

THE CORPORATION OF THE TOWN OF BRUCE MINES

BY-LAW NUMBER 2009-35

**BEING A BY-LAW TO ESTABLISH A SITE PLAN CONTROL AREA
WITHIN THE TOWN OF BRUCE MINES**

WHEREAS Section 41 of the planning act permits the Council of a municipality, where in an approved Official Plan, an area is shown or described as a proposed site plan control area, to designate such area as a site plan control area;

AND WHEREAS such a by-law may also define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required;

AND WHEREAS Council deems it desirable to designate all of the lands within the limits of the Town of Bruce Mines as a site plan control area and exempt from approval the classes of development as provided herein;

NOW THEREFORE the Council of the Corporation of the Town of Bruce Mines ENACTS as follows:

1. This by-law may be cited as the “Town of Bruce Mines Site Plan Control Area By-law”.
2. For the purposes of this by-law “development” shall be defined as per Section 41(1) of the Planning Act.
3. All lands located within the entire geographical limits of the Town of Bruce Mines are hereby designated as a “site plan control area” pursuant to Section 41(3) of the Planning Act.
4. The provisions of this by-law shall apply to the following classes of land or land uses:
 - A. Medium density housing, small block multiples and specialized housing projects including proposals which propose less than twenty-five dwelling units for which subsection 41(5) of the Planning Act may apply;
 - B. Commercial Uses in the Town and Rural Area;
 - C. Industrial Uses in the Town and Rural Area;
 - D. All lands within the Town and Rural Area and which abut the shoreline;
 - E. Land uses within any area designated as an Environmental Protection Area.
5. No person shall undertake any development in the area or areas designated as a site plan control area by this By-law unless the Council of the Town of Bruce Mines, or where referral has been made, the Ontario Municipal Board, has approved the plans and drawings for such development in accordance with.
6. Section 41 of the Planning Act, and the Official Plan of the Town of Bruce Mines, and in addition, as may be required, has entered into one or more agreements with the municipality dealing with and ensuring the provision of any or all facilities, works or matters and the maintenance thereof, required as a condition to the approval of the plans and drawings.
7. Applicants are hereby required to consult with the municipality prior to the submitting of plans and drawings for site plan approval.
8. Development may be undertaken without the approval of the aforementioned plans and drawings and the entering into agreements for the following classes of

development or land uses as defined in the Zoning By-law passed under Section 34 of the Planning Act:

- A. A temporary building for construction purposes
 - B. A camp
 - C. A cemetery
 - D. A forestry or conservation use
 - E. A wayside pit or wayside quarry
 - F. A portable sawmill
9. Any person who contravenes this By-law shall be guilty of an offence and upon conviction shall be liable to a fine as prescribed under the Planning Act.
10. This By-law shall come into force and take effect on the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY ENACTED AND PASSED THIS 21ST DAY OF SEPTEMBER, 2009.

MAYOR - Darren Foster

CLERK - Donna Brunke

Site Plan Control Procedures

The following sets out the procedures for site plan control:

1. **Pre-consultation:** potential applicants are encouraged to consult with the municipality on the requirements for site plan control. This will help to identify the need for any studies that may be required in support of an application, such as a hydro geological study. The pre-consultation could address design and servicing issues and may include an on-site visit of the site. (Note: applications which are complete or which are not accompanied by studies may be delayed or rejected.)
2. **Application:** application is filed and application fee is paid. The application must be supported by any relevant studies. Five copies of the site plan drawings should be filed with the application unless the municipality indicates that some other number is required. The application will be reviewed for completeness. On occasion, studies submitted as part of the application may require a peer review for a second opinion. A peer review is paid for by the applicant.
3. **Circulation:** the application is circulated to affected staff and outside agencies for comment. This could include MTO, Health Unit, Fire Chief, Roads Superintendent, etc. The time period for commenting should be no more than 30 days.
4. **Planning Report:** a planning report is prepared summarizing the application, agency comments and making recommendations to Council.
5. **Council Review:** Council reviews Planning Report and provides feedback. Council may offer approval in principle.
6. **Public Meeting:** Although not required, Council may wish to hold a public meeting to seek input from the public on an application.
7. **Agreement:** a draft site plan agreement is prepared by the Town (Planner or Solicitor). Agreement is to be accompanied by final set of plans. Agreement is distributed to the applicant and possibly other affected agencies for comment.
8. **Agreement:** Council executes agreement by By-law. Agreement is registered on title. Agreement is secured through a financial security i.e., letter of credit, if necessary. Applicant is also expected to pay the Town's external costs for the preparation of the Agreement, legal fees and other administrative costs.
9. **Inspection:** site development is inspected by Town staff or consultant for compliance with the Agreement.