THE CORPORATION OF THE TOWNSHIP OF CARLING

BY-LAW No. 2021-55

Being a by-law to designate the Township of Carling as a Site Plan Control Area

WHEREAS The Planning Act, RSO 1990, c.P.13, Section 41, as amended authorizes municipalities to designate the whole or part of the municipality as a site plan control area where an official plan describes an area to which site plan control will apply;

AND WHEREAS Section 30.0 of the Official Plan for the Township of Carling designates the whole of the Township as a proposed site plan control area;

AND WHEREAS the Council of the Corporation of the Township of Carling deems it desirable to designate the whole of the Township of Carling as a Site Plan Control area;

Now Therefore the Council of the Corporation of the Township of Carling enacts a By-law as follows:

1. LANDS SUBJECT TO THIS BY-LAW

The provisions of this By-law shall apply to all of the lands in the Township of Carling.

2. APPROVAL OF PLANS AND DRAWINGS

When it is determined that site plan approval is to be required, no person shall undertake any development in the designated area unless Council, or a person or body as appointed by Council, has approved the plans and/or drawings for such development in accordance with Section 41 of the Planning Act, R.S.O, 1990.

3. DETERMINATION OF THE NEED FOR SITE PLAN APPROVAL

Site Plan Approval shall be required as set out as indicated on Schedule "A" attached hereto and forming part of this By-law unless an exemption is recommended by the Planner in writing and authorized by the Township Clerk.

4. ISSUANCE OF BUILDING PERMITS

Notwithstanding any provision of the Building By-law or any other By-law of the Corporation to the contrary, no building permit shall be issued within the designated area until the plans and/or drawings for such development have been approved by Council or a person or body as appointed by Council.

5. SITE PLAN AGREEMENTS

The Planner for the Township of Carling is hereby authorized to determine when a Site Plan Agreement will be required in connection with the development or redevelopment of a property.

6. PROCEDURES

Policy and Procedure for dealing with Site Plan Approvals and Agreements may be obtained at the Township of Carling during normal municipal business hours.

7. VIOLATIONS AND PENALTIES

Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence, and upon conviction, thereon, shall forfeit and pay a penalty at the discretion of the presiding justice according to the provisions of Section 67 of the Planning Act, R.S.O. 1990.

8. REMEDIES

In case any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the Corporation pursuant to the provisions of the Planning Act or the Municipal Act in that behalf.

9. VALIDITY

If any section, clause or provision of this By-law is for any reason declared by a court or competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid.

10. PLANNER

Pursuant to Sections 2 and 3 of this By-law, the Planner or his or her designate is hereby appointed as the person to approve amendments to site plans and/or site plan drawings, within the designated area for such development in accordance with Section 41 of the Planning Act, R.S.O, 1990, and in accordance with such policies and regulations as may be adopted by council provided no objections have been received by abutting land owners.

11. BY-LAWS REPEALED

a) By-law No. 2018-40, being a by-law to designate the Township of Carling as a Site Plan Control area is hereby repealed.

This by-law shall come into force and take effect upon final reading.

READ and FINALLY PASSED in OPEN COUNCIL this 14 day of December, 2021.

THE CORPORATION OF THE TOWNSHIP OF CARLING

Mike Konoval, Mayor

Kevin McLlwain, CAO/Clerk

Schedule "A"
To Site Plan Control By-law No. 2021-

WHEN SITE PLANS ARE REQUIRED

1. For all development in the following zones

   Highway-Service Commercial C1 Zone
   Tourist Commercial C2 Zone
   Contractor Commercial CC zone
   Commercial Marine CM Zone
   Institutional INST Zone
   General Industrial M Zone
   Industrial Part M1 Zone

2. All lands adjacent to and fronting upon Provincial Highway No. 559.

3. All other lands in all other zones that are deemed to be required to be subject to site plan control as determined by the Chief Building Official.

4. All lands designated as a site plan control along Highway No. 559 will be required to include elevation drawings to be able to indicate the relationship of any proposed building to the surrounding lands and highway.