

# THE CORPORATION OF THE TOWN OF LAKESHORE

## BY-LAW NUMBER 31 - 2011

### A BY-LAW TO ESTABLISH A SITE PLAN CONTROL AREA FOR THE TOWN OF LAKESHORE AND TO REPEAL ALL OTHER BY-LAWS DEALING WITH THE SAME SUBJECT MATTER

**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. "Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164(4) of the *Municipal Act*, 2001, as the case may be or of sites for the location of three or more mobile homes as defined in subsection 46(1) of that Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of that Act;

**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 (the "Act");

**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;

**AND WHEREAS**, the Corporation of the Town of Lakeshore has in effect the following Official Plan containing approved policies related to the establishment of a Site Plan Control Area:

- Section 8.3.4 (Site Plan Control) of the Town of Lakeshore Official Plan.

**NOW THEREFORE** the Council of the Corporation of the Town of Lakeshore enacts as follows:

1. Repeals of By-laws

All other By-laws dealing with same subject matter are hereby repealed. However, this shall have no effect on the validity of site plan approvals issued under the previous by-laws.

2. Site Plan Control Area

All of the lands within the corporate boundaries of the Town of Lakeshore are hereby designated as a Site Plan Control Area in accordance with section 41(2) of the Act.

3. 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 2 above.

4. Section 446 of the Municipal Act, 2001, S.O 2001, c.25, as amended, applies to all requirements imposed pursuant to section 41 of the Act and/or this by-law so that in default of any applicant failing to complete such requirements the Town of Lakeshore may do so at the applicant's expense.

5. In addition to the mandatory requirements contained in subsection 41(4) of the Act, site plan drawing submitted for approval shall also be sufficient to display: