

**THE CORPORATION OF THE
TOWNSHIP OF GREATER MADAWASKA**

BY-LAW NUMBER 30 - 2007

A By-law to amend By-law Number 22-2003 of the Corporation of the Township of Greater Madawaska, as amended.

PURSUANT TO SECTION 34 OF THE PLANNING ACT THE TOWNSHIP OF GREATER MADAWASKA HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 22-2003, as amended, be and the same is hereby further amended as follows:
 - (a) By adding the following new subsection 2.93 GAZEBO to Section 2.0 - DEFINITIONS, immediately following the subsection 2.92 and renumbering subsequent subsections, accordingly:

“2.93 GAZEBO means an accessory freestanding roofed structure with open or screened in walls enclosing a single area used for the purpose of relaxation.”
 - (b) By adding the following new subsection 2.181 SAUNA to Section 2.0 - DEFINITIONS, immediately following the subsection 2.180 and renumbering subsequent subsections, accordingly:

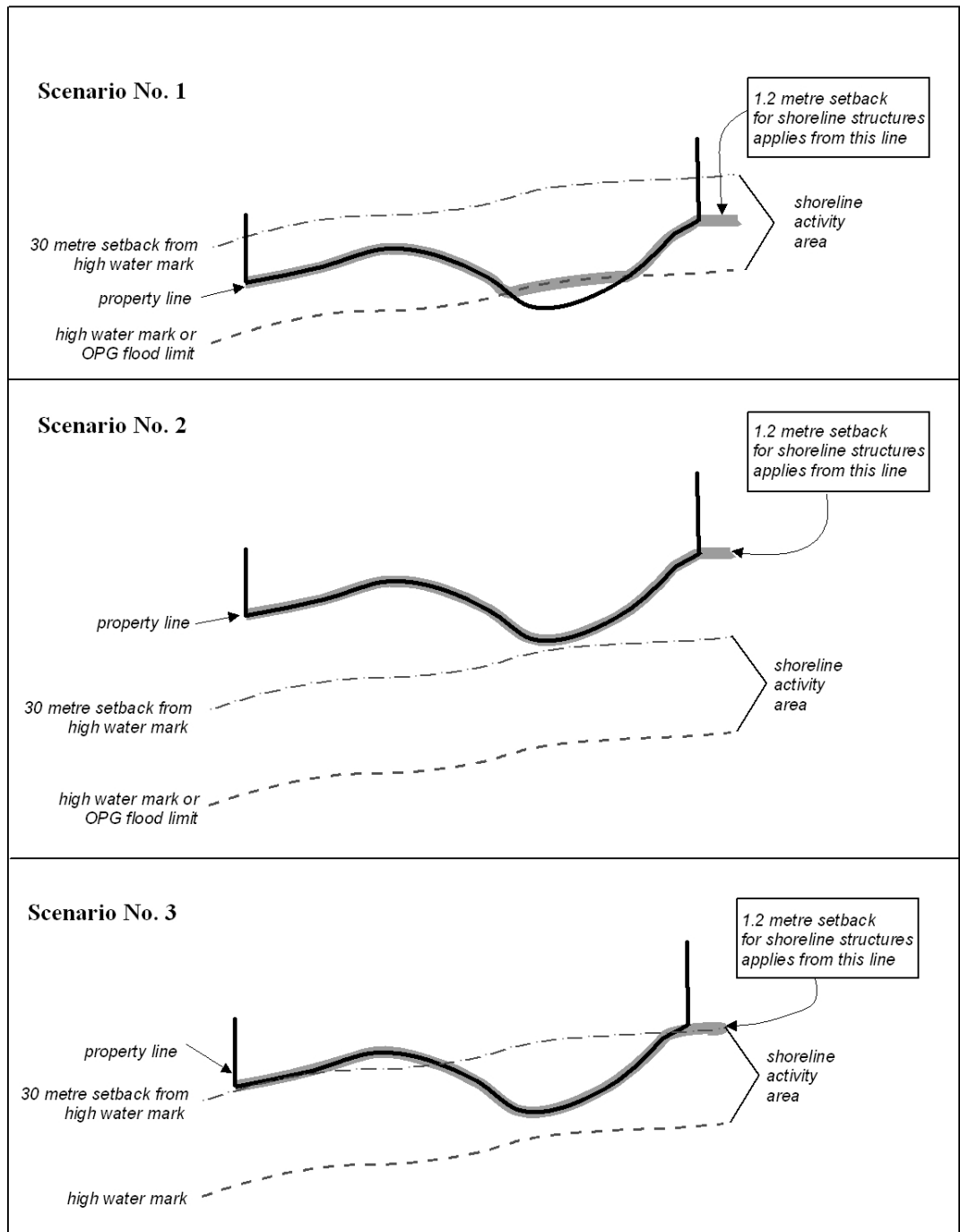
“2.181 SAUNA means an accessory building or structure wherein facilities are provided for the purpose of a sauna or steam bath and may include a change room and shower.”
 - (c) By adding the following new subsections 2.191 SHORELINE ACTIVITY AREA, 2.192 SHORELINE STORAGE SHED, 2.193 SHORELINE STRUCTURE and adding the diagram entitled ILLUSTRATION OF SHORELINE ACTIVITY AREA AND SETBACKS to Section 2.0 - DEFINITIONS, immediately following the subsection 2.190 and renumbering subsequent subsections, accordingly:

“2.191 SHORELINE ACTIVITY AREA means the area along the shoreline on privately owned land in which shoreline structures are permitted. The shoreline activity area shall be a maximum of 30 metres above the high water mark. The shoreline activity area does not include the shorelines of sensitive lakes.

2.192 SHORELINE STORAGE SHED means a storage shed located within the shoreline activity area used to store yard maintenance equipment, paddles, life jackets, water skis/wakeboards, boat coverings, and similar aquatic accessories, but shall not include a boathouse or be used for human habitation. The floor area of a shoreline storage shed shall not exceed 10 square metres.

2.193 SHORELINE STRUCTURE means those accessory structures that are located in the shoreline activity area and includes pump houses, gazebos, decks, shoreline storage shed and similar buildings and structures, but does not include parking areas, private waste disposal systems, structures that require a pressurized water system (Sauna, Steam Bath, Hot tub), and power lines.

ILLUSTRATION OF SHORELINE ACTIVITY AREA AND SETBACKS



Note: The above illustrations are for clarification purposes only. ”

- (d) By adding the following new subsection 3.26 (e) Shoreline Activity Area to Section 3.0 – General Provisions, immediately following the subsection 3.26 (d) Water Setback:

“3.26 (e) Shoreline Activity Area

*Explanatory Note: (This does not form part of this By-law)
The purpose of the shoreline activity area is to allow for the placement of specific structures near the shoreline while maintaining the natural viewscape and protecting the environmental integrity of the shoreline. The removal of natural vegetation should be limited to what is required to accommodate the shoreline structure.*

Notwithstanding Section 3.26 (d) a shoreline structure shall be permitted within the Shoreline Activity Area in accordance with the following provisions:

- i) No shoreline structure shall be used for commercial purposes or home based occupation;
- ii) No shoreline structure shall be used for habitation or contain a habitable room;

- iii) The construction of shoreline structures shall not destroy fish habitat nor permanently alter the shoreline below the high water mark;
- iv) Addition and or/ removal of fill, site alteration and construction of shoreline structures shall require permits and approvals of the appropriate governmental authorities having jurisdiction before any work proceeds;
- v) A Shoreline Storage Shed shall not exceed 10 square metres in area;
- vi) No more than one Shoreline Storage Shed shall be permitted per lot;
- vii) The total area of all Shoreline Structures shall not exceed 35 square metres;
- viii) A site sketch must be submitted prior to the construction of any shoreline structure regardless of size that illustrates:
 - a. Dimensions of the subject property;
 - b. Existing shoreline;
 - c. High water mark;
 - d. Boundary of any lands owned or restricted by Ontario Power Generation;
 - e. Location and dimensions of all existing and proposed shoreline structures;
 - f. Natural shoreline vegetation on site;
- ix) Setbacks and Height
 - a. Side yard setback 3 metres (minimum)
 - b. Setback from the water body shall be the greater of:
 - i. High water mark 1.2 metre (minimum)
 - ii. OPG flood limit 1.2 metre (minimum)
 - iii. Property line abutting high water mark 1.2 metre (minimum)
 - c. Height 4 metres (maximum)

2. THAT save as aforesaid all other provisions of By-Law 22-2003, as amended, shall be complied with.

3. This By-law shall come into force and take effect on the day of final passing thereof.

This By-law given its FIRST and SECOND reading this 21st day of June, 2007.

This By-law read a THIRD time and finally passed this 21st day of June, 2007.

REEVE

CORPORATE
SEAL OF
MUNICIPALITY

CLERK