

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**  
**BY-LAW NO. 2016-38**

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 Parts 1 and 2, Parcel 7820 N/S, located in Part Lot 15, Concession 13 (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 appropriate to amend By-Law 2003-38, as amended;

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

1. Section 4.4.5.3 of Zoning By-law 2003-38 as amended, is hereby deleted and replaced with the following:

**4.4.5.3 Multiple Residential Exception (RM-3) Zone - 387 Main Street**

Notwithstanding the permitted uses under Section 4.3.1 of the Residential Multiple (RM) Zone, to the contrary, the following provisions shall apply to lands legally described as Parts 1 and 2, Parcel 7820 N/S, located in Part Lot 15, Concession 13 and located within the RM-3 Zone:

- a) Minimum Lot Area - 0.11 ha
- b) Maximum Ground Floor Area of Apartment Building - 266 sq. metres
- c) Maximum Number of Apartment Dwelling Units - 9
- d) Minimum Lot Frontage (Valley View West Drive) - 75 metres
- e) Minimum Lot Frontage (Main Street) - 75 metres
- f) Minimum Interior Side Yard - 3 metres
- g) Minimum Setback from Valley View West Drive - 4.4 metres
- h) Minimum Setback from Main Street - 4.5 metres
- i) Maximum Lot Coverage - 26%
- j) Maximum Setback of a Balcony from Valley View West Drive - 1.5 metres
- k) Maximum Floor Area of a Balcony - 9 sq. metres
- l) Maximum Number of Balconies - 5
- m) Maximum Encroachment of a Stairway into the Main Street Front Yard - 2 metres

For the purpose of the RM-3 Zone, a balcony shall be defined as an unenclosed platform with a roof attached to or extending horizontally from the exterior wall above the first floor or walkout of a residential building. Also, for the purpose of the RM-3 Zone, the maximum ground floor area shall not include balconies or external stairs and landings.

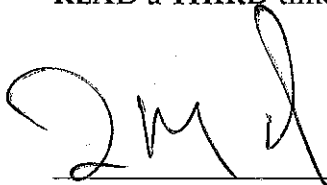
Furthermore, notwithstanding Table 1 of Section 3.21 of By-law 2003-38, as amended, the provision of on-site parking for residential apartment in the RM-3 Zone shall require a minimum of 12 spaces.

In all other cases the provisions of By-law 2003-38 as amended shall apply.

2. 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 1<sup>st</sup> day of November 2016.**

**READ a THIRD time and finally passed this 15<sup>th</sup> day of November 2016.**

  
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Mayor

  
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Clerk