

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2014-18-A

(339 Edward Street)

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 legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, (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, to undertake a multi-residential development proposal;

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 legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, (South Himsworth) in the Municipality of Powassan from the Village Residential (RV1) Zone to the Multiple Residential Exception (RM-6), 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-section after Section 4.3.5.5:

4.3.5.6 Multiple Residential Exception (RM-6) Zone

Notwithstanding the permitted uses and provisions of the Multiple Residential (RM) Zone to the contrary, on lands legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, and located within the RM-6 Zone, a multi-residential apartment comprising up to eight (8) dwelling units shall be permitted subject to the following provisions:

- a) Minimum Lot Area – 0.19 hectares
- b) Minimum Lot Frontage – 30 metres
- c) Minimum Interior Side Yard (south side) – 7.5 metres
5.0 metres for decks
- d) Minimum Interior Side Yard (north side) – 7.5 metres

- e) Minimum Front Yard – 6.0 metres or compatible to the existing street
scape whichever is greater
- f) Maximum Number of Dwelling Units - 8
- g) Parking Spaces Required per Dwelling Unit – 1.5

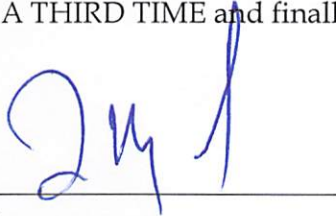
In all other respects the provisions of Comprehensive Zoning By-law 2003-38, as amended shall apply.

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).

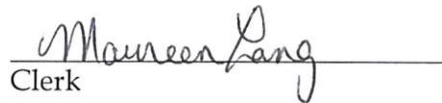
READ A FIRST AND SECOND TIME on the 19th day of August 2014.

READ A THIRD TIME and finally passed this 2nd day of September, 2014.

Mayor



Clerk



SCHEDULE 'A-1' TO
ZONING BY-LAW 2014- 18-A
PART OF LOT 16, CONCESSION 12


Geographic Township of Himsworth
Municipality of Powassan
District of Parry Sound



Lands to be rezoned from the Village Residential (RV1) Zone
to the Multiple Residential Exception Holding (RM-6)(H) Zone.

This is Schedule 'A-1' to Zoning By-law 2014- 18-A

Passed this 2nd day of September, 2014.


Mayor


Clerk

The Municipality of
Powassan

Resolution no. 2014- 330

Date: July 22, 2014

Moved by [Signature]

Seconded by [Signature]

That the following items be added to Zoning Amendment Bylaw no. 2014-18 A re: 339 Edward Street (Keown):

1. Prior to issuance of a building permit the Developer will enter into a Site Plan Control Agreement with the Municipality of Powassan
2. Prior to the Municipality entering into a Site Plan Agreement, the Developer will provide a storm water management report and plan prepared and stamped by a qualified engineer to address a ~~minor~~ storm event ~~(1-5 year event)~~ to the satisfaction of the Municipal Engineer.
3. The Developer will provide an estimate of cost of the proposed works contained in the Site Plan Control Agreement and deposit surety in the form of a Letter of Credit to the Municipality of Powassan. The deposit surety to be returned to the developer upon final inspection by the Chief Building Official. *1% to a maximum of \$3,000.00*

[Signature]
Carried

[Signature]
Defeated

[Signature]
Deferred

[Signature]
Lost

Mayor

Recorded Vote: Requested by Gerry Giesler

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		✓
Councillor Dave Britton		✓	Councillor Todd White	✓	
Councillor Steven Eide			Mayor Peter McIsaac	✓	
Councillor Gerry Giesler	✓				

DATE OF COUNCIL MTG.	July 22/14
AGENDA ITEM #	10.1

The Municipality of
Powassan

Resolution no. 2014- 333

Date: July 22, 2014

Moved by _____

Seconded by _____

That the developer (Mr. Keown) be responsible for payment of all costs, including those incurred by the Municipality of Powassan (planning, engineering, legal, etc.) in the preparation of the Site Plan Agreement, Stormwater Management Plan and the Zoning Bylaw Amendment application related to the development of lands at 339 Edward Street.

And further that, the Municipality will not take any further action with respect to the administration of any planning and development approval for lands located at 339 Edward Street until the developer (Mr. Keown) reimburses the Municipality for all outstanding Planning Fees, associated with an earlier zoning bylaw amendment application.

Carried 24/1 ✓ Defeated _____ Deferred _____ Lost _____

Mayor _____

Recorded Vote: Requested by _____

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		
Councillor Dave Britton			Councillor Todd White		
Councillor Steven Eide			Mayor Peter McIsaac		
Councillor Gerry Giesler					

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DATE OF COUNCIL MTG.	JULY 22/14
AGENDA ITEM #	10.1

The Municipality of
Powassan

Resolution no. 2014- 334

Date: July 22, 2014

Moved by

Seconded by

That council reconsider amendments from Item 10.1 ^{from July 22 Council meeting} as per the Municipal Procedural Bylaw.

SECTION 32.1

Carried

Defeated

Deferred

Lost

Mayor

Recorded Vote: Requested by

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		✓
Councillor Dave Britton	✓		Councillor Todd White	✓	
Councillor Steven Eide			Mayor Peter McIsaac		✓
Councillor Gerry Giesler	✓				

The Municipality of
Powassan

Resolution no. 2014- 335

Date: July 22, 2014

Moved by _____

Seconded by _____

That the following items be added to Zoning Amendment Bylaw no. 2014-18 A re: 339 Edward Street (Keown):

1. Prior to issuance of a building permit the Developer will enter into a Site Plan Control Agreement with the Municipality of Powassan
2. Prior to the Municipality entering into a Site Plan Agreement, the Developer will provide a storm water management report and plan prepared and stamped by a qualified engineer to address a ~~minor~~ storm event (~~15 year event~~) to the satisfaction of the Municipal Engineer.
3. The Developer will provide an estimate of cost of the proposed works contained in the Site Plan Control Agreement and deposit surety in the form of a Letter of Credit to the Municipality of Powassan. The deposit surety to be returned to the developer upon final inspection by the Chief Building Official. *1% to a maximum of \$3,000.00*

Carried
Carried

RECEIVED
Defeated

Deferred

Lost

Mayor

Recorded Vote: Requested by Berry Giesler

Carried

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		✓
Councillor Dave Britton		✓	Councillor Todd White	✓	
Councillor Steven Eide			Mayor Peter McIsaac	✓	
Councillor Gerry Giesler	✓				

DATE OF COUNCIL MTG.	July 22/14
AGENDA ITEM #	10.1

Date: July 22, 2014

Moved by

Seconded by

*That sec 2(c) ~~be~~ read Minimum Interior side
Yard South side - 7.5 metres*

TO AMEND 2014-184.

Carried

Defeated

Deferred

Lost

Mayor

Recorded Vote: Requested by _____

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		
Councillor Dave Britton			Councillor Todd White		
Councillor Steven Eide			Mayor Peter McIsaac		
Councillor Gerry Giesler					

The Municipality of
Powassan

Resolution no. 2014- 337

Date: July 22, 2014

Moved by _____

Seconded by _____

That By-law 2014-18 A, 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 legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, (South Himsworth) in the Municipality of Powassan

READ a FIRST time on July 8, 2014.

be considered **READ a SECOND** time on this July 22, 2014

Carried _____

Defeated _____

Deferred _____

Lost _____

Mayor _____

Recorded Vote: Requested by _____

Councillor GIESLER

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb	✓	
Councillor Dave Britton		✓	Councillor Todd White	✓	
Councillor Steven Eide			Mayor Peter McIsaac		✓
Councillor Gerry Giesler		✓			

DATE OF COUNCIL MTG.	JULY 22/14
AGENDA ITEM #	10.1

The Municipality of
Powassan

Resolution no. 2014- 302

Date: July 8, 2014

Moved by

Seconded by

That the memorandum dated June 27, 2014 from Planner, Chris Jones, regarding recommendations to the zoning by-law for 338 Edward Street, be received.

✓
Carried

Defeated

Deferred

Lost

Mayor

Recorded Vote: Requested by

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner			Councillor Roger Glabb		
Councillor Dave Britton			Councillor Todd White		
Councillor Steven Eide			Mayor Peter McIsaac		
Councillor Gerry Giesler					

AGENDA ITEM NO. 9.1

DATE: July 8/14

The Municipality of
Powassan

Resolution no. 2014- 303

Date: July 8, 2014

Moved by _____

Seconded by _____

That By-law 2014-18, 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 legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, (South Himsworth) in the Municipality of Powassan

READ a FIRST and SECOND time on June 3, 2014.

READ a THIRD and FINAL time and passed as such in open Council on July 8, 2014.

☒ Carried ☐ Defeated ☐ Deferred ☐ Lost

 Mayor

Recorded Vote: Requested by Councillor Banner.

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner 1	✓		Councillor Roger Glabb 4		✓
Councillor Dave Britton			Councillor Todd White 5		✓
Councillor Steven Eide 2		✓	Mayor Peter McIsaac 6		✓
Councillor Gerry Giesler 3		✓			

AGENDA ITEM NO. 10-1
DATE: July 8/14

The Municipality of
Powassan

Resolution no. 2014- 304

Date: July 8, 2014

Moved by Nancy Barner

Seconded by Roger Glabb

THAT COUNCIL RECUSSION THE PROPOSED
BY LAW FOR THE REZONING OF
339 EDWARD STREET.

Carried 2 Defeated _____ Deferred _____ Lost _____
Mayor

Recorded Vote: Requested by Councillor Barner

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner 1		✓	Councillor Roger Glabb 3	✓	
Councillor Dave Britton			Councillor Todd White 2	✓	
Councillor Steven Eide 5	✓		Mayor Peter McIsaac 6	✓	
Councillor Gerry Giesler 4	✓				

AGENDA ITEM NO. 10.1
DATE: July 8/10

The Municipality of
Powassan

Resolution no. 2014- 305

Date: July 8, 2014

Moved by [Signature]

Seconded by [Signature]

That By-law 2014-18, 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 legally described as Block 6, Lot 15 and Part Lots 16, 17 and 18, Plan 57, located in Part of Lot 16, Concession 12, (South Himsworth) in the Municipality of Powassan

TIME July 8, 2014.
READ a FIRST and SECOND time on July 8, 2014

SECOND AND
READ a THIRD and FINAL time and passed as such in open Council on July 22, 2014.

~~AS AMENDED TO THIS AND DEVELOPER'S REQUEST~~
~~FORWARD UNTIL THE MUNICIPALITY AND DEVELOPER~~
~~HAVE AN AGREED SITE PLAN.~~
~~THAT A SIGNAGE MANAGEMENT PLAN SUBMITTED~~
Carried BY THE DEVELOPER IS ACCEPTABLE TO THE MUNICIPAL ENGINEER,
Mayor [Signature]

Recorded Vote: Requested by Councillor BARNER

Name	Yeas	Nays	Name	Yeas	Nays
Councillor Nancy Barner 1		✓	Councillor Roger Glabb 2	✓	
Councillor Dave Britton			Councillor Todd White 3	✓	
Councillor Steven Eide 4	✓		Mayor Peter McIsaac 6	✓	
Councillor Gerry Giesler 5		✓			

DATE OF COUNCIL MTG.	July 8/14
AGENDA ITEM #	10-2