

Corporation of the Town of Newmarket

By-law 2018-57

A By-law to establish a new Site Plan Control By-law for the Town of Newmarket and to repeal By-law No. 2010-41.

Whereas Section 41 (2) of the *Planning Act*, R.S.O. 1990, as amended, provides that where an Official Plan is in effect in a municipality, the Council of the municipality may by by-law designate the whole or any part of the area covered by the Official Plan as a Site Plan Control Area; and

Whereas the Town of Newmarket Official Plan contains a policy that designates all lands in the Town of Newmarket as a Site Plan Control Area; and

Whereas Council deems it advisable to pass a by-law to designate a site plan control area pursuant to Section 41 (2) of the *Planning Act*, R.S.O. 1990;

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That this By-law may be cited as the "Town of Newmarket Site Plan Control By-law".
2. That all of the lands situated within the municipal boundaries of the Town of Newmarket are hereby designated as a Site Plan Control Area pursuant to Section 41 of the *Planning Act* or any successor legislation thereto.
3. That the requirements of an application for site plan approval, and the site plan review process, be followed as set out in the Town of Newmarket Site Plan Approval Process Manual, as may be amended from time to time.
4. That, in order to ensure that the policies of the Town of Newmarket Official Plan are addressed, documents submitted in support of an application for site plan approval may be required to show all matters authorized by Section 41 (4) of the *Planning Act* or any successor legislation thereto.
5. That no person shall undertake development as defined by Section 41 (1) of the *Planning Act* or any successor legislation thereto, in the site plan control area unless Council or persons to whom authority has been delegated has approved the plans for the development.
6. That, where the owner is required by this by-law or by any agreement or undertaking entered into pursuant hereto, to do or ensure that any matter or thing be done and such person defaults in doing such matter or thing, the same may be done by the Town, and the expense of so doing may be recovered by action or in like manner as municipal taxes.
7. That every person who contravenes a provision of this by-law is guilty of an offence, and is liable to a fine as provided for in Section 67 (1) of the *Planning Act* or any successor legislation thereto.

8. That By-law 2010-41 for the Corporation of the Town of Newmarket is hereby repealed.

Enacted this 17th day of December, 2018.

John Taylor, Mayor

Kiran Saini, Acting Town Clerk