WHEREAS the Council of the City of Peterborough passed By-law 1985-211 to designate the whole of the City of Peterborough as a site plan control area;

AND WHEREAS the Council of the City of Peterborough passed By-laws 97-54 and 00-121 being by-laws under Section 41 of the Planning Act, R.S.O. 1990, as amended to exempt certain classes of development from site plan control and to delegate site plan approval authority;

NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

EXEMPT CLASSES OF DEVELOPMENT

1. The following classes of development shall be exempt from Site Plan Control:

   (a) Any residential development containing four (4) dwelling units or less, excepting a group home;

   (b) Any non-residential development, including any accessory building, with a building floor area less than 100 square metres;

   (c) Any industrial development, which consists of an expansion of an industrial building by up to 10% of the existing building floor area, to a maximum of 500 square metres, where the existing industrial building, prior to expansion, has a building floor area of greater than 1000 square metres;

   (d) Any agricultural development, including farm-related buildings or structures that are utilized in active farm operations.

SITE PLAN CONTROL

2. Notwithstanding the exemptions contained in paragraph 1, site plan control shall apply to any development:

   (a) Where site plan control is imposed as a condition of rezoning by Council;

   (b) Where site plan control is imposed as a condition of an approval by the Committee of Adjustment; or,

   (c) Situated on “Environmentally Sensitive Lands” as defined in the Official Plan, if required by the Director of Planning & Development Services or his/her designate; or

   (d) Where a dwelling unit is converted to an office or clinic use.
DESIGNATION OF AUTHORITY

3. Approval of site plans and elevation drawings for development, as required by Section 41 of the *Planning Act*, R.S.O. 1990, as amended, is hereby delegated to the Director of Planning & Development Services for the City of Peterborough or his/her designate as appointed by the Director of Planning & Development Services or the Chief Administrative Officer, save and except the following classes of development:

   (a) Non-residential development or mixed use development, having a building floor area greater than 2,500 square metres, except any such development which is located within Major Bennett Industrial Park or Peterborough Industrial Park;

   (b) Any residential development containing more than 50 dwelling units;

   (c) Any development where Site Plan Approval by Council is stipulated as a requirement of a rezoning application;

   (d) Any development of a group home where a rezoning is required.

MEANING OF DEVELOPMENT

4. For the purpose of this by-law “development” shall have the same meaning as that which is set out in Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

EXECUTION OF SITE PLAN AGREEMENTS

5. The Mayor and Clerk are hereby authorized to execute any Site Plan Agreement, which is required as a condition of Site Plan Approval.

EFFECTIVE DATE AND REPEAL

6. (a) This by-law comes into effect on the day it receives third reading.

   (b) By-laws 97-54 and 00-121 are repealed, effective the date this by-law comes into effect.

By-law read a first, second and third time this 6th day of June 2011.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) Kevin Arjoon, Deputy Clerk