

THE CORPORATION OF THE CITY OF TEMISKAMING SHORES
BY-LAW NO. 2013-###
BEING A BY-LAW TO ENACT ZONING REGULATIONS
FOR THE TOWN OF HAILEYBURY

WHEREAS pursuant to the provisions of the Planning Act, Section 34, the Council of a Municipality may enact by-laws to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited;

AND WHEREAS By-law No. 85-27 regulates the use of land and the use and erection of buildings and structures within the former Town of Haileybury, now in the City of Temiskaming Shores;

AND WHEREAS it is deemed necessary to amend the Town of Haileybury Zoning By-law 85-27, still in effect;

NOW THEREFORE the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That the following new section be added:

2.41 Shipping Containers

Shipping containers may be permitted accessory to a main use, subject to the following provisions:

- 2.41.1 A shipping container may be permitted in the following Zones, including Special Exception Zones, as indicated on Schedule A and Schedule B:
 - a) C-General Commercial
 - b) HC-Highway & Service Commercial
 - c) I-Industrial
 - d) RU-Rural
 - e) AG-Agricultural
- 2.41.2 A maximum of two (2) shipping containers may be permitted on a property;
 - a) Unless otherwise stated, 2.41.2) does not apply to properties in the I-Industrial Zone, including any Special Exception Zones;
- 2.41.3 A shipping container may not be located in the front yard of the main use on the property, may not be located within any sight triangle, and must comply with the Zoning provisions for accessory buildings for the zone in which they are located;

2.41.4 A shipping container must be visually screened from any public road or street;

a) 2.41.4 does not apply to properties in the I-Industrial Zone, including any Special Exception Zones, unless such property abuts a Residential Zone or residential use, in which case the shipping container(s) must be visually screened from any adjacent property or properties zoned as Residential or use for residential purposes;

2.41.5 Where permitted, a building permit must be obtained prior to the installation of a shipping container;

2.41.6 Notwithstanding the above provisions, a shipping container may be permitted in a Residential zone as a temporary storage container on a case-by-case basis.

2. That the following definitions be added:

3.116A **SHIPPING CONTAINER** means an industrial, standardized reusable vessel that was:

- a) originally, specifically or formerly designed for or use in the packing, shipping, movement or transportation of freight, goods or commodities; and/or
- b) designed for or capable of being mounted or moved on a rail car; and/or
- c) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship;
- d) includes: a truck box with or without a vehicle; a box car with or without the undercarriage; a box trailer with or without suspension; axles, wheels, etc.; other anomalous structure not designed as a normal building.

3. That all other provisions of By-law 85-27 shall continue to apply.

4. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.

5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this

_____ day of _____, 2013.

MAYOR

CLERK

DRAFT