

THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE

**BY-LAW NUMBER 2025-011**  
**As amended by By-law 2025-019**

being a by-law to establish a Site Plan  
Control By-law for the Township of Southgate

**Whereas** Subsection 41(2) of the *Planning Act*, R.S.O. 1990, c. P.13, 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** there is an Official Plan in effect in the Township of Southgate that pertains to certain lands within its municipal boundaries; and

**Whereas** Section 10.7 of the Township of Southgate Official Plan designates all lands in the Township of Southgate as a Site Plan Control Area,

**Now therefore be it resolved that** the Council of the Corporation of the Township of Southgate enacts as follows:

1. (a) This By-law applies to all lands within the geographic limits of the Township of Southgate, which together are designated as the Site Plan Control Area, and all classes of development save and except those classes exempted under clause 5 of this By-law.
- (b) All lands designated Hazard Lands, Inland Lakes, Space Extensive Industrial/Commercial, Rural, Agricultural, Urban Community, Village Community and Major Open Space in the Township Official Plan shall be designated as a Site Plan Control Area pursuant to Section 41 of the *Planning Act* or any successor legislation thereto, subject to exceptions in (c) below.
- (c) The following uses shall be subject to Site Plan Control when located in the Hazard Lands, Inland Lakes, Space Extensive Industrial/Commercial, Rural, Agricultural, Urban Community, Village Community and Major Open Space designations of the Township Official Plan:
  - (i) Bed and Breakfast accommodation; and
  - (ii) Community service/public uses.
2. No person shall undertake any development within a Site Plan Control Area unless the Council of the Township or any person delegated authority to do so by Council or the Ontario Land Tribunal has approved plans or drawings in accordance with Subsection 41(7) of the *Planning Act*.
3. For the purposes of this By-law, "development" shall mean development as defined in Subsection 41(1) of the *Planning Act*.
4. For the purposes of this By-law, a dog run associated with a commercial kennel shall be considered development as defined in Subsection 41(1) of the *Planning Act*.
5. In accordance with the provisions of clause 1 of this By-law, the following

classes of development are not subject to Site Plan Control and may be undertaken without the approval of the plans and drawings referred to in Subsection 41(7) of the *Planning Act*:

- (a) any single detached dwelling, semi-detached or duplex dwelling, triples, fourplex or concerted dwelling containing a maximum of four units;
- (b) any alteration or addition to any existing single detached dwelling, semi-detached dwelling or duplex dwelling, triplex, fourplex or converted dwelling containing a maximum of four units;
- (c) any building accessory to any single detached dwelling, semi-detached dwelling, duplex dwelling use or townhouse on its own private lot including an Additional Residential Unit;
- (d) any in-ground or above-ground swimming pool constructed in connection with any single detached dwelling, semi-detached or duplex dwelling, triples, fourplex or converted dwelling containing a maximum of four units;
- (e) any building or structure used in connection with agricultural uses, but excluding any agriculturally related uses, on farm diversified uses, cannabis production facilities, cannabis retail facilities or ancillary commercial or industrial uses, nurseries or commercial greenhouses;
- (f) any works undertaken by the Township or any local board of the Township, County of Grey or any board of the County, School Board or Provincial/Federal Government agency;
- (g) any conservation and forestry development;
- (h) any signs or fences where they are not erected as part of a development;
- (i) The construction, erection or placing of a building or structure for residential purposes on a parcel of land if that parcel of land will contain no more than 10 residential units unless otherwise amended by the *Planning Act*;
- (j) Any building or structure erected within a development as defined in Section 3 of this By-law which is not greater than 15 m<sup>2</sup> or any addition to an existing building or structure that does not increase the floor area of the existing building or structure by more than ten percent (10%); or
- (k) Placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007, unless otherwise amended by the *Planning Act*.

**6.** Notwithstanding clause 5 (i) above, Site Plan Control will apply to buildings or multiple dwellings containing ten (10) dwelling units or less under the following circumstances, unless otherwise amended by the *Planning Act*:

- (a) Where any portion of the land where the building or

dwelling is within 120 metres of a wetland, lake or river (including creeks and streams); or

- (b) Where any portion of the land where the building or dwelling is located within 300 metres of a railway line including active, heavy rail, but does not include light rail or decommissioned or abandoned railway lines.
- 7** (a) Notwithstanding clause 1 through 6 (inclusive) above, the Council of the Township of Southgate shall, at their discretion, determine when Site Plan Control shall be applied subject to the dispute resolution provisions contained within Section 41(4.2) of the *Planning Act*.
- (b) Notwithstanding clause 1 through 6 (inclusive) above, the Committee of Adjustment may require Site Plan Approval as a reasonable condition of a decision of the Committee to approve an application.
- 8.** Where an Agreement, amendment to an agreement or undertaking is required as a condition of Site Plan Approval, the Clerk is authorized to prepare such Agreement or undertaking in a form and content satisfactory to the Township's solicitor.
- 9.** The Mayor and Clerk are authorized to execute any required Agreement or amendment to an agreement mentioned in clause 8 of this By-law.
- 10.** (a) Council delegates to the Planning Committee, if a committee has been established, authority to permit amendments that do not have the effect of substantially increasing the size or usability of any buildings or structures to be made to any Agreement or undertaking, required as a condition of Site Plan Approval.
- (b) Staff are delegated authority to permit amendments to Site Plan Agreements and conditions, when Council has approved the appropriate Delegation By-law.
- 11.** Unless otherwise determined by Council or Staff, the Agreement or undertaking required from clause 8 of this By-law shall be registered on title against the land to which it applies, at the applicable Land Registry Office, in accordance with the provisions of Subsection 41(10) of the *Planning Act*.
- 12.** No building permit shall be issued for any development subject to this By-law until Site Plan Approval has been obtained and if imposed as a condition of approval, an Agreement or undertaking has been executed and registered on title in accordance with clauses 8 and 11 of this By-law.
- 13.** By-law 2021-111 is hereby repealed.
- 14.** This By-law shall come into force and have immediate effect, upon the final passing thereof.

**Read a first, second and third time and finally passed this 5<sup>th</sup> day of February, 2025.**

***Original Signed By***

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Brian Milne - Mayor

***Original Signed By***

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Holly Malynyk - Deputy Clerk