

**CORPORATION OF THE TOWNSHIP OF McKELLAR
NOTICE OF PASSING OF AN INTERIM CONTROL BY-LAW**

TAKE NOTICE that the Council of the Corporation of the Township of McKellar passed By-law No. 2008-26 on the 6th day of October, 2008 under Section 38 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

THE PURPOSE of the By-law is to place an Interim Control By-law for lands within the Tourist Commercial Marine (C2M), Tourist Commercial Marine Restricted (C2MR) and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27 and 16.36 Zones.

THE EFFECT of the Interim Control By-law is to prohibit the use of the above noted Zones to allow for the undertaking of a study of "fractional ownership" or similar-type resorts and the land use policies in the Municipality relating to such, which will include shoreline development and redevelopment along the Municipality's recreational waterfront and including the allowable densities and the range of uses to be permitted.

The Council has authority to extend the period during which the by-law will be in effect to a total period not exceeding two years.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of McKellar not later than the 5th day of December, 2008 a notice of appeal. The notice of appeal must be filed with the Clerk of the Township of McKellar, must set out the reasons for the appeal, and must be accompanied by the \$125.00 fee required by the Municipal Board and must be made payable to the Ontario Minister of Finance.

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal an interim control by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

A COMPLETE COPY of the By-law is set out below.

DATED at McKellar Township office this 7th day of October, 2008.

Shawn Boggs, Clerk
Township of McKellar
P.O. Box 69
McKellar, On
P0G 1C0

No Key Map has been attached to this notice because this Interim Control By-law applies to all lands that are zoned Tourist Commercial Marine (C2M), Tourist Commercial Marine Restricted (C2MR) and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27 and 16.36

**THE CORPORATION OF THE TOWNSHIP OF McKELLAR
BY-LAW NO. 2008-26**

BEING A BY-LAW TO ADOPT THE INTERIM CONTROL BY-LAW FOR LANDS WITHIN THE TOURIST COMMERCIAL MARINE (C2M) ZONE, THE TOURIST COMMERCIAL MARINE RESTRICTED (C2MR) ZONE, AND SPECIAL PROVISIONS 16.05; 16.09; 16.10; 16.11; 16.17; 16.19; 16.27; 16.36

WHEREAS Section 38 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provides that where the Council of a local municipality has by by-law or resolution, directed that a study be undertaken in respect of land use planning policies in the Municipality or any defined area or areas thereof, the Council of the Municipality may pass a by-law to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of passing thereof, prohibiting the use of land, buildings or structures within the municipality or within any defined area or areas thereof for, or except for, such purposes as are set out in the By-law,

AND WHEREAS the Council of the Corporation of the Township of McKellar has by resolution directed that a study be undertaken in respect of "fractional ownership" or similar-type resorts and the land use policies in the Municipality relating to such, which will include shoreline development and redevelopment along the Municipality's recreational waterfront and including the allowable densities and the range of uses to be permitted within the Tourist Commercial Marine (C2M) zone, the Tourist Commercial Marine Restricted (C2MR) zone, and Special Provisions 16.05; 16.09; 16.10; 16.11; 16.17; 16.19; 16.27 and 16.36,

AND WHEREAS the Council of the Corporation of the Township of McKellar deems it expedient and in the public interest to prohibit the use of lands, buildings and structures within the Tourist Commercial Marine (C2M) zone, the Tourist Commercial Marine Restricted (C2MR) zone, and Special Provisions 16.05; 16.09; 16.10; 16.11; 16.17; 16.19; 16.27 and 16.36 as set out in Zoning By-law No. 95-12 as amended for the Township of McKellar in order to allow the Municipality to review, and if deemed necessary and appropriate, implement the findings of said study;

AND WHEREAS the Council of the Township of McKellar has enacted Interim Control By-law No. 2008-20 which affects land uses in the Waterfront and Tourist Commercial Zones;

NOW THEREFORE BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF McKELLAR AS FOLLOWS:

1. Notwithstanding the permitted uses and regulations of Zoning By-law No. 95-12 as amended, the lands within the Tourist Commercial Marine (C2M) zones, the Tourist Commercial Marine Restricted (C2MR) zones, and Special Provisions 16.05; 16.09; 16.10; 16.11; 16.17; 16.19; 16.27 and 16.36, as set out in Schedule 'A' to Zoning By-law No. 95-12 shall not be used for any purpose save and except for any use legally existing at the date of the passing of this by-law.
2. The provisions of this by-law shall not be interpreted to prohibit any enlargement, repairs or renovations to any existing uses, buildings or structures in the Tourist Commercial Marine (C2M) Zone, Tourist Commercial Marine restricted (C2MR) Zone or Special Provisions 16.05; 16.09; 16.10; 16.11; 16.17; 16.19; 16.27 and 16.36 as long as there are no increases in the number of resort units.
3. The provisions of this by-law shall not be interpreted to prohibit the construction of a single detached dwelling or any accessory buildings or structures thereto on any existing lot of record or on any lot or lots that have been conditionally approved by the land division authority.
4. That where any conflict exists between the provisions of this By-law and any other by-law of the Corporation of the Township of McKellar, this By-law shall prevail.
5. This By-law shall be in effect for a period of one year from the date of passing thereof.

READ a FIRST and SECOND time this 6th day of October, 2008.

"David Moore" "S. Boggs"
Reeve Clerk

READ a THIRD time and PASSED in OPEN COUNCIL this 6th day of October, 2008.

"David Moore" "S. Boggs"
Reeve Clerk