

THE CORPORATION OF THE TOWNSHIP OF BROCK

BY-LAW NUMBER 2109-2007-PL

BEING A BY-LAW TO ESTABLISH A SITE PLAN CONTROL AREA FOR THE TOWNSHIP OF BROCK AND TO DELEGATE THE APPROVAL OF SITE PLANS TO THE CLERK-ADMINISTRATOR PURSUANT TO SECTION 41 OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED

WHEREAS section 41(2) of the Planning Act, R.S.O. 1990, as amended, authorizes municipalities to designate an area as an area of site plan control subject to an enabling provision being contained in an approved Official Plan;

AND WHEREAS the municipality considers it advisable to require the approval of certain plans and drawings as a condition of development, save and except for certain class or classes of development, with "Development", in general terms. Meaning the construction, erection or placement of one or more buildings or structures, additions or alterations which substantially increase the usability of buildings and structures, the establishment of commercial parking lots or the location of 3 or more trailers or mobile homes;

AND WHEREAS Council deems it necessary and advisable, as hereinafter provided, that the Owner of land enter into a site plan development agreement with the municipality with respect to any or all of the items contained within section 41 of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS section 41(13)(a) authorizes municipalities to define any classes of development that may be undertaken without the approval of plans and drawings and to delegate the approval of Council to an appointed officer of the municipality;

AND WHEREAS section 41(13)(b) authorizes Council to delegate their powers to approve a site plan to an appointed officer of the municipality;

AND WHEREAS the approved Official Plan of the Township of Brock contains a policy to designate all lands within the corporate limits as an area of site plan control;

AND WHEREAS Council deems it expedient to establish an area of site plan control, to define classes of development which may proceed in the absence of plans and drawings, and to delegate its power to approve site plans to the Clerk-Administrator or his/her designate;

NOW THEREFORE the Council of the Corporation of the Township of Brock enacts as follows:

1. Site Plan Control Area

All of the lands within the corporate boundaries of the Township of Brock are hereby designated as a Site Plan Control Area in accordance with section 41(2) of the Planning Act, R.S.O. 1990, as amended, and no person shall undertake "Development" until plans, drawings and required agreements have been approved pursuant to section 41 of the Planning Act, R.S.O. 1990, as amended.

2. Class or Classes of Land Excluded

Those class or classes of "Development" specifically described in Schedule "A" attached hereto and by this reference forming part of this By-law, may be undertaken without the approval of plans and drawings as required by section 1 above.

3. Delegation of Council's Powers

That Council hereby delegates to the Clerk-Administrator of the Corporation of the Township of Brock or his/her designate the approval of plans and drawings submitted pursuant to section 41 of the Planning Act, R.S.O. 1990, as amended.

4. By-law Number 835-86-PL, being a by-law to designate a Site Plan Control Area, is hereby repealed in its entirety.
5. That this By-law shall come into force and effect on the date of its enactment.

THIS BY-LAW READ TWICE THIS 5TH DAY OF NOVEMBER, A.D., 2007.

Mayor
Larry O'Connor

Clerk-Administrator
George S. Graham

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 5TH DAY OF NOVEMBER, A.D., 2007.

Mayor
Larry O'Connor

Clerk-Administrator
George S. Graham

Schedule "A"

Description of Class or Classes of Development Which Are Excluded

- a) single-family detached dwellings.
- b) permitted buildings and structures which are accessory and incidental to permitted single-family detached dwellings.
- c) agricultural and farm-related buildings or structures which are utilized for farming operations, inclusive of farm produce retail outlets, but excluding intensive farming operations. Agricultural commercial or industrial operations are not subject to this exemption.
- d) Residential and farm fences.
- e) Permitted buildings or structures on lands owned by the Corporation of the Township of Brock.