

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. 21-18.

Being a By-Law to establish Site Plan Control in accordance with Section 41 of the *Planning Act* in the Township of Mulmur.

WHEREAS the Official Plan for the Township of Mulmur designates all areas of the Township as Site Plan Control Areas in accordance with Section 41 of the *Planning Act*, R.S.O. 1990 cp. 13 and sets out certain conditions and requirements that must be met, and provides that certain developments may be exempt from the requirements;

AND WHEREAS it is deemed appropriate to establish site plan control in the Township of Mulmur in accordance with Sections 41(2) and (3) of the *Planning Act*, R.S.O. 1990, cp 13;

NOW THEREFORE the Council of the Corporation of the Township of Mulmur enacts as follows:

1. That By-law No.) 13-17 is hereby rescinded upon the coming into force and effect of this By-law.
2. That all of the lands within the geographic boundaries of the Township of Mulmur, save and except those lands within the Development Control Area of the Niagara Escarpment Plan Area as defined by Regulations under the *Niagara Escarpment Planning and Development Act*, are hereby declared as a Site Plan Control Area in accordance with the *Planning Act*, R.S.O. 1990, cp 13, as amended;
3. Notwithstanding Section 2, the following shall not be subject to Site Plan Control:
 - a) a barn, manure storage facility an/or anaerobic digester with an approved nutrient management plan/strategy
 - b) an implement shed where a farm had a minim of 15ha of workable land
 - c) run-in shelters or one accessory structure less than 120m²
 - d) a (first) single detached dwelling, attached accessory dwelling unit,
 - e) a garden suite which has an approved temporary use agreement;
 - f) a private garage, workshop, greenhouse, studio or other building or structure accessory to a principal residential use, or a home occupation with a maximum floor area of 120m²;
 - g) resource management operation, including a temporary forestry operation involving the cutting and processing of timber originating from the lot on which the use is located;

- h) the erection of a telecommunication, transmission or other similar facility regulated by Industry Canada, Transport Canada, NAVCAN or other federal department or agency;
 - i) the installation of a portable classroom by a school board;
 - j) electric power production facilities, transmission facilities and transformer stations, constructed by a public power authority such as Hydro One;
 - k) Energy conversion systems and facilities if specifically exempted from municipal Planning Act approval requirements;
 - l) projects undertaken by or on behalf of a Conservation Authority, and;
 - m) municipal buildings, facilities and works and other public works.
4. Notwithstanding any other provision of this By-law to the contrary, Council may, by resolution, waive the requirements of this By-law, for the following types of minor development, on a case-by-case basis:
- a) agriculture-related developments not otherwise exempted in Section 2a) and on-farm diversified uses as defined in the 2014 Provincial Policy Statement;
 - b) a bed and breakfast establishment;
 - c) a boarding house;
 - d) a group home;
 - e) a crisis centre;
 - f) a guest cabin or secondary dwelling unit;
 - g) a kennel;
 - h) an animal shelter;
 - i) a portable sawmill;
 - j) a riding school or boarding stable;
 - k) other projects undertaken by government or an agency of the government, provided that the land upon which the development is situated is held in public ownership;
 - l) other projects with a construction value of not more than \$20,000.00, provided the potential for impacts on adjacent persons, lands and uses is determined by Council to be minimal and acceptable.
5. Unless a development or re-development has been specifically exempted from the requirements of this by-law under Section 3 above, or Council has waived the requirement by resolution under Section 4, all development and re-development occurring on any land within the Township of

Mulmur that is within any of the zoning categories listed in Section 3 shall be subject to site plan control and, more specifically, the applicable requirements of the *Planning Act*, the Township's Official Plan and Zoning By-law and this by-law.

READ AND FIRST AND SECOND TIME on this 6th day of June, 2018.

READ A THIRD TIME AND FINALLY PASSED on this 6th day of June, 2018.

Paul Mills
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MAYOR.

Terry Horner
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CLERK.