

**BY-LAW No. 2010-082
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO ESTABLISH A NEW SITE PLAN CONTROL
BY-LAW FOR THE TOWN OF COLLINGWOOD AND TO REPEAL
BY-LAW NO.2006-81

WHEREAS there is an Official Plan in effect in the Town of Collingwood that pertains to certain lands within its municipal boundaries;

AND WHEREAS subsection 41(2) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, provides that where an Official Plan is in effect in a municipality, the Council of the municipality may by by-law designate the whole or any part of the area covered by the Official Plan as a Site Plan Control Area;

AND WHEREAS section 8.3.2 of the Town of Collingwood Official Plan designates all lands in the Town of Collingwood as a Site Plan Control Area;

AND WHEREAS section 447.8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to adopt by reference, in whole or in part, with such changes as the council considers appropriate, any code, standard, procedure or regulation as it stands at a specific date, as it stands at the time of adoption or as amended from time to time provided the document is available for public inspection;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS THE FOLLOWING:

1. (a) All of the lands situated within the municipal boundaries of the Town of Collingwood and in a Residential, Commercial, Industrial, Community Service, Greenbelt or Other Zone classification, including multiple dwelling uses accommodating three or more dwelling units, Bed and Breakfast accommodation and community service/public uses in Collingwood Zoning By-law No. 2010-040, as amended from time to time, are, subject to Section 1 (b), hereby designated as a site plan control area pursuant to section 41 of the *Planning Act* or any successor legislation thereto.
 - (b) The following lands shall not be subject to site plan control:
 - (i) all areas in a Residential zone classification in the Collingwood Zoning By-law, except within the Pretty River flood-fringe, that are used for single-detached dwellings, semi-detached dwellings, small-lot detached dwellings and duplex dwellings;
 - (ii) all areas in a Greenbelt zone classification in the Collingwood Zoning By-law that are used for single-detached residential and agricultural uses.
2. No person shall undertake any development within a site plan control area unless the Council of the Town of Collingwood or any person delegated authority to do so by Council or the Ontario Municipal Board has approved plans or drawings in accordance with subsection 41(4) of the *Planning Act* and imposed any conditions in accordance with subsection 41(7) of the *Planning Act*.
3. For the purposes of this By-law, "development" shall mean development as defined in subsection 41(1) of the *Planning Act*.
4. In accordance to the provisions of Section 1, the following classes of development are not subject to site plan control, and may be undertaken without the approval of the plans and drawings referred to in subsection 41(4), and any conditions imposed in accordance with subsection 41(7) of the *Planning Act*.

- (a) any single detached dwelling, semi-detached dwelling, small-lot detached dwelling and duplex dwelling not within the defined Pretty River flood-fringe;
 - (b) any alteration or addition to any existing single detached dwelling, semi-detached dwelling, small-lot detached dwelling and duplex dwelling not within the defined Pretty River flood-fringe;
 - (c) any building accessory to any single detached dwelling, semi-detached dwelling, small-lot detached dwelling and duplex dwelling not within the defined Pretty River flood-fringe;
 - (d) any in-ground or above-ground swimming pool constructed in connection with any single detached dwelling, semi-detached dwelling, small-lot detached dwelling and duplex dwelling not within the defined Pretty River flood-fringe;
 - (e) any building or structure used in connection with agricultural uses, but excluding any ancillary commercial or industrial uses, nurseries or commercial greenhouses;
 - (f) any works undertaken by the Town or any local board of the Town;
 - (g) any conservation and forestry development;
 - (h) any signs or fences where they are not erected as part of a development;
 - (i) any building or structure which is not greater than 10 m².
5. Council adopts by reference the Town of Collingwood Urban Design Manual dated July, 2010, as it may be from time to time amended, and shall apply the standards set out therein to all development occurring within a site plan control area as designated under this By-law unless otherwise exempted, including without limitation, to assess, regulate and control the exterior design of buildings (including the character, scale, appearance and design features and sustainability features of the exterior design of buildings) and the sustainable design election on any adjoining highway (including trees, shrubs, hedges, plantings and other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle facilities). The Town of Collingwood Urban Design Manual shall be available for public inspection at the municipal offices of the Town of Collingwood during regular business hours.
 6. Where an agreement or undertaking is required as a condition of site plan approval, the Director of Planning Services, or in the Director's absence, the Senior Planner is authorized to prepare such agreement or undertaking in a form and content satisfactory to the Town's Solicitor.
 7. The Mayor and Clerk are authorized to execute any required agreement mentioned in Section 6.
 8. Council delegates to its Site Plan Development Committee authority to permit minor adjustments, that do not have the effect of substantially increasing the size or usability of any buildings or structures, to be made to any agreement or undertaking required as a condition of site plan approval.
 9. Unless otherwise determined by Council, the agreement or undertaking shall be registered on title against the land to which it applies at the applicable Land Registry Office, in accordance with the provisions of subsection 41(10) of the *Planning Act*.
 10. No building permit shall be issued for any development subject to this By-law until site plan approval has been obtained and, if imposed as a condition of approval, an agreement or undertaking, has been executed and registered on title in accordance with Section 9 of this By-law.
 11. Town of Collingwood By-law No. 2006-81 be hereby repealed.

12. This By-law shall come into force and have immediate effect upon the final passing thereof.

ENACTED AND PASSED this 19th day of July, 2010.



MAYOR



CLERK