

**THE CORPORATION OF THE
TOWN OF PRESCOTT
BY-LAW NO. 06-2012**

Being a by-law to replace the existing site plan control by-laws with a new by-law to designate the whole of the Town of Prescott as a site plan control area

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

AND WHEREAS the Official Plan of the Town of Prescott identifies the entire area within the Town of Prescott and land uses which may be subject to Site Plan Control within the Municipality;

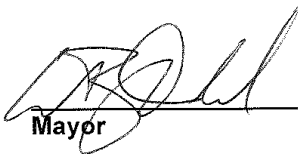
NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

This by-law shall be known and cited as the "Site Plan Control By-Law".

1. In this by-law,
 - (a) "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 and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 168(5) of the *Municipal Act, 2001*, as amended, or of sites for the location of three or more mobile homes as defined in subsection 46(1) of the *Planning Act* or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) the *Planning Act*, as amended;
2. The entirety of lands within the geographic limits of the Town of Prescott are hereby designated as a Site Plan Control Area pursuant to Section 41(2) of the *Planning Act*, as amended.
3. The following classes of development may be undertaken without the approval of plans and drawings otherwise required under Section 41(4) of the *Planning Act*, as amended:
 - a) A one or two-unit dwelling, including buildings and structures accessory thereto;
 - b) A public use, as defined in the applicable Comprehensive Zoning By-law, where Council has by resolution specifically exempted such use;
 - c) The making of an alteration to a building that has the effect of changing the use of the building provided the change in use does not result in a requirement under the applicable Zoning By-law for the provision of more than 4 additional parking spaces on the lot;
 - d) An addition to an existing building or structure provided that the addition, combined with any additions during the previous 12 months, is less than 50 m² in floor area;
 - e) An accessory building or structure not otherwise exempted in the foregoing, where such accessory building or structure is less than 50 m² in floor area.
 - f) A temporary building or structure used during construction of a permanent building or structure;
 - g) Agriculture, forestry or conservation buildings or structures, including buildings and structures accessory thereto;
4. No person shall undertake any development in the site plan control area designated under Section 2 hereof unless the Council of the Corporation of the Town of Prescott or the Ontario Municipal Board has approved plans, drawings, agreements and other matters referred to in Section 41(4) of the *Planning Act*, as amended.

5. Pursuant to Section 41(5) of the *Planning Act*, as amended, the Council of the Corporation of the Town of Prescott may require the submission of all plans and drawings required pursuant to Section 4 above for any development, including a residential building containing less than twenty-five dwelling units.
6. The Council of the Corporation of the Town of Prescott hereby delegates to the Clerk the power and authority to approve minor revisions or amendments to plans, drawings or agreements that have already been approved by Council, provided they conform to the provisions of the Zoning By-law, as amended.
7. Any deviation from any dimension shown on plans prepared pursuant to this By-law to a maximum of one metre shall be permitted provided such deviation does not result in a violation of any provision of any other by-law of the Town.
8. Any person who contravenes this By-law shall be guilty of an offence and upon conviction therefore shall be liable to a fine pursuant to the *Municipal Act*, as amended.
9. All existing site plan control by-laws, including By-law No. 1860 and By-law No. 52-82, and all amendments thereto, are hereby repealed.
10. This By-law shall come into force and effect on the date of its passing.

Read a first and second time this 16th day of April, 2012.

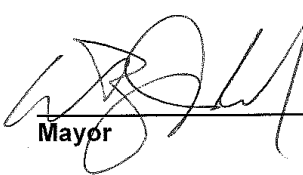


Mayor



Clerk

Read a third and final time and passed this 7th day of May, 2012.



Mayor



Clerk