

### STATUTORY PUBLIC MEETING NOTICE

Application Type: Address/Legal Description: **Zoning By-law Amendment** 

Concession 10 Pt Lot 27 Plan 42R 19226; Park Line

Owner/Applicant:

Mr. Blain Geisler

Members of the public are invited to attend and provide input at a Public Meeting hosted by the Powassan Municipal Council to be held on:

Tuesday July 5, 2011 at 7:00 p.m.

Trout Creek Community Centre; 181 Main Street Trout Creek ON

### PROPOSAL:

The purpose of this application is to receive input from the public regarding the proposal to amend the comprehensive zoning by-law for the property from Environmentally Protected to Rural Exception Zone for the purpose of allowing a single family dwelling.

The effect of this application is to construct a single family dwelling outside the Environmentally Protected Zone with site specific conditions including construction on an unimproved municipal road allowance and for a reduction in front yard setbacks of 50 feet, interior side yard reduction of 30 feet. The Owner has mapping to indicate the development meets the requirements of being outside the flood level.

**APPEALS:** If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality before the by-law is passed:

- a) the person or public body is not entitled to appeal the decision of the Powassan Municipal Council to the Ontario Municipal Board; and
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Individuals are requested to submit a written outline of any oral submissions made at the Public Meeting to the Deputy Clerk.

MORE INFORMATION: The public may view planning documents and background material at the municipal office between 8:30 a.m. and 4:30 p.m., Monday through Friday. Please call to arrange to review the documentation. Questions or written submissions may be directed to Nicky Kunkel, Deputy Clerk, 466 Main Street Powassan, ON POH 1Z0, telephone: 724-2813 X223.

The personal information accompanying your submission is being collected under the authority of the *Planning Act* and may form part of the public record which may be released to the public. Questions about this collection should be directed to the Records and Freedom of Information Officer.

#### **LOCATION MAP**

Signed June 13, 2011

Nicky Kunkel Deputy Clerk

# THE CORPORATION OF THE MUNICIPALITY OF POWASSAN BY-LAW NO. 2011-29

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 Part 1, Plan 42R-19226 located in Part of Lot 27, Concession 10 (South Himsworth), now 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 legally described as Part 1, Plan 42R-19226, located in Part of Lot 27, Concession 10, (South Himsworth), now in the Municipality of Powassan from the Environmental Protection (EP) Zone to the Rural Exception (RU-03)(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 4.5.4.3:

### 4.5.4.— Part Lot 27, Concession 10 (Geisler)

Notwithstanding the permitted uses and regulations of the Rural (RU) Zone, on lands located in Part of Lot 27, Concession 10 and located in the RU-- Zone, only the following uses shall be permitted:

a) A single detached recreational dwelling together with accessory uses as regulated in accordance with Section 3.1 of By-law 2003-38:

In addition, for the purposes of the RU-- Zone, the following provisions shall apply

- b) Minimum setback from the 265.76 metre elevation G.S.C. 29 m
- c) Minimum setback from the southern interior lot line 3.8 m
- 3. Lands located within the RU-- Zone shall be subject to a Holding (H) Provision. The purpose of the Hold is to identify lands that do not abut or have frontage on

10.3

July 5/11

an assumed road maintained year round by the Municipality and therefore may only be used in accordance with Section 3.8 (b) of By-law 2003-38, as amended. The Hold may be removed by Council when Park Line has been assumed by the Municipality up to and abutting the lands located within the RU-03 Zone.

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).

READ A FIRST AND SECOND TIME on the 5th day of July 2011.

READ A THIRD TIME and finally passed this 5th day of July 2011.

Mayor

Maureen Rang

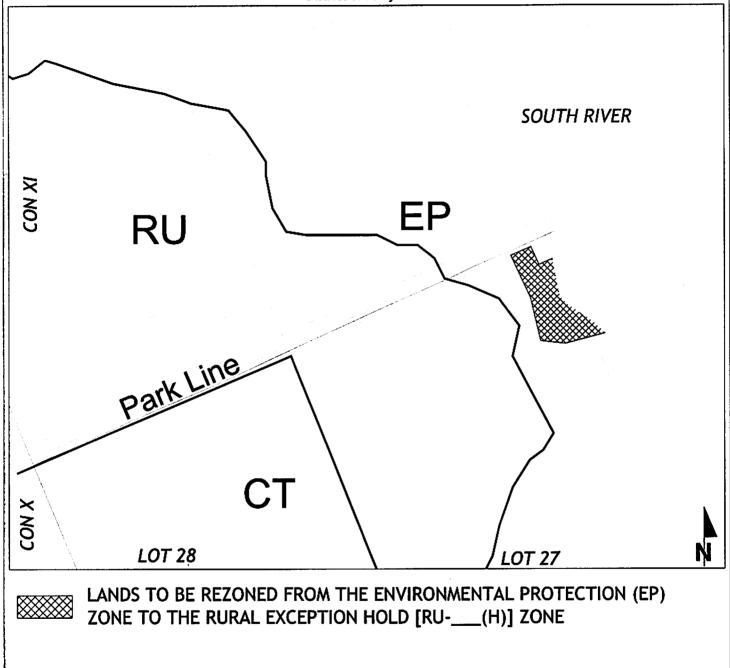
# SCHEDULE 'A-1' TO ZONING BY-LAW 2011-29

## Part of Lot 27, Concession 10

(Geographic Township of South Himsworth)

Municipality of Powassan

District of Parry Sound

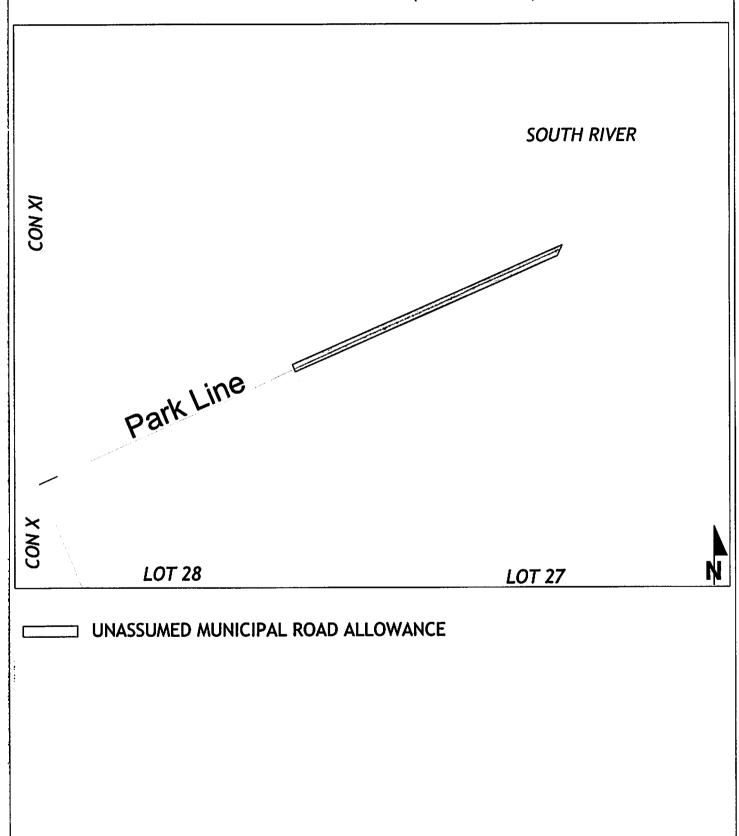


THIS IS SCHEDULE	'A-1' TO ZONIN	G BY-LAW 2011- <u>29</u>
PASSED THIS	DAY OF	, 2011
	· · · · · · · · · · · · · · · · · · ·	• · · · · · · · · · · · · · · · · · · ·

MAYOR CLERK

### SCHEDULE 'C'

Unassumed municipal road allowance extended east of Park Line located between Concession 10 & 11 (South Himsworth)



### THE CORPORATION OF THE MUNICIPALITY OF POWASSAN BY-LAW NO. 2011-29

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 Part 1, Plan 42R-19226 located in Part of Lot 27, Concession 10 (South Himsworth), now 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 legally described as Part 1, Plan 42R-19226, located in Part of Lot 27, Concession 10, (South Himsworth), now in the Municipality of Powassan from the Environmental Protection (EP) Zone to the Rural Exception (RU-03)(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 4.5.4.3:

### 4.5.4.-- Part Lot 27, Concession 10 (Geisler)

Notwithstanding the permitted uses and regulations of the Rural (RU) Zone, on lands located in Part of Lot 27, Concession 10 and located in the RU-- Zone, only the following uses shall be permitted:

a) A single detached recreational dwelling together with accessory uses as regulated in accordance with Section 3.1 of By-law 2003-38:

In addition, for the purposes of the RU- Zone, the following provisions shall apply

- b) Minimum setback from the 265.76 metre elevation G.S.C. 29 m
- c) Minimum setback from the southern interior lot line 3.8 m
- 3. Lands located within the RU-- Zone shall be subject to a Holding (H) Provision. The purpose of the Hold is to identify lands that do not abut or have frontage on

an assumed road maintained year round by the Municipality and therefore may only be used in accordance with Section 3.8 (b) of By-law 2003-38, as amended. The Hold may be removed by Council when Park Line has been assumed by the Municipality up to and abutting the lands located within the RU-03 Zone.

<u> Naureen Long</u> Ierk

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).

READ A FIRST AND SECOND TIME on the 5th day of July 2011.

READ A THIRD TIME and finally passed this 5th day of 32011.

Mayor

an de la proposition Authoritaire de la proposition del la proposition de la proposition del la proposition de la propos

Magneties) of the Anthrope Charles of the Comment o

algen and a galacin street triple received (tigg frener a tracia

problem of the Social work and the court down a first

e ja julija er og i tija kotorije kotoritika kantanta kantan kantan kantan kantan kantan kantan kantan kantan Lingua kantan kanta

VIVELLES 65 on Viscolaria.

THAIN HIR HALL