



The Corporation of the Municipality of Red Lake

By-Law No. 15-2016

**BEING A BY-LAW TO AMEND BY-LAW NO.1930-14
WHICH REGULATES THE USE OF LAND AND THE CHARACTER,
LOCATION AND USE OF BUILDINGS AND STRUCTURES, AND
PROHIBITS CERTAIN USES, BUILDINGS AND STRUCTURES IN VARIOUS
DEFINED AREAS OF THE MUNICIPALITY OF RED LAKE**

WHEREAS the Official Plan of The Corporation of the Municipality of Red Lake was approved by the Minister of Municipal Affairs on September 18th, 2015; and

WHEREAS the Zoning By-Law of The Corporation of the Municipality of Red Lake was passed by Council on November 16th, 2015; and

WHEREAS Council deems it advisable to amend By-Law No. 1930-14 in accordance within the provisions of Section 34 of the Planning Act, Chapter P13, R.S.O. 1990;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake **HEREBY ENACTS AS FOLLOWS:**

SECTION 1 - Application

- 1.1 That amendments to the text and schedules of the Zoning By-Law, attached hereto as Schedule "A" is hereby adopted by Council.

SECTION 2 - Purpose and Effect


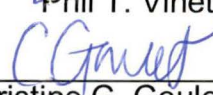
- 2.1 The purpose of the amendments is to make revisions to the recently approved Zoning By-Law in accordance with comments provided by the province to ensure consistency with provincial policy; refine the rhetoric of regulations; as well as correct formatting errors within the text and schedules.

SECTION 3 - Amendment


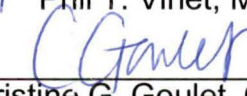
- 3.1 By-Law No. 1930-14 is hereby amended insofar as those amendments presented within Schedule "A".

THAT this By-Law shall come into force and take effect upon the final passing thereof.

READ a FIRST AND SECOND TIME this 21st day of March, 2016.


Phil T. Vinet, Mayor

Christine G. Goulet, Clerk

READ a THIRD TIME and FINALLY PASSED this 21st day of March, 2016.


Phil T. Vinet, Mayor

Christine G. Goulet, Clerk

BY-LAW INDEX

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NAME Planning & Zoning

cc: PL CLERK

RE AG 1930-14

CHANGES

Cheng _____

SCHEDULE A

Removal of all references to 'Draft' including the title page, header, footer, and schedules.

Section 2 - Definitions

- Remove 'Chip Wagon' from the definitions section and replace with 'Food Service Vehicle'.

"Food Service Vehicle"

"Shall mean a **structure** or vehicle from which food and beverages are sold for consumption by the public and includes, without limiting the generality of the foregoing, wagons, trailers and trucks, but does not include push carts, bicycle carts or other similar devices which rely on human motive power to move, or a restaurant as defined elsewhere in this By-law."

- 'Group Home' - removal of limitations on number of residents. Noted as follows:

"Group Home"

"Shall mean a residence that is licensed or funded by the Province of Ontario for the provision of accommodation in which three (3) to ten (10) residents, excluding staff or the receiving housekeeping unit, live as a housekeeping unit under responsible supervision consistent with the requirements of its residents, who by reason of their emotional, mental, social, physical condition or legal status, require a group living arrangement for their well-being."

- Formatting to place all terms on the same page as the definition

Section 3 - General provisions

- Section 3.3 c. Add 'industrial' to the accessory dwellings provision as follows:

"Accessory Dwellings to commercial, institutional, industrial and resource-based uses shall be governed by the Additional Provisions section of each respective zone in the this By-Law.

- Section 3.3. f. 'Secondary Dwelling Units' the term is not defined, so need to include one within the definitions section. In addition, the term 'accessory dwelling unit' is erroneously used instead of 'secondary dwelling'.

"Secondary Dwelling"

"Shall mean a dwelling that is subordinate to a main dwelling unit, and may be contained within a main building or an accessory building."

- Section 3.3. f. v. where the regulation makes reference to the term 'accessory dwelling', change the term to 'secondary dwelling unit'.
- Section 3.3.f.vi. as above, where the regulation makes reference to the term 'accessory dwelling unit', change the term to 'secondary dwelling unit'.
- Section 3.15 Home Based Businesses
 - b. Capitalize those items that are defined within Section 2

i.e. **Retail Store and Workshop**

- Section 3.15 c:

- Add to ix.

- ix. Home based businesses classified as distribution sales "(i.e. mail order services including kitchen or cooking wares, cosmetics, or home decor)" shall not have any on site storage.

- Add x:

- "x. There shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, offered for sale on the premises."

Section 5 - Townsite Residential (R1) Density 1 Zone

- Section 5.3 states that the min frontage for lots on water is 45 metres, which is inconsistent with the requirement of 30 metres stated in Section 5.2.

- Include numbering/ lettering for the regulations noted under Section 5.3 as follows:

"a. Lots fronting on both a navigable waterway and a municipal street, shall have a minimum frontage of 30 m and 11 m respectively."

- Section 5.3, also include the requirement that Modular Dwellings must be a minimum width of 6 m (applicable only within the R1, R4 zones), stated as follows:

"b. **Modular Dwellings** must be a minimum width of 6 m (19.6 ft)."

Section 8 - Rural Residential (R4) Zone

- Include numbering/ lettering for the regulations noted under Section 8.3, including the insertion of "a" as follows:

"a. Lots fronting on both a navigable waterway and a municipal street, shall have a minimum frontage of 45 m and 11 m respectively."

- Section 8.3 insert below a. the requirement that Modular Dwellings must be a minimum width of 6 m (applicable only within the R1, R4 zones), stated as follows:

"b. **Modular Dwellings** must be a minimum width of 6 m (19.6 ft)."

Section 10 - Townsite Commercial (C1) Zone

- Section 10.1 Allow for Food Service Vehicles (formerly referred to as 'chip wagons').

- Section 10.4 site specific provisions C1-p is shown on the Red Lake schedule as C1-2, but C1-p in Balmertown. Change the Red Lake schedule (Schedule A1) to coincide with C1-p. Change the provision to read as follows:

"10.4 - C1-p Zone: Select lots on Howey Street and Fifth Street

Notwithstanding any other provision of this by-law to the contrary, for those lands zoned C1-p with **frontage** on Howey Street and Fifth Street, there shall be no minimum number of **parking spaces** required for non-residential uses (not including non residential uses that provide overnight accommodation, e.g. hotel, motel)."

Section 12 - Highway Commercial (C3) Zone

- Section 12.1 'Fuel Depot' is listed twice within permitted uses, remove one.

- Section 12.3.e. As an accessory structure, allow 'Food Service Vehicles' to be permitted in the C3 zone.

Section 13 - Rural Commercial (C4) Zone

- Section 13.2 change the Minimum Lot Area from 0.5 ha to 1 ha

Section 15 - General Industrial (M2) Zone

- Section 15.3 Include additional provisions noted s follows for dwelling units.

"15.3 Additional Provisions"

"a. One (1) **dwelling unit** shall be permitted as an *accessory use* to a permitted main use in the General Industrial (M2) Zone. Such dwelling unit shall be a **single-detached dwelling** and shall be separated from the main building a minimum of 10 m (32.8 ft). Such dwelling unit shall be for the sole use of an employee whose residence on the premises is essential to the industrial use."

"b. **Accessory uses, buildings and structures**, special separation distances and setbacks, parking, street frontage and other general provisions shall be in accordance with Section 3 of this By-Law."

- Section 15.4 site specific provisions for the M2-1 zone (Buffalo Mine Site).

Site specific is no longer needed since the specified use of a welding shop, etc is already generally permitted by the M2 zone, making the provision redundant. Change the regulated zoning to M2.

Section 16 - Heavy Industrial Zone

- Section 16.1 within permitted uses, include M1 and M2 uses.
- Section 16.3 the Maximum number of Dwelling Units/ Lot is noted as 1. There should be additional provisions noted for this similar to the M1 Zone.

"15.3 Additional Provisions"

"a. One (1) **dwelling unit** shall be permitted as an *accessory use* to a permitted main use in the Heavy Industrial (M3) Zone. Such dwelling unit shall be a **single-detached dwelling** and shall be separated from the *main building* a minimum of 10 m (32.8 ft). Such dwelling unit shall be for the sole use of an employee whose residence on the premises is essential to the industrial use."

"b. **Accessory uses, buildings and structures**, special separation distances and setbacks, parking, street frontage and other general provisions shall be in accordance with Section 3 of this By-Law."

Schedule A

Buffalo Mine Site - Change the regulated zoning to M2.

Schedule A1

Forestry Road, lots 46 - 54 should all be shown as R1-2

Site Specific use of lots fronting on Howey Street change from C1-2 to C1-P