

The Corporation of The Township of East Garafraxa

By-law Number 37-2022

Being a By-Law to repeal By-law 8-2007, as amended, and to adopt a By-Law to designate a site plan control area in the Township of East Garafraxa, and to appoint an authorized person for the purposes of granting site plan approval under the *Planning Act*

**WHEREAS** subsection 41 of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, provides that where in an official plan an area is shown or described as a proposed site plan control area, council may, by by-law designate the whole or any part of such area as a site plan control area;

**AND WHEREAS** Section 9.3 of the Township of East Garafraxa Official Plan designates all the lands in the Township as a Site Plan Control Area, except for those lands designated as Extractive Industrial;

**AND WHEREAS** subsection 41(4.0.1) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, authorizes councils to pass a by-law under subsection 41(2) to appoint an officer, employee or agent of the municipality as an authorized person to grant site plan approval for the purposes of subsection 41(4);

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa enacted By-law Number 8-2007, as amended, being a by-law to designate a site plan control area for the Township of East Garafraxa pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, which is outdated;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa deems it necessary to repeal By-law Number 8-2007, as amended, and to adopt a new by-law designating all the lands in the Township as a Site Plan Control Area, except for those lands designated Extractive Industrial, and to provide for the appointment of an authorized person to grant site plan approval for the purpose of subsection 41(4) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

**1. SITE PLAN CONTROL AREA**

All land in the corporate limits of the Township of East Garafraxa is hereby designated as a Site Plan Control Area, with the exception of lands designated "Extractive Industrial" in the Township of East Garafraxa Official Plan.

**2. CLASSES OF DEVELOPMENT**

The following classes of development shall require Site Plan Control approvals:

- i. Commercial;
- ii. Industrial;
- iii. Institutional;
- iv. Recreational;
- v. Agricultural Livestock operations;
- vi. Single detached residential dwellings within estate residential subdivisions;
- vii. Cannabis, marihuana (marijuana), or hemp-related uses; and,
- viii. All new development in Wellhead Protection Areas (WHPA) identified on Schedule F to the Official Plan.

**3. APPOINTMENT OF AUTHORIZED PERSON**

The Chief Administrative Officer of the Township, or in their absence, the Acting Chief Administrative Officer, is appointed as the authorized person for the purposes of granting site plan approval pursuant to section 41(4) of the *Planning Act* as amended, with such appointment being effective July 1, 2022. In carrying out the appointment, the Chief

Administrative Officer is authorized to consult with Council, Township staff, and other specialists or agencies as required including the Township consulting planners, the Township consulting engineers and the Township solicitor as the Chief Administrative Officer sees fit and appropriate.

4. This by-law shall take effect from the date of final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS 21<sup>st</sup> DAY OF JUNE 2022

BY-LAW READ A THIRD TIME AND PASSED THIS 21<sup>st</sup> DAY OF JUNE 2022



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CLERK



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HEAD OF COUNCIL