

**The Corporation of the Town of Minto  
By-law Number 2023-020**

**Being a By-law to Establish a New Site Plan  
Control By-Law Within the Town of Minto**

**WHEREAS** Section 41 of the Planning Act, R.S.O 1990, as amended, provides that the Council of a local municipality may, where in an Official Plan an area is shown or described as a proposed Site Plan Control area, designate the whole or any part of such area as a Site Plan Control area;

**AND WHEREAS** the County of Wellington Official Plan identifies the whole of the County of Wellington as a proposed Site Plan Control area;


**AND WHEREAS** the Council of the Town of Minto may designate the whole or any part of such area as a Site Plan Control area and may define certain classes of development which may be undertaken without approval of plans under Section 31 (4) and Section 41 (5) of the Planning Act, R.S.O. 1990, as amended.


**NOW THEREFORE** the Council of the Corporation of the Town of Minto enacts as follows:

1. THAT all lands within the municipal boundaries of the Town of Minto are hereby designated as a Site Plan Control area.
2. THAT the owner/applicant, per subsection 41(3.1) of the Planning Act, R.S.O 1990, is required, by By-law, to enter into a formal Pre-Consultation Agreement with the Town of Minto, except where exempt via this By-law or where deemed unnecessary by the Director of Building and Planning Services.
3. THAT the Director of Building and Planning Services is delegated as being the appointed officer to approve Site Plan Control applications within the Town of Minto.
4. THAT in the absence of the Director of Building and Planning Services, the Planning Coordinator in conjunction with the CAO, is hereby granted authority for the approval of all Site Plan Control applications within the Town of Minto.
5. THAT the Mayor and Clerk are hereby authorized to sign all Site Plan Agreements and execute all other documents necessary to complete the actions associated with said Site Plan Agreements required by the municipality and to affix the seal of the corporation thereto.
6. THAT pursuant to Section 41 (13) of the Planning Act the following types of development are exempt from the provisions of Site Plan Control, more particularly described as follows:
  - (a) Buildings or structures for residential purposes on a parcel of land if that parcel of land contains no more than ten residential units;
  - (b) All buildings and structures accessory to residential uses;
  - (c) Agricultural buildings and structures used for agricultural purposes (i.e., barns, silos, equipment, storage sheds, and manure storage facilities) which do not consist of cannabis production and processing, agricultural-related uses and on-farm diversified uses;

- (d) Agricultural commercial, rural industrial and rural Institutional buildings and structures;
  - (e) Industrial, Institutional and Commercial structures and additions less than 3,000 ft<sup>2</sup> or for new structures less than 6,000 ft<sup>2</sup>
  - (f) Buildings or structures owned, constructed, or under the authority of the Town of Minto;
  - (g) All temporary buildings and structures, including temporary buildings and structures incidental to and necessary for construction work being carried on, only for said buildings and structures which are necessary for the construction work in process which has neither been finished nor abandoned;
  - (h) All licensed mineral aggregate resource operations under a license issued by the Province of Ontario;
  - (i) All buildings and structures for flood control or conservation purposes, constructed by or under the authority of a Conservation Authority;
  - (j) Portable classrooms on a school site of the Upper Grand District School Board or the Wellington Catholic District School Board.
7. THAT notwithstanding Section 6, Site Plan Control is required when necessary to establish lot grading and drainage, or where deemed necessary by the Director of Building and Planning Services.
8. THAT any agreement entered into may be registered on title against the land to which it applies, and the municipality is entitled to enforce the provisions thereof against the owner of the land and, subject to the provision of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
9. THAT Site Plan approval is valid for 12 months from the date of Director of Building and Planning Services approves the Site Plan.
10. THAT all By-laws or parts of By-laws passed pursuant to Section 41(2) of the *Planning Act* are hereby repealed.
11. THAT By-law No.09-07 and By-law 2022-80 are hereby repealed.
12. THAT this By-law shall come into force and takes effect on the date of its passing thereof.

Read a first, second, third time and passed in open Council this 21<sup>st</sup> day of March 2023.

  
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Dave Turton, Mayor

  
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Quinn Foerter, Deputy Clerk