OFFICE CONSOLIDATION

This is a consolidation of the Town's by-law to designate a Site Plan Control Area and to delegate power under Section 41 of the Planning Act being By-law Number 2013-086 as amended by By-law 2020-73, 2021-38 and 2022-053. The following consolidation is an electronic reproduction made available for information purposes only and is not an official version of the by-law. Official versions of all by-laws can be obtained from the Town Clerk by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 2013-086, 2020-73, 2021-38 and 2022-053 the by-laws shall prevail.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. BL-2013-086

Being a by-law to designate a Site Plan Control Area and to delegate power under Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and repeal By-laws 2008-095, 2009-144 and 2010-106.

WHEREAS Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provides in part that, where in an official plan an area is shown or described as a proposed site plan control area, the Council of the local municipality in which the proposed area is situated may, by by-law, designate the whole or any part of such area as a site plan control area and may delegate to either a Committee of the Council or to an appointed officer of the municipality any of the Council's power or authority under that section;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Town of Caledon hereby enacts as follows:

1. For the purposes of this by-law:

   a) "development" means:

      i. the definition of Development referred to in Subsection (1) of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended; and,

      ii. within the Oak Ridges Moraine Conservation Plan area the establishment or amending of a swimming pool, parking area, entrance, driveway, septic system and site alteration or grading changes.

   [Subsection 1 a) ii. amended, By-law 2020-73 effective September 29/20]

   b) "accessory" in reference to a building or structure means a detached building or structure that is incidental, subordinate and exclusively devoted to another building or structure.

   c) "Chief Planner" means the Chief Planner of Planning and Development Services Division or the individual acting in that capacity.

   [Subsection 1 c) replaced, By-law 2020-73 effective September 29/20]

   d) "Manager" means the Manager of Development Review Services or the individual acting in that capacity.

   [Subsection 1 d) amended, By-law 2020-73 effective September 29/20]

2. All lands within the limits of the Town of Caledon shall be and are hereby designated as a site plan control area.

3. The following classes of development may be undertaken without the approval of plans and drawings otherwise required under Subsections 4 and 5 of Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended:

   a) any single-detached, semi-detached or townhouse dwelling;

   b) any addition or alteration to an existing single-detached, semi-detached or townhouse dwelling;

   c) any building or structure accessory to an existing single-detached, semi-detached or townhouse dwelling;

d) any in-ground or above-ground swimming pool constructed in connection with any single-detached, semi-detached, or townhouse dwelling;

e) any entrance, driveway, site alteration/grading, and septic systems in connection with any single-detached, semi-detached, or townhouse dwelling;

[Subsection 3 f) amended, By-law 2021-38 effective April 27/21]

f) any building or structure used in connection with an agricultural operation, excluding any building or structure that is used or is to be used for a commercial or industrial purpose, indoor cannabis related use or industrial hemp related use, and excluding nurseries and commercial greenhouses;

g) a building or structure or an addition or alteration to a building or structure that is owned or to be owned or used or to be used by The Corporation of the Town of Caledon

i. Except the recreational facility on lands described as Part Lots 11 & 12, Concession 2 (Albion), in the Town of Caledon, Regional Municipality of Peel

ii. Except the Ontario Provincial Police Detachment to be constructed on lands described as Part Lot 20, Concession 1 (Albion), in the Town of Caledon, Regional Municipality of Peel.

h) any conservation or forestry development;

i) any cemetery;

j) any pit or quarry excavation;

k) the placement of a portable classroom on a school site.

[Subsection 4 a) amended, By-law 2022-053 effective June 28/22]

4. a) The power and authority to approve plans and drawings under Subsections 4 and 5 of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, including matters relating to exterior design as identified in 41(4)(2)(d), matters relating to exterior access as identified in 41(4)(2)(d.1) and the sustainable design elements on any adjoining highway as identified in 41(4)(2)(e) is hereby delegated to the Chief Planner.

[Subsection 4 b) amended, By-law 2020-73 effective September 29/20]

b) The power and authority to require and execute a Letter of Undertaking being an agreement or agreement as contemplated by Subsection 41(7)(c) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended is hereby delegated to the Chief Planner.

[Subsection 4 c) amended, By-law 2020-73 effective September 29/20]

c) The power to revoke any approval of plans and drawings is hereby delegated to the Chief Planner, who may revoke such approval where:

i. The approval has been granted on mistaken or false or incorrect information;

ii. The approval has been granted in error;

iii. The applicant for the approval has requested in writing that it be revoked; or,

iv. Two (2) years after the approval has been granted, the development in respect of which the approval has been granted has not been seriously commenced in the reasonable opinion of the Chief Planner.

[Subsection 4 d) amended, By-law 2020-73 effective September 29/20]

d) Subject to Subsection 3g) of this by-law, where a government or other public body proposes to:

i. Construct, erect or place an accessory building or an accessory structure on land that it owns or occupies; or

ii. Make an addition or alteration to a building or structure on land that it owns or occupies;

That Manager may waive:

i. The requirement referred to in Paragraph 2 of Subsection (4) of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, for drawings showing plan, elevation and cross-section view of such building or structure or such addition or alteration; and/or

ii. Any or all of the requirements referred to in Subsection (7) of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

[Section 5 amended, By-law 2020-73 effective September 29/20]

[Section 5 further amended by By-law 2021-38 effective April 27/21]

5. Subsections 3a) to k) of this by-law shall not apply, where the Committee of Adjustment has imposed a condition requiring site plan approval for the property, or where, at the discretion of the Director or the Manager, development is proposed:

   a) On a corner lot;

   b) On a property within a plan of subdivision where the subdivision agreement includes a clause requiring site plan approval for the property;

   c) On a property where the zoning by-law includes a standard requiring site plan approval for the property;

   d) All freehold and leasehold plans of condominium;

   e) On a property within the Oak Ridges Moraine Conservation Plan Area that is zoned Environmental Policy Area 1 (EPA1) or Environmental Policy Area 2 (EPA2) or within 90 metres of such zones.

6. By-law Nos. 2008-095, 2009-144 and 2010-106 shall be and are hereby repealed.

READ THREE TIMES AND FINALLY
PASSED IN OPEN COUNCIL
THIS 3rd DAY OF SEPTEMBER, 2013.

"Marolyn Morrison"
Marolyn Morrison, Mayor

"Carey deGorter"
Carey deGorter, Clerk