

A GUIDE TO SITE PLAN APPROVAL



Infrastructure and Planning Department

June 2018

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1.0 Introduction

This document is intended to provide guidelines for the public, property owners, builders and the municipality that will assist in the preparation, submission, review, and approval of new developments in the City of Clarence-Rockland.

The City uses Site Plan Approval to address and resolve design matters related to the proper development of any site. Site Plan Approval works in conjunction with other approvals such as Zoning or Building Permit approval to provide for well-designed and functional sites.

Site Plan Approval is a site-specific type of development control authorized under Section 41 of the *Planning Act*. The Site Plan By-law of the City of Clarence-Rockland was approved by Council on January 21st, 2013 (currently under review) to establish Site Plan Control within the City. Site Plan Control requires that certain plans and studies be reviewed and approved by the municipality for any development that is subject to Site Plan Approval. Once plans and studies are approved, a Site Plan Agreement is executed. The agreement contractually binds the owner to develop a site in accordance with the approved plans and the terms of the Agreement.

These guidelines are provided to assist a proponent to understand the City's requirements and the types of issues that will be reviewed for approval.

Site Plan Agreements, along with other building regulations, are designed to protect the interests of all parties: the public, the City, the owner and the builder.

NOTE: The following guidelines do not exempt the developer from complying with any City By-law and should, in fact, be used in conjunction with such By-laws.

Site Plan Control generally applies to a site design and layout for all construction, development and re-development within the boundaries of the City of Clarence-Rockland.

NOTE: The applicant should verify with a City planner to specifically determine whether a proposal is subject to Site Plan Approval.

2.0 The Site Plan Process

2.1 Major Steps

2.1.1 Pre-Consultation with the City's Planning Staff through the Development Review Team

Applicants are advised to request a pre-consultation with the Planning Division staff, prior to the submission of the application, to gain preliminary planning review and direction. An application form must be submitted to the City in order to schedule a meeting with the Development Review Team. It is recommended that planning and engineering consultants be invited to this meeting.

The Development Review Team includes staff from the Infrastructure and Planning Department as well as staff from other City departments and agencies. The Review Team meets every two weeks. The goals of the Review Team are to:

- Identify issues influencing design considerations at an early stage;
- Help property owners identify the physical opportunities and constraints of their property;
- Provide guidance for the most effective use of the property to meet the functional needs of the owner;
- Ensure compatibility of the development with neighbouring properties;
- Determine requirements (plans, studies, etc.) from City departments and agencies; and
- Provide a forum for sharing information and achieving a resolution to site planning issues.

The submission of a preliminary site layout is required one week prior to the Review Team meeting date in order to allow time for the members of the Committee to review the plan(s). It is highly recommended that detailed engineering plans not be completed before the Review Team meeting.

Plans submitted to the Development Review Team for pre-consultation should include the following:

- location (lot lines, main intersection),

- lot area,
- proposed use(s),
- all existing and proposed buildings and structures,
- loading spaces and parking spaces and layout (including number of accessible spaces),
- building area (gross floor area),
- number of units, number of storeys,
- natural features affecting the site,
- landscaped areas and proposed features,
- proposed access/driveways,
- preliminary proposed servicing details (sanitary, water, storm),
building elevation drawings may also be submitted, if available.

Some minor Site Plan applications and amendments to existing Site Plan Agreements may be exempt from the requirement for a pre-consultation with the Development Review Team. In this case, a pre-consultation meeting will be scheduled with a City planner.

2.1.2 Submit a completed Site Plan Approval application

The applicant submits a completed application with the list of requirements set out by the Review Team. This includes a cover letter, a site plan, a landscape design, drainage, servicing and engineering design plans. Other reports or studies may also be required; the list of requirements is determined by the Review Team at the time of the pre-consultation meeting and will be sent to the applicant by email along with the meeting minutes. Please note that, although every effort is made to identify necessary documents during the Review Team meeting, additional documents or plans may be requested following a review of the Site Plan Approval application which was not anticipated during the Review Team meeting.

The application will be reviewed for compliance with the applicable regulations of the City's Zoning by-law and circulated to the necessary City departments and external agencies. You can refer to Section 2.2 of this document to get a better understanding of which departments and agencies are involved in the site plan review process and what their roles are. The outcome of the circulation may result in a list of requirements to complete the approval. The planner responsible for the file will send a letter or email

to the applicant with a list of all of the comments received and what the next steps are required. These requirements are specific to each property and may include, but are not limited to, items such as a tree conservation report, a cost estimate, a site evaluation report, traffic study, dedication of land for road widening or park, storm water management plans, noise impact analysis and special site-specific requirements. Revisions and alterations to the plans and/or reports may also be required at this stage.

Once the second submission has been received by the City, the plans and reports may need to be re-circulated to the relevant City departments and external agencies that submitted comments on the first submission.

Depending on the complexity of the application and the supporting technical reports, the City may require that an independent peer review of the reports be undertaken at the expense of the owner.

Once the review of the second submission is complete, the planner responsible for the file will again send a letter or email to the applicant outlining the next steps to the process. If no resubmission is necessary, a timeline will be presented to the applicant for final approval and preparation of the agreement.

2.1.2.1 Application fees

Application fees:

- Residential
\$140.00 / dwelling unit (*Minimum of \$1,000.00*)
- Commercial, Industrial, Institutional and other non-residential proposal
\$1,000.00 Less than 5000 square feet

\$1,500 5000 square feet and up
- Mixed use
\$1,000 + \$140.00 per residential unit
- Minor Amendment to an existing registered Site Plan Agreement
\$550.00

- Creation of/or addition to private parking area
\$550.00

Engineering fees:

- City Engineering Fee
\$550.00 + \$1000 deposit that will be deducted from the Engineering fees at the time of the signature of the agreement

2.2.2.2 General Site Plan Requirements

A complete site plan application, accompanied by the required supporting documents and processing fee shall be submitted to the Infrastructure and Planning Department.

Site plans must be prepared by a qualified person to ensure that the information is clear, accurate and in compliance with the City's requirements and engineering standards.

The owner/agent is required to submit the following:

- Two (2) recent copies of the location plan or reference plan
- One (1) copy of the registration document (deed)
- Four (4) copies (full size folded) and twenty (20) copies (11" X 17" format folded) of the preliminary version of the "general plan" depicting the proposed improvements (landscaping, parking, lighting, and other), elevations, surface water drainage, and municipal services hook-up. (Where the plan contains an excess of information, provide attachments to the "general plan.")
- Electronic copy (PDF) of each submission
- Fees as listed under section 3.1.

All plans submitted shall be legible and include the following general information:

1. Title block and revision block to include:
 - a. Identification of the proposed use of the site
 - b. Name and address of firm submitting the site plan
 - c. Name and seal of the professional submitting the plan

- d. Name of applicant
- e. Municipal address and legal description
- f. Date prepared and all revision dates
- 2. Legend
- 3. Metric scale
- 4. Key plan indicating general location of the development with respect to the City's street network
- 5. North arrow.

For detailed engineering requirements, please refer to the City's Engineering Standards document.

2.1.3 Finalize the Approval

All Site plans located in the core area of Rockland are submitted to the Planning Committee and Council for conditional approval. These meetings are open to the public and residents will have a chance to comment on the proposal. A sign will be posted on the site by a private company, informing the public of the development proposal and the date of the public meeting. The sign will be removed after the public meeting. Council may impose conditions or request revisions or modifications to the plans and reports which support the application.

Council has delegated approval for all other site plans to the Director of Infrastructure and Planning. Public meetings are not usually held for Site Plan Approval applications which are under the approval authority of the Director of Infrastructure and Planning.

It is possible to apply for a building permit at this stage of the process, although the permit will not be issued until the agreement stage is complete. If other planning approvals (i.e. zoning by-law amendment, minor variance, etc.) are required in conjunction with the Site Plan Approval, these must generally be completed before the Site Plan Agreement is signed.

2.1.4 Preparation and Execution of the Agreement

Upon receiving conditional Site plan approval, the Site Plan Agreement will be drafted by a City planner. The City may require that the more complex site plan agreements be prepared with the assistance of outside legal

counsel. Tri-party agreements with the United Counties of Prescott and Russell are required where off-site work on a County road is required.

A Site Plan Agreement typically includes the following components:

- The legal authority under which the agreement is signed
- A list of definitions and general conditions and requirements
- The building and planning requirements
- Landscaping requirements
- Servicing and easement requirements
- Financial requirements
- Insurance requirements
- Timeline the project is required to meet
- Description of the lands to which the agreement applies
- City standards and specifications
- Site-specific conditions
- A list of the plans and reports which form part of the agreement
- A summary of the estimated site work costs and the amounts of the financial security and fees to be paid
- Templates for form letters

An electronic copy of the draft agreement will be sent by the planner to the applicant for review and revision, if requested. Three copies of the final site plan agreement shall then be forwarded to the owner to be signed and returned for signature by City officials.

An insurance certificate and financial obligations must be submitted prior to the execution of the site plan agreement by the City.

Financial obligations include, but are not limited to:

- Parkland fees as per the Parkland by-law
- Engineering review fees as per the Fees by-law
- Maintenance of road deposit (from \$2,000 to \$5,000)
- Financial security (letter of credit or certified cheque) of an amount of:
 - 50% of the cost estimate for on-site works, and
 - 100% of the cost estimate for off-site works

More information on the financial obligations is included in Section 4.0 of this document. Depending on the conditions of approval, other requirements

such as road widening dedications, encroachment agreements for features constructed on City-property, etc. may be required.

2.1.5 Agreement Registration and Building Permit

The Owner is responsible for registration of the agreement on title. A copy of the registered document is required to be submitted to the City planner as evidence of registration. While it is possible to apply for a building permit following the final approval of the plans, the City's Building Official will withhold issuance of the building permit until site plan approval has been formally completed with confirmation of the registration of the site plan agreement. Development charges and building permit fees are required at the building permit application stage. If the project includes any signage or requires connections to services, applications should be submitted at this stage for a sign permit and/or road cut permit, as required.

2.1.6 Sign Permit

The owner is responsible to apply for a sign permit if any permanent signs or temporary signs are proposed on the site. The Infrastructure and Planning Department is responsible to issue the permit. It is recommended that the application be submitted as soon as possible to confirm the location and the details of the signs.

2.1.7 Processing Times

1. Preliminary review by the Development Review Team to provide initial comments on concept plan.
 - a. Time Frame ... 2-3 weeks depending on the meeting date
2. Complete application submitted to the City.
 - a. Time Frame... variable (applicant's responsibility)
3. The Application is circulated to City departments and external agencies.
 - a. Time Frame... 4-6 weeks
4. Comments are received and reviewed and forwarded to the applicant
 - a. Time Frame...up to 2 week

5. Revised Site Plan Submission(s) made if necessary
 - a. Time Frame... variable (applicant's responsibility)
6. Second Submission re-circulated to the relevant departments/agencies and City response
 - a. Time Frame...4-6 weeks
7. Submission of Final Drawings /Site Plan Agreement prepared by City Planner/Letter of Credit prepared and sent to City
 - a. Time Frame... 2-3 weeks
8. Agreement signed by Owner and City officials, and registered on title
 - a. Time Frame... 1 week
9. Forwarded to Building Division to clear Site Plan Approval condition necessary prior to building permit issuance
 - a. Time Frame...Once Site Plan Agreement is registered
10. Release of Financial Securities once site work has been undertaken or completed
 - a. Time Frame... 3 weeks from date of application for release (no release in winter)

NOTE: If the application and submitted plans are complete and accurate, the process will proceed at more rapid pace. The total processing time may vary depending on the complexity of the proposal and issues encountered.

2.1.8 Development Start and Completion Dates

Timelines for the undertaking and completion of development activities approved under the site plan control are important in order to ensure that works are conducted in accordance with current development requirements and standards. The timelines recognizes that there may be delays to construction starts due to winter weather conditions.

Commencement within one (1) year

It is important that development activities approved under the site plan control be conducted in accordance with the development standards in effect

at the time of development. Unless otherwise noted, if the conditions of approval are not satisfied and the agreement is not finalized and registered within a one year anniversary of the issuance of the conditional approval, the City may elect to withdraw its approval by providing notice thereof to the owner. Extensions to this time limit may be requested prior to the conditional approval anniversary date. The owner shall provide a letter requesting an extension with reasons for the delay, and a revised expectation of satisfying the conditions and finalizing and registering the agreement. At this time, the site plan and original conditions of approval may be reviewed by the City to ensure compliance with current development standards. Minor revisions to the original site plan may be approved by the Director of Infrastructure and Planning. Should the City withdraw the approval, the owner shall be required to make a new application for site plan approval with the appropriate fee. As a new submission, the application will be evaluated in consideration of current City and relevant agency requirements.

Completion within two (2) years

If the development has not been substantially completed within two years of the effective date, the City may unilaterally find the owner is in default of this Agreement and may seek remedies. Such remedies include declaring the Agreement null and void and/or drawing on the Irrevocable Standby Letter of Credit, in whole or in part, to complete any outstanding works. Three months prior to the two-year anniversary date of the agreement, the Infrastructure and Planning Department will notify the owner. Extensions to this time limit may be requested prior to this anniversary date. The owner shall provide a letter requesting an extension with reasons for the delay and a revised schedule for development completion.

2.1.9 Completion and Release of Financial Security

Upon completion of the site development work, the owner can apply to obtain a release of the financial security. An application must be submitted with the applicable fees paid. The City Engineer will inspect the property, assist the owner to identify and correct any outstanding matters, and authorize the release of the financial security. A partial release may be authorized if it is determined that some works remain incomplete. In this

case, a second application for a release must be submitted and the City Engineer will perform another site inspection to ensure all works have been completed before final release of all financial securities.

2.2 Staff and Agency Roles

Planning

Planners act as the co-ordinator of the site plan control process. They review the proposed development for conformity with applicable policies and zoning provisions. Site Plan applications are circulated by the planner to relevant municipal departments and outside agencies for review and comments. Comments received are then presented to the applicant. Upon resolution of all outstanding agency and municipal issues, the planner presents the application to the Planning Committee, if necessary, for approval. The planner is also responsible for drafting the site plan agreement.

Building

The Building Division Staff provides preliminary comments respecting the Ontario Building Code. Building permits for proposed developments shall not be requested until site plan approval has been given, the site plan agreement has been entered into and registered, and any required financial security for landscaping, or other required site works, has been secured.

Infrastructure

The City's Engineer provides an engineering review addressing such matters as road widenings, curbs and ditch requirements, driveway locations, traffic impacts, parking design, safety and access, lot servicing (sanitary, water and storm water management), lot grading and drainage. The City's Engineer also reviews the estimate of costs and requests for release of securities.

Community Services

Community Services staff identifies any parkland and trail requirements.

Fire

The Fire Chief provides a review of the fire access routes, locations of fire hydrants and other fire protection requirements.

United Counties of Prescott and Russell

The United Counties staff reviews every new development in the City. They will provide comments on County Roads such as road widenings, driveway locations and traffic impacts and will provide comments on storm water management, lot grading and drainage, environmental issues, etc. The Counties may be party to the Site Plan Agreement and may require a separate letter of credit and insurance to address off-site works on County Roads.

South Nation Conservation

South Nation Conservation will be consulted if the project falls under their watershed. They may also be consulted if the project is located in proximity to any environmental constraints, such as fish habitat, wetland, significant woodland, etc, or as the City sees fit. South Nation Conservation is the peer review expert for the City in regards to environmental studies (fish habitat, woodland, species at risk, etc.), hydrogeological and terrain analysis and any other relevant studies. South Nation is also the approval authority on behalf of the City for septic systems. It is important to note that South Nation Conservation issues invoices to the owner in regards to peer review.

Utilities

Utility easements and servicing requirements can impact site design, particularly landscape design. Utilities such as Hydro One, Enbridge, Vidéotron and Bell Canada shall be given the opportunity to review and comment on site plan applications.

School boards

The school boards shall be given an opportunity to comment on site plan applications that have potential impacts on school enrollment or other school board interests.

3.0 Financial Securities and Obligations

3.1 Financial Securities

Pursuant to Subsection 41(17)(c) of the *Planning Act, R.S.O., 1990, c.P. 13*, the City has the ability to require the owner to provide financial security to ensure that any, or all of the facilities or works, subject to the site plan control, are implemented and maintained to the satisfaction of the City and/or County. These facilities include, but are not limited to, driveways, parking facilities, curbs, walkways, lighting facilities, waste storage facilities, storm water management facilities, fencing, walls and landscaping.

The recommended form of security is a letter of credit from a chartered bank in the format prescribed by the City. Alternate forms of financial securities may be accepted by the City and/or County Treasurer. The City and/or County shall not provide interest on any cash security that is held. All financial securities shall be required prior to the registration of the site plan agreement.

Following the approval of a cost estimate by the City Engineer and/or County Engineer, the owner shall deposit with the City and/or County a letter of credit of 50% of the cost estimate. Any works to be completed off-site will require a letter of credit of 100% of the cost.

3.2 Engineering fees

Following the approval of the cost estimate, the owner is required to submit engineering review fees as per the Fees by-law.

- 4% of the estimated cost of the site works up to \$100,000.00
- 3% of the estimated cost of the site works between \$100,000.00 to \$500,000.00
- 2% of the estimated cost of the site works over \$500,000.00

Any and all consultant fees collected for the review of plans and studies will be the responsibility of the applicant and deducted from the total engineering fees calculated for the project.