

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW No. 2004 - 27**

**Being a By-law to designate areas as  
SITE PLAN CONTROL AREAS  
within the Municipality**

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**WHEREAS** the *Planning Act*, R.S.O. 1990, chapter P.13, Section 41, as amended, provides that where an area is shown or described as a Site Plan Control Area in an Official Plan, Council may by By-law, designate the whole or any part of the area as a Site Plan Control Area;

**AND WHEREAS** Section 8.2 of the Municipality of Magnetawan Official Plan designates the entire Municipality as a Site Plan Control Area and sets out general policies concerning Site Plan Control;

**AND WHEREAS** the Council of the Municipality of Magnetawan deems it expedient and advisable to impose Site Plan Control;

**AND WHEREAS** the Council of the Municipality of Magnetawan deems it advisable to delegate certain powers concerning Site Plan Control;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Magnetawan hereby enacts as follows:

1. That all of the lands situated within the corporate limits of the Corporation of the Municipality of Magnetawan are hereby designated as a Site Plan Control Area;
2. **Exemptions from Site Plan Control**  
Despite the provision of Section 1, the following are exempt from Site Plan Control:
  - 2.1 The development of a single detached dwelling house in any residential zone provided that development of the site has not been identified by the Municipality and/or its Public Works Administrator and/or Chief Building Official to be of concern or create problems, including but not limited to: storm water drainage; off street parking; fish or habitat; or
  - 2.2 Any lands specifically exempted by By-law;
3. **Approval of Plans**  
No person shall undertake any development on land designated as a Site Plan Control Area within the Municipality, unless the Corporation or, where the matter of Site Plan Control is the subject matter of hearing before the Ontario Municipal Board, the Board has approved one or both as the Corporation may determine, of the following:
  - 3.1 Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required by the Municipality;
  - 3.2 Drawings showing plan, elevation and cross-section views for each building to be erected which are sufficient to display:
    - 3.2.1 the massing and conceptual design of the proposed building;
    - 3.2.2 the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access; and
    - 3.2.3 the provisions of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;but which exclude the layout of interior areas, other than the interior walkways, stairs and escalators referred to in clause (3.2.3), the colour, texture and type of materials, window detail, construction detail, architectural detail and interior design.

4. **Delegation of Authority and Execution**

4.1 A committee is hereby established entitled the 'Site Plan Control Committee';

4.2 The Committee shall be composed of:

4.2.1 The Mayor or the Mayor's alternate;

4.2.2 The Clerk/Administrator; and

4.2.3 The Director of Public Works

4.3 The Committee shall be responsible for negotiating, subject to Council approval, all Development Proposals and Site Plan Agreements, having regard to Councils policies and direction;

4.4 The Committee is hereby specifically authorized to engage the Municipality's solicitor and/or the Municipality's Planning Consultant to negotiate Site Plan Agreements on behalf of the Committee.

5. **Severability**

Should any section, subsection, clause or paragraph of this By-law, be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part other than the section, subsection, clause or paragraph declared to be invalid.

6. **Effective Date**

This By-law shall come into force effect on the date of passing by the Council of the Corporation.

**Passed in open Council as read a First, Second and Third time,  
this 28<sup>th</sup> day of July, 2004.**

**The Corporation of the  
Municipality of Magnetawan**

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Sam Dunnett, *Mayor*

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Brenda J. Fraser, *Clerk/Administrator*