereby grants to the Applicant permission to encroach upon the portion of the land as generally illustrated in Schedule "A", a copy of which is attached hereto;
2. This agreement shall be for a term of _____ (_____) years, commencing on _____, 20____ and terminating on _____, 20____ (the "Term")
3. The Applicant acknowledges and agrees that the encroachment is upon a highway or a public place and that the City has limited power to authorize the private use of highways and public places. The Applicant further acknowledges and agrees that any rights granted by the City to the Applicant by this agreement are not exclusive and are subject to the public's right to pass and repass and that the City has full authority pursuant to this Agreement to require the removal of the sign at any time without notice and without compensation to the Owner;

4. Prior to installation/construction of the signage, the Applicant shall provide to the City detailed plans and specifications showing the intended location of the construction of the Encroachment;
5. The Applicant is responsible for ensuring that the structural design of the sign and support system is adequate to withstand the effects of snow and wind loads;
6. The Applicant shall indemnify and save harmless the City from and against all actions, proceedings, claims and demands by any person and shall reimburse the City for all damages and expenses caused or contributed to by the negligence or other default of the Applicant in respect of anything done pursuant or ostensibly pursuant to this Agreement including without limitation the construction, installation, maintenance and/or repair of the Encroachment;
7. The Applicant covenants and agrees with the City that the Applicant shall maintain at its sole expense comprehensive general liability insurance providing coverage for acts or omissions by the Applicant, its employees and agents in the amount of not less than One Million (\$1,000,000.00) Dollars per occurrence, all inclusive, and the insurance policy shall:
 - (a) name the City as an additional insured;
 - (b) be issued by an insurance company entitled under provincial law to carry on business in Ontario;
 - (c) state that the policy:
 - (i) applies to each insured in the same manner and to the same extent as if a separate policy of insurance had been issued to each insured; and
 - (ii) cannot be cancelled, lapsed or materially changed without thirty (30) days written notice to the City;
 - (d) be maintained for a period ending twelve months after this Agreement is terminated, and
 - (e) not include any deductible amount greater than Five Thousand (\$5,000.00) Dollars per occurrence.
8. The Applicant shall provide the City with a copy of the required policy upon demand and shall thereafter provide copies of any amendment to the policy;
9. The Applicant shall at all times keep and maintain the Sign and the area in good and sufficient repair to the satisfaction of the City;
10. The Applicant shall give prior notice to the City of its intention to perform any construction, maintenance or repairs related to this Encroachment not less than three (3) business days;

11. The Applicant shall use all reasonable efforts to cause a minimum of obstruction and inconvenience during the construction, installation, maintenance or repairs of the signage, and shall place and maintain such warning signs, barricades, lights or flares at or near the site of any work in progress as will give reasonable warning and protection to members of the public;
12. Except as expressly authorized in writing by the City, the installation shall be in such a manner as not to interfere with any existing utilities located on the highway either above or below grade. It is the responsibility of the Applicant to ensure proper locates are obtained prior to installation;
13. The Applicant shall provide, if requested by the City, as-built plans of the Encroachment within one (1) month of completion of its construction;
14. Any relocation of signage is necessitated for the installation of utility infrastructure, the City shall provide notice to the applicant and all expenses related to the removal or relocation of the signage will be at sole expense of the Applicant;
15. All communications in writing between the parties shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by hand, Canada Post, courier, facsimile or by another electronic communication where, during or after the transmission of the communication, no indication or notice of a failure or suspension of transmission has been communicated to the sender. For deliveries by courier or by hand, delivery shall be deemed to have been received on the date of delivery; by Canada Post, 5 days after the date on which it was mailed. A communication sent by facsimile or by electronic communication with no indication of failure or suspension of delivery, shall be deemed to have been received at the opening of business on the next day, unless the next day is not a working day for the recipient, in which case it shall be deemed to have been received on the next working day of the recipient at the opening of business:

The Applicant:

Insert Name
P.O. Box 000
Somewhere in, Ontario
P0J 1P0

The City:

City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario
P0J 1K0

16. The Applicant understands and agrees that the City may at any time, in its sole discretion, withdraw the rights it has granted herein to the Applicant by giving five (5) days notice to the Applicant in writing. In the event of such withdrawal, for any cause or reason whatsoever, the Applicant shall, at its own expense, within such time as may be specified by the City, remove the signage and restore the area to its original state to the satisfaction of the City;

17. If the Applicant fails to remove the signage as required, the City may remove the signage. The cost of such removal will be a debt due and owing to the City by the Applicant;
18. The Applicant shall not be entitled to compensation for injuries affection or disturbance resulting in any way from the installation or removal of the signage and, without limitation, shall not be entitled to business losses, loss of profit, loss of market value, relocation costs or other consequential loss by reason of the installation or removal of the signage;
19. This Agreement shall ensure to the benefit of and be binding on the parties and their respective successors and assigns;

Remainder of this page left blank intentionally

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in)
the presence of)

Applicant's Seal)
(if applicable))

Municipal Seal)

Insert Name of Applicant

Authorized Signature
Name: _____

Title: _____

Witness
Name: _____

Title: _____

**Corporation of the City of
Temiskaming Shores**

Municipal Clerk - _____

Subject: Disposition of Land – Part 1 on Plan
 54R-6002 to DTSSAB

Report No.: CS-040-2017
Agenda Date: November 21, 2017

Attachments

- Appendix 01:** Municipal Contribution (IAH parameters)
- Appendix 02:** Public meeting comments
- Appendix 03:** Capital Facilities By-law
- Appendix 04:** Land Transfer Document
- Appendix 05:** Reference Plan 54R-6002

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-040-2017;
2. That Council directs staff to prepare the necessary by-law to provide for Municipal Capital Facilities for Municipal Housing Project Facilities for consideration at the November 21, 2017 Regular Council meeting;
3. That Council directs staff to prepare the necessary by-law for the disposition of Part 1 on Plan 54R-6002 to the District of Timiskaming Social Services Administration Board (DTSSAB) through donation as part of the municipalities contribution under the Investment in Affordable Housing (IAH) program through the Ministry of Municipal Affairs and Housing (MAH);
4. That a provision be included that in the event development and construction is not at completed with 3 years of the date of Transfer, ownership shall revert back to the City of Temiskaming Shores;
5. That Council hereby agrees to contribute an upset limit of \$98,000 towards the development of Part 1 Plan 54R-6002 by the District of Timiskaming Services Administration Board under the Ministry of Municipal Affairs and Housing’s Investment in Affordable Housing program under the following categories:

Donation of Land	\$ 56,000
Building Permit Fees	5,000
Survey (Reference Plan)	10,000
Water/Sewer connections	20,000
Zoning Amendment Application	2,000
<u>Legal Fees</u>	<u>5,000</u>
Total:	\$98,000

6. That Council hereby authorizes staff to adjust values under these categories to reflect actual costs as development proceeds provided the upset limit of \$98,000 is not exceeded without Council authorization.

Background

At the September 19, 2017 Regular Council meeting a public meeting was held in regards to a request for the purchase of a portion of Part 2 on Plan 54R-1380 from the District of Timiskaming Social Services Administration Board (DTSSAB) which is located at the intersection of Raymond St. and Roland Rd.

DTSSAB is looking at constructing two (2) separate buildings with four (4) units in each with a minimum floor space of 850 ft². One building is proposed to contain affordable units, while the other building is proposing market value rent. DTSSAB will be seeking funding from the Investment in Affordable Housing (IAH) and could be eligible for \$150k/unit for those deemed affordable; thus potential funding of \$600k.

Under the IAH program the benefiting municipality (Temiskaming Shores) must participate in the process with some type of financial assistance. Council considered the proposal during the closed portion of the September 5, 2017 Regular meeting and approved in principal the City's interest in a potential sale and established a working group to investigate the level of involvement from the municipality in order to comply with IAH requirements.

Appendix 01 – Municipal Contribution (IAH parameters) illustrates the potential contribution to which DTSSAB has shared with the Ministry of Municipal Affairs and Housing (MAH). MAH has confirmed with DTSSAB that it would satisfy the requirements under the IAH program.

At the public meeting several residents in proximity to proposed subject lands were in attendance and objected to the proposed development based on a variety of reasons. **Appendix 02 – Public meeting comments** is a portion of the September 19, 2017 Regular Council meeting specific to the public meeting with the objections generalized and summarized as follows:

- Subdivision has been limited to single family residences; low income residence not appropriate (will lower property values);
- Commercial development (Holiday Inn, Toyota Dealership) has lowered values and privacy lost (no Site Plan Control);
- Development will attract people on welfare and drugs, increase in crime;
- If sold to DTSSAB without knowing layout of buildings they could build two or three story units;
- Since installation of watermain from New Liskeard water system there have been issues with water pressure;
- Land was originally donated and to be used for a certain purpose;
- Skatepark, arena, beach, pool located downtown, limited amenities in Dymond Subdivision;
- Concerned with ownership by DTSSAB based on operation of apartment building at 100 Market Street.

- Will a Species at Risk analysis be conducted;
- Location (edge of town) unable to readily access services;
- Safety concerns with new daycare opening soon in neighborhood;
- concerned with increased traffic and speed limits being ignored;
- Screening of tenants should include Criminal Record checks;

During the Public meeting presentation, in addition to the IAH program, the land requirements for the proposed development were illustrated and subsequent to the presentation Council adopted Resolution No. 2017-362 which reads as follows:

Be it resolved that Council of the City of Temiskaming Shores acknowledges the presentation from the Municipal Clerk regarding the District of Temiskaming Social Services Administration Board's proposal to develop affordable housing;

That Council agrees in principal to donate a portion of municipal land at the corner of Roland Road and Raymond Street to DTSSAB as part of the City's contribution towards an affordable / barrier-free housing development in accordance with the Ministry of Municipal Affairs and Housing's Investment in Affordable Housing Program (IAH);

That Council authorizes staff to engage an Ontario Land Surveyor to prepare the necessary legal reference plan; and

That Council directs staff to prepare an Administrative Report for consideration at a future meeting with respect to the finalization of the disposition of land to DTSSAB.

Analysis:

Senior staff consulted with the Ministry of Municipal Affairs and Housing Advisor in regards to this matter at which time it was recommended by the MAH that Council adopt a by-law in regards to Municipal Capital Facilities for Municipal Housing Project Facilities pursuant to Ontario Regulation 603/06. **Appendix 03 – Capital Facilities By-law** was prepared and it is recommended that Council consider adoption of the by-law.

The Ontario Human Rights Code, Section 2 (1) **Accommodation** states:

“Every person has a right to equal treatment with respect to the occupancy of accommodation, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, same-sex partnership status, family status, disability or the receipt of public assistance.”

Many of the comments made at the September 19, 2017 meeting arguably could fall under this statement. If they do not fall within this statement they may fall under a perceived conflict with the lifestyle and/or changes in the neighbourhood, ranging from expressions about the presumed characteristics of tenants (often in the case of supportive or affordable housing) through to concerns over neighbourhood impacts.

Council should be cautioned on placing weight to those statements that could fall under these parameters in the decision making process.

The parameters to which Council should have regard relate to the frameworks found in legislative documents such as the Planning Act, Building Code Act, City's Official Plan and the City's Zoning By-law.

From a planning perspective the development of the subject lands would be governed through the City's Zoning By-law as well as By-law No. 2013-143 being a by-law to designate Site Plan Control Area within the Township of Dymond. The subject property is designated Residential Neighbourhood in the City of Temiskaming Shores Official Plan and is zoned General Residential (R1) in the Township of Dymond Zoning By-law 984. A Zoning By-law amendment will be required to permit the use proposed by DTSSAB. The property would also be subject to Site Plan Control (SPC).

SPC is a Planning Act tool that gives the municipality detailed control over how particular properties are developed. SPC allows the city to require drawings showing various elements to be included in the development of the site, including facilities designed to have regard for persons with disabilities, walkways and ramps, parking areas, lighting, landscaping (i.e. walls, fences, hedges etc.), stormwater management, garbage/recycling collection areas, snow storage and site grading. The owner and all subsequent owners are required to maintain the elements of a site plan control agreement.

Planning staff contacted both the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Transportation of Ontario (MTO) in regards to Species at Risk and traffic impacts respectively.

Species at Risk – MNRF has outlined the following: "As we understand, the subject lands are currently maintained as an open grassed area and no tall grass has been present on the lands for some time. As advised by our biologist, while Bobolink have the potential to occur in the township of Dymond, and have been observed in the surrounding townships, a maintained and routinely disturbed area is not likely to support Bobolink nesting. The lands should continue to be maintained until site activities are planned to ensure that Bobolink do not take up nesting and to avoid the potential need for an authorization under the Endangered Species Act (ESA) at the time of ground disturbance."

Traffic Study – Preliminary comments from MTO indicate that a Traffic Impact Statement or Traffic Impact Study will be required, and the scope/magnitude of study required will be determined upon submission of pre-consultation information satisfactory to the MTO.

In response to concerns related to water pressure, the Director of Public Works indicates that depending on the current and future intents (configuration, location and total number of units) of the DTSSAB development, it may be necessary to install an

additional water main in this area to address pressure issues and sizing for services of all which would have to be confirmed through an engineer.

Appendix 04 – Land Transfer Document confirms that the Subject Land was purchased by the former Township of Dymond in 1979 in the amount of \$35,000 and there are no restrictions identified with respect to its use.

At the September 19, 2017 public meeting a common comment was with respect to the decline in property values. The Federation of Canadian Municipalities published a document entitled “*Affordability and Choice Today*” within which it indicates that the decrease in property values has been studied in Canada and the United States across a variety of neighbourhoods and development proposals. Twenty-five studies of affordable housing (including some supportive housing) concluded that there was no impact on property values a 26th study was inconclusive.

DTSSAB representatives were requested to provide additional information in regards to the selection of this particular property for the proposed development. DTSSAB indicates that through a local realtor nine (9) different pieces of land, some private and two owned by the City were considered. It was evident early on that the creation of affordable housing was not possible if land had to be purchased. Preference was to work with the City to create housing that would fill an identified gap in housing needs within the district. City staff provided four (4) potential sites to which DTSSAB’s consultant visited each site and recommended the current site as the “best” location for the proposed project.

Disposition of Land – By-law No. 2015-160

As per Resolution No. 2017-362 Surveyors on Site were retained for the purposes of preparing **Appendix 05 – Reference Plan 54R-6002** for the subject property. That portion of land that would be acquired by DTSSAB is Part 1 on Plan 54R-6002.

Section 3: Disposal Methods

It is recommended that a direct sale be utilized for the disposition of Part 00 to DTSSAB.

Section 4: Determining Fair Market Value

During the September 19, 2017 presentation it was noted that a professional appraisal was completed and based on the footage requirements for the proposed DTSSAB development (Part 00 on 54R-000) the appraised value is \$56,027.

Section 6: Public Notice / Section 7: Public Meeting

Public notice was provided and the associated public meeting was held on September 19, 2017 in concert with the Regular Council meeting.

It is recommended that Council authorize the disposition of Part 1 on Plan 54R-6002 to the District of Timiskaming Social Services Administration Board (DTSSAB) through donation as part of the municipalities obligations under the Investment in

Affordable Housing (IAH) program through the Ministry of Municipal Affairs and Housing (MAH) having an assessed value of \$56,027.

Alternatives

The City could opt not to sell the lot.

Financial / Staffing Implications

This item has been approved in the current budget: Yes No N/A

This item is within the approved budget amount: Yes No N/A

Staffing implications are limited normal staff responsibilities.

Submission

Prepared by:

Reviewed by:

Reviewed and submitted for Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

 David B. Treen
 Municipal Clerk

 Kelly Conlin
 Director of Corporate Services (A)

 Christopher W. Oslund
 City Manager

Municipal Contribution (IAH parameters)

- Potential contribution for Council's consideration:

Donation of Land	\$ 56,000
Building Permit Fees	5,000
Survey (Reference Plan)	10,000
Water/Sewer Connections	20,000
Zoning Amendment	2,000
<u>Legal Fees</u>	<u>5,000</u>
Total:	\$98,000

- DTSSAB relayed these values to the Ministry of Municipal Affairs and have confirmed that this would satisfy the requirements under IAH;

Pauline Woolridge – 214 Raymond St.

Objects to proposal as the subdivision has been limited to single family residences and does not feel low income residence is appropriate as it will lower property values. The construction of the motel (Holiday Inn) and car dealership (Toyota) has lowered values and privacy has been lost; having to deal with 10 large lights on at night. Property values go down while taxes continue to go up. Inquired as to how the property taxes on the proposed units would be \$98,000 over 20 years, when she would pay that on her property alone.

Inquired if there would be any type of screening of tenants as she understands these types of housing attract people on welfare and drugs and is this what we have to look forward to, an increase in crime. Recommends it be put downtown closer to skatepark, arena, hospital, etc.

City Manager, Chris outlined that the \$98,000 is based on a rebate of 40% over the 20 year period for the one complex (affordable units). The estimated taxes for one unit is \$12,000 per year or \$24,000 per year for the entire property.

Pauline inquired if the units were single or double storey and what the lighting would be like around the buildings. In response it was indicated that it is the City's understanding that they will be single storey as they are proposing barrier-free design. In regards to lighting the City has not received any details on the site plan for the development at this time.

Pauline inquired as to how Council will obtain all these plans before selling the land or will it be a surprise after the property is sold and they decide to build two or three story units.

City Manager, Chris Oslund outlined that when the Holiday Inn was constructed there was no Site Plan Control (SPC) in place; however there is SPC in place now and this particular development would have to go through SPC.

Pauline outlined that currently on Raymond Street there is limited water pressure and cannot operate two appliances at the same time (i.e. washing machine, dishwasher, etc.). Director of Public Works, Doug Walsh outlined that they are experiencing difficulty in maintaining pressures and have changed two valves and a third is anticipated to be changed this Thursday. Staff have been able to isolate the issue to a short section of watermain located on Crystal between Raymond and Laurette and are hopeful to determine if there is a potential for blockage when replacing the valve on Thursday.

Monique Loranger – 259 Raymond St.

Inquired if DTSSAB would be screening potential tenants.

Diane Chartrand - 235 Raymond St.

Understands that this portion of land was donated by Mr. McKay Clements and that it was to be used for a certain purpose and inquired if there are any records to that affect. In response it was indicated that staff would search records in an attempt to verify if there were any conditions associated with the transfer.

Diane stated that the City would probably attain more money (taxes) if they divided the whole property and developed it for residential purposes. Low income typically has a lot of children and what does the Dymond subdivision offer – the skatepark, arena, beach, pool are all downtown, there is nothing up there for them. Should be located downtown.

Rose Legros -116084 Quarry Road

Main concern is with ownership by DTSSAB; Rose is speaking on behalf of residents at 100 Market Street (also owned by DTSSAB) who are feeling very insecure.

Maria Overton -105 Driftwood Drive

Inquired if Council will be requiring a Species at Risk analysis as she is concerned with the wildlife that may be affected. Staff noted that they would consult with the Ministry of Natural Resources and Forestry (MNRF).

Vince Dubois -70 Driftwood Drive

Understands the housing will be for any marginalized person and does not feel that this part of town (edge of town) enables them to access services for their needs. Only amenity available is the Transit service, no sidewalks, one of the last areas to have the snow cleared and the closest access to food is Wal-Mart; length of time to walk is concerning and you have to walk on the road. Reasonable to say a housing complex for marginalized persons in this area is not the best solution.

Linda Ouellette -237 Raymond Street

A lot of people like to walk around our neighbourhood and a new daycare is opening up soon in the neighbourhood and we want to keep it safe. If it is a Senior Citizens building it would be preferred if it was similar to the Manor in New Liskeard.

Ivan Bos -265 Raymond Street

Ivan is concerned that this development will affect our investment (house) and property taxes. How will we be compensated when our house values go down. Our investment has already gone down with the construction of the Toyota and Holiday Inn. Traffic has also increased especially along Roland and Raymond and no one pays attention to the speed limits.

Madaline Pinet - 349 Crystal Crescent

Madaline outlined concerns with safety and stated that she has been required to obtain Criminal Police checks for a variety of volunteer work that she does and feels that DTSSAB should require a police check for potential tenants prior to allow them in.

Mario Bouchard – Raymond Street

Inquired if the units will be for seniors or for low income; if it is for those over 60 does not have a concern; if it is for lower income anyone can go in there and sell drugs and there is a school nearby and it would not be fair to Dymond Township.

The Corporation of the City of Temiskaming Shores

By-law No. 2017-000

**Being a by-law to provide for Municipal Capital Facilities for
Municipal Housing Project Facilities**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas Subsection 110 (1) of the Municipal Act, 2001, S.O. 2001, c. 25 allows municipalities to enter into agreements for the provision of municipal capital facilities by any person and to authorize certain forms of assistance including tax exemptions;

And whereas pursuant to O. Reg. 603/06 as amended, made under the Municipal Act, 2001 an agreement for the provision of municipal housing project facilities as municipal capital facilities can provide for a tax exemption;

And whereas pursuant to O. Reg. 603-06 as amended, requires that a municipality must pass a municipal housing facilities by-law which is compliant with requirements set out in that regulation prior to passing a by-law authorizing an agreement respecting municipal housing project facilities;

And whereas Council for the City of Temiskaming Shores deems it desirable to provide certain forms of financial or other assistance at less than fair market value as provided in Section 110 (1) of the Municipal Act, 2001, for the provision of municipal housing project facilities as municipal capital facilities on certain terms and conditions and for that purposes enacts this By-law pursuant to paragraph 7 (1)(a) of O. Reg. 603/06

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council adopts a **Municipal Housing Facilities** policy for the City of Temiskaming Shores, identified as Schedule "A", attached hereto and forming part of this by-law;
2. This by-law shall come into full force and effect upon passage;
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-

law and schedule, after the passage of this By-law, where such modification or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2017-000

Municipal Housing Facilities

Section 1 – Definitions of Words and Phrases

Definitions of words and phrases used in this by-law have the following meaning for the purposes of this by-law.

- 1.1 **Act** means the *Municipal Act, 2001, S.O. 2001, c. 25* as amended and regulations thereunder;
 - 1.2 **Affordable Housing** means a Housing Project which meets the guidelines in Subsection 2 (1) or is deemed to be Affordable Housing in accordance with Subsection (2 (2)) of this By-law;
 - 1.3 **Average Market Rent** for any calendar year means the average monthly market rent by unit type, located within the City of Temiskaming Shores as determined and published annually by Canada Mortgage and Housing Corporation in their annual fall housing rental market survey. If Canada Mortgage and Housing Corporation does not publish its fall housing market rental survey of Temiskaming Shores rents for any given year, then "average market rents" for that period shall be the average rents as determined by the Manager of Housing Services of the City of Temiskaming Shores;
 - 1.4 **City** means the municipal corporation of the City of Temiskaming Shores or the geographic area of the City of Temiskaming Shores as the context requires;
 - 1.5 **Council** means the Council of the City of Temiskaming Shores;
 - 1.6 **Household** means an individual who lives alone or two or more individuals who live together;
 - 1.7 **Household Income** means the gross annual income from all sources of all persons who reside in a Housing Unit, or will reside in a Housing Unit if such Housing Unit were rented to them;
 - 1.8 **Housing Project** means a project or part of a project designed to provide or facilitate the provision of rental residential accommodation, with or without any public space, recreational facilities and commercial space or buildings appropriate thereto, which project or part of a project is not a registered condominium or to be registered as a condominium;
 - 1.9 **Housing Provider** means a person with whom the City has entered into or will enter into a Municipal Housing Project Facilities Agreement under Section 6 of this By-law;
 - 1.10 **Housing Unit** means a unit in a Municipal Housing Project Facility;
-

- 1.11 Municipal Housing Project Facilities** means the class of municipal facilities prescribed in paragraph 18 of Section 2 O. Reg. 603-06;
- 1.12 Municipal Housing Project Facilities Agreement** means an agreement compliant with Section 5 of this By-law, entered into with a Housing Provider for the provision of Housing Projects as Municipal Housing Project Facilities as a form of municipal capital facilities;
- 1.13 Rent Supplemental Agreement** means an operating agreement executed between the Housing Provider and the City as a means of increasing the affordability of Housing Units within a Housing Project;
- 1.14 Unit Size** means the size of unit within a Municipal Housing Project Facility or potential Municipal Housing Project Facility, measured by the number of bedrooms;
- 1.15 Wait List** means the wait list maintained by the District of Timiskaming Social Services Administration Board in accordance with the *Housing Services Act, 2011*, regulations under the Act and any policies adopted by the District of Timiskaming Social Services Administration Board in accordance with the Act.

Section 2 – Affordable Housing Defined

For the purpose of this By-law and for a Municipal Housing Project Facilities Agreement "Affordable Housing" shall include all Housing Projects in which the rent charged for each Unit Size, inclusive of utilities but exclusive of parking, telephone, cable and other similar fees, is less than or equal to the Average Market Rent of each Unit Size.

Section 3 – Limits on Municipal Housing Project Facilities Agreement

The City shall not enter into a Municipal Housing Project Facilities Agreement unless:

- a) Council has determined that the Housing Units to be provided as part of the Municipal Housing Project Facilities fall within the definition of Affordable Housing or are deemed to be Affordable Housing; and
 - b) a by-law has been passed by Council authorizing an Agreement for Municipal Housing Project Facilities and authorizing the form of financial assistance to be provided.
-

Section 4 – Limits on Municipal Housing Project Facilities Agreement

- 4.1** Eligibility for the Housing Units to be provided pursuant to a Municipal Housing Project Facilities Agreement shall be determined in accordance with the following:
- a) Housing Units shall be made available initially to Households on the Wait List subject to their ability to pay the affordable rent for the available unit; and
 - b) provided the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board determines that there are not Households available as set out in Article 4.1 a) above, Housing Units may be made available to Households of the general public using a selection system approved by the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board.
- 4.2** Despite Article 4.1 a), under no circumstances shall a Housing Unit be made available:
- a) at a market rent not within the definition of Affordable Housing; or
 - b) to a Household who, at the time the Housing Unit is initially rented to them, has Household Income that is greater than the income levels established by the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board for the given Unit Size.
- 4.3** Housing Units subject to a Municipal Housing Project Facilities Agreement shall not be rented to the Housing Provider or a shareholder or director of the Housing Provider or any individual not at arm's length to the Housing Provider or shareholder or director of the Housing Provider unless:
- a) the Housing Provider is a non-profit co-operative as defined in the *Co-operative Corporations Act*, R.S.O. 1990, c. 35 as amended, or
 - b) the Housing Provider is a not-for-profit corporation.

Section 5 – Terms of Municipal Housing Facilities Agreement

- 5.1** Any Municipal Housing Project Facilities Agreement shall include, but shall not be limited to provisions that:
- a) the term is not less than 20 years;
 - b) each Housing Unit in the Municipal Housing Project Facilities shall, throughout the term of the agreement, qualify as Affordable Housing within the meaning of this By-law;
-

- c) the Housing Provider comply with those matters set out in Section 4 of this By-law;
- d) the Municipal Housing Project Facilities Agreement is binding on the Housing Provider's heirs, successors and permitted assigns;
- e) during the term of the Municipal Housing Project Facilities Agreement the Housing Provider shall, as a condition precedent to a sale to a subsequent purchaser, require the subsequent purchaser to enter into an agreement with the City and that agreement shall impose the terms of the Municipal Housing Project Facilities Agreement on that subsequent purchaser;
- f) an identification of the benefits being conveyed to the Housing Provider under the By-law;
- g) if the Housing Provider does not carry out its obligations under the agreement, the Housing Provider shall, if demanded, pay to the City the entire amount of the benefits conveyed under the agreement, together with any applicable costs and interest; and
- h) Such other contractual provisions which are required to be inserted based on fundamental contractual drafting principles.

5.2 As a means of increasing the affordability of housing within the Housing Project, the Municipal Housing Project Facilities Agreement may require:

- a) that the Housing Provider enter into a Rent Supplement Agreement with the City; and
- b) in the event that a capital grant of \$10,000 per Unit or more is provided for the Municipal Housing Project Facilities Agreement, affordable rents that are lower than those set out in Section 2 of this By-law.

Section 6 – Financial and/or other Assistance - Conditions

6.1 A Municipal Housing Project Facilities Agreement may, with respect to the provision, lease, operation and maintenance of the Municipal Housing Project Facilities that are subject to the Municipal Housing Project Facilities Agreement provide for financial or other assistance at less than fair market value or at no cost to the Housing Provider with respect of the provision, lease, operation or maintenance of the facilities that are subject of the agreement, and such assistance may include:

- a) giving or lending money and charging interest; and/or
 - b) giving, lending, leasing or selling property; and/or
 - c) giving in-kind municipal services; and/or
-

- d) provide an exemption from all or part of the taxes levied for municipal and school purposes on land or a portion of it on which the municipal capital facilities are or will be located on in accordance with Section 110 (6) of the Act.

6.2 The assistance provided under Article 6.1 of this By-law shall only be in respect of the provision, lease, operation or maintenance of the facilities that are subject to the Municipal Housing Project Facilities Agreement.

Section 7 – Interpretation

7.1 Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

7.2 References to items in the plural include the singular, as applicable;

7.3 The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them.

7.4 Headings are inserted for ease of reference only and are not to be used as interpretation aids.

7.5 Specific references to statutes and regulations in the By-law are meant to refer to the current laws applicable with the Province of Ontario as at the time the By-law was enacted, as they are amended from time to time.

7.6 Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first business day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday.

7.7 The obligations imposed by this By-law are in addition to obligations otherwise imposed by law or contract.

Section 8 – Severability / Conflict

8.1 If any section, subsection, part or parts of this By-law is declared by any court of law to be bad, illegal or ultra vires, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

8.2 Nothing in this By-law relieves any person from complying with any provisions of any Federal or Provincial legislation or another By-law of the City.

8.3 Where a provision of this By-law conflicts with the provisions of another By-law in force in the City, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

Section 9 – Short Title

This By-law may be referred to as the Municipal Housing Facilities By-law.

SPOUSAL
AFFIDAVIT AS TO AGE AND ~~MARRIAGE~~ STATUS

AMENDED MARCH 1972

I/~~WE~~/ MURIEL MARGARET MCKAY-CLEMENTS
of the Town of Haileybury
in the District of Temiskaming

* If attorney
see footnote

make oath and say: When I executed the attached instrument,

I/~~WE~~/ was at least eighteen years old.
Within the meaning of Section 1(f) of The Family Law Reform Act, 1978
I was ~~---married/divorced/widower---~~ not a spouse.

Strike out
inapplicable
clauses.

~~was my wife/husband.~~

~~We were married to each other.---~~

~~We held the land as Joint Tenants/Trustees/Partnership Property.---~~

Resident of
Canada, etc.

I was not a non-resident of Canada within the meaning of Section 116
of the Income Tax Act.

~~(SPEAK)~~ SWORN before me at the Town
of Haileybury in the District
of Temiskaming
this 3 day of January, 1979

Muriel Margaret McKay-Clements

[Signature]
A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Where affidavit made by attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (marital status, and if married, name of spouse), and when he/she executed the power of attorney, he/she had attained the age of majority".

204632 TIMISKAMING

The Land Titles Act

Dated 3rd day of January 1979

MURIEL MARGARET MCKAY-CLEMENTS

TO

CORPORATION OF THE TOWNSHIP
OF DYMOND

Address: New Liskeard, Ontario.

Transfer of Freehold Land
WITH POWER

UNITED STATIONERY CO. LIMITED
30 PRODUCTION DRIVE, SCARBOROUGH, ONTARIO

ASSESSMENT ROLL NO.

ADDRESS OF PROPERTY

DEAN, GORDON & BYCK
BARRISTERS, SOLICITORS, ETC.
HAILEYBURY, ONTARIO

204632 TIMISKAMING

JAN 19 11 10 AM '79

REGISTRY DIVISION OF TIMISKAMING (No. 54) THIS INSTRUMENT RECEIVED at the Land Registry Office at Haileybury, Ontario under above number and date.

D. Green
REGISTERED SIGNING OFFICER

THIS BELONGS TO
THE LAND TITLES OFFICE
HAILEYBURY

REGISTRATION FEE	18.00
LAND TRANSFER TAX	105.00
RETAIL SALES TAX	

The Land Titles Act

1. MURIEL MARGARET McKAY-CLEMENTS, of the Town of Haileybury, in the District of Temiskaming,

the registered owner of the freehold land registered in the Land Registry Office for the Land Titles Division of Temiskaming at Haileybury as Parcel s 18914 and 19134 both in the register for South Section Temiskaming

in consideration of the sum of ----- THIRTY-FIVE THOUSAND-----

----- (\$35,000.00) - -----Dollars

paid to me TRANSFER to
CORPORATION OF THE TOWNSHIP OF DYMOND, with Office situate at

~~xxxx~~ R.R.#2, ~~xxx~~ New Liskeard in the District of Temiskaming

the land hereinafter particularly described namely

THE WHOLE OF THE SAID Parcels Eighteen Thousand Nine Hundred and Fourteen (18914) and Nineteen Thousand One Hundred and Thirty-Four (19134) both in the Register for South Section Temiskaming, situate in the Township of Dymond, in the District of Temiskaming and Province of Ontario.

*18914 S.S.I: Pt 7 1/2 of S 1/2 Lot 9 Cox 4 as shown on
Ref Plan 54R-1380 as part 2.*

19134 S.S.I Lots 1, 2 & 3. Plan M-275 Tem.

The Land Titles Act

IN THE MATTER of the PLANNING ACT (as amended)

AND IN THE MATTER of the TITLE TO Parcels 18914 and 19134 both
in the Register for South Section Temiskaming

Transfer, Charge,
Caution, Lease

AND IN THE MATTER OF A TRANSFER
THEREOF, FROM MURIEL MARGARET MCKAY-CLEMENTS
TO CORPORATION OF THE TOWNSHIP OF DYMOND
DATED January 3, 1979

I, MURIEL MARGARET MCKAY-CLEMENTS
of the Town of Haileybury in the District
of Temiskaming,

MAKE OATH AND SAY AS FOLLOWS:

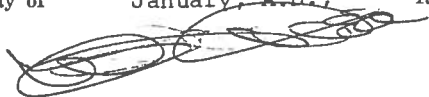
1. I am the Transferor
named in the above mentioned Instrument, and have knowledge of the matters hereinafter
sworn.
2. The said Instrument, and the conveyance or other dealing with land affected thereby, do
not contravene the provisions of The Planning Act, as amended, because
 - (a) *The present registered owner does not retain the fee or the equity of redemption in, or a
power or right to grant, assign or exercise a power of appointment with respect to any land
abutting the land affected by the within Transfer*

Delete
if not
applicable

State
other
reason
if any

SWORN before me
at the Town of Haileybury
in the District of Temiskaming
this 4th
day of January, A.D., 19 79.

Muriel Margaret McKay-Clements



A Commissioner for Taking Affidavits, etc.

And I,

wife of the said /

hereby say my Advers in the said land /

Butrd the Third day of January A.D. 19 79

Witness:



Muriel Margaret McKay-Clements

AFFIDAVIT OF SUBSCRIBING WITNESS

I, DALTON DEAN
of the Town of Haileybury
in the District of Temiskaming
I am a subscribing witness to the attached instrument and I was present and saw it executed
at Haileybury

make oath and say:

by MURIEL MARGARET MCKAY-CLEMENTS

See footnote

See footnote

I verily believe that each person whose signature I witnessed is the party of the same name referred to in the instrument.

SWORN before me at the Town of Haileybury
in the District of ~~xxxxxx~~ Temiskaming

this 4th day of January, 1979

Dorothy Hartley

DOROTHY HARTLEY
Notary Public,
District of Temiskaming,
c/o Dean, Gordon & Byrd,
Expire July 20, 1981.

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after the instrument had been read to him and he appeared fully to understand it". Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

THE LAND TRANSFER TAX ACT, 1974

Affidavit of Residence

IN THE MATTER OF THE CONVEYANCE OF Part 2, Reference Plan 54R-1380 and Lots 1, 2 and 3, Plan M-275 Temiskaming, in the Township of Dymond, in the District of Temiskaming, being Parcels 18914 and 19134 both in the Register for South Section Temiskaming
(insert brief description of land)
TO CORPORATION OF THE TOWNSHIP OF DYMOND
(insert names of all transferees)

I, FLOYD SHEPHERDSON of the Township of Dymond, in the District of Temiskaming, Clerk-Treasurer of the Corporation of the Township of Dymond,
(print name and address)

MAKE OATH AND SAY THAT:

- I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent):
 - ~~(a) A person to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed;~~
 - ~~(b) One of the trustees named in the above-described conveyance to whom the land is being conveyed;~~
 - (c) A transferee named in the above-described conveyance;
the Corporation of the Township
 - (d) An agent authorized in writing to act for /of Dymond, which is ~~not~~ a person
(insert name of principal)
described in paragraph (c) above *(insert only one of paragraph (a), (b), or (c) above);*
 - ~~(e) The solicitor acting in this matter for _____ who is a person described in paragraph _____ above (insert only one of paragraph (a), (b) or (c) above);~~

and as such, I have personal knowledge of the facts herein deposed to.

2. None of the transferees to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed is, within the meaning of the Act, a non-resident person (strike out this paragraph if inapplicable).

~~3. The following persons to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed are non-resident persons within the meaning of the Act-~~

(insert the name and place of residence - or in the case of a corporation, the place of incorporation - of any transferee who is a non-resident person. If space is insufficient, attach a list of those transferees who are non-resident persons.)

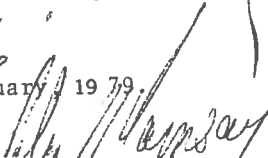
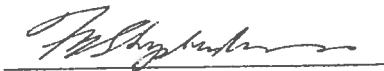
4. I have read over and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clause f and g of subsection 1 of section 1 of the Act.

Sworn before me at the Township of Dymond, in the District

of Temiskaming,

this

day of 16 January, 19 79



Amended, Jan. 1975

THE LAND TRANSFER TAX ACT, 1974

AFFIDAVIT OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE made

Identify
the parties
to the
conveyance

by: MURIEL MARGARET MCKAY-CLEMENTS
to: CORPORATION OF THE TOWNSHIP OF DYMOND
on the 3rd day of January, A.D., 1979
I, MURIEL MARGARET MCKAY-CLEMENTS
of the Town of Haileybury
in the District of Temiskaming

MAKE OATH AND SAY THAT:

This affidavit may
be made by the
purchaser or vendor
or by anyone
acting for them
under power of
attorney or by an
agent accredited in
writing by the
purchaser, or vendor
or by the solicitor of
either of them or by
some other person
approved by the
Minister of Revenue.

1. I am the Transferor
named in the within (or annexed) conveyance.
2. I have a personal knowledge of the facts stated in this affidavit.
3. (1) The total consideration for this transaction has been allocated as follows:

(a) Land, building, fixtures and goodwill	\$ 35,000.00
(b) Chattels — items of tangible personal property (see note)	\$ Nil
TOTAL CONSIDERATION	\$ 35,000.00

- (2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:

(a) Monies paid in cash	\$ 35,000.00
(b) Property transferred in exchange (Detail Below)	\$ Nil
(c) Securities transferred to the value of (Detail Below)	\$ Nil
(d) Balances of existing encumbrances with interest owing at date of transfer	\$ Nil
(e) Monies secured by mortgage under this transaction	\$ Nil
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ Nil
(g) Other (Detail Below)	\$ Nil
TOTAL CONSIDERATION (should agree with 3(1) (a) above)	\$ 35,000.00

All blanks must be filled in.

4. If consideration is nominal, is the transfer for natural love and affection?
5. If so, what is the relationship between Grantor and Grantee?
6. Other remarks and explanations, if necessary

\$105.006

SWORN before me at the Town of Haileybury
in the District of Temiskaming
this 3rd day of January, 1979

Muriel Margaret McKay-Clements
(signature)

A Commissioner, etc.

NOTE TO PARAGRAPH 3(1) (b): Chattels: Retail sales tax is payable on the valuation of items shown in 3(1) (b) unless otherwise exempted under the provisions of The Retail Sales Tax Act, R.S.O. 1970, c.416, as amended. For the purpose of this affidavit insert above only the value of chattels, the total value of which in the opinion of the deponent exceeds \$100.00. This does not exempt a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction with a value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.

INTERGRATION COORDINATE TABLE - SPECIFIED CONTROL POINT (SCP)		
MONUMENT	NORTHING	EASTING
00819740135	5 261 369.858	598 036.733
01019801501	5 267 341.128	599 712.544
UTM ZONE 17, NAD83(ORIG.)		

OBSERVED REFERENCE POINTS (ORP), UTM ZONE 17, NAD83(ORIG.)		
COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14(2) OF O.REG. 216/10 UNDER THE SURVEYS ACT.		
POINT ID	NORTHING	EASTING
ORP A	5266238.94	599852.87
ORP B	5266241.09	599931.14
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

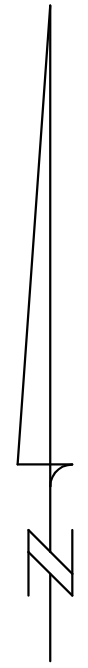
NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99969397.

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM COSINE CONTROL MONUMENTS HCM00819740135 & HCM01019801501 AND ARE REFERRED TO THE 6° UNIVERSAL TRANSVERSE MERCATOR GRID PROJECTION, CENTRAL MERIDIAN 81°00'W, ZONE 17, NAD 83 ORIGINAL ADJUSTMENT.

FOR BEARING COMPARISONS, THE FOLLOWING ROTATION WAS APPLIED:
P - 1°00'40" COUNTER CLOCKWISE



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 54R-6002

RECEIVED AND DEPOSITED

DATE: NOVEMBER 6, 2017

DATE: NOVEMBER 16, 2017

Ryan W. Seguin
RYAN W. SEGUIN
ONTARIO LAND SURVEYOR

"C. CAREY"
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TIMISKAMING (No. 54)

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA (M ²)
1				2929.0
2	NORTH 1/2 OF SOUTH 1/2 LOT 9	4	61336-0480 (LT)	271.6
3				3306.4
4				259.4
5				15.0

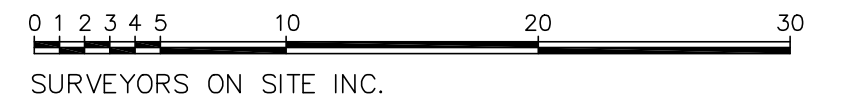
GEOGRAPHIC TOWNSHIP OF DYMOND

PIN SUMMARY - PART 5 SUBJECT TO EASEMENT AS IN DT43224.
- PARTS 1 TO 5 (INCLUSIVE) COMPRISE ALL OF PIN 61336-0480(LT).

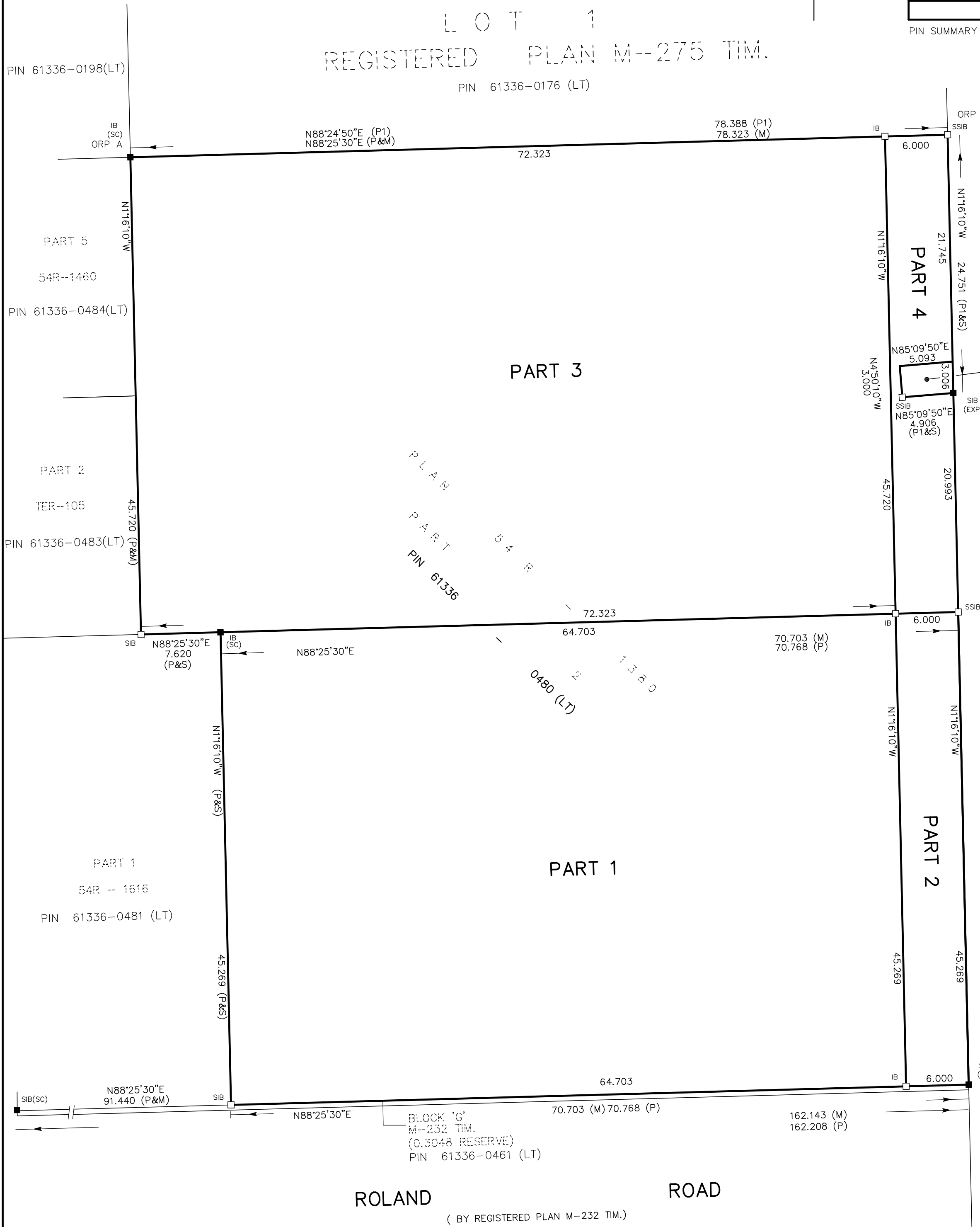
PLAN OF SURVEY OF
PART OF THE NORTH 1/2 OF THE
SOUTH 1/2 LOT 9
CONCESSION 4
TOWNSHIP OF DYMOND
CITY OF TEMISKAMING
SHORES

DISTRICT OF TIMISKAMING

SCALE 1 : 300 METRES



SURVEYORS ON SITE INC.



PART 5
PART 1 54R-5674
SUBJECT TO EASEMENT
AS IN DT43224

RAYMOND STREET
(BY REGISTERED PLAN M-275 TIM.)
PIN 61336-0177 (LT)

LEGEND

- MONUMENT PLANTED
- MONUMENT FOUND
- SSIB SHORT STANDARD IRON BAR
- SIB STANDARD IRON BAR
- IB IRON BAR
- PB PLASTIC BAR
- WIT WITNESS
- S SET
- M MEASURED
- P PLAN 54R-1380
- P1 PLAN 54R-5674
- SC H. SUTCLIFFE SURVEYING LTD., O.L.S.
- EXP EXP GEOMATICS INC.
- ORP OBSERVED REFERENCE POINT
- SCP SPECIFIED CONTROL POINT
- HCM HORIZONTAL CONTROL MONUMENT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 6th DAY OF OCTOBER, 2017.

NOVEMBER 6, 2017
NEW LISKEARD, ONTARIO

Ryan W. Seguin
RYAN W. SEGUIN
ONTARIO LAND SURVEYOR



17 WELLINGTON STREET
P.O. BOX 1599
NEW LISKEARD, ONTARIO
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Subject: Lease Agreement – Hlby Medical Centre
Dr. Peter Hutten Czapski

Report No.: CS-041-2017
Agenda Date: November 21, 2017

Attachments

Appendix 01: Draft Lease Agreement

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-041-2017; and
2. That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Doctor Peter Hutten Czapski for the rental of 578 square feet of office space in the Haileybury Medical Centre from January 1, 2018 to December 31, 2021 at a rate of \$13.17 per square foot plus HST and to apply a Consumer Price Index (CPI) increase annually for the term of the lease.

Background

Doctor Hutten Czapski contacted the city regarding the vacant space the Haileybury Medical Centre. The space in question has been vacant since the departure of a physician in January of 2011. It was agreed by both the Manager of Physical Assets and City Manager that although the space is available for rent, it was in need of repairs prior occupancy. The windows in the space were original to the building and in need of replacement for energy efficiency.

Analysis

Doctor Hutten Czapski's effective date of practice at Haileybury Medical Centre will be January 1, 2018. This timeframe permits staff to perform the necessary renovations to the space which includes new windows, painting, carpet cleaning and some minor construction. The draft lease agreement is attached as Appendix 01.

The rental rate and annual CPI increase recommended for Doctor Hutten Czapski is aligned with the other physicians currently leasing space at the Haileybury Medical Centre and ensures the City is managing costs associated with the facility favourably.

Financial / Staffing Implications

This item has been approved in the current budget: Yes No N/A

This item is within the approved budget amount: Yes No N/A

The City will receive \$634.35 plus HST per month for the rental of the space from January 1, 2018– December 31, 2018, at which time the CPI increase will be applied for the remainder of the agreement.

The estimated cost of the renovation is \$20,000 and is being covered in the 2017 Building Maintenance operating budget.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

Kelly Conlin
Director of Corporate Services (A)

Christopher W. Oslund
City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2017-000

**Being a by-law to authorize the entering into a lease agreement
with Dr. Peter Hutten Czapski for the rental of space at the
Haileybury Medical Centre**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

Whereas Council considered Administrative Report No. CS-041-2017 at the November 21, 2017 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a three (3) year lease agreement with Dr. Peter Hutten Czapski for the rental of 578 ft² of office space at the Haileybury Medical Center effective January 1, 2018 until December 31, 2020;

And whereas the Council of The Corporation of the City of Temiskaming Shores deems it desirable to enter into an Agreement with the Dr. Hutten Czapski;

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the Mayor and Clerk be authorized to enter into an Agreement with the Dr. Peter Hutten Czapski for the rental of space at the Haileybury Medical Centre, a copy of which is attached hereto as Schedule "A" and forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule A to
By-law No. 2017-000
Agreement between
The Corporation of the City of Temiskaming Shores
and
Dr. Peter Hutten Czapski
for the rental of space at the
Haileybury Medical Center

Lease Agreement

between

The Corporation of the City of Temiskaming Shores

and

Dr. Peter Hutten Czapski

Lease

Kelly Conlin
Director of Corporate Services (A)
The Corporation of the City of Temiskaming Shores
P.O. Box 2050
Haileybury, Ontario
P0J 1K0

This Lease made this 21st day of November, 2017

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called the "Lessor")

And:

Dr. Peter Hutten Czapski
(hereinafter called the "Lessee")

Whereas the Lessor is the owner of the lands described as follows: Part Lot 13 and Part Lot 137, Concession 3, as shown on Plan M-58, Parcel 19899SST in the City of Temiskaming Shores, District of Timiskaming, in the Province of Ontario, (hereinafter called the "Land"), and there is located on the Lands a building (hereinafter called the "Building"), having an entrance off Meridian Avenue in the City of Temiskaming Shores, in the Province of Ontario.

And whereas the parties hereto have agreed to enter into this Lease.

1. Leased Premises

The Lessor hereby demises and leases to the Lessee part of the **upper level** in the Lessor's Building containing a rentable area of, located at 95 Meridian Avenue, City of Temiskaming Shores, Ontario being hereinafter called the "premises".

2. Ingress and Egress

Together with the right of ingress and egress for the Lessee's employees, servants, agents, customers, and invitees, and the use of parking areas, driveways, sidewalks, common loading and stopping areas in and about the Lands and Building (hereinafter called the "common areas").

3. Term

To hold the premises for a term commencing on the 1st day of January, 2018 and ending on the 31st day of December, 2020.

4. Rent

And paying therefore, to the Lessor, subject to the provisions of this Lease, the sum of **Six hundred and thirty four dollars and thirty five cents (\$634.35) per month plus HST**, for year one (1). An increase will be applied to the rental rate according to the Consumer Price Index for year two (2), effective January 1, 2019 and year three (3), effective January 1, 2020. Rent is payable to the City of Temiskaming Shores and due on the first day of each and every month during

the term hereof. Such payment to be mailed to P.O. Box 2050 Haileybury, Ontario P0J 1K0.

And the parties hereto covenant and agree as follows:

5. Tenant's Covenants

The Tenant covenants with the Landlord:

- a) **Rent** - to pay rent;
- b) **Telephone** - to pay when due the cost of the telephone and intercom services supplied to the premises;
- c) **Repair** - to repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to permit the Landlord to enter and view the state of repair and to repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;
- d) **Cost of repair where Tenant at fault** - that if the building including the premises, boilers, engines, pipes and other apparatus (or any of them) used for the purpose of heating or air conditioning the building, or if the water pipes, drainage pipes, electric lighting or other equipment of the building or the roof or outside walls of the building get out of repair or become damaged or destroyed through the negligence, carelessness or misuse of the Tenant, his servants, agents, employees or anyone permitted by him to be in the building (or through him or them in any way stopping up or injuring the heating apparatus, water pipes, drainage pipes, or other equipment or part of the building) the expense of any necessary repairs, replacements or alterations shall be paid by the Tenant to the Landlord forthwith on demand;
- e) **Assigning or subletting** - not to assign, sublet or part with possession of any part of the premises without leave of the Landlord, which leave shall not be unreasonably withheld, and which leave shall not be required in the event of a sublease to add any personnel to the group comprising the Tenant or to a management corporation which may be incorporated by the Tenant;
- f) **Entry by Landlord** - to permit the Landlord or its agents to enter upon the premises at any time and from time to time for the purpose of inspecting and making repairs, alterations or improvements to the premises or to the building, and the Tenant shall not be entitled to compensation for any inconvenience, nuisance, or discomfort occasioned thereby; provided that the Landlord shall give reasonable advance notice to avoid inconvenience to the Tenant, given the private and confidential nature of the profession of the Tenant;

- g) Indemnity** - to indemnify and save harmless the Landlord against and from any and all claims by or on behalf of any person or persons, firm or firms, or corporation or corporations arising from the conduct or any work, by or through any act of negligence of the Tenant or any assignee, subtenant, agent, contractor, servants, employee or licensee of the Tenant;
- h) Exhibiting premises** - to permit the Landlord or its agents to exhibit the premises to prospective Tenants between the hours of 9:00 a.m. and 11:00 p.m. during the last month of the term;
- i) Alterations** - not to make or erect in or to the premises any installation, alteration, addition, or partition without submitting plans and specifications to the Landlord and obtaining the Landlord's prior written consent (in each instance); such work shall if the Landlord so elects, be performed by employees of or contractors designated by the Landlord; in the absence of such election, such work may be performed with the Landlord's consent in writing (given prior to letting of contract) by contractors engaged by the Tenant but in each case only under written contract approved in writing by the Landlord and subject to all conditions which the Landlord may impose; the Tenant shall submit to the Landlord or the Tenant's contractors (as the case may be), when due the costs of all such work and of all materials, labour and services involved therein and of all decoration and all changes in the building, its equipment or services, necessitated thereby; provided, that it is at this time understood by the Landlord that certain equipment is to be installed and to be placed at convenient places as designated by the Tenant;
- j) Name of building** - not to refer to the building by any other name other than that designated from time to time by the Landlord nor use the name of the building for any purpose except as the business address of the Tenant;

6. Landlord's Covenants

The Landlord covenants with the Tenant;

- a) Quiet enjoyment** - for the quiet enjoyment;
- b) Taxes** - to pay all taxes and rates, municipal, parliamentary or otherwise, levied against the premises or the Landlord on account thereof;
- c) Air conditioning** - to install and operate air conditioning units to air condition the premises at the expense of the Landlord;
- d) Electricity and water** - to pay for the electricity and water supplied to the premises;
- e) Janitor service** - to cause, when reasonably necessary, given the professional nature of the Tenant's use of the premises, (from time to time)

the floors and windows of the premises to be vacuumed, swept and cleaned and the desks, tables and other furniture of the Tenant to be dusted, but (with the exception of the obligation to cause the work to be done) the Landlord shall not be responsible for any act or omission or commission on the part of the person or persons employed to perform such work, provided vacuuming, sweeping and dusting to be done daily five days of the week;

- f) **Heat** - to heat the premises;
- g) **Structural soundness** - to keep the premises, common areas and parking lot structurally sound and to look after any structural defects which may arise;

7. Provisos

Provided always and it is hereby agreed as follows:

- a) **Fixtures** - The Tenant may remove his fixtures, but all installations, alterations, additions, partitions and fixtures except trade or Tenant's fixtures in or upon the premises, whether placed there by the Tenant or by the Landlord, shall be the Landlord's property without compensation therefore to the Tenant and shall not be removed from the premises at any time (either during or after the term);
- b) **Fire** - In case of damage to the premises by fire, lightning or tempest, rent shall cease until the premises are rebuilt; and the Landlord, instead of rebuilding or making the premises fit for the purpose of the Tenant, may at its option terminate this lease on giving to the Tenant within thirty days after such fire, lightning or tempest, notice in writing of its intention (so to do) and thereupon rent and any other payments for which the Tenant is liable under this lease shall be apportioned and paid to the date of such fire, lightning or tempest, and the Tenant shall immediately deliver up possession of the premises to the Landlord;
- c) **Damage to property** - The Landlord shall not be liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Tenant or to the employees of the Tenant or to any other person while in the building or in the yard of the building unless such loss, damage or injury shall be caused by the negligence of the Landlord or its employees, servants or agents for any damage to any such property caused by steam, water, rain or snow which may leak into, issue or flow from any part of the building or from the water, steam or drainage of the building or from any other place or quarter nor for any damage caused by or attributable to the condition or arrangement of any electric or other wiring omitted by any other Tenant;
- d) **Impossibility of performance** - It is understood and agreed that whenever and to the extent that the Landlord shall be unable to fulfill, or shall be

delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, goods, equipment, service, utility or labour required to enable it to fulfill such obligations or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control whether of the foregoing character or not, the Landlord shall be relieved from the fulfillment of such obligation and the Tenant shall not be entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned;

- e) **Default of Tenant** - If the rent reserved or any part thereof shall not be paid on the day appointed for payment, whether lawfully demanded or not, or in case of breach or non-observance or non-performance of any of the covenants or agreements or rules or regulations herein contained or referred to on the part of the Tenant to be observed and performed, or in case the premises shall be vacated or remain unoccupied or in case the term shall be taken in execution or attachment for any cause whatsoever, (and in every such case) the Landlord shall be entitled thereafter to enter (into and) upon the premises (or any part thereof in the name of the whole) and the same to (have again), repossess and enjoy as of its former estate, anything herein contained to the contrary notwithstanding;
- f) **Bankruptcy of Tenant** - In case without the written consent of the Landlord the premises shall remain vacant or not used for the period of fifteen days or be used by any other person than the Tenant or for any other purpose than that for which they were let or in case the term or any of the goods and chattels of the Tenant shall at any time be seized in execution or attachment by any creditor of the Tenant or if the Tenant shall make any assignment for the benefit of creditors or any bulk sale of any act (now or hereafter in force) for bankrupt or insolvent debtors (or if the Tenant is a company any order shall be made for the winding up of the Tenant), then in any such case this lease shall at the option of the Landlord cease and terminate and the term shall immediately become forfeited and void and the current month's rent and the next ensuing three month's rent shall immediately become due and payable and the Landlord may re- enter and take possession of the premises as though the Tenant or other occupant (or occupants) of the premises was (or were) holding over after the expiration of the term without any right whatever;
- g) **Distress** - The Tenant waives and renounces the benefit of any present or future statute taking away or limiting the Landlord's right of distress, and covenants and agrees that notwithstanding any such statute none of the

goods and chattels of the Tenant on the premises at any time during the term shall be exempt from levy by distress for rent in arrears;

- h) Right of re-entry** - On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord in addition to all other rights may do so as the agent of the Tenant, using force if necessary, without being liable for any prosecution therefore, and may re-let the premises as agent of the Tenant, and receive the rent therefore, and as agent of the Tenant may take possession of any furniture or other property on the premises and sell the same at a public or private sale without notice and apply the proceeds of such sale and any rent derived from re-letting the premises upon account of rent under this lease, and the Tenant shall be liable to the landlord for any deficiency;
- i) Right of termination by the Tenant** - The lease may be terminated for any valid operational reason with the consent of both parties and upon payment of **three months** rent in lieu of notice.
- j) Right of termination by the Landlord** - On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord, in addition to all other rights, shall have the right to terminate this lease forthwith by leaving upon the premises notice in writing of its intention, and thereupon rent and any other payments for which the Tenant is liable under this lease shall be computed, apportioned and paid in full to the date of such termination, and the Tenant shall immediately deliver up possession of the Premises to the Landlord, and the Landlord may re-enter and take possession of the premises;
- k) Non-waiver** - Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant at any time in respect of any covenant, provision or condition herein contained shall not operate as a waiver of the Landlord's rights hereunder in respect of any subsequent default, breach or non-observance, and shall not defeat or affect in any way the rights of the Landlord herein in respect to any default, breach or non-observance by the Landlord, mutatis mutandis.
- l) Over-holding** - If the Tenant shall continue to occupy the premises after the expiration of this lease with or without the consent of the Landlord, and without any further written agreement, the Tenant shall be a monthly Tenant at the monthly rental herein mentioned and on the terms and conditions herein set out except as to length of tenancy.
- m) Arbitration** - Any dispute between the parties hereto arising out of the provision of this lease shall be referred to the arbitration of three persons, one to be appointed by each of the parties hereto and the third to be chosen by the two so appointed. If either of the parties fails to appoint an arbitrator for 15 days after the one party has appointed an arbitrator and has notified the other party in writing of the appointment and of the matter in dispute to

be dealt with, the decision of the arbitrator appointed by the first of such parties shall be final and binding on both of the parties hereto. If the two arbitrators appointed by the parties hereto fail to agree upon a third arbitrator for 15 days after the appointment of the second arbitrator, either party hereto may apply on 15 days' notice (written) giving the order to a Judge of the District Court of the District of Timiskaming as a *persona designata* to appoint such third arbitrator. The said Judge, upon proof of such failure of appointment and of the giving of such notice, may forthwith appoint an arbitrator to act as such third arbitrator. If any arbitrator refuses to act or is incapable of acting or dies, a substitute for him may be appointed in the manner herein before provided. The decision of the three arbitrators so appointed, or a majority of them, shall be final and binding upon the parties hereto. All costs and expenses of any such arbitration shall be borne by the parties hereto equally;

- n) **Subordination** - This lease and everything herein contained shall be postponed to any charge or charges now or from time to time hereafter created by the Landlord in respect of the premises by way of institutional mortgage or mortgages and to any extension, renewal, modification, consolidation or replacement thereof, and the Tenant covenants that it will promptly at any time during the term hereof as required by the Landlord give all such further assurances to this provision as may be reasonably required to evidence and effectuate this postponement of its rights and privileges hereunder to the holders of any such charge or charges. The Tenant further covenants on demand at any time to execute and deliver to the Landlord at the Landlord's expense any and all instruments which may be necessary or proper to subordinate this lease and the Tenant's rights hereunder to the lien or liens of any such extension, renewal, modification, consolidation, replacement or new mortgage or mortgages, and the Tenant hereby irrevocably constitutes and appoints the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for and on behalf of the Tenant and any assumption of this lease by any assignee of the Tenant named herein shall in itself include this provision so that the assignee assuming this lease does thereby irrevocably constitute and appoint the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for or on behalf of the said assignee;
- o) **Notice** - Any notice required or contemplated by any provision of this lease shall be deemed sufficiently given if contained in writing enclosed in a sealed envelope addressed, in the case of notice of the Landlord, to it, at c/o Corporate Services, 325 Farr Drive, P.O. Box 2050, Haileybury, Ontario. P0J 1K0, and in the case of notice to the Tenant, to the premises and deposited in one of Her Majesty's post offices in Haileybury, Ontario, registered and prepaid. The date of receipt of such notice shall be the fourth day next following the date of so mailing by registered mail. Provided that either party may, by notice to the other, designate another address in

Canada to which notices mailed or delivered more than ten days thereafter shall be addressed.

8. Headings

The headings in this lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this lease or any provisions hereof.

9. Effect of Lease

This lease and everything herein contained, shall extend to and bind and may be taken advantage of by the heirs, executors, administrators, successors and assigns, as the case may be, of each (and every) of the parties hereto, and where there is more than one Tenant or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenants shall be deemed joint and several.

In witness whereof the Party of the First Part has hereunto affixed its corporate seal attested by the hands of its duly authorized officers, and the Party of the Second Part has hereunto set its hand and seal by execution under seal by each and every individual comprising the Party of the Second Part.

Signed, Sealed and Delivered in the presence of:

The Corporation of the City of Temiskaming Shores

325 Farr Drive
P.O. Box 2050
Haileybury, Ontario
P0J 1K0

Mayor – Carman Kidd

Clerk – David B. Treen

Dr. Peter Hutten Czapski

95 Meridian Avenue
P.O. Box 2010
Haileybury, Ontario
P0J 1K0

Dr. Peter Hutten Czapski

Witness

Name: _____

The Corporation of the City of Temiskaming Shores

By-law No. 2017-143

Being a by-law to amend By-law No. 2004-132, as amended being a by-law to adopt an Emergency Management Program

Whereas Section 2.1 (1) of the Emergency Management Act, 1990 (hereinafter referred to as the Act) requires every municipality to develop and adopt by by-law an Emergency Management Program;

And whereas Section 2.1 (2) states that the Emergency Management Program shall consist of:

- a) an emergency plan as required by Section 3 of the Act;
- b) training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
- c) public education on risks to public safety and on public preparedness for emergencies; and
- d) any other element required by the standards for emergency management programs set under Section 14 of the Act.

And whereas By-law No. 2004-132, as amended being a by-law to adopt an Emergency Management Program for the City of Temiskaming Shores was passed on November 8, 2004;

And whereas Council considered Memo No. 006-2017-PPP at the November 21, 2017 Regular meeting of Council and directed staff to prepare the necessary by-law to amend By-law 2004-132, as amended for consideration at the November 21, 2017 Regular meeting of Council;

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That Article 1.1 Introduction of Schedule "A" to By-law No. 2004-132, as amended is hereby amended by replacing population of 10,400 with 9,900;
2. That Article 2.2 Authority of Schedule "A" to By-law No. 2004-132, as amended is hereby amended by replacing the second bullet point with:
 - (a) Filed with Ministry of Community Safety and Correctional Services, and the Office of the Fire Marshal and Emergency Management;
3. That Article 3.3 Procedure for Declaring an Emergency of Schedule "A" to By-law No. 2004-132, as amended is hereby amended by replacing (a) with:

- (a) Office of the Fire Marshal and Emergency Management;
- 4. That Under Section Five – Responsibilities of Mayor or Acting Mayor of Schedule “A” to By-law No. 2004-132, as amended is hereby amended by replacing (d) with:
 - (d) Notifying the Office of the Fire Marshal and Emergency Management of the declaration of the emergency, and termination of the emergency, and are kept informed of the emergency situation;
- 5. That the Clerk of the City of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores
By-law No. 2017-144
Being a by-law to provide for Municipal Capital Facilities for
Municipal Housing Project Facilities

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas Subsection 110 (1) of the Municipal Act, 2001, S.O. 2001, c. 25 allows municipalities to enter into agreements for the provision of municipal capital facilities by any person and to authorize certain forms of assistance including tax exemptions;

And whereas pursuant to O. Reg. 603/06 as amended, made under the Municipal Act, 2001 an agreement for the provision of municipal housing project facilities as municipal capital facilities can provide for a tax exemption;

And whereas pursuant to O. Reg. 603-06 as amended, requires that a municipality must pass a municipal housing facilities by-law which is compliant with requirements set out in that regulation prior to passing a by-law authorizing an agreement respecting municipal housing project facilities;

And whereas Council for the City of Temiskaming Shores deems it desirable to provide certain forms of financial or other assistance at less than fair market value as provided in Section 110 (1) of the Municipal Act, 2001, for the provision of municipal housing project facilities as municipal capital facilities on certain terms and conditions and for that purposes enacts this By-law pursuant to paragraph 7 (1)(a) of O. Reg. 603/06

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council adopts a **Municipal Housing Facilities** policy for the City of Temiskaming Shores, identified as Schedule "A", attached hereto and forming part of this by-law;
2. This by-law shall come into full force and effect upon passage;
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-

law and schedule, after the passage of this By-law, where such modification or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2017-000

Municipal Housing Facilities

Section 1 – Definitions of Words and Phrases

Definitions of words and phrases used in this by-law have the following meaning for the purposes of this by-law.

- 1.1 **Act** means the *Municipal Act, 2001, S.O. 2001, c. 25* as amended and regulations thereunder;
 - 1.2 **Affordable Housing** means a Housing Project which meets the guidelines in Subsection 2 (1) or is deemed to be Affordable Housing in accordance with Subsection (2 (2)) of this By-law;
 - 1.3 **Average Market Rent** for any calendar year means the average monthly market rent by unit type, located within the City of Temiskaming Shores as determined and published annually by Canada Mortgage and Housing Corporation in their annual fall housing rental market survey. If Canada Mortgage and Housing Corporation does not publish its fall housing market rental survey of Temiskaming Shores rents for any given year, then "average market rents" for that period shall be the average rents as determined by the Manager of Housing Services of the City of Temiskaming Shores;
 - 1.4 **City** means the municipal corporation of the City of Temiskaming Shores or the geographic area of the City of Temiskaming Shores as the context requires;
 - 1.5 **Council** means the Council of the City of Temiskaming Shores;
 - 1.6 **Household** means an individual who lives alone or two or more individuals who live together;
 - 1.7 **Household Income** means the gross annual income from all sources of all persons who reside in a Housing Unit, or will reside in a Housing Unit if such Housing Unit were rented to them;
 - 1.8 **Housing Project** means a project or part of a project designed to provide or facilitate the provision of rental residential accommodation, with or without any public space, recreational facilities and commercial space or buildings appropriate thereto, which project or part of a project is not a registered condominium or to be registered as a condominium;
 - 1.9 **Housing Provider** means a person with whom the City has entered into or will enter into a Municipal Housing Project Facilities Agreement under Section 6 of this By-law;
 - 1.10 **Housing Unit** means a unit in a Municipal Housing Project Facility;
-

1.11 Municipal Housing Project Facilities means the class of municipal facilities prescribed in paragraph 18 of Section 2 O. Reg. 603-06;

1.12 Municipal Housing Project Facilities Agreement means an agreement compliant with Section 5 of this By-law, entered into with a Housing Provider for the provision of Housing Projects as Municipal Housing Project Facilities as a form of municipal capital facilities;

1.13 Rent Supplemental Agreement means an operating agreement executed between the Housing Provider and the City as a means of increasing the affordability of Housing Units within a Housing Project;

1.14 Unit Size means the size of unit within a Municipal Housing Project Facility or potential Municipal Housing Project Facility, measured by the number of bedrooms;

1.15 Wait List means the wait list maintained by the District of Timiskaming Social Services Administration Board in accordance with the *Housing Services Act, 2011*, regulations under the Act and any policies adopted by the District of Timiskaming Social Services Administration Board in accordance with the Act.

Section 2 – Affordable Housing Defined

For the purpose of this By-law and for a Municipal Housing Project Facilities Agreement "Affordable Housing" shall include all Housing Projects in which the rent charged for each Unit Size, inclusive of utilities but exclusive of parking, telephone, cable and other similar fees, is less than or equal to the Average Market Rent of each Unit Size.

Section 3 – Limits on Municipal Housing Project Facilities Agreement

The City shall not enter into a Municipal Housing Project Facilities Agreement unless:

- a) Council has determined that the Housing Units to be provided as part of the Municipal Housing Project Facilities fall within the definition of Affordable Housing or are deemed to be Affordable Housing; and
- b) a by-law has been passed by Council authorizing an Agreement for Municipal Housing Project Facilities and authorizing the form of financial assistance to be provided.

Section 4 – Limits on Municipal Housing Project Facilities Agreement

- 4.1** Eligibility for the Housing Units to be provided pursuant to a Municipal Housing Project Facilities Agreement shall be determined in accordance with the following:
- a) Housing Units shall be made available initially to Households on the Wait List subject to their ability to pay the affordable rent for the available unit; and
 - b) provided the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board determines that there are not Households available as set out in Article 4.1 a) above, Housing Units may be made available to Households of the general public using a selection system approved by the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board.
- 4.2** Despite Article 4.1 a), under no circumstances shall a Housing Unit be made available:
- a) at a market rent not within the definition of Affordable Housing; or
 - b) to a Household who, at the time the Housing Unit is initially rented to them, has Household Income that is greater than the income levels established by the Chief Administrative Officer of the District of Timiskaming Social Services Administration Board for the given Unit Size.
- 4.3** Housing Units subject to a Municipal Housing Project Facilities Agreement shall not be rented to the Housing Provider or a shareholder or director of the Housing Provider or any individual not at arm's length to the Housing Provider or shareholder or director of the Housing Provider unless:
- a) the Housing Provider is a non-profit co-operative as defined in the *Co-operative Corporations Act*, R.S.O. 1990, c. 35 as amended, or
 - b) the Housing Provider is a not-for-profit corporation.

Section 5 – Terms of Municipal Housing Facilities Agreement

- 5.1** Any Municipal Housing Project Facilities Agreement shall include, but shall not be limited to provisions that:
- a) the term is not less than 20 years;
 - b) each Housing Unit in the Municipal Housing Project Facilities shall, throughout the term of the agreement, qualify as Affordable Housing within the meaning of this By-law;
 - c) the Housing Provider comply with those matters set out in Section 4 of this By-law;
-

- d) the Municipal Housing Project Facilities Agreement is binding on the Housing Provider's heirs, successors and permitted assigns;
- e) during the term of the Municipal Housing Project Facilities Agreement the Housing Provider shall, as a condition precedent to a sale to a subsequent purchaser, require the subsequent purchaser to enter into an agreement with the City and that agreement shall impose the terms of the Municipal Housing Project Facilities Agreement on that subsequent purchaser;
- f) an identification of the benefits being conveyed to the Housing Provider under the By-law;
- g) if the Housing Provider does not carry out its obligations under the agreement, the Housing Provider shall, if demanded, pay to the City the entire amount of the benefits conveyed under the agreement, together with any applicable costs and interest; and
- h) Such other contractual provisions which are required to be inserted based on fundamental contractual drafting principles.

5.2 As a means of increasing the affordability of housing within the Housing Project, the Municipal Housing Project Facilities Agreement may require:

- a) that the Housing Provider enter into a Rent Supplement Agreement with the City; and
- b) in the event that a capital grant of \$10,000 per Unit or more is provided for the Municipal Housing Project Facilities Agreement, affordable rents that are lower than those set out in Section 2 of this By-law.

Section 6 – Financial and/or other Assistance - Conditions

6.1 A Municipal Housing Project Facilities Agreement may, with respect to the provision, lease, operation and maintenance of the Municipal Housing Project Facilities that are subject to the Municipal Housing Project Facilities Agreement provide for financial or other assistance at less than fair market value or at no cost to the Housing Provider with respect of the provision, lease, operation or maintenance of the facilities that are subject of the agreement, and such assistance may include:

- a) giving or lending money and charging interest; and/or
 - b) giving, lending, leasing or selling property; and/or
 - c) giving in-kind municipal services; and/or
 - d) provide an exemption from all or part of the taxes levied for municipal and school purposes on land or a portion of it on which the municipal capital facilities are or will be located on in accordance with Section 110 (6) of the Act.
-

- 6.2** The assistance provided under Article 6.1 of this By-law shall only be in respect of the provision, lease, operation or maintenance of the facilities that are subject to the Municipal Housing Project Facilities Agreement.

Section 7 – Interpretation

- 7.1** Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- 7.2** References to items in the plural include the singular, as applicable;
- 7.3** The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them.
- 7.4** Headings are inserted for ease of reference only and are not to be used as interpretation aids.
- 7.5** Specific references to statutes and regulations in the By-law are meant to refer to the current laws applicable with the Province of Ontario as at the time the By-law was enacted, as they are amended from time to time.
- 7.6** Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first business day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday.
- 7.7** The obligations imposed by this By-law are in addition to obligations otherwise imposed by law or contract.

Section 8 – Severability / Conflict

- 8.1** If any section, subsection, part or parts of this By-law is declared by any court of law to be bad, illegal or ultra vires, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- 8.2** Nothing in this By-law relieves any person from complying with any provisions of any Federal or Provincial legislation or another By-law of the City.
- 8.3** Where a provision of this By-law conflicts with the provisions of another By-law in force in the City, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

Section 9 – Short Title

This By-law may be referred to as the Municipal Housing Facilities By-law.

The Corporation of the City of Temiskaming Shores

By-law No. 2017-145

**Being a by-law to authorize the Disposition of Land to
the District of Timiskaming Social Services
Administration Board, being Part 1 on Plan 54R-6002,
Township of Dymond**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas By-law No. 2015-160 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land;

And whereas Council considered Administrative Report No. CS-040-2017 at the November 21, 2017 Regular Council meeting and directed staff to prepare the necessary by-law for a Purchase and Sale Agreement with the District of Timiskaming Social Services Administration Board as the purchaser and the City of Temiskaming Shores as the vendor for Part 1 on Plan 54R-6002, Dymond Twp. for consideration at the November 7, 2017 Regular Council meeting;

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Council hereby confirms the procedures set forth in By-law No. 2015-160 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law;
2. That Council authorizes the entering into an Agreement of Purchase and Sale between District of Timiskaming Social Services Administration Board as Purchaser and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law;
3. That Council agrees to sell land legally described as: PIN 61336-0480 (LT), more specifically Part 1 on Plan 54R-6002, Dymond Township in the City Temiskaming Shores in the District of Timiskaming and other such considerations outlined in the said agreement;

4. That Council hereby authorizes the Mayor and Clerk to execute any and all other documentation necessary to complete the sale of land transaction.
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A" **Offer to Purchase**

District of Timiskaming Social Services Administration Board,
(as "Purchaser"), having inspected the property, hereby agree to and with

The Corporation of the City of Temiskaming Shores,
(as "Vendor") to purchase the property legally described as:

PIN 61336-0480 (LT);
North ½ of South ½ Lot 9, Dymond Twp.,
being Part 1 of Plan 54R-6002
Temiskaming Shores; District of Timiskaming

consisting of 2,929.0 m² (31,527 ft.²), more or less

(herein called the "Real Property") at the purchase price of Two Dollars (\$2.00) payable to the Vendor, subject to adjustments on the closing date hereinafter set forth.

Release of Information

Vendor authorizes the release of any information relating to the Real Property to the Purchaser and the Purchaser's solicitor by any governmental body or authority and appoints the Purchaser and the Purchaser's solicitor as its agent for the purpose. Without limiting the generality of the foregoing the Vendor consents to the disclosure to the Purchaser and the Purchaser's solicitor of any information relating to the Real Property or the use thereof pursuant to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990. C.F. 31 and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, C. M. 56.

Deficiency Notices and Work Orders

The Vendor represents that as at the date of acceptance hereof the Vendor has not received from any municipal or other governmental authority any deficiency notice or work order affecting the Real Property pursuant to which any deficiencies are required to be remedied or any demolition, repairs or replacements are required to be carried out. If the Vendor receives any such deficiency notice or work order after the date of acceptance hereof, the Vendor shall forthwith produce same to the Purchaser for inspection. If by the date of closing the Vendor has not either (a) complied with such deficiency notice or work order, or (b) settled with the Purchaser any question of an abatement of the purchase price arising out of such deficiency notice or work order, the Purchaser may at his option either (a) accept the Real Property subject to such deficiency notice or work order or (b) terminate this Agreement. In the event of termination as aforesaid, all moneys paid hereunder shall be returned to the Purchaser without interest or deductions.

Adoption of LSUC – OBA Document Registration Agreement

Provided the solicitors for each of the Vendor and the Purchaser are able to complete transactions using electronic registration, the parties agree to complete this transaction using electronic registration, to adopt the LSUC-OBA Document Registration Agreement in use on the Closing Date, and to abide by, and instruct their solicitors to abide by, the closing procedures set forth therein for electronic registration.

Acceptance

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 30th day after the date of signing the offer**, after which time, if not accepted, this Offer shall be null and void and the deposit returned to the Purchaser without interest or deduction.

Title

Title to the Real Property shall be good and free from all encumbrances, except as set out in this Agreement, and except local rates, and except as to any registered restrictions or covenants that run with the land, and subdivision agreements with the municipality, provided the same have been complied with, and except for minor easements for hydro, gas, telephone or like services. Purchaser shall accept the Real Property subject to municipal and other governmental requirements, including building and zoning by-laws, regulations and orders, provided same have been complied with.

Requisitions

Purchaser shall be allowed until closing to investigate the title at his own expense and to satisfy himself that there is no breach of municipal or other governmental requirements affecting the Real Property, that its present use may be lawfully continued and that the principal buildings may be insured against risk of fire. If within that time any valid objection to title or to any breach of municipal or other governmental requirements, or to the fact that the present use may not be lawfully continued, or that the principal buildings may not be insured against risk of fire, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement shall notwithstanding any intermediate acts or negotiations, be null and void and the deposit money returned to the Purchaser, without interest or deduction, and the Vendor shall not be liable for any costs or damages whatever. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the Real Property.

Surveys and Documents

The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except such as are in the possession or control of the Vendor. The Vendor agrees that he will deliver any existing survey to the Purchaser as soon as possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a Chartered Bank, Trust Company, Credit Union or Insurance Company which is not to be assumed by the Purchaser on

completion, is not available in registrable form on completion, the Purchaser agrees to accept the Vendor's solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge out of the balance due on completion.

Closing

This Agreement shall be completed on or before December 31st, 2017 on which date vacant possession of the Real Property shall be given to the Purchaser unless otherwise provided for herein.

Inspection of Property

The Purchaser acknowledges having inspected the Real Property prior to submitting this Offer and understands that upon the Vendor accepting this offer there shall be a binding Agreement of Purchase and Sale between the Purchaser and the Vendor. The Purchaser shall be entitled to inspect the Real Property immediately prior to the date for completion.

Adjustments

Unearned fire insurance premiums, fuel, taxes, rentals and all local improvements and water rates and other charges for municipal improvements to be apportioned and allowed to the date of completion of sale (the day itself to be apportioned to the Purchaser). Provided Purchaser may elect not to accept assignment of fire insurance in which case no adjustment for insurance premiums.

Costs

The deed or transfer, save for Land Transfer Tax Affidavit, to be prepared at the expense of the Vendor in a form acceptable to the Purchaser and if a mortgage or charge is to be given back, it shall be prepared at the expense of the Purchaser in a form acceptable to the Vendor.

Planning Act Compliance

This Agreement shall be effective only if the provisions of Section 50 of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended, are complied with, and the Vendor agrees, at his expense, to comply with such provisions and to proceed diligently with the application for such compliance, if necessary.

The Transfer/Deed of Land to be given to the Purchaser shall contain a statement of the Vendor and the Vendor's solicitor pursuant to section 50(22) of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended.

Spousal Consent

The Vendor represents and warrants that no consent to this transaction is required pursuant to s.21(1) of the *Family Law Act*, R.S.O. 1990, C.F. 3 unless the Vendor's spouse has executed this agreement to consent thereto, and that the Transfer/Deed shall contain a statement by the Vendor as required by section 21(3) of the *Family Law Act*, R.S.O. 1990, C.F. 13 or the spouse of the Vendor shall execute the Transfer/Deed to consent thereto.

Residency of Vendor

Vendor further agrees to produce evidence that he is not now and that on closing he will not be a non-resident of Canada within the meaning of s.116 of the *Income Tax Act* of Canada, or in the alternative, evidence that the provisions of s.116 regarding disposition of property by a non-resident person have been complied with at or before closing, failing which the Purchaser will be credited towards the purchase price with the amount, if any, which shall be necessary for the Purchaser to pay to the Minister of Revenue in order to satisfy the Purchaser's liability in respect of tax payable by the Vendor under S. 116 of the *Income Tax Act* of Canada by reason of the sale.

Facsimile and Electronic Transmission

Either party may execute this agreement by signing a facsimile or electronic transmission thereof. The parties agree that execution by any party of a facsimile or electronic transmission shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile or electronic transmission of the signature of any party as evidence of the fact that the agreement has been executed by that party. In all respects a facsimile or electronic transmission signature may be accepted as having the same effect as an original signature.

Counterpart

This agreement may but need not be executed in counterpart.

Time of Essence

This Offer, when accepted, shall constitute a binding contract of purchase and sale, and time in all respects shall be of the essence in this Agreement.

Construction Timeframe

The Purchaser agrees that in the event that development and construction is not at completed with 3 years of the date of Transfer, ownership shall revert back to the City of Temiskaming Shores.

G.S.T./H.S.T.

This transaction is subject to Goods and Services Tax (G.S.T.) pursuant to the *Excise Tax Act* (Canada) as amended (the "Act") and/or Harmonized Sales Tax (H.S.T.) pursuant to the Act and the *Ontario Tax Plan for More Jobs and Growth Act, 2009*, S.O. 2009, C.34, and such G.S.T./H.S.T. is in addition to and not included in the purchase price.

The Purchaser is registered under the Act and shall provide the Vendor and his solicitor with proof of his G.S.T./H.S.T. registration and an indemnity in a form reasonably satisfactory to the Vendor and its solicitor.

Representations and Warranties

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or the Real Property or supported hereby other than as expressed herein in writing.

Tender

Any tender of documents or money hereunder may be made upon the Vendor or Purchaser or upon the solicitor acting for the party on whom tender is desired, and it shall be sufficient that a cheque certified by a chartered bank or a trust company or the trust cheque of the law firm acting for the party desiring such tender be tendered instead of cash.

Costs of Registration

The Vendor is responsible pay costs of registration and taxes for registration of documents.

Gender

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

Remainder of this page left blank intentionally

Signed, Sealed and Delivered this _____ day of _____, 2017.

in the presence of:

Purchaser: ***District of Timiskaming Social Services Administration Board***

Per: _____
CAO – Don Studholme

Per: _____
Social Housing Manager – Kelly Black

Purchaser's Address:
District of Timiskaming Social
Services Administration
Board
P.O. Box 310
29 Duncan Ave. N.
Kirkland Lake, Ontario
P2N 3H7

Phone: 705-567-9365

We have authority to bind the Corporation.

The Vendor hereby accepts the above offer.

Dated at _____ this _____ day of _____, 2017.

Vendor: ***The Corporation of the City of Temiskaming Shores***

Mayor - Carman Kidd

Clerk - David B. Treen

Vendor's Address:
City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario
P0J 1K0
Attn.: David B. Treen, Clerk
Phone: 705-672-3363
Fax: 705-672-3200

We have authority to bind the Corporation.

Purchaser's Solicitor:

Kemp Pirie Crombeen
P.O. Box 1540
22 Armstrong Street
New Liskeard, Ontario / P0J 1P0
Attn: Katherine Pirie

Phone Number: (705) 647-7353
Fax Number: (705) 647-6473

Vendor's Solicitor:

Kemp Pirie Crombeen
P.O. Box 1540
22 Armstrong Street
New Liskeard, Ontario / P0J 1P0
Attn: Paul Crombeen

Phone Number: (705) 647-7353
Fax Number: (705) 647-6473

The Corporation of the City of Temiskaming Shores

By-law No. 2017-146

**Being a by-law to amend By-law No. 2012-039, as amended
being a by-law to adopt Schedules of Departmental User Fees
and Services for the City of Temiskaming Shores – Schedule
“D” Recreation Fees**

Whereas Section 391(1) of the Municipal Act S.O. 2001, c. 25, as amended, authorizes the Council of a local municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

And whereas the Council of The Corporation of the City of Temiskaming Shores adopted By-law No. 2012-039 on April 3, 2012 to adopt Schedules of Departmental User Fees and Service Charges for the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. RS-010-2017 at the November 21, 2017 Regular Council and directed staff to prepare the necessary by-law to amend By-law 2012-039 (Fees By-law) to increase the hourly arena rental rate for 2018, 2019 and 2020 by 2% to the nearest dollar annually for all categories with the exception of College/Cubs as well as a incorporated a \$40/participant fee for registration into the minor ball program for consideration at the November 21, 2017 Regular Council meeting;

Now therefore The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Schedule “D” to Fees By-law No. 2012-039, as amended be further amended by deleting the ***Haileybury / New Liskeard Arena Hourly Ice Rates*** and replacing it with the following:

Haileybury / New Liskeard Arena Hourly Ice Rates				
Category	Season			
	2017-18	2018-19	2019-20	2020-21
Youth	\$ 94.00	\$ 96	\$ 98	\$ 99
Adult	\$ 130.00	\$ 133	\$ 135	\$ 138
College/Cubs	\$ 110.00	\$ 110.00	\$ 110.00	\$ 110.00
Pick-up/Person	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00
Ball Hockey/Lacrosse	\$ 36.00	\$ 37	\$ 38	\$ 39
School	\$ 46.00	\$ 47	\$ 48	\$ 49
Commercial	\$ 138.00	\$ 141	\$ 144	\$ 147

2. That Schedule "D" to Fees By-law No. 2012-039, as amended be further amended by adding the following:

Minor Sports Program	
Minor Sport	Registration Fee
Minor Ball	\$ 40 / annually

3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2017-147

**Being a by-law to authorize the entering into a lease agreement
with Dr. Peter Hutten Czapski for the rental of space at the
Haileybury Medical Centre**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

Whereas Council considered Administrative Report No. CS-041-2017 at the November 21, 2017 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a three (3) year lease agreement with Dr. Peter Hutten Czapski for the rental of 578 ft² of office space at the Haileybury Medical Center effective January 1, 2018 until December 31, 2020;

And whereas the Council of The Corporation of the City of Temiskaming Shores deems it desirable to enter into an Agreement with the Dr. Hutten Czapski;

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the Mayor and Clerk be authorized to enter into an Agreement with the Dr. Peter Hutten Czapski for the rental of space at the Haileybury Medical Centre, a copy of which is attached hereto as Schedule "A" and forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule A to
By-law No. 2017-147
Agreement between
The Corporation of the City of Temiskaming Shores
and
Dr. Peter Hutten Czapski
for the rental of space at the
Haileybury Medical Center

Lease Agreement

between

The Corporation of the City of Temiskaming Shores

and

Dr. Peter Hutten Czapski

Lease

Kelly Conlin
Director of Corporate Services (A)
The Corporation of the City of Temiskaming Shores
P.O. Box 2050
Haileybury, Ontario
P0J 1K0

This Lease made this 21st day of November, 2017

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called the "Lessor")

And:

Dr. Peter Hutten Czapski
(hereinafter called the "Lessee")

Whereas the Lessor is the owner of the lands described as follows: Part Lot 13 and Part Lot 137, Concession 3, as shown on Plan M-58, Parcel 19899SST in the City of Temiskaming Shores, District of Timiskaming, in the Province of Ontario, (hereinafter called the "Land"), and there is located on the Lands a building (hereinafter called the "Building"), having an entrance off Meridian Avenue in the City of Temiskaming Shores, in the Province of Ontario.

And whereas the parties hereto have agreed to enter into this Lease.

1. Leased Premises

The Lessor hereby demises and leases to the Lessee part of the **upper level** in the Lessor's Building containing a rentable area of, located at 95 Meridian Avenue, City of Temiskaming Shores, Ontario being hereinafter called the "premises".

2. Ingress and Egress

Together with the right of ingress and egress for the Lessee's employees, servants, agents, customers, and invitees, and the use of parking areas, driveways, sidewalks, common loading and stopping areas in and about the Lands and Building (hereinafter called the "common areas").

3. Term

To hold the premises for a term commencing on the 1st day of January, 2018 and ending on the 31st day of December, 2020.

4. Rent

And paying therefore, to the Lessor, subject to the provisions of this Lease, the sum of **Six hundred and thirty four dollars and thirty five cents (\$634.35) per month plus HST**, for year one (1). An increase will be applied to the rental rate according to the Consumer Price Index for year two (2), effective January 1, 2019 and year three (3), effective January 1, 2020. Rent is payable to the City of Temiskaming Shores and due on the first day of each and every month during

the term hereof. Such payment to be mailed to P.O. Box 2050 Haileybury, Ontario P0J 1K0.

And the parties hereto covenant and agree as follows:

5. Tenant's Covenants

The Tenant covenants with the Landlord:

- a) **Rent** - to pay rent;
- b) **Telephone** - to pay when due the cost of the telephone and intercom services supplied to the premises;
- c) **Repair** - to repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to permit the Landlord to enter and view the state of repair and to repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;
- d) **Cost of repair where Tenant at fault** - that if the building including the premises, boilers, engines, pipes and other apparatus (or any of them) used for the purpose of heating or air conditioning the building, or if the water pipes, drainage pipes, electric lighting or other equipment of the building or the roof or outside walls of the building get out of repair or become damaged or destroyed through the negligence, carelessness or misuse of the Tenant, his servants, agents, employees or anyone permitted by him to be in the building (or through him or them in any way stopping up or injuring the heating apparatus, water pipes, drainage pipes, or other equipment or part of the building) the expense of any necessary repairs, replacements or alterations shall be paid by the Tenant to the Landlord forthwith on demand;
- e) **Assigning or subletting** - not to assign, sublet or part with possession of any part of the premises without leave of the Landlord, which leave shall not be unreasonably withheld, and which leave shall not be required in the event of a sublease to add any personnel to the group comprising the Tenant or to a management corporation which may be incorporated by the Tenant;
- f) **Entry by Landlord** - to permit the Landlord or its agents to enter upon the premises at any time and from time to time for the purpose of inspecting and making repairs, alterations or improvements to the premises or to the building, and the Tenant shall not be entitled to compensation for any inconvenience, nuisance, or discomfort occasioned thereby; provided that the Landlord shall give reasonable advance notice to avoid inconvenience to the Tenant, given the private and confidential nature of the profession of the Tenant;

- g) Indemnity** - to indemnify and save harmless the Landlord against and from any and all claims by or on behalf of any person or persons, firm or firms, or corporation or corporations arising from the conduct or any work, by or through any act of negligence of the Tenant or any assignee, subtenant, agent, contractor, servants, employee or licensee of the Tenant;
- h) Exhibiting premises** - to permit the Landlord or its agents to exhibit the premises to prospective Tenants between the hours of 9:00 a.m. and 11:00 p.m. during the last month of the term;
- i) Alterations** - not to make or erect in or to the premises any installation, alteration, addition, or partition without submitting plans and specifications to the Landlord and obtaining the Landlord's prior written consent (in each instance); such work shall if the Landlord so elects, be performed by employees of or contractors designated by the Landlord; in the absence of such election, such work may be performed with the Landlord's consent in writing (given prior to letting of contract) by contractors engaged by the Tenant but in each case only under written contract approved in writing by the Landlord and subject to all conditions which the Landlord may impose; the Tenant shall submit to the Landlord or the Tenant's contractors (as the case may be), when due the costs of all such work and of all materials, labour and services involved therein and of all decoration and all changes in the building, its equipment or services, necessitated thereby; provided, that it is at this time understood by the Landlord that certain equipment is to be installed and to be placed at convenient places as designated by the Tenant;
- j) Name of building** - not to refer to the building by any other name other than that designated from time to time by the Landlord nor use the name of the building for any purpose except as the business address of the Tenant;

6. Landlord's Covenants

The Landlord covenants with the Tenant;

- a) Quiet enjoyment** - for the quiet enjoyment;
- b) Taxes** - to pay all taxes and rates, municipal, parliamentary or otherwise, levied against the premises or the Landlord on account thereof;
- c) Air conditioning** - to install and operate air conditioning units to air condition the premises at the expense of the Landlord;
- d) Electricity and water** - to pay for the electricity and water supplied to the premises;
- e) Janitor service** - to cause, when reasonably necessary, given the professional nature of the Tenant's use of the premises, (from time to time)

the floors and windows of the premises to be vacuumed, swept and cleaned and the desks, tables and other furniture of the Tenant to be dusted, but (with the exception of the obligation to cause the work to be done) the Landlord shall not be responsible for any act or omission or commission on the part of the person or persons employed to perform such work, provided vacuuming, sweeping and dusting to be done daily five days of the week;

- f) **Heat** - to heat the premises;
- g) **Structural soundness** - to keep the premises, common areas and parking lot structurally sound and to look after any structural defects which may arise;

7. Provisos

Provided always and it is hereby agreed as follows:

- a) **Fixtures** - The Tenant may remove his fixtures, but all installations, alterations, additions, partitions and fixtures except trade or Tenant's fixtures in or upon the premises, whether placed there by the Tenant or by the Landlord, shall be the Landlord's property without compensation therefore to the Tenant and shall not be removed from the premises at any time (either during or after the term);
- b) **Fire** - In case of damage to the premises by fire, lightning or tempest, rent shall cease until the premises are rebuilt; and the Landlord, instead of rebuilding or making the premises fit for the purpose of the Tenant, may at its option terminate this lease on giving to the Tenant within thirty days after such fire, lightning or tempest, notice in writing of its intention (so to do) and thereupon rent and any other payments for which the Tenant is liable under this lease shall be apportioned and paid to the date of such fire, lightning or tempest, and the Tenant shall immediately deliver up possession of the premises to the Landlord;
- c) **Damage to property** - The Landlord shall not be liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Tenant or to the employees of the Tenant or to any other person while in the building or in the yard of the building unless such loss, damage or injury shall be caused by the negligence of the Landlord or its employees, servants or agents for any damage to any such property caused by steam, water, rain or snow which may leak into, issue or flow from any part of the building or from the water, steam or drainage of the building or from any other place or quarter nor for any damage caused by or attributable to the condition or arrangement of any electric or other wiring omitted by any other Tenant;
- d) **Impossibility of performance** - It is understood and agreed that whenever and to the extent that the Landlord shall be unable to fulfill, or shall be

delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, goods, equipment, service, utility or labour required to enable it to fulfill such obligations or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control whether of the foregoing character or not, the Landlord shall be relieved from the fulfillment of such obligation and the Tenant shall not be entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned;

- e) **Default of Tenant** - If the rent reserved or any part thereof shall not be paid on the day appointed for payment, whether lawfully demanded or not, or in case of breach or non-observance or non-performance of any of the covenants or agreements or rules or regulations herein contained or referred to on the part of the Tenant to be observed and performed, or in case the premises shall be vacated or remain unoccupied or in case the term shall be taken in execution or attachment for any cause whatsoever, (and in every such case) the Landlord shall be entitled thereafter to enter (into and) upon the premises (or any part thereof in the name of the whole) and the same to (have again), repossess and enjoy as of its former estate, anything herein contained to the contrary notwithstanding;
- f) **Bankruptcy of Tenant** - In case without the written consent of the Landlord the premises shall remain vacant or not used for the period of fifteen days or be used by any other person than the Tenant or for any other purpose than that for which they were let or in case the term or any of the goods and chattels of the Tenant shall at any time be seized in execution or attachment by any creditor of the Tenant or if the Tenant shall make any assignment for the benefit of creditors or any bulk sale of any act (now or hereafter in force) for bankrupt or insolvent debtors (or if the Tenant is a company any order shall be made for the winding up of the Tenant), then in any such case this lease shall at the option of the Landlord cease and terminate and the term shall immediately become forfeited and void and the current month's rent and the next ensuing three month's rent shall immediately become due and payable and the Landlord may re- enter and take possession of the premises as though the Tenant or other occupant (or occupants) of the premises was (or were) holding over after the expiration of the term without any right whatever;
- g) **Distress** - The Tenant waives and renounces the benefit of any present or future statute taking away or limiting the Landlord's right of distress, and covenants and agrees that notwithstanding any such statute none of the

goods and chattels of the Tenant on the premises at any time during the term shall be exempt from levy by distress for rent in arrears;

- h) Right of re-entry** - On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord in addition to all other rights may do so as the agent of the Tenant, using force if necessary, without being liable for any prosecution therefore, and may re-let the premises as agent of the Tenant, and receive the rent therefore, and as agent of the Tenant may take possession of any furniture or other property on the premises and sell the same at a public or private sale without notice and apply the proceeds of such sale and any rent derived from re-letting the premises upon account of rent under this lease, and the Tenant shall be liable to the landlord for any deficiency;
- i) Right of termination by the Tenant** - The lease may be terminated for any valid operational reason with the consent of both parties and upon payment of **three months** rent in lieu of notice.
- j) Right of termination by the Landlord** - On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord, in addition to all other rights, shall have the right to terminate this lease forthwith by leaving upon the premises notice in writing of its intention, and thereupon rent and any other payments for which the Tenant is liable under this lease shall be computed, apportioned and paid in full to the date of such termination, and the Tenant shall immediately deliver up possession of the Premises to the Landlord, and the Landlord may re-enter and take possession of the premises;
- k) Non-waiver** - Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant at any time in respect of any covenant, provision or condition herein contained shall not operate as a waiver of the Landlord's rights hereunder in respect of any subsequent default, breach or non-observance, and shall not defeat or affect in any way the rights of the Landlord herein in respect to any default, breach or non-observance by the Landlord, mutatis mutandis.
- l) Over-holding** - If the Tenant shall continue to occupy the premises after the expiration of this lease with or without the consent of the Landlord, and without any further written agreement, the Tenant shall be a monthly Tenant at the monthly rental herein mentioned and on the terms and conditions herein set out except as to length of tenancy.
- m) Arbitration** - Any dispute between the parties hereto arising out of the provision of this lease shall be referred to the arbitration of three persons, one to be appointed by each of the parties hereto and the third to be chosen by the two so appointed. If either of the parties fails to appoint an arbitrator for 15 days after the one party has appointed an arbitrator and has notified the other party in writing of the appointment and of the matter in dispute to

be dealt with, the decision of the arbitrator appointed by the first of such parties shall be final and binding on both of the parties hereto. If the two arbitrators appointed by the parties hereto fail to agree upon a third arbitrator for 15 days after the appointment of the second arbitrator, either party hereto may apply on 15 days' notice (written) giving the order to a Judge of the District Court of the District of Timiskaming as a *persona designata* to appoint such third arbitrator. The said Judge, upon proof of such failure of appointment and of the giving of such notice, may forthwith appoint an arbitrator to act as such third arbitrator. If any arbitrator refuses to act or is incapable of acting or dies, a substitute for him may be appointed in the manner herein before provided. The decision of the three arbitrators so appointed, or a majority of them, shall be final and binding upon the parties hereto. All costs and expenses of any such arbitration shall be borne by the parties hereto equally;

- n) **Subordination** - This lease and everything herein contained shall be postponed to any charge or charges now or from time to time hereafter created by the Landlord in respect of the premises by way of institutional mortgage or mortgages and to any extension, renewal, modification, consolidation or replacement thereof, and the Tenant covenants that it will promptly at any time during the term hereof as required by the Landlord give all such further assurances to this provision as may be reasonably required to evidence and effectuate this postponement of its rights and privileges hereunder to the holders of any such charge or charges. The Tenant further covenants on demand at any time to execute and deliver to the Landlord at the Landlord's expense any and all instruments which may be necessary or proper to subordinate this lease and the Tenant's rights hereunder to the lien or liens of any such extension, renewal, modification, consolidation, replacement or new mortgage or mortgages, and the Tenant hereby irrevocably constitutes and appoints the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for and on behalf of the Tenant and any assumption of this lease by any assignee of the Tenant named herein shall in itself include this provision so that the assignee assuming this lease does thereby irrevocably constitute and appoint the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for or on behalf of the said assignee;
- o) **Notice** - Any notice required or contemplated by any provision of this lease shall be deemed sufficiently given if contained in writing enclosed in a sealed envelope addressed, in the case of notice of the Landlord, to it, at c/o Corporate Services, 325 Farr Drive, P.O. Box 2050, Haileybury, Ontario. P0J 1K0, and in the case of notice to the Tenant, to the premises and deposited in one of Her Majesty's post offices in Haileybury, Ontario, registered and prepaid. The date of receipt of such notice shall be the fourth day next following the date of so mailing by registered mail. Provided that either party may, by notice to the other, designate another address in

Canada to which notices mailed or delivered more than ten days thereafter shall be addressed.

8. Headings

The headings in this lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this lease or any provisions hereof.

9. Effect of Lease

This lease and everything herein contained, shall extend to and bind and may be taken advantage of by the heirs, executors, administrators, successors and assigns, as the case may be, of each (and every) of the parties hereto, and where there is more than one Tenant or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenants shall be deemed joint and several.

In witness whereof the Party of the First Part has hereunto affixed its corporate seal attested by the hands of its duly authorized officers, and the Party of the Second Part has hereunto set its hand and seal by execution under seal by each and every individual comprising the Party of the Second Part.

Signed, Sealed and Delivered in the presence of:

The Corporation of the City of Temiskaming Shores

325 Farr Drive
P.O. Box 2050
Haileybury, Ontario
P0J 1K0

Mayor – Carman Kidd

Clerk – David B. Treen

Dr. Peter Hutten Czapski

95 Meridian Avenue
P.O. Box 2010
Haileybury, Ontario
P0J 1K0

Dr. Peter Hutten Czapski

Witness

Name: _____



ZONING BY-LAW

By-Law No. _____

DRAFT TWO

FOR PUBLIC REVIEW

NOVEMBER 8, 2017

Prepared by:



City of Temiskaming Shores
Comprehensive Zoning By-law

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City of Temiskaming Shores
Comprehensive Zoning By-law
DRAFT ~~ONE~~TWO - For Public Review

November 8, 2017

Section 1 - Administration and Interpretation

1.1 Title and Application

- 1.1.1 This by-law shall be known as the “City of Temiskaming Shores Zoning By-Law”.
- 1.1.2 The provisions of this By-law apply to all lands, including islands and lands under water, within the boundaries of the City of Temiskaming Shores.

1.2 Conformity and Compliance with By-law

- 1.2.1 No land, *building* or *structure* may be used, erected or altered except in accordance with the provisions of this By-law.
- 1.2.2 In the event of an inconsistency or conflict between two or more provisions in this By-law, the more restrictive provision applies.
- 1.2.3 Any *existing use* or *structure* established in compliance with the provisions of a predecessor of this By-law or in accordance with a variance granted by the Committee of Adjustment continues to be permitted by this By-law. Any new *use* or *structure*, or addition to an *existing structure* shall meet the provisions of this By-law.
- 1.2.4 Any *use* established in contravention or violation of a predecessor of this By-law is deemed to have been established unlawfully and shall not be considered in compliance with this By-law.

1.3 Interpretation

- 1.3.1 The provisions of this By-law are the minimum requirements except where the word “maximum” is used, in which case the maximum requirement applies.
- 1.3.2 Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the City or any requirement of the Province of Ontario or Government of Canada that may affect the use of lands, *buildings* or *structures* in the City.

- 1.3.3 All measurements in this By-law appear in metric. Appendix “A” has been included for information purposes only and the imperial figures are not exact conversions of the metric figures. Reference shall always be made to the metric figures in determining conformity with the By-law.
- 1.3.4 Illustrations have been included in Appendix “B” to assist in providing a visual interpretation of various provisions in the By-law. (NOTE: Illustrations to be provided in a subsequent draft.)

1.4 Administration, Enforcement and Penalties for Contravention

- 1.4.1 This By-law shall be administered and enforced by municipal staff as appointed by the Council of the City.
- 1.4.2 Any designated employee of the City acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any *building or structure* used as a *dwelling unit* without the consent of the occupier, or the authority of a Search Warrant issued pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P33*, as amended.
- 1.4.3 Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the *Planning Act, R.S.O. 1990, c. P. 13*, as amended.

1.5 Severability

- 1.5.1 A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 Technical Revisions to the By-law

- 1.6.1 Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:
- a) Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of a provision.
 - b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks.
 - c) Changes to appendices, footnotes, headings, indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

- d) Minor adjustments to the boundary of the Hazard (HZ) Zone overlay on a property may be made without amendment to the Zoning By-law, where the Official for the City is satisfied that the mapping of the Hazard (HZ) Zone overlay on a schedule is in obvious error.

1.7 Transition Provisions

- 1.7.1 This By-law does not prevent the erection or use of a *building* or *structure* for which a *building* permit was issued prior to the date of passage of this by-law, so long as the *building* or *structure* when erected is used and continues to be used for the purpose for which it was erected and provided the *building* permit has not been revoked.
- 1.7.2 Where the Committee of Adjustment has issued a decision on a variance to any **prior** zoning by-law in the City, the decision of the Committee of Adjustment shall continue to apply.
- 1.7.3 Where a Site Plan Agreement has been entered into prior to the effective date of this by-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

Section 2: Establishment of Zones

2.1 Zones & Zone Symbols

2.1.1 For the purposes of this By-law, the City is divided into the following Zones:

ZONE	SYMBOL
Residential Zones	
Rural Residential	R1
Low Density Residential	R2
Medium Density Residential	R3
High Density Residential	R4
Mobile Home Residential	MH
Commercial Zones	
General Commercial	C1
General Commercial	C1A
Highway Commercial	C2
Neighbourhood Commercial	C3
Tourist Commercial	C4
Industrial Zones	
General Industrial	M1
Manufacturing Industrial	M2
Mineral Aggregate Resource	M3
Waste Management	M4
Agricultural and Rural Zones	
Prime Agricultural	A1
Rural	RU
Other Zones	
Community Facilities	CF
Open Space Recreation	OS
Environmental Protection	EP
Development	D
Mixed Use Zones	
Mixed Use – Boathouse Facility Area	MU-A
Mixed Use – Agricultural Research Station	MU-BA
Overlay Zones	
Mining Constraint	MC
Flood Hazard Constraint	F

2.2 Zone Schedules

2.2.1 The zones set out in Section 2.1 and the boundaries of such zones are shown on the schedules attached to this By-law, being Schedules A1 to L6. The schedules form part of this By-law.

2.3 Zoning of Water and Islands

2.3.1 Where a zone boundary abuts a waterbody, such zone shall be deemed to extend into the waterbody and to apply to any patented water *lots*, Crown lake bed or any land created by changing lake levels, and to extend over all docks, *boathouses*, *boat ports* and any other *structures* appertaining to the *lot*.

2.3.2 All islands not identified as being within a Zone on the Zone Schedules shall be zoned Open Space (OS).

2.4 Site Specific Zones

2.4.1 Where a Zone symbol on the attached Schedule(s) is followed by a dash “-” and a number, such as “R1-17”, the number refers to a site-specific exception that applies to the lands noted.

2.5 Overlay Zones

2.5.1 Where a property is identified within an Overlay zone on the schedules to this by-law, the property shall be subject to the provisions in Section 12.

2.6 Holding Zones

2.6.1 Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number, no person shall use the land to which the letter “H” applies for any *use* other than the *use* which existed on the date this By-law was passed, until the “H” is removed in accordance with the policies of the Official Plan and the provisions of Section 13 of this By-law and/or the requirements of any amending By-law, and the requirements of the *Planning Act*, as amended.

2.7 Determining Zone Boundaries

2.7.1 When determining the location of zone boundaries as shown on any Schedule to this By-law, the following provisions apply:

- a) a boundary indicated as following *lot lines* shown on a registered plan of subdivision, or reference plan, or the municipal boundaries of the City shall follow such *lot lines*;

- b) a boundary indicated as following a highway, street, lane, railway right-of-way, utility corridor or watercourse shall be the centerline of such highway, street, lane, railway right-of-way, utility corridor or watercourse;
- c) where a boundary passes through a *lot* and the distance is not indicated, the Zone boundary shall be measured using the scale of the Schedules;
- d) where none of the above provisions apply, the Zone boundary shall be scaled from the approved Schedules.

Section 3: Definitions

- 3.1** **ABATTOIR:** a slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage, smoking, curing or manufacture of meat by-products and includes indoor confinement of animals while awaiting slaughter but shall not include any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
- 3.2** **ACCESSORY:** a use, building or structure that is commonly incidental, subordinate and exclusively devoted to the principal use, building or structure and is located on the same lot.
- 3.3** **ADULT ENTERTAINMENT PARLOUR:** an establishment in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- 3.4** **AGRICULTURAL PROCESSING ESTABLISHMENT:** the use of land, buildings and structures for the processing and storage of agricultural produce, including the initial cleaning, culling, storing or packing of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, and in preparation for shipment to food processing establishments or market. Without limiting the generality of the foregoing, an agricultural processing establishment shall include a feed and grain mill or a seed mill.
- 3.5** **AGRICULTURAL PRODUCE WAREHOUSE:** a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail use for the sale of such agricultural produce to the general public, but does not include an agricultural processing establishment.
- 3.6** **AGRICULTURAL USE:** general farming and without limiting the generality of the foregoing includes the raising and harvesting of field, bush, tree or vine crops, truck gardening, nurseries, greenhouses, dairying, animal husbandry, raising of poultry, apiaries, and the sale of produce grown on the farm from which the sale is made. A farm residence for the owner of the farm and accommodation for employees engaged in the operation of the farm is permitted.
- 3.7** **AGRICULTURAL PRODUCT SALES OUTLET:** a building, part of a building, or a stand in which farm products produced on the farm are offered for sale at retail, but shall not include ~~an a-slaughter house or~~ abattoir.
- 3.8** **AGRICULTURAL SERVICES:** the use of land, building or structure for the purposes of buying and selling commodities and services that are necessary to support agricultural operations but does not include any manufacturing, assembling, processing, warehousing, or construction uses.
- 3.9** **AGRICULTURAL SUPPLY/IMPLEMENT DEALERSHIP:** a building, structure or area where farm implements, equipment and farm supplies are kept for rental and/or sale at retail and may include

facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

3.10 ALTER:

- a) When used in reference to a *building, structure* or part thereof:
- i. to change any one or more of the external dimensions of such *building* or *structure*; or
 - ii. ~~to change the type of construction of the exterior walls or roof of such *building* or *structure*; or~~
 - iii. to change the *use* of such *building* or *structure*; or
 - iv. to change the number of *uses* or *dwelling units* contained therein.
- b) When used in reference to a *lot*:
- i. to change the boundary of such *lot* with respect to a street or lane; or
 - ii. to change any dimension or area, relating to such *lot*, which is covered herein by a zone provision; or
 - iii. to change the *use* of such *lot*; or
 - iv. to change the number of *uses* located thereon.

~~**3.10 BASEMENT:** that portion of a *building* between two floor levels which is partly below grade and which has more than one-half of its height measured from floor to ceiling above the established grade.~~

3.11 BED AND BREAKFAST ESTABLISHMENT: a *dwelling*, or part thereof of a *dwelling*, in which not more than 4 bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the ~~owner~~ proprietor resides and supplies lodgings with or without meals for the persons so accommodated, but does not include a *boarding house, group home, or tourist establishment*.

3.12 BOARDING HOUSE: premises in which ~~the proprietor resides and supplies~~ accommodation is supplied for remuneration to more than four (4) other persons lodging ~~or with or without meals or both~~, in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants, and shall not include a *hotel, hospital, motel, long term care home or retirement home*.

3.13 BOATHOUSE: a detached *accessory building or structure*, that is located over the lake/river bed or adjacent thereto, which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential *use* permitted on the *lot*.

3.14 BOAT PORT: a detached *accessory structure* used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more than one wall and is built, founded or anchored near, at or over the *shoreline* of a navigable waterway or on land.

3.15 BUFFER AREA: a landscaped or naturally vegetated strip of land devoted exclusively to the provision of visual amenity and a physical barrier between adjacent *uses*.

- 3.16 BUILDING:** any *structure* used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or *fence*.
- 3.17 BUILDING LINE:** a line within a *lot* drawn parallel to a *lot line* ~~and~~ which establishes the minimum distance between that *lot line* and any *building* or *structure*, which may be erected.
- 3.18 BUILDING, MAIN:** The *building* which contains the *principal use* of the *lot* on which the *building* is located.
- 3.19 BUILDING OR STRUCTURE, ACCESSORY:** a detached *building* or *structure* ~~that is not used for human habitation and~~ the use of which is customarily incidental and subordinate to a *principal use*, *building* or *structure* and located on the same *lot*.
- 3.20 BUILDING SUPPLY ESTABLISHMENT:** a *building* or *structure* in which *building* or construction and home improvement materials are offered or kept for sale and may include the fabrication of certain materials related to home improvements, and may include ~~outside~~ *outdoor storage*.
- 3.21 BULK SALES ESTABLISHMENT:** the use of land, *building* or *structure* for the purposes of buying and selling fuels, ice and allied commodities, but does not include any manufacturing, assembling or processing *uses*.
- 3.22 BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE:** a *building* or part of a *building* in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff service clients or patients who seek advice, consultation or treatment, ~~and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.~~
- 3.23 CABIN:** a separate *building* designed to provide only sleeping accommodation for the travelling or vacationing public.
- 3.24 CABIN, HOUSEKEEPING:** a separate *building* designed to provide sleeping accommodations and facilities for the preparation and cooking of food for the travelling or vacationing public.
- 3.25 CARPORT:** ~~an enclosed or~~ a partially enclosed *structure* attached to a *dwelling*, ~~having a minimum of fifty percent (50%) open area~~ with a roof, which is designed or used for the storage of one or more private vehicles.
- ~~**3.26 CELLAR:** that portion of a *building* between two floor levels which is partially or wholly below grade and which has more than one-half of its height measured from floor to ceiling below the established grade.~~
- 3.26 CEMETERY:** land that is set apart or used as a place for interment of human remains, or for the scattering of cremated human remains in accordance with The Funeral, Burial and Cremation Services Act, 2002, and amendments thereto. A *cemetery* may include such *accessory uses* as a mausoleum and columbarium.

- 3.27 CHILD CARE CENTRE:** premises operated by a child care provider licensed under the Child Care Modernization Act, SO 2014, C. 11, to operate a child care centre at the premises. (Replaces Day Nursery)
- 3.28 COMMERCIAL USE:** the use of land, building or structure for the purposes of buying or selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, bulk sales establishments, warehouses and contractors' establishments.
- 3.29 CONSERVATION USE:** land used solely for the preservation and enhancement of the natural environment and may include a conservation area, and fish and wildlife management.
- 3.30 CONTRACTOR'S ESTABLISHMENT:** the premises of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the wholesale or retail sale of building supplies or home improvement supplies.
- 3.31 CONVENIENCE STORE:** a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.
- ~~**3.32 COVERAGE:** that percentage of land or lot area covered by buildings and structures above ground level and excludes that portion of such land or lot area which is occupied by a building or portion thereof which is completely below ground level.~~
- ~~**3.333.32 CREMATORIUM:** a building that is fitted with appliances for cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of The Funeral, Burial and Cremation Services Act, 2002, or a predecessor of it and includes everything necessarily incidental and ancillary to that purpose.~~
- ~~**3.343.33 DAY NURSERY:** a premise that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty four hours, where the children are~~
- ~~a) Under eighteen years of age in the case of a day nursery for children with a developmental disability, and~~
- ~~b) Under ten years of age in all other cases. Replaced by Child Care Centre~~
- 3.33 DOCK:** a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse.
- 3.34 DRIVING RANGE:** a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding golf courses.

- 3.35 DRY CLEANING ESTABLISHMENT:** a *building* or part of a *building* in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or goods of fabric is carried on, using chemicals which emit no odours or fumes *outside the building*.
- 3.36 DWELLING:** a residential *building* designed for the occupancy by one or more persons, containing one or more *dwelling units* as a *principal use* thereof, but shall not include a commercial accommodation in a *tourist establishment, boarding house, mobile home with or without a foundation, or institutional uses*.
- 3.37 DWELLING, APARTMENT:** a *building* containing five or more *dwelling units*, *each unit has an independent entrance either directly or through a common vestibule, but excludes a street townhouse. each unit having common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.*
- 3.38 DWELLING, DUPLEX:** a *building* that is divided horizontally into two *dwelling units*, each of which has an independent entrance either directly or through a common vestibule and which has one set of municipal services and is located on a single *lot*.
- 3.39 DWELLING, MOBILE HOME:** any *dwelling* that is designed to be mobile, *whether or not the running gear has been removed, and* or constructed or manufactured to provide a permanent residence for one or more persons in accordance with C.S.A. Standard Z240, but does not include a travel *trailer* or tent *trailer* or *trailer* otherwise designed to a C.S.A. Standard Z241 or A277.
- 3.40 DWELLING, MODULAR:** a factory built home which is a *single-detached dwelling unit* designed and built to be transported to a site. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space, and will sit on a permanent foundation. *The shortest side of a modular dwelling shall not be less than 6.1 metres in width.* The *modular dwelling* is designed for long term year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A *modular dwelling* does not include a park model *mobile home trailer*, travel trailer, tent trailer or *trailer* otherwise designed to a C.S.A. Standard Z241. For the purposes of this definition, a modular home *having an certified in accordance with an A277 Standard is permitted*required, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.
- 3.41 DWELLING, MULTIPLE:** a *building* containing three or four *dwelling units*, each unit has an independent entrance either directly or through a common vestibule, but excludes a street townhouse.
- 3.42 DWELLING, STREET TOWNHOUSE:** a *building* that is divided vertically by common walls into three or more *dwelling units*, each of which has independent entrances to a *front yard* and *rear yard* immediately abutting the front and rear walls of each *dwelling unit*, which may have separate sets of municipal services and which may be located on separate *lots*.

- 3.43 DWELLING, SEMI-DETACHED:** a *building* that is divided vertically by a common wall into two *dwelling units*, each of which has an independent entrance either directly or through a common vestibule, which may have separate set of municipal services and which may be located on two separate *lots*.
- 3.44 DWELLING, SINGLE DETACHED:** a completely detached *dwelling unit*, ~~to which entrance is gained only by a private entrance outside the building.~~
- 3.45 DWELLING UNIT:** A suite of *habitable rooms* which is located in a *building*, is used or intended to be used in common by the occupants as a single, independent and separate housekeeping establishment; and contains food preparation and sanitary facilities provided for the exclusive common *use* of the occupants thereof.
- 3.46 DWELLING UNIT, SECOND:** A *dwelling unit* permitted under Section 4.17.2, *accessory* to the main *use* of the property and contained within or attached to the *main building* or in the second *storey* of, ~~or attached to~~, an attached *private garage*.
- 3.47 DWELLING UNIT IN A NON-RESIDENTIAL BUILDING:** A *dwelling unit* located within a non-residential *building*, to which entrance is gained either directly or through a common vestibule.
- 3.48 EDUCATIONAL ESTABLISHMENT:** the *use* of lands, *buildings* or *structures* as a training centre, an elementary or secondary school, private school, university or community college authorized by the Province of Ontario.
- 3.49 EQUESTRIAN FACILITY:** a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.
- 3.50 EQUIPMENT SALES, SERVICE AND RENTAL ESTABLISHMENT:** premises in which machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, and which are also serviced, but shall not include any other establishment defined or classified in this By-law.
- 3.51 ERECT:** to build, construct, reconstruct, *alter* ~~and-or~~ relocate and without limiting the generality of the foregoing is taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any *existing building* or *structure* by an addition, deletion, enlargement or extension.
- 3.52 ESTABLISHED BUILDING LINE:** the average *setback* of *existing buildings*. A *building line* is considered to be established when a minimum of 3 *buildings* have been erected on any one side of a continuous 100 metres of land with street frontage.
- 3.53 EXISTING:** a *lot*, *use*, *building* or *structure* lawfully *existing* on the day of the passing of this by-law.
- 3.54 EXTERIOR LIGHTING:** any form of artificial illumination located outside of a *building* or *structure*.

- 3.55 FARM RESIDENCE:** a *single detached dwelling* located on the same *lot* as an *agricultural use* operation and occupied by the owner of the farm or by some person engaged in the operation of the farm.
- 3.56 FENCE:** a *structure* which forms a barrier for enclosing, bounding, delineating or protecting land.
- 3.57 FINANCIAL ESTABLISHMENT:** a *building*, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent, or exchanged, including *accessory* clerical functions and shall include a bank, trust company, credit union, or other similar banking service.
- 3.58 FLOOD HAZARD CONSTRAINT AREA:** the horizontal area bordering a lake, swamp, river, stream, or water course which is subject to flooding.
- 3.59 FLOODPROOFING:** structural changes and /or adjustments incorporated into the basic design and/or construction or alterations of individual *buildings, structures* or properties to protect them from flood damage.
- 3.60 FLOOR AREA:** the total horizontal *floor area* within a *building* which is measured between the exterior faces of the exterior walls or from the centre line of a common wall, but excluding any *private garage, breezeway, porch, verandah, balcony, sunroom, attic, cellar, and any floor area* with a ceiling height less than 2 metres (6.6 feet).
- 3.61 FLOOR AREA, GROSS:** the total *floor area* of all *storeys* exclusive of any part of the *building* or *structure* below finished grade which is used for heating equipment, **or for** the storage or parking of *motor vehicles, breezeways, porches, verandahs, decks, locker storage and laundry facilities, and other non-habitable accessory uses.*
- 3.62 FORESTRY USE:** the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource.
- 3.63 FUNERAL HOME:** a commercial establishment providing funeral supplies and services to the public.
- 3.64 GARAGE, PRIVATE:** an *accessory building* or a portion of the main *dwelling unit* which is designed or used for the storage of one or more private vehicles and the storage of household equipment incidental to *residential occupancy.*
- 3.65 GOLF COURSE:** a public or private area operated for the purpose of playing golf including a par three *golf course* and including such ancillary *uses* as a *driving range, a miniature golf course, or a clubhouse.*
- 3.66 GRADE, ESTABLISHED:** the average elevation of the surface of the ground at the base of a *structure*, exclusive of any embankment in lieu of steps.

- 3.67 GREENHOUSE, NURSERY, GARDEN CENTRE:** the *use* of land, *buildings* or *structures* for the growing, display and wholesale or retail sale of trees, shrubs, flowers, plants and similar vegetation. May also include the display and sale of *landscaping*, lawn and garden equipment, furnishings and supplies. This definition shall not include any premises used for the growing of mushrooms.
- 3.68 GROCERY STORE:** a retail establishment engaged in the business of selling primarily groceries, meat, fruit and vegetables as well as other personal, convenience, and household items to the general public.
- 3.69 GROUP HOME:** a single housekeeping unit in a *dwelling* in which three to ten residents, excluding staff or receiving family, live under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Federal or Provincial statutes.
- 3.70 HABITABLE ROOM:** a room designed for human occupancy with living, dining, sleeping, kitchen, or washroom facilities, and includes an enclosed sunroom or screened room. This definition does not include any private garage, carport, porch, verandah, unfinished attic, or unfinished basement.
- 3.71 HEALTH SERVICES ESTABLISHMENT:** premises which provide health or medical services such as a chiropractor, dental, optometrist, medical clinic, associations or organizations formed to provide medical or health services, but which does not include a *hospital*.
- 3.72 HEIGHT OF BUILDING:** the vertical distance of a *building* measured between the **average established grade** at the exterior walls and:
- i) the highest point of the roof surface of a flat roof;
 - ii) the roof deck of a mansard roof;
 - iii) the mid-point between the eaves and the ridge of a gable, hip, gambrel or other type of pitched roof;
- ~~**3.75 HENS, BACKYARD:** A maximum of 10 hens (no roosters) may be kept in the *rear yard* in a screened and rodent and predator proofed enclosure that is not closer than six metres from a side or rear property line. The hens must be maintained in accordance with good animal husbandry practices as defined by the Ministry of Agriculture, Food and Rural Affairs. The hens and eggs shall be for domestic use only and not for sale.~~
- 3.73 HOME FOR SPECIAL CARE:** a home for the care of persons requiring nursing, residential or sheltered care, and that is licensed and/or inspected as a *home for special care* under the Homes for Special Care Act, RSO 1990, C H12. (replaces residential care facility)
- 3.74 HOME INDUSTRY:** a small-scale *light industrial use*, such as a carpentry shop, metal working shop, a welding shop, an electrical shop, small engine repair or similar *use*, that provides services or wares to the community, including on-line sales and which is an *accessory use* to a *single detached*

dwelling. For the purposes of this By-law, the repairing of *motor vehicles*, mobile homes and *trailers* is not a *home industry*.

- 3.75 HOME OCCUPATION:** a gainful occupation conducted in a *dwelling* which is secondary to the *use* of the *dwelling* as a private residence and the nature and scope of which is compatible with the residential character of the *dwelling*.
- 3.76 HOSPITAL:** any institution, *building* or other premises that is established for the purposes of the treatment of patients and that is approved under the Public Hospitals Act, R.S.O. 1990, Ch. P.40, as amended, as a public *hospital*.
- 3.77 HOTEL/MOTEL:** a commercial establishment that consists of one *building* or two or more connected or adjacent *buildings* consisting of at least four individual rental units which cater to the needs of the travelling public by furnishing sleeping accommodations for remuneration which may or may not supply food, but does not include a ~~rooming or boarding house, an apartment dwelling house,~~ a *group home*, or similar facility.
- 3.78 INDUSTRIAL USE:** the *use* of land, *building* or *structure* designed for the purpose of fabricating, manufacturing, assembling, making, printing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale any goods, substance, article or thing, or any part thereof, including the storage of building and construction equipment and materials, and such *accessory uses* as transportation, wholesaling, storage or shipping, but excluding any obnoxious industry.
- 3.79 KENNEL:** a *building* or *structure* which is municipally licensed where animals are boarded or trained, given medical treatment or housed for similar purposes, for which compensation is paid and shall include a Humane Society shelter or pound.
- 3.80 LANDSCAPING:** any combination of vegetation including trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property, to regulate drainage, and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
- 3.81 LAUNDROMAT:** a *building* or *structure* where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.
- 3.82 LIGHT INDUSTRIAL USE:** the manufacturing, assembly or processing of component parts or finished products suitable for retail trade and does not include industries whose operations involve the emission of any air, water or noise pollution that creates a nuisance outside of the *building*.

- 3.83** **LOADING SPACE:** an area of land which is provided and maintained upon the same *lot* or *lots* upon which the main *use* is located, for the temporary parking of one or more *commercial motor vehicles* while merchandise or materials are being loaded or unloaded from such vehicle(s).
- 3.84** **LONG TERM CARE HOME:** residential premises for persons requiring nursing care and that is licensed as a *Long Term Care Home* under the *Long Term Care Homes Act, SO 2007, C.8.* (replaces Nursing Home)
- 3.85** **LOT:** any parcel of land which can be legally conveyed under the Planning Act, R.S.O. 1990, c P.13, as amended.
- 3.86** **LOT AREA:** the total horizontal area within the *lot* and, in the case of a *corner lot* having *street line* rounding at the corner with a radius of six (6) metres or less, the *lot area* of such *lot* is to be calculated as if the *lot lines* were projected to this point of intersection.
- 3.87** **LOT, CORNER:** a *lot* bounded on two or more sides by one or more *public roads*.
- 3.88** **LOT COVERAGE:** the percentage of the *lot area* covered by all *buildings* and *structures*,
- a) including *accessory buildings*, open decks greater than 2 metres in width, porches and verandahs;
 - b) excluding accessible ramps and lifts, *parking areas*, driveways, open decks less than 0.6 ~~one~~ (+) metre above the *established grade*, walkways, stairways, docks and *swimming pools*;
 - c) excluding underground structures.
- 3.89** **LOT FRONTAGE:** in the case of a *corner lot*, an *interior lot* or a *through lot*, the horizontal distance between the 2 *lot lines* which intersect the *front lot line* of a *lot*, such distance being measured along a line which is parallel to the *front lot line* and distant from the *front lot line* a distance equal to the minimum front *building setback* required herein for the specified *use* in the zone where such *lot* is located.
- 3.90** **LOT, INTERIOR:** a *lot* other than a *corner lot* or a *through lot*.
- 3.91** **LOT LINE:** any boundary of a *lot*.
- 3.92** **LOT LINE, EXTERIOR SIDE:** a *side lot line* that abuts a ~~street~~ *public road* or an unopened municipal road allowance.
- 3.93** **LOT LINE, FRONT:** the *lot line* that divides the *lot* from the *public road*, provided that,
- i) in the case of a *corner lot*, the shorter *lot line* that abuts the *public road* shall be the *front lot line*;
 - b) in the case of a *lot* that abuts a *navigable watercourse*, the *lot line* at the *shoreline* shall be the *front lot line*;

- c) in the case of a *lot* that does not abut a *public road*, the *lot line* where the principal access to the *lot* occurs shall be considered the *front lot line*;
 - d) in the case of a *through lot*,
 - i) where it abuts two streets, the *lot line* abutting the street from which access is primarily gained to the *lot*;
 - ii) where it abuts a street and a *navigable watercourse*, the *lot line* along the navigable waterway.
- 3.94 LOT LINE, INTERIOR SIDE:** a *side lot line* which is not an *exterior side lot line*. ~~does not abut the street on a corner lot.~~
- 3.95 LOT LINE, REAR:** the *lot line* furthest from or opposite to the *front lot line*.
- 3.96 LOT LINE, SIDE:** a *lot line* other than a *front* or *rear lot line*.
- 3.97 LOT, THROUGH:** a *lot* other than a *corner lot*, having separate frontages on two *public roads streets*; or a *lot* other than a *corner lot* having separate frontages on a *public road street* and a waterbody.
- 3.98 MARINA:** a commercial establishment or premises, usually containing docking facilities or mooring facilities where boats or boat accessories are berthed, stored inside or outside, serviced, repaired, constructed or kept for sale or rent and where facilities for the sale of marine fuels or lubricants, *accessory* retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided. A *marina* may include a *Marine sales and service establishment*.
- 3.99 MARINE SALES AND SERVICE ESTABLISHMENT:** a *building* or part of a *building* and associated lands where new and used boats, boat accessories, snowmobiles, and all-terrain vehicles are displayed and offered for sale at retail or for rental, and/or where marine, snowmobile and all-terrain vehicle equipment is serviced or repaired and may include boat storage facilities.
- 3.100 MARKET:** an area of land consisting of *buildings*, stalls, or an open area used primarily for the display and retailing of farm produce, and without limiting the generality of the foregoing, meat, poultry, foodstuffs, wares, or commodities.
- 3.101 MARIJUANA PRODUCTION FACILITY:** The *use* of land, or a *building* or *structure* or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marijuana or cannabis authorized by a license issued by the Federal Minister of Health under the *Controlled Drugs and Substances Act SC 1996, c 19*, as amended, but shall not include any other establishment or *use* as may be defined or classified in this By-law.
- 3.102 MINERAL MINING OPERATION:** Mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

- 3.103 MINIMUM DISTANCE SEPARATION (MDS):** the mathematical tool to determine **the required a recommended** distance between livestock and manure storage facilities and non-agricultural uses, as required by the Ministry of Agriculture, Food and Rural Affairs.
- 3.104 MOBILE HOME PARK:** a parcel of land used for the *use* and occupancy of *mobile home dwellings* and includes all *accessory buildings* necessary to the operation of said park.
- 3.105 MOBILE HOME SITE:** an area of land within a *mobile home park* which is used as the site of, and pertains to, not more than one (1) *mobile home dwelling*.
- 3.106 MOTOR VEHICLE:** a vehicle within the meaning of the *Highway Traffic Act, R.S.O. 1990, c H.8*, as amended.
- 3.107 MOTOR VEHICLE BODY REPAIR SHOP:** an establishment used for making repairs or alterations to the body or paint work of any vehicle. *Accessory uses* may include a towing service and the rental of *motor vehicles* to customers whose *motor vehicles* are being repaired. This definition shall not include a *salvage yard*.
- 3.108 MOTOR VEHICLE, COMMERCIAL:** a *commercial motor vehicle* within the meaning of the *Highway Traffic Act, R.S.O. 1990, c H.8*, as amended.
- 3.109 MOTOR VEHICLE DEALERSHIP:** an establishment for the storage, sale, rental and servicing of new or used vehicles and may include *outdoor storage* of vehicles but all other facilities must be within a *building*.
- 3.110 MOTOR VEHICLE RENTAL ESTABLISHMENT:** a retail establishment for the rental of *motor vehicles* to the general public.
- 3.111 MOTOR VEHICLE SERVICE STATION:** a *building* or a clearly defined space on a *lot* where gasoline, oil, tires, batteries and other similar products for the maintenance of *motor vehicles* may be sold or where vehicles may be oiled, greased and subjected to repairs essential to the actual operation of *motor vehicles*, and includes a fuel bar.
- 3.112 MOTOR VEHICLE TOWING ESTABLISHMENT:** an establishment operating a tow-truck service for compensation, including storage facilities for towed vehicles. For the purposes of this definition, a tow truck is a *motor vehicle* equipped with a boom or booms, winches, slings, tilt beds or similar equipment designed for the towing or recovery of vehicles and other objects, and includes a transporter designed to transport more than one vehicle on a non-emergency basis.
- 3.113 MOTOR VEHICLE WASHING ESTABLISHMENT:** an establishment for washing, cleaning and polishing *motor vehicles* by means of either production line cleaning methods and/or mechanical devices and includes a coin-operated self-service operation but does not include a *motor vehicle service station*, a *motor vehicle body repair shop* or a *motor vehicle dealership* where car washing operations are incidental to the principal activity of business.

- 3.114 NAVIGABLE WATERCOURSE:** any body of water that is capable of affording reasonable passage of watercraft of any description for the purpose of transportation, recreation or commerce, and includes any river, stream or lake considered navigable by law.
- 3.115 NON-COMPLYING:** the *use* of land, *building* or *structure* which does not comply with the provisions and/or standards of this By-law for the zone in which such land, *building* or *structure* is situated
- 3.116 NON-CONFORMING:** a *use*, *building* or *structure* which is not a *use* permitted in the zone in which the said *use* is situated.
- ~~**3.117 NURSING HOME:** a *building* other than a *hospital* in which the proprietor supplies for hire or gain, lodging with nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home, but does not include any other establishment otherwise defined in this By-law. Replaced by “long term care home”~~
- 3.117 OBNOXIOUS USE:** any *use* which shall be a nuisance to the occupants or owners of any neighbouring land or *buildings* by reason of the emission from the said land or any part thereof, or the creation thereon, of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste or depositing or leaving unsightly objects or chattels thereon or otherwise.
- 3.118 OUTDOOR RECREATION, ACTIVE:** a public or private area operated for the purpose of playing golf, *driving ranges*, miniature golf courses, tennis courts, outdoor skating rinks, recreational trails, *public park*, private *park*, ski-lifts and similar *uses*, together with necessary and *accessory buildings* and *structures*, but shall not include a theme park.
- 3.119 OUTDOOR RECREATION, PASSIVE:** the *use* of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include walking trails, natural interpretive facilities, bird and wildlife observation areas and similar *uses* involved in the enjoyment of the natural environment.
- 3.120 OPEN-OUTDOOR STORAGE:** the storage of goods in the open air or in ~~unenclosed unroofed areas~~ or portions of *buildings* which ~~are may be~~ open on the sides, but shall not include a limited display of goods and products for advertising and demonstration purposes.
- 3.121 PARK:** an area permanently devoted to recreational *uses* and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation.
- 3.122 PARK, PUBLIC:** a *park* owned or controlled by a Public Authority or by any Board, Commission or other Authority established under any statute of the Province of Ontario, or the Government of Canada.
- 3.123 PARKING AREA:** An area or *structure* *accessory to a principal use* ~~provided~~ for the parking of *motor vehicles* and includes any related driveways and *parking spaces*, but shall not include any

part of a ~~public road street~~ or lane, or a *parking lot*. This definition may include a *carport* or *private garage*.

- 3.124 PARKING LOT:** ~~an area other than a street~~ Premises used for the temporary parking of ~~two or more~~ motor vehicles as accommodation for visitors, clients, customers, residents or employees whether free or for profit or gain.
- 3.125 PARKING SPACE:** a portion of a *parking area*, exclusive of any driveways, which may be used for the temporary parking or storage of a *motor vehicle*.
- ~~**3.126 PARKING SPACE, OFF-SITE:** a parking space required exclusively for a building, structure or use which is not located on the same lot as such parking space.~~
- 3.126 PERSONAL SERVICE ESTABLISHMENT:** a business which furnishes a service to meet some general need or to benefit the personal needs of individuals, such as a barber shop, beauty salon, *massage therapist* or spa, but excludes *funeral homes* and any manufacturing or fabrication of goods for sale.
- 3.127 PIT:** a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a *wayside pit*.
- 3.128 PLACE OF ASSEMBLY:** a place designed and used to accommodate gatherings of people such as clubs, reception halls, conference centres, legion halls, community halls and lodges, and for events such as trade shows, banquets, and political or other conventions.
- 3.129 PLACE OF ENTERTAINMENT:** the use of a *building*, or part thereof, for a fee for the provision of entertainment or amusement without the necessity of active participation by the user and includes, without limiting the generality of the foregoing, such uses as a movie theatre, auditorium, public hall, billiard or pool room, amusement arcade, dance hall, or music hall, but does not include any *place of entertainment* or amusement otherwise defined or classified in this By-law.
- 3.130 PLACE OF RECREATION:** the use of a *building*, or part thereof, for a fee, for the provision of athletic and amusement facilities involving the active participation of the user in a sports-related activity and includes without limiting the generality of the foregoing, such facilities as racquet courts, fitness clubs, billiard parlours, bowling alleys, arenas, riding stables, or water sports, but shall not include a theme *park*.
- 3.131 PLACE OF WORSHIP:** a *building* dedicated to religious worship and may include such *accessory uses* as a nursery school, an assembly hall, a school of religious education, convent, monastery or parish hall.
- 3.132 PRINCIPAL USE:** the predominant purpose for which any land, *building, structure* or premises, or part thereof, is used, designed, arranged, occupied or maintained.

- 3.133 PRIVATE HOME CHILD CARE DAYCARE:** ~~the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.~~ The provision of temporary care or supervision of children by a child care provider for unlicensed child care or in-home child care, as defined and regulated under the Child Care Modernization Act, SO 2014, C.11.
- 3.134 PRINTING AND PUBLISHING ESTABLISHMENT:** a *building* or part of a *building* in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.
- 3.135 PUBLIC USE:** the *use* of land, *building* or *structure* by a public authority, for the purpose of providing its services to the public, or carrying out its public mandate.
- 3.136 QUARRY:** an area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a *wayside quarry* or open *pit* or mine.
- 3.137 RECREATIONAL VEHICLE:** a vehicle which provides **living, shelter and sleeping accommodation and other facilities** for short periods of time, while travelling or vacationing, designed to be towed behind a *motor vehicle*, or self-propelled, and includes such vehicles commonly known as travel *trailers*, **truck tent** trailers, pickup coaches, motorized campers, motorized homes or other similar vehicles but shall not include a mobile home.
- 3.138 RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT:** a *building*, or part of a *building*, where new or used *recreational vehicles* and related equipment and accessories are displayed for sale or rent in conjunction with which there may be facilities for the servicing of such vehicles.
- 3.139 RECONSTRUCTION OR RENOVATION:** the repair and restoration of a *building* to good condition, but shall not include its replacement.
- 3.140 RECYCLING FACILITY:** a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, are collected to be sorted, and a place where used lumber and used *building materials* are stored for sale or resale.
- ~~**3.141 RESIDENTIAL CARE FACILITY:** an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counseling and social support services and which may include services such as medical, counseling, and personal services.~~ (replaced by Retirement Home and Home for special care)
- 3.141 RESIDENTIAL OCCUPANCY:** the occupancy or *use* of a *building* or part of a *building* by persons for whom sleeping accommodation is provided but who are not harboured or detained there to receive medical care or treatment or who are not involuntarily detained there.

- 3.142 RETIREMENT HOME:** a residential complex that is occupied primarily by persons who are 65 years of age or older, where the operator of the home makes at least two care services available, directly or indirectly, to the residents, and that is licensed as a *retirement home* under the *Retirement Homes Act, SO 2010, C.11*. A residential complex means a building or related group of buildings in which one or more rental units of living accommodation are located, and includes all common areas and services and facilities available for the use of the residents of the complex.
- 3.143 RESTAURANT:** premises where food is offered for sale or sold to the public for immediate consumption and includes such uses as a *restaurant*, dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand.
- 3.144 RESTAURANT, DRIVE-THROUGH-OR TAKE-OUT:** a *restaurant* which serves or is intended to serve patrons seated in a *motor vehicle* parked on a *parking lot* or driveway, ~~or where prepared foods are sold and taken out of the building to be consumed.~~
- 3.145 RETAIL STORE:** a *building* or part thereof where goods, services, wares, merchandise, substances, articles or things are offered or kept for sale or rent by retail directly to the public, but does not include any manufacturing process or construction *uses*. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 3.146 ROAD, PUBLIC:** an improved public highway which affords the principal means of access to an abutting *lot* and, which is dedicated, assumed and/or maintained by and under the jurisdiction of a public authority.
- 3.147 SALVAGE YARD:** a place where *motor vehicles* and ~~other scrap materials and salvage~~ are wrecked or disassembled and resold; ~~a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted, and a place where used lumber and used building materials are stored for sale or resale.~~ (moved to Recycling Facility)
- 3.148 SAWMILL:** a *building* or *structure* used to process wood from raw lumber to another *use* and may include land used for ~~open-outdoor~~ storage of raw *timber* or finished lumber or products.
- 3.149 SELF STORAGE FACILITY:** a commercial establishment consisting of a *building* or group of *buildings* used for the storage of household goods, wares, substances, or articles but shall not include a cartage depot, *transportation depot*, or *warehouse*. A truck body, bus coach, streetcar body or railway car, ~~or other similar body or container~~, whether on wheels or not, shall not be used as part of a self-storage facility. *A storage container may be used as part of a self-storage facility.*
- 3.150 SENSITIVE LAND USE:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, child care centres and educational and health facilities.

- 3.151 SERVICE ESTABLISHMENT:** any *building* or part thereof where household appliances, machinery, and home entertainment equipment are sold, serviced or repaired, but excludes any manufacturing or processing.
- 3.152 SETBACK:** the distance between any *lot line* abutting a *public road* or body of water and the nearest part of any main wall of any ~~main~~-*building* or *structure*.
- 3.153 SEWER AND WATER SERVICES (Full Municipal):** both water and sewage disposal infrastructure that is owned and operated by the City and is designed to adequately service the water and sewage disposal needs of a *use, building* or *lot*.
- 3.154 SEWER AND WATER SERVICES (Partial Municipal):** infrastructure where ~~one of the either~~ water or sewage disposal facilities is owned and operated by the City ~~and the other is privately owned and operated~~, and is designed to adequately service the water ~~and or~~ sewage disposal needs of a *use, building* or *lot*.
- 3.155 SEWER AND WATER SERVICES (Private):** infrastructure on a *lot* which is privately owned and operated, which is designed to service the water and sewage disposal needs of that *lot*, and without limiting the generality of the foregoing, shall include a private septic system and a private well.
- 3.156 SHORELINE:** the line where the normal or controlled high water mark of a *navigable watercourse* meets the land.
- 3.157 SHORELINE BUFFER:** a natural area, adjacent to a *shoreline*, maintained or re-established in its natural predevelopment state (with the exception of minimal pruning of vegetation and the removal of trees for safety reasons) for the purpose of protecting natural habitat and water quality and minimizing visual impact of *buildings* or *structures* on a *lot*. Where the natural *shoreline* of a property is a natural beach or is a rock outcropping with little or no soil, such shall be deemed to comply. A *shoreline buffer* shall not include a grassed or lawn area.
- 3.158 SHIPPING STORAGE CONTAINER:** ~~the unmodified rail or seaway container which is traditionally used for the shipping and transportation of goods and materials.~~
- 3.159 STOREY:** that portion of a *building* or *structure* between any floor level of such *building* or *structure* and the floor, ceiling or roof next above such floor level.
- 3.160 STREET LINE:** any boundary line of a *public road* or highway.
- 3.161 STRUCTURE:** anything that is erected, built or constructed of parts joined together or requiring a foundation to hold it *erect* and located under, on or above ground level, including anything prefabricated on or off the site. For the purposes of this By-law, a *fence* not exceeding ~~1.82~~ metres in height shall be deemed not to be a *structure*. ~~For the purposes of this By-law, a structure~~

includes any shelter, canopy, enclosure or similar *structure* covered with fabric, polyester or similar covering material that is secured to the ground or another *structure*.

- 3.162 SWIMMING POOL:** a *structure* constructed either in-ground or above ground, that is filled with water and used for swimming or recreation.
- 3.163 TOURIST CAMPING ESTABLISHMENT:** the *use* of land, *buildings* or *structures* for commercial camping on a short-term basis where campsites are rented to and used by the travelling public. A *tourist camping establishment* may include *accessory buildings, structures* or facilities incidental to the *principal use*, such as common washrooms, recreational facilities, a *convenience store*, or an *accessory dwelling unit* for the owner or operator. A *tourist camping establishment* does not include the use of a campsite as a *dwelling*, or a *use* otherwise defined by this By-law.
- 3.164 TOURIST ESTABLISHMENT:** the *use* of land, *buildings* or *structures* for the provision of commercial roofed accommodation where commercial accommodation units are offered for rent on a short term or transient basis to the public who is travelling, vacationing, engaged in leisure or recreation, or participating in conventions or meetings. A *tourist establishment* may include *accessory uses, amenities*, services, equipment or facilities, including a *restaurant*, normally incidental to such accommodation. A *tourist establishment* does not include a *dwelling unit* except for a *dwelling unit* for the owner or operator, or staff quarters that are *accessory* to the *principal use*.
- 3.165 TRAILER:** a vehicle that is at any time drawn upon a highway by a *motor vehicle*, another *motor vehicle* or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the *motor vehicle* by which it is drawn.
- ~~**3.166 TRAILER, TRAVEL OR TENT:** a *trailer* designed to be temporarily used for living, shelter and sleeping accommodation, or any vehicle in which the assembly can be erected, while stationary, using the *trailer* body and related components for support and utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is collapsible and compact while being drawn by a *motor vehicle*, but shall not include a mobile home.~~
- 3.166 TRANSPORTATION DEPOT:** an establishment where buses, trucks, or tractor *trailers* are rented, leased, kept for hire, stored or parked for commercial purposes only.
- 3.167 USE:** the purpose for which a *lot, building* or *structure* or any combination thereof is designed, constructed, arranged, occupied or maintained.
- 3.168 VETERINARY ESTABLISHMENT:** premises in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period, but does not include a *kennel* or a research facility

- 3.169 WAREHOUSE:** *A building or structure used for the storage and/or distribution of goods, wares, merchandise, articles and/or things, but does not include any storage and/or distribution of goods connected with any salvage operation.*
- 3.170 WASTE DISPOSAL SITE:** *premises where garbage, refuse or domestic or industrial waste is disposed of or dumped and which is approved by The Ministry of Environment pursuant to the provisions of *The Environmental Protection Act, R.S.O. 1990, c E.19*, as amended.*
- 3.171 WAYSIDE PIT OR WAYSIDE QUARRY:** *a temporary *pit* or *quarry* opened and used by or on behalf of a *public road* authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.*
- 3.172 WIND FACILITY:** *a renewable energy generation facility at which wind is used to generate electricity through the use of one or more wind turbines, as defined in Ontario Regulation 359/09 under *The Environmental Protection Act, R.S.O. 1990, c E.19*, as amended.*
- 3.173 WHOLESALE ESTABLISHMENT:** *the use of land, building or structure for the purpose of selling and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage or warehousing of those goods, wares and/or merchandise.*
- 3.174 YARD:** *that part ~~of~~ of a lot which is open, uncovered and unoccupied between a lot line or the shoreline and a building or structure, other than accessory buildings, structures or uses which are specially permitted by this By-law within a yard.*
- 3.175 YARD, EXTERIOR SIDE:** *a yard extending from the front yard to the rear yard of a lot, between the exterior side lot line ~~immediately adjoining a public road or an unopened public road allowance~~ and the nearest part of the main building, structure or nearest ~~open outdoor~~ storage on a lot.*
- 3.176 YARD, FRONT:** *a yard extending across the full width of the lot between the front lot line and the nearest wall of any ~~principal main~~ building or structure on the lot.*
- 3.177 YARD, INTERIOR SIDE:** *a yard extending from the front yard to the rear yard of a lot, between a side lot line and the nearest part of the main building, structure or nearest ~~open outdoor~~ storage on the lot.*
- 3.178 YARD, REAR:** *a yard extending across the full width of the lot between the rear lot line and the nearest wall of the main building on such lot.*
- 3.179 YARD, REQUIRED:** *the minimum required setback between a lot line and the nearest main wall of the main building on such lot.*
- 3.180 YARD, WATER:** *a yard extending from the high-water mark on any body of water to the nearest wall of any building or structure on the lot.*

Section 4: General Provisions

4.1 Accessory Uses, Buildings and Structures

4.1.1 Permitted *accessory uses*: Where this By-law permits the *use* of land, *buildings* or *structures* for a specific *use*, such *use* shall include any *buildings*, *structures* or *uses* *accessory* to the permitted *use*, subject to the provisions of this by-law for the particular zone in which the *building*, *use* or *structure* is located.

4.1.2 Prohibited *accessory uses*: None of the following *accessory uses* are permitted in any zone unless such *accessory use* is specifically listed as a permitted *use* in such zone:

- A *building* or portion thereof used for human habitation;
- ~~A fuel pump island;~~
- A livestock *building*;
- ~~A marine facility;~~
- An ~~open~~ *outdoor* storage area.

4.1.3 Location on a *lot*: *Accessory buildings*, *uses* or *structures* are permitted in any *interior side* or *rear yard* ~~in any Zone~~ subject to the provisions of this By-law for the particular Zone in which said *building*, *use*, or *structure* is located, and provided that an *accessory building*, *use* or *structure*:

- is not located in the ~~required~~ minimum ~~required~~ *front yard* or ~~the~~ *required exterior side yard*;
- is not located closer than 1.2 metres to any *lot line* except that common semi-detached *private garages* may be located on the mutual *lot line*;
- shall not be located closer than 1.2 metres from another *accessory building* or *structure*, or from the main *building* on the *lot*.

4.1.4 *Main Building to be erected first*: No *accessory building* or *structure* shall be erected on any *lot* until the *main building* has been erected, with the exception of:

- Temporary construction uses during the term of an active building permit for the *principal use*;
- *Private garage* provided a building permit has been issued for the main residential *use*;
- A dock;

- A *lot* zoned Agricultural One (A1) or Rural (RU), in which case a detached *private garage* or storage shed may be erected prior to the erection of the main *building*.

4.1.5 Maximum Coverage: *Accessory buildings and structures* shall not occupy a total area greater than ~~15~~ 10% of the area of the *lot* upon which such *buildings* or *structure* are located. ~~The maximum lot coverage of accessory buildings is included as part of the total permitted coverage on a lot. The maximum lot coverage of all accessory buildings and structures excludes a swimming pool.~~

4.1.6 Accessory Structure encroachments: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, or similar *uses* which comply with this By-law are permitted in any *required yard*.

4.1.7 Shoreline Structures:

4.1.7.1 Identification: *Shoreline structures* refer to *accessory buildings and structures* erected at or near the *shoreline* in the *required yard* located between the *shoreline* and the *dwelling* on any *lot* that abuts a watercourse. They include *buildings and structures* that are on the *lot* and/or attached to the land that forms the bed of a navigable waterway adjacent to the *lot*.

4.1.7.2 Permitted Uses: *Shoreline structures* include a *boathouse, boat port, dock, boatlift, launch ramp, marine railway, pumphouse, deck, gazebo, sauna or hot tub*.

4.1.7.3 Boathouses and Boat ports: A *boathouse* or *boat port* may be erected and used in the *required yard* of a *lot* abutting a *navigable watercourse* provided:

- a) a maximum of one *boathouse* or one *boat port* shall be permitted per *lot* provided the *lot* meets the minimum *lot frontage* requirement of the zone in which it is located;
- b) only single *storey boathouses* shall be permitted;
- c) ~~the roofline of double pitched or hipped roofs will be a maximum of 4.5 metres above the high water mark for a one storey boathouse;~~
- d) a minimum *setback* of 2.0 metres is maintained from the *side lot lines* and/or the straight-line projection of the *lot line* into the water from the *shoreline*; and
- e) ~~a boathouse shall not be used for human habitation.~~

4.1.7.4 Docking Facilities: A *dock, boatlift, launch ramp or marine railway* may be erected and used in the *required yard* of a *lot* abutting a *navigable watercourse* provided all applicable Provincial and Federal statutes and regulations are adhered to and provided a minimum *setback* of 2.0 metres is maintained from the *side lot lines* and/or the straight-line projection of the *lot line* into the water from the *shoreline*.

- 4.1.7.5 Pumphouse:** A pumphouse may be erected and used in the *required yard* of a *lot* abutting a *shoreline* provided it complies with the minimum required *side yard*. A free standing pumphouse shall not exceed a height of 2.0 metres or an area of 9.0 square metres.
- 4.1.7.6 Unenclosed Deck:** A freestanding, unenclosed deck may be permitted within the *required yard* abutting a *shoreline*, provided that the *structure*:
- a) does not exceed 30.0 square metres in *floor area*;
 - b) is located no closer than 5.0 metres to the *shoreline*, except where such deck is attached to a dock; and,
 - c) the deck floor is no more than 1.0 metre from the grade below it.
- 4.1.8 Swimming pools:** A *swimming pool* is permitted in any Zone subject to the following:
- a) In the *side yard* or *rear yard* provided:
 - (i) No interior wall surface of any such *swimming pool* shall be located closer than 1.5 metres to any *rear lot line* or *side lot line*, nor closer than 3 metres to that portion of a *rear lot line* which adjoins a *side lot line* of the adjoining *lot*;
 - (ii) No water circulating or treatment equipment such as pumps or filters shall be located closer than 3 metres to any *side lot line* or *rear lot line*.
 - b) No part of any pool shall be located within 10 metres of the high-water mark of a property abutting a *navigable watercourse*.
 - c) *Fences* around all *swimming pools* shall be provided in compliance with the By-laws of the City of Temiskaming Shores.
- 4.1.9 Antennae, Towers, Satellite Dishes:** Radio and television antenna towers, satellite dishes greater than 1.0 metres in diameter, dish antennas and other similar *structures* are permitted in any zone provided they meet the minimum requirements of the zone in which they exist and are not located in any *front yard* or *exterior side yard*. Satellite dishes 1.0 metres or less in diameter are permitted in any *yard*. This provision does not apply to any federally licensed facilities.
- 4.1.10 Solar Panels:** No ground mounted solar panels are permitted in the Low Density Residential (R2), Medium Density Residential (R3) or High Density Residential (R4) Zones.
- 4.1.11 Wind Facilities:**
- a) Wind facilities are limited to Class 1 wind facilities as defined in Ontario Regulation 359/09, of *The Environmental Protection Act RSO 1990, Ch. E.19*, as amended, and are permitted as an *accessory use* for *personal use* only in the Agriculture One (A1), Rural (RU) and Residential One (R1) Zones;

- b) Wind facilities are only permitted in the *rear yard*, and shall meet all *yard* requirements.

4.1.12 Portable Garage Shelters

- a) The placement or use of a shelter, canopy, enclosure or similar *structure* covered with fabric, polyester or similar covering material designed for the storage of *motor vehicles* shall be in accordance with the following:
 - i) A garage shelter shall comply with all applicable *yard* requirements for an *accessory structure*.
- b) Notwithstanding the provisions of clause (a) (i), above, a temporary garage shelter may be permitted on a driveway in the required *front yard* or *exterior side yard* between November 1 of one year and April 30 of the next following year, provided a minimum 1 metre *front yard setback* is maintained, and the *structure* is removed between May 1 and October 31.

4.2 Adult Entertainment Parlours

4.2.1 ~~Adult Entertainment Parlours are prohibited. A minimum separation distance of 1,000 metres shall be provided between any adult entertainment parlour (where permitted in this by-law) and the following uses defined in this By-law: clinic; educational establishment; dwelling unit; park; place of worship; public use; recreational facility; recreational establishment.~~

~~4.2.2—A minimum separation distance of 1,000 metres shall be provided between any two adult entertainment parlours.~~

~~4.2.3—A minimum separation distance of 750 metres shall be provided between any adult entertainment parlour (where permitted in this by-law) and arterial roads as identified in the City of Temiskaming Shores Official Plan Schedules A to D.~~

4.3 Bed and breakfast establishment:

- 4.3.1 ~~The following provisions apply to any bed and breakfast establishment~~ The *Bed and breakfast establishments* shall be permitted only in the zones indicated in this By-law and shall be clearly *accessory* to the main residential *use* and shall not change the residential character of the *lot* and *dwelling*;
- 4.3.2 No person other than a person residing in the *dwelling* containing the bed and breakfast shall be employed except as is necessary for housekeeping purposes;
- 4.3.3 The *bed and breakfast establishment* shall not have more than four (4) **bedrooms** for overnight guest purposes;

4.3.4 The guest rooms shall not contain kitchen or cooking facilities; and

~~4.3.5 Only one plate or sign, attached to the dwelling or located in the front yard shall be permitted and no flashing or illuminated sign shall be used; and~~

4.3.5 A minimum of one *parking space* for each guest room shall be provided in addition to the parking required for the *dwelling*.

4.4 **Established building line:**

4.4.1 Where a permitted *building* or *structure* or addition is to be erected on a *lot* in a Residential or Commercial zone where there is an *established building line* extending on both sides of the *lot*, 50.0 metres in either direction, such permitted *building*, *structure* or addition may be erected closer to the *front lot line* than required by this By-law, provided such permitted *building* or *structure* is not erected closer to the *front lot line* than the average *setback*, being a line drawn from the corner of each *building* abutting the subject *lot*. This provision does not apply to lands abutting a watercourse or a Provincial Highway.

4.5 **Group home:**

4.5.1 Where a *Group home* is a permitted *use*, the following provisions shall apply:

- a) A *group home* shall only be permitted within a *single detached dwelling*; and
- b) All the provisions of the respective zone in which a *group home* is located shall be complied with.

4.6 **Height Exceptions:**

4.6.1 Nothing in this By-law shall prevent the erection, alteration or *use* of the following *accessory structures*, provided the main *use* is a permitted *use* within the zone in which is it located and all other applicable provisions of this By-law are complied with:

- Air conditioner duct;
- Barn, silo, conveyor or grain elevator used for farm purposes;
- Belfry;
- Bulk storage tank;
- Chimney;
- Church spire;
- Clock tower;
- Drive-in theatre screen;
- Electric power facility (excluding a *building*);
- Elevator enclosure;
- Flag pole;

- Forestry tower;
- Telecommunication tower or antenna;
- *Structure* for crushing, washing, screening or processing relating to an asphalt, aggregate, concrete or cement plant;
- *Structure* containing heating, cooling or other mechanized equipment pertaining to a *building*;
- Water tank;
- Wind turbine.

4.7 **Home industry:**

4.7.1 Where a *Home industry* is a permitted *use*, the following provisions shall apply:

- a) The *lot* on which the *home industry* is located shall have a minimum *lot area* of 1.0 hectare;
- b) There shall be no emission of noise, vibration, odour or dust that is not normally attributable to the *use* of the land for other *uses* permitted in the Zone;
- c) Such *home industry* shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring *buildings* or *structures*;
- ~~d) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.8 metres square, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;~~
- d) The *home industry* shall meet the same *yard* provisions as required for the principal residential *use* for the Zone in which it is located, with the exception of the *interior side yard*, which shall be a minimum of 10.0 metres;
- e) The *use* shall not occupy more than 25% of the *gross floor area* of a *dwelling*, or where located in an *accessory building*, shall not occupy more than 140.0 square metres of *gross floor area*;
- f) A maximum of three (3) employees, one of whom must reside in the *dwelling*, may be employed on site in the *home industry* and additional employees may be employed off-site;
- g) Any permitted *open outdoor storage* shall be screened from view;
- h) A landscaped buffer shall be provided on the *lot* in accordance with the provisions of this By-law;
- i) There shall be no goods, wares or merchandise offered for sale or rent from the *dwelling* which are not manufactured or processed on the property;
- j) One (1) off-street *parking space* shall be provided for each 28 square metres of *floor area* devoted to said *use* in addition to that required for the *dwelling* and,

- k) The *home industry* shall be subject to site plan control to regulate storage and *accessory buildings*.

4.8 **Home occupation:**

4.8.1 Where a *Home occupation* is a permitted *use*, the following provisions shall apply:

- a) The *home occupation* shall clearly be secondary to the main residential *use* of the property and shall not change the residential character of the *dwelling*;
- b) There shall be no emission of noise, vibration, odour or dust that is not normally attributable to the *use* of the land for other *uses* permitted in the Zone;
- c) Such *home occupation* shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring *buildings* or *structures*;
- d) Such *home occupation* shall not include ~~a medical clinic, a private hospital,~~ a long term care home, a boarding house, a restaurant or a veterinary clinic, but may include a business, ~~or~~ professional or administrative office and a *health services establishment* that complies with the provisions of this subsection;
- ~~e) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.5 metres square, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;~~
- e) The *home occupation use* shall be conducted entirely within the *dwelling*, or within a detached *accessory building*;
- f) The *home occupation use* shall not occupy more than 25% of the *gross floor area* of a *dwelling*;
- g) Such *use* is conducted by a person or persons residing in the *dwelling* and a maximum of one employee employed on site who does not live in the *dwelling*;
- h) There shall be no ~~outside outdoor~~ storage of equipment, goods or materials associated with the *home occupation use*;
- i) There shall be no goods, wares or merchandise offered for sale or rent from the *dwelling* which are not manufactured or processed on the *lot* with the exception of a limited number of complementary associated products; and,
- j) One (1) off-street *parking space* shall be provided. for each 28 square metres of *floor area* devoted to said *use* in addition to that required for the *dwelling*.

4.9 **Landscaping and Buffers:**

4.9.1 A minimum 1.5 metre landscaped buffer shall be provided along a side or *rear lot line* of a Commercial, Industrial or High Density Residential (R4) Zone where it abuts a Residential zone.

- 4.9.2 *Landscaping* shall be provided, planted or located, and maintained in a healthy condition by the owner of the land on which the *landscaping* is located. Every landscaped buffer shall consist of a solid and unbroken planting of shrubs or trees the ultimate height of which is not less than ~~1.8~~ 2.0 metres or a privacy *fence*. Such plant material shall not be less than 1.0 metre in height when planted. For the purposes of this section, a privacy *fence* means any barrier or *structure* constructed of wood, stone, metal, brick or other similar materials or combinations of such material, which is erected for the purpose of screening, safeguarding, retaining or enclosing property.
- 4.9.3 Where a *lot* abuts a watercourse, a *shoreline buffer* shall be restored and maintained across a minimum of 50% of the *lot*, and shall maintain a minimum width of 7.5 metres.
- 4.9.4 In all Commercial, ~~Industrial~~, Community Facility (CF) or High Density Residential (R4) Zones, a minimum 1.5 metre wide landscaped buffer shall be provided along the full outer perimeter of any *parking lot* containing more than 10 *parking spaces*. A driveway may cross the landscaped buffer.

4.10 Lighting:

- 4.10.1 Lighting fixtures designed to provide exterior illumination on any *lot* shall be installed with the light directed or deflected away from adjacent *lots* and streets and in such a manner as to not confuse or distract persons driving vehicles on such streets, and shall be directed downward.

4.11 Minimum distance separation (MDS) for Farms:

- 4.11.1 Notwithstanding any other *yard* or *setback* provisions of this By-law to the contrary, the following provisions apply to those lands located outside of the settlement area boundaries as identified on the Schedules to this By-law:
- a) New non-agricultural development in proximity to *existing* livestock operations must comply with provincial MDS regulations regarding *minimum distance separation* (Formula I)
 - b) The development of new livestock facilities or the expansion of *existing* livestock facilities must comply with provincial MDS regulations regarding *minimum distance separation* (Formula II)
 - c) Development is permitted for one detached *dwelling* on a vacant *lot* in existence as of the date of adoption of this by-law, provided that the *dwelling* is located the furthest distance possible from the livestock operation and that the applicable zone *setback* provisions are complied with.
 - d) *Existing* non-farm residential uses may be replaced where destroyed by a catastrophic event and are exempt from the MDS Separation formulae calculations, **provided the replacement meets the exemptions of the Minimum Distance Separation (MDS) implementation guidelines.**

- e) Reference should be made to the *Minimum distance separation* Formulae as developed by the Ontario Ministry of Agriculture and Rural Affairs, as amended from time to time, in completing the required calculations.

4.12 **Motor vehicle service stations and Fuel Pump Islands**~~Bars:~~

4.12.1 No portion of any fuel pump island, fuel pump island canopy or kiosk, shall be located closer than 3.0 metres to any *lot line*.

~~4.12.2 No portion of any access driveway shall be located closer than 10 metres to the intersection of any two roads;~~

~~4.12.3 The minimum distance between access driveways shall be 10.0 metres;~~

~~4.12.4 Except for the access driveways, an area not less than 1.0 metre in width along the front lot line shall be used for landscaping;~~

4.12.2 All repair and mechanical servicing of *motor vehicles* shall be conducted within a wholly enclosed *building* ~~and there shall be no outdoor storage permitted with the exception of vehicles awaiting repair or pick-up following repair.~~

4.13 **Multiple Uses on One Lot**

4.13.1 Where any land, *building* or *structure* is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such *use* shall be complied with.

4.14 **Multiple Zones on One Lot**

4.14.1 Where a *lot* is divided into more than one Zone under the provisions of this By-law, each such portion of the *lot* shall be used in accordance with the provisions of this By-law for the zone where such portion of the *lot* is located. Each such portion of the *lot* shall be considered as a separate *lot* for the purpose of determining zone provisions. However, not more than one *dwelling unit* shall be permitted on the entire *lot*, except where specifically permitted in this By-law.

4.15 **Non-complying Lots, Buildings and Structures**

4.15.1 **Existing undersized lots:**

- a) Where a *lot*, having a lesser *lot area* or *lot frontage* than that required:
- (i) is held under distinct and separate ownership from abutting *lots* or was legally created prior to the passing of this By-law; or,
 - (ii) is created as a result of an expropriation; or

- (iii) is created as a result of a natural severance such as the presence of a *public road*, a navigable waterway or a railway;

then the *lot* shall be deemed to conform to the requirements of this By-law with respect to the *lot area* or *lot frontage*, and the provisions respecting *lot area* and *lot frontage* shall not apply to prevent a permitted *use, building* or *structure*, provided that all other applicable provisions of this By-law are complied with and provided that a sewage disposal system (where required) can be installed on the lands.

- b) Where lands are added to an *existing* undersized *lot* that complies with (a) above, the resulting *lot* shall be deemed to comply with (a) above.

4.15.2 Reconstruction and Repair of *Existing Non-complying Buildings and Structures*:

- a) Where in any Zone, a *non-complying building* or *structure* is destroyed by fire or natural disaster, such *non-complying building* or *structure* may be reconstructed provided the situation of non-compliance is not increased.
- b) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any *non-complying building* or *structure* lawfully used on the date of passing of this By-law, provided the situation of non-compliance is not increased.

4.15.3 Addition, Extension or Enlargement of *Existing Non-complying Buildings and Structures*:

- a) The enlargement, extension or addition to a legal *non-complying building* or *structure* may be permitted, provided:
 - (i) the situation of non-compliance is not further increased;
 - (ii) the amount of *floor area* in a *required yard* is not increased by more than ~~10%~~ 25% from the date of passing of this By-law; and,
 - (iii) all other applicable provisions of this By-law are complied with.

4.15.4 **Interior Alterations:** Nothing in this By-law shall prevent the interior alteration of a legal *non-complying building* or *structure*.

4.16 *Non-conforming Uses*

4.16.1 **Continuation of Use:** The provisions of this By-law shall not apply to prevent the *use* of any *lot, building* or *structure* for any purpose prohibited by the By-law if such *lot, building* or *structure* was lawfully used and legally established for such purposes on the date of the passing of this By-law so long as it continues to be used for that purpose and the *use* has not been discontinued.

4.16.2 **Change of Use:** No change in the *use* of any land, *building* or *structure* shall be permitted, unless such change in *use* complies with the permitted *uses* within the zone in which such

land, *building* or *structure* is located or unless such change has been approved through the provisions of the *Planning Act, R.S.O 1990, Ch. P. 13*, as amended.

- 4.16.3 **Exterior Extensions:** No *building* or *structure*, which at the date of passing of this By-law was used for a purpose not permitted within the zone in which it is located, shall be enlarged or extended unless such *building* is thereafter to be used for a purpose permitted within such Zone and complies with all requirements of the By-law or unless approved through the provisions of the *Planning Act, R.S.O. 1990, Ch. P. 13*, as amended.
- 4.16.4 **Reconstruction or Repair of Existing Non-conforming Buildings and Structures:** Where a *building* or *structure* containing a legal *non-conforming use* is damaged or destroyed, the reconstruction or repair of the *building* or *structure* is permitted provided the reconstruction or repair does not increase the original footprint, *building* size or height or change the location.
- 4.16.5 **Permitted accessory buildings:** Nothing in this section prevents the construction of *accessory buildings* or *structures* provided they meet the applicable *yard* requirements of the zone in which they are located.
- 4.16.6 **Interior Alterations:** Nothing in this By-law shall prevent the interior alteration of a legal *non-conforming building* or *structure*.

4.17 Number of Dwelling Units Per Lot:

- 4.17.1 Not more than one *dwelling unit* may be built on any *lot* except where specifically permitted in a particular zone.
- 4.17.2 **Second dwelling unit:** ~~Notwithstanding any other provisions of this By law regarding the number of dwelling units on a single lot, Where a second dwelling unit is permitted as an accessory use to a in any single detached dwelling, or semi-detached dwelling in any Residential Zone, and in the Rural (RU) and Agricultural One (A1) Zones, subject to the~~ following provisions shall apply:
- a) The *second dwelling unit* is located within a permitted *single detached dwelling* or a *semi-detached dwelling*, or in the second storey of or attached to a detached *private garage*;
 - b) Only one (1) *second dwelling unit* may be created on the *lot*; ~~within the main dwelling unit;~~
 - ~~c) A second dwelling unit is not permitted if the lot also contains a garden suite;~~
 - c) The maximum *floor area* of a *second dwelling unit* shall not exceed ~~75% of~~ the *gross floor area* of the *main dwelling unit*;

- d) ~~The second dwelling unit shall be an integral part of the main dwelling unit and be designed to maintain the general character of the dwelling and surrounding neighbourhood;~~
- e)d) The second dwelling unit and main dwelling shall meet all other applicable provisions of this By-law and any other servicing, fire, health, safety, or occupancy regulations or by-laws; and
- f)e) A minimum of one parking space is provided for the second dwelling unit., and does not result in a separate driveway being required.

4.18 Outdoor Boiler or Wood Furnace

- 4.18.1 An outdoor boiler or wood furnace may be permitted on a lot ~~greater than 1.0 hectare in area and~~ located in the Rural (RU), Agriculture One (A1) or Rural Residential (R1) zones, subject to the following requirements:
- located behind the front wall of the dwelling;
 - located a minimum 15 metres from any property line; and
 - the minimum height of a chimney/stack shall be ~~3.25~~ 3.5 metres.

4.19 Outdoor Storage, Display of Goods and Material

- 4.19.1 **Outdoor Storage:** Where outdoor storage is permitted, the following provisions shall apply:
- Outdoor storage complies with all yard requirements ~~except in the General Industrial (M1) and Manufacturing Industrial (M2) zones;~~
 - Any portion of a lot used for ~~outside-outdoor~~ storage is screened from adjacent uses and streets adjoining the lot by a building, planting strip, and/or fence ~~erected in accordance with the Fence By-law; and a minimum at least 1.8 metres in height from the ground;~~ and,
 - The area used for outdoor storage shall be in addition to the areas required for parking, loading and landscaping.
- 4.19.2 **Outdoor Display of Goods and Materials:** Where outdoor display and sale of goods and materials is permitted, the following provisions shall apply:
- Such outdoor display and sale shall be accessory to a commercial use carried on in an enclosed building, or portion thereof, on the same lot;
 - The area used for outdoor ~~outside~~ display and sale shall be in addition to the areas required for parking, loading and landscaping; and,

- c) The area used for ~~outside outdoor~~ display of goods and materials shall comply with the *yard* requirements for the zone in which the land is situated.

4.20 Permitted Encroachments in Yards:

4.20.1 Every part of any *yard* required by this By-law shall be open and unobstructed by any *structure* from the ground to the sky except that those *structures* listed in Table 4.1 shall be permitted to project from the main *building* or *accessory building* into the minimum *yards* required by this By-law for the following specified distances:

TABLE 4.1 - PERMITTED ENCROACHMENTS IN YARDS

<i>Structure</i>	<i>Yards in which projection is permitted</i>	<i>Maximum projection from main wall permitted</i>	<i>Minimum Distance from Lot line</i>
Sills, belt courses, cornices, eaves or canopies, gutters, chimneys or pilasters	<i>Any yard</i>	1.0 metre	0.5 1.0 metre
Fire escapes	Rear and exterior side yard only	1.0 metre	no minimum
Exterior staircases	<i>Any yard</i>	2.0 metres No maximum	No minimum
Window bays	<i>Any yard</i>	2.0 metres over a maximum width of 4.0 metres	1.0 metre
Balconies	<i>Any yard for apartment dwellings or multiple dwellings;</i> <i>Front, rear and exterior side yards only for all other dwellings</i>	2.0 metres	2.0 metres
Open Roofed or unroofed porches not exceeding one storey in height; Uncovered terraces.	<i>Any yard</i>	3.0 metres including eaves and cornices	2.0 1.2 metres side yard 4 metres front, exterior side or rear yard
Raised Decks	<i>Rear and side yards</i>	6.0 metres	1.2 2.0 metres;

<i>Structure</i>	<i>Yards in which projection is permitted</i>	<i>Maximum projection from main wall permitted</i>	<i>Minimum Distance from Lot line</i>
			12 metres from any <i>shoreline</i>
Barrier Free access ramps and/or lifting devices	<i>Any yard</i>	No maximum	No minimum

4.21 Permitted Uses in All Zones:

4.21.1 The following *uses* are permitted in any zone:

- ~~a) a telephone booth;~~
- ~~b) a tool shed, scaffold or other such building or structure incidental to any construction, provided it is located on the premises where such work is under way, until such construction has been finished or abandoned;~~
- a) a temporary sales office in a plan of subdivision or condominium description incidental to construction and sale of *lots*, units or *buildings* in such development until construction has been finished or discontinued for sixty (60) days, but no such sales offices shall be established within 30 metres of any occupied *dwelling*;
- b) a *trailer*, a temporary construction *structure* incidental to construction and used temporarily for office or storage purposes, provided that the *trailer* or camp is located on the same *lot* as the construction and in compliance with the *yard* requirements for the zone in which is it located and provided the *trailer* or *structure* shall not be located on the premises until a *building* permit for said construction has been issued and the *trailer* or *structure* shall be removed upon the completion or discontinuance of construction;
- c) a ticket office to serve a vehicle *parking lot*;
- d) a receiving/transmitting tower or any steel tower used for signaling purposes and associated *buildings*, provided ~~the tower and buildings are located at a minimum distance of 150 metres from the boundary of a residential zone, and provided the minimum lot area is 2 hectares and all other~~ all Federal regulations are complied with;
- e) decorative walls, *fences*, planting strips, walkways and other *landscaping structures* subject to the regulations contained herein;
- f) recreational trails and minor associated *structures* including outdoor sports courts/fields;
- g) a *conservation use*;

- h) a *public park*;
- i) flood or erosion control facilities.

4.22 Pits and Quarries:

4.22.1 The making, establishment or operation of *pits* or quarries is prohibited within the area covered by this By-law, except in the locations specifically permitted by this by-law, and in accordance with the provisions of this By-law. No person shall use land or *erect* any *building* or *structure* for processing, blasting, washing, screening, sorting or crushing rock, sand or gravel, except as expressly provided for in this By-law.

4.23 Prohibited Uses/Activities:

4.23.1 Except as otherwise specifically permitted in this By-law, the following *uses* are prohibited in any zone:

- a) The *use* of any *motor vehicle*, truck, bus, coach, railway car or street car body for human habitation.
- b) The *use* of school portables for human habitation;
- c) The *use* of any cargo or *storage container*, ~~truck, truck trailer, bus, or coach body~~ for human habitation;

~~d) The storage of derelict vehicles, cargo, storage or storage containers, streetcars, truck bodies, or trailers except where specifically permitted by this By-law;~~

~~e)d)~~ The parking or storage of boats, *trailers* or commercial and non-commercial *motor vehicles* on a vacant *lot*;

~~f)e)~~ Tracks or other areas developed for the racing or running of motorcycles, all-terrain vehicles, snowmobiles, or other motorized *recreational vehicles* ~~unless specifically permitted by this By-law~~. This is not intended to interfere with any lawful *use* of a *public road* or highway, or enjoyment of private property by the owners or tenants of such property or the *use* of an organized trail approved by the City;

~~g)f)~~ The manufacturing, refining, rendering, **bulk** storage or distillation of fertilizers, oil, glue from organic sources, acids, ammonia, chlorine, coal, creosote, explosives, petroleum, tar, fireworks, ammunition, ~~glue~~, petroleum, tar, **radioactive, hazardous waste, hazardous biological waste, or liquid industrial waste, combustible, explosive, inflammable, or dangerous liquids, gases,** or other hazardous materials unless specifically permitted as a *use* in this By-law or stored for sale in direct association with a permitted *use* in the Zone and on the property on which the permitted *use* occurs;

~~h) The bulk storage of industrial chemicals and the storage of radioactive, hazardous waste, hazardous biological waste, or liquid industrial waste unless specifically~~

~~permitted by this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;~~

~~i) The manufacturing or bulk storage of combustible, explosive, inflammable, or dangerous liquids, gases, or materials unless specifically permitted as a use in this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;~~

~~j)g) Rendering of fats or animal products, a tannery, or an abattoir unless specifically permitted.~~

4.24 Public road ~~Frontage, Private Road, Condominium Access or Navigable Waterway:~~

4.24.1 **Frontage on a Public road:** No person shall *erect* any *building* or *structure* in any zone unless the *lot* fronts upon and is directly accessible from a municipally maintained *public road*.

4.24.2 **Unassumed Road:** The provisions of this By-law shall not apply to prevent the erection of a permitted *building* or *structure* on a *lot* in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the City where the street or streets will not be assumed by the City until specified in the agreement.

4.24.3 **Condominium Access:** Notwithstanding Section 4.27.1 where a *lot* is developed by condominium description, the *lot frontage* and access may be on a private road for individual units within the condominium description.

4.24.4 **Existing Lots not on a Public Road:** For a *lot* which does not front on a municipally maintained *public road*, but contains a legally *existing building* or *structure*, the *rebuilding*, repair or replacement of such *building* or *structure* is permitted provided it is in accordance with the provisions of Section 4.15 and 4.16.

4.24.5 **Water Access only lots:** This section does not apply to development on a lot on an island or on a navigable waterway, where there is no public road access

4.25 Public uses:

4.25.1 The provisions of this By-law shall not apply to the *use* of any land or to the erection or *use* of any *building* or *structure* for public service by the City or by any local Board, any department of the Government of Ontario or Canada, including any electrical distribution company, telephone, telegraph or gas company, or any railway provided that:

a) The *lot coverage*, *setback* and *yard* regulations prescribed for the Zone in which such land, *building*, or *structure* is located are complied with;

- b) No goods, materials, or equipment are stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone.

4.25.2 Nothing in this By-law prevents the use of land for a *public road* or prevents the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, transit shelter, or overhead or underground hydro or telephone lines.

~~4.26~~ **Sight Triangles**

~~4.26.1 **Street Intersections:** Notwithstanding any other provisions of this By-law, in any corner lot, no building, structure, berm, fence, tree, hedge, or shrub with height exceeding 1.2 metres above the grade of the road, shall be erected within the triangular space measured along the street lines for a distance of 9 metres from their point of intersection;~~

~~4.26.2 **Railway Intersections:** Where any public street crosses a railway at the same grade, no building, structure, berm, fence, tree, hedge or shrub with a height exceeding 1.2 metres above the grade of the road or railway shall be erected within 20.0 metres of the point of intersection of the centre line of both the railway and the street. (Regulated by the City's Access Control Policy)~~

4.26 Special Setback Requirements

4.26.1 Provincial Highways:

- a) Notwithstanding any other provision in this By-law, properties located adjacent to a provincial highway will be subject to the *setback* requirements of the Ministry of Transportation.
- b) In addition to all applicable municipal requirements, all proposed development located in proximity of a provincial highway, within Ministry of Transportation permit control area, will be subject to the approval of the Ministry of Transportation. A Ministry of Transportation permit shall be obtained prior to any construction being undertaken.

4.26.2 Railway Right-of-Way: No residential or other sensitive land use shall be located within 100 metres of a railway right-of-way unless ~~appropriate studies are a noise and vibration study, or other technical study is~~ completed to the satisfaction of the City, in which case the *setback* shall be as recommended in the approved study, ~~provided the development meets all other requirements of this By-law.~~

4.26.3 Pipelines: No ~~principal main~~ *building* or *structure* shall be located within 7.0 metres of a Pipeline right-of-way. No *accessory building* or *structure* shall be located within 3.0 metres of a Pipeline right-of-way.

4.26.4 Watercourses: Unless otherwise specifically established in this By-law, *buildings* and *structures* shall be *setback* a minimum of 15.0 metres from any *navigable watercourse*

and 10.0 metres from any other identifiable watercourse (excluding a municipal drain), with the *setback* to be measured from the high-water mark.

4.26.5 **Setback from Top of Bank and EP zone boundaries:**

- a) Notwithstanding any other provision of this By-law, the minimum *setback* from the top of bank is 10 metres, or 10 metres from the edge of the Environmental Protection Zone, whichever is greater. **For the purposes of this section, top of bank means the line which defines the transition between tableland and sloping ground at the crest of a slope associated with a watercourse, and may be determined by an approved geotechnical study.**
- b) Where a geotechnical study stamped by a Professional Engineer and approved by the City indicates that development can occur within the *setback* without any impact on the bank stability or an Environmental Impact Study indicates that development can occur adjacent to the lands zoned Environmental Protection without negative impact on the natural feature, the *setback* shall be as recommended in the study, provided the development meets all other requirements of this By-law.

4.27 **Storage Container Regulations**

4.27.1 No person shall place or use a modified or unmodified *storage container* in any zone except in accordance with the following:

- a) The use of a *storage container* is only permitted in a R1, C1, C1A, C2, M1, M2, M3, M4, A1 or RU Zone as an *accessory use* to a permitted *use* on a *lot* where a main *building* exists;
- b) A *storage container* shall not be used as work areas or for office *uses* or retail sales;
- c) A *storage container* shall not exceed a height of 3 metres and a total length of 17 metres;
- d) The maximum lot coverage for *storage containers* shall not exceed the lesser of 15% or the maximum permitted coverage for accessory buildings in the zone in which the containers are located;
- e) A *storage container* shall not be stacked on top of another *storage container*;
- f) A *storage container* shall not be located in a required *parking area* or encroach into a required landscaped area;
- g) A *storage container* shall not be located in a *front yard* or an *exterior side yard*, and shall meet the minimum *yard* requirements of the zone in which it is located;
- h) No separation distance is required between storage containers.

4.27.2 Notwithstanding the provisions of this section, a *storage container* having a maximum height of 3 metres and a maximum length of 17 metres is permitted in the driveway on a residential zoned *lot* and only for the purpose of loading or unloading of household items during the process of moving or renovation. In no case shall a *storage container* encroach

onto a public sidewalk, be located closer than 0.3 metres from the back of curb in situations where no sidewalks exist, or create a site line obstruction.

4.27.3 Notwithstanding the provisions of this section, a *storage container* is permitted on a construction site in any zone for the purpose of storing equipment and materials incidental to construction, subject to the following:

- a) The container shall have a maximum height of 3 metres and a maximum length of 17 metres;
- b) No more than two *storage containers* are permitted on a *lot*; and
- c) The *storage containers* must be removed within the lesser of two years from installation or 30 days of completion of the work.

4.28 Temporary Uses

4.28.1 Construction:

- a) A temporary *building, structure or trailer* incidental to the construction of a ~~principal~~ *main building* on a *lot* is permitted in all Zones provided that a valid *building* permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned.
- b) The continued *use of an existing dwelling or building* on a *lot* during the construction of a *dwelling or building* intended to replace such *dwelling or building* is permitted provided that:
 - (i) In no case may such *existing building* remain un-demolished on the *lot* for longer than ~~60~~ 120 days after the *building* intended to replace such *existing building* is ready in whole or in part for occupancy, ~~or two years after the date of issue of the building permit for the building intended to replace such existing building,~~ *whichever comes first*;
 - (ii) Safety and emergency access are provided and maintained to the satisfaction of the Chief Building Official and the Fire Chief; and,
 - (iii) The Owner enters into an agreement with the ~~City acknowledging the City will demolish the including the posting of securities sufficient to cover the costs of such demolition of such existing building by the City~~ in the event it is not demolished within the timeframe stipulated above ~~and the cost of such demolition will be charged back to the property owner~~;
 - (iv) ~~The demolition permit for the dwelling or building has been issued.~~

4.28.2 **Sales office/model home:** One temporary sales office and one model home may be located on lands which are the subject of a draft approved plan of subdivision or condominium in any Residential, Commercial or Industrial Zone provided that:

- a) The temporary sales office and model home are located in accordance with the zone provisions of the zone in which it is located; and,
- b) An Agreement has been executed with the City addressing the temporary sales office and model homes.

4.29 Travel Trailers and Recreational vehicles:

~~4.29.1 The parking and storage of more than one travel trailer or recreational vehicle shall be prohibited in the Residential One (R1), Residential Two (R2), Residential Three (R3) and Residential Four (R4) Zones except where such parking or storage is a permitted use in accordance with this By-law or is accessory to a dwelling located on the lot and the travel trailer or recreational vehicle is owned by the occupant of the lot. No human habitation shall be permitted in a stored travel trailer or recreational vehicle.~~

~~4.29.1 No person shall use any lot in any Residential zone for the purpose of parking or storing more than two boats; and one recreational vehicle; three snowmobiles; and three all-terrain vehicles;~~

~~4.29.2 In a Residential zone, the parking or storage of a recreational vehicle trailer, snowmobile or all-terrain vehicle shall only be permitted in an interior side yard or rear yard, but no closer than 1.5 metres to any lot line. Such vehicles shall only be permitted as an accessory use to a dwelling unit provided the boat or recreational vehicle trailer or vehicle is licensed, in good repair and in serviceable condition and is owned by an occupant of the dwelling unit.~~

~~4.29.3 Notwithstanding 4.29.1 above, there is no maximum to the number of personal use boats or recreational vehicles tourist vehicles, snowmobile or all-terrain vehicles stored on a lot in the Rural Residential (R1), Rural (RU) or Agricultural One (A1) Zones. (previously 5.4.2)~~

~~4.29.2~~

4.30 Water Supply and Sewage Disposal Systems:

4.30.1 **Connection to Services - Full or Partial Municipal Sewer and Water Service:** No land may be used and no *building* or *structures* may be erected unless:

- a) connected to a municipal sanitary sewer and/or water supply within the settlement areas identified on the schedules to this by-law; or
- b) where municipal services are not available, alternative servicing arrangements are provided to the satisfaction of the City.

4.30.2 **Commercial or Industrial uses in Areas without Full Municipal Services:**

Notwithstanding any other provisions of this By-law with regard to servicing requirements for an industrial or *commercial use*, where full municipal services are not available, and privately serviced development is permitted, only dry industrial or *commercial uses* shall

be permitted unless it is demonstrated ~~. Dry industrial or commercial uses are those in which only the disposal and treatment of domestic waste of employees and customers is permitted. No treatment of industrial liquid wastes or processed waste is allowed. This provision does not apply to prevent the on-site treatment of kitchen or sanitary wastes from a permitted commercial restaurant. This provision also does not apply where a use has been approved by the City or any other responsible authority, on the basis of an advanced private treatment system. In such cases, it must be demonstrated~~ to the satisfaction of the City, Ministry of the Environment, and/or other responsible authorities, in studies submitted by the applicant, that appropriate treatment can be provided with no detrimental impact to surface, groundwater resources, and the surrounding environment.

4.31 **Wayside pits and Quarries and Portable Asphalt Plants**

4.31.1 Where specifically permitted in the By-law, a *wayside pit* or *quarry* or a portable asphalt plant shall be subject to the following provisions:

- a) the *wayside pit* or *quarry* or the portable asphalt plant shall be used by or on behalf of a Public Authority;
- b) the *wayside pit* or *quarry* or the portable asphalt plant shall have a Certificate of Approval from the Ministry of Environment and Energy or its designate;
- c) the *wayside pit* or *quarry* or portable asphalt plant shall not be located closer than 300 metres from an *existing* residence;
- d) no excavation is permitted within 15 metres from the edge of any watercourse, *public road* allowance, or any adjoining property boundary; and
- e) upon completion of the public project, the site shall be rehabilitated to its former *use*.

Section 5: Parking and Loading Requirements

5.1 General

- 5.1.1 The parking and *loading space* requirements apply:
- when any new development is constructed;
 - when any *existing* development is enlarged; or
 - when any *use* is changed.
- 5.1.2 No person shall use any land, *building* or *structure* in any Zone for any purpose permitted by this By-law, unless parking and *loading spaces* are provided in accordance with the requirements of this Section.
- 5.1.3 Parking and *loading spaces* required by this By-law and all driveways and aisles leading to those spaces must be set aside for and used exclusively for that purpose.
- 5.1.4 When a *building* has insufficient parking *area* at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that deficiency be made up prior to the construction of any addition. No addition may be built and no change in *use* may occur, the effect of which would be an increase in that deficiency.

5.2 Parking space Requirements

- 5.2.1 **Number of Parking spaces:** Off-street *motor vehicle* parking shall be provided for any land *use* at the rate set out in Table 5.1.

TABLE 5.1- PARKING REQUIREMENTS

Type of <i>Building/Use</i>	Minimum Off-Street Parking Requirements
Any <i>commercial use</i> , except those uses specifically listed elsewhere in this Section	1 space for each 50 30 square metres of commercial or office floor space
Any <i>industrial use</i> , except those uses specifically listed elsewhere in this Section	A minimum of 5 spaces or 1 space for each 100 square metres of <i>building</i> floor space on the <i>lot</i> , <i>whichever is greater</i> .
Any other non-residential <i>use</i> , except those <i>uses</i> specifically listed elsewhere in this Section	1 space for each 50 square metres of <i>gross floor area</i>

Type of Building/Use	Minimum Off-Street Parking Requirements
	a minimum of 10 spaces for open air activity areas
<i>Bed and breakfast establishment</i>	1 space for each rental room in addition to the required parking for the <i>dwelling</i> .
<i>Convenience store, Grocery store, Health services establishment Kennel Light Equipment Rental Establishment, Personal service establishment Shop Retail store Veterinary clinic</i>	1 space per 20.0 square metres of <i>gross floor area</i> of commercial space accessible to the public. plus 1 space for each 50 square metres of storage area.
<i>Laundromat</i>	1 space for every 4 2 machines or 1 space per 20 square metres of <i>gross floor area</i> , whichever is greater
<i>Building supply establishment</i>	1 space per 50 45 sq. metres of <i>gross floor area</i> of commercial space accessible to the public
Commercial Accommodation uses (to be listed)	1 space for each guest room or accommodation unit.
<i>Dwelling unit</i>	1 space per <i>dwelling unit</i> For a water access only property, no minimum parking is required
<i>Educational establishment</i>	For an elementary school, 1.5 spaces for each teaching classroom. 6 spaces for the use of visitors and the greater of 1.5 spaces per classroom or 1 space per 3 square metres of floor area in the gym or auditorium

Type of Building/Use	Minimum Off-Street Parking Requirements
	<p>For a high school, 4 spaces for each teaching classroom. 8 spaces for the use of visitors and the greater of 4 spaces per classroom or 1 space per 3 square metres of floor area in the gym or auditorium</p> <p>For a post-secondary establishment, 15 spaces for each teaching classroom. 1 space for every 50 square metres of floor area</p> <p>For a post-secondary residence, 1 space for every 4 beds</p>
<i>Agricultural uses, Greenhouse/nursery/garden centre</i>	2 spaces per farm, plus 1 space for every 30 square metres of <i>gross floor area</i> devoted to retail sales and 1 space for every 100 square metres of <i>gross floor area</i> devoted to processing or manufacturing uses.
<i>Funeral home</i>	1 space for each 5 seats capacity with a minimum of 10 <i>parking spaces</i> .
<i>Golf course</i>	18 spaces per 9 holes of golf, plus 1 space per 30 square metres of club house.
<i>Group home</i>	2 spaces, plus 1 space for every five residents.
<i>Hospital, Nursing home, Residential care facility Long term care home Home for special care</i>	1 space for each 2 beds plus 1 additional space for each resident doctor or resident employee.

Type of Building/Use	Minimum Off-Street Parking Requirements
<i>Hotel/Motel</i> <i>Tourist establishment</i> Camping Establishment	1 space for each guest room, plus 1 <i>parking space</i> per 10.0 square metres of <i>gross floor area</i> devoted to meeting, dining and banquet facilities
<i>Marina</i>	1 space for each boat slip plus 1 space for each 30 square metres of commercial <i>floor area</i>
<i>Mobile home park</i> <i>Trailer park</i>	1.5 spaces 1 space per unit
<i>Motor vehicle body repair shop</i> <i>Motor vehicle repair facility</i> <i>Motor vehicle service station</i> <i>Motor vehicle towing establishment</i> <i>Motor vehicle washing establishment</i>	3 spaces per service bay plus 1 space per 20.0 square metres of <i>gross floor area</i> for the office and any retail use
<i>Motor vehicle Gas Bar</i>	1 space per 50 20.0 square metres <i>gross floor area</i> exclusive of fuel dispensing spaces
<i>Motor vehicle dealership</i>	1 space per 20.0 square metres <i>gross floor area</i> exclusive of display and storage parking.
<i>Restaurant</i> <i>Library</i> <i>Place of assembly</i> <i>Place of recreation</i> <i>Place of worship</i>	Where there are fixed seats, one space for every 5 seats or 3.0 metres of bench space of its maximum seating capacity Where there are no fixed seats, 1 space for each 10 square metres of <i>floor area</i> devoted to <i>public use</i>
<i>Retirement Home</i>	4 spaces plus .5 spaces for each of the first 30 guest rooms plus .25 spaces for each additional guest room

Type of Building/Use	Minimum Off-Street Parking Requirements
Public Self Storage Warehouse Self storage facility	1 space per 30.0 square metres of <i>gross floor area</i> within the office; plus 1 space per 100.0 square metres of <i>gross floor area</i> of the <i>building</i>

- 5.2.2 Parking space Calculation:** Where the minimum number of *parking spaces* is calculated based on a rate, the required number of spaces shall be rounded to the next higher whole number.
- 5.2.3 More than One Use on a Lot:** When a *lot, building* or *structure* accommodates more than one type of *use*, the *parking space* requirement for the whole *building* or site shall be the sum of the requirement for the separate parts of the *building* or site occupied by the separate types of *use*.
- 5.2.4 Parking space Size:** A *motor vehicle parking space* shall have:
- A minimum width of 3.0 metres; and,
 - A minimum length of 6.0 metres, except for parallel parking, where a minimum length of 6.5 metres is required.
- 5.2.5 Width of Aisles:** The minimum width of an aisle providing access to a *parking space* within a *parking area* shall be 6.0 metres, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 metres.
- 5.2.6 Width of Access Ramps and Driveways**
- Access ramps and driveways accessing a *parking area* or *parking lot* shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.
 - For a Commercial, Industrial, Institutional or Municipal *Parking lot*, a minimum of 7.5 metres in width shall be provided.
 - ~~For an individual *dwelling unit*, the maximum driveway width shall be 8.0 metres or 50% of the *lot frontage*, whichever is less.~~

5.2.7 Parking Area Surface Treatment: All required *parking spaces* and *parking areas* and all driveways to any *parking area* or *parking lot* shall be maintained with a stable surface ~~which is treated with asphalt, concrete, concrete pavers, gravel or similar material such as asphalt, concrete, concrete pavers, gravel or similar material~~ which is treated so as to prevent the raising of dust or loose particles.

5.2.8 Location of Required *Parking spaces*:

a) *Parking spaces* and all driveways and aisles leading to those spaces shall be:

- i) located on the same *lot* as the *use* or *building* for which they are provided; or
- ii) located on a *lot* located within 150.0 metres of the site in the C1 or C1A zone, provided the parking facilities are legally secured for that *use*, to the satisfaction of the City; or

~~b) In the C1 zone, where the property is located within 150 metres of a municipal *parking lot* or on-street parking is available, *parking spaces* are not required, except for residential uses.~~

5.2.9 Parking area Location on a Lot: *Parking areas* will be permitted in any *required yard* in accordance with Table 5.2.

TABLE 5.2 – PARKING AREA ON LOT

Zone	Yard in Which Required Parking Permitted
Residential Zones	All <i>yards</i> . No <i>parking space</i> shall be permitted within 1.5 metres of a <i>street line</i> .
Commercial, Community Facility, Industrial, Open Space Zones	All <i>yards</i> provided that no part of any <i>parking area</i> , other than the ingress or egress points, is located closer than 1.0 metre to any <i>street line</i> and no closer than 1.5 metres to any <i>lot line</i> and provided that no part of any <i>parking area</i> is located in a minimum planting strip adjacent to a <i>street line</i> as required by this By-law.
Agricultural and Rural Zones	All <i>yards</i> provided that no part of any <i>parking area</i> , other than the ingress and egress points used for access from the street, is located closer than 5.0 metres to any <i>street line</i> or any other <i>lot line</i> .

5.2.10 Restrictions in Residential Zones

- a) ~~No person shall use any parking space in a Residential zone to park a vehicle unless such vehicle bears a valid vehicle license plate or sticker.~~
- b) ~~Not more than one vehicle per dwelling unity shall be a commercial motor vehicles as defined in the Highway Traffic Act. The manufacturer’s rated capacity of any such commercial motor vehicle shall not exceed 1,000 kilograms.~~

5.2.11 Exemptions for parking in the C1 and C1A Zones:

- a) Where parking spaces are required for any use in the C1A Zone and in that portion of the C1 Zone shown on the schedules to this By-law and located within the Business Improvement Area, and where public on-street and/or off-street parking is available, then no parking is required for any commercial use. This exemption does not apply to any residential use within the defined area.

5.3 Queuing Lane Requirements (Drive through service):

- 5.3.1 Where drive-through service facilities are permitted, queuing lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this section. The minimum queuing space requirements within a designated queuing lane shall be as set out in Table 5.34. In addition, one space shall be provided for each point of service delivery.

TABLE 5.34 – QUEUING LANE REQUIREMENTS

<i>Use Associated with Drive-Through Service Facility</i>	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution	3	1
<i>Restaurant</i>	8 10	2
<i>Motor vehicle service station or Gas Bar</i>	3	1
<i>Motor vehicle washing establishment</i>	3 per bay	2
All Other Uses	3	1

- 5.3.2 **Location of Ingress and Egress Spaces:** Required ingress spaces shall be located before the first point of contact and required egress spaces shall be located after the final point of contact.

- 5.3.3 **Length of Queuing Lane:** The length of the queuing lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress

spaces, plus one space for each point of service delivery and shall not form part of the required *parking spaces* or aisles.

5.3.4 Size of Queuing Space: All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 m and a minimum width of 2.75 m.

5.4 ~~Parking of Special Vehicles~~

5.4.1 ~~Vehicle Storage and Display:~~ ~~Where a permitted use involves the storage and/or display of operational motor vehicles, such as a motor vehicle dealership, such storage and/or display shall be subject to the same provisions that would apply to any parking area required by this By-law.~~

5.4.2 ~~Parking of Boats, Recreational Trailers and other vehicles~~

~~5 — No person shall use any lot in any Residential zone for the purpose of parking or storing more than two boats; one tourist vehicle; three snowmobiles; and three all-terrain vehicles;~~

~~6 — In a Residential zone, the parking or storage of a trailer, snowmobile or all-terrain vehicle shall only be permitted in an interior side yard or rear yard, but no closer than 1.5 metres to any lot line. Such vehicles shall only permitted as an accessory use to a dwelling unit provided the boat, trailer or vehicles is licensed, in good repair and in serviceable condition and is owned by an occupant of the dwelling unit.~~

~~7 — Notwithstanding a) above, there is no maximum to the number of personal use boats, tourist vehicles, snowmobile or all-terrain vehicles stored on a lot in the (RU) or Agricultural One-Zone (A1) Zones. (Relocated to 4.29)~~

5.55.4 Loading space Requirements

5.4.1 ~~Off Street Loading spaces:~~ ~~Off street loading spaces shall be provided in accordance with the standards of this By-law for any use. Required loading spaces shall be located on the same lot as the use that requires the loading space and shall be provided as set out in Table 5.45.~~

TABLE 5.45 — ~~LOADING SPACE REQUIREMENTS~~

<i>Gross floor area</i>	<i>Number of Loading spaces Required</i>
100 square metres or less or located in a C1 or C1A zone	No loading space required
For every additional 100 square metres or fraction thereof	1 space to a maximum of 3 spaces

~~5.4.2 **Size of Loading space/Loading Area:** Each *loading space* shall be a minimum of 12.0 metres long, 3.5 metres wide and have a vertical clearance of at least 4.2 metres, except where only 1 *loading space* is required the *loading space* may be reduced to a minimum of 6.0 metres long, 3.5 metres wide and have a vertical clearance of at least 3.0 metres.~~

5.4.25.4.1 Location of Loading spaces

- a) Required *Loading spaces* shall be provided on the same *lot* for the *use* or *building* for which it is required, and the *loading space(s)* shall be located within 20.0 metres of the *use* or *building* for which is it required.
- b) Such *loading space* shall not be located in a *required yard*.
- c) *Loading spaces* shall not obstruct any required *parking spaces* or vehicular movement on the *lot*.
- d) In all Zones, with the exception of any Industrial Zone, *loading spaces* are not permitted in the *front yard* or *exterior side yard* and loading bay doors are not permitted on any wall facing a street unless the *loading space* and loading bay door are located no closer than 10.0 metres from any *street line*.

5.4.15.4.2 Access to Loading spaces: Where a *loading space(s)* is required, the access to the *loading space(s)* shall be provided by means of a driveway that is a minimum of 6.0 metres wide in ~~the an~~ Industrial Zone and a minimum of 3.5 metres wide in a Commercial Zone.

Section 6: Residential Zones

6.1 Establishment of Residential Zones

The Residential Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Rural Residential Zone	R1	Rural Residential
Low Density Residential Zone	R2	Low Density Residential (1 and 2 units) within Settlement Areas; may be on full, partial or private services
Medium Density Residential Zone	R3	Medium Density Residential (up to 4 units)
High Density Residential Zone	R4	High Density Residential Zone (5 units and over)
Mobile Home Residential	MH	Mobile Home Park

6.2 General Prohibition

No person shall within any Residential Zone, use any **lot land**, or erect, alter, or use any *building* or *structure* except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

6.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A **number(s) letter(s)** following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 6.1, and Accessory Uses Table, Table 6.2.

TABLE 6.1 – PERMITTED PRINCIPAL USES

Permitted Uses	Zones				
	R1	R2	R3	R4	MH
Principal Residential Use					
	Rural Residential	Low Density Residential	Medium Density Residential	High Density Residential	Mobile Home Residential
Dwelling, Single Detached	●	●	●		
Dwelling, Semi-detached		●	●		
Dwelling, Duplex		●	●		
Dwelling, Multiple, up to 4 units			●		
Dwelling, Multiple, 5 or more units				●	
Dwelling, Street Townhouse			● (*1)	●	
Dwelling, Mobile Home					●
Non-Residential Other Uses					
Boarding House		●	●		
Cemetery	●	●	●	●	
Group Home	●	●	●	●	
Residential Care Facility Home for Special Care			●	●	
Park, Public	●	●	●	●	●
Retirement Home				●	

TABLE 6.2 – PERMITTED ACCESSORY USES

Accessory Use	Zones				
	R1	R2	R3	R4	MH
Principal Residential Use					
	Rural Residential	Low Density Residential	Medium Density Residential	High Density Residential	Mobile Home Residential
Second Residential Dwelling Unit	●	●	●		
Boarding House					
Bed and Breakfast Establishment	●	●	●	●	
Group Home					
Home Occupation	●	●	●	●	
Home Industry	●	●			
Private Home Day Child Care	●	●	●	●	

6.3.1 Notes to Permitted Uses:

(*1) as a single detached dwelling only

(*2) as a single detached, duplex or semi-detached dwelling only

(*1) To a maximum of four dwellings.

6.4 Lot Requirements

TABLE 6.3 – RESIDENTIAL ZONE REQUIREMENTS

Regulation		Zone				
		R1	R2	R3	R4	MH
		Rural Residential	Low Density Residential	Medium Density Residential	High Density Residential	Mobile Home Residential (*1)
Minimum Lot Area (m ²)	Full Municipal Services	n/a	450 (*2)	450 (*2, *3)	1100 (*3)	450
	Partial Municipal Services	n/a	550 (*4)	n/a	n/a	n/a
	Private Services	4000	4000	n/a	n/a	n/a
Minimum Lot Frontage (m)	Full Municipal Services	n/a	(*5)	(*5, *6, *7)	30	15 (*8)
	Partial Municipal Services	n/a	20	n/a	n/a	n/a
	Private Services	40	40	n/a	n/a	n/a
Maximum Lot Coverage (%)	Full Municipal Services	n/a	40	40	40	40
	Partial Municipal Services	n/a	40	n/a	n/a	n/a
	Private Services	20	20	n/a	n/a	n/a
Minimum Front Yard (m)	Full Municipal Services	n/a	6	6	6	n/a
	Partial Municipal Services	n/a	6	n/a	n/a	n/a
	Private Services	7.5	7.5	n/a	n/a	6
Minimum Interior Side Yard (m)	Full Municipal Services	n/a	1.2 on one side and 3 on the other (*9)	1.2 on one side and 3 on the other (*10)(*9)	6 (*10)	1.2 on one side and 3 on the other
	Partial Municipal Services	n/a	1.2 on one side and 3 on the other (*9)	n/a	n/a	n/a
	Private Services	6	6	n/a	n/a	n/a
Minimum Exterior Side Yard		7.5	5	5	7.5	6
Minimum Rear Yard		7.5	6	6	7.5	6
Minimum setback from watercourse		15	15	15	15	15
Maximum Building Height		11	11	11	12	5
Maximum Accessory Building Height (*11)		5	5	5	5	5
Minimum Gross Floor Area per dwelling		100	75	75	60	30
Maximum Number of Dwelling Units (excluding second dwelling)		1	(*12)	1 d w for each 150 sq m of lot area to a maximum of 4	1 d w for each 120 sq m of lot area	1 per mobile home site (*13)
Minimum Landscaped Open Space (%)		50	30	30	35	30
Other Provisions						(*14)

6.4.1 Additional Residential Zone Requirements

(*1) Standards for individual lots units/sites within a mobile home park.

(*2) For a semi-detached dwelling, the minimum lot area shall be 250 square metres per dwelling unit.

(*3) For a Street Townhouse, the minimum lot area shall be 200 square metres per dwelling unit.

(*4) A duplex or semi-detached dwelling is not permitted on partial services.

- (*5) 15 metres for a single detached or duplex dwelling; 9 metres per unit for a semi-detached dwelling.
- (*6) A minimum of 7 metres per unit for an interior unit and 10 metres for an end/exterior unit for a Street Townhouse.
- (*7) Minimum 18 metres for a multiple dwelling.
- (*8) Frontage on an internal public or private roadway.
- (*9) Where there is an attached garage, the minimum interior side yard shall be 1.2 metres on both sides.
- (*10) For a Street Townhouse, the minimum interior side yard shall be 3.5 metres on the external units, and 0 (nil) metres for common walls.
- (*11) Where a second dwelling is proposed above a garage, the maximum heights of the garage shall be 8 metres.
- (*12) 1 dwelling only on partial or private services; 1 dwelling for each 225 square metres of lot area to a maximum of two dwellings.
- (*13) The maximum number of mobile home sites within a mobile home park is as exists on the date of passing of this By-law.
- (*14) The outer boundary of a mobile home park shall maintain minimum yards of ~~10~~ 5 metres, all of which shall be a landscaped strip (with the exception of ~~permitted ingress and egress~~).

6.5 Residential Exceptions

The Provisions of this Section are modified for those properties and to the extent identified in Sections 6.5.1 to 6.5.5 below.

6.5.1 Exceptions to Rural Residential (R1) Zone

Exception	By-law	Location	Schedule	Special Provisions
R1-1	2009-138	998199 Highway 11 North	C3	<p>In addition to the permitted uses in an R1 zone, a graphics and sign business is permitted in an accessory building.</p> <p>Retail sales are not permitted.</p> <p>All installations related to vehicles must take place off-site.</p> <p>For the purposes of this section, a Graphics and Sign business means the design, production, assembly and installation of indoor and outdoor decals; signs and banners; vehicle lettering and graphics, awnings; billboards; exhibits and displays; large format digital imaging; window tinting</p>

				<p>and frosting; and similar products and services, provided vehicle lettering and graphics; vehicle window tinting and frosting, and any other product designed for vehicles is not a permitted use on site.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Maximum number of parking spaces shall be four in addition to the requirements of the R1 zone; • No outdoor storage shall be permitted; • Signage visible from Highway 11 must not be greater than 3 sq m for one sign or two signs not exceeding a combined area of 6 sq m.
R1-2	91-32 H	Roll # 5418 030 011 07200	G3	The Minimum <i>Interior Side Yard</i> shall be 1.2 metres on one side and 2.0 metres on the other side.
R1-3				
R1-4				
R1-5				

6.5.2 Exceptions to Low Density Residential (R2) Zone

Exception	By-law	Location	Schedule	Special Provisions
R2-1	91-39 H	8 Lowry Street	I4	The minimum <i>interior side yard</i> shall be 0.0 m on one side.
R2-2				
R2-3				
R2-4				
R2-5				

6.5.3 Exceptions to Medium Density Residential (R3) Zone

Exception	By-law	Location	Schedule	Special Provisions
R3-1	2246 NL 2397 NL	51 Murray Street 12 Elm Street 61 Paget Street	E3	In addition to the permitted uses in the R3 zone, a <i>health services establishment</i> shall be permitted.
R3-2	2306 NL	128 Pine Street	E3	The permitted principal uses are limited to the following: <ul style="list-style-type: none"> • A <i>single detached dwelling</i>; • a <i>duplex dwelling</i>; • a <i>multiple dwelling</i> with a maximum of three units. The following lot requirements apply: <ul style="list-style-type: none"> • Minimum <i>lot frontage</i> shall be 12.27 m; • Minimum <i>lot area</i> shall be 523 sq m
R3-3				
R3-4	2881 NL	329 Whitewood	E3	The following lot requirements apply: <ul style="list-style-type: none"> • Minimum lot area shall be 600 sq m; • Minimum lot frontage shall be 12 m; • Minimum front yard setback shall be 0.9 m; • Minimum rear yard setback shall be 0.5 m for the accessory building;

R3-5	2014-104	242 Robert St	E3	The minimum lot frontage for a triplex dwelling shall be 15 m.
R3-6	2017-105	258 Farah	F3	In addition to the permitted uses in an R3 Zone, a <i>street townhouse</i> containing a maximum of 4 units is permitted. The following lot requirements apply: <ul style="list-style-type: none"> • Minimum <i>lot frontage</i> shall be 20 m; • Minimum <i>rear yard</i> shall be 2 m;
R3-7	89-10 H	59 King Street	K4	The minimum <i>interior side yard</i> shall be 1.125 metres on one side and 3.0 metres on the other side.
R3-8		228 Heard	E3	The minimum <i>exterior side yard</i> shall be 3.8 m.
R3-9	91-39 H	130 Queen Street	K4	The minimum <i>interior side yard</i> shall be 1.0 m on one side and 1.4 m on the other side.
R3-10	1987-003	121 Station Street		The minimum interior side yard shall be 1.1 m on one side and 3 m on the other side.
R3-11	91-47 H	250 Meridian Ave	J4	The minimum <i>interior side yard</i> shall be 1.2 m on one side and 1.0 m on the other side.
R3-12		486 Broadway	I4	In addition to the permitted uses in an R3 Zone, a funeral home is permitted. The existing building is deemed to comply with the lot and yard requirements in an R3 Zone.
R3-13		544 Rorke	I4	The permitted uses are limited to a parking area accessory to the funeral home located at 486 Broadway.
R3-14	93-78 H	401 Ferguson Ave	I4	The minimum interior side yard shall be 1.8 m on the north side and 1.7 m on the south side.
R3-15		Lakeview and Birch 541803000932820	K4	In addition to the permitted uses in an R3 Zone an educational establishment is a permitted use.

6.5.4 Exceptions to High Density Residential (R4) Zone

Exception	By-law	Location	Schedule	Special Provisions
R4-1	2010-026	228 Raymond Street	D3	The maximum number of dwelling units on the property shall be 6.
R4-2	2010-026	230 Raymond Street	D3	<p>The permitted uses are limited to the following:</p> <ul style="list-style-type: none"> • Apartment residential with a maximum of 6 units; • Appliance sales and service shop; • Business, professional or administrative office; • Child care centre; • Convenience store; • Educational establishment; • Financial establishment; • Health services establishment; • Personal service establishment; • Private club; • Retail store; <p>In addition to the above, other similar commercial and institutional uses that are compatible with the residential character of the neighbourhood are permitted.</p> <p>The following zone provisions apply to commercial uses:</p> <ul style="list-style-type: none"> • Commercial uses shall be contained within the existing building; • Commercial uses are limited to a maximum of 40% of the gross floor areas of the existing building; • Commercial uses are limited to the floor at grade level.
R4-3	2416 NL	67 Lakeshore Road	F3	<p>The maximum number of dwelling units on the property shall be 5.</p> <p>The following lot requirements apply:</p>

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> • Minimum lot area shall be 485 sq m; • Minimum lot frontage shall be 12 m; • Minimum interior side yard shall be 2 m; • Minimum building separation shall be 2.5 m;
R4-4	2010-051 NL	157 Whitewood Avenue	E3	<p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot frontage shall be 24.5 m; • Minimum exterior side yard shall be 6.66 m; • Minimum side yard shall be 5.56 m.
R4-5	2012-097 NL	97 Whitewood Avenue	E3	<p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum front yard shall be 5 m; • Minimum side yard for an apartment dwelling shall be 1.46 m; • Minimum landscaped area shall be 8%;
R4-6 (H4)	2013-101 & 2014-206	415 Lakeshore Road	F3	<p>The maximum number of dwelling units on the property shall be 82.</p> <p>A single detached dwelling is a permitted use.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum side yard (north side) shall be 3.7 m; • Maximum building height shall be 17 m; • All development below the 181.7 metre CGD elevation shall be flood proofed to the 181.7 CGD elevation; • Minimum parking space width shall be 2.75 m.
R4-7	2016-117	100 Lakeshore Road N	F3	The following lot requirements apply:

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> • Minimum front yard shall be 4.5 m for one accessory gazebo only; • Minimum side yard for an apartment dwelling shall be 2.9 m on the south side; • Minimum landscaped open space shall be 30%; • Minimum number of parking spaces shall be 1.25 for each dwelling unit, recognizing that a minimum of 6 spaces shall be dedicated as accessible parking spaces;
R4-8	89-50 H	428 Lakeview	K4	<p>The Maximum number of <i>dwelling units</i> on the property shall be 5;</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot frontage shall be 19.95 m; • Minimum <i>front yard</i> shall be 0.56 m; • Minimum <i>interior side yard</i> shall be 0.07 m; • Minimum <i>exterior side yard</i> shall be 0.17 m;
R4-9	90-42 H	431-439 Rorke Avenue	I4	<p>The maximum number of <i>dwelling units</i> on the property shall be 5;</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum <i>front yard</i> shall be 4.18 m; • Minimum <i>rear yard</i> shall be 4.0 m;
R4-10	2003-16 H	420-456 Farr Drive	I4	<p>The maximum number of <i>street townhouse dwellings</i> on lands zoned R4-10 shall be 25;</p> <p>The following lot requirements apply to each <i>street townhouse dwelling</i> unit:</p> <ul style="list-style-type: none"> • Minimum <i>lot area</i> shall be 185 sq m • Minimum <i>lot frontage</i> shall be 7.5 m;

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> • Minimum <i>front yard</i> shall be 6.0 m; • Minimum <i>interior side yard</i> shall be 0.0 m; • Minimum <i>exterior side yard</i> shall be 0.5 m; • Minimum <i>rear yard</i> shall be 5.5 m; • Minimum <i>floor area</i> shall be 80 sq. m; • Maximum <i>height of building</i> shall be 11.5 m; • Maximum <i>lot coverage</i> for a <i>dwelling</i> shall be 65%.
R4-11	2010-012	347 Sutherland Way and Blackwall Street.	I4, J4	<p>The permitted uses are limited to a 48 unit <i>apartment dwelling</i>, and the following non-residential uses:</p> <ul style="list-style-type: none"> • Financial establishment; • Convenience store; • Business, professional or administrative office; • Personal service establishment; • Retail store; • Educational establishment; • Place of assembly; • Place of recreation; • Place of worship; • Commercial use; • Child care centre; • Health services establishment; • Restaurant; • Public use; • Museum. <p>In addition, other similar commercial and community facility uses that are compatible with the residential character of the neighbourhood are permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Non-residential uses shall be contained within the existing building;

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> Non-residential uses are limited to a maximum gross floor area of 929 sq m <p>A parking lot with a maximum of 30 parking spaces is permitted to be located on a separate parcel of land.</p> <p>A site plan control agreement will be required to ensure that the parking lot is designed and landscaped to ensure compatibility with adjacent residential properties and to ensure that the residential character of the neighbourhood is maintained.</p> <p>The site plan control agreement will require that an easement be registered on the property in favour of the property at 367 Sutherland Way to dedicate the 30 parking spaces to the residential and commercial uses on the property at 367 Sutherland Way.</p>
R4-12	2010-038	554 Lakeshore Road S	I4	<p>The maximum number of units in a <i>multiple dwelling</i> shall be 6;</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> Minimum <i>interior side yard</i> (with attached garage) shall be 2.4 m;
R4-13	2012-071 H	522 Georgina Avenue	I4	<p>The maximum number of units in a <i>multiple dwelling</i> shall be 11.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> Minimum <i>rear yard</i> shall be 6.21 m; Minimum <i>floor area</i> shall be 49.2 sq m
R4-14	2012-111 H 2014-142 H	495 & 497 Ferguson	I4	<p>The maximum number of units in a <i>multiple dwelling</i> shall be 22.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> Maximum height shall be 14.23 m.

Exception	By-law	Location	Schedule	Special Provisions
R4-15	2014-028	20 Groom Street	K4	<p>The maximum number of units in a <i>multiple dwelling</i> shall be 11;</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum <i>interior side yard</i> (without attached garage) shall be 0.127 m;
R4-16		105 Market Street	F3	<p>In addition to the permitted uses in an R4 Zone, a senior citizen apartment is permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum number of parking spaces shall be .6 spaces for each dwelling unit.

6.5.5 Exceptions to Mobile Home Residential (MH) Zone

Exception	By-law	Location	Schedule	Special Provisions
MH-1				
MH-2				

Section 7: Commercial Zones

7.1 Establishment of Commercial Zones

The Commercial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
General Commercial Zone	C1	Traditional downtown and general commercial areas (New Liskeard)
General Commercial Zone	C1A	Traditional downtown and general commercial areas (Haileybury)
Highway Commercial Zone	C2	Highway commercial areas
Neighbourhood Commercial Zone	C3	Neighbourhood commercial areas — uses that provide services to the local neighbourhood
Tourist Commercial Zone	C4	Commercial properties providing primarily tourist accommodation and camps.

7.2 General Prohibition

No person shall within any Commercial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

7.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A **number(s)letter(s)** following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone.

Conditions are listed in the Footnotes below the Permitted Uses Table, Table 7.1, and Accessory Uses Table, Table 7.2.

TABLE 7.1 – PERMITTED **PRINCIPAL** USES

Permitted Uses	Zones				
	C1	C1A	C2	C3	C4
Principal Use NOTE: Blue markings (●) are deleted uses	General Commercial (New Liskeard)	General Commercial (Haileybury)	Highway Commercial	Neighbourhood Commercial	Tourist Commercial
Agricultural Processing Establishment	●	●	●		
Agricultural Produce Warehouse	●	●	●		
Agricultural Product Sales Outlet	●	●	●		
Agricultural Services	●	●	●		
Agricultural Supply/Implement Dealership	●	●	●		
Boarding House	●	●			
Building Supply Establishment	●	●	●		
Bulk Sales Establishment	●	●	●		
Business, Professional or Administrative Office	●	●	●		
Cemetery	●	●	●		
Conservation Use	●	●	●	●	●
Contractor's Establishment	●	●	●		
Convenience Store	●	●	●	●	
Day Nursery Child Care Centre	●	●	●	●	
Driving Range			●		
Dry Cleaning Establishment	●	●	●	●	
Dwelling, Apartment		● (*1)			
Dwelling, Multiple	● (above)	● (*1)			
Dwelling, Semi-Detached	● (*1)	● (*1)			
Dwelling, Single Detached	● (*1)	● (*1)			● (*1)
Dwelling, Street Townhouse		● (*1)			
Educational Establishment	●	●	●		
Equipment Sales, Service & Rental Establishment	●	●	●		
Financial Establishment	●	●	●		
Funeral Home	●	●	●		
Golf Course	●	●	●		
Greenhouse, Nursery, Garden Centre	●	●	●		
Grocery Store	●	●	●		
Group Home	●	●	●		
Health Services Establishment	●	●	●		
Residential Care Facility Home for Special Care	●	●			
Hospital	●	●	●		
Hotel/Motel	●	●	●		●
Kennel			●		
Laundromat	●	●	●	●	
Nursing Home Long Term Care Home	●	●			
Marina	●	●	●		
Marine Sales & Service Establishment	●	●	●		
Market	●	●	●	●	

TABLE 7.1 – cont'd

Permitted Uses	Zones				
	C1	C1A	C2	C3	C4
	General Commercial (New Liskeard)	General Commercial (Haileybury)	Highway Commercial	Neighbourhood Commercial	Tourist Commercial
Principal Use- NOTE: Blue markings (●) are deleted uses					
Motor Vehicle Body Repair Shop	●	●	●		
Motor Vehicle Dealership	●	●	●		
Motor Vehicle Service Station	●	●	●		
Motor Vehicle Washing Establishment	●	●	●		
Outdoor Recreation, Active	●	●	●		●
Outdoor Recreation, Passive	●	●	●		●
Park, Public	●	●	●	●	●
Parking Lot	●	●	●		
Personal Service Establishment	●	●	●	●	
Place of Assembly	●	●	●		
Place of Entertainment	●	●	●		
Place of Recreation	●	●	●		
Place of Worship	●	●	●		
Plaza (?)	●	●	●		
Printing Establishment	●	●	●		
Public Use	●	●	●	●	●
Recreational Vehicle Sales and Service Establishment	●	●	●		
Restaurant	●	●	●	● (*2)	● (*1)
Restaurant, Drive-Through or Take-Out	●	●	●		
Retail Store	●	●	● (limit size)	● (*2)	
Self Storage Facility			●		
Service Establishment	●	●	●		
Tourist Camping Establishment					●
Tourist Establishment	●	●	●		●
Transportation Depot	●	●	●		
Veterinary Establishment	●	●	●		
Wayside Pit or Quarry			●		
Wholesale Establishment			●		

TABLE 7.2 – PERMITTED ACCESSORY USES

Accessory Uses	Zones				
	C1	C1A	C2	C3	C4
Principal Use	General Commercial	General Commercial	Highway Commercial	Neighbourhood Commercial	Tourist Commercial
Bed and Breakfast Establishment	● (*3)	● (*3)			
Boarding House	●	●	●		
Dwelling Unit in a non-residential building	●	●	●	●	
Group Home	●	●	●		
Home Industry	●	●	●		
Home Occupation	● (*3)	● (*3)	● (*3)		
Outdoor Storage			●		
Private Home Day Child Care	● (*3)	● (*3)	● (*3)	●	
Second Residential Dwelling Unit	● (*3)	● (*3)			

7.3.1 Notes to Permitted Uses

(*1) Legally Existing only;

(*2) To a maximum 150 square metres per establishment;

(*3) Located in a legally existing single detached or semi-detached dwelling only.

7.4 Lot Requirements

No person shall, within any Commercial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. A number(s) letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 7.3.

TABLE 7.3 – COMMERCIAL LOT REQUIREMENTS

Regulation		Zone				
		C1	C1A	C2	C3	C4
		General Commercial	General Commercial	Highway Commercial	Neighbourhood Commercial	Tourist Commercial
<i>all measurements are in metres unless otherwise noted</i>						
Minimum Lot Area (m ²)	Full Municipal Services	nil	nil	550	550	1000
	Partial Municipal Services	n/a	n/a	550	n/a	4000
	Private Services	n/a	n/a	1 ha	n/a	4000
Minimum Lot Frontage (m)	Full Municipal Services	nil	nil	15	18	30
	Partial Municipal Services	n/a	n/a	18	n/a	60
	Private Services	n/a	n/a	45	n/a	60
Maximum Lot Coverage (%)	Full Municipal Services	80	80	40	50	40
	Partial Municipal Services	n/a	n/a	25	n/a	30
	Private Services	n/a	n/a	25	n/a	30
Maximum Lot Coverage for accessory buildings (%) (a)		5	5	10	5	10
Minimum Front Yard (m)	Full Municipal Services	7.5 (*1)	nil	15	7.5	7.5
	Partial Municipal Services	n/a	n/a	15	n/a	7.5
	Private Services	n/a	n/a	15	n/a	7.5
Minimum Interior Side Yard (m)	Full Municipal Services	nil	nil	4.5	4.5	6
	Partial Municipal Services	n/a	n/a	15	n/a	6
	Private Services	n/a	n/a	15	n/a	6
Minimum Interior Side Yard abutting a Residential Zone (m)		3	3	5	5	10
Minimum Exterior Side Yard		7.5 (*1)	nil	15	7.5	7.5
Minimum Rear Yard		7.5 (*1)	3	7.5	7.5	7.5
Minimum Rear Yard abutting a Residential Zone		7.5	3	10	7.5	10
Minimum setback from watercourse		15	15	15	15	15
Maximum Building Height		15	15	15	11	11
Maximum Accessory Building Height		5	5	5	5	6
Minimum Gross Floor Area per dwelling		50	50	75	50	75
Maximum Number of Dwelling Units (excluding second dwelling)		5 (*2)(*3)	5 (*4)	1	1	1 (*5)
Minimum Landscaped Open Space (%)		0	0	10	30	30
Other Provisions				(*6)	(*7)(*8)	

7.4.1 Additional Commercial Zone Requirements

(*1) In the area bounded by [~~to be determined to apply to Business Improvement Area~~], the minimum yard shall be 0 (nil).

(*2) A maximum of 5 dwellings per establishment, provided a minimum of 1 parking space per dwelling is available on the site.

(*3) A dwelling unit is only permitted above the first storey.

(*4) A minimum lot area of 110 square metres per dwelling, up to a maximum of 5 dwelling units on a lot, and provided a minimum of 1 parking space per dwelling is available on the site.

(*5) Staff quarters are permitted in addition to the number of dwelling units.

(*6) Planting Strip location - a planting strip shall be required along any portion of a rear or side lot line which abuts a Residential zone.

(*7) Maximum number of commercial establishments per lot – 3. ~~(note: up from 1 in New Liskeard)~~

(*8) Maximum net floor area for each commercial establishment - 150 square metres. ~~(was 100 square metres in New Liskeard)~~

7.5 Commercial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 7.5.1 to 7.5.3 below.

7.5.1 Exceptions to General Commercial (C1) Zone

Exception	By-law	Location	Schedule	Special Provisions
C1-1	2510 NL	66 Lakeshore Road	F3	<p>Residential uses are not permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot area shall be 1200 sq m; • Minimum lot frontage shall be 30 m; • Maximum lot coverage shall be 60%; • Minimum front yard shall be 6 m; • Minimum rear yard shall be 2.8 m; • Minimum interior side yard shall be 3 m; • Minimum building separation shall be 4 m’ • Maximum building height shall be 6 m; • The minimum number of parking spaces shall be 6; • No part of any parking space shall be located closer than: 0.15 m to any street line or 1.5 m to any other lot line; • Minimum of 1 parking space for each 90 sq m of gross floor area of portion thereof;
C1-2				
C1-3				
C1-4				

7.5.2 Exceptions to General Commercial (C1A) Zone

Exception	By-law	Location	Schedule	Special Provisions
C1A-1				
C1A-2				
C1A-3				
C1A-4				

7.5.3 Exceptions to Highway Commercial (C2) Zone

Exception	By-law	Location	Schedule	Special Provisions
C2-1	2005-039 D	997498 Highway 11	D3	The maximum number of dwelling units per lot is 2.
C2-2	2541 NL	3 Pine Avenue	E3	<p>In addition to the permitted uses in a C2 zone, a sign painting shop is permitted.</p> <p>The following uses are not permitted:</p> <ul style="list-style-type: none"> • Residential uses; • Fuel pump island; • Outdoor storage. <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Maximum lot coverage shall be 62%; • Minimum exterior side yard shall be 0 m; • Minimum rear yard shall be 3.6 m; • Minimum side yard shall be 0.3 m; • Minimum building separation shall be 2.5 m; • Maximum building height shall be 12 m; • A planting strip shall not be required along any portion of a rear lot line or any portion of a side lot line which abuts a residential zone; • Minimum landscaped open space shall be 0%; • Minimum number of parking spaces per lot shall be 5; • No part of any parking space shall be located closer than: 0 m to any street or rear lot line; 0.3 m to a residential lot line; 3 m to a sight triangle; • Two parking spaces 3.5 m x 5.3 m shall be located in the rear (north) yard. These spaces will require only one entrance on to Armstrong Street; • Three parking spaces shall be located in the front (south) yard, with access to Pine Avenue.

Exception	By-law	Location	Schedule	Special Provisions
C2-3	2803 NL	211 Armstrong Street	E3	The following lot requirements apply: <ul style="list-style-type: none"> • Maximum lot coverage shall be 55%; • Minimum exterior side yard, interior side yard and rear yard shall be 0 m; • Minimum building separation shall be 2.5 m; • Maximum building height shall be 12 m.
C2-4	93-5 H	326 Rorke	I4, J4	The following lot requirements apply: <ul style="list-style-type: none"> • Minimum <i>interior side yard</i> shall be 1.2 m; • Minimum <i>rear yard</i> shall be 1.2 m; • Minimum landscaped <i>buffer area</i> between the property and adjacent residential properties shall be 1.2 m.

7.5.4 Exceptions to Neighbourhood Commercial (C3) Zone

Exception	By-law	Location	Schedule	Special Provisions
C3-1	2017-063	419 Whitewood	E3	Minimum number of parking spaces for a personal service establishment shall be 5.
C3-2				
C3-3				
C3-4				

7.5.5 Exceptions to Tourist Commercial (C4) Zone

Exception	By-law	Location	Schedule	Special Provisions
C4-1		743022 Dawson Point Road	E4	The permitted uses are limited to the following: <ul style="list-style-type: none"> • An accessory dwelling unit; • Rental cabins. The following lot requirements apply: <ul style="list-style-type: none"> • Minimum lot area shall be 1,400 sq m; • Minimum lot frontage shall be 28 m; • Maximum number of dwelling units per lot shall be one (1); • Maximum lot coverage shall be 30%; • Minimum front yard, exterior side yard and rear yard shall be 10 m; • Minimum interior side yard shall be 1 m on the west side and 10 m on the east side of the retained property; and 6 m on

Exception	By-law	Location	Schedule	Special Provisions
				<p>the east side and 10 m on the west side of the severed property;</p> <ul style="list-style-type: none"> • Maximum building height shall be 10 m; • Minimum landscape open space shall be 20%; • A planting strip shall be required along any portion of a rear lot line or any portion of a side lot line which abuts a residential zone.
C4-2				
C4-3				
C4-4				

Section 8: Industrial Zones

8.1 Establishment of Industrial Zones

The Industrial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
General Industrial Zone	M1	Industrial uses primarily within a building that do not create significant compatibility issues
Manufacturing Industrial Zone	M2	Industrial uses more intensive in nature which may include portions of the operation outdoors
Mineral Aggregate Resource Zone	M3	Licensed pit and/or quarry operations
Waste Management Zone	M4	Public and private waste management uses

8.2 General Prohibition

No person shall within any Industrial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

8.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A **number(s)** ~~letter(s)~~ following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 8.1, and Accessory Uses Table, Table 8.2.

TABLE 8.1 – PERMITTED PRINCIPAL USES

Permitted Uses	Zones			
	M1	M2	M3	M4
	General Industrial	Manufacturing Industrial	Mineral Aggregate Resource	Waste Management
Principal Use NOTE: Blue markings (●) are deleted uses				
Agricultural Processing Establishment	●	●		
Agricultural Produce Warehouse	●	●		
Agricultural Product Sales Outlet	●	●		
Agricultural Services	●	●		
Agricultural Supply/Implement Dealership	●	●		
Business, Professional or Administrative Office	●			
Cemetery	●	●		
Conservation Use	●	●	●	●
Contractor's Establishment	●	●		
Crematorium	●	●		
Dry Cleaning Establishment	●	●		
Educational Establishment	●			
Equipment Sales, Service & Rental Establishment	●	●		
Financial Establishment	●			
Forestry Use			●	●
Funeral Home	●			
Greenhouse, Nursey, Garden Centre	●			
Grocery Store	●			
Heavy Equipment Sales and Service Establishment	●	●		
Industrial Use (?)	●	●		
Kennel	●	●		
Laundromat	●			
Light Industrial Use	●	●		
Marina	●	●		
Marine Sales & Service Establihsment	●	●		
Micro Brewery/Winery	●(*2)			
Motor Vehicle Body Repair Shop	●	●		
Motor Vehicle Dealership	●			
Motor Vehicle Service Station	●			
Motor Vehicle Washing Establishment	●			
Park, Public	●	●	●	●
Parking Lot	●	●		
Pit			●	
Place of Entertainment	●			
Place of Recreation	●			
Place of Worship	●			
Plaza (?)	●			

TABLE 8.1 – PERMITTED PRINCIPAL USES – cont’d

Permitted Uses	Zones			
	M1	M2	M3	M4
	General Industrial	Manufacturing Industrial	Mineral Aggregate Resource	Waste Management
<i>Principal Use</i> NOTE: Blue markings (●) are deleted uses				
Printing Establishment	●	●		
Public Use	●	●	●	●
Quarry			●	
Recreational Vehicle Sales and Service Establishment	●	●		
Residential Care Facility	●			
Restaurant	●			
Restaurant, Drive-Through or Take-Out	●			
Retail Store		●-limit size-		
Recycling Facility	●	●		
Salvage Yard		●		●
Sawmill	●	●		
Self Storage Facility	●	●		
Transportation Depot	●	●		
Veterinary Establishment	●			
Warehouse	●	●		
Waste Disposal Facility				●
Wayside Pit or Quarry	●	●	●	●
Wholesale Establishment	●	●		

TABLE 8.2 – PERMITTED ACCESSORY USES

Accessory Uses	Zones			
	M1	M2	M3	M4
	General Industrial	Manufacturing Industrial	Mineral Aggregate Resource	Waste Management
Business Office	●	●		
Dwelling Unit in a non-residential building	●-(certain uses only)			
Outdoor Storage	●	●	●	
Retail Store	●(*1)	●(*1)		

8.3.1 Notes to Permitted Uses

(*1) The maximum floor area devoted to retail use shall not exceed 35% of the gross floor area of the permitted principal use.

(*2) The maximum floor area devoted to retail sales, tasting area and public space, shall not exceed 35% of the gross floor area of the facility.

8.4 Lot Requirements

No person shall, within any Industrial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. A **number(s) letter(s)** following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 8.3.

TABLE 8.3 – INDUSTRIAL LOT REQUIREMENTS FOR INDUSTRIAL ZONES

Regulation		Zone			
		M1	M2	M3	M4
		General Industrial	Manufacturing Industrial	Mineral Aggregate Resource	Waste Management
all measurements are in metres unless otherwise noted					
Minimum Lot Area (m ²)	Full Municipal Services	450	4000	n/a	n/a
	Partial Municipal Services	600	4000	n/a	n/a
	Private Services	4000	4000	10 ha	nil
Minimum Lot Frontage (m)	Full Municipal Services	20	20	n/a	n/a
	Partial Municipal Services	20	20	n/a	n/a
	Private Services	45	45	100	nil
Maximum Lot Coverage (%)	Full Municipal Services	60	60	n/a	n/a
	Partial Municipal Services	30	30	n/a	n/a
	Private Services	30	30	20	20
Maximum Lot Coverage for accessory buildings (%) (a)		20	20	10	10
Minimum Front Yard (m)	Full Municipal Services	8	8	n/a	n/a
	Partial Municipal Services	8	8	n/a	n/a
	Private Services	15	15	30	30
Minimum Interior Side Yard (m)	Full Municipal Services	5	5(*1)	n/a	n/a
	Partial Municipal Services	8	8	n/a	n/a
	Private Services	8	8	30	30
Minimum Interior Side Yard abutting a Residential Zone (or Community Facilities (CF) Zone)(m)		7.5	10	60	60
Minimum Exterior Side Yard		8	8(*1)	30	30
Minimum Rear Yard		8(*1)	8(*1)	30	30
Minimum Rear Yard abutting a Residential Zone (or CF Zone)		7.5	10	60	60
Minimum setback from watercourse		15	15	30	60
Maximum Building Height		12	12	12	12
Maximum Accessory Building Height		5	5	5	5
Minimum Gross Floor Area per dwelling		75	75	n/a	n/a
Maximum Number of Dwelling Units (excluding second dwelling)		1(*5)	1(*5)	0	0
Minimum Landscaped Open Space (%)		10	0	0	0
Other Provisions*		(*2, *3)	(*2)(*3)	(*2, *4)	(*2)

8.4.1 Additional Industrial Zone Requirements

(*1) No building setback shall be required from any portion of a lot line which abuts a railroad ~~r.o.w.~~ right-of-way.

(*2) A planting strip shall be required along any portion of a rear lot line or an interior side lot line which abuts a residential zone.

(*3) Minimum planting strip width – ~~15~~5 metres.

(*4) No building, structure or outside storage of materials, equipment, finished or unfinished products, or parking or staging of trucks or cranes or any other mechanical equipment is permitted:

- i) Within 60 m of a public street or road;
- ii) Within 30 m of a zone boundary.

8.5 Industrial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 8.5.1 to 8.5.4 below.

8.5.1 Exceptions to General Industrial (M1) Zone

Exception	By-law	Location	Schedule	Special Provisions
M1-1	2000-04	500 Marcella	I4	In addition to the permitted uses in an M1 Zone, 1 dwelling unit in a non-residential building is permitted as an accessory use to the primary industrial operation, provided such dwelling is restricted to the upper level of the building.
M1-2		998189 Highway 11	C3	<p>The permitted uses are limited to:</p> <ul style="list-style-type: none"> • An accessory single detached dwelling; • A motor vehicle body shop. <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot area shall be 460 sq m; • Minimum lot frontage shall be 15 m; • Minimum front yard shall be 9 m; • Minimum interior side yard shall be 6 m; • Maximum lot coverage shall be 10%; • Minimum landscaped area shall be 50%;

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> A planting strip shall be required along any portion of a rear lot line or any portion of a side lot line which abuts a Residential Zone.
M1-3				
M1-4				
M1-5				

8.5.2 Exceptions to Manufacturing Industrial (M2) Zone

Exception	By-law	Location	Schedule	Special Provisions
M2-1	2004-098	744087 Brazeau Blvd	F2	<p>In addition to the permitted uses in an M1 Zone, a training institution and accessory uses associated with a training institution shall be permitted.</p> <p>For the purposes of this section, a Training institution means a facility at which groups or individuals can be trained in classroom settings and provided with hands on training in respect to heavy equipment associated with the construction industry. A training institute shall also include transport training.</p>
M2-2	2015-152	437099 Hawn Drive	F2	<p>In addition to the permitted uses in an M2 zone, a retail store is permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> a maximum of 235 sq m within the existing building may be dedicated to the retail establishment; outdoor storage of goods associated with the retail store is not permitted.
M2-3				
M2-4				
M2-5				

8.5.3 Exceptions to Mineral Aggregate Resource (M3) Zone

Exception	By-law	Location	Schedule	Special Provisions
M3-1				

Exception	By-law	Location	Schedule	Special Provisions
M3-2				
M3-3				
M3-4				
M3-5				

8.5.4 Exceptions to Waste Management (M4) Zone

Exception	By-law	Location	Schedule	Special Provisions
M4-1				
M4-2				
M4-3				
M4-4				
M4-5				

Section 9: Agricultural and Rural Zones

9.1 Establishment of Agricultural and Rural Zones

The Agricultural and Rural Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Agricultural One Zone	A1	Prime Agricultural Area
Rural Zone	RU	Rural Area with varied agricultural potential

9.2 General Prohibition

No person shall within any Agricultural or Rural Zone, use any land, or erect, alter, enlarge, use or maintain any building or structure except as specified hereunder, and with all other applicable provisions of this By-law.

9.3 Permitted Uses

~~Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. Table 9.1 applies to the Principal Use on the property and Table 9.2 identifies the Permitted Accessory Uses.~~ Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A number(s) following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Principal Uses Table, Table 9.1, and Accessory Uses Table, Table 9.2.

TABLE 9.1 – PERMITTED **PRINCIPAL USES** ~~IN AGRICULTURAL AND RURAL ZONES (PRINCIPAL USE)~~

Permitted Uses	Zones	
	A1	RU
Principal Use- NOTE: Blue markings (●) are deleted uses	Prime Agricultural	Rural
Agricultural Processing Establishment	●	●
Agricultural Produce Warehouse	●	●
Agricultural Use	●	●
Agricultural Product Sales Outlet	●	●
Agricultural Services	●	●
Agricultural Supply/Implement Dealership		●
Cemetery		●
Conservation Use-	●	●
Contractor's Establishment		●
Day Nursery Child Care Centre		●
Driving Range		●
Dwelling, Single Detached	●	●(*1)
Equestrian Facility	●	●
Farm Residence	●(limit re- severance)	●
Forestry Use	●	●
Greenhouse, Nursery, Garden Centre	●	●
Group Home	●	●
Kennel		●(*2)
Market	●	●
Mining Use		●
Park, Public	●	●
Public Use	●	●
Wayside Pit or Quarry	●	●

TABLE 9.2 – PERMITTED ACCESSORY USES ~~IN AGRICULTURAL AND RURAL ZONES~~

Accessory Uses	Zones	
	A1	RU
Principal Use	Prime Agricultural	Rural
Bed and Breakfast Establishment	●	●
Boarding House		●
Dwelling, Single detached	●	●
Group Home	●	●
Home Industry	●	●
Home Occupation	●	●
Kennel		● (*2)
Outdoor Storage	●	●
Private Home Day Child Care	●	●
Second Residential Dwelling Unit	●	●

9.3.1 Notes to Permitted Uses:

(*1) One single detached dwelling permitted on a lot existing at the time of passing of this by-law.

(*2) Only permitted on a lot greater than 2 hectares and accessory to a permitted residential or agricultural use.

9.4 Lot Requirements

No person shall, within any Agricultural or Rural Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. A number(s) letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Notes below the Lot Requirements Table, Table 9.3.

TABLE 9.3 – AGRICULTURAL AND RURAL LOT REQUIREMENTS

Regulation		Zone	
		A1	RU
		Prime Agricultural	Rural
all measurements are in metres unless otherwise noted			
Minimum Lot Area (hectares)	General	40	10
	Residential Lot (surplus dwelling)	0.6	n/a
	Residential Lot (created by consent)	n/a	0.6
Minimum Lot Frontage (metres)	General	120	120
	Residential Lot	60	60
Maximum Lot Coverage (%)	General	5	5
	Residential Lot	20	20
Maximum Lot Coverage for accessory buildings (%) (a)		5	5
Minimum Front Yard and Exterior Side Yard (m)	General	30	30
	Residential Lot Use	9	9
Minimum Interior Side Yard (m)	General	15	15
	Residential Lot Use	9	3
Minimum Interior Side Yard abutting a Residential Zone (m)		30	15
Minimum Rear Yard General (m)	General	15	15
	Residential Lot Use	10	10
Minimum Rear Yard abutting a Residential Zone (m)		30	30
Minimum setback from watercourse (m)		15	15
Maximum Building Height (m)		11	11
Maximum Accessory Building Height (m)		11	11
Minimum Gross Floor Area per dwelling (square metres)		75	75
Maximum Number of Dwelling Units (excluding second dwelling)	Agriculture	3 (*1)	2 (*1)
	Residential lot or other non-residential use	1	1
Minimum Landscaped Open Space (%)		0	0
Other Provisions		(*2)	(*2)

9.4.1 Additional Rural and Agricultural Zone Requirements

(*1) Provided that such dwelling units are occupied by persons involved with the operation of the farm.

(*2) ~~No open Outdoor~~ storage area ~~shall be is~~ permitted ~~except only~~ in accordance with the following provisions:

- (i) no ~~open outdoor~~ storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- (ii) no ~~open outdoor~~ storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;

- (iii) every ~~open~~ outdoor storage area or lot having an open storage area situated thereon shall be enclosed by a wall or fence not less than ~~1.8 2.0~~ metres in height and constructed of uniform materials; and
- (iv) no portion of any ~~open~~ outdoor storage area for combustible materials shall be located closer than 6.0 metres to any lot line.

9.5 Agricultural and Rural Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 9.5.1 and 9.5.2 below.

9.5.1 Exceptions to Agricultural One (A1) Zone

Exception	By-law	Location	Schedule	Special Provisions
A1-1	984	Part of 824309 Heroux Road	C2	The permitted uses are limited to the following: <ul style="list-style-type: none"> An accessory dwelling; A commercial greenhouse; An outdoor storage area.
A1-2				
A1-3	984 & 1147 D	883006 Highway 65 East	E4	The permitted uses are limited to the following: <ul style="list-style-type: none"> An equipment storage building; An agricultural use; A flea market; A livestock building; A livestock sales business; An open storage area; A produce building; a vehicle agency. Residential uses are not permitted. <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> Minimum lot area shall be 8000 sq m; Minimum lot frontage shall be 100 m; Maximum lot coverage shall be 20%; Minimum front yard and exterior side yard shall be 15 m; Minimum rear yard shall be 10 m; Minimum interior side yard shall be 7.5 m; Maximum building height shall be 10 Minimum landscaped area shall be 40%.
A1-4	1040 D	823241 A Tobler's Road	C3	The permitted uses are limited to the following: <ul style="list-style-type: none"> A repair shop for vehicles and light equipment;

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> • Sale of parts accessory to a repair shop; • An accessory business office; • An open storage area; and • An accessory dwelling house. <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot area shall be 4500 sq m; • Minimum lot frontage shall be 45 m; • Maximum lot coverage shall be 20%; • Minimum front yard and shall be 15 m; • Minimum rear yard shall be 10 m • Minimum side yard shall be 3 m • Minimum landscaped area shall be 40%.
A1-5	1064 D	863126 Uno Park Road	A4	<p>In addition to the permitted uses in an A1 zone, the following uses are permitted:</p> <ul style="list-style-type: none"> • A stone quarry; • A building or processing plant; accessory to a stone quarry; <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Maximum lot coverage shall be 2%.
A1-6	1236 D	117332 Sales Barn Road		<p>In addition to the permitted uses in an A1 zone, the following uses are permitted:</p> <ul style="list-style-type: none"> • Single detached dwelling; • Kennel. <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Maximum lot coverage shall be 1%; • A planting strip shall be required on the south side of the property so as to sufficiently screen the view of the kennel operation from residential dwellings located on the south side of Highway No. 65; • A berm shall be required on the south side of the property so as to reduce the noise of the kennel operation from residential dwellings located on the south side of Highway No. 65. The planting strip may be located on the berm. A second berm shall be required on the east side of the property so as to reduce the noise of the traffic on the Concession Road

Exception	By-law	Location	Schedule	Special Provisions
				<p>between the existing house and the barn located north of the house. Berms shall be a minimum of 1.0 metre in height and be sloped to a 1:2 ratio.</p> <ul style="list-style-type: none"> • 1 parking space shall be provided for each 50 sq m of gross floor area or portion thereof; • The kennel area which includes all sheds, sleep areas, storage buildings and exercise run area, covered or uncovered, whether fenced or unfenced which are associated with the operation of a kennel, shall be limited to 850 sq m maximum lot coverage. These buildings, structures and areas associated with the operation of the kennel shall be separate from and not considered part of the building areas as provided by the 1% lot coverage provision above.
A1-7	2011-107 D			The minimum side yard shall be 6 m.
A1-8	2013-203 D	5418-020-001-03750 & 03775	E1	<p>In addition to the permitted uses in the A1 zone, solar energy generation is permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Minimum lot area shall be 5.5 ha; • Minimum lot frontage shall be 249 m.
A1-9	2015-074 D	118420 Sales Barn Road	A4	<p>In addition to the permitted uses in the A1 zone, an accessory triplex dwelling is permitted as an accessory use to an agricultural use.</p> <p>For the purposes of this section, an accessory triplex dwelling is a dwelling containing three dwelling units which is accessory to a permitted non-residential use and in which the dwelling units are occupied either by the family of the owner of such non-residential use or by the family of a person employed on the lot where such dwelling house is located.</p>

9.5.2 Exceptions to Rural (RU) Zone

Exception	By-law	Location	Schedule	Special Provisions
RU-1	2006-91	644040 Wilson Road	G2	The minimum front yard shall be 15.24 m for an accessory building.
RU-2	95-64 H	583250 West Road	I4	<p>In addition to the permitted uses in the RU zone, a 2-unit residential dwelling and a golf ball driving range shall be permitted uses;</p> <p>For the purposes of this section,</p> <ul style="list-style-type: none"> Planting Strip means an area which shall be used for no purpose other than planting a row of coniferous trees to be grown to a height of at least 6 m, for the purpose of a privacy screen, each tree being planted no greater than 3 m from the next tree along the planting strip. <p>A planting strip is required along the common lot line with the adjacent property to the east, extending along the lot line 92 m in a southerly direction from the northeast corner of the property.</p>
RU-3	96-50 H	75770 Cemetery Road	L3	One existing mobile home shall be permitted.
RU-4	99-28 H	583361-583367 West Road	I3	In addition to the permitted uses in the RU zone, a <i>contractor's establishment</i> and a <i>greenhouse, nursery, garden centre</i> are permitted.
RU-5	2000-20 H	175623 Fleming Road	H2	<p>In addition to the permitted uses in the RU zone, the temporary storage of no more than 150 logs used in the erection of temporary lot structures is permitted, provided the total number of temporary log structures erected in any calendar year does not exceed 4;</p> <p>For the purposes of this section, a temporary log structure means the processing of raw logs by peeling, sizing, marking, shaping and fitting together on temporary footings based on drawing specifications into one unit, but excludes the addition of windows, doors, wiring, drywall, etc., associated with the finishing of a structure;</p>

Exception	By-law	Location	Schedule	Special Provisions
				<p>The following zone provisions apply:</p> <ul style="list-style-type: none"> • Access and parking for the work area shall be located adjacent to the existing house; • No work in conjunction with the temporary log structures shall be conducted between the hours of 8:00 p.m. and 8:00 a.m.; • Peeled bark is to be stockpiled in a manner preventing decomposition and filtration into the subsurface; • Peeled bark is to be removed from site and disposed of in accordance with Federal, Provincial and Municipal regulations prior to it decomposing; • Approval from the City shall be obtained for each temporary log structure prior to the commencement or erecting of any temporary log structure.
RU-6	2006-042	584104 Mowat Landing Road	I1, I2	In addition to the permitted uses in the RU zone, the importation of raw wood material for the purpose of processing into a finished wood product or by-product is permitted.
RU-7	2012-021	1106 Lakeshore Road S	H4	<p>The permitted uses are limited to the following:</p> <ul style="list-style-type: none"> • All existing uses which include general office, indoor storage and outdoor storage; • Agriculture services; • Bulk sales establishment; • Bulk storage yard; • Forestry; • Marina; • All uses accessory to a main use. <p>Due to odour issues that could be associated with the possible future industrial sewage treatment plant on the adjacent property, the following sensitive land uses are strictly prohibited:</p> <ul style="list-style-type: none"> • Residences or buildings where people sleep, i.e. single and multi-unit dwellings, nursing homes, hospitals, trailer parks and camping grounds, etc.;

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> • Institutional uses, i.e. schools, churches, community centres, day care centres, etc.; • Outdoor recreational uses, i.e. trailer parks, picnic areas, etc.

Section 10: Other Zones

10.1 Establishment of Other Zones

The Other Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Community Facilities Zone	CF	Institutional uses
Open Space Zone	OS	Public and private open space uses
Environmental Protection Zone	EP	
Development Zone	D	Lands reserved for future development
Mixed Use-A Zone	MU-A	Agricultural Research Station

10.2 General Prohibition

No person shall within any of the Other Zones, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

10.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A **number(s) letter(s)** following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Tables, Table 10.1. and 10.2.

TABLE 10.1 - PERMITTED PRINCIPAL AND ACCESSORY USES IN OTHER ZONES

Permitted Uses	Zones				
	CF	OS	EP	D	MU-A
Principal Use- NOTE: Blue markings (●) are deleted uses	Community Facilities	Open Space	Environmental Protection	Development	Mixed Use-A Agricultural Research Station
Agricultural Processing Establishment					●
Agricultural Produce Warehouse					●
Agricultural Product Sales Outlet					●
Agricultural Services					●
Agricultural Use			● (*1)	● (*2)	●
Business, Professional or Administrative Office	●				●
Cemetery	●	●		●	
Conservation Use-	●	●	●	●	
Day Nursery Child Care Centre	●				
Driving Range		●			
Dwelling, Apartment-					●
Dwelling, Single Detached				● (*2)	
Educational Establishment	●				●
Forestry Use	●	●	●		
Golf Course		●			
Greenhouse, Nursey, Garden Centre					●
Health Services Establishment	●				
Home for Special Care	●				
Hospital	●				
Nursing Home Long Term Care Home	●				
Outdoor Recreation, Active		●			●
Outdoor Recreation, Passive		●	●		●
Park, Public	●	●	●	●	
Place of Assembly	●				●
Place of Recreation	●	●			
Place of Worship	●				
Public Use	●	●	●		
Residential Care Facility Retirement Home	●				
Tourist Establishment					
Wayside Pit or Quarry				●	

TABLE 10.2 - PERMITTED ACCESSORY USES

Accessory Uses	Zones				
	CF	OS	EP	D	MU-A
Marine Facility			●		
Residential Unit in a non-residential building	●				

10.3.1 Notes to Permitted Uses:

(*1) Excluding any building or structure.

(*2) Existing uses only.

(*3) Limited to Corporate accommodation and dining facilities.

10.4 Lot Requirements

No person shall, within any Industrial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. A **number(s) letter(s)** following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 10.3.

TABLE 10.3 - LOT REQUIREMENTS FOR OTHER ZONES

Regulation		Zone				
		CF	OS	EP	D	MU-A
		Community Facilities	Open Space Recreation	Environmental Protection	Development	Mixed Use-A
Minimum Lot Area (m ²)	Full Municipal Services	1000	nil	nil	(*1)	(*1)
	Partial Municipal Services	1500	nil	nil	(*1)	(*1)
	Private Services	1500	4 ha	nil	n/a	n/a
Minimum Lot Frontage (m)	Full Municipal Services	20	10	nil	(*1)	(*1)
	Partial Municipal Services	25	25	nil	(*1)	(*1)
	Private Services	25	60	nil	n/a	n/a
Maximum Lot Coverage (%)	Full Municipal Services	40	10	10	30	30
	Partial Municipal Services	20	10	10	15	10
	Private Services	20	10	10	n/a	n/a
Maximum Lot Coverage for accessory buildings (%) (a)		5	5	5	5	5
Minimum Front Yard (m)	Full Municipal Services	6	10	15	6	6
	Partial Municipal Services	6	10	15	6	6
	Private Services	7.5	15	15	n/a	n/a
Minimum Interior Side Yard (m)	Full Municipal Services	6	6	7.5	3	3
	Partial Municipal Services	12	15	15	3	3
	Private Services	12	15	15	n/a	n/a
Minimum Interior Side Yard abutting a Residential Zone		7.5	10	15	3	3
Minimum Exterior Side Yard		6	10	15	5	6
Minimum Rear Yard		6	6	7.5	6	10
Minimum Rear Yard abutting a Residential Zone		6	6	7.5	6	10
Minimum setback from watercourse		15	15	15	15	15
Maximum Building Height		12	12	10	10	10
Maximum Accessory Building Height		5	5	5	5	5
Minimum Gross Floor Area per dwelling		75	75	n/a	75	75
Maximum Number of Dwelling Units (excluding second dwelling)		1	0	0	(*2)	(*2)
Minimum Landscaped Open Space (%)		20	50	50	30	
Other Provisions						

10.4.1 Additional Other Zone Requirements

(*1) The minimum lot area and lot frontage requirements of a lot ~~in the Development zone~~ are the dimensions of that lot existing on the date of passing of this by-law.

~~(*2) Maximum building height on full municipal services—18 metres.~~

(*2) The maximum number of dwelling units ~~in the Development zone~~ are as existing at the date of passing of this by-law.

10.5 Other Zone Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 10.5.1 to 10.5.4 below.

10.5.1 Exceptions to Community Facilities (CF) Zone

Exception	By-law	Location	Schedule	Special Provisions
CF-1	2409 NL	260 Whitewood Avenue	F3	<p>In addition to the uses permitted in the CF zone, a dwelling unit accessory to a place of worship and a thrift store are permitted.</p> <p>The following lot requirements apply:</p> <ul style="list-style-type: none"> • Maximum lot coverage shall be 65%; • Minimum front yard shall be 0 m; • Minimum side yard shall be 2 m; • Minimum building separation shall be 3 m; • Minimum landscaped area shall be 15%; • Minimum parking space requirements shall be 1 space for a dwelling unit and 1 space for each 55 sq m of net floor area; • No parts of any parking space shall be located closer than 1.5 m to any street line; 1.5 m to any laneway line; or 6 m to any other lot line.
CF-2				

10.5.2 Exceptions to Open Space Recreational (OS) Zone

Exception	By-law	Location	Schedule	Special Provisions
OS-1				
OS-2				

10.5.3 Exceptions to Environmental Protection (EP) Zone

Exception	By-law	Location	Schedule	Special Provisions
EP-1	2013-151	Pt Lot 10, Con 2, Dymond	E4	The permitted uses are limited to the following: <ul style="list-style-type: none"> • Conservation use; • Flood control and erosion use; • Fish management use.
EP-2				

10.5.4 Exceptions to Development (D) Zone

Exception	By-law	Location	Schedule	Special Provisions
D-1				
D-2				

10.5.5 Exceptions to Mixed Use-Area A (MU-A) Zone

Exception	By-law	Location	Schedule	Special Provisions
MU-A-1				

Section 11: ~~————~~ Mixed Use Zones

11.1 ~~————~~ Establishment of Mixed Use Zones

The Mixed Use Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Mixed Use — Boathouse Facility Area Zone	MU-A	Institutional uses
Mixed Use — Agricultural Research Station Zone	MU-B	Lands reserved for future development

11.2 ~~————~~ General Prohibition

No person shall within any of the Other Zones, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

11.3 ~~————~~ Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. A letter(s) following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 11.1.

TABLE 11.1 – PERMITTED PRINCIPAL AND ACCESSORY USES IN MIXED USE ZONES

Permitted Uses	Zones	
	MU-A	MU-B
	Mixed Use - Boathouse Facility Area	Mixed Use - Agricultural Research Station
Principal Use		
Agricultural Processing Establishment		●
Agricultural Produce Warehouse		●
Agricultural Use		●
Agricultural Product Sales Outlet		●
Agricultural Services		●
Agricultural Supply/Implement Dealership		●
Business, Professional or Administrative Office	●	●
Conservation Use	●	●
Dwelling, Apartment	●	
Educational Establishment		●
Greenhouse, Nursey, Garden Centre		●
Health Services Establishment	●	
Outdoor Recreation, Active	●	●
Outdoor Recreation, Passive	●	●
Park, Public	●	●
Place of Assembly		●
Public Use		●
Tourist Establishment	●(*1)	

TABLE 11.2 – PERMITTED ACCESSORY USES

Accessory Uses	Zones	
	MU-A	MU-B
Marine Facility	●	

Notes to Permitted Uses:

(*1) Limited to a Corporate accommodation and dining facilities

11.4 Lot Requirements

No person shall, within any Industrial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. A letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 11.2.

Section 11: Overlay Zones

11.1 Establishment of Overlay Zones

11.1.1 The Overlay Zones established by this By-law are:

- Flood Hazard Constraint Overlay (F);
- Mining Constraint Overlay (MC);

11.1.2 The Overlay zone identifies a specific constraint that must be addressed before any development that would otherwise be permitted by the underlying zone can occur.

11.2 General Prohibition

11.2.1 No person shall within the Flood Hazard Constraint Overlay or the Mining Constraint Overlay use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

11.2.2 The following provisions take precedence over the provisions of the underlying zone. Any development permitted shall be subject to the corresponding lot requirements for the zone in which the property is located.

11.3 Flood Hazard Constraint Overlay (F):

11.3.1 Identification and Interpretation:

- i) Lands located in the Flood Hazard Constraint Overlay are identified on the schedules to this By-law and identify lands that are susceptible to flooding, erosion or other natural hazards. Lands not identified on the schedules to this By-law but that are located below the 181.7 CGD elevation are considered to be within the Flood Hazard Constraint Overlay. The delineation of Flood Hazard Constraint Area Overlay is based on the most current information available and may not be accurate or up to date in some areas.
- ii) Development is restricted in these areas in an effort to minimize the threat of injury or loss of life and prohibit land uses where flooding may compromise the ability to deliver essential services, or where flooding may cause unacceptable risk of property damage.
- iii) The Flood Hazard Constraint Overlay reflects the location of the Lake Temiskaming regulatory flood elevation. Where the lands are shown on the schedules to this By-law, the flood elevation as shown on the schedules shall be confirmed by an Ontario Land Surveyor prior to development occurring.

- iv) Where lands along the Lake Temiskaming shoreline are not shown on the schedules to this By-law but are below the 181.7 CGD elevation, the elevation line shall be provided by an Ontario Land Surveyor prior to development occurring.

11.3.2 Floodproofing:

- a) All new development, ~~access~~ and expansions to existing buildings and structures below the 181.7 CGD elevation shall be floodproofed to the 181.7 CGD elevation.
- b) Where an applicant proposes to provide, or add any additional dwelling units, the entire building shall be floodproofed to the 181.7 CGD elevation.

11.3.3 Requirements: Despite the provisions of the underlying zone, development is subject to the following:

- a) Development of an existing vacant lot is subject to applicable flood proofing of buildings ~~and motor vehicle access~~.
- b) Minor alterations and repairs to buildings which existed on the date of the passing of this By-law, not exceeding an increase of 35.0 square metres in gross floor area to the existing building, shall be permitted without flood proofing.
- c) Alterations, replacements, repair, reconstruction or enlargements of existing buildings in excess of that permitted in b) above, is permitted provided such building is flood proofed above the regulatory flood level.
- d) New accessory buildings are permitted provided such buildings, other than shoreline structures, are flood proofed above the regulatory flood level.

11.3.4 Prohibited Uses:

- a) Community Facilities (including ~~day nurseries~~ ~~child care centres~~, community centres, government facilities, ~~homes for special care~~, hospitals, ~~nursing homes~~ ~~long term care homes~~, retirement homes, educational establishments), essential emergency services and any uses associated with the disposal, manufacture, treatment or storage of hazardous substances, are prohibited in the regulatory flood plain.

11.4 Mining Constraint Overlay (MC):

- 11.4.1 Lands ~~identified with a~~ ~~located within the~~ Mining Constraint Area (MC) ~~symbol~~ are shown on the Schedules to this By-law, shall be used for no other purpose than those uses which legally existed prior to the passing of this By-law.

Section 12: Holding Zones

12.1 Establishment of Holding (H) Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number (for example R1 (H-1) no person shall use the land to which the letter “H” applies for any use other than the use which existed on the date the By-law applying the “H” was passed, until the “H” is removed in accordance with the policies of the Official Plan and the *Planning Act, R.S.O. 1990, ch P.13*, as amended.

Council may pass a By-law in accordance with the *Planning Act, R.S.O. 1990, ch P.13*, as amended, to remove the Holding “H” symbol, when all of the applicable requirements have been met, thereby placing the lands in the zone indicated by the Zone symbol.

Properties with Holding “H” Provisions are identified on the Zoning Schedules and in Table 12.1 below, together with the conditions for the “H” removal.

When the Holding symbol has been removed, the lands shall be developed according to the requirements of the zone used in conjunction with the Holding Symbol.

12.2 Requirements for development on lands with the Holding provision, and requirements for removal of the Holding provision

Table 12.1 identifies properties that are subject to a Holding “H” Provision and stipulates what specific provision is required to be satisfied in order for consideration to be given to the removal of the “H” provision.

TABLE 12.1 – HOLDING PROVISIONS

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing “H”
	H-1	Various sites with mine hazards			<p>On lands subject to the H-1 Holding provision, the permitted uses are limited to existing uses and non-sensitive accessory uses.</p> <p>Where the Ministry of Northern Development and Mines has been circulated an application for development and has no concerns, or a study has been completed to the satisfaction of the City indicating that development is safe to proceed, the permitted uses shall be limited to those permitted in the zone and authorized by such</p>	

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing "H"
					<p>study, without having to remove the holding provision.</p> <p>Where concerns have been identified, the uses permitted within the underlying zone shall not be permitted until a report stamped by a Professional Engineer and approved by the City indicates that development can occur without any adverse public health and safety risks from the prior mining activity and that the owner enters into an agreement with the City to implement the recommendations of the study, and all other lot requirements from the underlying zone are complied with.</p> <p>Notwithstanding the above, such studies shall not be required for the following:</p> <ul style="list-style-type: none"> • interior alterations to existing structures; • exterior alterations that do not expand the footprint of an existing structure. 	
	H-2	Various sites within aggregate resource influence area			<p>On lands subject to the (H-2) Holding provision, the permitted uses are limited to existing uses and non-sensitive accessory uses.</p> <p>The (H-2) Holding provision will only be removed by By-law upon the completion to the satisfaction of the City of an Impact Assessment that demonstrates that development can occur without negative influence on the aggregate resource operation, in accordance with the Ministry of Environment and Climate Change D-6 Guideline.</p>	

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing "H"
	H-3	Various sites within waste management facility potential influence area			<p>On lands subject to the (H-3) Holding provision, the permitted uses are limited to existing uses and non-sensitive accessory uses.</p> <p>The (H-3) Holding provision will only be removed by By-law upon the completion to the satisfaction of the City of a study showing no contamination from the adjacent waste management facility and no negative impact on the proposed use from the waste management facility, in accordance with the Ministry of Environment and Climate Change D-4 Guideline.</p>	
R4-6	H-4		F3	2013-101 & 2014-206	The Holding symbol shall be removed by council upon the approval of a site plan and development agreement including all of the requirements set out in the conditions in any draft plan of condominium approval by the Ministry of Municipal Affairs and Housing under file no. 54-CD-13001	
R3	H-5			2013-151	The Holding symbol shall be removed by council upon the approval of a draft plan of subdivision for the property or portion thereof to which the holding symbol applies.	

Section 13: Temporary Use

(sections to be added through amendment to the by-law when adopted).

Section 14: Enactment

14.1 Repeal of former By-laws

- a) By-law No. 85-27, as amended, of the former Town of Haileybury, and all amendments thereto, is hereby repealed upon the coming into force of this By-law;
- b) By-law No. 2233, as amended, of the former Town of New Liskeard, and all amendments thereto, is hereby repealed upon the coming into force of this By-law;
- c) By-law No. 984, as amended, of the former Township of Dymond, and all amendments thereto, is hereby repealed upon the coming into force of this By-law

14.2 Effective Date

This By-law shall come into force and effect on the date it is passed by the Council of the City of Temiskaming Shores subject to the applicable provisions of *the Planning Act, R.S.O. 1990, c.P. 13*, as amended.

14.3 Enactment (Readings)

By-law enacted this _____ day of _____, 2017.

City of Temiskaming Shores

Mayor

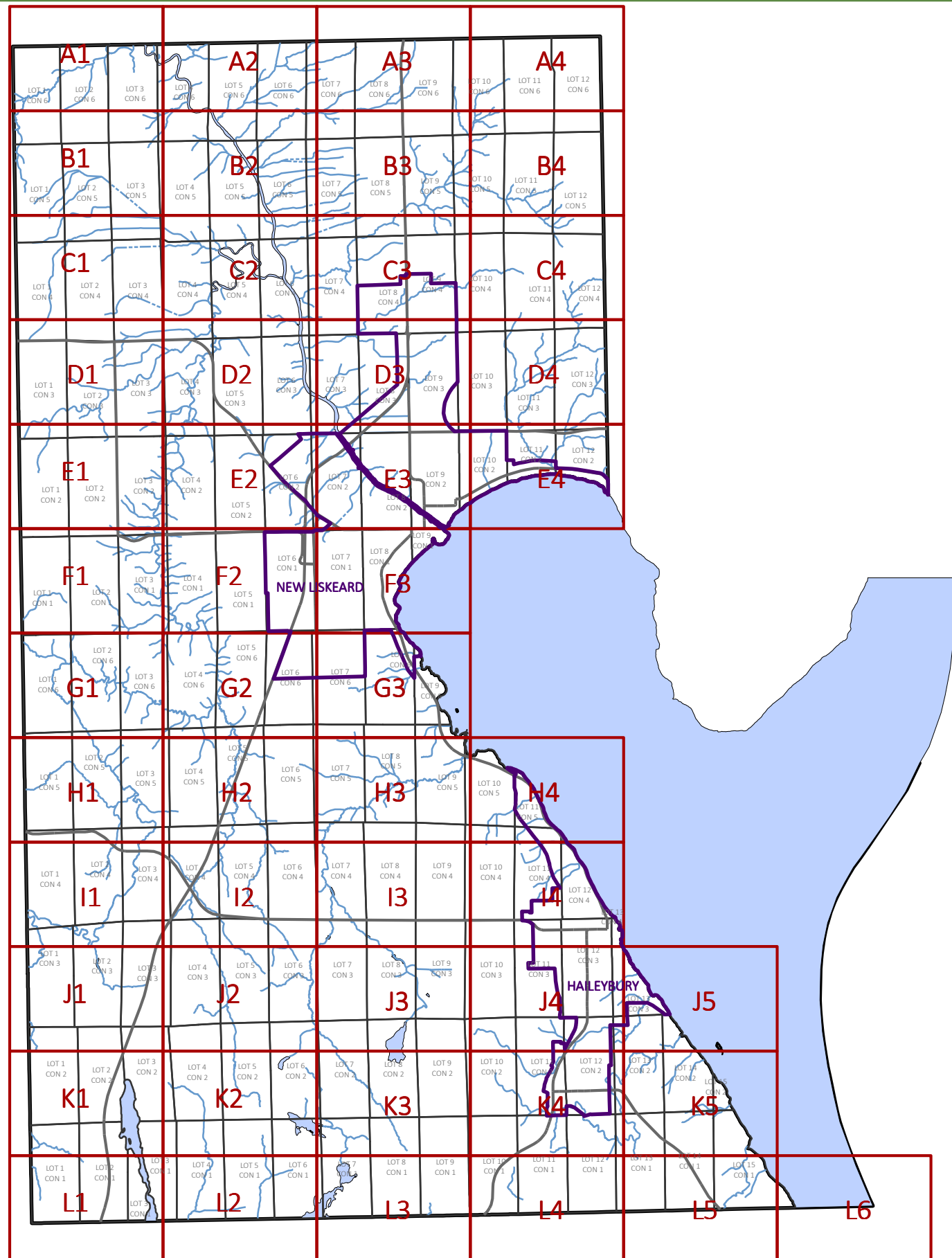
Clerk

Schedules (Zone Maps)

Appendices (to be provided)

Appendix A: Conversion Tables

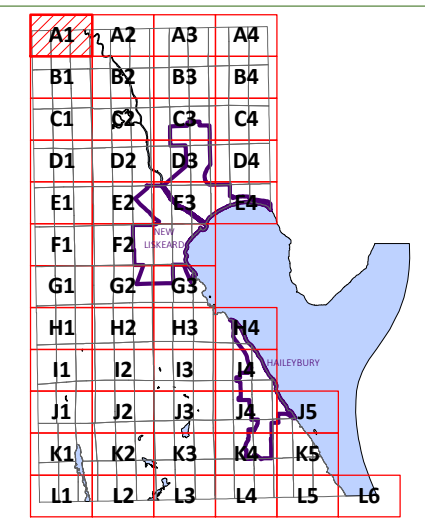
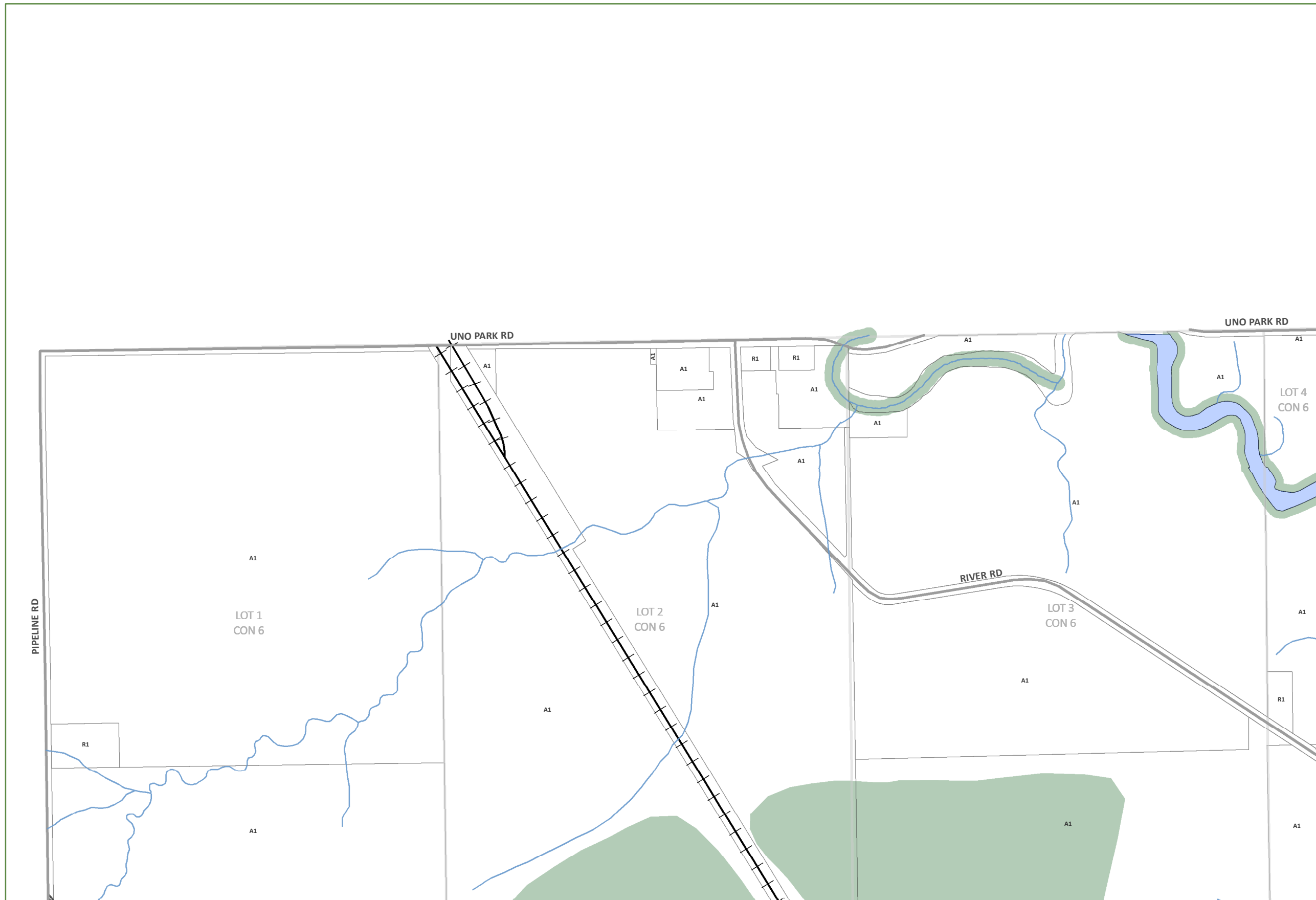
Appendix B: Illustrations



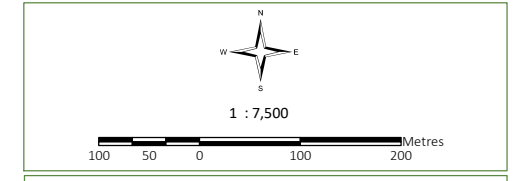
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FOR REVIEW

November 13, 2017



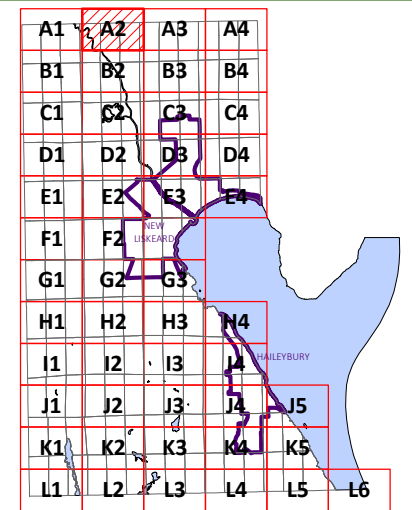
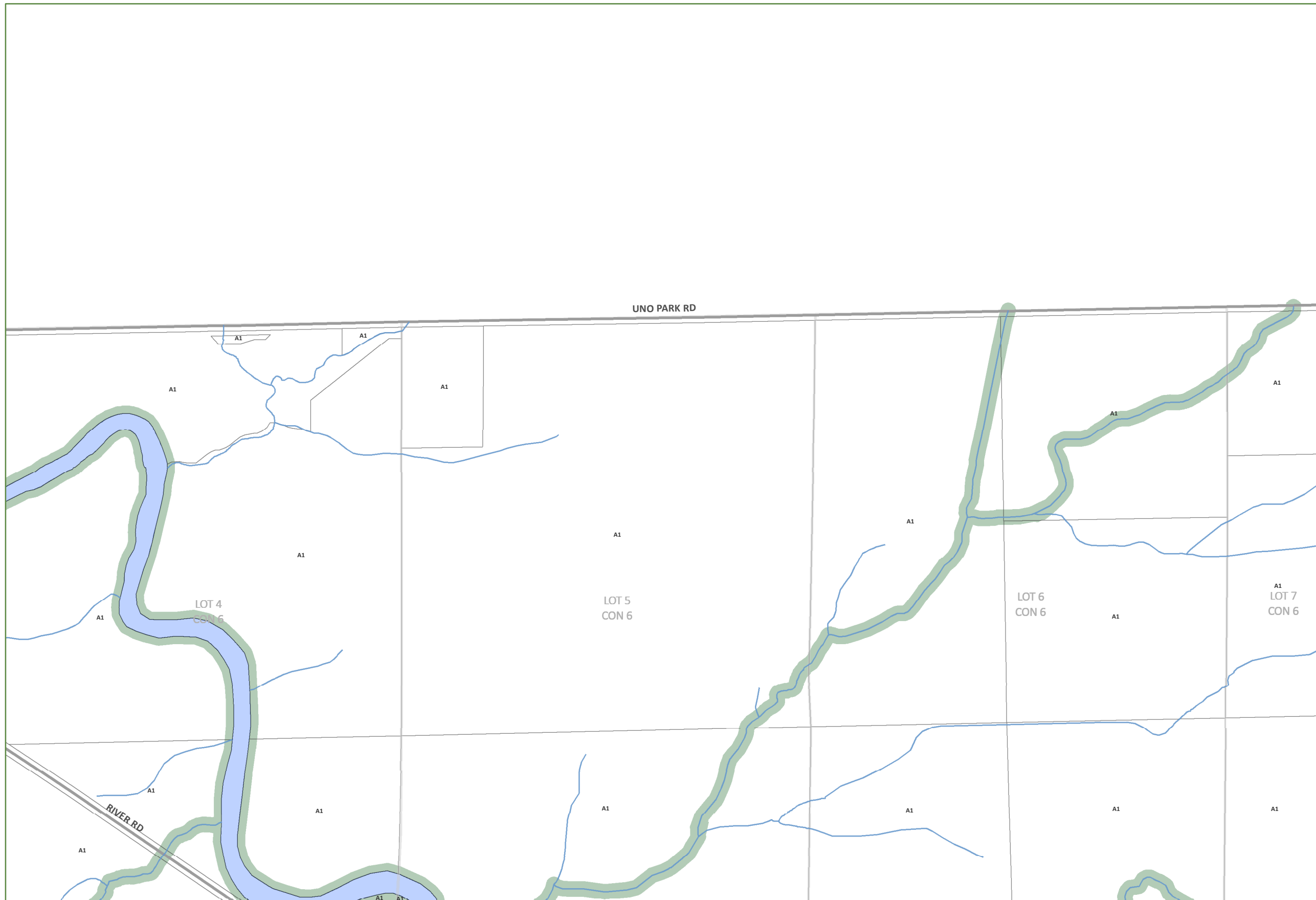


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|---------------|----------------------------|---------------|-------------------|
| R1 | Rural Residential | A1 | Prime Agriculture |
| R2 | Low Density Residential | RU | Rural |
| R3 | Medium Density Residential | [Red Box] | Settlement Areas |
| R4 | High Density Residential | [Purple Box] | Town Centre |
| MH | Mobile Home Residential | | |
| D | Development | | |
| C1 | General Commercial | [Blue Line] | Watercourses |
| C2 | Highway Commercial | [Cross-Ticks] | Railway |
| C3 | Neighbourhood Commercial | | |
| C4 | Tourist Commercial | | |
| MUA | Mixed Use-A | | |
| M1 | General Industrial | | |
| M2 | Manufacturing Industrial | | |
| M3 | Mineral Aggregate Resource | | |
| M4 | Waste Management | | |
| CF | Community Facility | | |
| OS | Open Space Recreation | [Blue Box] | Floodplain |
| EP | Environmental Protection | [Yellow Box] | Influence Areas |
| [Cross-Ticks] | Mining Hazard Constraint | | |

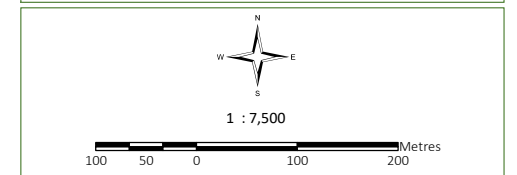


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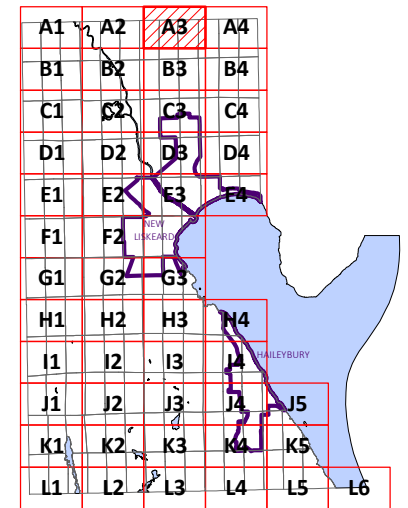
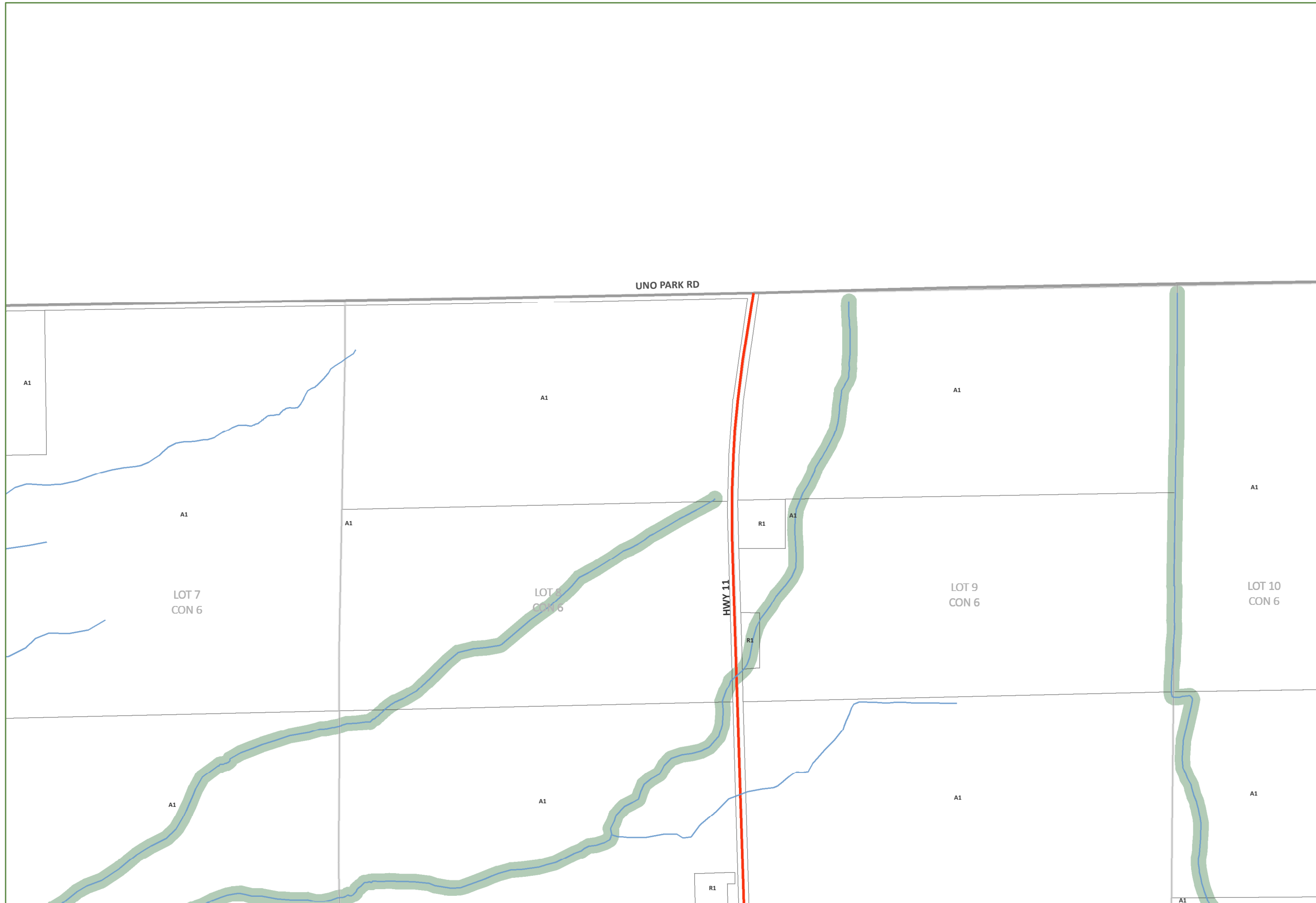


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| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | OVERLAY ZONES |
| M2 Manufacturing Industrial | Floodplain |
| M3 Mineral Aggregate Resource | Influence Areas |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | |
| EP Environmental Protection | |
| Mining Hazard Constraint | |

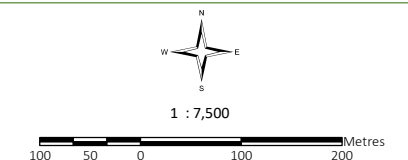


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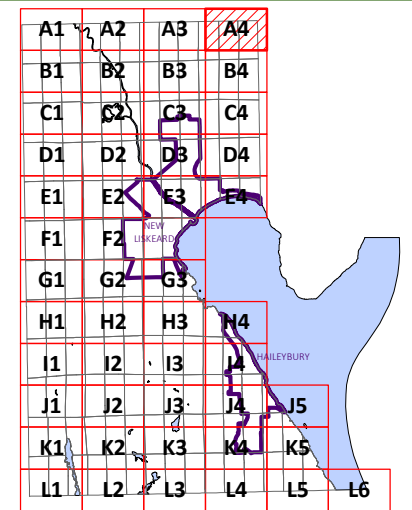
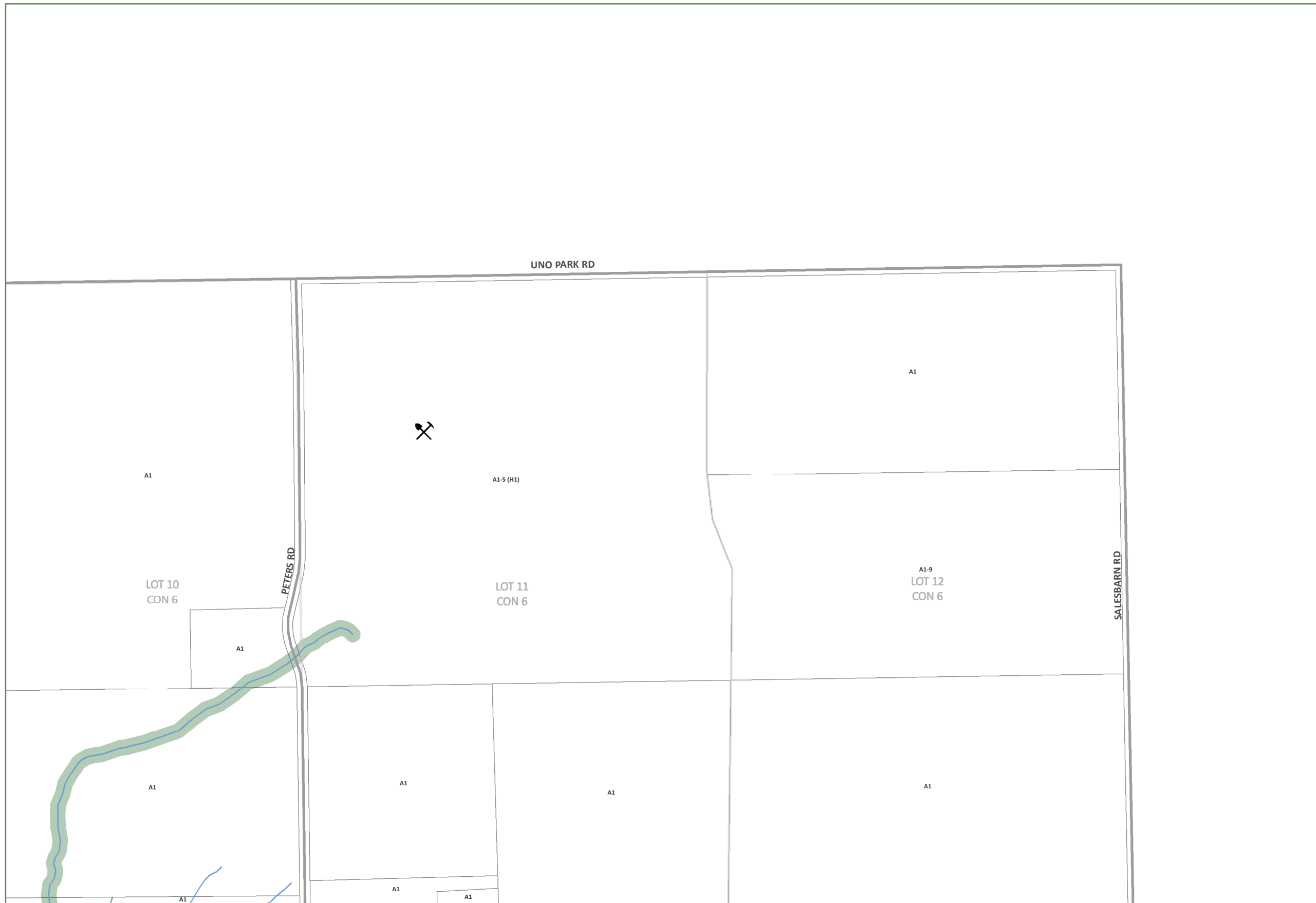


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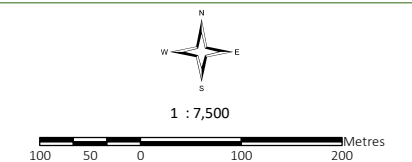


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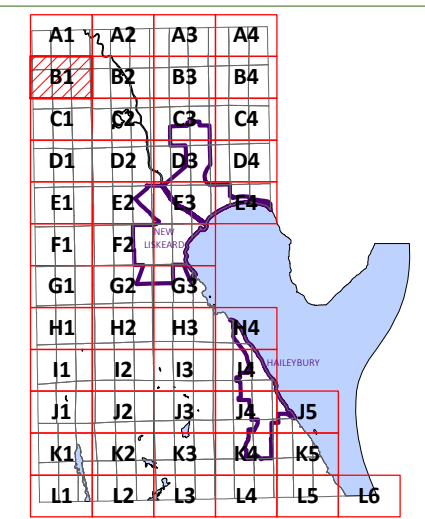
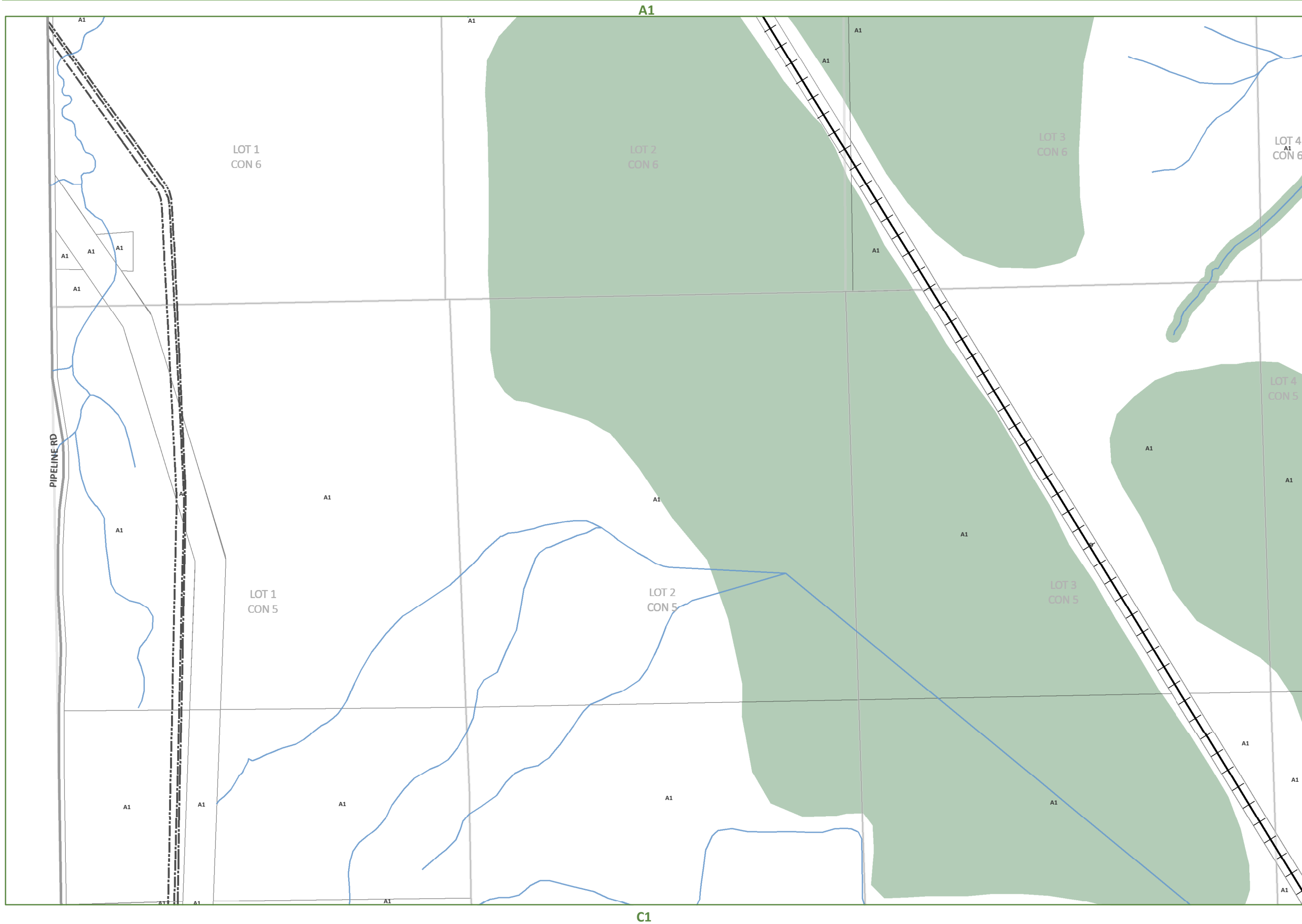


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| R3 Medium Density Residential | Settlement Areas |
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| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses |
| C2 Highway Commercial | Railway |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
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| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

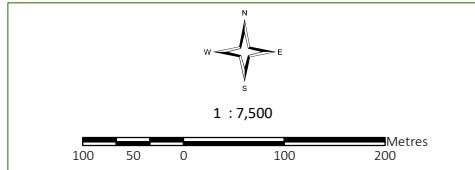


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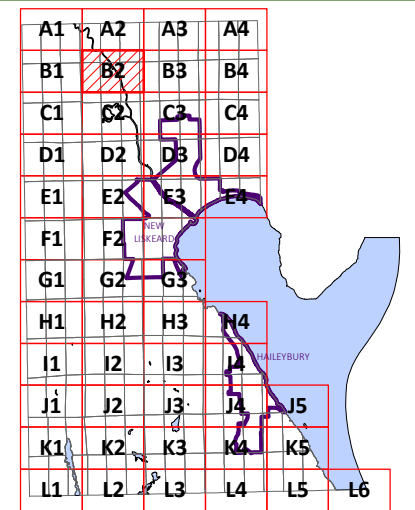
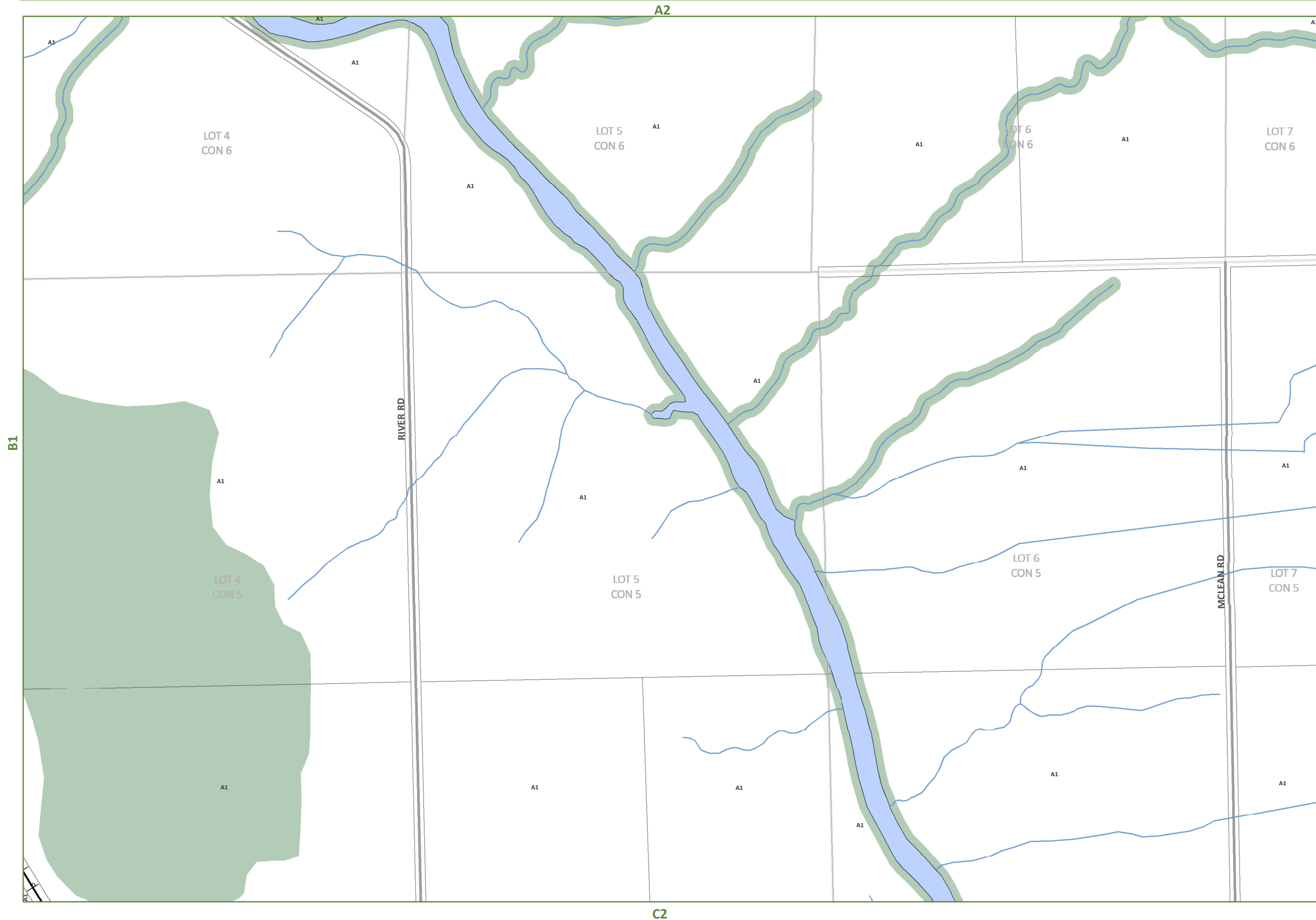


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| C4 Tourist Commercial | |
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| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
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| Mining Hazard Constraint | Influence Areas |

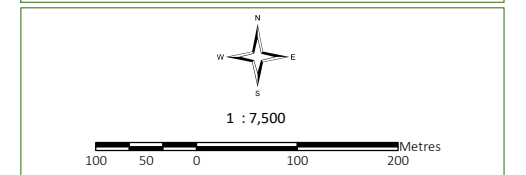


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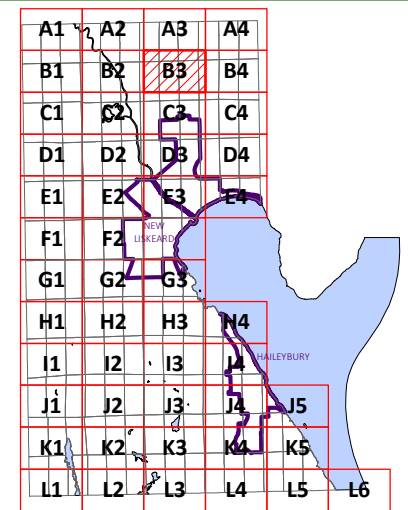
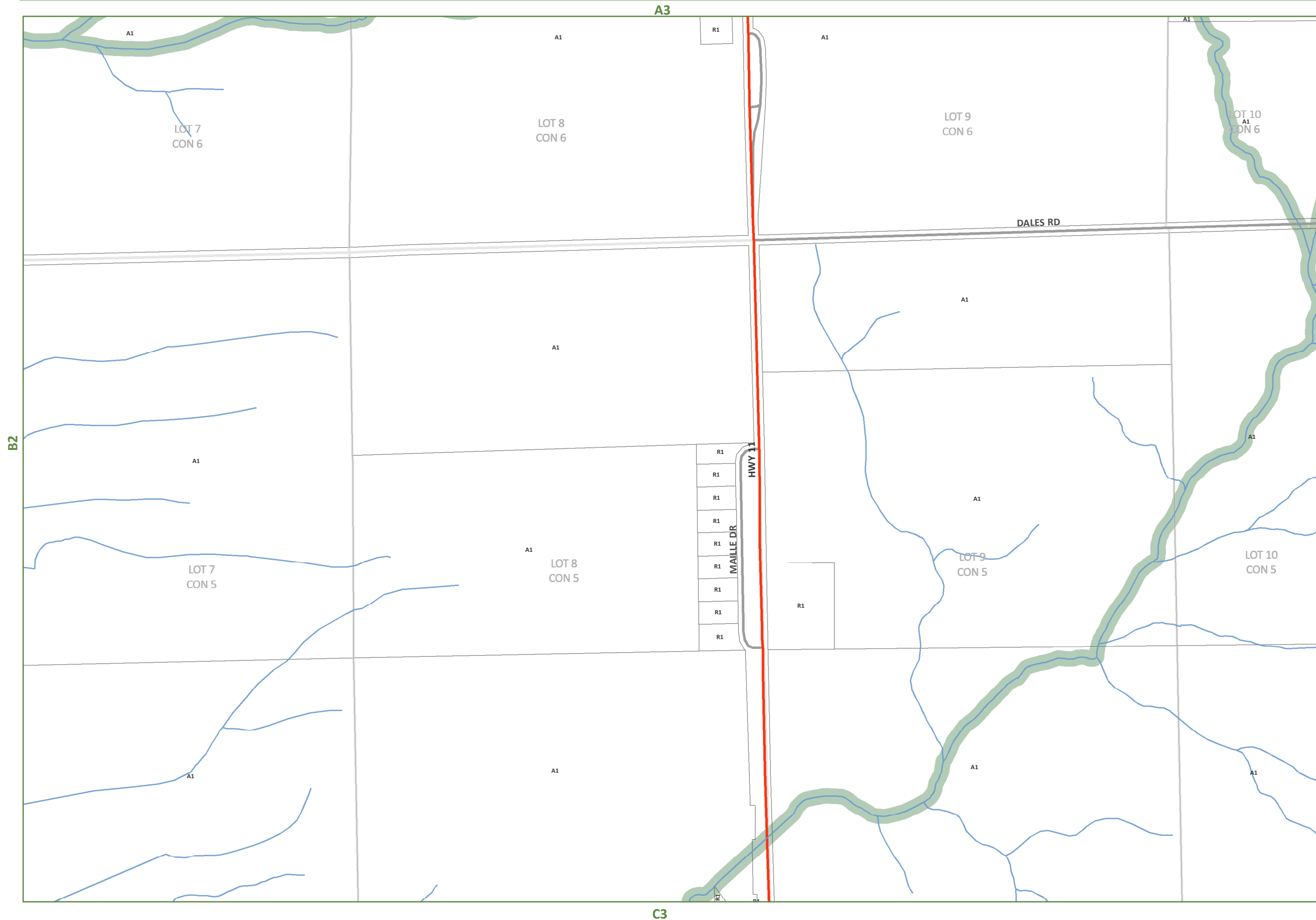


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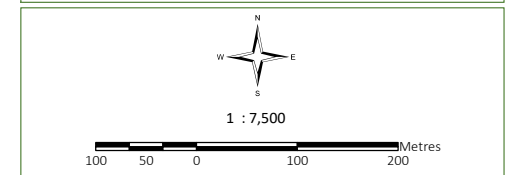


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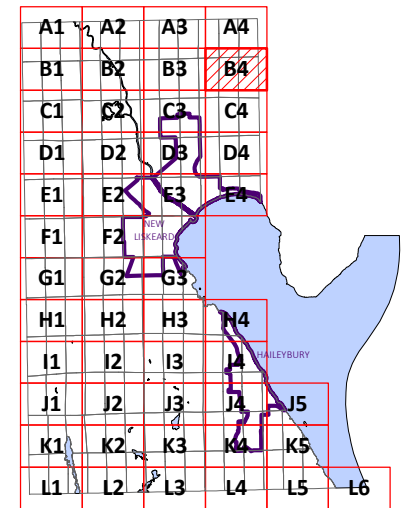
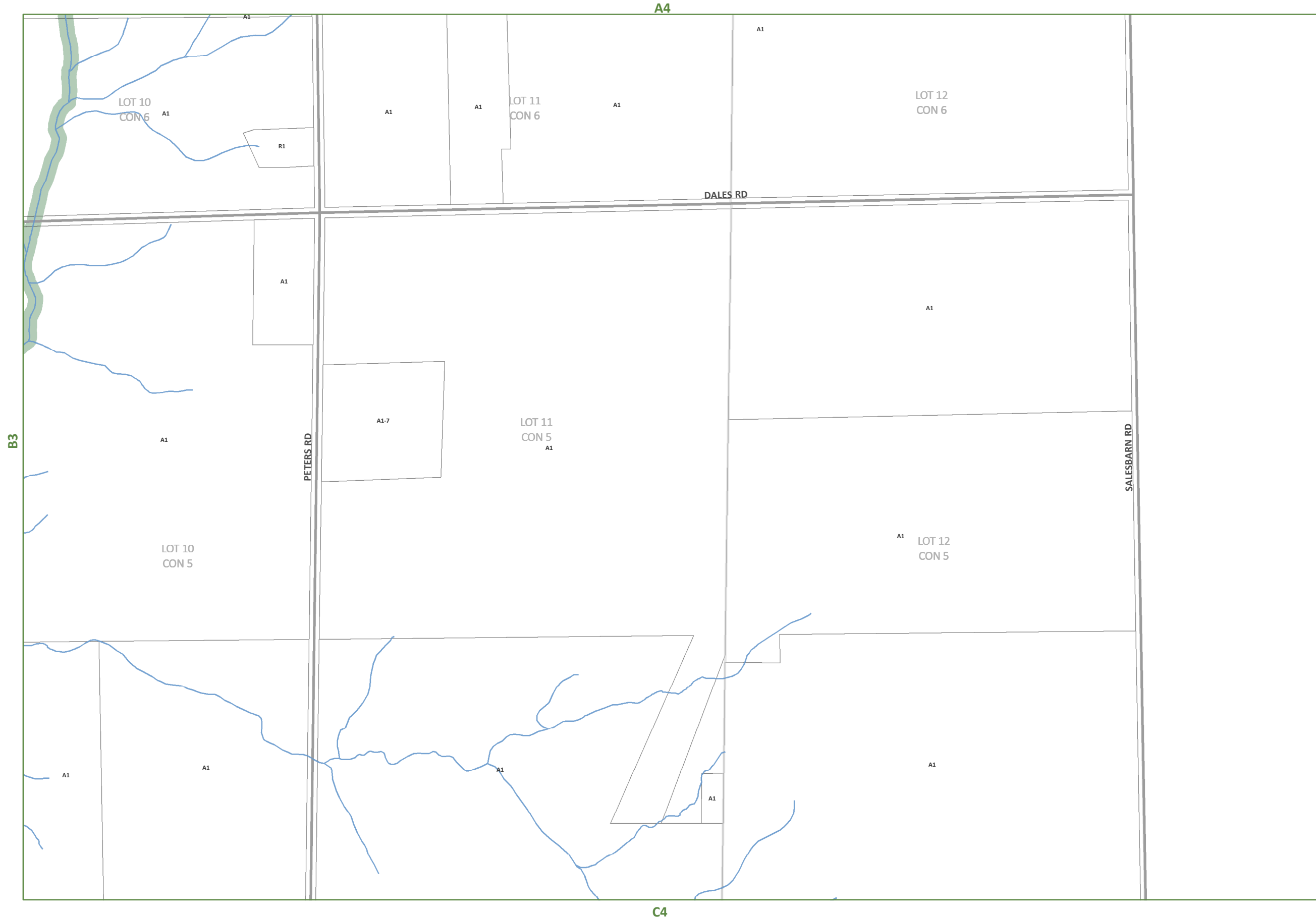


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| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
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| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
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| Mining Hazard Constraint | Influence Areas |

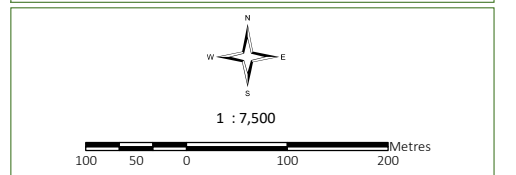


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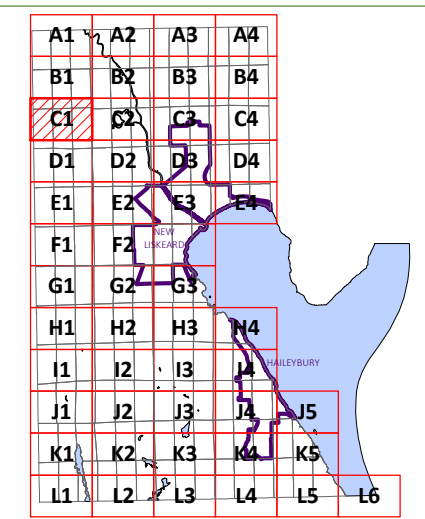


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection	[Blue Box]	Floodplain
[Crossed Box]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

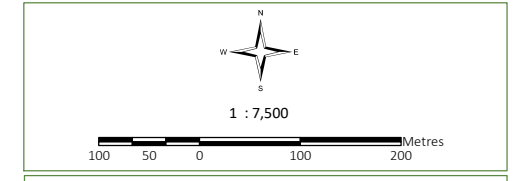


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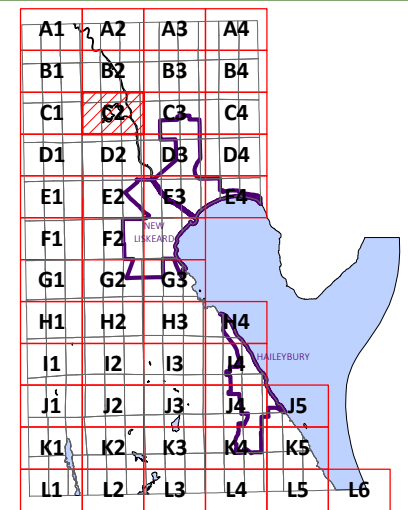
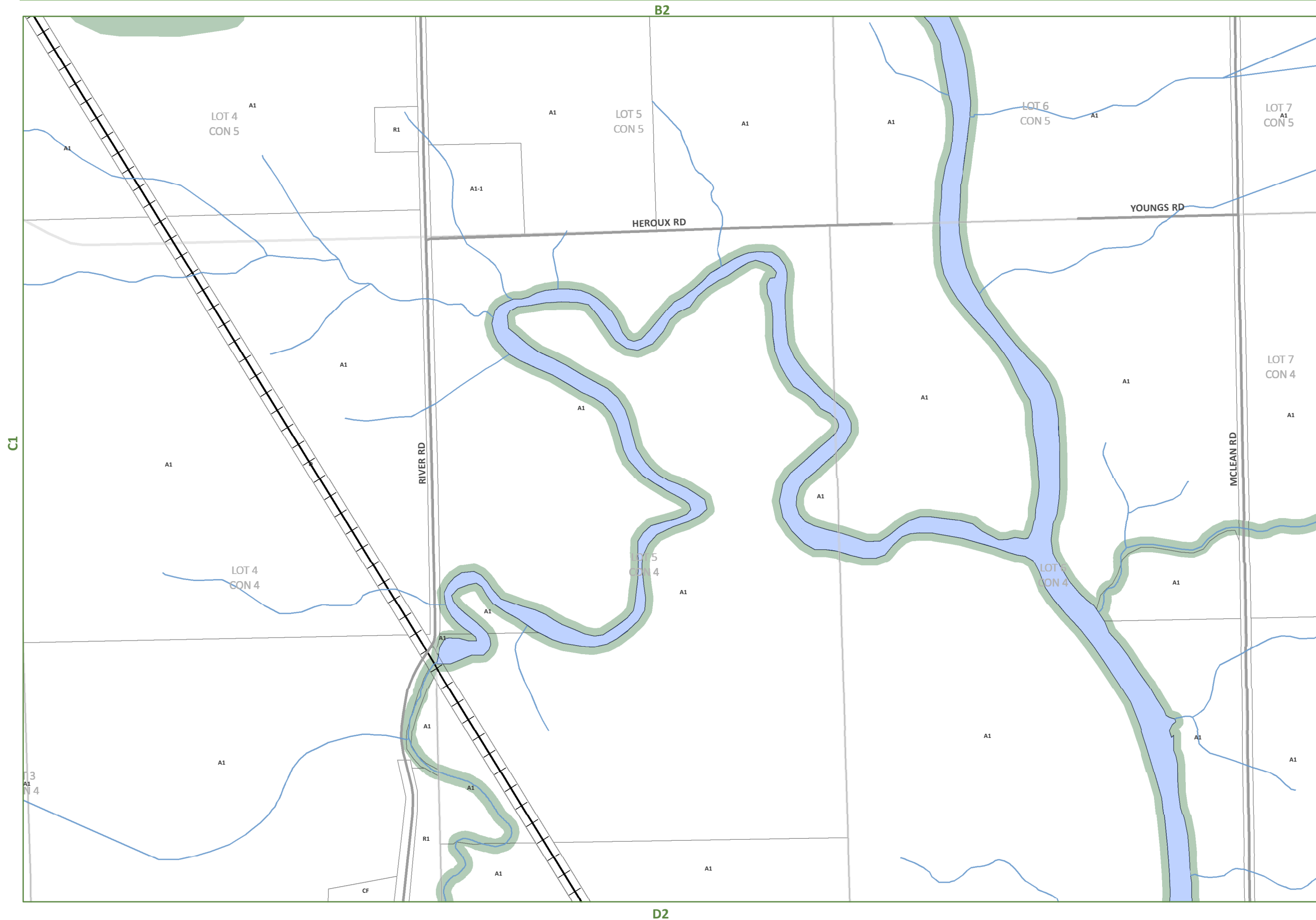


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| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

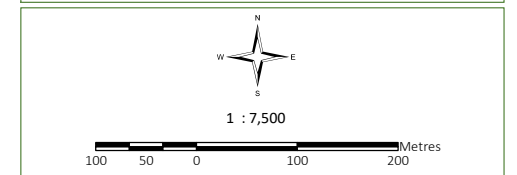


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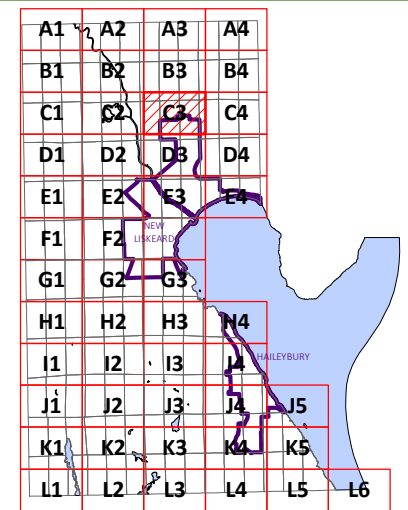
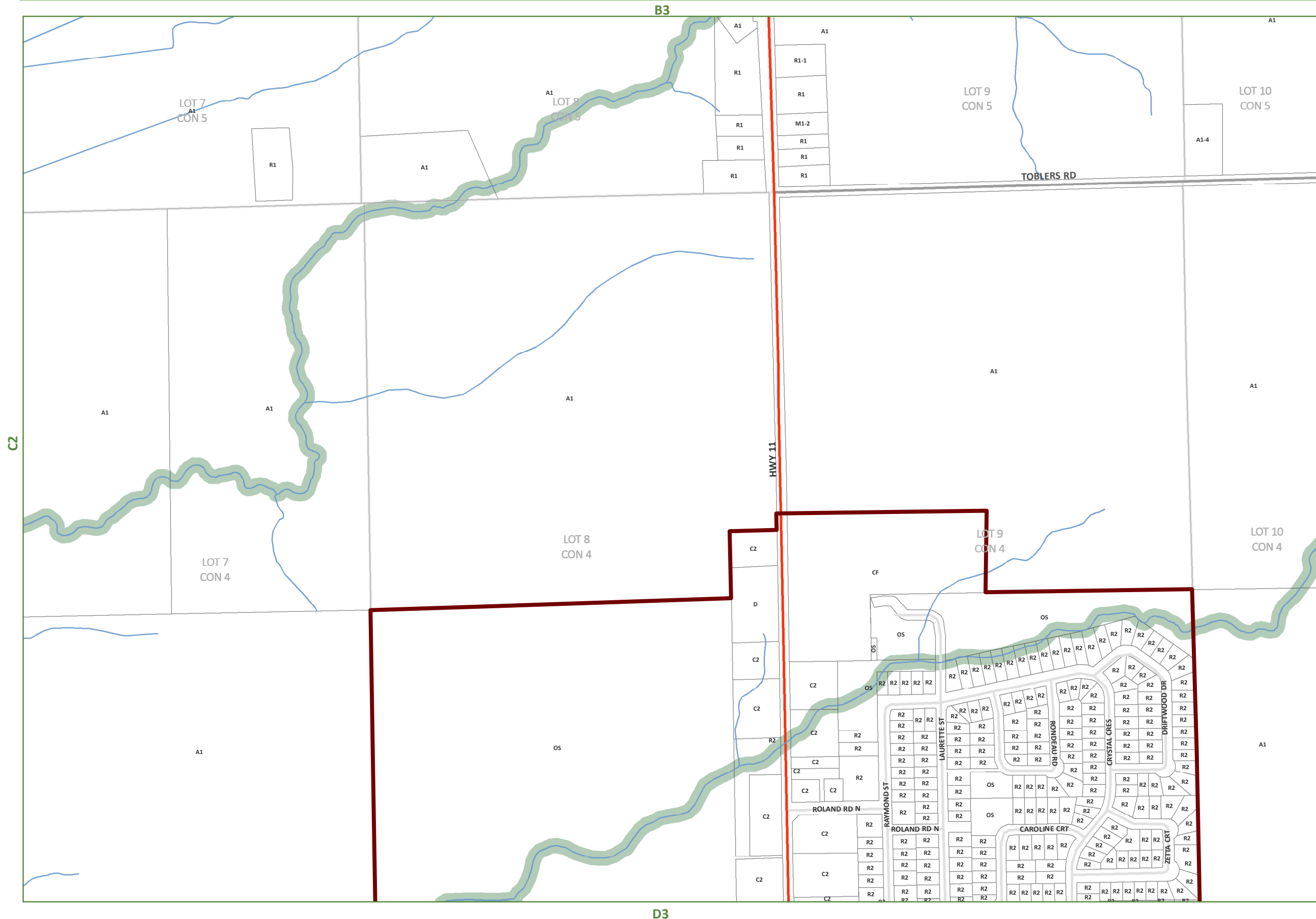


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

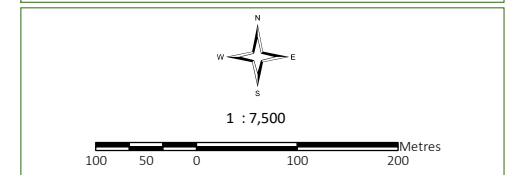


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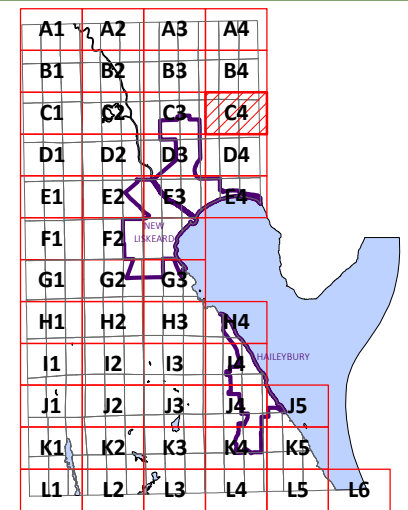
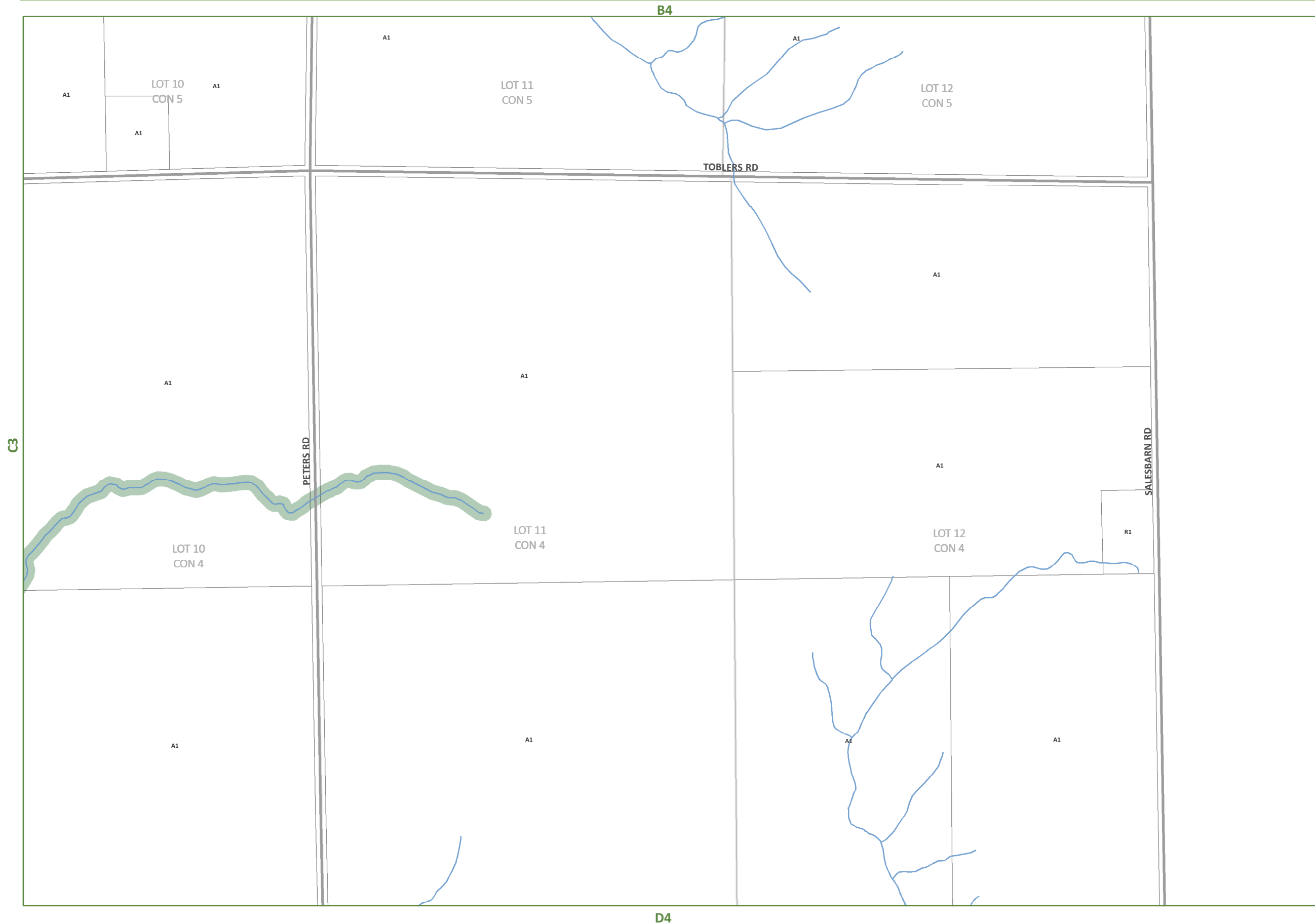


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|-----------------|----------------------------|------------------|-------------------|
| R1 | Rural Residential | A1 | Prime Agriculture |
| R2 | Low Density Residential | RU | Rural |
| R3 | Medium Density Residential | [Red Outline] | Settlement Areas |
| R4 | High Density Residential | [Purple Outline] | Town Centre |
| MH | Mobile Home Residential | | |
| D | Development | | |
| C1 | General Commercial | [Blue Line] | Watercourses |
| C2 | Highway Commercial | [Black Line] | Railway |
| C3 | Neighbourhood Commercial | | |
| C4 | Tourist Commercial | | |
| MUA | Mixed Use-A | | |
| M1 | General Industrial | | |
| M2 | Manufacturing Industrial | | |
| M3 | Mineral Aggregate Resource | | |
| M4 | Waste Management | | |
| CF | Community Facility | | |
| OS | Open Space Recreation | [Blue Area] | Floodplain |
| EP | Environmental Protection | [Yellow Outline] | Influence Areas |
| [Mining Symbol] | Mining Hazard Constraint | | |

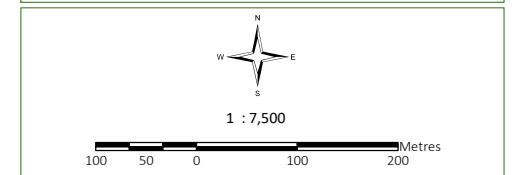


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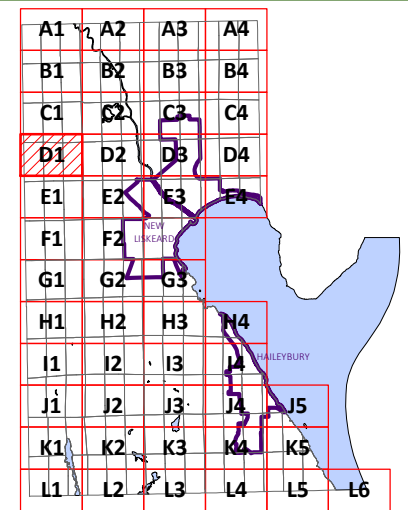
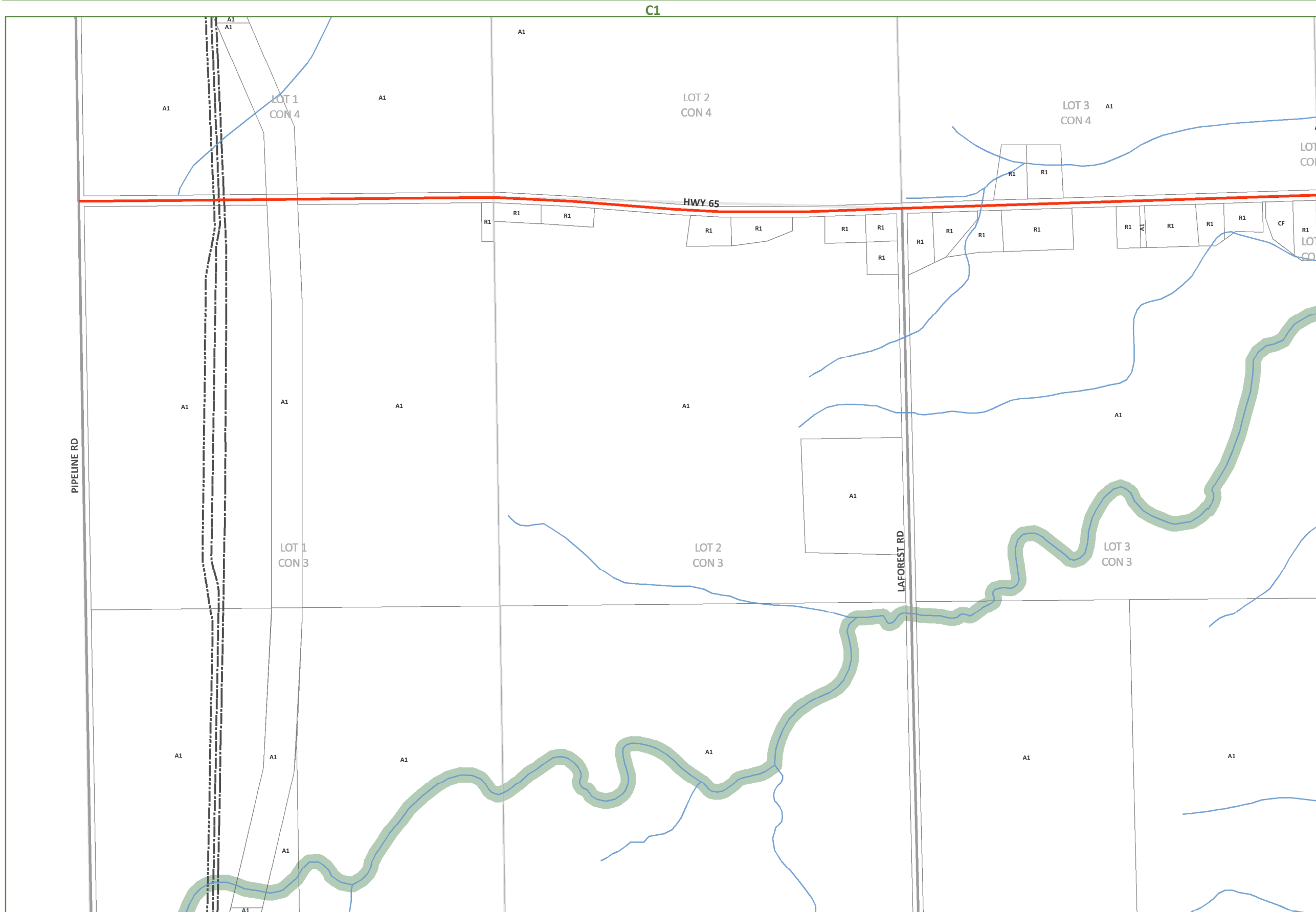


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses |
| C2 Highway Commercial | Railway |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

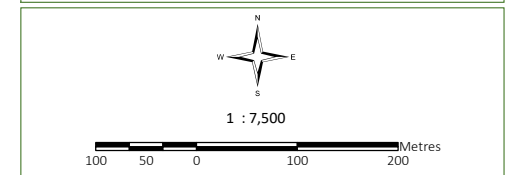


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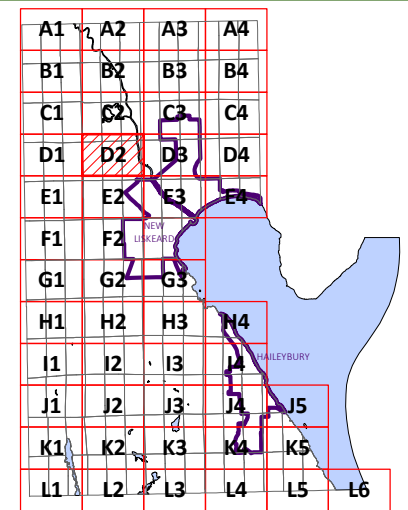
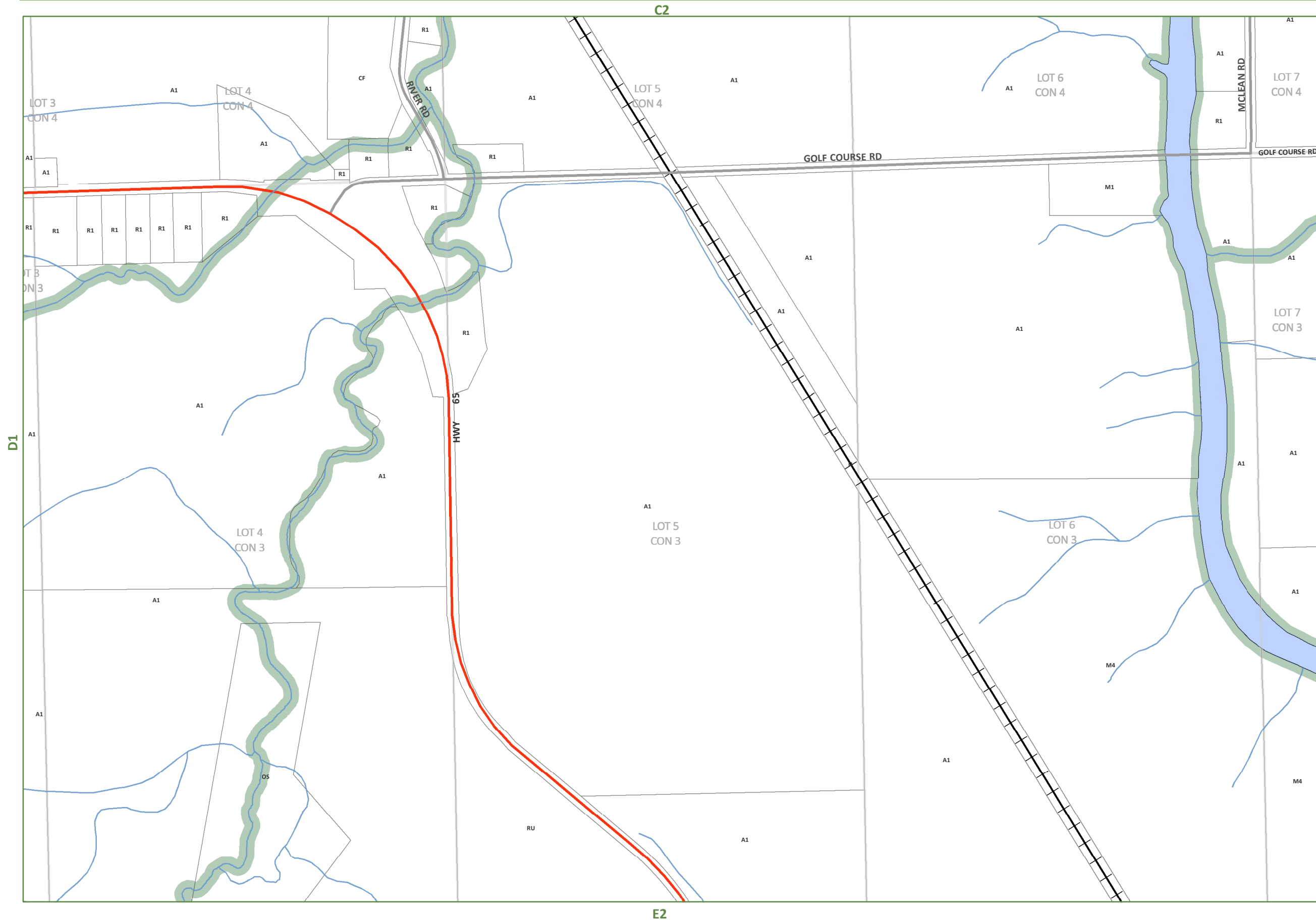


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

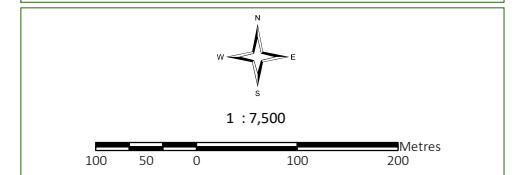


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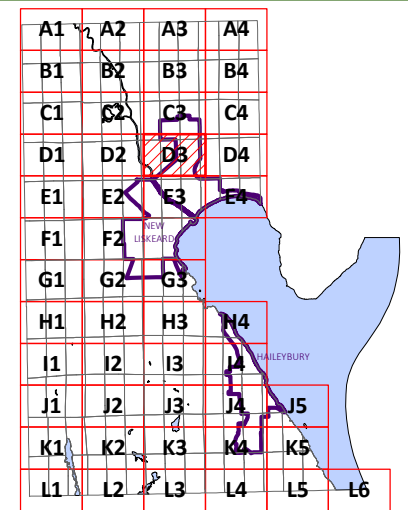
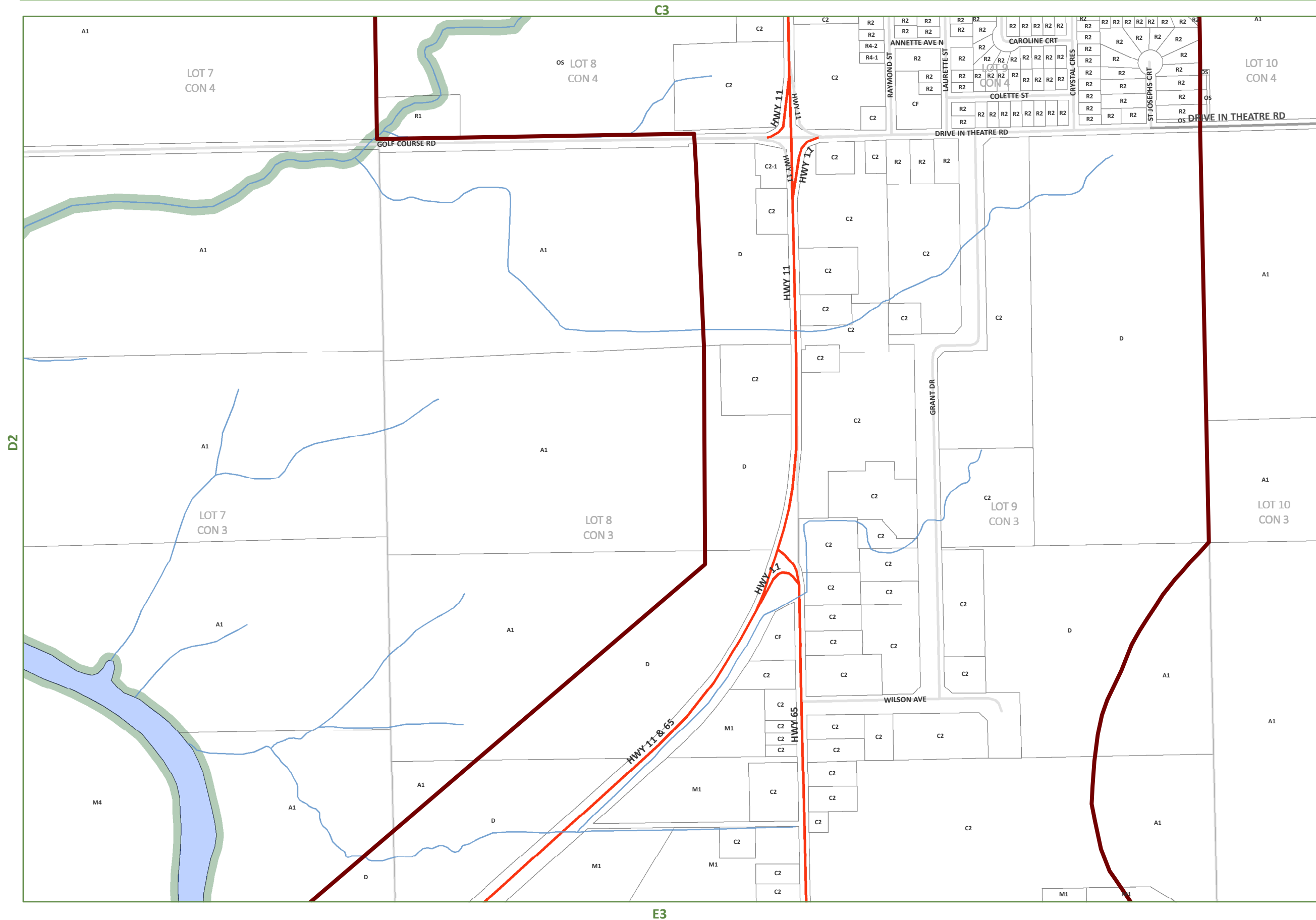


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | OVERLAY ZONES |
| M2 Manufacturing Industrial | Floodplain |
| M3 Mineral Aggregate Resource | Influence Areas |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | |
| EP Environmental Protection | |
| Mining Hazard Constraint | |

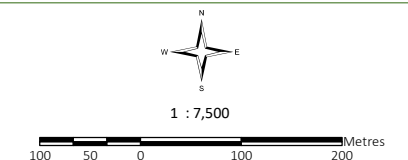


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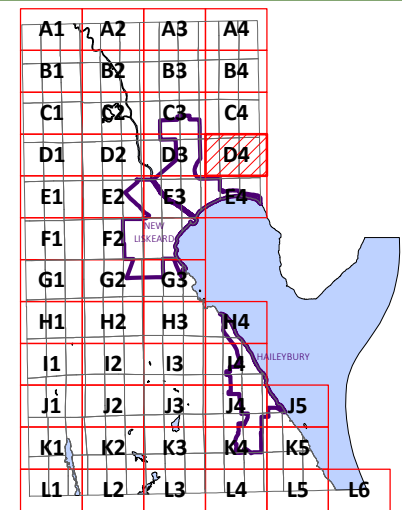
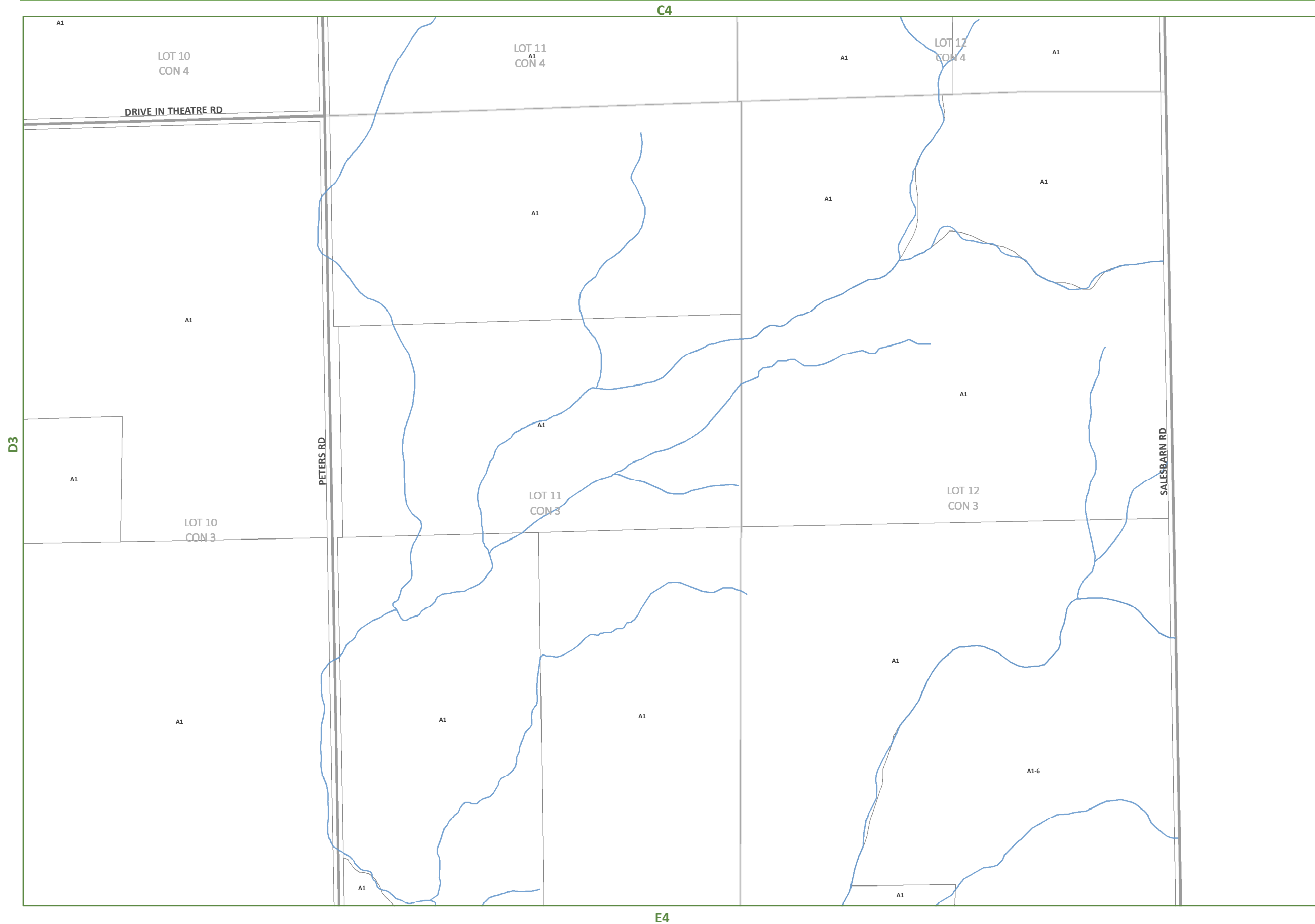


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

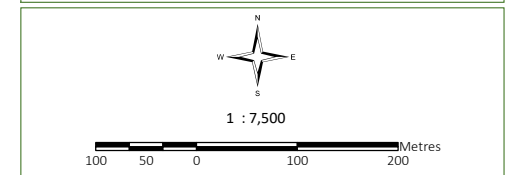


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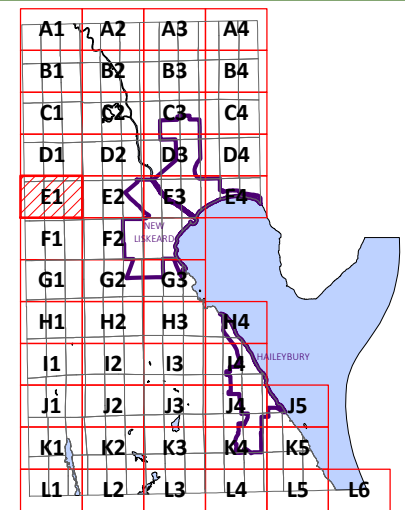
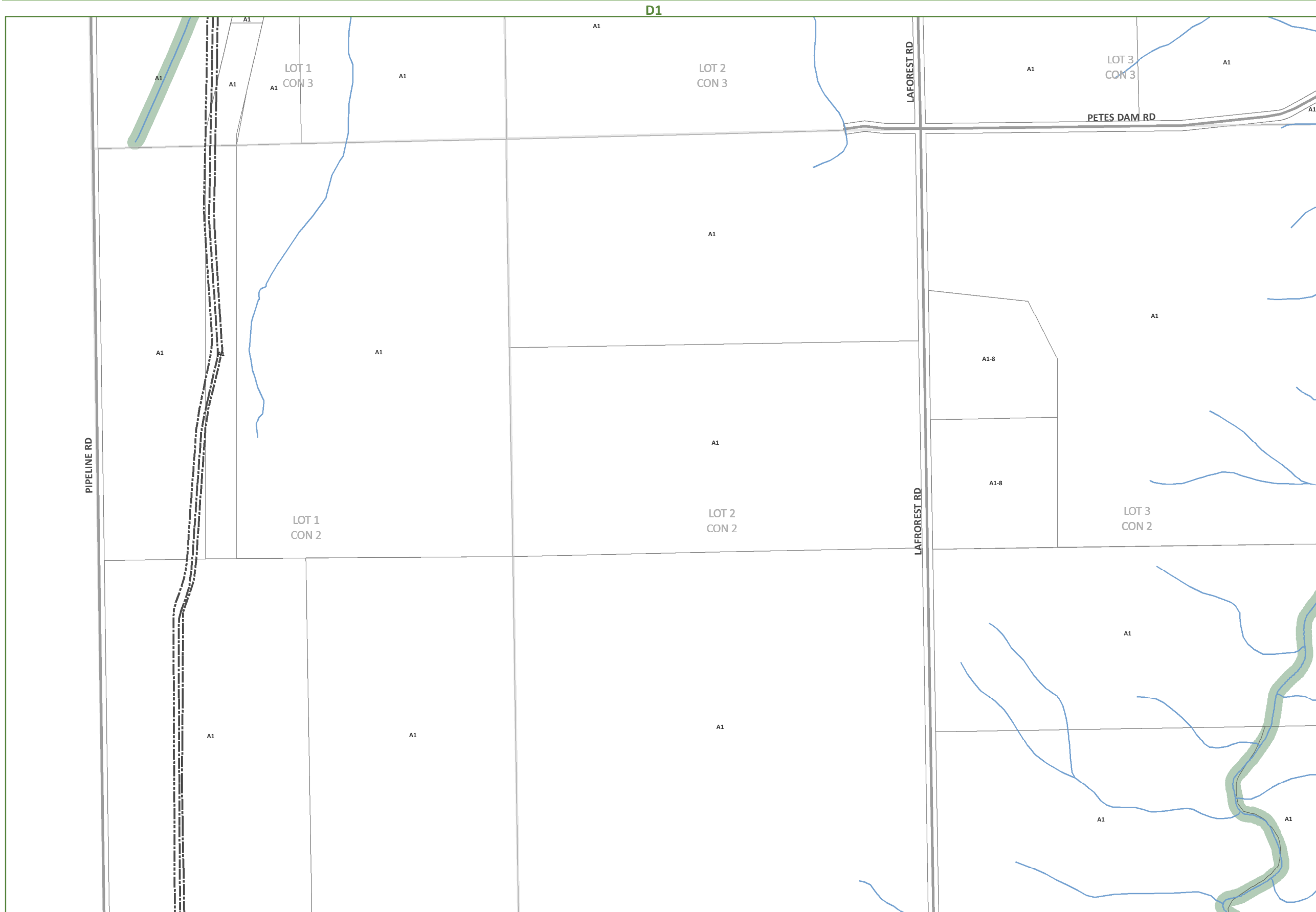


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		OVERLAY ZONES
EP	Environmental Protection	[Blue Box]	Floodplain
[Mining Hazard]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

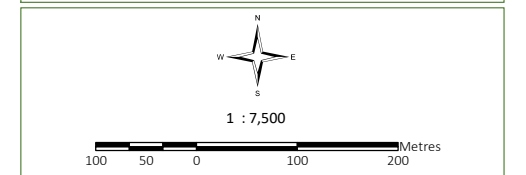


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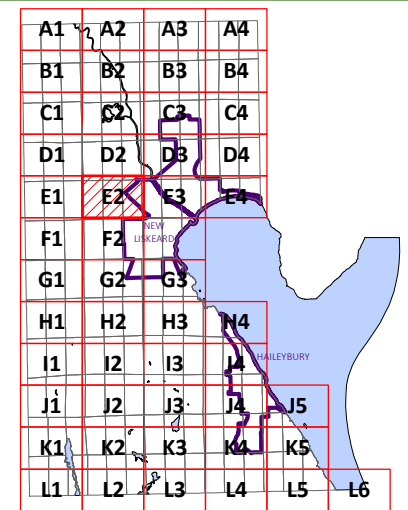
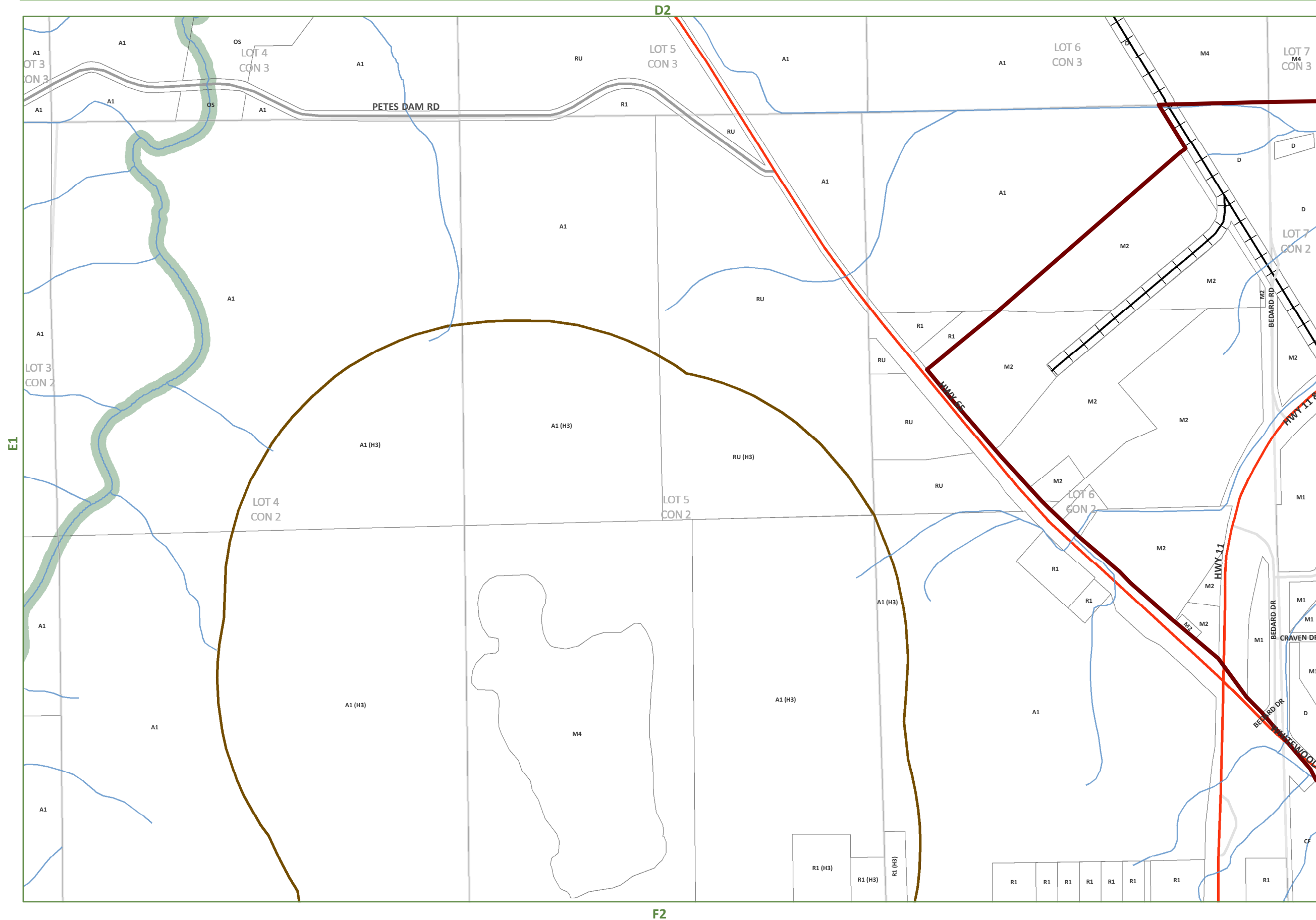


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses |
| C2 Highway Commercial | Railway |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

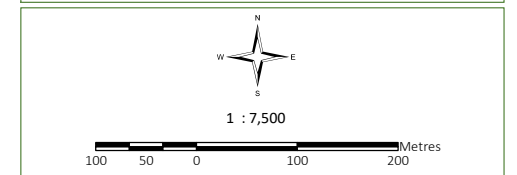


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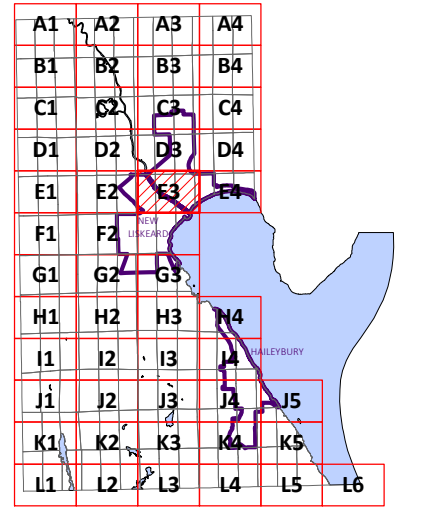
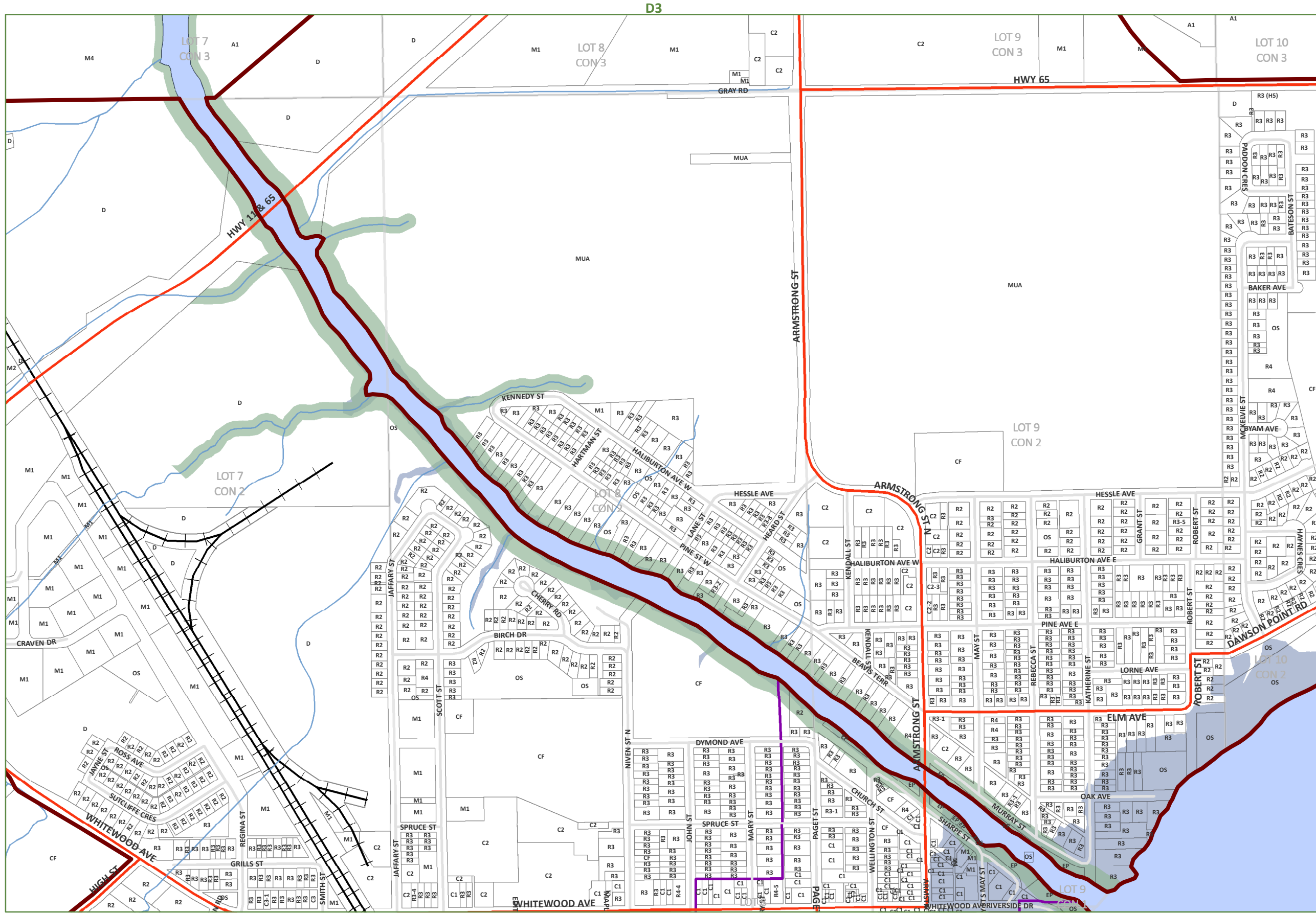


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

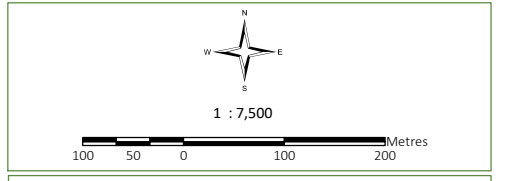


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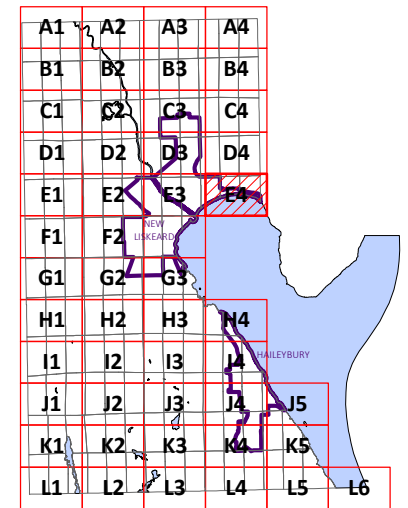
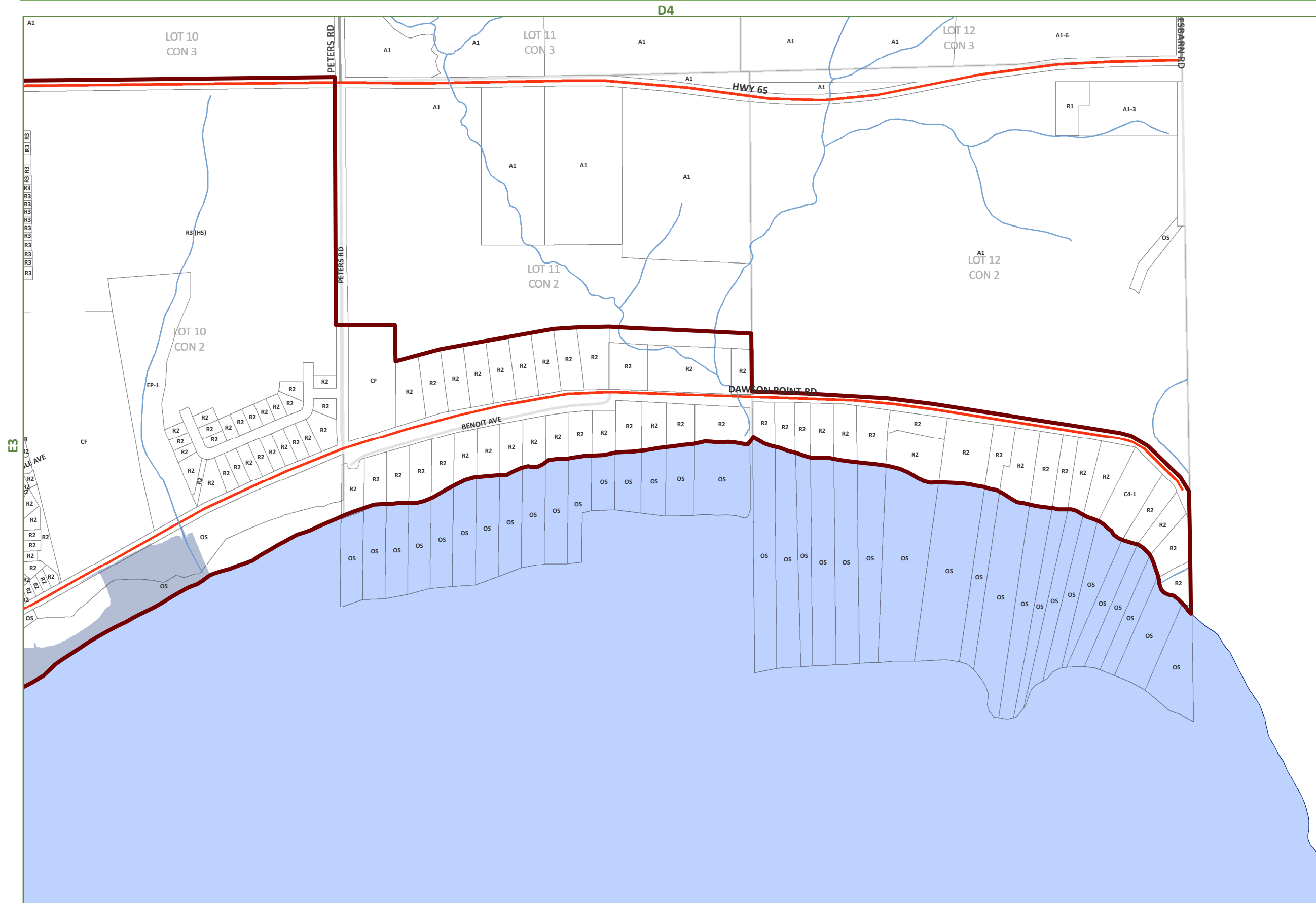


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

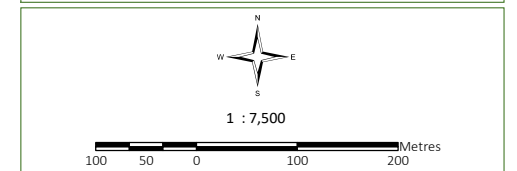


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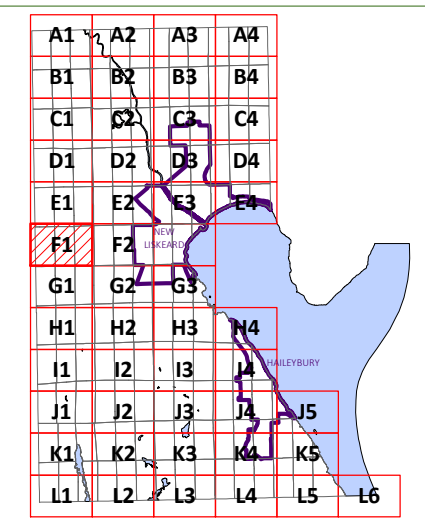


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
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| OS Open Space Recreation | OVERLAY ZONES |
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| Mining Hazard Constraint | Influence Areas |

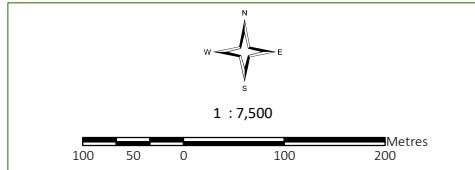


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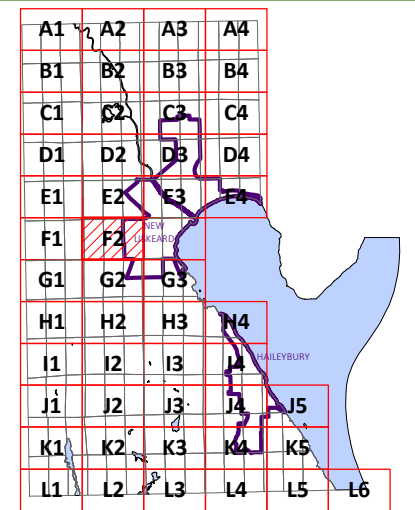
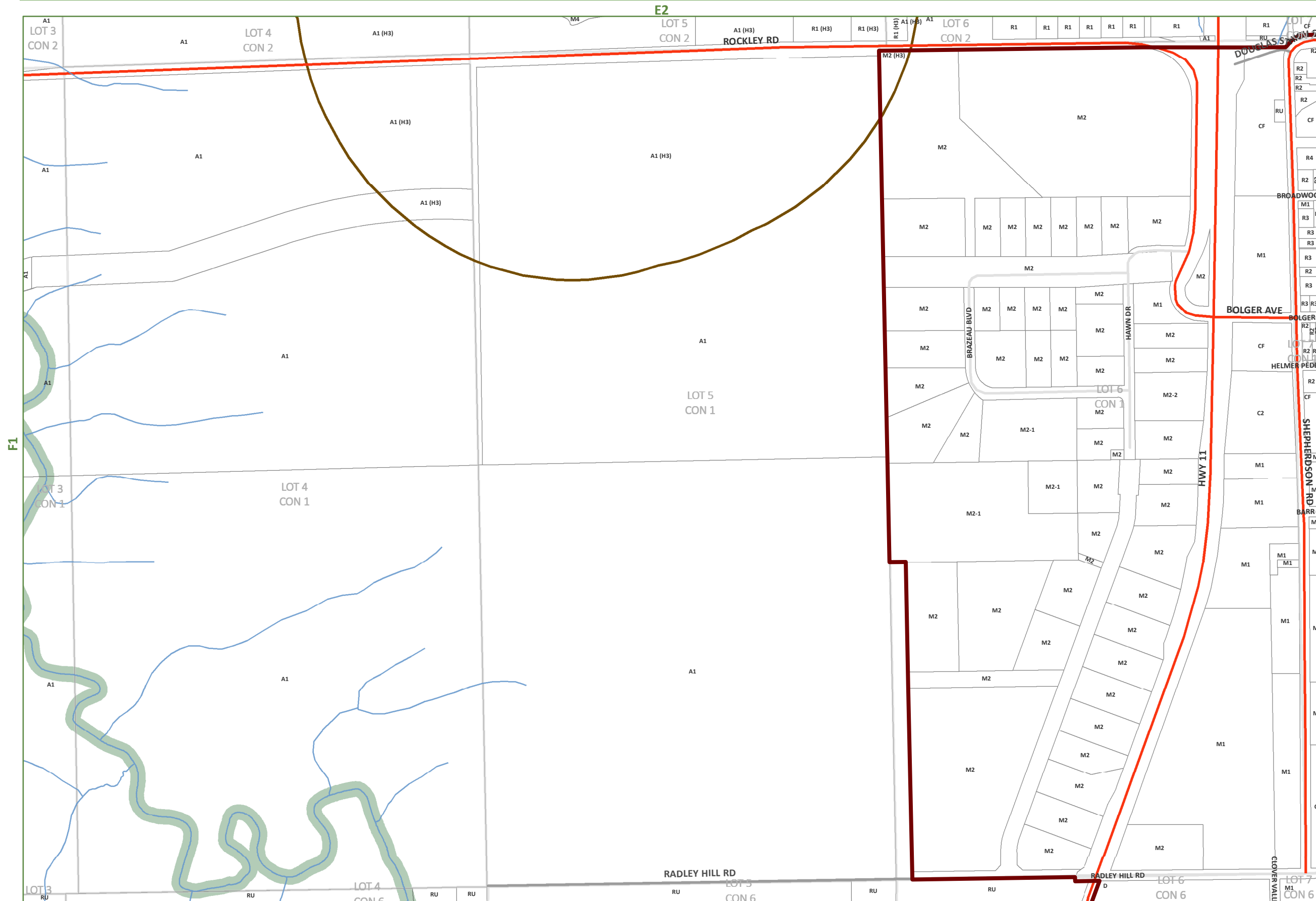


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|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
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| D Development | Watercourses |
| C1 General Commercial | Railway |
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| C3 Neighbourhood Commercial | |
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| MUA Mixed Use-A | |
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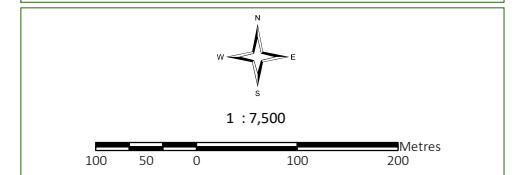


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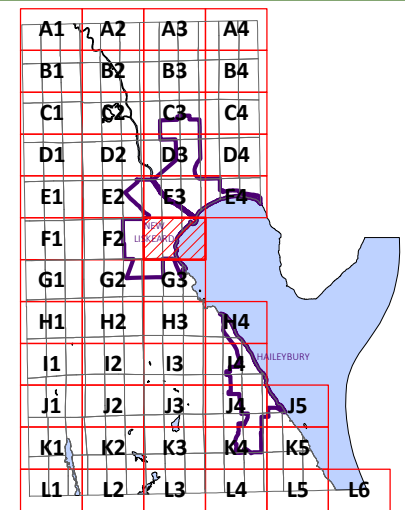
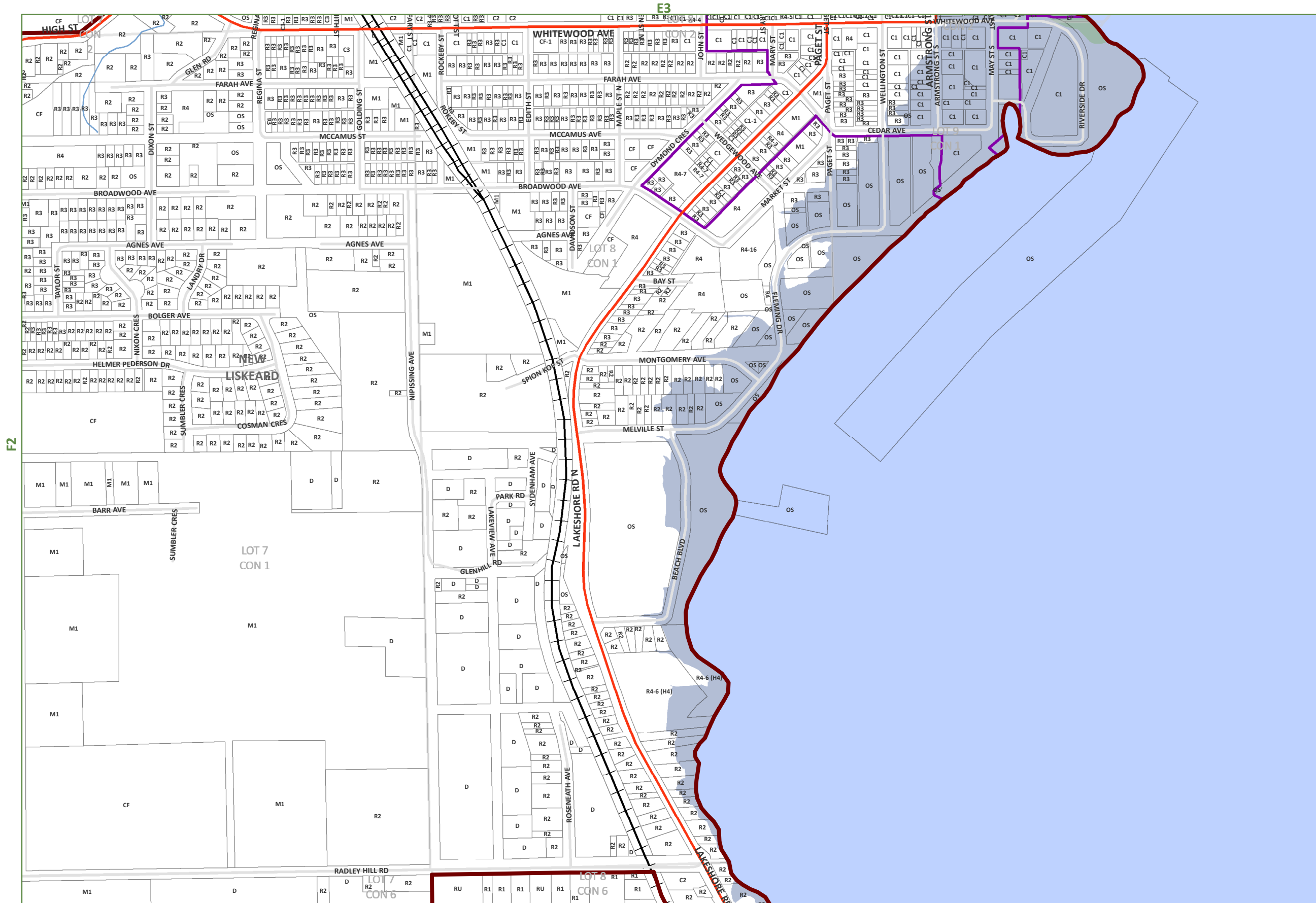


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		
C2	Highway Commercial		
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection		
MH	Mining Hazard Constraint		
		[Blue Box]	Floodplain
		[Brown Box]	Influence Areas

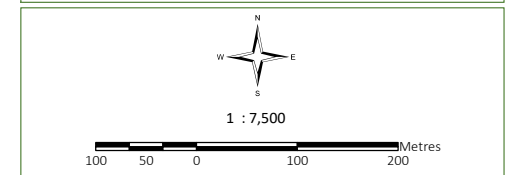


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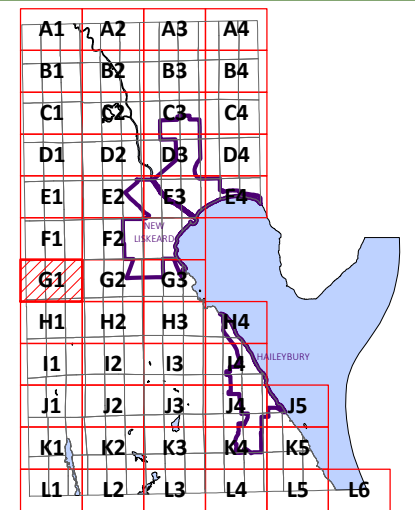
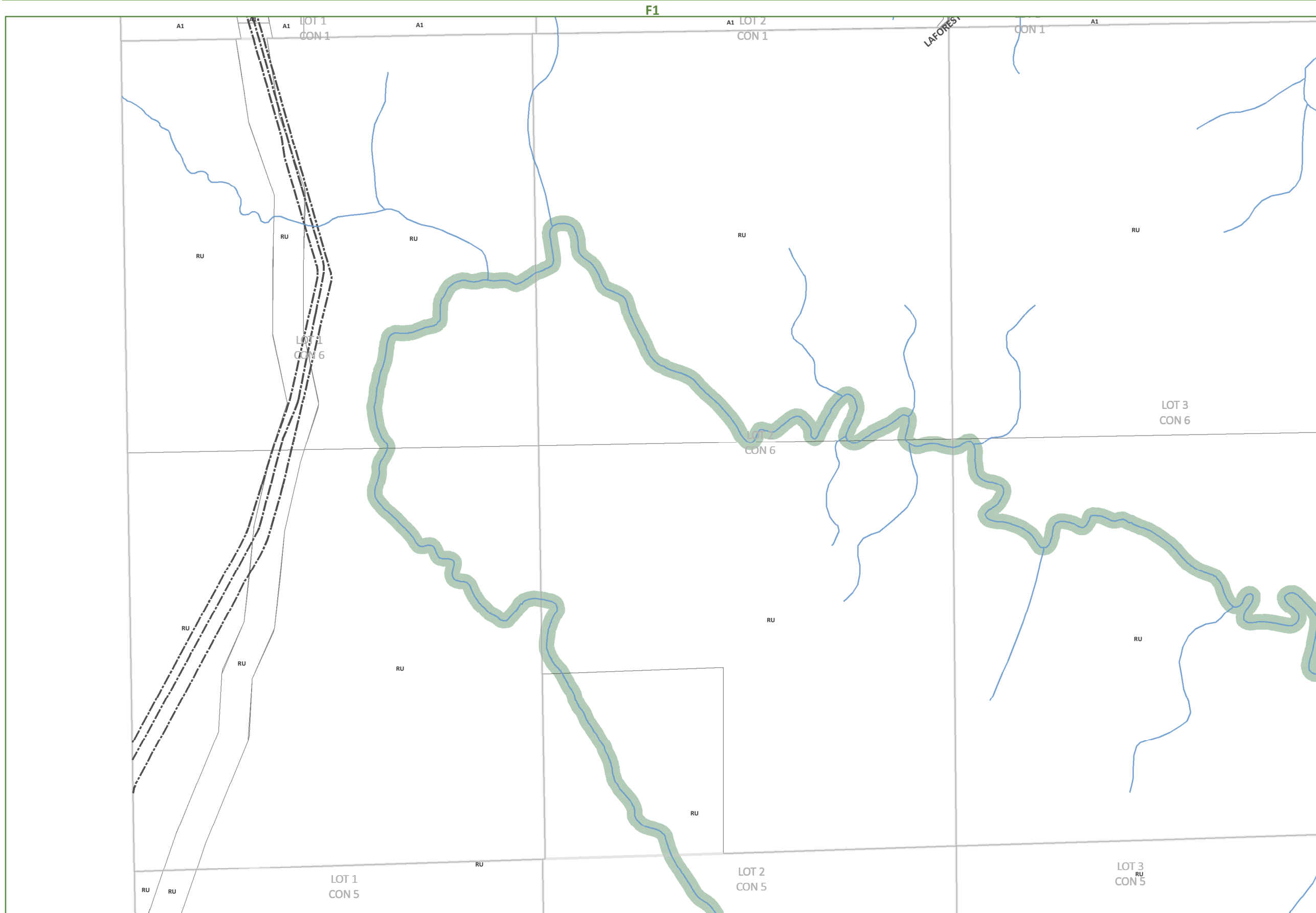


- | | |
|-------------------------------|------------------------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Red Outline Settlement Areas |
| R4 High Density Residential | Purple Outline Town Centre |
| MH Mobile Home Residential | |
| D Development | Blue Line Watercourses |
| C1 General Commercial | Black Line Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | Blue Shaded Area Floodplain |
| EP Environmental Protection | Yellow Shaded Area Influence Areas |
| Mining Hazard Constraint | |

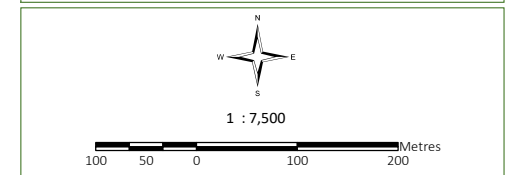


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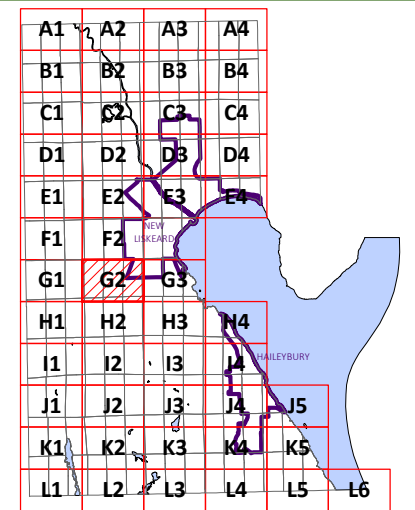
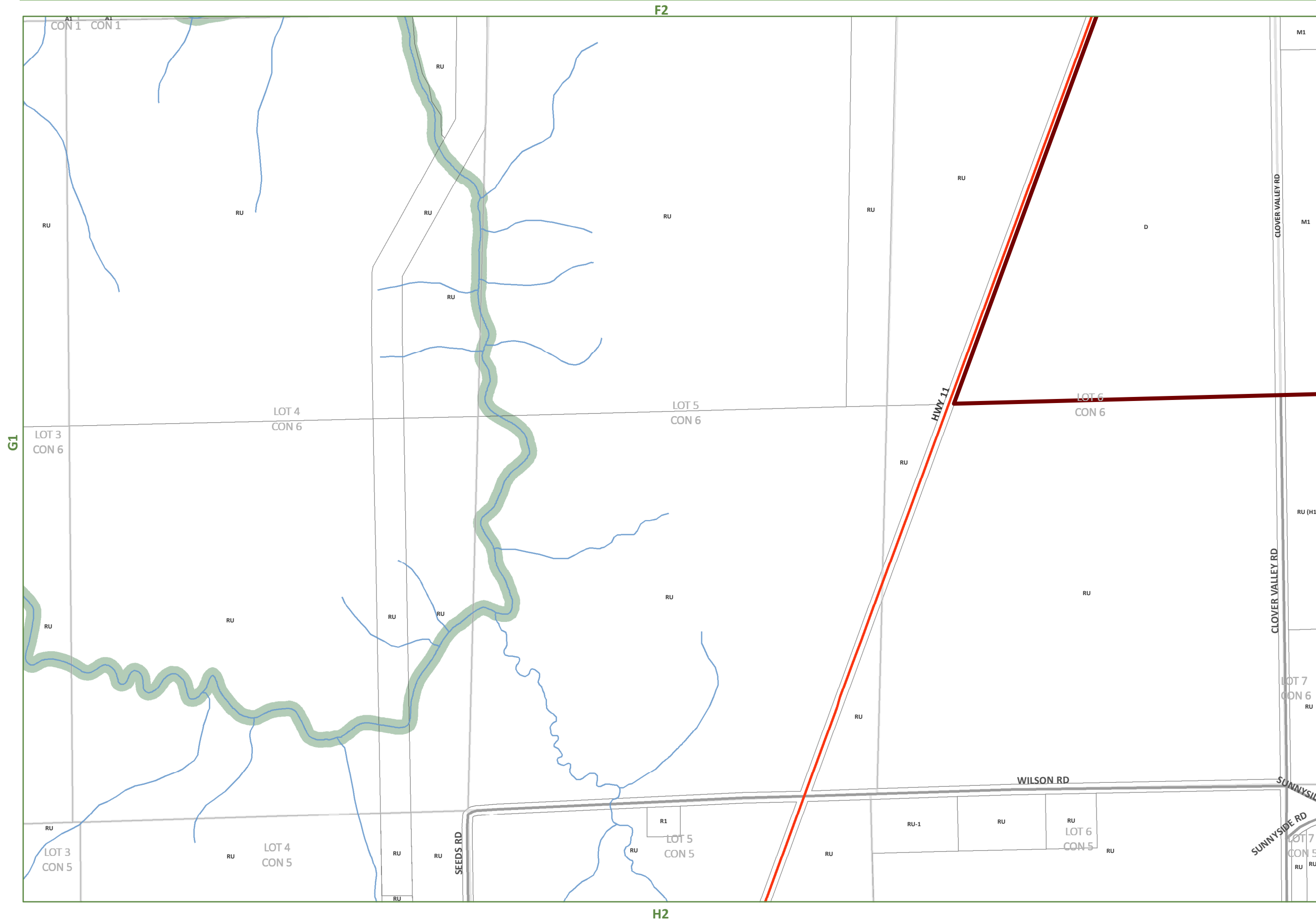


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

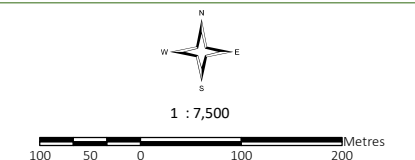


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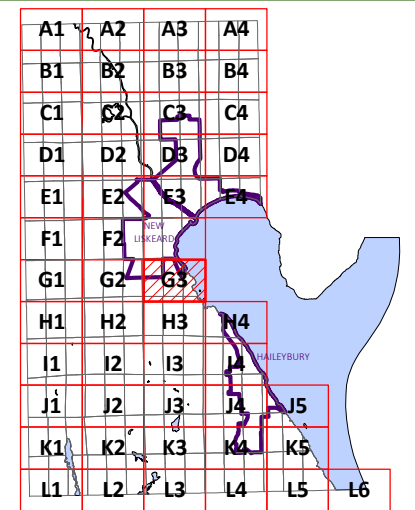
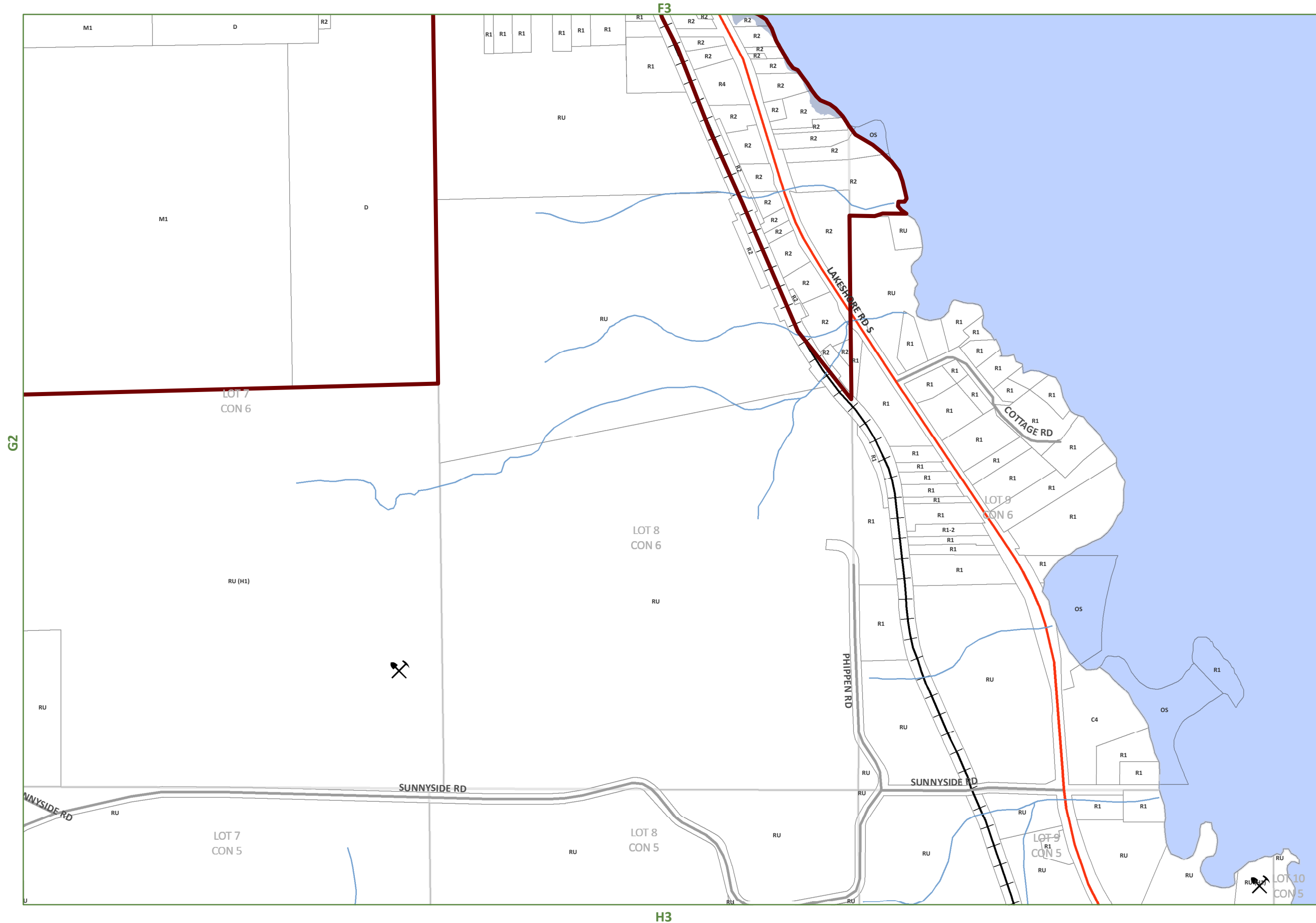


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses |
| C2 Highway Commercial | Railway |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

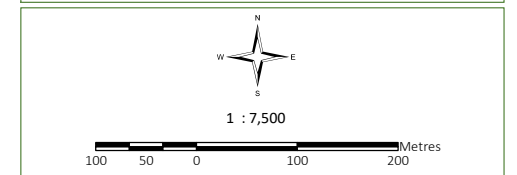


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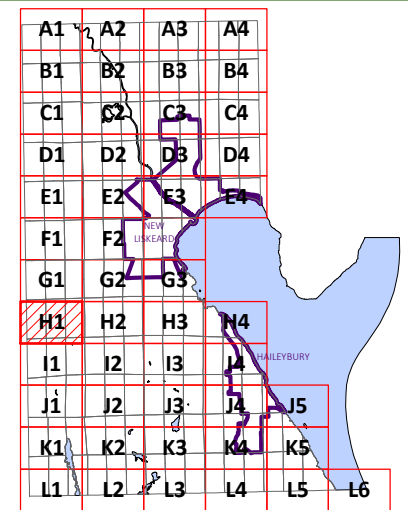
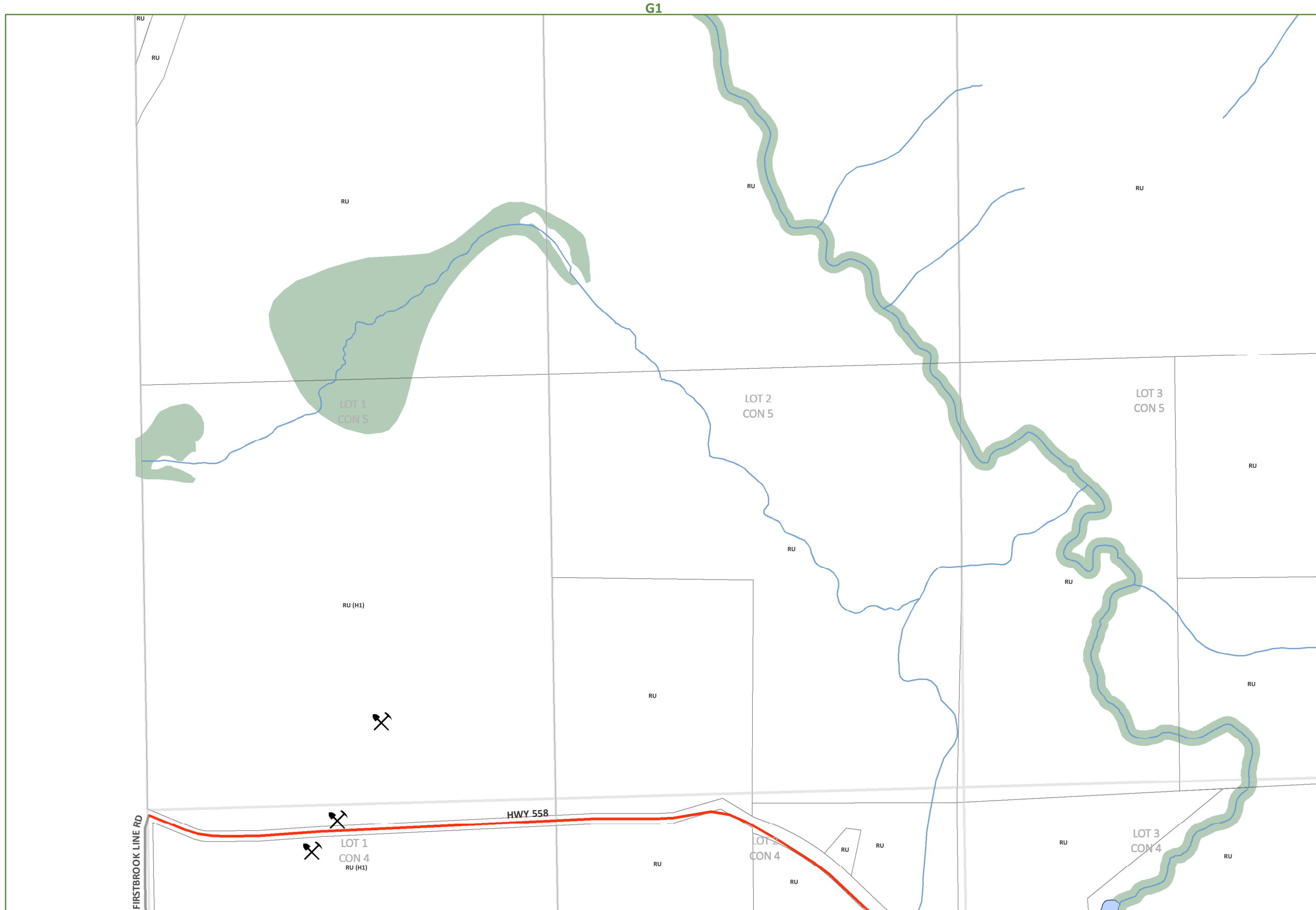


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		OVERLAY ZONES
EP	Environmental Protection	[Blue Box]	Floodplain
MH	Mining Hazard Constraint	[Yellow Box]	Influence Areas

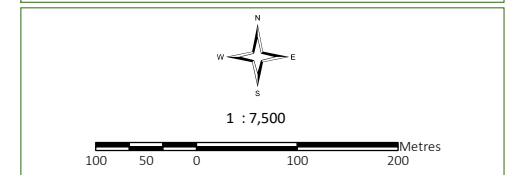


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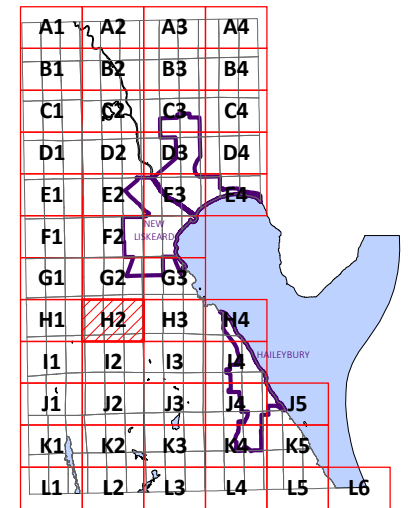
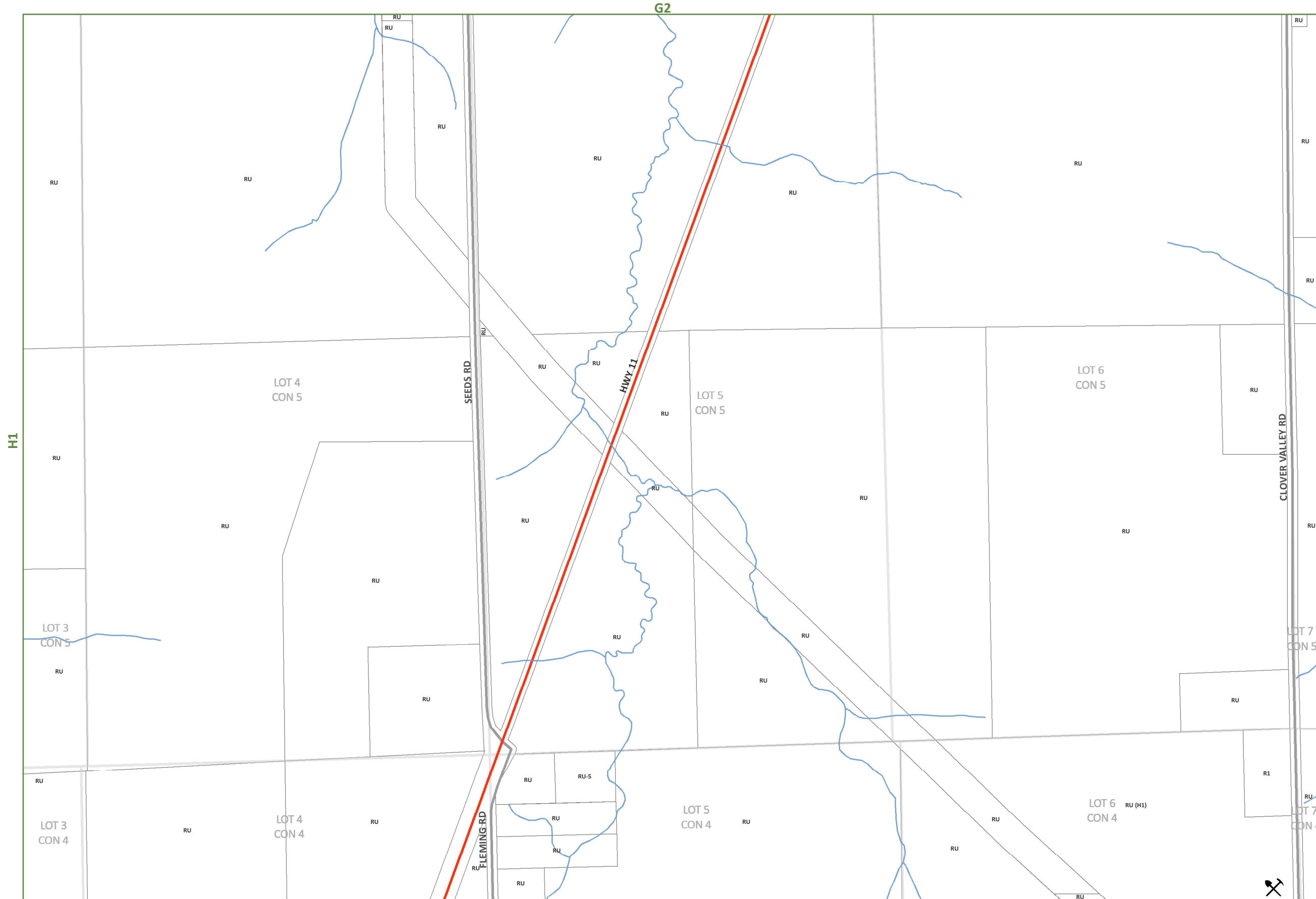


- | | | | |
|-----------------|----------------------------|--------------|-------------------|
| R1 | Rural Residential | A1 | Prime Agriculture |
| R2 | Low Density Residential | RU | Rural |
| R3 | Medium Density Residential | [Red Box] | Settlement Areas |
| R4 | High Density Residential | [Purple Box] | Town Centre |
| MH | Mobile Home Residential | | |
| D | Development | | |
| C1 | General Commercial | [Blue Line] | Watercourses |
| C2 | Highway Commercial | [Black Line] | Railway |
| C3 | Neighbourhood Commercial | | |
| C4 | Tourist Commercial | | |
| MUA | Mixed Use-A | | |
| M1 | General Industrial | | |
| M2 | Manufacturing Industrial | | |
| M3 | Mineral Aggregate Resource | | |
| M4 | Waste Management | | |
| CF | Community Facility | | |
| OS | Open Space Recreation | [Blue Box] | Floodplain |
| EP | Environmental Protection | [Green Box] | Influence Areas |
| [Mining Symbol] | Mining Hazard Constraint | | |

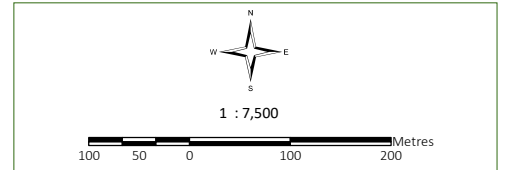


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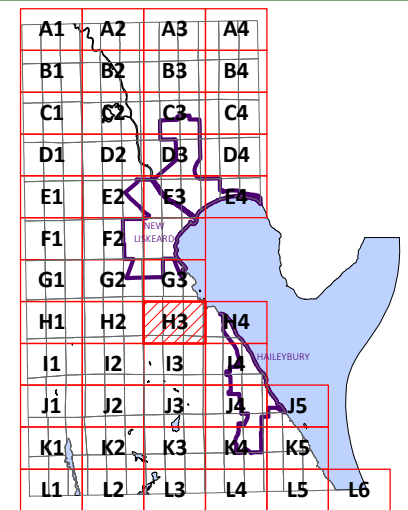
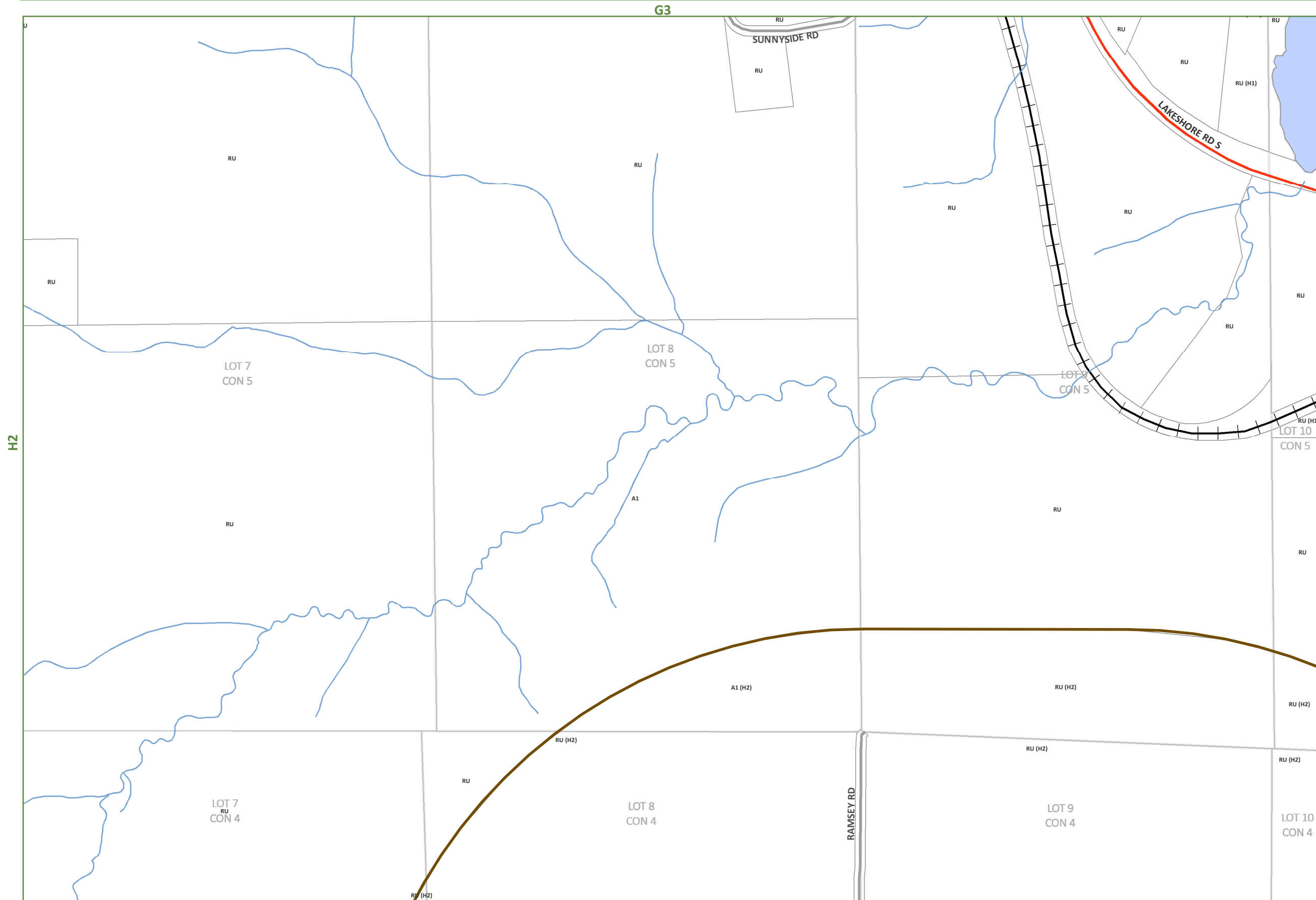


- | | |
|---|---------------------------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas (Red outline) |
| R4 High Density Residential | Town Centre (Purple outline) |
| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses (Blue line) |
| C2 Highway Commercial | Railway (Black line with cross-ticks) |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain (Blue shaded) |
| Mining Hazard Constraint (Pickaxe icon) | Influence Areas (Yellow outline) |

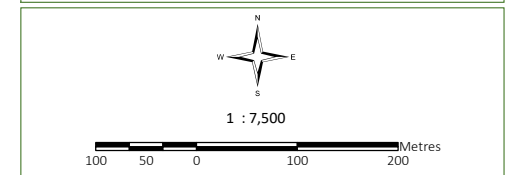


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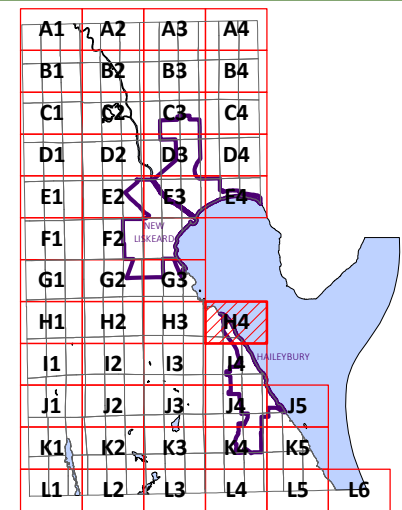
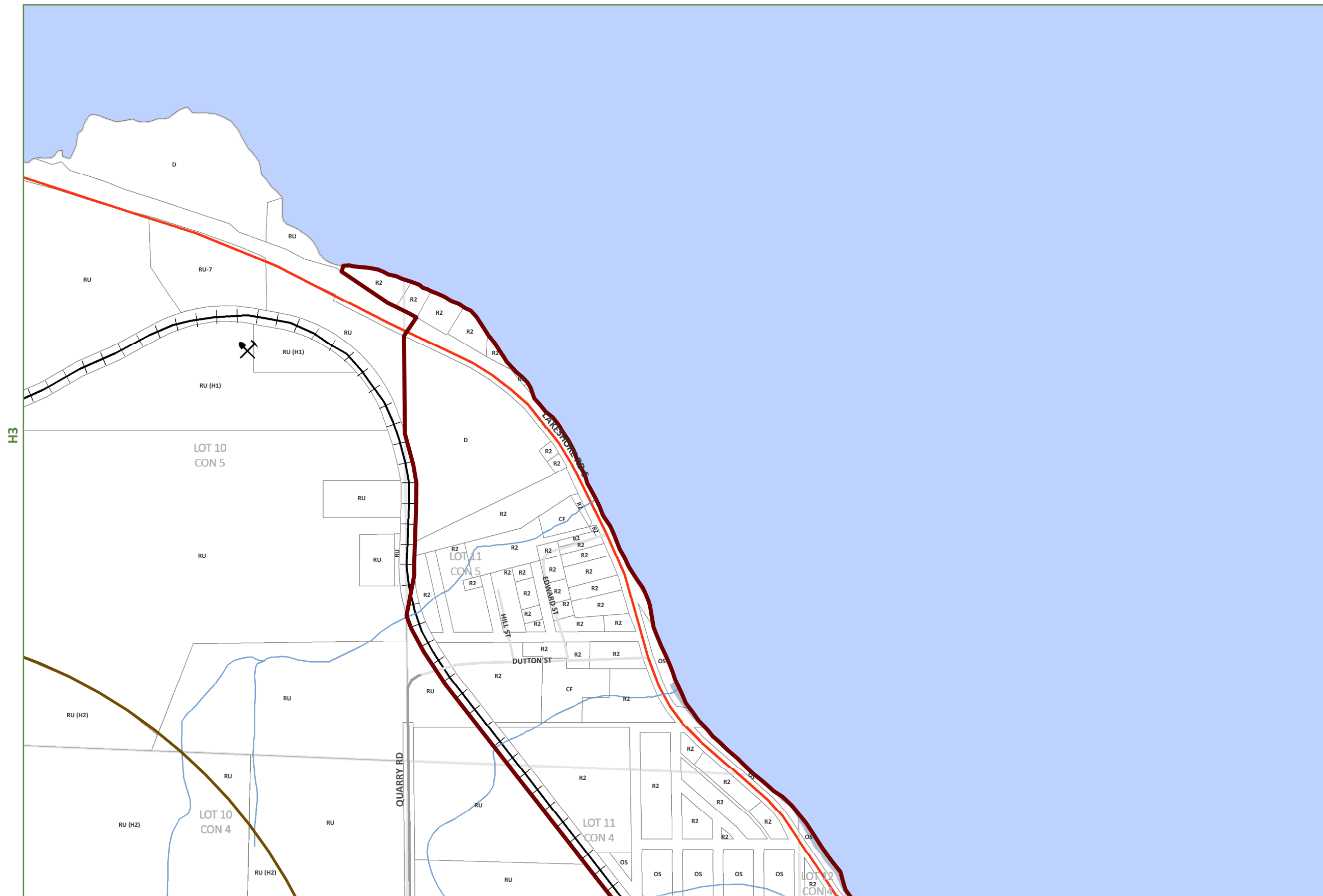


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

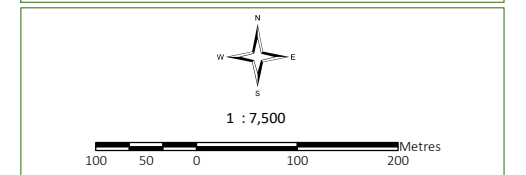


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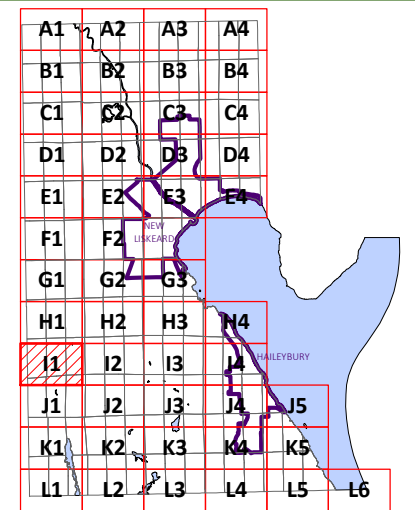
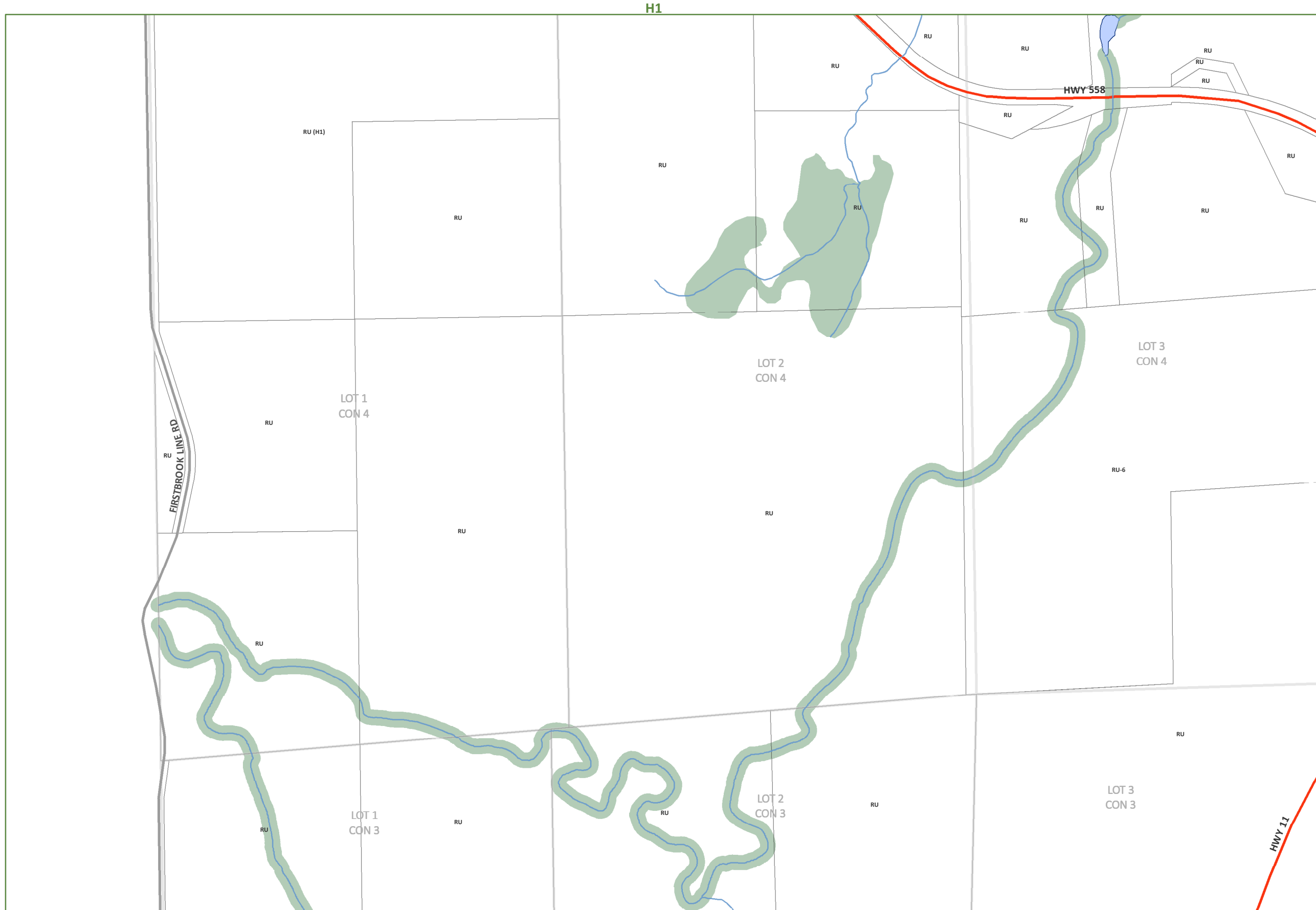


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial	[Blue Line]	Watercourses
C2	Highway Commercial	[Black Line]	Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation	[Blue Box]	Floodplain
EP	Environmental Protection	[Yellow Box]	Influence Areas
[Pickaxe]	Mining Hazard Constraint		

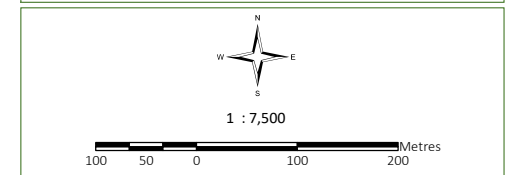


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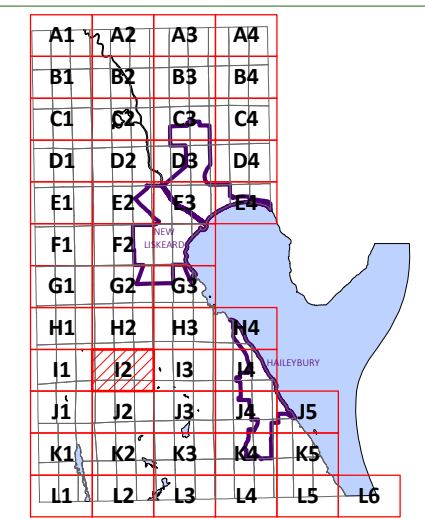
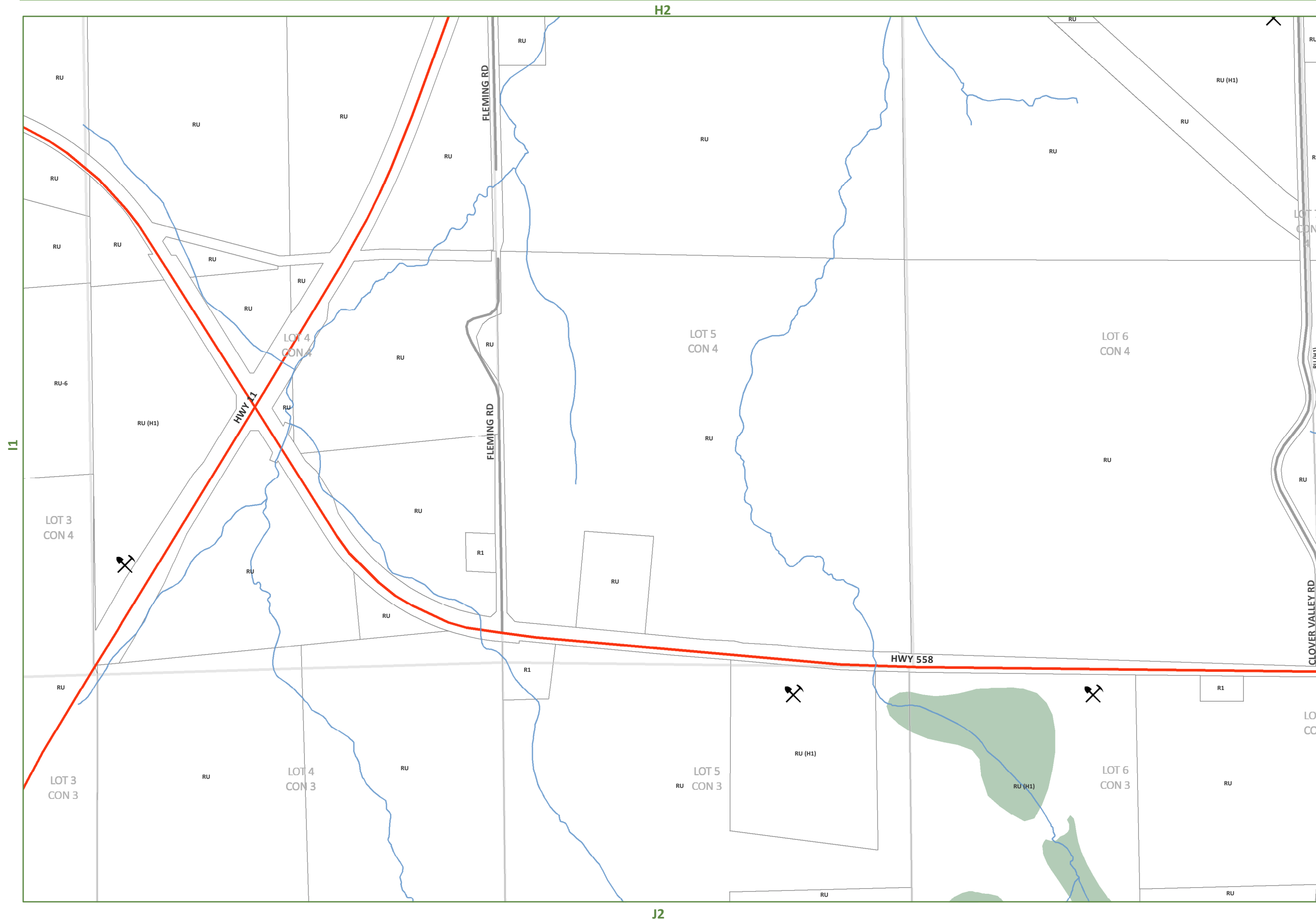


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		OVERLAY ZONES
EP	Environmental Protection	[Green Box]	Floodplain
[Mining Hazard]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

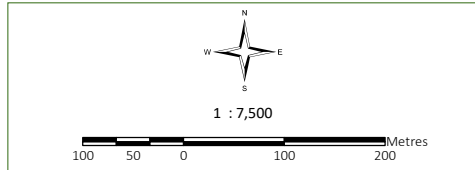


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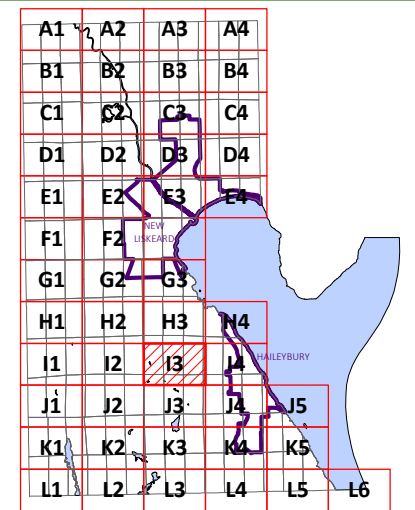
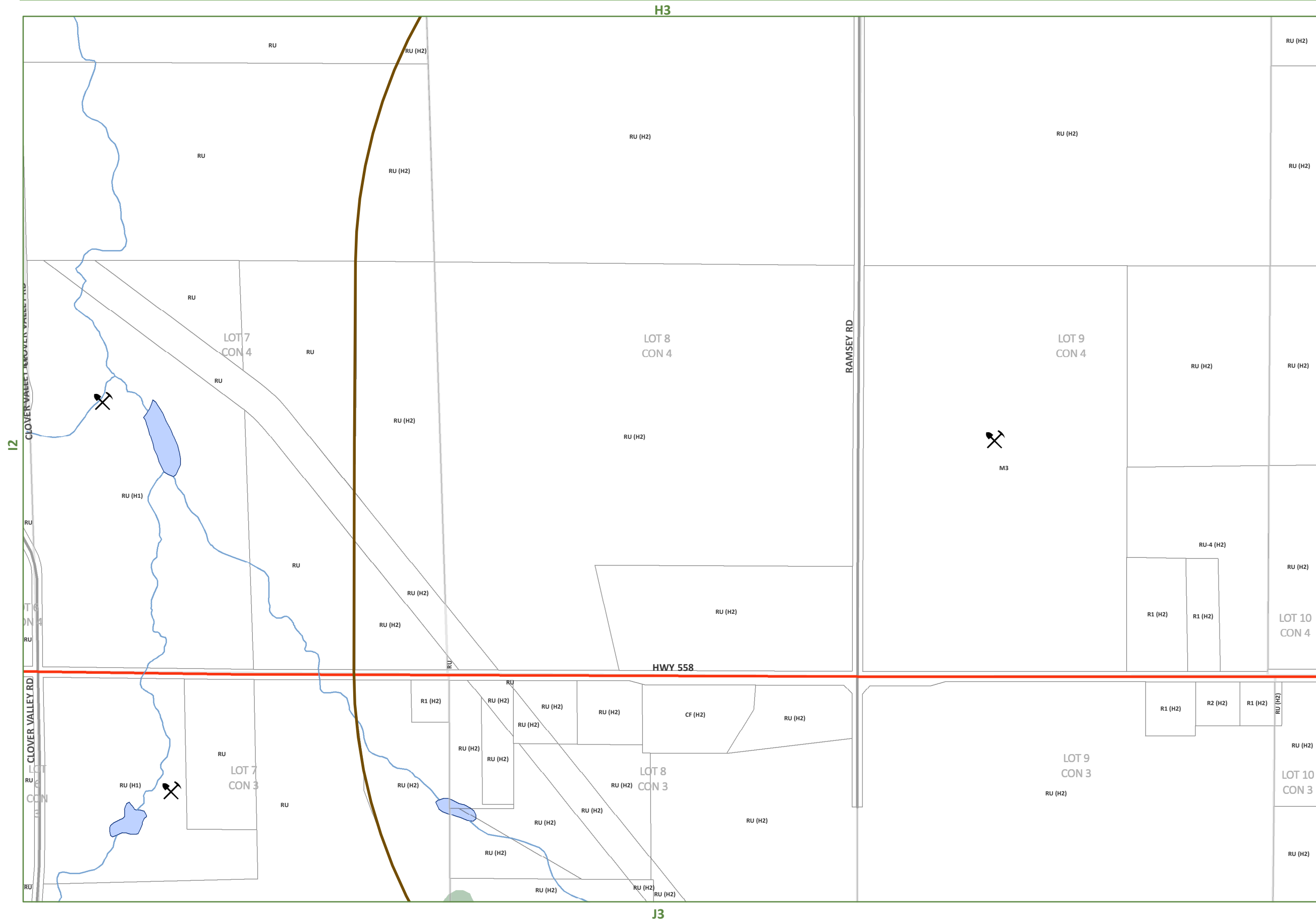


- | | |
|---|--------------------------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas (Red outline) |
| R4 High Density Residential | Town Centre (Purple outline) |
| MH Mobile Home Residential | |
| D Development | Watercourses (Blue line) |
| C1 General Commercial | Railway (Black cross-tick) |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain (Blue shaded area) |
| Mining Hazard Constraint (Pickaxe symbol) | Influence Areas (Yellow shaded area) |

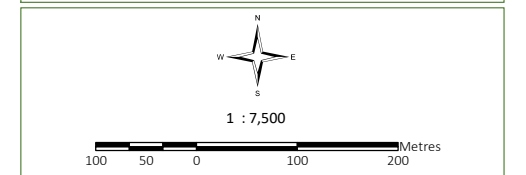


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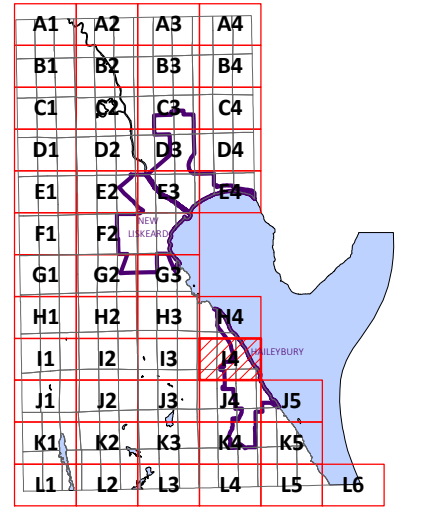
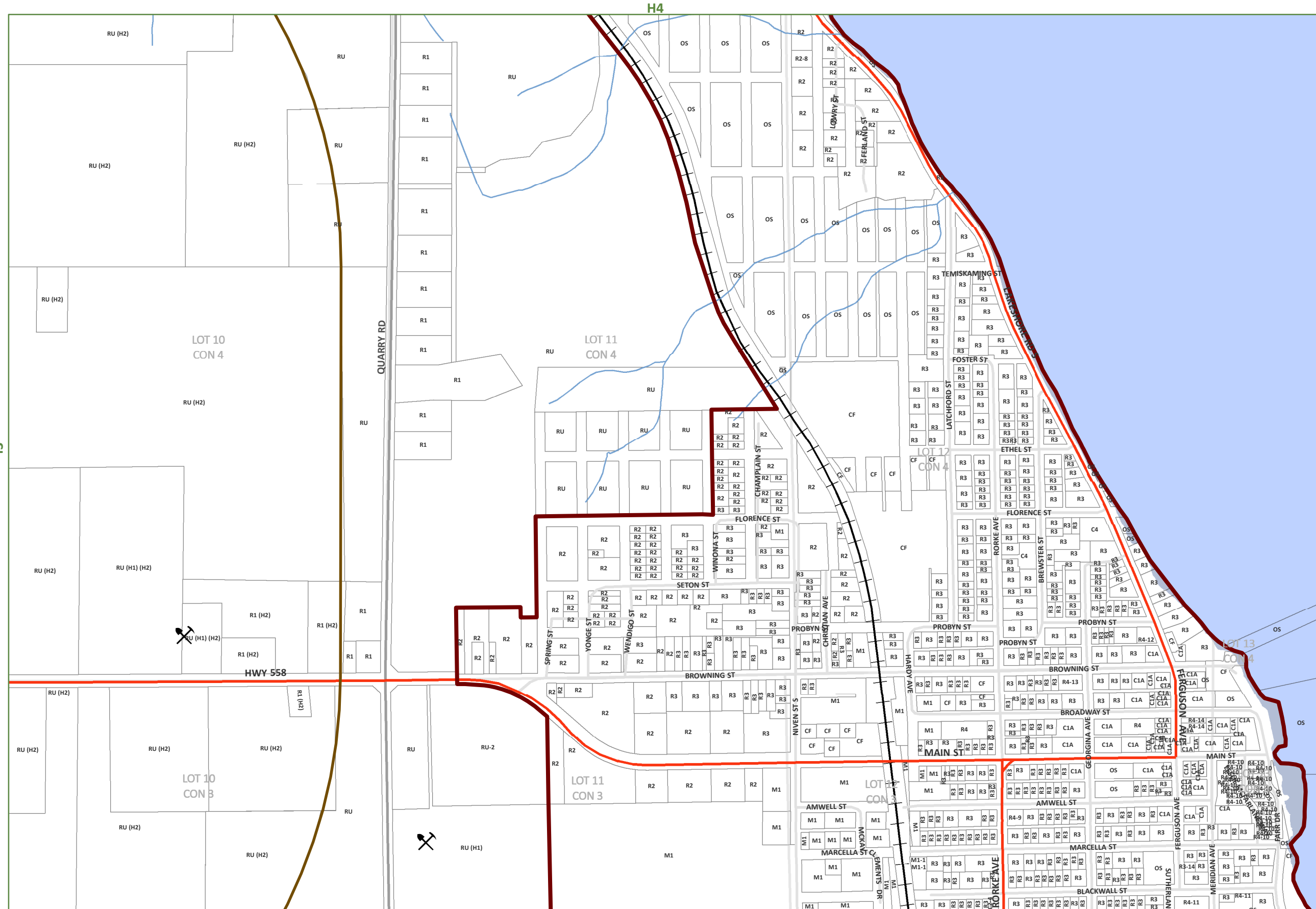


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|-----------|----------------------------|--------------|-----------------------------|
| R1 | Rural Residential | A1 | Prime Agriculture |
| R2 | Low Density Residential | RU | Rural |
| R3 | Medium Density Residential | [Red Box] | Settlement Areas |
| R4 | High Density Residential | [Purple Box] | Town Centre |
| MH | Mobile Home Residential | | |
| D | Development | | |
| C1 | General Commercial | | Watercourses |
| C2 | Highway Commercial | | Railway |
| C3 | Neighbourhood Commercial | | |
| C4 | Tourist Commercial | | |
| MUA | Mixed Use-A | | |
| M1 | General Industrial | | |
| M2 | Manufacturing Industrial | | |
| M3 | Mineral Aggregate Resource | | |
| M4 | Waste Management | | |
| CF | Community Facility | | |
| OS | Open Space Recreation | [Blue Box] | OVERLAY ZONES
Floodplain |
| EP | Environmental Protection | [Yellow Box] | Influence Areas |
| [Pickaxe] | Mining Hazard Constraint | | |

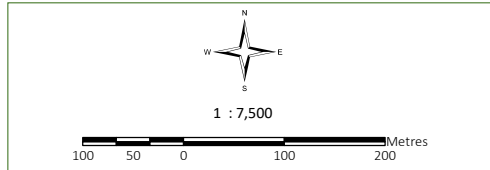


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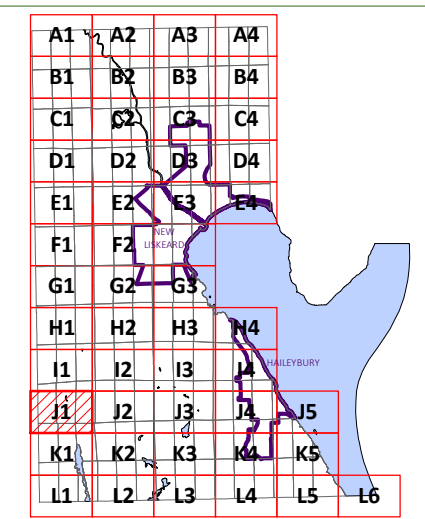
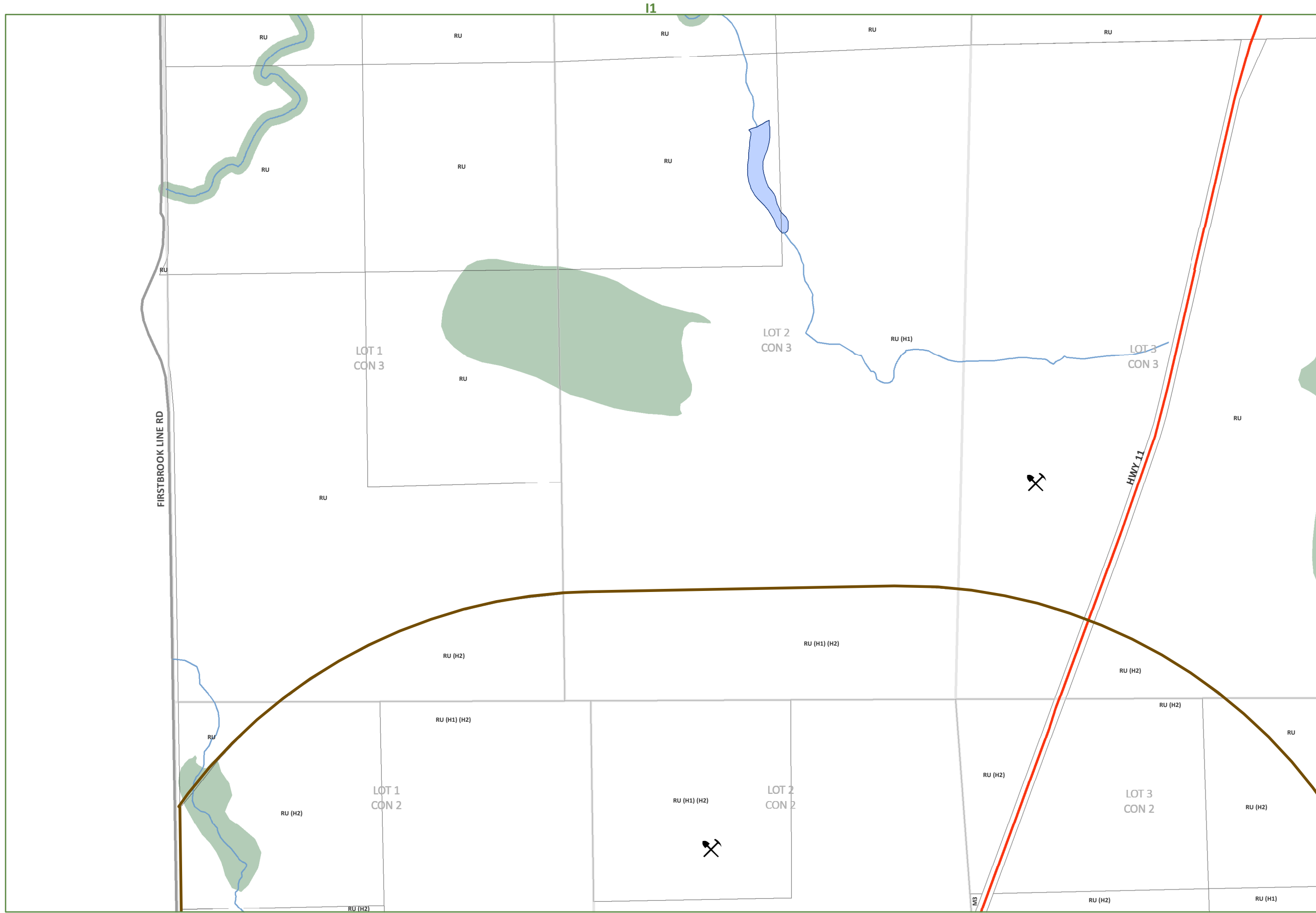


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

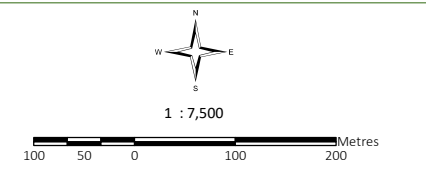


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BASE MAPPING SOURCE: MINISTRY OF NATURAL RESOURCES - ONTARIO BASE MAPPING MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

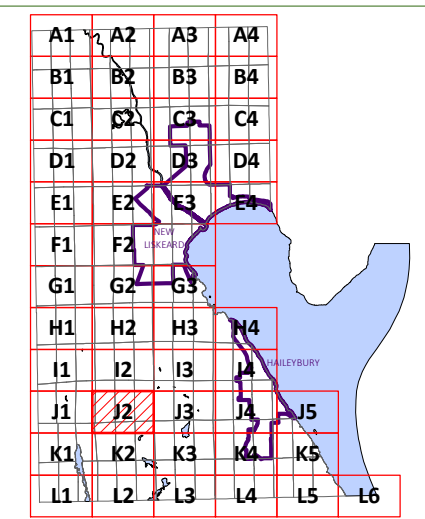
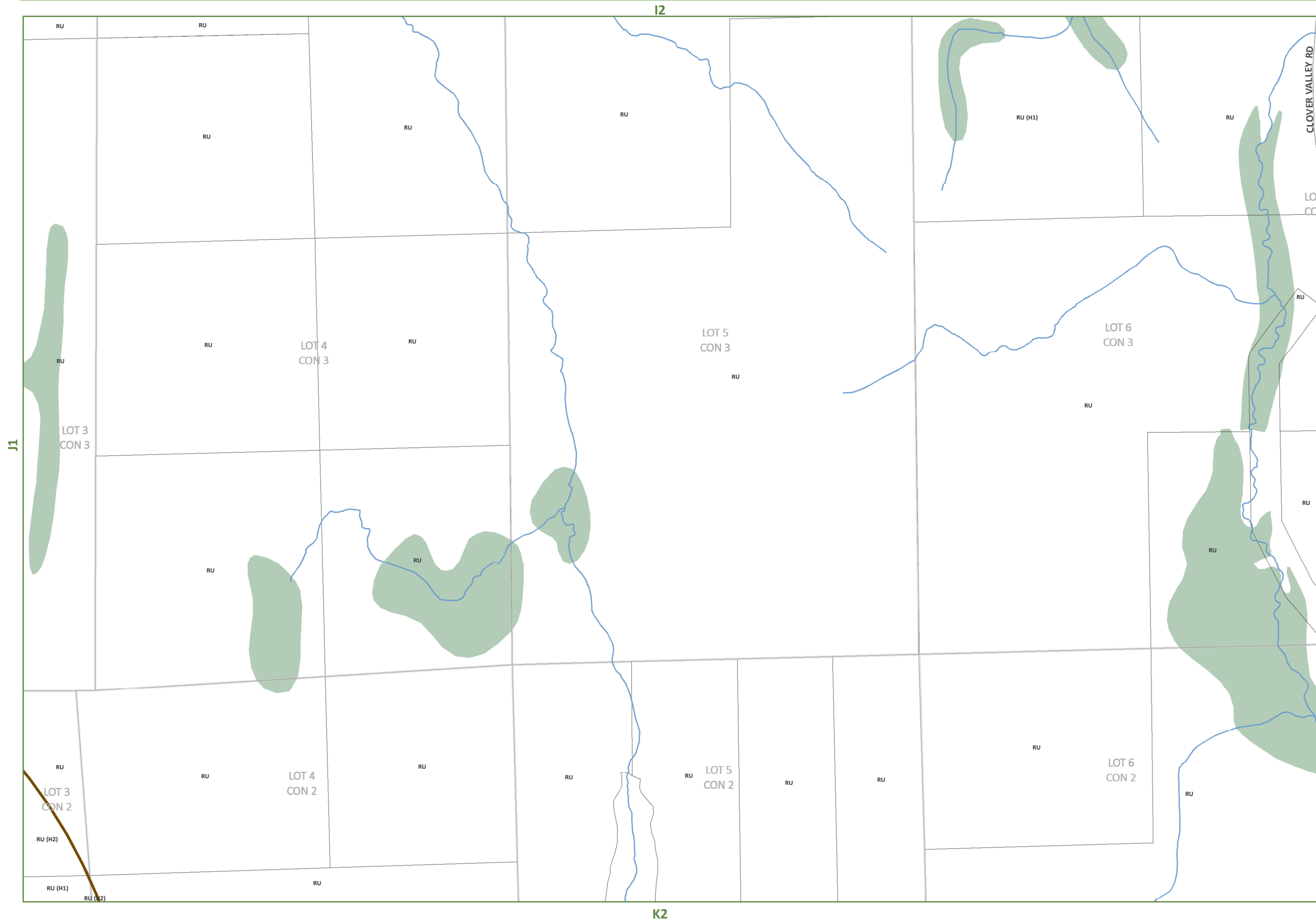


- | | |
|--|---------------------------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas (Red outline) |
| R4 High Density Residential | Town Centre (Purple outline) |
| MH Mobile Home Residential | |
| D Development | Watercourses (Blue line) |
| C1 General Commercial | Railway (Black line with cross-ticks) |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection (Green fill) | Floodplain (Blue fill) |
| Mining Hazard Constraint (Hammer and pickaxe symbol) | Influence Areas (Brown outline) |

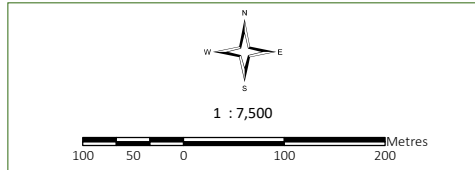


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MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

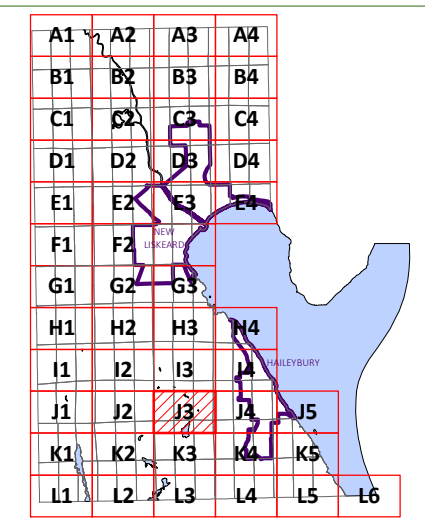
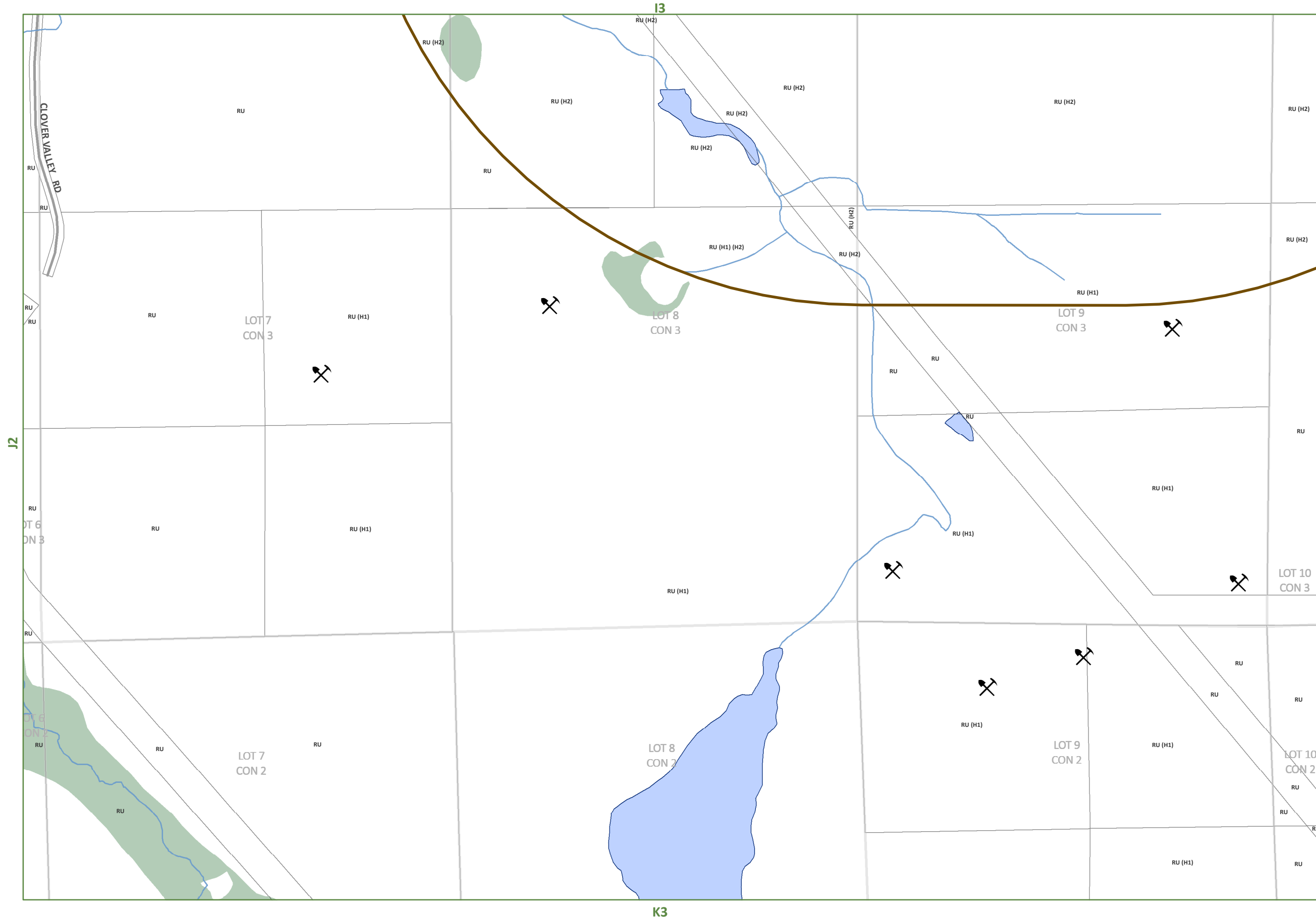


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection	[Green Box]	Floodplain
[Crossed Box]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

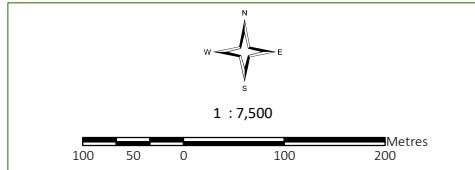


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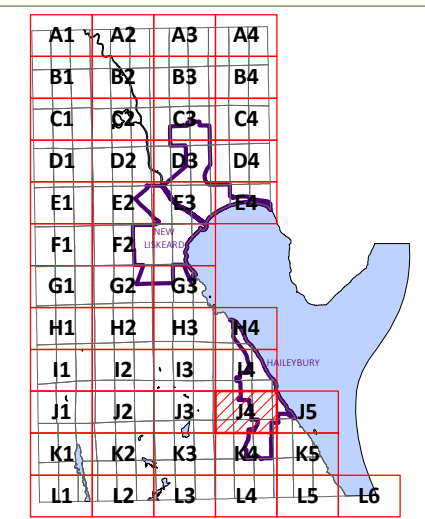
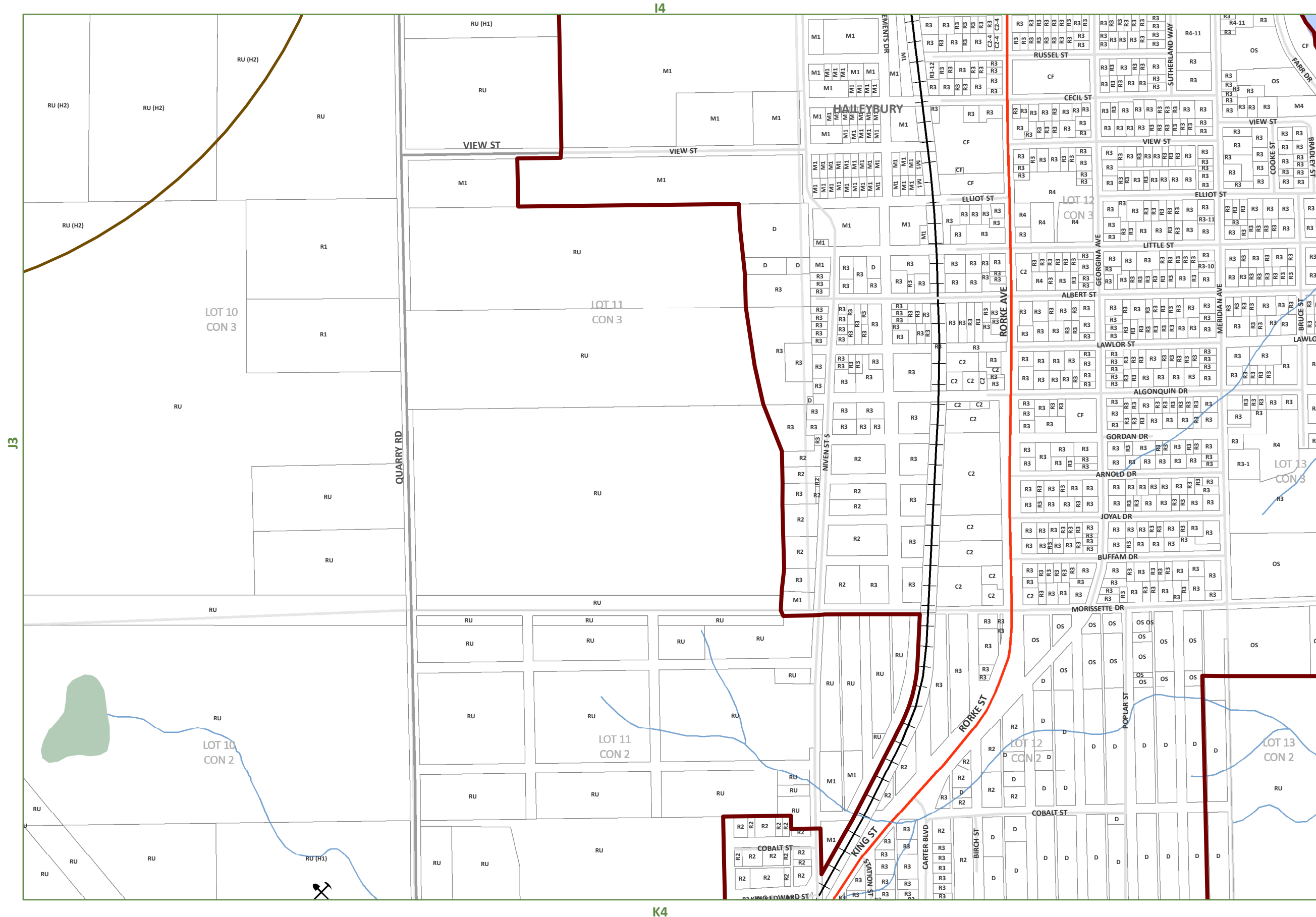


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

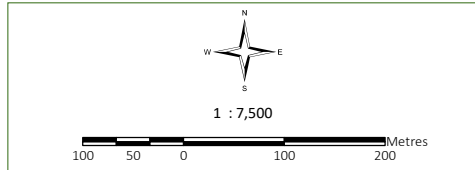


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MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

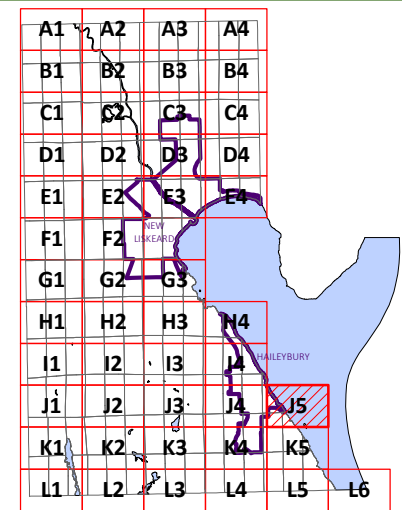
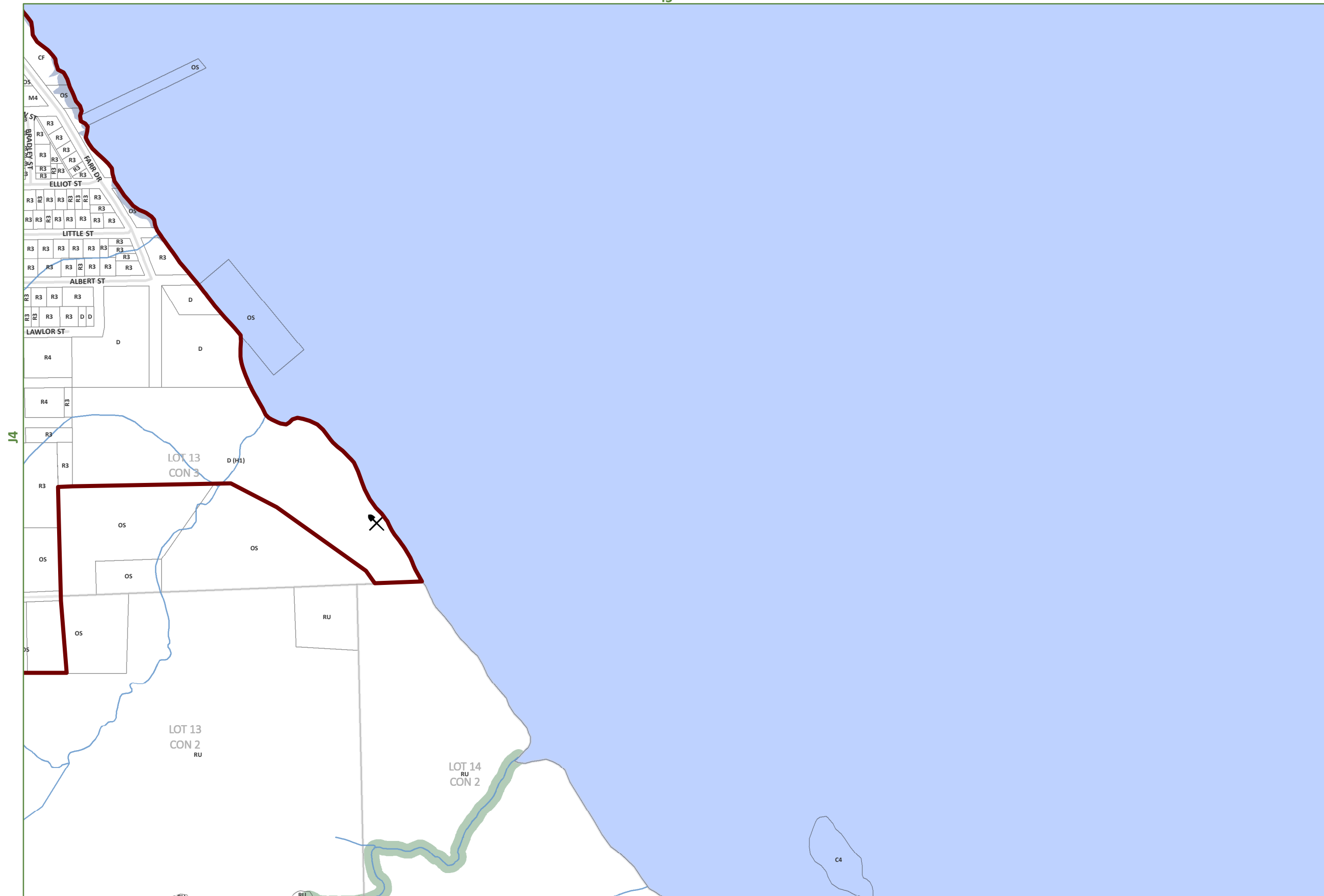


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Outline]	Settlement Areas
R4	High Density Residential	[Purple Outline]	Town Centre
MH	Mobile Home Residential		
D	Development	[Blue Line]	Watercourses
C1	General Commercial	[Black Line]	Railway
C2	Highway Commercial		
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial	[Blue Area]	Floodplain
M2	Manufacturing Industrial	[Yellow Area]	Influence Areas
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection		
[Hammer icon]	Mining Hazard Constraint		

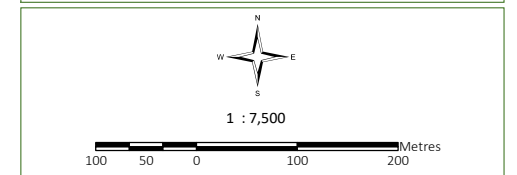


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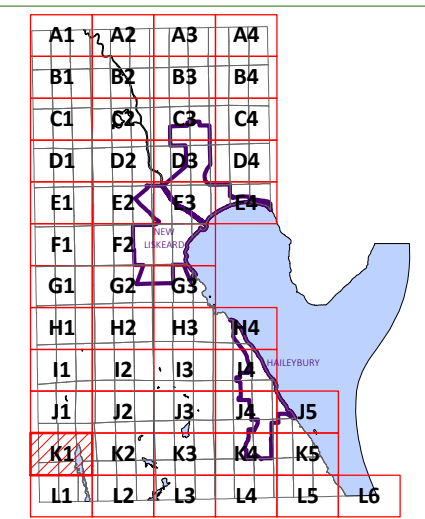
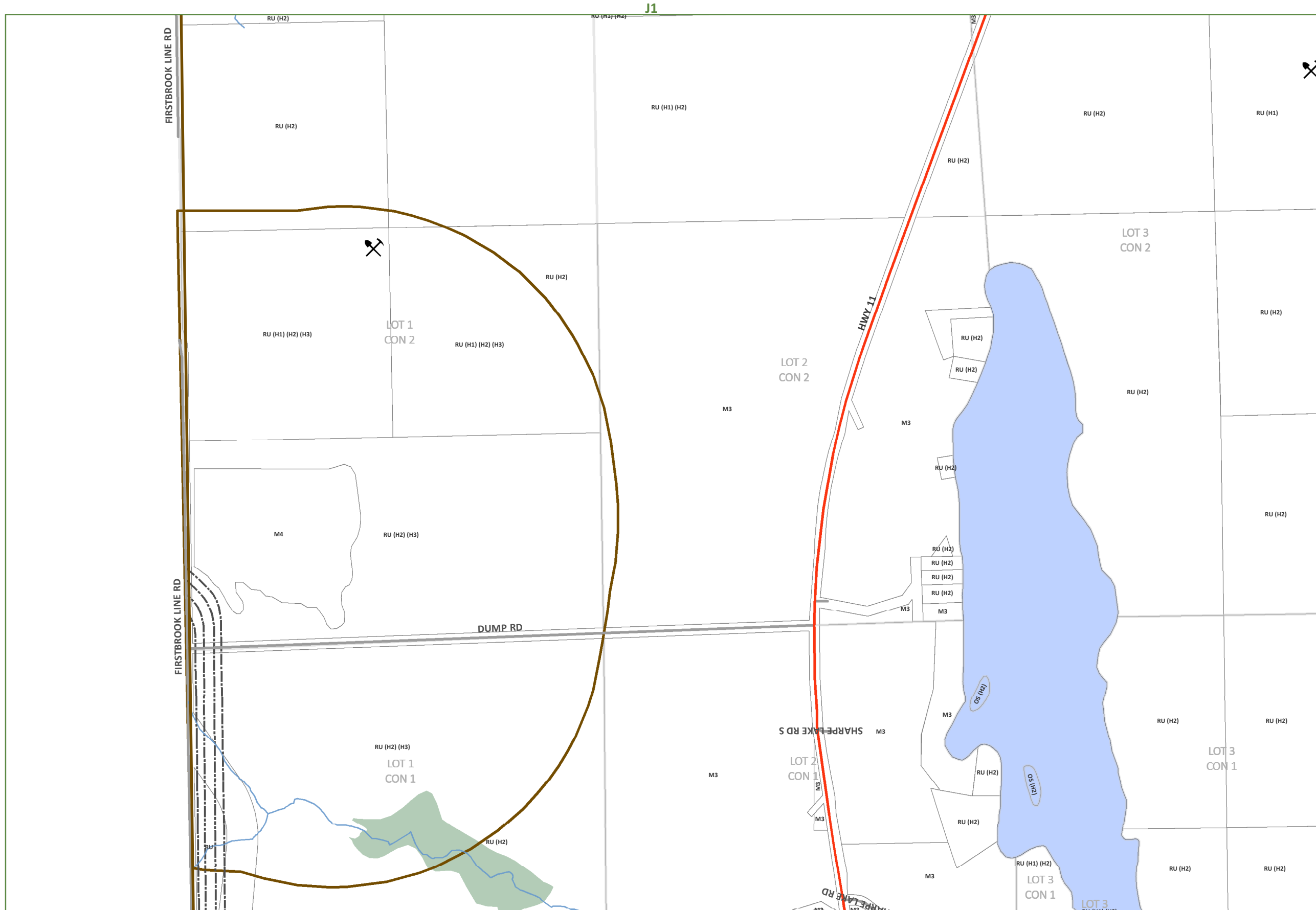


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial	[Blue Line]	Watercourses
C2	Highway Commercial	[Black Line]	Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation	[Blue Box]	Floodplain
EP	Environmental Protection	[Yellow Box]	Influence Areas
[Mining Symbol]	Mining Hazard Constraint		

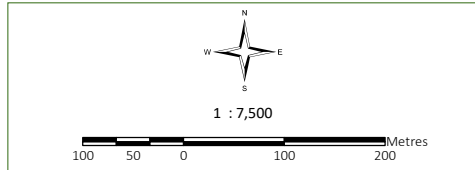


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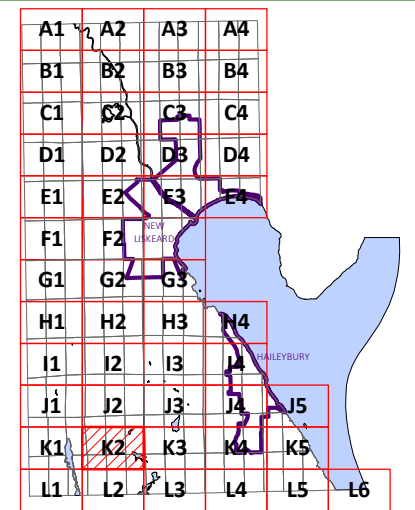
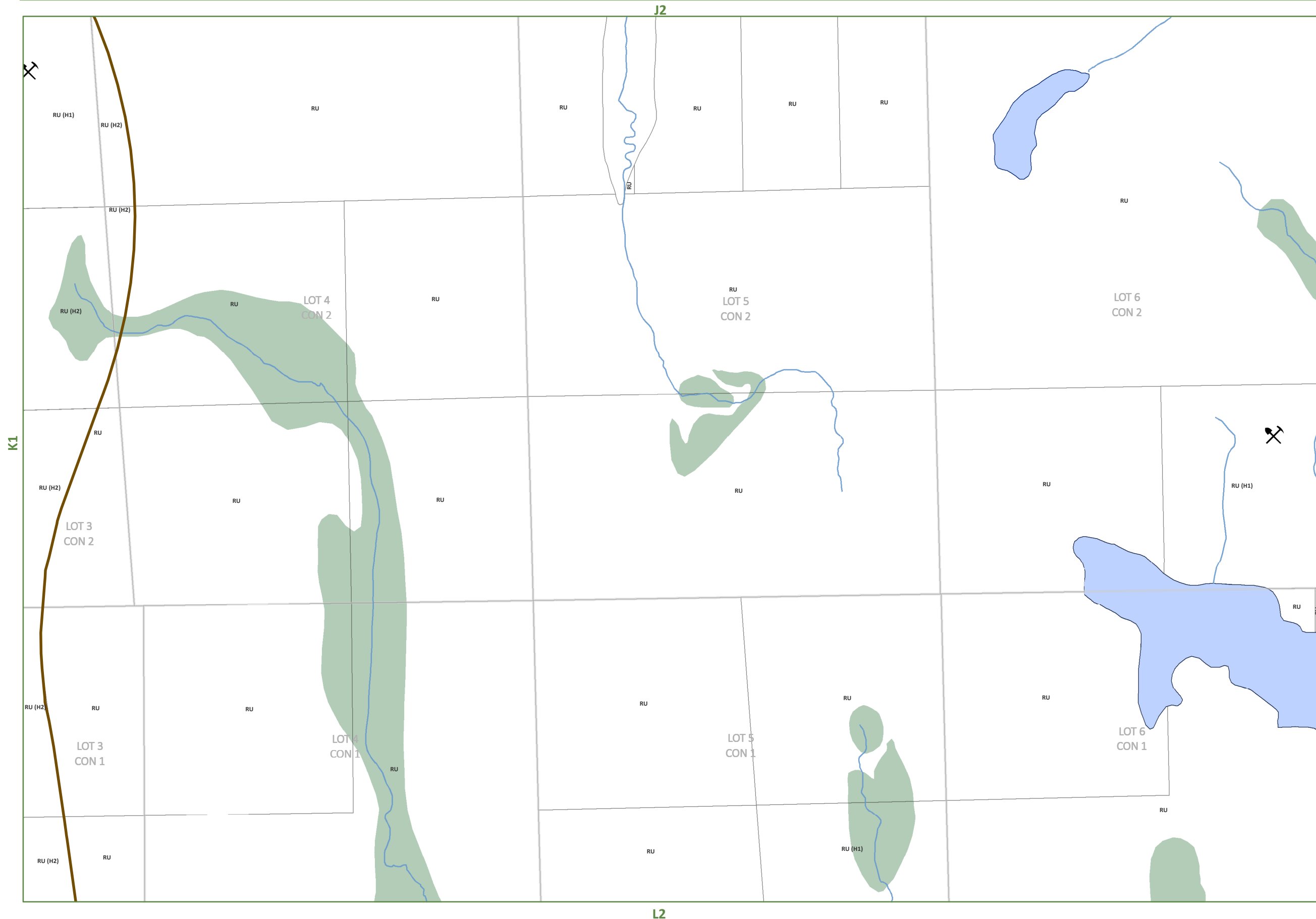


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | |
| C1 General Commercial | Watercourses |
| C2 Highway Commercial | Railway |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

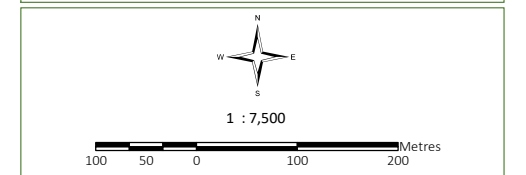


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BASE MAPPING SOURCE: MINISTRY OF NATURAL RESOURCES - ONTARIO BASE MAPPING MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

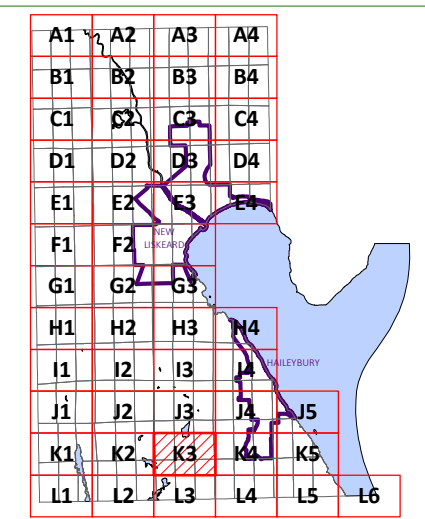
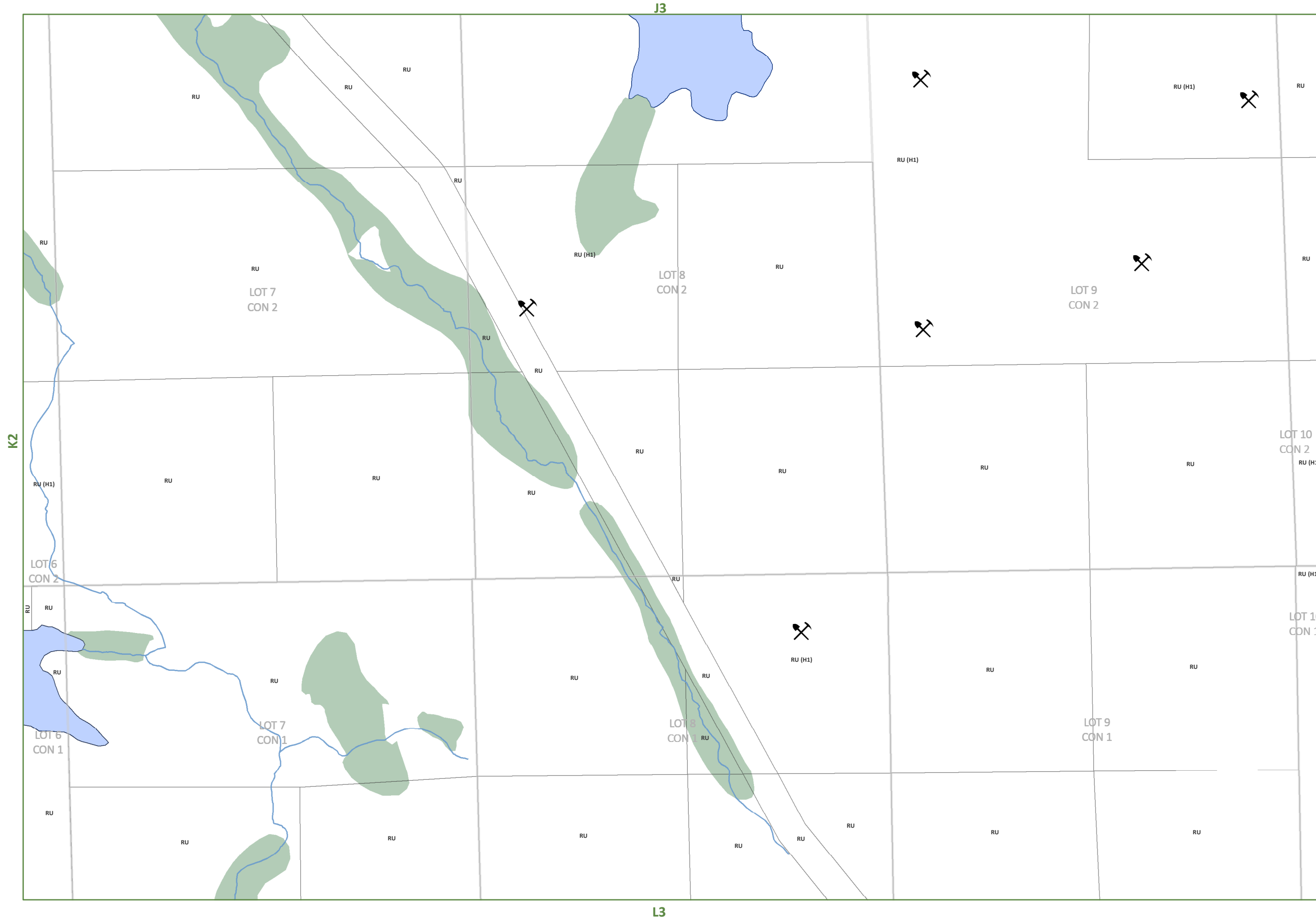


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		OVERLAY ZONES
EP	Environmental Protection	[Blue Box]	Floodplain
[Mining Hazard]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

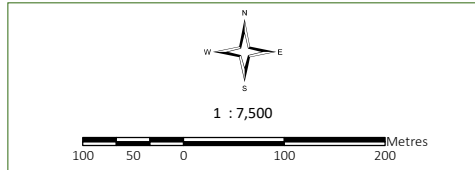


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MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

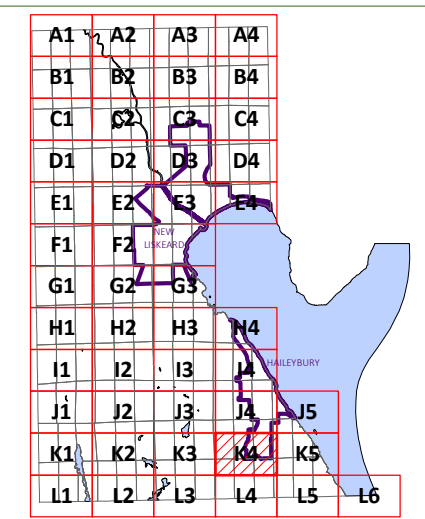
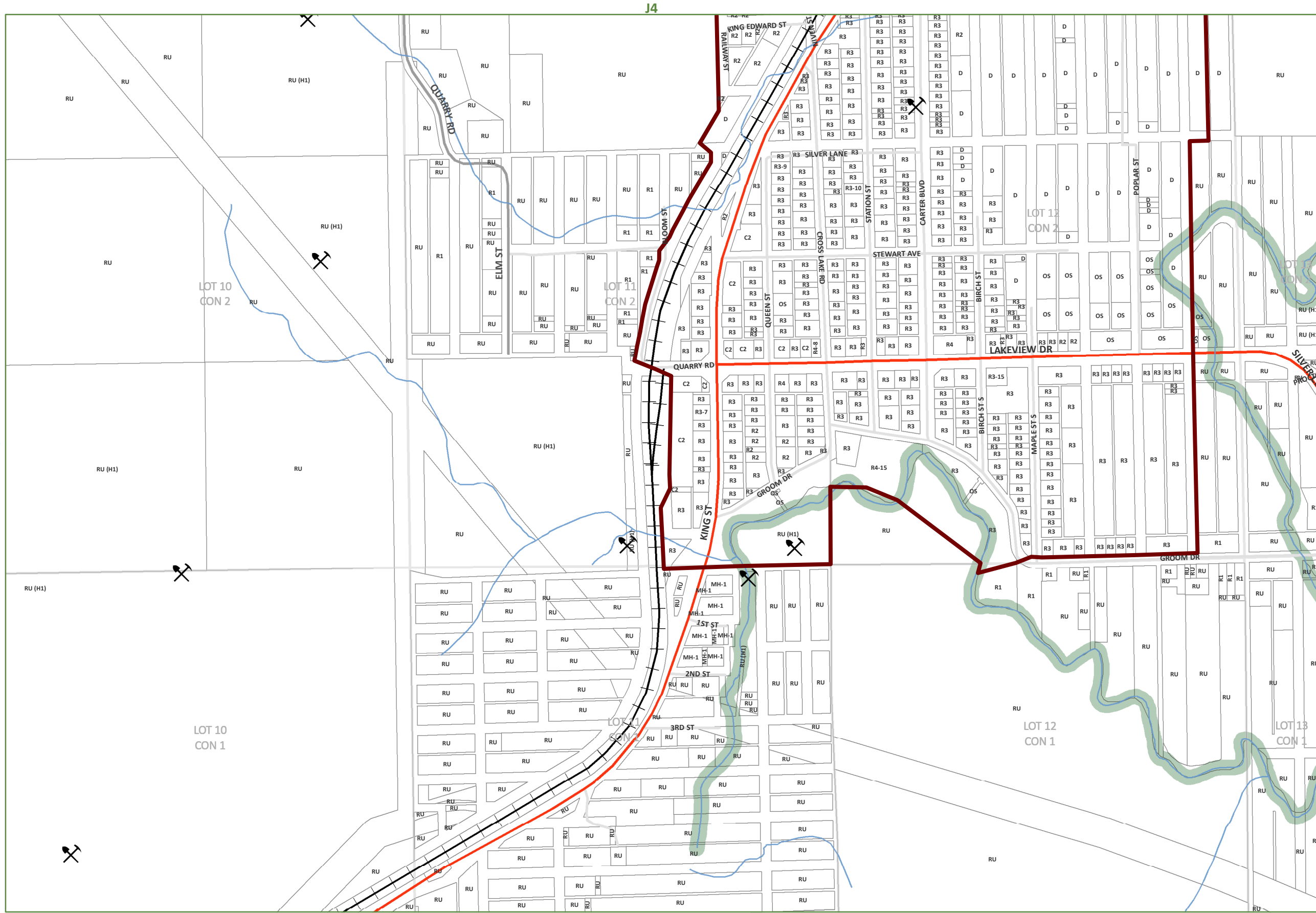


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

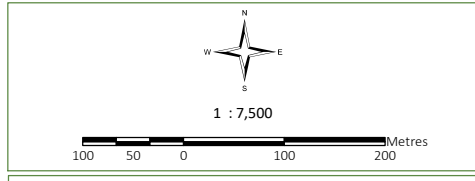


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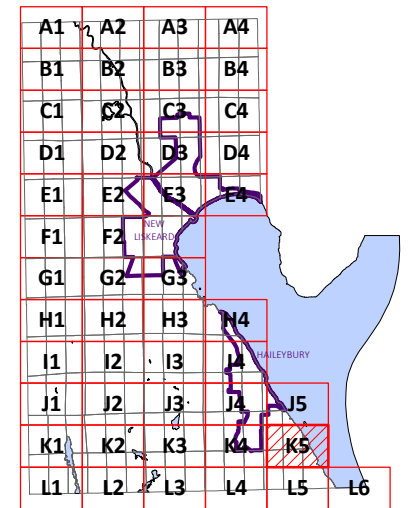
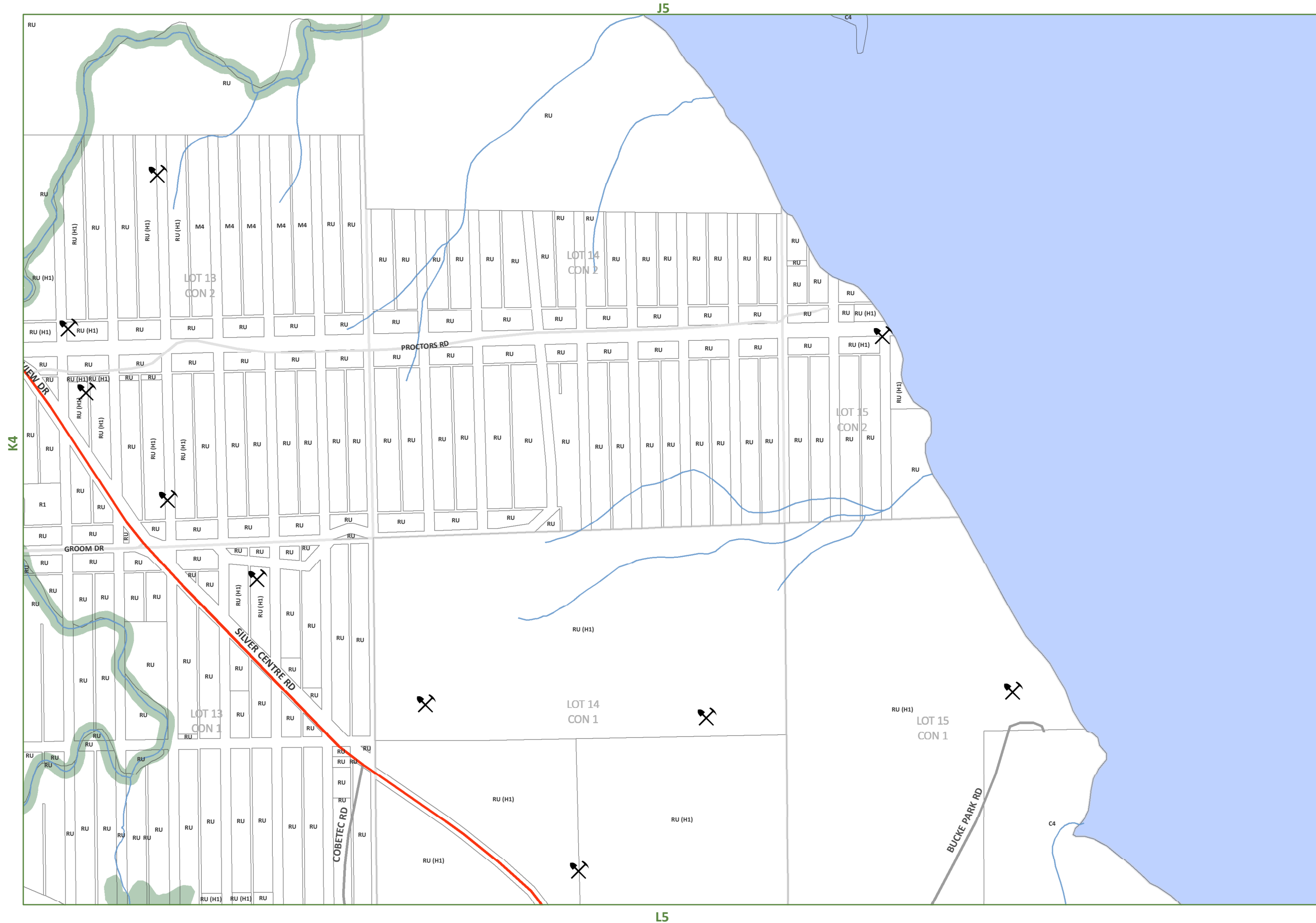


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | SA Settlement Areas |
| R4 High Density Residential | TC Town Centre |
| MH Mobile Home Residential | |
| D Development | WC Watercourses |
| C1 General Commercial | R Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | F Floodplain |
| MHC Mining Hazard Constraint | IA Influence Areas |

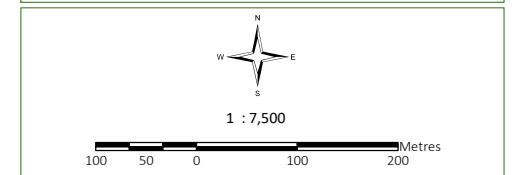


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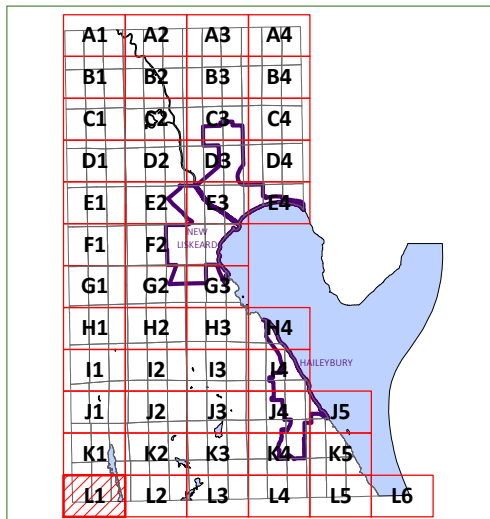
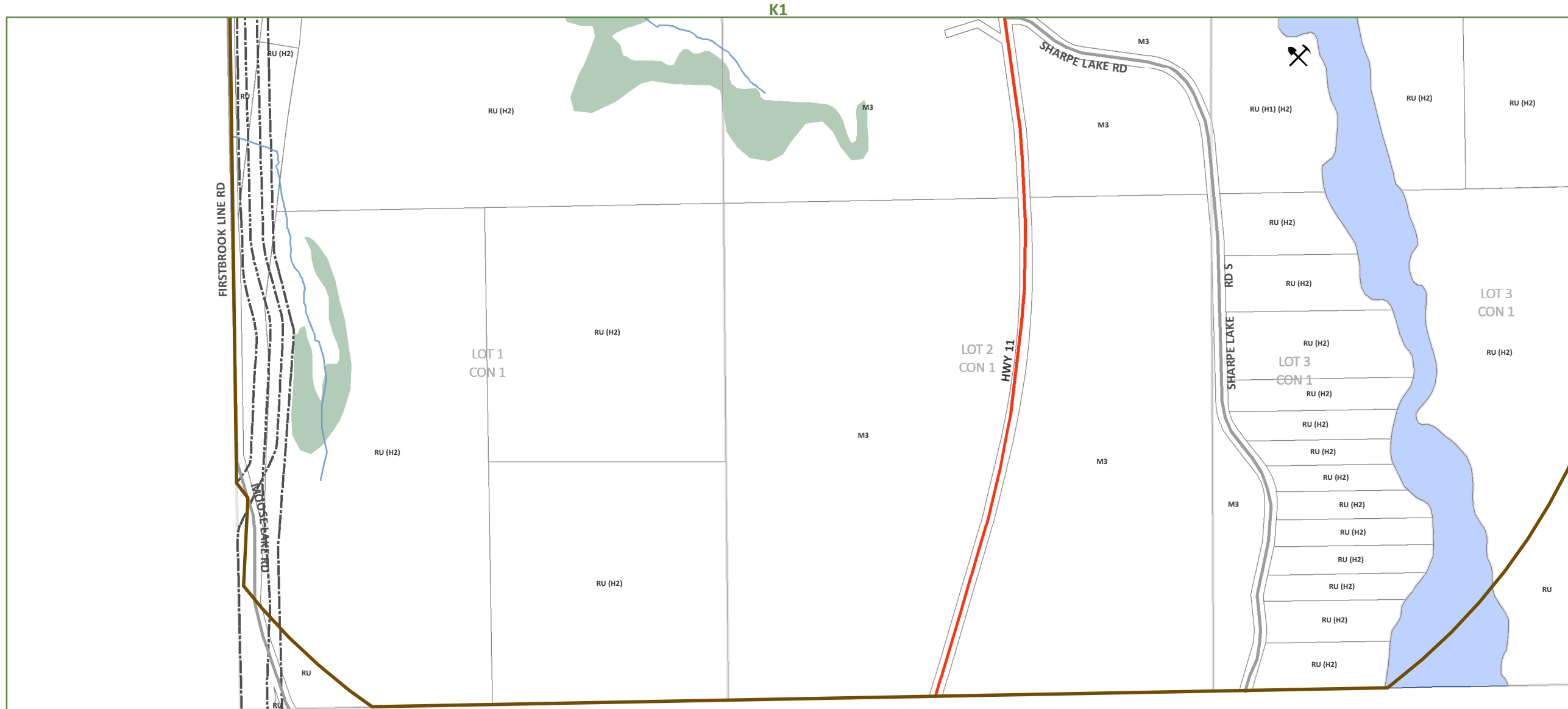


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | |
| M2 Manufacturing Industrial | |
| M3 Mineral Aggregate Resource | |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | OVERLAY ZONES |
| EP Environmental Protection | Floodplain |
| Mining Hazard Constraint | Influence Areas |

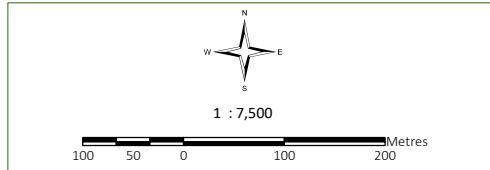


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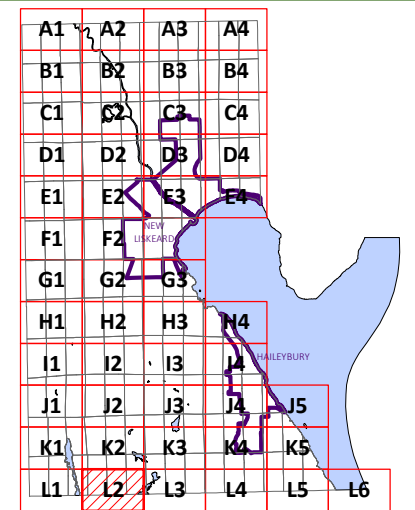
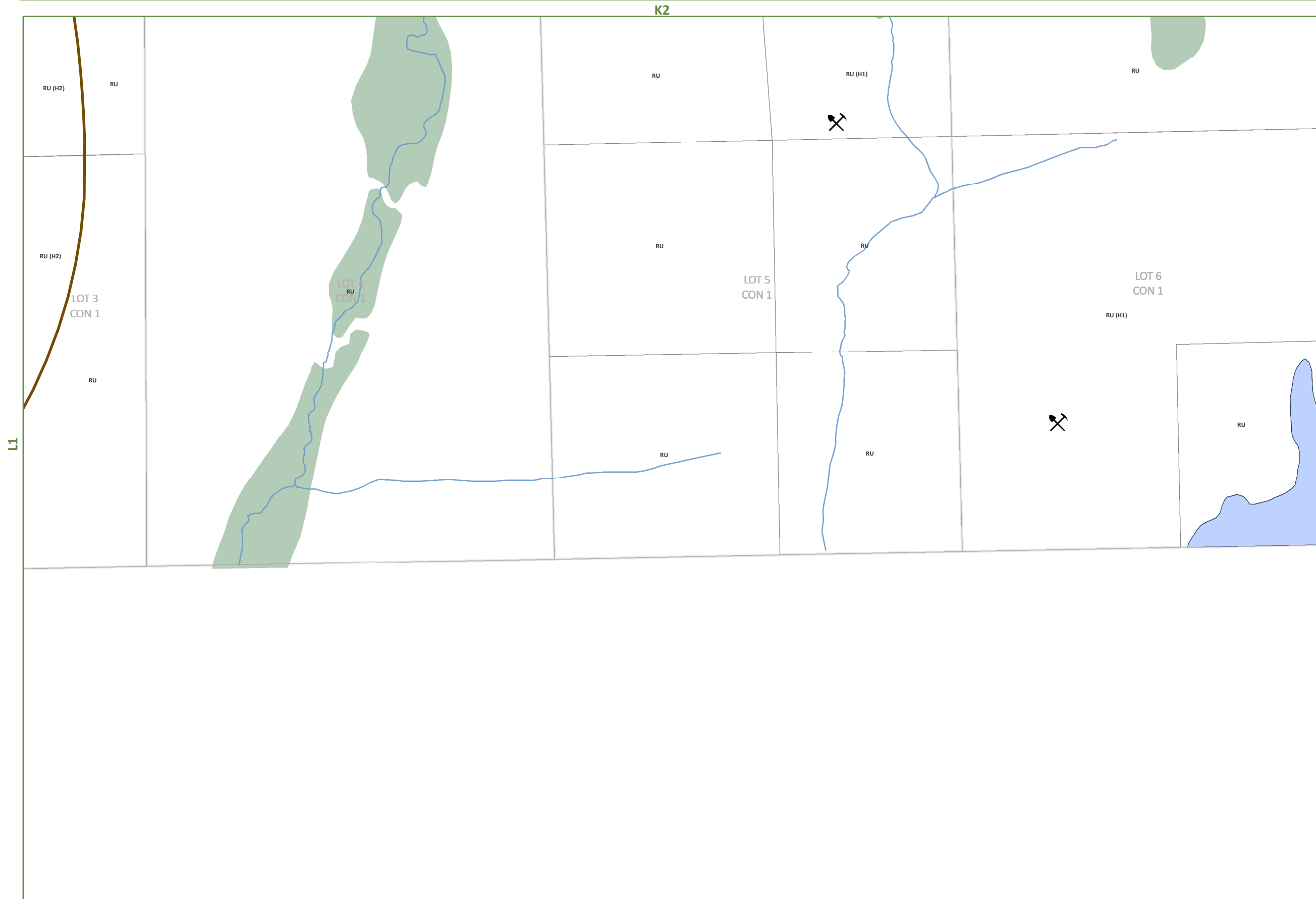


- | | |
|-------------------------------|----------------------|
| R1 Rural Residential | A1 Prime Agriculture |
| R2 Low Density Residential | RU Rural |
| R3 Medium Density Residential | Settlement Areas |
| R4 High Density Residential | Town Centre |
| MH Mobile Home Residential | |
| D Development | Watercourses |
| C1 General Commercial | Railway |
| C2 Highway Commercial | |
| C3 Neighbourhood Commercial | |
| C4 Tourist Commercial | |
| MUA Mixed Use-A | |
| M1 General Industrial | OVERLAY ZONES |
| M2 Manufacturing Industrial | Floodplain |
| M3 Mineral Aggregate Resource | Influence Areas |
| M4 Waste Management | |
| CF Community Facility | |
| OS Open Space Recreation | |
| EP Environmental Protection | |
| Mining Hazard Constraint | |

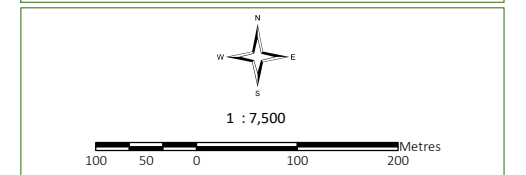


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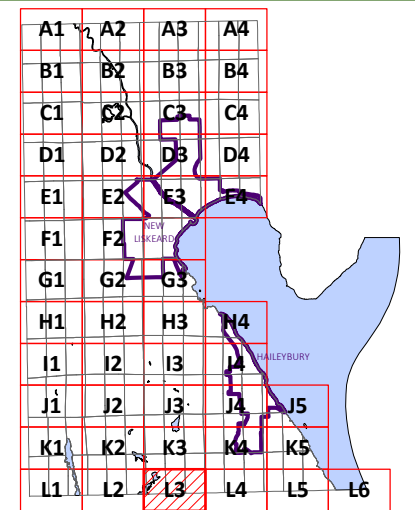


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection	[Blue Box]	Floodplain
[Pickaxe]	Mining Hazard Constraint	[Brown Box]	Influence Areas

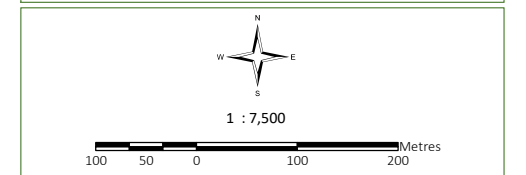


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MINISTRY OF NATURAL RESOURCES - ONTARIO BASE MAPPING
MPAC - MUNICIPAL PROPERTY ASSESSMENT CORPORATION

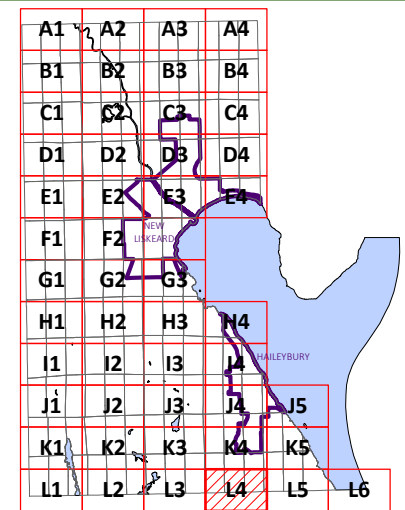


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		
EP	Environmental Protection	[Blue Box]	Floodplain
[Pickaxe]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

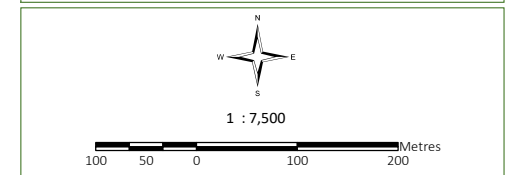


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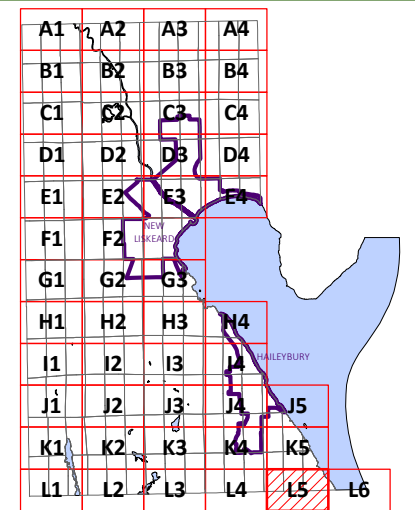
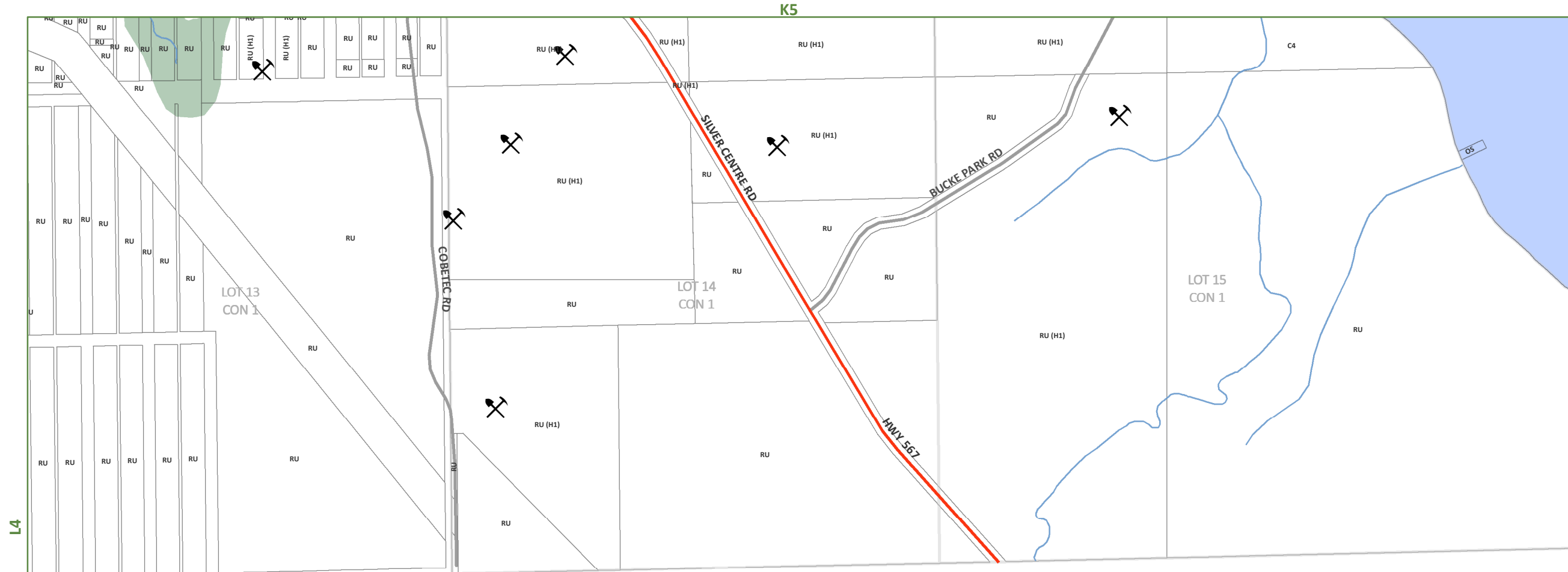


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
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M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation		OVERLAY ZONES
EP	Environmental Protection	[Blue Box]	Floodplain
[Pickaxe]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

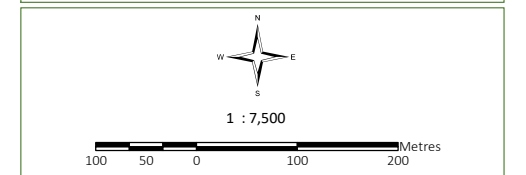


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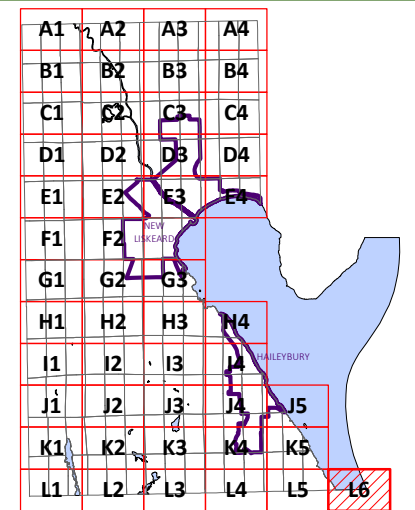
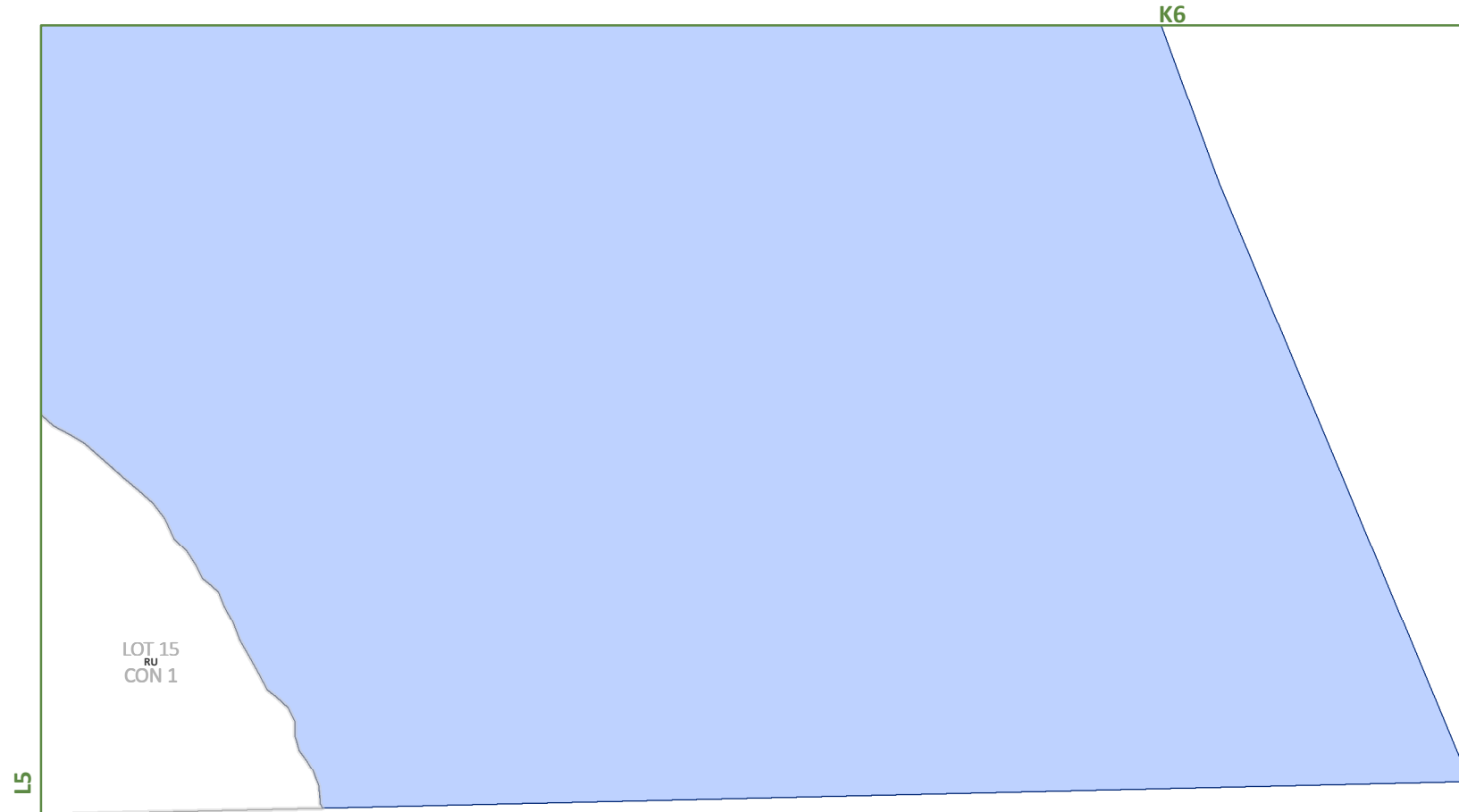


R1	Rural Residential	A1	Prime Agriculture
R2	Low Density Residential	RU	Rural
R3	Medium Density Residential	[Red Box]	Settlement Areas
R4	High Density Residential	[Purple Box]	Town Centre
MH	Mobile Home Residential		
D	Development		
C1	General Commercial		Watercourses
C2	Highway Commercial		Railway
C3	Neighbourhood Commercial		
C4	Tourist Commercial		
MUA	Mixed Use-A		
M1	General Industrial		
M2	Manufacturing Industrial		
M3	Mineral Aggregate Resource		
M4	Waste Management		
CF	Community Facility		
OS	Open Space Recreation	[Blue Box]	OVERLAY ZONES
EP	Environmental Protection	[Green Box]	Floodplain
[Pickaxe Icon]	Mining Hazard Constraint	[Yellow Box]	Influence Areas

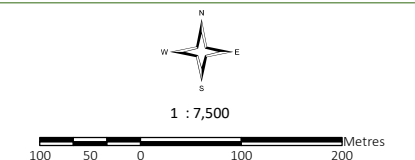


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R1 Rural Residential	A1 Prime Agriculture
R2 Low Density Residential	RU Rural
R3 Medium Density Residential	Settlement Areas
R4 High Density Residential	Town Centre
MH Mobile Home Residential	
D Development	
C1 General Commercial	Watercourses
C2 Highway Commercial	Railway
C3 Neighbourhood Commercial	
C4 Tourist Commercial	
MUA Mixed Use-A	
M1 General Industrial	
M2 Manufacturing Industrial	
M3 Mineral Aggregate Resource	
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OS Open Space Recreation	OVERLAY ZONES
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The Corporation of the City of Temiskaming Shores

By-law No. 2017-148

**Being a by-law to confirm certain proceedings of Council of
The Corporation of the City of Temiskaming Shores for its
Special meeting held on November 14, 2017 and its Regular
meeting held on November 7, 2017**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas it is the desire of the Council of The Corporation of the City of Temiskaming Shores to confirm proceedings and By-laws;

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the actions of the Council at its Special meeting held on **November 14, 2017** and its Regular meeting held on **November 21, 2017** with respect to each recommendation, by-law and resolution and other action passed and taken or direction given by Council at its said meeting, is, except where the prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. That the Mayor, or in his absence the presiding officer of Council, and the proper officials of the municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor, or in his absence the presiding officer, and the Clerk are hereby directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and to affix the corporate seal of the municipality to all such documents.

Read a first, second and third time and finally passed this 21st day of November, 2017.

Mayor – Carman Kidd

Clerk – David B. Treen