

THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

BY-LAW NO. 2004-469

Being a By-law to establish site plan control
within the Township of Lanark Highlands

WHEREAS the Corporation of the Township of Lanark Highlands has in effect an Official Plan approved by the Minister of Municipal Affairs and Housing covering the area within the limits of the Township of Lanark Highlands; and

WHEREAS the Council of the Corporation of the Township of Lanark Highlands is empowered pursuant to Section 41 of the *Planning Act*, RSO 1990 to designate the whole or any part of the area covered by an Official Plan as a site plan control area; and


WHEREAS the Council of the Corporation of the Township of Lanark Highlands wishes to implement site plan control under Section 41 of the *Planning Act*.

NOW THEREFORE the Corporation of the Township of Lanark Highlands enacts as follows:

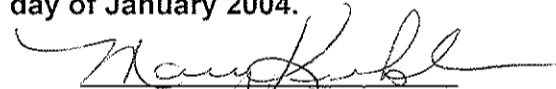
1. THAT this By-law may be cited as the "Township of Lanark Highlands Site Plan Control By-law", or, as a short title, the "Site Plan Control By-law".
2. THAT all lands within the territorial limits of the Township of Lanark Highlands are hereby designated as a site plan control area pursuant to Section 41 of the *Planning Act*.
3. THAT for the purposes of this By-law, the following definitions and interpretations shall govern:
 - (a) "development" shall have the same meaning as the definition found in Section 41(1) of the *Planning Act*;
 - (b) "zone" shall mean the category of land use as defined by Township of Lanark Highlands Zoning By-law No. 2003-451 passed pursuant to Section 34 of the *Planning Act* and having force and effect on the subject lands;
 - (c) "single detached dwelling", "semi-detached dwelling", "duplex dwelling", "triplex dwelling", "mobile home dwelling", "seasonal dwelling", "apartment dwelling", and "row or townhouse dwelling" shall have the same meaning as the definitions in Section 20 of Zoning By-law No. 2003-451.
4. THAT no person shall undertake any development in the Site Plan Control area designated under Section 2 hereof unless the Council of the Corporation of the Township of Lanark Highlands has approved of plans, drawings, agreements or any other relevant matters referred to in Section 41 of the *Planning Act*.
5. THAT the following classes of development may be undertaken without the approval of plans and drawings otherwise required under Section 4 hereof:

- (a) single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, mobile home dwellings, seasonal dwellings, apartment dwellings with 5 or less units, and row or townhouse dwellings with 5 or less units and accessory buildings thereto;
 - (b) alterations or additions to the structures listed in 5(a) above, provided that the alterations or additions do not have the effect of creating a sixth dwelling unit;
 - (c) alterations or additions of a minor nature to buildings/structures in any zone;
 - (d) any building or structure used for the purpose of public service by the Corporation of the Township of Lanark Highlands or any department or agent of the Government of Ontario or Canada.
6. THAT notwithstanding Section 5 above, the following shall be subject to site plan control:
- (a) any development within 30 metres (98.4 feet) of a lake, water body or natural heritage feature;
 - (b) any development within the Environmental Protection Area Designation of the Official Plan.
 - (c) any development deemed to require site plan approval by the municipality upon receipt of advice from an appropriate review agency or department including, but not limited to, the Mississippi Valley Conservation, the Ministry of Natural Resources, and the Ministry of Northern Development and Mines.
7. THAT the Council of the Township of Lanark Highlands may require, as a condition of site plan approval, any applicant to dedicate land for road widening purposes provided that the conveyance does not exceed more than one half of the deficiency of the width of the road or 5 metres (16.4 feet), whichever is less.
8. THAT site plan agreements shall be registered on title by the municipality at the expense of the applicant.
9. THAT applicants for site plan approval shall pay the prescribed fee in effect from time to time for the review and processing of site plan approval applications.
10. THAT every person who contravenes this By-law is guilty of an offense and upon conviction thereof shall be liable to a fine as set forth in Section 67 of the *Planning Act*.
11. THAT By-law No. 2001-258 be and is hereby repealed in its entirety.
12. THAT this By-law shall come into force and effect immediately upon the passage thereof.

Read a first, second and third time this 13th day of January 2004.



 Lawrence McDermott, Mayor



 Mary Kirkham, Clerk