



**THE CORPORATION OF THE UNITED TOWNSHIPS OF
HEAD, CLARA & MARIA
BY-LAW NUMBER 2022-17**

BEING a by-law to establish a site plan control area within the municipality and to delegate authority to approve site plan control agreements.

WHEREAS Section 41 of the Planning Act permits the Council of a municipality, where in an approved Official Plan, an area is shown or described as a proposed site plan control area, to designate such area as a site plan control area;

AND WHEREAS such by-law may also define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required;

AND WHEREAS Council deems it desirable to designate all of the lands within the limits of the United Townships of Head, Clara and Maria as a site plan control area and exempt from approval the classes of development as provided herein;

NOW THEREFORE the Council of the Corporation of the United Townships of Head, Clara and Maria does hereby enact as follows:

1. DEFINITIONS

In this By-law:

"Act" means the Planning Act, R.S.O. 1990 as amended from time to time;

"Applicant" means the Owner of the property that is the subject of Site Plan approval or the person who is authorized in writing by the Owner to make an application for Site Plan approval. Authorization is provided through declaration on the application form, which has been provided by the Municipality;

"Chief Building Official" means the Chief Building Official of the Municipality appointed pursuant to the Building Code Act;

"Council" means the Council of the United Townships of Head, Clara and Maria;

"County" means the Corporation of the County of Renfrew;

"Development" means development as defined within Subsection 41(1) of the Act, as amended time to time;

"Owner" means a person(s), corporation(s) or partnership who is the registered Owner of the relevant property, as recorded in the local registry office;

"Province" means the Government of the Province of Ontario;

"Site Plan" means those plans and/or drawings as contemplated by subsection 41(4) of the Act; and "Zoning By-law" of the Municipality and any successors thereto.

2. SCOPE

2.1 All lands located within the entire geographical limits of the United Townships of Head, Clara and Maria are hereby designated as a "site plan control area" pursuant to Section 41(3) of the Planning Act.

2.2 The provisions of this by-law shall apply to all classes or land uses as follows:

- a) Any industrial, commercial or institutional use;
- b) Any multiple residential use;
- c) Any lands abutting a lake, water body or natural heritage feature;
- d) All conversions and redevelopment within any of the above categories.

3. EXEMPTIONS

3.1 The following classes of development may be undertaken without the approval of plans and drawings otherwise required under Section 41(4) of the Planning Act, as amended:

- a) Single detached dwellings and accessory buildings which do not abut a lake, water body or natural heritage feature;
- b) Any temporary building or structure used during the construction of a permanent building or structure;

- c) All renovations, retrofitting or repair of buildings that does not increase the external footprint or is otherwise exempted under Section 3 of this by-law;
- d) A new or replacement septic system, provided that septic system is installed under the regulation of the Ontario Building Code.

3.2 Notwithstanding the exemptions permitted in Section 3.1 above, any development which requires relief from the Zoning By-law, either by way of Minor Variance or Zoning By-law Amendment, may be subject to Site Plan Control at the sole discretion of the Chief Building Official and/or Municipal Clerk, particularly if approval of such relief involves mitigative measures to be implemented on site.

4. REQUIREMENTS FOR SITE PLAN APPROVAL

4.1 No person shall undertake any development in the areas designated as a site plan control, and no building permit may be issued for any development, unless the delegate listed under 5.1 of this by-law has approved, in writing, the plans and drawings for such development in accordance with Section 41 of the Planning Act, and the Official Plan of the County of Renfrew.

4.2 In addition, as may be required, the Owner may be required to enter into one or more agreements with the municipality dealing with, and ensuring the provision of, any or all facilities, works or matters and the maintenance thereof, required as a condition to the approval of the plans and drawings.

4.3 The agreement may be required to be registered against the lands to which it applies in accordance with Section 41 of the Planning Act, at the expense of the Owner.

4.4 Applicants are required to consult with the Municipality prior to the submitting plans and drawings for site plan approval.

4.5 Every site plan application shall be accompanied by the following plans, specifications, documents and information:

- i. the plans referred to in Paragraph 1 of Subsection 41(4) of the Act, showing all facilities and works to be provided in conjunction with the building or structure and all facilities, works and matters referred to in Clause 41(7)(a) of the Act;
- ii. the drawings referred to in Paragraph 2 of Subsection 41(4) of the Act;
- iii. where required under clause 4.2 of this by-law one, or more agreements with the Corporation dealing with the provision and maintenance of the facilities and works to be provided in conjunction with the building or structure and the facilities, works and matters mentioned in Subsection 41(7) of the Act in accordance with the plans and drawings approved pursuant to the Act;
- iv. where required under an agreement, cash or an irrevocable letter of credit in favour of the Corporation to protect the Corporation in respect of its liability for holdback to assure satisfactory provision and maintenance of the facilities and works and matters mentioned in Subsection 41(7) of the Act in accordance with the plans and drawings approved pursuant to the Act; and
- v. all reports and studies required on the record of consultation or during review.

4.6 The delegate listed in section 5.1 of this by-law has discretion on the completeness of the application and the terms and conditions of and required agreements.

5. DELEGATION OF AUTHORITY

5.1 Council of the United Townships of Head, Clara and Maria hereby delegates to the Chief Building Official and/or the Municipal Clerk, the authority to approve site plan control agreements including associated plans and/or drawings.

6. GENERAL PROVISIONS

6.1 This by-law may be referred to as the Municipality's Site Plan Control By-Law.


6.2 If a court of law declares any provision of this By-law invalid, the provision is deemed severable from this by-law and it is the intention of Council that the remainder of the by-law shall continue to be in force.

6.3 Any person who contravenes this by-law shall be guilty of an offence and upon conviction shall be liable to a fine as prescribed under the Planning Act.

6.4 This by-law shall come into force and take effect on the final passing thereof.

READ a first and second time this 21st day of June 2022.

READ a third time and passed this 21st day of June 2022.


MAYOR


CLERK