

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

BY-LAW NO. 17-543

Being a By-law to establish Site Plan Control for the Corporation of the Township of South Algonquin.

WHEREAS the Official Plan for the Township of South Algonquin was approved August 2012 and the Official Plan designates all lands within the Township of South Algonquin as a Site Plan Control Area;

AND WHEREAS the Council for the Corporation of the Township of South Algonquin deems it appropriate to establish a Site Plan Control By-law as provided by Section 41(2) of the Planning Act, R.S.O. 1990, C.P.13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of South Algonquin pursuant to Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13, as amended, enacts a By-law of the Corporation as follows:

1. LANDS SUBJECT TO THE BY-LAW

All lands within the boundary of the Corporation of the Township of South Algonquin are hereby declared to be within a Site Plan Control Area for the purpose of Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

2. LAND USES SUBJECT TO THIS BY-LAW

Site Plan Control shall be applied to the following uses of the designated areas, buildings and structures:

- a) any Commercial use identified as a permitted use in any Commercial Zone pursuant to the Township's Comprehensive Zoning By-law No. 2017-527, as amended;
- b) any Industrial use identified as a permitted use in any Industrial Zone pursuant to the Township's Comprehensive Zoning By-law No. 2017-527, as amended;
- c) new residential development consisting of four or more dwelling units;
- d) any development fronting on any shoreline; and,
- e) any development fronting on a watercourse identified as supporting fish habitat.

3. APPROVAL OF PLANS AND DRAWINGS

No person shall undertake any development within the designated area unless Council, a person or body appointed by Council, or the Ontario Municipal Board, has approved the plans and/or drawings in accordance with Section 41 of the Planning Act, R.S.O. 1990, c.P.13.

Council may, by resolution, delegate the authority to approve site plans to Staff following the approval of this By-law.

4. ISSUANCE OF BUILDING PERMITS

Notwithstanding any provision of any By-law of the Corporation to the contrary, no building permit shall be issued within the designated area until the plans and/or drawings for such development have been approved by Council or the Chief Building Official or designate.

5. VIOLATIONS AND PENALTIES

Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence, and upon conviction, thereon, shall forfeit and pay a penalty at the discretion of the presiding justice according to the provisions of Section 67 of the Planning Act, R.S.O. 1990, c.P.13.

6. REMEDIES

In case any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the Corporation pursuant to the provisions of the Planning Act or the Municipal Act in that behalf.

7. VALIDITY

If any section, clause or provision of this By-law is for any reason declared by a court or competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid.

This By-law shall take effect and come into force from the date of its passage by Council.

READ A FIRST AND SECOND TIME on October 12th, 2017

MAYOR, Jane A.E. Dumas

CAO/CLERK-TREASURER, Holly Hayes

READ A THIRD TIME, PASSED AND ENACTED on October 12th, 2017

MAYOR, Jane A.E. Dumas

CAO/CLERK-TREASURER, Holly Hayes