



THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

BY-LAW NUMBER 2778

A BY-LAW TO ESTABLISH A SITE PLAN CONTROL AREA

WHEREAS Section 41 of *The Planning Act*, R.S.O. 1990, as amended, permits a municipality with an Official Plan in place, to designate the whole or any part of the area covered by the Official Plan as a Site Plan Control Area;

AND WHEREAS it is desirable and expedient to designate certain areas in the Township of Augusta as a Site Plan Control Area;

NOW THEREFORE the Corporation of the Township of Augusta enacts as follows:

1. This By-law shall be known and cited as Site Plan Control By-law of the Corporation of the Township of Augusta.
2. In this By-law, "development" shall mean:
 - a. the construction, erection or placing of one or more buildings or structures on land; or
 - b. the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
 - c. the change of use of an existing building or structure, which results in a need for additional parking spaces.
3. All lands used for commercial, industrial and institutional uses as defined in the Township of Augusta Zoning By-law located within the Corporation of the Township of Augusta are hereby declared to be designated part of the Township's Site Plan Control Area, pursuant to Section 41 (3) of *The Planning Act*, R.S.O. 1990, as amended.
4. No person shall undertake any commercial, industrial or institutional development in the area defined in Section 3 of this By-law and designated as a Site Plan Control Area unless the Council of the Corporation of the Township of Augusta, or, where a referral has been made under the provisions of Section 41 (12) of *The Planning Act*, R.S.O. 1990, as amended, the Ontario Municipal Board, has approved the plans and/or drawings for such development.
5. Notwithstanding anything herein contained, the provisions of this By-law shall not apply to the following:
 - a. any temporary building or structure as may be defined in the Zoning By-Law;
 - b. any building or structure on land owned or leased by the Municipality.
6. Any person who contravenes this By-law shall be guilty of an offence and, upon conviction, is liable to penalties pursuant to Section 67(1) of *The Planning Act*, R.S.O. 1990, as amended.
7. As a condition of approval of a Site Plan Control application, the applicant may be required to enter into a Site Plan Agreement with the municipality, which agreement shall be registered on the title of the property to which the agreement applies at the expense of the applicant.

8. After approval of a Site Plan Control application by Council, the Reeve and Clerk are hereby authorized to sign any site plan agreement and any documents which may be required to implement the conditions of approval.
9. Any requirements of a Site Plan Control Agreement under Section 7 shall be administered and regulated by the CAO or his/her designate, and shall be enforced by the Chief Building Official or his/her designate.
10. This By-law shall come into effect on passing.

READ a first and second time this 27th day of July 2009.

READ a third time and passed this 27th day of July 2009.

REEVE

CLERK