

THE CORPORATION OF THE TOWNSHIP OF TINY

**BY-LAW NO. 23-044 AND AMENDING BY-LAW 23-048
AS CONSOLIDATED**

Being a By-Law Passed Pursuant to Section 38 of the Planning Act to Impose Interim Land Use Controls on the Use of Lands, Buildings and Structures Within the Geographic Boundaries of the Township of Tiny.

WHEREAS Section 38 of the Planning Act, R.S.O. 1990, as amended, provides that where the Council of a local municipality has by By-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the Township or in 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 Township or within the defined area or areas thereof, or except for, such purposes as are set out in the By-law;

AND WHEREAS the Township of Tiny has a Zoning By-law that regulates retaining walls, and structures in proximity to the 178 metre contour elevation of the Georgian Bay Shoreline;

AND WHEREAS the Township of Tiny deems it appropriate to enact an Interim Control By-law to provide time to study options to regulate retaining walls and structures in proximity to the 178 metre contour elevation of the Georgian Bay Shoreline;

AND WHEREAS, the Council of The Corporation of the Township of Tiny deems it necessary to enact this Interim Control By-law to provide the Township time to complete the review referenced above in order to ensure that any retaining walls and structures are appropriately sited and regulated;

Now Therefore the Council of The Corporation of The Township Of Tiny enacts as follows:

1. In this By-law:
 - (a) "Act" means the Planning Act, R.S.O. 1990, c. P13 as may be amended from time to time.
 - (b) "Township" means The Corporation of the Township of Tiny.
2. Notwithstanding the permitted uses, accessory uses and regulations of the Township's Zoning By-law 22-075, as amended, no person shall within the Shoreline Development Interim Control Area as described in Section 3, use any land, building or structure, except for a use that lawfully existed on the date of the passage of this By-law as long as it continues to be used for such purposes. No person shall erect any structure, fence or sign through the duration of this by-law. This includes, but is not limited to, boathouses, retaining walls, patios, landscaping, decks, fences, walls, or shoreline alteration.
3. The Shoreline Development Interim Control Area shall include all lands within the following Zones in Zoning By-law 22-075, as amended: Limited Service Residential (LSR), Shoreline Residential (SR), Greenlands (GL) and Open Space One (OS1) and within 30 metres of the 178-metre contour.

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4. Notwithstanding Section 2 and 3, the following shall be exempted from the Interim Control By-law:
 - a. Single Detached Dwelling;
 - b. Existing Accessory Buildings and Structures;
 - c. At grade walkways for accessibility purposes;
 - d. Buildings and Structures with site specific *Planning Act* approval or required as a condition of approval;
 - e. Alterations to a Building or Structure as a result of an order by the Chief Building Official;
 - f. New Accessory Buildings and Structures, at least 15 metres from the 178 metre contour. With the exception of boathouses, fences, or retaining walls;
 - g. Landscaping of ground cover vegetation such as grasses and flowers;
 - h. Temporary event tents;
 - i. Temporary snow fencing;
 - j. Sewage systems;
 - k. Municipal buildings, structures, programs or operations;
5. This By-law shall remain in effect for a period of one (1) year from the date of its enactment, unless otherwise extended in accordance with the provisions of the Act.
6. This By-law shall be known as the “Shoreline Development Interim Control By-law”.

AS PASSED AND ENACTED ON THE 29TH OF MAY AND THE 7TH OF JUNE 2023, RESPECTIVELY.