

# The Corporation of the City of Richmond Hill

## By-law 38-25

A By-law to establish a Site Plan Control Area, define development that may not be undertaken without the approval of plans and drawings and to appoint an authorized person in relation to approvals pursuant to Section 41 of the *Planning Act* within the City of Richmond Hill

Whereas pursuant to subsection 41(2) of the *Planning Act*, the Council of a municipality may, by by-law, designate the whole or any part of the lands within the municipality as a Site Plan Control Area, where in its Official Plan the area is shown or described as a proposed Site Plan Control Area;

Whereas the Corporation of the City of Richmond Hill (the "Corporation") has designated all the lands within the City of Richmond Hill as a proposed Site Plan Control Area in the Corporation's Official Plan;

Whereas pursuant to subsection 41(4.0.1) of the *Planning Act* a council that has passed a by-law pursuant to subsection 41(2) of the *Planning Act* shall appoint an officer, employee or agent of the municipality as an authorized person for the purpose of providing approval of plans and drawings pursuant to subsection 41(4) of the *Planning Act*; and

Whereas pursuant to subsection 41(13) of the *Planning Act*, where Council of the Corporation has designated a Site Plan Control Area, Council may define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required pursuant to subsections 41(4) and 41(5) of the *Planning Act*.

Now therefore the Council of the Corporation enacts as follows:

### PART 1 - INTERPRETATION

#### 1.1 Definitions

In this By-law:

- (a) "**Applicant**" means any Person who has submitted or who intends to submit a Site Plan Application;
- (b) "**City**" means the City of Richmond Hill in the Regional Municipality of York;
- (c) "**Commissioner**" means the Commissioner of Planning and Building Services for the City, or any successor to that position, and his or her designate;
- (d) "**Corporation**" means the Corporation of the City of Richmond Hill;
- (e) "**Council**" means the Council of the City;
- (f) "**Development**" means development as defined in Section 41 of the *Planning Act*;
- (g) "**Person**" means any individual, association, proprietorship, partnership, syndicate, company, firm, business, authorized agent, trustee and their heirs, executors or other legal representatives, or any combination thereof;
- (h) "**Planning Act**" means the *Planning Act*, R.S.O. 1990, c.P.13;
- (i) "**Region**" means the Regional Municipality of York;
- (j) "**Site Plan Agreement**" means an agreement setting out the conditions of a Site Plan Approval entered into between the Corporation, if applicable, the Regional Municipality of York, and any Applicant who has received Site Plan Approval;

- (k) **"Site Plan Application"** means an application for approval by the Corporation of plans and drawings for a development under Section 41 of the *Planning Act* or for an amendment to a Site Plan Approval;
- (l) **"Site Plan Approval"** means approval of a Site Plan Application granted by the Commissioner pursuant to the provisions of this By-law;
- (m) **"Site Plan Control Area"** means an area designated pursuant to Section 41 of the *Planning Act*; and,
- (n) **"Tariff of Fees By-law"** means the Corporation's by-law that, among other things, establishes a tariff of fees for the processing of applications made in respect of planning matters.

## 1.2 Statutory- by-law references

Any reference to any act or statute of the Government of Canada or the Province of Ontario, or a by-law of this or any other municipality, shall include a reference to any regulations made thereunder, as well as to any act, statute or by-law that has the effect of amending or superseding such act, statute or by-law.

## PART 2 - DEVELOPMENT SUBJECT TO SITE PLAN CONTROL

### 2.1 Designation of Site Plan Control Area

All the lands within the municipal boundaries of the City as depicted on Schedule "A" hereto are hereby designated as a Site Plan Control Area.

### 2.2 Development Requiring Site Plan Control

Within the Site Plan Control Area as identified in Section 2.1, no person shall undertake the following Development without Site Plan Approval:

- (a) commercial, industrial, or institutional Development not related to agricultural or farming operations;
- (b) mixed-use (residential/commercial) Development;
- (c) medium or high density residential Development proposing more than 10 units;
- (d) Development undertaken by the Corporation or the Region in relation to buildings, structures, facilities or systems to be used, operated and maintained by the Corporation or the Region for the purpose of providing services that the Corporation or the Region has jurisdiction to provide to the public including, but not limited to, community centres, arenas, operations centres, libraries, civic centres and waste management or disposal facilities;
- (e) all Development on parcels of land abutting the railway as depicted on Schedule "B" to this By-law; and,
- (f) all Development located within 120 metres of a shoreline as depicted on Schedule "C" to this By-law.

## **PART 3 - ADMINISTRATION**

### **3.1 Appointment of Commissioner as Authorized Person**

Pursuant to subsection 41(4.0.1) of the *Planning Act*, the Commissioner is hereby designated as an authorized person for the purposes of subsection 41(4) of the *Planning Act*.

### **3.2 Pre-Application Consultation**

In accordance with subsection 41(3.1) of the *Planning Act*, Applicants are permitted to consult with the Corporation before submitting a Site Plan Application. Any person intending on submitting a Site Plan Application is encouraged to attend a pre-consultation meeting with Corporation staff as well as staff from any other government body, public authority, and/or external agency as deemed appropriate by the Commissioner.

### **3.3 Site Plan Application Requirements**

An Applicant for Site Plan Approval shall submit the following documentation to the Commissioner:

- (a) a completed application form as prescribed by the Commissioner;
- (b) plans and drawings pursuant to Section 41 of the *Planning Act* and the Corporation's Official Plan in sufficient detail, as determined in the Commissioner's sole discretion, to enable the Commissioner to grant or refuse to grant Site Plan Approval; and
- (c) the requisite fees applicable to the Development described in the Site Plan Application as set out in the Tariff of Fees By-law.

### **3.4 Site Plan Approval - granted - refused**

Upon receipt of all documentation and fees required pursuant to Section 3.3 of this By-law, the Commissioner shall review the Site Plan Application and grant or refuse to grant Site Plan Approval. For greater certainty, no Person shall undertake any Development where Site Plan Approval is required pursuant to this By-law, unless the Commissioner has granted Site Plan Approval or unless the Site Plan Application has been referred to the Ontario Land Tribunal (or any successor tribunal or adjudicative body) and the Ontario Land Tribunal has made a determination that the Development may proceed.

### **3.5 Site Plan Agreement**

The Commissioner may require an Applicant to enter into a Site Plan Agreement with the Corporation detailing the conditions of the Site Plan Approval, including the posting of securities in such amount as the Commissioner deems necessary to ensure the provision and maintenance of the works, services and facilities shown in the plans and drawings submitted in the Site Plan Application.

### **3.6 Expiry - Extension of Site Plan Approvals**

Site Plan Approval shall expire three (3) years from the date of issuance by the Commissioner unless, prior to the expiration of three (3) years, a building permit has been issued by the Corporation's Chief Building Official for the Development described in the Site Plan Approval. The Commissioner may, in the Commissioner's sole discretion, upon receipt of a written request from an Applicant who has been granted Site Plan Approval, grant an extension of a Site Plan Approval for a period of up to three (3) years, provided that such request for an extension of Site Plan Approval is received prior to the expiry of the original Site Plan Approval.

**3.7 Mayor - Clerk- Agreement - Execution**

The Mayor and Clerk shall execute any Site Plan Agreement, or any amendment or extension thereto, to be entered into on behalf of the Corporation pursuant to this By-law upon the recommendation of the Commissioner.

**PART 4 - MISCELLANEOUS**

**4.1 Severability**

In the event that any particular provision or part of a provision of this By-law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or provisions or part of the provision shall be deemed to be severed from the remainder of this By-law and all other provisions shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

**4.2 Attachments**

Schedules "A", "B" and "C" attached hereto form part of this By-law.

**4.3 Effective Date**

This By-law comes into force and effect on April 9, 2025.

**4.4 Repeal**

By-law 76-23 and all amendments thereto are hereby repealed.

Passed this 9th day of April, 2025.

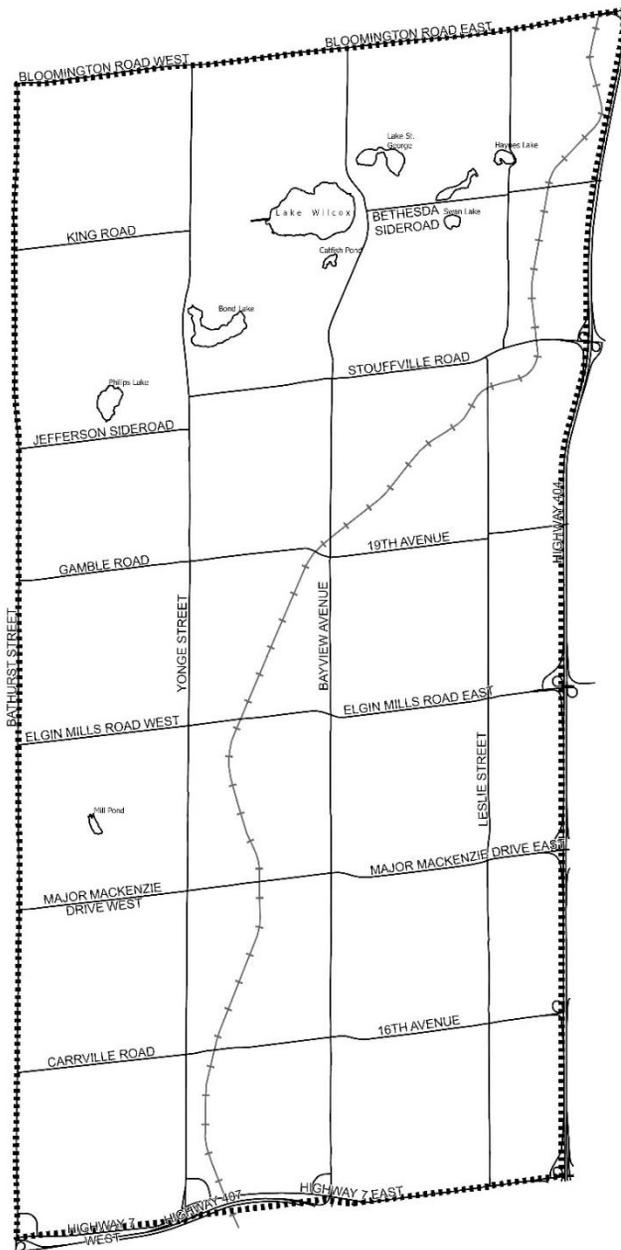
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David West  
Mayor

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Stephen M.A. Huycke  
City Clerk

The Corporation of the City of Richmond Hill  
By-law 38-25



**Schedule " A "**  
TO BY-LAW NO. 38-25

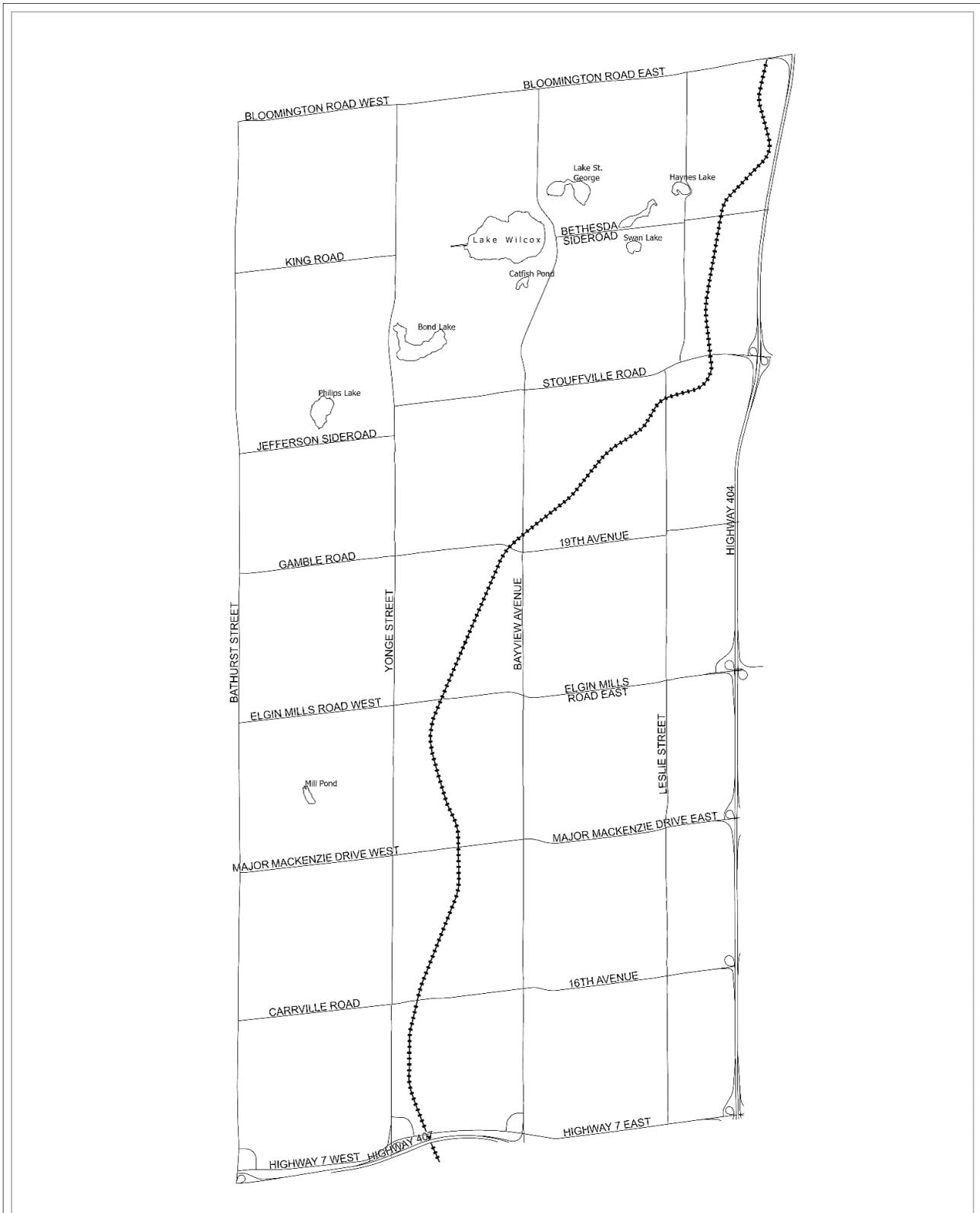
This is Schedule " A " to By-Law  
38-25 passed by the Council  
of the Corporation of the  
City of Richmond Hill on the  
9th of April, 2025

 AREA SUBJECT TO THIS BY-LAW

\_\_\_\_\_  
David West  
Mayor

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Stephen M.A. Huycke  
City Clerk

The Corporation of the City of Richmond Hill  
By-law 38-25



**Schedule " B "**  
TO BY-LAW NO. 38-25

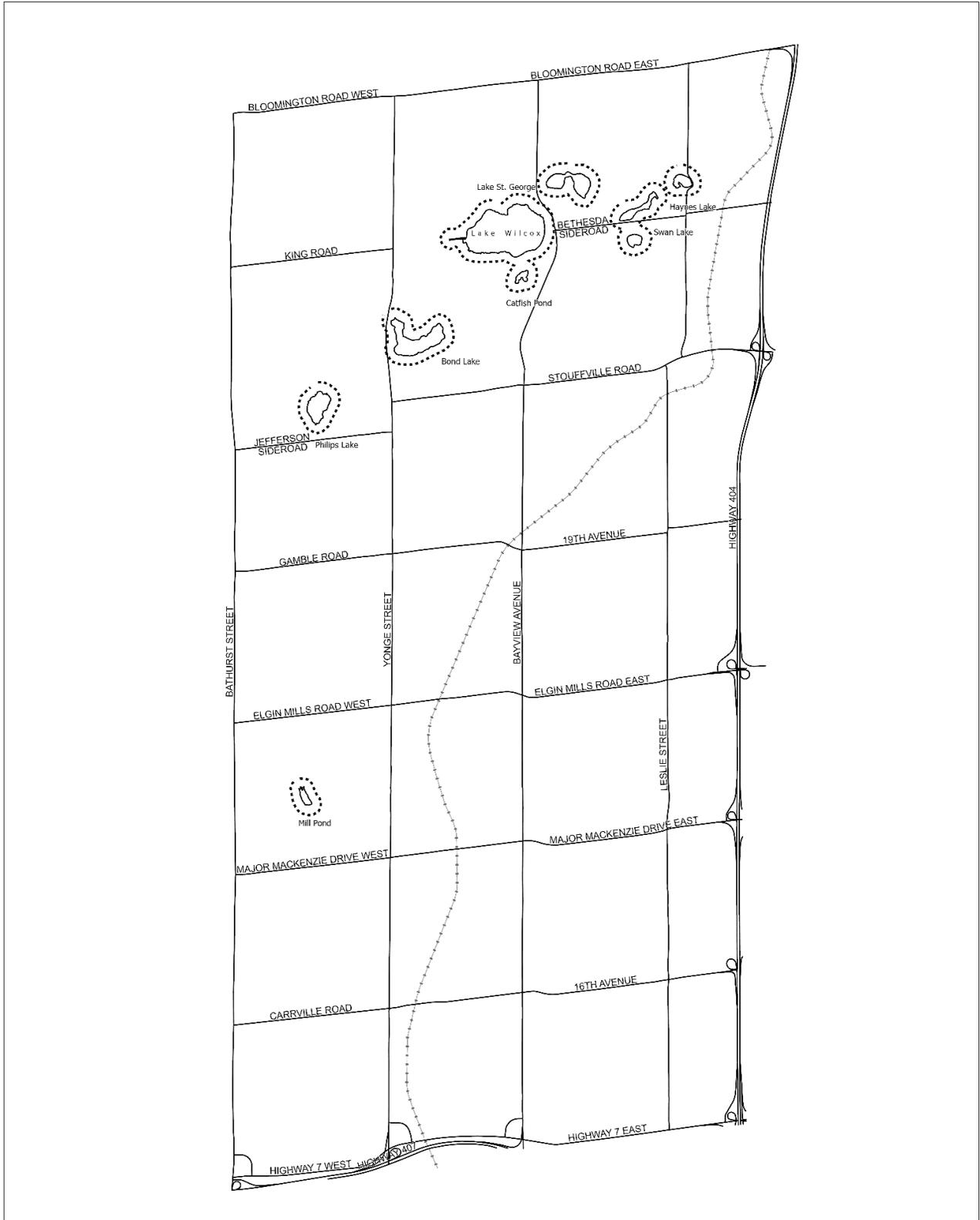
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\_\_\_\_\_  
David West  
Mayor

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Stephen M.A. Huycke  
City Clerk

The Corporation of the City of Richmond Hill  
By-law 38-25



**Schedule " C "**  
TO BY-LAW NO. 38-25

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38-25 passed by the Council  
of the Corporation of the  
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David West  
Mayor

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