

BY-LAW NUMBER 139, 1981
OF THE CORPORATION OF THE CITY OF CORNWALL

A BY-LAW TO DESIGNATE PARTS OF THE CITY OF
CORNWALL AS A SITE PLAN CONTROL AREA PURSUANT
TO SECTION 35 (a) OF THE PLANNING ACT

WHEREAS the Planning Act, R.S.O. 1970, Chapter 349, Section 35(a)

as amended provides that the Council of a Municipality which has an approved Official Plan may by by-law, designate the whole or part of the Municipality as a Site Plan Control Area, and provide that no person shall undertake any development in an area designated as a Site Plan Control Area unless certain plans and drawings are approved.

AND WHEREAS the City of Cornwall has an Official Plan approved by the Minister,

NOW, THEREFORE, the Council of the Corporation of the City of Cornwall enacts as follows:

1. For the purpose of this By-law
'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 useability thereof, or the laying out and establishment of a commercial parking lot.
'Municipality' shall mean the Corporation of the City of Cornwall.
2. No person shall undertake any development, and no Building permit or permits shall be issued for any development in an area designated as a Site Plan Control area unless the Council of the City of Cornwall or an appointed officer of the Municipality designated under Section 35(a)(10) of the Planning Act, R.S.O. 1970, Chapter 349 as amended, has approved the following:
 - a) Plans showing the location of all buildings and structures to be erected on the property and also illustrating the location of any facilities and works required under Section 3 hereto of this By-law.
 - b) Drawings showing plan, elevation and cross-section views for each industrial and commercial building to be erected and for each

139-1981 amended by:
044-2005
106-2005

*Amended
w/168-2004*

*Amended
w/173-2002*

*Amended
w/1064-2004*

residential building containing twenty-five or more dwelling units to be erected which are sufficient to display:

- (i) the massing and conceptual design of any proposed building or buildings;
- (ii) the relationship of the proposed building or buildings to adjacent buildings, streets, and exterior areas to which members of the public and vehicular traffic have access.

3. As a condition to the approval of any plans or drawings referred to in Section 2, hereto the Municipality may require that the owner provide, at no cost to the Municipality, any or all of the facilities, works or matters established in Section 35(a) (6) (a) (b) of the Planning Act, R.S.O. 1970, Chapter 349 and may require that the owner enter into an agreement with the Municipality dealing with the provision of any of those facilities, works or matters.

4. Any agreement referred to in Section 3 hereto shall be between the owner of the land and the City of Cornwall, shall be in registerable form, and, at the option of the Municipality any or all of such agreements shall be registered against the land to which it applies, all at the expense of the owner. The Mayor and City Clerk are hereby authorized to execute any agreement referred to in Section 3 hereto.

5. The submission of plans and drawings, the provision of required facilities and works, and the processing of applications for approval of plans and drawings shall be in accordance with the City of Cornwall Site Plan Submission and Application Procedures Manual, which may be amended from time to time.

6. The following areas and use zones in the City of Cornwall are hereby designated as Site Plan Control Areas:

- (a) All lands in zone 'Service Industrial' as per By-law 751-69 of the City of Cornwall;
- (b) All lands in zone 'Community Commercial' as per By-law 751-69 of the City of Cornwall;
- (c) All lands in zone 'Manufacturing 20' as per By-law 751-69 of the City of Cornwall;
- (d) Block I, Registered Plan 321;
- (e) Parts 1, 2 and 17 Reference Plan 52R-93, known as Parts of Blocks B and D, Registered Plan 315;
- (f) Lots 76, 77, 78 and 79 Registered Plan 240;

(g) The West half of Lot 12, Concession 3, lying North of Tollgate Road, East of Brookdale Avenue and South of the C.N.R. line;

(h) Hotel development adjoining the Cornwall Civic Complex, on lands commonly known as the Cornwall Canal lands;

(i) The westerly 5 feet of Block 1, Block 2, and Block 3 Reference Plan 52R-1342.

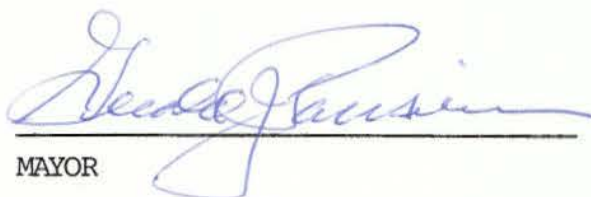
7. The provisions of this By-law shall not apply to the following uses of land:

(a) (i) Residential buildings containing four or less family dwelling units and accessory buildings or structures thereto, in any residential zone.

8. The provision of Section 469 of the Municipal Act, R.S.O. 1970, Chapter 284 as amended shall apply to any approval or agreement authorized by the Council of the Corporation of the City of Cornwall or its delegate pursuant to this By-law and the said Section 35(a) of the Planning Act.

9. Any person who contravenes any of the provisions of this By-law shall be subject to the fines as provided for in By-law 110 of 1977 of the Corporation of the City of Cornwall, known as the City of Cornwall Fines By-law.

READ a First, Second and Third Time, PASSED, SIGNED and SEALED in Open Council this 13th day of July , 1981.


MAYOR


CLERK DEPUTY CLERK