

THE CORPORATION OF THE TOWNSHIP OF STONE MILLS

BY-LAW NUMBER 100

A BY-LAW TO DESIGNATE CERTAIN LANDS OF THE TOWNSHIP OF STONE MILLS AS A SITE PLAN CONTROL AREA, TO ADOPT CERTAIN PROCEDURES FOR THE PROCESSING OF SITE PLAN APPLICATIONS, AND TO EXEMPT CERTAIN CLASSES OF DEVELOPMENT FROM APPROVAL OF PLANS AND DRAWINGS.

WHEREAS the Official Plan for the Township of Stone Mills describes the whole of the Township as a proposed Site Plan Control Area pursuant to Section 41 of the Planning Act, R.S.O. 1990 Chapter P.13 as amended;

AND WHEREAS Subsection 41 (2) of the Planning Act authorizes Council to enact a By-law establishing a Site Plan Control Area;

AND WHEREAS the Council of the Corporation of the Township of Stone Mills may define the class or classes of development that may be undertaken without the approval of plans and drawings otherwise required;

AND WHEREAS Council deems it advisable to designate all of the lands within the limits of the Township of Stone Mills as a Site Plan Control Area and exempt from approval certain classes of development as provided herein;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF STONE MILLS ENACTS AS FOLLOWS:

1. **TITLE**

This By-law may be cited as the "Township of Stone Mills Site Plan Control By-law".

2. **DEFINITIONS**

In this By-law, the following definitions apply:

- (i) **"CHIEF BUILDING OFFICIAL"** means the Chief Building Official duly appointed by the Council of the Township of Stone Mills.
- (ii) **"COUNCIL"** means the Municipal Council of the Corporation of the Township of Stone Mills.
- (iii) **"COUNTY ROAD"** means a road under the jurisdiction of the County of Lennox and Addington.
- (iv) **"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 (3) or more trailers as defined in clause (a) of paragraph 101 of the section 210 of the Municipal Act or of sites for the location three (3) or more mobile homes as defined in subsection 46(1) of the Planning Act, or of sites for the construction, erection or location of three (3) or more land lease community homes as defined in subsection 46(1) of the Planning Act.
- (v) **"DRAWING"** mean a graphic rendering, drawn to scale, showing plan, elevation and cross-section views of each industrial and commercial building to be erected and for each residential building containing twenty-five or more dwelling units to be erected, which is sufficient to display:
 - (a) the massing and conceptual design of the proposed building.

- (b) the relationship of the proposed building to adjacent buildings and exterior areas to which members of the public have access; and
 - (c) the provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.
- (vi) **"INTENSIVE LIVESTOCK FARM"** means a livestock operation which either exceeds 100 livestock units, or exceeds 50 livestock units with a livestock density of greater than five (5) livestock units per cropped (land base) hectare.
 - (vii) **"ERECT"** means the carrying out of any activity within the meaning of **"DEVELOPMENT"** herein.
 - (viii) **"LIVESTOCK UNIT"** means the equivalent values for various types of animal, as outlines in Table 1, based on manure production that reproduction cycles as outlined in the definition of Intensive Livestock Farm.
 - (ix) **"MAJOR TOWNSHIP ROAD"** means a road under the jurisdiction of the Township of Stone Mills and described as a Major Township Road in the Official Plans for the former Townships of Camden East and Sheffield.
 - (x) **"PERSON"** includes as association, firm partnership, syndicate, company, corporation, its agent or trustee and the heirs, administrators, executors, assigns and other legal representatives of such person to whom the context may apply.
 - (xi) **"PLAN"** means a formal drawing drawn to scale and showing:
 - (a) the location of all buildings and structures to be erected;
 - (b) the location of all facilities and works to be provided in conjunction with Clause "a" above; and
 - (c) all facilities and works required by Council pursuant to Section 41 of The Planning Act (R.S.O. 1990 as amended).

3. **DESIGNATION OF SITE PLAN CONTROL AREA**

This By-law applies to all lands within the limits of the Township of Stone Mills.

4. **DEVELOPMENT APPROVAL REQUIREMENT**

No person shall undertake any development in the area defined by Section 3 herein unless Council, or the Ontario Municipal Board, as the case may be, has, in accordance with Section 41 of the Planning Act approved the plan and/or drawings for such development, and all conditions have been complied with, or unless so ordered by a court of competent jurisdiction.

5. **EXEMPTIONS**

The following classes of development shall be exempt from Site Plan Control:

- (i) Any residential development containing up to a maximum to two (2) dwelling units;
- (ii) Agricultural uses including farm buildings, with the exception of intensive livestock farms, ancillary commercial and industrial uses to a farm or intensive livestock farm, nurseries or commercial greenhouses;
- (iii) Any non-residential development of less than 371 square meters (4,000 square feet) of gross floor area, with the exception of:
 - (a) New buildings on vacant properties that abut a County unless written approval is received otherwise.

- (b) New buildings or building additions within any Yard that abuts a County Road unless written approval is received otherwise.
- (iv) Interior buildings alterations which do not involve a change in major occupancy as defined by the Ontario Building Code.
- (v) Any deviation from any dimension respecting the location of buildings and structures shown on plans approved pursuant to this By-law or predecessor thereof, provided the deviation does not exceed 0.3 meters (1 foot) and all other applicable municipal by-laws are complied with.
- (vi) Signs and temporary construction buildings.
- (vii) Less than three (3) portable classrooms accessory to a school.
- (viii) Works which result from the requirements of the Fire Protection and Prevention Act (1997) or and Order issued by the Corporation's Fire Department.

6. **COUNCIL APPROVAL**

Council retains all power and authority under Section 41 of the Planning Act.

7. **AGREEMENTS**

- (i) The Reeve and Clerk are hereby authorized to execute any agreement which may be required pursuant to the provisions of this By-law upon the approval of the plans by Council.
- (ii) Any agreement or amendment thereto entered into pursuant to this By-law shall be registered against the title of the land to which it applies.
- (iii) Section 326 of the Municipal Act R.S.O. 1990 Chapter M.45, as amended, applies to any requirements made under clauses 7(a) and (b) of Section 41 of the Planning Act and to any requirements made under and 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.

8. **ADMINISTRATION**

- (i) Issuance of Building Permits

Nothing in this By-law shall prevent development on any lands subject to this By-law where such development is proceeding in accordance with a valid building permit which was issued by the Corporation prior to the passing of this By-law.

- (ii) Violations and Penalties

Any person who contravenes this By-law is guilty of an offence and upon conviction is liable to payment of a fine in addition to any other remedies available to the municipality at law.

- (iii) Validity

If any section, clause or provision of this By-law is, for any reason, declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part hereof other than the section, clause or provisions so declared to be invalid. It is hereby declared to be the intention that all remaining sections, clauses and provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions hereof shall have been declared to be invalid.

(iv) Interpretation

For the purpose of this By-law works used in the present tense include the future, words in the singular number include the plural and words in the plural include the singular number, words in the neuter gender include the masculine and the feminine; and the word "shall" is mandatory.

(v) Imperial Values

Only the values provided with metric units of measure which appear in the By-law are official.

(vi) By-law administrator

This By-law shall be administered by such a person as is appointed by Council.

9. **PREVIOUS BY-LAW REPEALED**

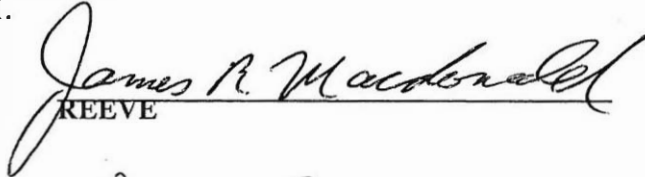
Site Plan Control By-law Number 99-69 is hereby repealed.

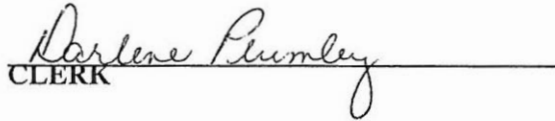
10. **APPROVAL**

This By-law shall become effective on the date of final passing.

THIS BY-LAW READ A FIRST AND SECOND TIME ON THE 5TH DAY OF MARCH, 2001

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED ON THE 5TH DAY OF MARCH, 2001.


REEVE


CLERK