

Schedule A to the Minutes of Settlement

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN BY-LAW NO. 2014-31(OMB)

Being a By-law to amend By-law No. 2003-38, as amended, the Zoning By-law for the Municipality of Powassan with respect to lands located in Part of Lot 12, Concession 9, (South Himsworth) in the Municipality of Powassan.

WHEREAS the Council of the Corporation of the Municipality of Powassan is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS the owners of the subject lands have filed an *Aggregate Resources Act* application with the Ministry of Natural Resources and Forestry and a Zoning By-law Amendment application with the Municipality of Powassan to amend By-law No. 2003-38, as amended, for the purpose of establishing a quarry above the water table;

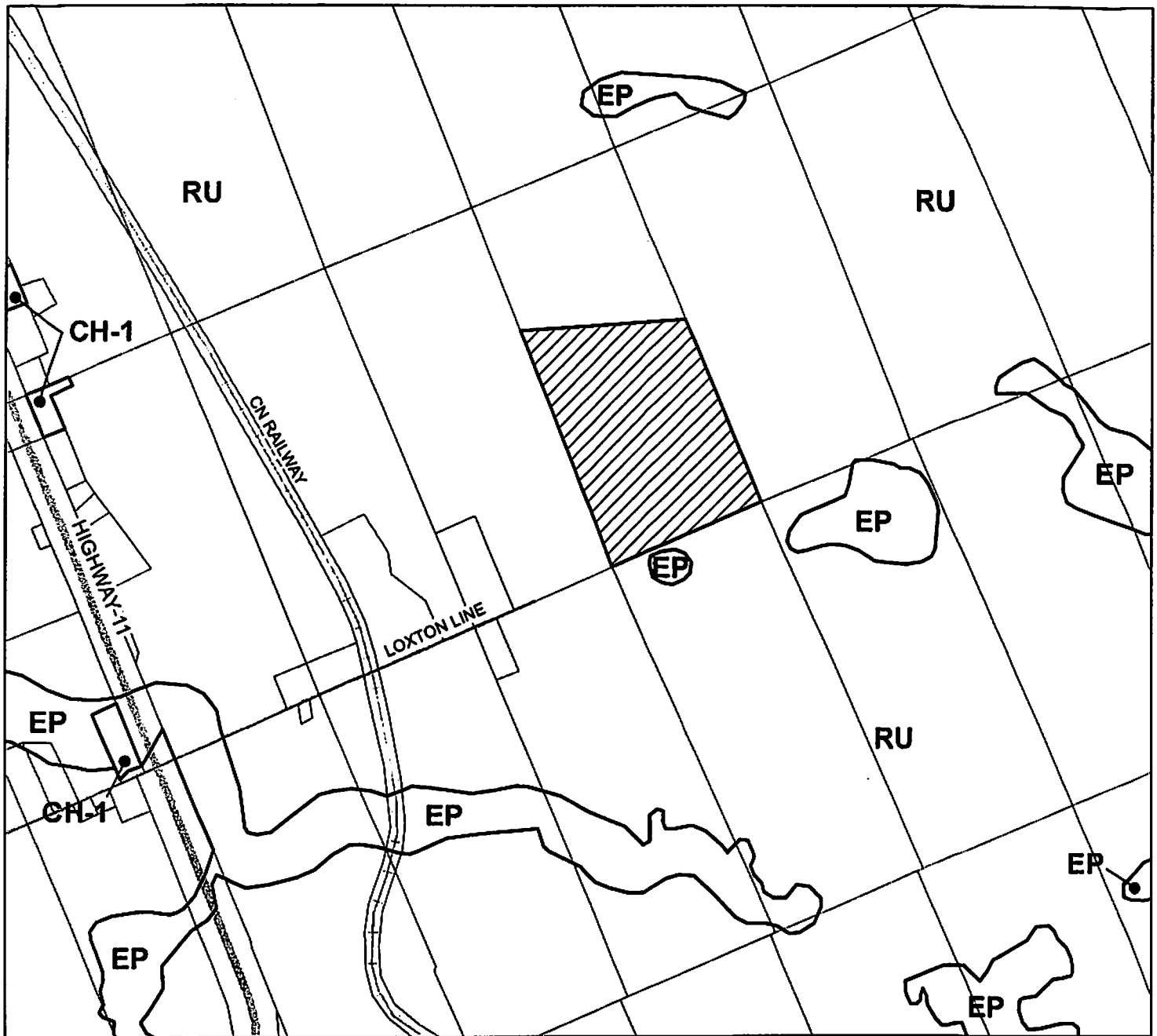
AND WHEREAS the Council of the Corporation of the Municipality of Powassan deems it advisable to amend By-Law 2003-38, as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Powassan enacts as follows:

1. Schedule 'A', to Zoning By-law No. 2003-38 as amended, is further amended by zoning lands located in Part of Lot 12, Concession 9, (South Himsworth) in the Municipality of Powassan from the Rural (RU) Zone to the Extractive Industrial Exception (MX-1) Zone, as shown on Schedule A-1 attached hereto.
2. And Further, Zoning By-law 2003-38 as amended, is further amended by adding the following new sub-sections after Section 4.12.5:
 - 4.12.5.1 Extractive Industrial Exception One (MX-1) Zone
 - a) Notwithstanding the permitted uses listed in Section 4.12.1 and notwithstanding the permitted accessory uses listed in section 3.1:
 - i), the only permitted use in the MX-1 Zone shall be a quarry that is above the water table; and
 - ii) the only permitted accessory uses shall be storage buildings and structures, weigh scales, and the processing of stone including screening, sorting, washing and crushing.
 - b) In addition to the foregoing permitted uses and permitted accessory uses, where the operator of the quarry has entered into a contract with a public authority or the contractor for a public authority concerning a short term construction project conducted by or on behalf of the public authority, the storage and processing of recycled aggregate materials and the placement and use of a portable asphalt plant and/or portable concrete batching plant necessary in connection with such construction project shall be permitted during the term of said construction project.
 - c) Notwithstanding Section 4.12.2, the minimum required yard from any lot line shall be 30 metres for any building or structure.
 - d) Notwithstanding Section 3.8, a quarry within the MX-1 Zone may be established and operated where the lands upon which the quarry is located fronts on an unopened road allowance provided the owner has entered into a license agreement with the Municipality concerning the use and maintenance of the unopened road allowance.
3. This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

Schedule 'A-1'

Lot 12, Concession 9
Geographic Township of Himsworth
Municipality of Powassan
District of Parry Sound



 Lands to be rezoned from Rural (RU) Zone
to Extractive Industrial Exception One (MX-1) Zone

This is Schedule 'A-1' to Zoning By-law 2014-31 (OMB)
Passed this ____ day of _____, 2015

Mayor

Clerk