

THE CORPORATION OF THE MUNICIPALITY OF CALLANDER

BY-LAW NO. 2004-907

Being a by-law to establish Site Plan Control in the Municipality of Callander.

WHEREAS the Official Plan for the Municipality of Callander was approved September 1997 and designates all lands within the Municipality of Callander as a Site Plan Control Area;

AND WHEREAS the Council for the Corporation of the Municipality of Callander deems it appropriate to establish by By-law a Site Plan Control Area as provided by Section 41(2) of the Planning Act, R.S.O. 1990, C.P.13, as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Callander pursuant to Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13, as amended, enacts a By-law of the Corporation as follows:-

1. LANDS SUBJECT TO THE BY-LAW

All lands within the boundary of the Corporation of the Municipality of Callander are hereby declared to be within a Site Plan Control Area for the purpose of Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

2. LAND USES SUBJECT TO THIS BY-LAW

Site Plan Control shall be applied to the following uses of lands, buildings and structures:

- a) any Commercial use identified as a permitted use in any Commercial Zone pursuant to the Municipality's Zoning By-law No. 2003-857, as amended;
- b) any Industrial use identified as a permitted use in any Industrial Zone pursuant to the Municipality's Zoning By-law No. 2003-857, as amended;
- c) any Institutional use as a permitted use in any Institutional Zone pursuant to the Municipality's Zoning By-law No. 2003-857, as amended;
- d) new residential development consisting of three or more dwelling units;
- e) any development of lands fronting on Lake Nipissing or the shoreline road allowance abutting Lake Nipissing and lands fronting on any watercourse flowing into Lake Nipissing;
- f) any development of lands fronting on a watercourse identified as supporting fish habitat;
- g) any development of lands that due to the Lakeshore Road Closure Policy are subject to Site Plan Control.

3. APPROVAL OF PLANS AND DRAWINGS

No person shall undertake any development within the designated area unless Council, a person or body appointed by Council, or the Ontario Municipal Board, has approved the plans and/or drawings in accordance with Section 41 of the Planning Act, R.S.O. 1990, c.P.13.

Council may, by resolution, delegate the authority to approve site plans to Planning Advisory Committee or staff following the approval of this By-law.

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. 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, c.P.13.

6. 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.

7. 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.

This By-law shall take effect and come into force from the date of its passage by Council.

READ A FIRST TIME THIS 22ND DAY OF JUNE, 2004.

READ A SECOND TIME THIS 22ND DAY OF JUNE, 2004.

READ A THIRD TIME AND FINALLY PASSED THIS 20TH DAY OF JULY, 2004.

MAYOR, William Brazeau

CLERK, Judith A. Gauthier