

HANDBOOK FOR SITE PLAN CONTROL

The Applicant is required to provide appropriate answers to all questions on the application form. If all prescribed information is not provided, the application will not be accepted.

This handbook provides an overview of the process, and data requirements the City of Port Colborne Department of Planning and Development uses to make recommendations about land use and development approval applications.

Site Plan Control focuses on the building rather than its use. Since Site Plan Control works within the context of zoning, it starts with the premise that the zone regulations relating to the use of the site and the allowable building envelope provide the basic frame of reference. Therefore, use and reduction of zoning provisions are not negotiable in the Site Plan Control approval process.

Site Plan Control is used to:

1. Ensure proposed developments are built and maintained as approved by Council;
2. Set requirements for the appearance of new developments;
3. Ensure safe and efficient access for vehicles and pedestrians;
4. Ensure provision of items such as parking, landscaping, and drainage; and
5. Protect adjacent properties from incompatible development.

The intent of Site Plan Control is to improve the efficiency of land use and servicing and to encourage compatible and attractive forms of development which:

- is functional for the intended use;
- is safe for vehicle and pedestrian movements including entering into and exiting the site;
- retains natural features of the site;
- provides compatibility of design between sites and minimizes adverse effects on adjacent properties;
- provides functional and attractive on-site facilities (lighting, screened waste receptacles, landscaping, etc.);
- provides for recreational and outdoor areas;
- controls the placement and provision of required services (loading facilities, snow removal, parking, driveways, etc.);
- secures easements and grading to provide for public utilities and site drainage; and
- ensures proposals are built and maintained as approved.

Site Plan Control applications are reviewed by the Director of Planning and Development, upon whose recommendation a Site Plan Control Agreement is prepared outlining conditions the owner is legally required to satisfy during the construction process.

Development may not occur (i.e. a building permit may not be issued) unless the City has approved plans showing the location of all buildings, structures, facilities, and works to be provided and/or entered into a Site Plan Control Agreement.

Site Plan Control Approval protects both the public and private interests by ensuring that new development is designed in accordance with contemporary standards.

Under Site Plan Control, as a condition of approval, the City may require the owner to provide some items including grading and provisions for the disposal of stormwater. The City may also require the owner to enter into an agreement dealing with, and ensuring, provision of the items required as a condition of approval. The agreement may include several items such as the payment of Development Charges and the provision of parkland dedication.

The Planning Act enables the City to designate all or part of its area as a “Site Plan Control Area” and to require that plans and/or drawings for proposed developments be approved by the City. In Port Colborne, Site Plan Control applies to:

- New buildings or structures on land zoned: institutional, commercial, or industrial, where the land abuts a residential zone or fronts on a street opposite a residential zone, and residential, where there will be more than 25 dwelling units;
- Additions to and/or alterations to a building or structure on land zoned for institutional, commercial or industrial uses that has the effect of increasing the size or usability thereof by more than 25 percent;
- Any building or structure that directly benefits for financial or other development incentives for the City or Regional Niagara;
- The layout and establishment of a commercial parking lot;
- Sites for the location of three or more trailers as defined in clause (a) of paragraph 101 of section 210 of the *Municipal Act*;
- Sites for the location of three or more mobile homes as defined in subsection 46(1) of the *Planning Act*; and
- Sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of the *Planning Act*;

Site Plan Control permits control of building design and siting, authorizes the City to require certain technical matters related to servicing of the site, and establishes means to ensure development is completed as approved. To find out if a property is subject to Site Plan Control, refer to the maps attached to the Site Plan Control By-law or contact the Planning Division.

Before submitting a Site Plan Control Application, it is the applicant’s responsibility to review the drawings to ensure they satisfy all of the requirements outlined in this Handbook. Problems or questions about any of the requirements should be directed to the City before submitting a Site Plan Control Application. Incomplete drawings and/or Site Plan Control Applications may delay processing.

THE PROCESS

1. PRE-CONSULTATION

You are required to meet with Staff before submitting the site plan control application to decide if an application is required and if it is, to allow them to become familiar with the proposal. A preliminary sketch and an analysis of the implications of the official plan provisions and zoning by-law requirements would be useful now.

At this stage key issues are identified such as:

- Water supply;
- Sewage disposal; Stormwater management; Development standards;
- Natural and cultural heritage resources conservation;
- Any required studies;

The Director of Planning and Development is responsible for the evaluation of Site Plan Control Applications submitted for approval and the determination of the necessity for agreements and the need to register the agreements on title.

When a complete application or a request for an amendment is received, the City’s Director of Planning and Development may determine a proposed development to be exempt or minor and make a decision to approve, amend or refuse the application.

An application or a request for amendment which is not minor is referred to technical staff of the City for review and comment.

2. FORMAL APPLICATION

The application form, including all required materials, should be submitted to the Planning Division. The application form should be complete. The plans and drawings must be

deemed complete within 30 days or the Applicant may appeal to the Ontario Municipal Board. Where the owner is not satisfied with any of the requirements placed on approval, including the terms of an agreement, the owner may appeal.

3. REVIEW AND NOTIFICATION

Once received, the application may be reviewed by the Director of Planning and Development, circulated to various agencies and City Departments for their comments before approval. Staff review the application and arrange meetings if required.

The Site Plan Control Application may be circulated to the following for comments:

- a) The City's Manager of Engineering Services and / or Planner for:
 - Compliance with Official Plan and Zoning By-law;
 - Parking area design;
 - Access to property/walkways, landscaping, garbage collection and/or storage areas, and access for the physically disabled;
 - Compliance with any other pertinent Municipal By-law;
 - Water supply, sanitary sewage, and storm drainage systems;
 - Street access and traffic control;
 - Sidewalks, curbs, and pavement;
 - Other engineering aspects;
 - Road upgrading;
 - Road widening; and
 - On-site traffic.
- b) The Fire Chief for compliance with the Ontario Fire Code and for such things as:
 - Fire access routes;
 - On-site fire hydrants;
 - Water service requirements; and
 - Other items necessary for adequate fire protection.
- c) The Chief Building Official for compliance with the Ontario Building Code and for such things as:
 - Sign By-law Standards;
 - Building Code requirements;
 - Plumbing Code requirements; and
 - Other applicable provincial legislation and municipal by-laws.
- d) Any outside agencies considered appropriate by the City which may include, the Niagara Region, the Ministries of the Environment and Transportation and the Niagara Peninsula Conservation Authority.

4. APPROVAL

Municipal Staff will review the comments and advise the Applicant of any requirements in writing.

Once all comments have been received, the drawings have been revised to address any comments and City Departments and required agencies have issued their clearance, the Director of Planning and Development may approve the final detailed development proposal by issuing an approval letter. The Applicant may be asked to dedicate parkland and road widenings and provide boulevard improvements.

5. SECURITY DEPOSIT

The City may require the Applicant to provide a security deposit for any works required by the Site Plan Control Agreement. The deposit may be provided as a certified cheque, letter of credit, or any other form acceptable to the City. Where security is provided as a letter of credit, the letter:

- Is usually an Irrevocable Letter of Credit in favour of the City;
- May be drawn upon by the City any time and from time to time, partial drawings are permitted;
- Is effective for one (1) year; and
- Can be extended for one (1) year before any expiration date if required, by the City.

The developer is required to submit a detailed cost estimate for all landscaping, fencing, parking and site services. The format of the estimate must be acceptable to the Municipality - that is, the estimate should be broken down on a unit basis. The following example illustrates the acceptable format:

<u>Unit Cost</u>	<u>Quantity</u>	<u>Total Cost</u>
Fencing @ \$10.00/ft	32 ft x \$10.00	= \$320.00
Curbing @ \$6.00/ft	25 ft x \$6.00	= \$150.00
Trees @ \$15.00 each	3 x \$15.00	= \$45.00
	Total Deposit Required	= \$515.00

The receipt of securities is required prior to the Site Plan Control Agreement being executed by the Mayor and City Clerk.

6. SITE PLAN CONTROL AGREEMENT

The Site Plan Control Agreement requires the proposed development follow the approved plans and drawings and is subject to conditions set out in the agreement. Once the security deposit has been received and the Applicant has signed the Agreement, the Mayor and the City Clerk will execute the Agreement on behalf of the City and the Site Plan Control Agreement may be registered on the title of the property at the Applicant's expense.

NOTE: If the Building Permit application is complete, a Building Permit can be issued immediately upon registration of the Site Plan Control Agreement.

LETTER / CERTIFICATE OF COMPLIANCE

After completion of the work required under the Site Plan Agreement, a Letter/Certificate of Compliance and an "As Constructed" Grading Plan must be submitted to the Planning Division. The letter and "As Constructed" Grading Plan certify that all aspects of the Site Plan Agreement and drawings have been complied with and it should be written, signed and stamped by a Professional Engineer, Architect, Landscape Architect or Planner. The Letter of Compliance and "As Constructed" Grading Plan are required in all situations except where otherwise exempted by the City because of the specific nature of the proposed works or project, to receive a refund of securities.

APPEAL

Where an Applicant does not consider the decision of the Director of Planning and Development to be acceptable, an appeal may be made to Council; or, to the Ontario Municipal Board if the decision of Council is unacceptable.

In addition, the Applicant may appeal directly to the Ontario Municipal Board if any of the terms of the Site Plan Agreement are unacceptable or if the City fails to review the plans within 30 days of the submission of the application for Site Plan Control.

SUBMISSION REQUIREMENTS/CHECKLIST

Site Plan Control Applications must be accompanied by the following information:

1. Application Fees
2. One completed application form;

3. A Plan of Survey (in metric);
4. The Site Plan, Landscape Plan, Building Elevations, Floor Plans and Topographic Survey; and
5. Presentation drawings (if available).

Where a Site Plan Control Agreement is required to be registered on title, the Applicant is responsible for the registration fees. Where the City requires special services or expertise beyond those normally required in the Site Plan review process, the Applicant will be responsible for any fees incurred.

All Plans and Drawings, except presentation drawings, should be individually folded to 215mm x 280 mm (8 ½" by 11") with the title block exposed.

All Plans and Drawings are required to be provided with the application material in PDF and DWG formats.

DETAILED DRAWING REQUIREMENTS / CHECKLIST

1. SURVEY

The survey should show the location, width and names of all:

- Roads;
- Road allowances;
- Rights-of-way;
- Streets or highways within or abutting the property, showing whether they are:
 - Public roads;
 - Rights-of-way;
 - Unopened road allowances.

Only a survey prepared by a licensed land surveyor can legally define land. A surveyor will undertake the necessary research, survey the property and prepare a survey that reveals whether:

- Other people are entitled to partial use of your property through easements for utilities or right-of-way;
- Fences, trees, buildings, gardens, embankments, driveways, swimming pools, house additions and other property improvements which actually lay on your property;

2. CONTEXT PLAN

(Six full size copies, 1 reduced copy no larger than 11" x 17" and a digital copy)

Because your application will often be reviewed for its contribution to community design of the City, it may be useful to show the relationship between your proposed design and the buildings and spaces around it in a Context Plan. The Context Plan should show the proposal in relation to surrounding buildings, roadways and natural features and encompass a large enough area to show the proposal in context with the immediate neighbourhood.

3. SITE PLAN

(Six full size copies, 1 reduced copy no larger than 11" x 17" and a digital copy)

Site Plans are required to provide the following:

1. Key Map (Scale - 1: 50,000) showing the location of the property in relation to:
 - Major roads;
 - Natural/constructed features and barriers; and
 - Adjacent properties; and any adjacent land owned by the Applicant or in which they have monetary interests: and North arrow;
2. Be based on a Plan of Survey by an Ontario Land Surveyor, all existing site

- features and those on abutting lots and roads;
3. Dimensions of parcels for dedication as easements or road widenings to the City, Region or Utilities;
 4. Dimensions and area of the property showing any:
 - Road widenings and right-of-way widths;
 - Easements;
 - Parks;
 5. Proposed property divisions with dimensions of property lines;
 6. The proposed staging or phasing of the development for both the property and the buildings;
 7. The location of all buildings and structures showing all:
 - Building uses;
 - Outside dimensions;
 - Setbacks;
 - Separations;
 - Entrances;
 - Equipment housings;
 - Number of floors;
 - Height in metres; and
 - Yard dimensions;
 8. Existing and proposed
 - Access ramps;
 - Driveways;
 - Curb cuts indicating;
 - Widths;
 - Curve radii;
 - Medians;
 - Curbs; and
 - Proposed direction of traffic flow;
 9. Dimensioned and numbered parking stalls including bicycle racks;
 10. Areas for:
 - Landscaping;
 - Walkways;
 - Sidewalks;
 - Entrances;
 - Retaining walls;
 - Fences;
 - Existing trees; and
 - All trees designated for removal;
 11. Location of all signs and lighting;
 12. Location and direction of exterior lighting;
 13. Existing and proposed:
 - Contours and/or spot elevations;
 - Bench marks, and
 - Elevations on the roads and adjacent properties boundaries;
 14. Location of:
 - Septic systems;
 - Fire hydrants; and
 - Other utilities both above and below ground within 90 metres of the subject property;
 15. Retaining walls;
 16. Protective railings;
 17. Service or delivery access;
 18. Extent of underground garage and ramp location;
 19. Stairwells;
 20. Garbage collection or storage areas; and
 21. Stormwater management facilities such as ditches, swales, ponds, etc.

The following information should accompany the drawings, preferably in chart form:

- Area of the site covered by buildings;
- Total area of the site;
- Total gross floor area of proposed buildings and existing buildings to be retained in square metres;
- Calculation of the percent of the site to be covered by buildings;
- Calculation of the floor area ratio (gross floor area divided by site area);
- Total number of parking spaces required per the zoning by-law;
- Total number of parking spaces provided;
- Number of parking spaces for
 - Visitors;
 - Tenants;
 - Employees;
 - Handicap;
- Calculation of the percent of the site area to be paved;
- Total site area to be landscaped, including walkways and courts;
- Calculation of the percent of the site area to be landscaped;
- Total number of units; and
- Site/development density.

The following are required for the submission of Site Plan Control drawings to the City:

1. Drawing size should be A-1 (metric) (841 mm x 594 mm);
2. All drawings should use metric measurements;
3. Scale for general plans including Site Plans, Plans of Subdivision should be 1:200 maximum, and 1:1000 minimum;
4. Scale for plan and profiles should be either 1:500, 1:250 horizontal; 1:50, 1:25 vertical;
5. Scale for details should be 1:100 minimum;
6. All datums should be referred to a geodetic bench mark and site bench marks should be established and described/detailed on plans;
7. Streets requiring more than one plan/profile sheet should be shown with match lines;
8. Lot numbering on engineering drawings should be the same as that on the registered plan, where applicable;
9. Digital files should be provided in pdf and dwg formats;
10. All drawings require a title block containing the following information:
 - Name of the development;
 - Location of the development;
 - Owner of the development;
 - Title of drawing;
 - Name of company preparing the drawing;
 - Scale of drawing;
 - Date the drawing was prepared;
 - Engineer's or architect's stamp;
 - Drawing number;
11. A table showing the revisions made to the drawings and date of the revisions; and
12. A north arrow if appropriate.

4. LANDSCAPE PLAN (may be combined with Site Plan)
(Six full size copies and 1 reduced copy no larger than 11" x 17" and a digital copy)

Landscape plans should be adequate to explain and show the following:

- Buildings;
- Parking areas;
- Driveways;
- Patios;
- Earth mounds;
- Steps;
- Benches;
- Paved areas;

- Location and type of lighting standards;
- Fences;
- Ornamental pools;
- Free standing sculptures or other exterior construction as part of the landscape design;
- Loading areas;
- Physical features to establish relationships with landscaping;
- Tree preservation program (where applicable);
- Existing trees, accurately located on the plan and clearly specified as to the:
 - Type;
 - Calliper; and
 - Condition
- Existing trees designated for removal (shown with a broken line);
- Plant list, using a key system, to show the:
 - Full botanical name;
 - Common name;
 - Quality;
 - Calliper;
 - Height when planted;
 - Height at maturity;
 - Spread; and
 - Special remarks;
- Dimensioned natural and constructed features such as:
 - Berms
 - Swales;
 - Ponds; and
 - Ditches; and
- Details and specifications of the following items:
 - Planting details for trees, shrubs, sod, gardens, etc.;
 - Walls;
 - Fences;
 - Screening;
 - Walkways;
 - Curbs;
 - Ramps;
 - Stairs;
 - Paved areas;
 - Special features or areas; and
 - Recreation areas;
 - Playlots; and/or
 - Facilities.

5. PRELIMINARY SITE SERVICING AND GRADING PLANS

(Six full size copies and 1 reduced copy no larger than 11" x 17" and a digital copy)

These plans, where required, should be adequate to explain and show the following:

1. Sewer lines/sanitary servicing including sizing, grades, invert elevations;
2. Land drainage and stormwater management arrangements, including catchbasins, soakaways, ponding areas, impediments to the free flow of water and an indication of the intended direction of surface flows;
3. Water and utility servicing arrangements including:
 - Location of underground utility lines;
 - Existing hydro poles;
 - Hydrants;
 - Location and size of meter rooms;
 - Transformers;
 - Vaults;
 - Valves; etc.;

4. Location of;
 - Fire fighting connections;
 - Access routes;
 - Hydrants; and
 - Watermains (and sizes);
5. Existing and proposed grades and floor elevations;
6. Surfacing and grading of the property and areas such as:
 - Driveways;
 - Ramps;
 - Walkways;
 - Proposed edgings or curbs; and
 - Details of proposed retaining walls and similar features;
 - Road widenings;
 - Easements; and
 - Right-of-way.

Normally as a condition of Site Plan Approval, the Engineering Division requests a detailed Grading Plan to be submitted to the City which will ensure that no surface water from your property will flow onto abutting private property, but will be collected on site and disposed of in an approved manner. The grading plan should be prepared by a Professional Engineer or Ontario Land Surveyor and generally should contain the following detail:

1. Based on an Ontario Land Surveyor's sketch and include a north arrow, scale, legal description, lot dimensions, adjacent roads and properties, etc.,
2. All existing buildings and structures
3. Existing and proposed ground and invert elevations
4. Direction of storm water flow
5. Storm water outlets including, where appropriate, catch basins, underground piping with size and slope, etc.,

If you would like clarification on the components of the Grading Plan, please call Mr. Jim Huppunen, Engineering Division, City Hall, (905-835-2901 x 221).

6. BUILDING ELEVATIONS

(Six full size copies and 1 reduced copy no larger than 11" x 17" and a digital copy)

Elevation drawings of all exterior walls of proposed buildings are required. These drawings should be sufficient to show:

1. All sides of all main and accessory buildings, showing all roof structures, with dimensions such as penthouses, chimneys, vents, air conditioning; etc.;
2. The design concept of the building;
3. Details of public areas and other special features;
4. Entrances;
5. Doors;
6. Arcades;
7. Any recesses, projections and special features;
8. The general finishing materials proposed;
9. Finished grade, floor and roof elevations;
10. Proposed signs, lights, equipment and equipment housings;
11. Outline elevations of adjacent buildings drawn in correct relationship to the proposal;
12. Plans showing the location and design of all exterior lighting and specifications; and
13. Design location and construction details of any interior or exterior garbage collection and/or storage areas and grease pits.

7. FLOOR AND ROOF PLANS

(Six full size copies and 1 reduced copy no larger than 11" x 17" and a digital copy)

Floor plans for all buildings should be shown, except where repetition is proposed and such repetition is noted, showing the use of each room, location of all windows and doors;

and the elevation of the ground and basement floors.

A roof plan showing the location of all rooftop equipment and screening should also be provided.

8. TOPOGRAPHIC SURVEY

(Six full size copies and 1 reduced copy no larger than 11" x 17" and a digital copy)

The Topographic Survey provides a legal description of the site and an accurate description of the land and should include the following:

1. The legal description;
2. The area of the site;
3. Reserves;
4. Rights-of-way;
5. Easements;
6. Geodetic bench marks;
7. Existing grade conditions;
8. Spot elevations at the base of all existing trees and at 15 metre intervals along the centre line of all adjacent roads;
9. Size, species and locations of all existing trees over 50 mm and groupings of shrubs;
10. Locations of all existing:
 - Utility poles;
 - Ditches;
 - Sidewalks;
 - Curbs;
 - Driveways;
 - Storm sewers;
 - Sanitary sewers;
 - Watermains; and
 - Hydrants, and
11. Location of all buildings, vehicular areas and major planting near the property line, but not adjacent properties.

9. ADDITIONAL INFORMATION

Any other study/report (i.e. market survey, geotechnical, drainage or stormwater management, traffic, environmental assessment, etc.) developed in conjunction with the design, used to justify the proposed project, should be provided to the City for review.

NOTE: Not all of the drawings and information listed in previous sections may be necessary for all applications. The drawings and information required for a specific proposal are decided through preconsultation between the developer and the City.

Once Site Plan Control drawings have been approved by the City, they can be used as the base for all drawings required during the Building Permit application process. In the event that conformity is not maintained, an amendment to the Site Plan Control approval may be required.

SUBMISSIONS

A meeting between the Applicant and the municipal Staff is required to be held before submitting the application to allow Staff to become familiar with the proposal and to advise the Applicant of any other applications or requirements which may be needed to accommodate the development.

A Site Plan Control Agreement with the City stipulates how servicing will be provided to the proposed development. The following sections contain a list of drawings and information required and the submission sequence for approval of the development for incorporation into the Agreement.

1. FIRST SUBMISSION

Copies of the following plans and documents should be submitted for review by the City.

- a) Deed (1)
- b) Plan of Survey (1)
- c) Site Plan (6 full size, 1 reduced (no larger than 11" x 17" and digital)
- d) Landscape Plan (6 full size, 1 reduced no larger than 11" x 17" and digital)
- e) Floor plan (6 full size, 1 reduced no larger than 11" x 17" and digital)
- f) Building Elevations (6 full size, 1 reduced no larger than 11" x 17" and digital)
- g) Preliminary Site Servicing & Grading Plan (6 full size, 1 reduced no larger than 11" x 17" and digital)

2. INTERMEDIATE SUBMISSIONS

Copies of all the plans listed under First Submission, which have been revised to include comments from the City, should be resubmitted for review. The developer's Engineer or Architect should submit copies of the Ministry of the Environment Application for Approval of Municipal and Private Water and Sewage Works for any proposed storm sewer, sanitary sewer or watermain construction. A signed copy of the approval will be returned to the owner and a copy to the City. The developer's Engineer or Architect should submit the necessary plans and information to obtain the required approvals from any other agencies, such as the Ministry of Transportation, the Niagara Peninsula Conservation Authority, etc.

3. FINAL SUBMISSION

After the drawings have been accepted and all approvals have been received, the final drawings, stamped, signed and dated by the developer's engineer and / or architect, should be submitted to the City. The drawings will be appended as schedules to the Site Plan Control Agreement and should be reduced to legal size and submitted digitally to the City. Construction and landscaping cost estimates for the proposed work should also be forwarded to the City. Once the cost estimates are approved, a deposit for the site works as detailed in the cost estimate is required.

A letter from the developer's Engineer and / or Architect stating that design, contract administration and field review will be completed in accordance with the Site Plan Control Agreement may be required.

Properly signed and executed deeds for grants, easements or any property to be conveyed to the City, if applicable, should be provided.

4. PRE-CONSTRUCTION

A minimum of 48 hours notice should be given to the City, before the commencement of any construction work. Utility companies and agencies, listed below, may have to be contacted directly by the owner/contractor for utility locates or areas of specified concerns.

1. Bell Canada
2. Cable TV
3. Gas Company
4. Ontario Ministry of Transportation (MTO)
5. Ministry of Natural Resources (MNR)
6. Niagara Peninsula Conservation Authority