

**CORPORATION OF THE TOWNSHIP OF MCKELLAR**

**BY-LAW NO. 2009-19**

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**BEING A BY-LAW TO EXTEND THE INTERIM CONTROL BY-LAWS FOR LANDS WITHIN THE WATERFRONT RESIDENTIAL ZONES (WF1, WF2, WF3, WF4, WF5), THE TOURIST COMMERCIAL (C2) ZONES, 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.**

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**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** Subsection 38(2) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, provides that the Council may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control 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 Waterfront Residential Zones (WF1, WF2, WF3, WF4, WF5), Tourist Commercial Zones (C2, C2M, C2MR) and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27, 16.36 Zones, as set out in Zoning By-law No. 95-12, as amended, for the Township of McKellar, and what restrictions, if any, should be placed upon the uses ultimately to be permitted within the WF1, WF2, WF3, WF4, WF5, C2, C2M, C2MR and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27, 16.36 Zones.

**AND WHEREAS** the Council of the Corporation of the Township of McKellar enacted Interim Control By-law No. 2008-20 on September 15, 2008 and Interim Control By-law No. 2008-26 on October 6, 2008, applying to lands within the Waterfront Residential Zones (WF1, WF2, WF3, WF4, WF5), the Tourist Commercial (C2, C2M, C2MR) Zones and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27 and 16.36 Zones as set out in Zoning By-law No. 95-12, as amended, for the Township of McKellar;

**AND WHEREAS** Interim Control By-law No. 2008-20 is due to expire on September 15, 2009;

**AND WHEREAS** Interim Control By-law No. 2008-26 is due to expire on October 6, 2009;

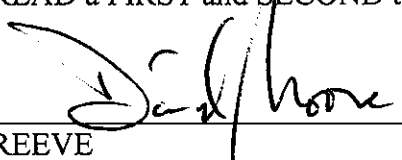
**AND WHEREAS** the Official Plan Amendments and Zoning By-law Amendments have not yet been adopted by the Council of the Corporation of the Township of McKellar;

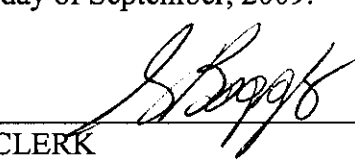
**AND WHEREAS** the Council of the Corporation of the Township of McKellar has determined that it is in the public interest to extend Interim Control By-law No. 2008-20 and Interim Control By-law No. 2008-26 to prohibit and regulate the use of those lands within the Waterfront Residential 1 (WF1) Zone, the Waterfront Residential 2 (WF2) Zone, the Waterfront Residential 3 (WF3) Zone, the Waterfront Residential 4 (WF4) Zone, the Waterfront Residential 5 (WF5) Zone, the Tourist Commercial (C2) Zone, the Tourist Commercial Marine (C2M) Zone, the Tourist Commercial Marine Restricted (C2MR) Zone and Special Provision 16.05, 16.09, 16.10, 16.11, 16.17, 16.19, 16.27 and 16.36 Zones as set out in Zoning By-law No. 95-12, as amended, for the Township of McKellar, so as to allow the Township adequate time to enact an Official Plan Amendment and Zoning By-law Amendment;

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

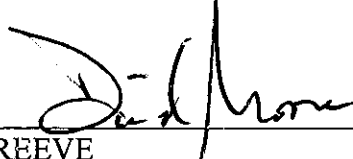
1. Interim Control By-law No. 2008-20 is hereby amended by extending the effective date of the said by-law until November 13, 2009.
2. Interim Control By-law No. 2008-26 is hereby amended by extending the effective date of the said by-law until November 13, 2009.
3. This By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of McKellar subject to the applicable provisions of the Planning Act.

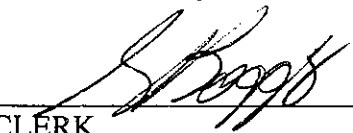
READ a FIRST and SECOND time this 14th day of September, 2009.

  
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REEVE

  
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CLERK

READ a THIRD time and PASSED in OPEN COUNCIL this 14th day of September, 2009.

  
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REEVE

  
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CLERK