

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN
BY-LAW NO. 2009-45

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 21, Concession 16 (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 application with the Municipality of Powassan to amend By-law No. 2003-38, as amended;

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 21, Concession 16, (South Himsworth) in the Municipality of Powassan from the Rural (RU) Zone to the Commercial Tourist Exception (CT-1)(H) Holding Zone as shown on Schedule 'A-1' attached hereto and forming part of this By-law.
2. And Further, Zoning By-law 2003-38 as amended, is further amended by adding the following new sub-section after Section 4.9.4:

4.9.4.1 Part Lot 21, Concession 16 (Campbell Nature Retreat)

Notwithstanding the permitted uses and regulations of the Commercial Tourist (CT) Zone, on lands located in Part of Lot 21, Concession 16 and located in the CT-1 Zone, the following uses shall be permitted:

- a) A cottage establishment;
- b) A single detached dwelling for an owner or caretaker;
- c) Passive non-motorized recreational trails; and,
- d) Conservation and resource uses and activities.

In addition, for the purposes of the CT-1 Zone, the following provisions shall replace the provisions listed under Section 4.9.3 of By-law 2003-38:

- e) Maximum number of cottages - 5
- f) Maximum total floor area of a cottage - 93 m²
- g) Maximum area of disturbance for a cottage - 450 m²

For the purpose of item (g) a “maximum area of disturbance” is defined as the land area which is altered from its natural state for the purpose of accommodating a cottage and its requisite septic system, well, parking and aesthetic areas.

3. Lands located within the CT-1 Zone shall be subject to a Holding (H) Provision. The Holding Provision may be removed by Council subject to the submission of a site plan prepared to Council’s satisfaction and the Owner entering into a site plan agreement with the Municipality.
4. In all other respects, the provisions of By-law 2003-38 shall apply.

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).

Adopted August 18, 2009

Mayor

Clerk