



The Corporation of
THE TOWNSHIP OF JOHNSON

By-Law 2021-992

THE CORPORATION OF THE MUNICIPALITY OF JOHNSON

Being a By-law to provide for the ability to utilize Site Plan Control Agreements in the development of certain lands.

WHEREAS the Official Plan of the Corporation of the Municipality of Johnson was approved by the Minister of Municipal Affairs on November 6th 2009;

AND WHEREAS Council for the Corporation of the Municipality of Johnson established Site Plan Control policies through the By-Law 2007-559;

AND WHEREAS Section 41(2) and 41(3) of The Planning Act, R.S.O 1990 c. P. 13, as amended provides 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 may designate the whole or any part of such area as a Site Plan Control area and further that Site Plan Control areas may be designated on the basis of their zone category and/or use as defined in the Municipality's Comprehensive Zoning By-law, and may require a Site Plan Agreement;

AND WHEREAS Site Plan Control relates to the development on the land;

AND WHEREAS Zoning relates to the compatibility of a certain construction and development in relation to the permitted uses in a Zone;

AND WHEREAS Council deems it advisable in some instance to request a Site Plan Control Agreement in order to address the construction and development of a specific property that may not be able to be fully addressed in the Official Plan and/or Zoning By-Law.

NOW THEREFORE the Council for the Corporation of the Municipality of Johnson hereby deems any of the lands within the limits of Johnson Township planning control area may be subject to a Site Plan Agreement;

AND NOW THEREFORE enacts as follows:

1. Definitions

- (a) **"Council"** means the Council for the Corporation of the Municipality of Johnson.
- (b) **"development"** means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out of sites for the location of three or more mobile homes as defined in subsection 46 (1) of the Planning Act, R.S.O 1990 c. P. 13 or of the laying out of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Planning Act, R.S.O 1990 c. P. 13, s. 41 (1) 1994, c.4, s. 14.
- (c) **"person"** means an individual, association, firm, partnership, corporation, trust, incorporated company, or other legal representatives of a person to whom the same can apply according to law.
- (d) **"Municipality"** means the Corporation of the Municipality of Johnson.

(e) "zoning by-law" means the current comprehensive Zoning By-law 91-219 as amended.

(f) "planning approval" means an approval on a planning or land use matter made under the authority of the Planning Act, R.S.O. 1990 c. P. 13.

2. Lands and Uses subject to Site Plan Control

2.1 All the Zones in By-law 91-219 are designated as Site Plan Control areas in accordance with Section 41 of the Planning Act, R.S.O. 1990 C.P. 13, as amended:

2.2 The following uses are exempt from Site Plan Control in any Zone where they may be located and where they are able to comply with the requirements of the Zoning By-Law, unless Council or the Committee of Adjustment requires site plan control as a condition of a planning approval and development:

- A temporary building for construction purposes
- Expansion or renovation to existing detached dwellings
- New development on a vacant lot
- Accessory buildings and structures to a dwelling
- Home occupations

2.3 The following uses are subject to Site Plan Control in any Zone where they may be located:

- (a) Kennels
- (b) Garden suites
- (c) Golf courses
- (d) Group Home

2.4 All development occurring by Plan of Subdivision or Plan of Condominium shall be subject to site plan control.

3. No person shall undertake any development in an area designated under Section 2, where a Site Plan Control Agreement is required, unless Council has approved its Site Plan and authorized the execution of a Site Plan Control agreement.

4. The Municipality shall waive the requirement for a Site Plan Control Agreement, when, in the Municipalities opinion, the extent and nature of the development does not warrant an agreement and such development is compatible and controlled through the Zoning By-Law.

5. Every person who is required to enter into a Site Plan Control Agreement under this by-law shall provide information on the development as authorized by Section 41 of The Planning Act and contained on a "Site Plan Control Application" form as may be approved by Council from time to time.

6. When a Site Plan Control Agreement is required, no building permit shall be issued for any development in the area designated until such time as an agreement has been approved by Council.

7. Any agreement executed in accordance with this By-law shall be registered on title at the expense of the landowner or proponent pursuant to Section 41 (10) of the Planning Act.

8. Every person who contravenes this by-law is guilty of an offence and on conviction is liable to a fine in accordance with the provisions of the Planning Act.

BY-LAW READ A FIRST, SECOND AND A THIRD TIME AND FINALLY PASSED
THIS 21ST DAY OF APRIL, 2021.

THE CORPORATION OF THE
MUNICIPALITY OF JOHNSON

Deputy MAYOR:  _____

Seal

CLERK: 