

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NO. 2023.04

A BYLAW TO DESIGNATE A "SITE PLAN CONTROL AREA" FOR THE TOWNSHIP OF RAMARA

WHEREAS the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, pursuant to Section 41, provides for the adoption of a Bylaw to establish the whole or any part of the municipality as a Site Plan Control Area;

AND WHEREAS the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, pursuant to Section 41, provides for the adoption of a Bylaw that may designate a site plan control area by reference to one or more land use designations contained in a bylaw passed under Section 34 of the *Planning Act*;

AND WHEREAS the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, pursuant to Section 41 states that the Council of a Municipality shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4);

AND WHEREAS this bylaw conforms to the policies related to Site Plan Control in Section 7.7 in the Official Plan of the Township of Ramara and it is desirable that the stated policies of the Official Plan be applied to the entire Township of Ramara by an implementing bylaw;

AND WHEREAS Township Council deems it necessary and advisable, as hereinafter provided, that an owner of land enter into a Site Plan Agreement with the municipality with respect to any or all of the items listed in Sections 41(7) and (8) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS pursuant to the said Section 41(10) of the *Planning Act*, the Site Plan Agreement may be registered against the land to which it applies;

AND WHEREAS the *Municipal Act*, R.S.O. 2001, Section 446, provides that in the event of default of any of the provisions of the Site Plan Agreement by the owner of land, the municipality may complete the matter or thing at the expense of the owner of the land, or complete the work itself and recover the expenses, with interest, in a like manner as municipal taxes;

AND WHEREAS the Council of the Township of Ramara desires to appoint an officer and Council Delegate to act in place of Council with respect to site plan applications on lots within the site plan control areas as established by bylaw;

NOW THEREFORE, the Council of the Corporation of the Township of Ramara hereby enacts as follows:

1. Definitions

For the purpose of this bylaw:

- 1.1. **“COUNCIL”** means the Council of the Township of Ramara
- 1.2. **“DEVELOPMENT”** shall mean development as defined by Section 41 of the *Planning Act* and any amendments thereto.
- 1.3. **“GROSS FLOOR AREA”** means the sum of the total area of each floor above grade, except in the case of an apartment building where part of a basement is used for habitable purposes, in which case such area shall constitute part of the gross floor area, measured between the exterior faces of exterior walls of the building or structure at the level of each floor.
- 1.4. **“STRUCTURE”** means anything constructed or erected, either permanent or temporary, which is fixed to, attached to, or resting on, in or below the ground, but does not include a paved surface on the ground, a fence, sign or light fixtures.

2. Site Plan Control Area

All of the lands within the corporate limits of the Township of Ramara are hereby declared to be a Site Plan Control Area.

3. Delegation of Site Plan Approval

The powers and authority given to Council under Section 41 of the Planning Act R.S.O. 1990, Ch. P.13, are hereby delegated to the Director of Building and Planning (or their designate) for all site plan applications.

4. Preconsultation and Complete Application

All applicants shall undertake a preconsultation meeting with the Township of Ramara in accordance with the “Preconsultation and Complete Application” Bylaw prior to submitting an application for Site Plan Control.

5. Exemptions from Site Plan Control

5.1. Despite the provisions of Section 2, the following are exempt from Site Plan Control:

- 5.1.1. The development of a detached dwelling unit, semi-detached dwelling unit, duplex dwelling unit, and any house in any Residential Zone, provided drainage of the site has not been identified by the Director of Building and Planning, and/or the Director of Infrastructure and/or the

Chief Building Official to be a concern or problem that necessitates a Site Plan Agreement; and

- 5.1.2. Buildings associated with normal agricultural operations that are in accordance with the Zoning Bylaw in effect;
- 5.1.3. Any lands, building and structures owned and operated by the Federal, Provincial and County governments; and
- 5.1.4. Any works undertaken by the Corporation or any local board of the Corporation; and
- 5.1.5. Any land building or structure owned and operated by a public utility and/or railway; and
- 5.1.6. Any other development not deemed appropriate for Site Plan Control by the Director of Building and Planning.

5.2. Despite any exemption given under this Section, where Site Plan Control is required by a Subdivision, Condominium, Consent or any other Agreement registered on title, the development shall not be exempt from Site Plan Control.

6. Approval of Plans and Requirements to enter into an Agreement

- 6.1. No person shall undertake any development in an area designated under Section 2 of this By-law unless the Council or any person with delegated authority to do so by Council or the Ontario Land Tribunal has approved plans or drawings and imposed conditions in accordance with Section 41 of the Planning Act.
- 6.2. As a condition of approval of the plans and drawings, referred to in Section 6.1 above, the Township of Ramara may require the owner to enter into a Site Plan Agreement with the Township of Ramara imposing any conditions permitted in Section 41(7) and (8) of the Planning Act.
- 6.3. Any Site Plan Agreement entered into in accordance with the provisions of this By-law may be registered against the title of land to which it applies, and the Township of Ramara is entitled to enforce the provisions of such Agreement against the owner and, subject to the provisions of the Registry Act and the Land Title Act, against any and all subsequent owners of the lands. The Township of Ramara may, at its sole discretion, require postponement of any encumbrances registered on title in favour of the Site Plan Agreement.
- 6.4. The Township of Ramara may, at its sole discretion, establish an expiration date for Site Plan Approval, which shall be included in the Site Plan Agreement. If a Building Permit has not been issued or if works have not

commenced to the Township of Ramara's satisfaction prior to the expiration date, the owner may be required to reapply.

7. That Bylaw 2022.63 is hereby repealed.
8. That this Bylaw come into full force and take effect on the date of passing.

**BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 30 DAY OF JANUARY, 2023.**

The Corporation of the
Township of Ramara

Original Signed By

BASIL CLARKE, MAYOR

Original Signed By

JENNIFER CONNOR, CLERK

Status: Passed