

**The Corporation of the Township of Wollaston**

**By-Law 24-18**

Being a By-Law to designate a Site Plan Control area within the limits of the Township of Wollaston, and to provide for the establishment of Site Plan Control under Section 41 of the Planning Act, R.S.O. 1990.

**WHEREAS** Section 41 (2) of the Planning Act, as amended, provides that where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situated may, by by-law designate the whole or any part of such area as a site plan control area;

**AND WHEREAS** Section 7.5.1 of the Official Plan of the County of Hastings, has designated the entire County as a site plan control area in accordance with Section 41 (2) of the Planning Act.

**AND WHEREAS** Council deems it advisable to enact a site plan control by-law pursuant to Section 41 of the Planning Act that would designate certain lands within the geographic limits of the Township of Wollaston as a site plan control area;

**NOW THEREFORE** The Council of the Corporation of the Township of Wollaston does enact as follows:

**1. SITE PLAN CONTROL AREAS**

The following areas, uses and zones, as defined by the Township of Wollaston's Comprehensive Zoning By-Law 50-10 as amended, are designated as site plan control areas:

- R2 – Residential Second Density (intensification only)**
- C- Commercial Zone**
- RRC – Recreational/Resort Commercial**
- UI – Urban Industrial Zone**
- MX – Mineral Extractive Zone**
- WD – Waste Disposal Zone**
- CF – Community Facility Zone**

In addition, all non-residential uses shall be subject to this by-law when locating in a residential zone or when deemed applicable for site plan control by the Municipal Chief Building Official.

**2. APPROVAL OF PLANS**

No person shall undertake any development, as defined under Section 41 of the Planning Act, in the areas designated under Sections 1 of this by-law unless plans, drawings, agreement and other matters referred to in Section 41 of the Planning Act, have been approved by the Council of the Corporation of the Township of Wollaston or the Local Planning Appeal Tribunal.

**3. REGISTRATION OF AGREEMENT**

Any agreement referred to herein shall be between the owner of the land and the Municipality, shall be in registerable form and, at the option of the Municipality any or all of such agreement shall be registered against the land to which it applies, all at the expense of the owner. Section 446 of the Municipal Act, 2001, as amended, applies to any requirements made under clauses 7 (a) or 7 (b) of Section 41 of the Planning Act and to any requirements made under an agreement entered into under Clause 7 (c) of Section 41 of the Planning Act, so that, in default of anything being done pursuant to those sections and agreements by the person required to do it, it may be done at his expense and the expense may be recovered in like manner as municipal taxes.

#### 4. CONCORDANCE WITH APPLICATION FOR SITE PLAN

The submission of plans and drawings, the provision of required facilities and works, and the processing of application for approval of plans and drawings shall be in accordance with the Municipality's application for Site Plan, which may be amended from time to time.

Once the application is received, it shall be circulated to all commenting staff and agencies. Based on the results of the circulation, the Planner will suggest modifications to the site plan. Once the site plan has been agreed to by the Clerk and the applicant, the Clerk shall prepare a site plan agreement.

A site plan control application will not be deemed complete and will not be processed until all relevant information requested is completed on the form and is included on the drawings.

#### 5. AMENDMENTS

Minor alterations to a site plan agreement enacted under this by-law or under any previous by-law, may be permitted upon the written approval of the Municipal Clerk. The Municipal Clerk shall determine whether the proposed alteration is "minor" in his/her sole and absolute discretion, which decision shall be final and binding on the parties hereto. However, approval of minor amendments to site plan control agreements can be referred to Council at the request of the Clerk, any member of Council, the owner, or a member of the public.

Major alteration to an existing site plan agreement will require an amendment to the site plan agreement. An amendment to an approved site plan agreement requires the Council of the Township of Wollaston to pass an amending by-law and that the amended site plan agreement be registered on the land to which it applies at the expense of the owner.

#### 6. PUBLIC MEETING


Prior to the passing of a by-law to create or amend a site plan agreement, Council shall ensure that:

- a) notice of a public meeting shall be provided to all property owners within 120 metres of the subject lands; and
  - b) sufficient information and material is made available to enable the public to understand generally the proposal being considered by Council; and
  - c) at least one public meeting, no earlier than 20 days after the giving of notice, shall be held. This meeting shall be separate from a regular Council meeting. The purpose of the meeting shall be to give the public an opportunity to make representations to Council in respect of the proposed by-law; and
- a) the application for site plan control or amendment shall be considered by Council within 30 days of the public meeting

7. **THAT** all by-laws or parts of by-laws previously passed inconsistent with the provisions of By-Law xx-18 are hereby repealed.

Passed and enacted this 26<sup>th</sup> day of June, 2018.

  
Graham Blair, Reeve

  
Jennifer Cohen, Clerk