

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2014-30

(339 Edward Street)

**Being a By-law to Designate a Site Plan Control Area for Multi-Residential
Development on Certain Lands known municipally as 339 Edward Street
(Arnold Keown)**

WHEREAS the Council of the Corporation of the Municipality of Powassan deems it desirable to designate a Site Plan Control Area for multi-residential development in the Municipality of Powassan pursuant to Section 41 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS the Council intends to pass By-law No. 2014-18A to rezone the subject lands to Multiple Residential Exception (RM-6) to permit the construction of an eight (8) unit multi residential apartment dwelling.

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

1. The lands 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, are hereby designated as a Site Plan Control Area, for multi-residential development.
2. As a condition of approval of buildings and structures, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the Owner of the said Site Plan Control Area has entered into an agreement with the City respecting the provisions, to the satisfaction of the Municipality of the following matters;
 - a) Parking facilities and access driveways and the surfacing of such areas and driveways;
 - b) Walkways and the surfacing thereof;
 - c) Facilities for lighting, including flood lighting;
 - d) Walls fences, hedges, trees or shrubs, or other ground cover or facilities for the landscaping of the lands;

- e) Collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings hereon.
3. The Mayor and Clerk are hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of the Municipality with the Owner of the subject lands herein to ensure the provision of all facilities mentioned in this By-law.
 4. The said Agreement may be registered against the lands to which it applies and the Municipality may enforce the provisions of the Registry Act or any successor legislation thereto and the Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
 5. The said Agreement shall be binding upon and enure to the benefit of the Owner and the Municipality, their respective heirs, executors, administrators, successors and assigns.
 6. The Owner shall authorize the Municipality to exercise the provisions of Section 446 of the Municipal Act, 2001 (S.O. 2001, c25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
 7. This By-law comes into force and effect upon being finally passed.

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