

THE CORPORATION OF THE TOWNSHIP OF PERRY

BY-LAW No. #2007 - 03

Being a By-law to establish Site Plan Control in the Township of Perry.

WHEREAS pursuant to the provisions of the Planning Act, R.S.O., 1990 chapter P.13 as amended, municipal Councils are authorized to enact Site Plan Control under Section 41 for lands within their corporate limits;

AND WHEREAS the Council of the Corporation of the Township of Perry deems it desirable and expedient to enact such By-law;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PERRY ENACTS AS FOLLOWS:

1. Definition:

In this section, "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 168(5) of the Municipal Act 2001, or of sites for the location of three or more mobile homes, as defined in Subsection 46(1) of the Planning Act, R.S.O., 1990 Chapter P.13 as amended.

2. Defined Area:

All lands within the limits of certain zones in Zoning By-law No. 2002-10, and described in Schedule "A", attached hereto, are hereby designated as a Site Plan Control area.

3. Conditions of Development:

No person shall undertake any development in an area designated as a Site Plan Control area unless Council or, where a referral has been made pursuant to Section 41, Subsection 12 of the Planning Act, the Ontario Municipal Board has approved the following:

Plans showing the location of all buildings and structures to be erected or altered and showing the location of all facilities and works to be provided in conjunction therewith and of all matters required under Section 41 of the Planning Act, R.S.O., 1990 Chapter P.13 as amended.

4. Conditions of Approval:

As a condition to the approval of the plans referred to in Section 3, the Township may require the owner of the land to:

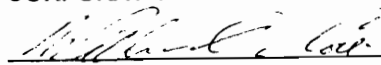
- (a) Provide, to the satisfaction of and at no expense to the Township, any or all of the following:
 - (i) Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;
 - (ii) Off-street vehicular parking and loading areas and access driveways, including driveways for emergency agencies, and the surfacing of such areas and driveways;
 - (iii) Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access;
 - (iv) Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;
 - (v) Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands;
 - (vi) Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - (vii) Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works and other public utilities of the Township or local board thereof on the land; and
 - (viii) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- (b) Maintain, to the satisfaction of the Township, and at the sole risk and expense of the owner, any or all of the facilities or works mentioned in Paragraphs i) to viii), inclusive of Subsection 4(a), including the removal of snow from access ramps and driveways, parking and loading areas and walkways.

- (c) Enter into one or more agreements with the Township dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in Subsection a) and the maintenance thereof, as mentioned in Subsection 4(b) or with the provision and approval of the plans referred to in Section 3.
5. Any agreement entered into under Subsection 4(c) may be registered against the land to which it applies and the Township is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
 6. Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to the provisions of any Site Plan Agreement made pursuant to the provisions of this By-Law, or who causes or permits such a violation, shall be guilty of an offence, and upon conviction thereof, shall forfeit and pay a penalty pursuant to Section 67 of the Planning Act, R.S. O., 1990 Chapter P.13 as amended.
 7. The Mayor and Clerk of the Corporation of the Township of Perry are hereby authorized to execute all Site Plan Agreements made pursuant to this By-law and to affix the corporate seal of the Township of Perry thereto.
 8. Schedule "A", attached hereto, is hereby declared to form part of this By-Law.
 9. By-law No. 95-21 and By-law No. 99-10 are hereby repealed. This By-law shall come into force and take effect upon final passing by the Council of the Township of Perry.

Read a **FIRST AND SECOND TIME** this 7 day of March, 2007.

Read a **THIRD TIME AND ADOPTED** this 21 day of March, 2007.

CORPORATION OF THE TOWNSHIP OF PERRY



Mayor



Clerk

SCHEDULE "A"

TO BY-LAW NO. #2007-08

DESCRIPTION OF SITE PLAN CONTROL AREA

Those lands lying within the limits of the following zones as contained in Zoning By-law No. 2002-10:

Rural & Rural Residential RU & RUR

- Any rezoning for a mobile home park
- Any rezoning involving trailers and/or tents
- Any development by Plan of Condominium

Residential Types One & Two & Multiple Residential R1, R2 & R3

- Any major residential intensification or multi-family development containing three (3) or more dwelling units
- Any retirement home
- Any development by Plan of Condominium

Limited Service Residential LSR - All development

Shoreline Residential SR - All development

General Commercial CG - All development

Commercial Tourist Park CTP - All development

Commercial Tourist CT - All development

General Industrial M1 - All development

Waste Disposal M3 - All development

Institutional I - All development

Environmental Protection EP - All development

Open Space OP - All development