



## Staff Report

**Report Title: Bill 109 – Delegation of Site Plan Approval**

**Prepared By: Emily Dance, Clerk**

**Department: Clerk**

**Date: Jun. 6, 2022**

**Report Number: CLK-2022-06-51  
Delegation of Site Plan Approval**

**File Number: C11 – Bill 109 –**

**Attachments: Site Plan Approval Guide and Application with proposed amendments.**

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### **Recommendation:**

THAT the Township of Huron-Kinloss Committee of the Whole hereby approves Report No. CLK-2022-06-51 prepared by Emily Dance, Clerk AND Matt Farrell, Manager of Building and Planning AND appoints the Chief Administrative Officer with the authority to approve site plans and drawings in accordance with s. 41 of the Planning Act AND FURTHER approves the appropriate By-Law coming forward.

### **Background:**

On March 30, 2022, the Provincial Government introduced Bill 109, the More Homes for Everyone Act. The Bill received Royal Assent on April 14, 2022. Schedules 1, 2 and 5 of the Bill make changes to the Planning Act, City of Toronto Act, 2006 and the Development Charges Act, 1997.

The impacts of the Bill related to Site Plan Control include:

- Establish complete application requirements for site plan control, with recourse if the application is not deemed complete within 30 days of acceptance.
- Extend site plan control applications timelines from 30 to 60 days.
- Require that site plan control decisions be made by staff opposed to Council or Committees of Council (required on or after July 1, 2022)
- Requires municipalities to gradually refund site plan control application fees if an approval is not made within the following timelines of 60 days (50%), 90 days (75%), and 120 days (100%)

- Requires the gradual refund of site plan application fees to all applications received on or after January 1, 2023.

**Discussion:**

On December 21, 2020, Council passed By-Law No. 2020-139 establishing the entire Township of Huron-Kinloss under site plan control and approved the site plan approval guide and application documents. The guideline includes the application requirements and outlines the fees.

To meet the requirements the guide will be amended to include a definition of what consists of a complete application, timelines and the gradual refund of site plan application fees.

Staff is recommending that final Site Plan Control be delegated to the Chief Administrative Officer. The process to receive and review of the drawings will remain with the Manager of Building and Planning and when required the Township Engineer.

The delegation of Site Plan Control does not change the authority of Council to approve entering into Site Plan Agreements, the process of the agreements will continue to be presented to Council for approval and following be forwarded to be registered on title of the associated property.

The attached Site Plan Approval Guide and Application under Section 6 provides for the necessary amendments and will be in effect for applications received on or after January 1, 2023.

**Financial Impacts:**

The financial requirements for Site Plan Approval include: \$150 plus registration and title search. A deposit of \$750 is required to cover the noted costs. Additional fees may be applied for cost recovery on professional review of plans.

**Strategic Alignment / Link:**

We are a vibrant community by creating places where people want to be.

**Respectfully Submitted By:**

Emily Dance, Clerk, and Matt Farrell Manager of Building and Planning/CBO

**Approved By:**

Mary Rose Walden, Chief Administrative Officer



Township of  
HURON-KINLOSS

## Site Plan Approval Guide and Application

May, 2022 Rev 1

## INTRODUCTION

Site Plan Control allows the Township to apply development controls over and above those set out by the Zoning By-Law 2018-98. It helps to ensure that new developments meet certain standards of quality and appearance and that the development is compatible with the surrounding built and natural environment.

Site Plan Approval is required for the development or redevelopment of land that will have the effect of increasing the size and usability of existing buildings or structures; or the laying out or establishment of a commercial parking lot; and, in those types of developments identified in the Township's Site Plan Control Area By-laws.

Site Plan Control deals with the following matters as appropriate:

- the massing and conceptual design of buildings;
- the relationship of proposed buildings to their surroundings;
- vehicular and pedestrian access and walkways;
- exterior design (character, scale and appearance of buildings) and their sustainable design;
- sustainable design elements (planting, street furniture, benches, bicycle parking facilities, waste and recycling enclosures);
- facilities designed for accessibility;
- traffic direction signs;
- road widening;
- loading and parking facilities and their surface treatment;
- emergency vehicle and transit access;
- lighting;
- landscaping (trees and plantings);
- easements to the municipality for the construction, maintenance or improvement of drainage and municipal services and utilities and storm water management.

## SITE PLAN APPROVAL PROCESS

### About the Process

The process is designed to be a predictable business-friendly process that includes a basic and standard application type, streamlined submission requirements, a dedicated technical review group and a project manager to anticipate needs and resolve issues as they arise. Every project is different and may not proceed through all potential steps in the process.

The site plan approval process consists of five steps, as follows:

#### 1. Pre-consultation

The applicant (or agent) is encouraged to discuss their proposal with the Township of Huron-Kinloss Staff prior to plan preparation.

The purpose of a pre-consultation meeting is to provide the Applicant with an opportunity to review the proposed application with Township Staff, to discuss potential concerns and receive preliminary comments. This meeting is also intended to inform the applicant of submission requirements.

## **2. Application Submission**

Where to Submit:

The site plan application form, in conjunction with the required drawings and studies/reports, must be submitted to the following office:

Township of Huron-Kinloss Municipal Office

PO Box 130

21 Queen Street

Ripley, ON N0G 2R0

Telephone: (519) 395-3735

Fax: (519) 395-4107

Fees:

The following applicable fee is to be paid by cash or cheque to the **“Township of Huron-Kinloss”**

- \$150.00 plus registration, title search and costs.
- A deposit of \$750.00 shall be paid by the applicant to cover the above mentioned costs. Any unused portion of the deposit will be refunded to the Applicant after final billing
- The site plan may require review by the Township Engineer or other professional. The applicant will be responsible to cover 100% of the costs associated with professional review.

## **3. Circulation**

After a complete application is submitted, it will be circulated to municipal officials and other related agencies, as required, for their review and comment.

Any comments that are received during the circulation process will be provided to the applicant.

## **4. Site Plan Review Meeting**

Once all comments are received (typically within 2 weeks), a meeting is held with Township Staff, if necessary. The applicant is required to attend this meeting to review and discuss agency comments.

Following that meeting, the applicant is required to address the comments that were received and submit revised site plan drawings in pdf format (or hard copies, depending on the complexity of the plans) for further review and comment

## **5. Agreement Preparation**

Once the plans and drawings are finalized the municipality will prepare the text of the site plan agreement together with the necessary schedules pertaining to the following:

- legal description and location of the lands;
- site plans (those required)
- special conditions (as required)
- securities; and,
- maintenance.

During the preparation of the agreement the municipality, through its solicitor, will undertake a search of title to confirm ownership, identify encumbrancers, and other pertinent information. The applicant should be aware that all parties who have an interest in the land will be required to sign the agreement.

## **6. Signatures**

The complete agreement will be forwarded to the applicant for their review and signature. It will be the applicant's responsibility to secure signatures from any encumbrancers and forward same to the municipality.

Once the signed agreement is returned to the municipality it will be placed on a regular Council agenda, together with an appropriate by-law, allowing the Mayor and Administrator to sign the agreement.

## **7. Registration**

Once the by-law is enacted by the municipality and the Administrator and Mayor sign the agreement it will be registered on the title of the property affected. This will be undertaken by the municipality's solicitor.

# **SITE PLAN REQUIREMENTS**

## **1. Plan of Survey**

- property dimensions and bearings
- topographic contours and existing grading
- existing buildings
- roads, driveways, utilities, watercourses, trees/vegetation, and other natural or man-made features

- any easements or rights-of-way affecting the subject property

## **2. Site Plan**

- location, dimensions, and size of all existing and proposed buildings and structures
- yard dimensions of the front, interior, exterior, and rear yards (from lot line)
- site statistics including building coverage, percentage of landscaped open space, height of buildings, and floor areas
- off-street parking areas and aisles together with surface treatment
- off-street loading space area with aisles together with surface treatment
- proposed walkways and ramps including the surfacing thereof
- external lighting facilities including location and type
- existing and proposed fencing
- planting strips (hedges, trees, shrubs) and other ground cover landscaping features
- location and dimensions of garbage storage/collection areas
- snow removal areas
- proposed/required street and highway widenings

## **3. Elevation Plan**

- building elevations showing the conceptual design of the building including proposed building materials, roof-top mechanical equipment, and exterior building lighting
- building location on the lot relative to topography and existing and proposed vegetation/landscaping
- entrances to the building and window placement

## **4. Landscaping Plan**

- location of all existing features
- location of all proposed features including the species type and size
- other information pertinent to the proposed use of the property (benches, bicycle racks, courtyards, street furniture, planters, etc.)

## **5. Engineering Requirements**

The following information should be supplied to enable the municipality to review the proposed development from an engineering perspective.

### **a) Site Grading Plan**

- elevations (existing and proposed) in order to establish grading and drainage patterns for the development
- details with respect to manholes, catch basins, hydrants, curbs, sidewalks and walkways, and other site features
- roadway dimensions and cross-sections

#### b) Site Services Plan

- all existing and proposed underground services related to storm sewers, sanitary sewers, and water mains together with method of construction and connection
- for privately serviced development, the location of primary and reserve tile beds and water supply wells

#### c) Electrical Services Plan

- details with respect to all external lighting including street and parking lot
- lighting
- details of any relocation/construction of electrical facilities

#### d) Drainage Area Plan

- illustrating the relationship of the subject land to the drainage of lands surrounding the site to determine external drainage areas
- preparation of an internal drainage plan together with methods of
- controlling storm water run-off

### **6. Site Plan Application Timeframe**

#### **(in effect for all applications received on or after January 1, 2023)**

- a) A site plan application consists of all the required drawings and studies/reports, along with the associated fee and deposit.
- b) Upon submission of the site plan application the Township has 30 days to deem the application complete.
- c) Staff will review the required drawings and studies/reports within 60 days of deeming the application complete.
- d) The Chief Administrative Officer will approve the site plan application.
- e) If a site plan is not approved within the below timeframe a refund in application fees will apply as follows:
  - 60 days a refund of 50% of the application fees,
  - 90 days, a refund of 75% of the application fees
  - 120 days a refund of 100% of the application fees
- f) Professional review fees from the Township Engineer or other Professionals will remain at 100% cost recovery regardless of approval timeframe.