

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2025- 53

Being a By-law to make minor housekeeping changes to Zoning By-law No. 2001-26

WHEREAS By-law No. 2001-26 as amended is the Zoning By-law of the Corporation of the Municipality of Magnetawan; and

AND WHEREAS there are certain housekeeping changes required, and Council deems it appropriate to make minor changes related to enforcement measures, maximum size of a temporary storage shed, the Agricultural Zone and to make amendments to group likeminded provisions while restructuring section for the purpose of clarity and user ease;

AND WHEREAS authority is granted pursuant to Sections 34 of the Planning Act, R.S.O. 1990 to enact such amendments;

NOW THEREFORE BE IT RESOLVED be it enacted as a By-law of the Corporation of the Municipality of Magnetawan the following:

Appendices: Minium Distance Separation Formulae be removed.

- 1) Section 1.4 Enforcement is hereby deleted and revised to include the following:

Every person and/or owner and/or occupant who contravenes and/or directs another person(s) to contravene and/or permits another person the doing of any act which contravenes any of the provisions of this By-law is guilty of an offence and may be subject to:

- fees under the Administrative Monetary Penalties By-law as listed in the current Fees and Charges By-law, and/or
- fines or charges as per the current Fees and Charges By-law and/or
- upon conviction is liable to a fine and/or remediation and/or costs of enforcement, for each offence exclusive of the costs;
- each day a contravention occurs may result in a fee

And further, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the Municipal Act

Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a law which may include deeming the outstanding amount to be unpaid taxes and adding this outstanding amount to the tax roll and collecting it in the same manner as Municipal Taxes.

- 2) Section 3.1 i) is hereby relocated to follow Section 3.1 c)

- 3) Section 3.31 is hereby relocated to follow Section 3.4

- 4) Section 3.4 is hereby deleted and replaced by the following:

One tool shed, not exceeding 15 square metres (approx. 161.46 sq ft) , or one construction trailer, or one storage container, incidental to construction is permitted in all areas within the Municipality on the lot where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current building permit.

- 5) Section 3.5 is hereby deleted and replaced by the following:

Notwithstanding any other provision of this By-law, to the contrary, where a Building Permit for construction of a dwelling has been issued by the Municipality for the subject lands, the property owner(s) may occupy a travel trailer on a temporary basis but only during the period which the dwelling is being constructed to a maximum of eighteen months, provided that the trailer is licensed by the Municipality.

6) Section 3.9 d) is hereby deleted and replaced with the following:

Hunting/Fishing Camps

Notwithstanding the provisions of 3.9 a), b) and c) Hunting/Fishing Camp shall be permitted if it is located on an existing lot which has access onto an unimproved municipal road allowance, a private road or a maintained municipal road.

7) Section 3.13 is hereby amended and replaced with the following:

Hunting/Fishing Camps

Hunting/Fishing camps are permitted in the Rural (RU) Zone subject to the following:

- i. A minimum floor area of 10 square metres;
- ii. A maximum height of 5 metres;
- iii. A maximum floor area of 65 square metre approx. 700 square feet);
- iv. A hunting/fishing camp must be a minimum of 100 metres from an existing dwelling or public road;
- v. A hunting/fishing camp shall not include servicing (septic system or well);
- vi. A hunting/fishing camp is only permitted where a building permit for a dwelling unit is not available; and
- vii. The provision of municipal road services on unopened road allowances or private rights-of-way will not be available.

8) Section 3.4 is hereby deleted and replaced with the following:

Trailer, Travel Trailer or Tent Trailer "Trailer"

One trailer, travel trailer or a tent trailer may be located within the Rural (RU), Agricultural (A) and Rural Residential (RR) Zones where the trailer is licensed by the Municipality and;

- i) it is not located within 30 metres of the shoreline;
- ii) the appropriate sanitary facilities are provided on site in accordance with the requirements for a habitable building; and,
- iii) the trailer is roadworthy and is legally capable of being towed on a public roadway
- iv) The subject property shall have an installed and approved 911/civic address.

9) Section 4.7.1 i) be deleted.

10) Section 4.10.4.2 be amended to remove the Holding symbol and subsequent notation related to the Holding symbol.

11) Term 48 Commercial Riding School be deleted.

12) Term 70 Dwelling Unit, Bachelor be deleted.

13) Term 80 Farm be deleted and replaced with the following:

Any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; riding stables; the raising of sheep or goats; the raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture. Farm may or may not include a detached dwelling being secondary to the primary farm use.

14) Term 212 Riding School or Boarding Stable be deleted and replaced with:

An area of land and buildings that are used as an educational or recreational centre for horse training, handling, care, or for the lodging of horses. Commercial operations may be subject to Site Plan Control.

15) Term 224 Short Term Accommodation be deleted and replaced with following:

Means use of a residential Dwelling Unit that offers a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, licence, rental agreement or similar arrangement whether written or verbal for fewer than twenty-eight (28) consecutive calendar days throughout all or part of the year with no on-site management throughout all or part of the year.

Short-term Accommodation uses shall not mean a motel, hotel, bed and breakfast establishment, tourist establishment, tourist cabin establishment, or similar commercial accommodation use.

16) Term 253 Trailer be deleted.

17) Term 254 Trailer, Construction be deleted and replaced with the following:

Any trailer designed to be temporarily located on a parcel of land during the construction of a building or the development of land utilized for the storage of equipment related to the construction occurring on the land and having the running gear and towing equipment permanently attached.

18) Term 225 Trailer or Travel trailer or Tent Trailer "Trailer"

Any vehicle, structure, or conveyance that is designed, modified, or used for human occupancy, lodging, sleeping, or living, whether or not it is capable of being towed, self-propelled, or affixed to the ground. Without limiting the generality of the foregoing, this includes, but is not limited to: recreational vehicles, buses, vans, trucks and other vehicles altered or not in whole or in part for habitation but does not include a mobile home or a park model home.

19) The following Zoning By-law 2001-26 as amended; Schedules shall be amended to reflect the following site specific zoning;

20) Amend Schedule A-1 to Zoning By-law No. 2001-26 is hereby amended by rezoning the subject lands legally described as PLAN M391 Lot 4, Municipality of Magnetawan, District of Parry Sound, from the Shoreline Residential (SR) Zone to Shoreline Residential Exception Forty-two (SR-42) Zone, as shown on Schedule 'A' attached forming part of this By-law.

THAT Section 4.2.4 of Zoning By-law No. 2001-26 is hereby amended by the addition of the following:

4.2.4.31 Notwithstanding the requirements of Section 4.2 of this By-law to the contrary, the following provisions will apply to the lands within the Shoreline Residential Exception Forty-two (SR-42) Zone in Plan M391 Lot 4, Municipality of Magnetawan, District of Parry Sound:

Support the Zoning By-law Amendment subject to a building permit, permitting the establishment of an accessory structure with:

- a. a maximum a 4m setback to the rear yard at the northwest corner of Magnet Road;
- b. a maximum 8.8m setback from the rear yard at the northeast corner of Magnet Road;
- c. a maximum lot coverage of 16.25%;
- d. a maximum accessory lot coverage of 7.5%.

21) THAT Schedule 'A-2', to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the lands legally described as Concession 8, Part Lot 3, RP42R12391, Part 1, municipally known as 4601 Highway 124, Municipality of Magnetawan, District of Parry Sound, from the Rural Residential (RR) Zone to the Rural Residential Exception Eight (RR-08) Zone and the Rural Residential Exception Nine (RR-09) Zone, as shown on Schedule 'A' attached forming part of this By-law.

Section 4.1.3 of By-law 2001-26 is hereby amended by adding the following new sections after 4.1.3.6:

4.1.3.7 Rural Residential Exception Eight (RR-08) Zone 4601 Highway 124:

1. Notwithstanding the provisions of this By-law to the contrary, within the RR-08 Zone the following shall apply:

- i. A Home Industry is a permitted use, including a building or part of a building where marine equipment is serviced or repaired.
- ii. Outside storage of equipment associated with the Home Industry shall also be permitted.
- iii. In addition to the permitted uses with the RR Zone, the following uses shall be permitted:
 - a. farm
 - b. farm produce outlet accessory to a farm
 - c. logging
 - d. resource management activities
 - e. riding school or boarding stables

4.1.3.8 Rural Residential Exception Nine (RR-09) Zone 4601 Highway 124

Notwithstanding the provisions of this By-law to the contrary, within the RR-09 Zone the following shall apply:

In addition to the permitted uses within the RR Zone, the following uses shall be permitted:

- i. farm
- ii. farm produce outlet accessory to a farm
- iii. logging
- iv. resource management activities
- v. riding school or boarding stables

22) THAT Schedule 'A-1', to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the lands legally described as Concession 5, Part Lot 15, Croft, Municipality of Magnetawan, District of Parry Sound, from the Rural Zone to the Rural Residential Zone as shown on Schedule 'A' attached forming part of this By-law.

- a. That the permitted uses in the Rural Residential (RR) zone shall apply to the area identified in Schedule "A" attached.
- b. In all other respects the zoning of the area illustrated in Schedule "A" attached is unchanged.

23) THAT Schedule 'A-1', to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the lands legally described as Concession 8, Lot 26, Chapman, Municipality of Magnetawan, District of Parry Sound, from the Rural Zone to the Rural Residential Zone as shown on Schedule 'A' attached forming part of this By-law.

- a. That the permitted uses in the Rural Residential (RR) zone shall apply to the area identified in Schedule "A" attached.
- b. In all other respects the zoning of the area illustrated in Schedule "A" attached is unchanged.

24) Schedule 'A-2', to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the lands legally described Lot 8, Concession 10, Chapman Township, Municipally known as 185 Halls Road, Municipality of Magnetawan, from the Extractive Industrial (MX) Zone to the Rural (RU) Zone and to expand the Environmental Protection (EP) Zone as shown on Schedule 'A' attached forming part of this By-law.

Sections will be inserted based on revisions and numbered as required.

This By-law shall come into force and effect upon the date of passage hereof and take effect on the last day after the last day for filing appeals in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P.13.

READ A FIRST, SECOND AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 19th day of November.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**



Sam Dunnett, MAYOR



Kerstin Vroom, CAO/CLERK