BY-LAW NUMBER 26 - 2009
OF
THE CORPORATION OF THE MUNICIPALITY OF MEAFORD

BEING A BY-LAW TO ESTABLISH SITE PLAN CONTROL WITHIN THE MUNICIPALITY OF MEAFORD.

THE COUNCIL ENACTS AS FOLLOWS:

PART I – INTERPRETATION

1. In this by-law:

(a) "**development**" means development as defined in Section 41 of the *Planning Act* and includes:

i. the construction, erection or placing of one or more buildings or structures on lands;
ii. the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
iii. the laying out and establishment of:
(1) a commercial parking lot;
(2) sites for the location of three or more trailers as defined in clause (a) of subsection 168(5) of the *Municipal Act, 2001,* S.O. 2001, c. 25 as amended;
(3) sites for the location of three or more mobile homes as defined in clause 46(1) of the *Planning Act;* or
(4) sites of the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of the *Planning Act;*

(b) "**site plan application**" means an application for approval of plans and drawings for a development under Section 41 of the *Planning Act*;

(c) "***Planning Act***" means the *Planning Act*, R.S.O. 1990, c. P.13 as amended from time to time.

PART II – DEVELOPMENT SUBJECT TO SITE PLAN CONTROL

Designation of Site Plan Control Area

2. The whole of the Municipality of Meaford subject of Zoning Control is hereby designated as a Site Plan Control Area pursuant to Section 41 of the *Planning Act.*

Classes of Development Requiring Site Plan Approval

3. The following classes of development require site plan approval:
(a) All residential buildings containing 25 or more units, and all retrofit apartments added to such development;
(b) All non-residential development in residential zones;
(c) All development in commercial zones;
(d) All development in employment or industrial zones;
(e) All bed and breakfast uses established in any residential, rural or agricultural zone.
(f) All non-municipal development in an Institutional zone.

4. Council *may* require site plan approval for the following classes of development, as established by the Municipality of Meaford Official Plan, as amended:

(a) A residential care facility established in any residential zone;
(b) A home industry established in any rural or agricultural zone;
(c) Small scale commercial development in any rural or agricultural zone;
(d) Residential development of less than 25 units where such development occurs in the Urban Area, as established by Section E1.4 (o) of the Municipality of Meaford Official Plan, as amended.

Exemptions from Site Plan Control

5. Notwithstanding Section 3, no site plan approval shall be required for:

(a) Development of buildings and structures used for agricultural purposes;

(b) Development in the form of a temporary structure that will be erected and used for a maximum of six consecutive months, provided the development is located on a property with existing development.

PART III – ADMINSTRATION

Applications

6. Site plan applications to be considered under this by-law, shall require the following:

(a) a complete Site Plan Application, in a form approved by Council;
(b) the required fees;
(c) plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith;
(d) for all site plan applications, drawings showing plan, elevation and cross-section views for each building to be erected, sufficient to display:
    (i) The massing and conceptual design of the proposed building;
    (ii) The relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access; and
    (iii) The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.
    (iv) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design as provided for by the Municipality of Meaford Official Plan, as amended.
    (v) The sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities as provided for by the Municipality of Meaford Official Plan, as amended.
    (vi) Facilities designed to have regard for accessibility for persons with disabilities.

7. Applications for amendments to approved site plan applications shall be made by letter explaining the proposed change, and shall be accompanied by the required fee as determined by Council from time to time and such plans as are required showing the proposed change, but any application that changes the concept as opposed to detail shall be considered a new application.

8. Notwithstanding any other provisions hereof to the contrary, the Director of Development Services shall be authorized to approve in writing and at the Director's discretion, changes to the approved plans attached to a site plan agreement, where requested by the owner of the lands in respect of which the said site plan agreement has been entered into by the municipality, provided that such changes are considered by the Director to be minor in nature and to not substantially alter the design and appearance of the development.

The Director of Development Services shall be authorized to determine where development identified in Clause 4 herein may be exempted from site plan approval, provided such development is considered by the Director to be minor in nature.

Repeal

All previous by-laws approved under the authority of Section 41 of the *Planning Act* are hereby repealed.

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READ a FIRST and SECOND time this 20th day of April, 2009.

READ a THIRD time and finally passed this 20th day of April, 2009.

Original Signed by	**Original Signed by**
_____	_____
Francis Richardson, ***Mayor***	**Peggy Rouse,** ***Clerk***