



# **MUNICIPALITY OF SOUTH HURON**

## **SITE PLAN CONTROL USER GUIDE**



[www.southhuron.ca](http://www.southhuron.ca) 

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## Chapter 1:

### What is Site Plan Control

Site plan control ensures new or expanding developments are designed and built to meet municipal requirements, policies, and standards, including the Municipality of South Huron's (MOSH) Official Plan and Zoning Bylaw. This process ensures new developments have essential municipal services (e.g., potable water, sanitary and stormwater management) with on-site facilities (e.g., buildings, parking, etc.) that do not impose negative impacts on adjacent lands. When applicable, Site Plan Control is required to be completed prior to the issuance of a building permit.

In the MOSH, the following types of development go through the site plan review process:

- New buildings or structures.
- Additions or alterations to existing buildings substantially increase a building's size or usability. This is determined by the Site Plan Review Group on a case-by-case basis.
- Parking lots (creation of 5 or more spaces)
- Sites for three or more trailers or mobile homes
- Creation of three or more sites for the construction, erection or location of land lease community homes

### About this guide

This user guide describes the site plan process. This technical document sets out the required design standards for submissions. This guide provides a level of predictability for all new and expanding developments in South Huron for you (the applicant), staff and the public.

Through Section 41 of the *Planning Act*, By-law 34-2008, as amended, was enacted for the creation of site plan control throughout the Municipality of South Huron. Unless otherwise specified by the Council, the Chief Administrative Officer (CAO) has the authority, by by-law to approve or deny site plan applications.

The Chief Administrative Officer is also authorized to approve minor changes to existing Site Plan Agreements. The Chief Administrative Officer shall, prior to approving any minor change to a Site Plan Agreement, confer with the Site Plan Review Group (SPRG).

Please refer to the Site Plan Control By-law available at [www.southhuron.ca](http://www.southhuron.ca) for more information.

## General Information

### Site Plan Review Group (SPRG)

South Hurons SPRG meets regularly to review site plan submissions. The following staff are members of the group and attend meetings when the development has potential effects on their areas of control.

- Chief Administrative Officer (CAO)
- Clerk
- Director of Building and Planning | Chief Building Official
- General Manager of Infrastructure and Development
- Fire Chief
- Fire Prevention Officer
- Huron County Planner
- Planning Coordinator
- Applicable agencies – including but not limited to:
  - Ministry of Transportation (MTO)
  - Conservation Authority
  - Huron County Public Works

### Developments Subject to Site Plan Control

Unless otherwise indicated by the SPRG, the following types of applications will be subject to the site plan review process:

- New multi-residential, greater than 10 dwelling units (e.g., townhouses, apartments)
- New or expanding industrial, commercial, and institutional developments.
- New parking lots with more than 5 spaces
- Existing parking lots where more than 50 per cent of the existing parking spaces will be added.

There are two approval streams Standard and Minor. The SPRG will assess the developments on a case-by-case merit and determine the appropriate stream.

A Standard stream will be the most common and will typically require securities, insurance and an agreement that is authorized by by-law.

A Minor stream is when the development has no proposed works on or within municipal property, no securities nor insurance will be required and there are no conditions that are unusual or of concern to the SPRG. An agreement is required to be entered into and will be executed by the CAO.

Certain developments may be exempt from site plan approval. These circumstances will be reviewed by the SPRG on a case-by-case basis; their recommendation will be provided to the CAO for consideration.

### Complete Application

An application will be deemed complete by the Site Plan Review Group when all required information has been provided as indicated during the required pre-consultation meeting and all applicable fees have been paid in full. Required studies will be required to be submitted prior to a complete application.



The following is a list of potential documents and/or studies that may be required to be considered a complete application.

- Parcel Registry (pulled within 90 days)
- Corporate Resolution
- Survey plan
- Site plan drawings
- Lot Grading & Drainage Plan
- Geotechnical Study
- Elevation Drawings
- Functional Servicing Report
- Stormwater Management Study
- Site Servicing Drawings (water, sewer, stormwater)
- Security calculation
- Conservation Authority approval or approval in principle
- Ministry of Transportation approval or approval in principle
- Nitrate
- Studies determined to be necessary in pre-consultation meeting I.E.,
  - D6 land use compatibility study - air quality, dust, odor, noise, and vibration
  - Archeological
  - Environmental Assessment (EA)
  - Urban Design
  - Traffic Impact Study (TIS)
  - Environment Impact Study (EIS)
  - Record of Site Condition (RSC)

### Expiring Approvals

Pursuant to the Site Plan Control By-law, as amended, the CAO has the authority to revoke an approved site plan when development has not significantly moved forward within the timeline indicated within the agreement. The CAO may use this authority when, in their opinion, it is no longer in the public interest to maintain the dated site plan approval documents and the associated agreement.

Staff will send notifications to the contact information within the agreement approximately 6 months prior to the expiry date.

### Securities

Securities may be required through the Site Plan Agreement; the requirement for securities will be determined by the SPRG. These securities are to ensure the work is constructed according to the approved plans/designs. When securities are required, they shall be provided prior to the Clerk and Mayor executing the agreement.

Securities are calculated by the applicant and provided to the SPRG for review. Securities are calculated at 100% of the cost of construction for the scope of work as set out within a Schedule in the agreement.

Irrevocable Letter of Credit or a Surety Bonds are the two methods of providing security to the municipality.

Within the Irrevocable Letter of Credit, the following verbiage shall be included:

*PURSUANT TO THE REQUEST OF our customer: \_\_\_\_\_ we  
the \_\_\_\_\_ (Name of Bank) hereby establish and give you an Irrevocable  
Letter of Credit in your favour in the above amount which may be drawn on by you at any time and from  
time to time, upon written demand for payment made upon us by you which demand we shall honour  
without enquiring whether you have the right as between yourself and the said customer to make such  
demand, and without recognizing any claim of our said customer, or objection by it to payment by us.*

The Surety Bond shall be in the form described in the Municipal Surety Bond Policy.

The draft conditions within the selected security are required to be reviewed by the SPRG prior to the financial institution issuing security.

### Insurance

When required by the Site Plan Agreement, and prior to the parties executing the Agreement, the Owner shall supply the Municipality with a certified copy of a comprehensive general liability insurance policy with limits in an amount and in a form acceptable to the Municipality. The minimum limits of such policies shall be \$5,000,000 all inclusive, but the Municipality shall have the right to set higher amounts. Such policy or policies shall be issued, with the Municipality being named as an additional insured. The said insurance policy shall indemnify the Municipality from any loss arising from any claims for damages, injury or otherwise in connection with the work done by or on behalf of the Owner. Such insurance policy shall provide coverage for a period of at least one (1) year and shall continue until all the work required by the Owner under this Agreement is completed and, where applicable, assumed by the Municipality. The said insurance policy must also include a provision confirming that the insurance policy shall not be cancelled or materially amended without providing the Municipality with fifteen (15) days' written notice of the insurer's intention to do so. The issuance of such a policy of insurance shall not be construed as relieving the Owner from responsibility for other or larger claims, if any, for which he may be held responsible.

A draft Certificate of Insurance is required to be provided to the SPRG for review prior to issuance.

### Remittance of Costs Incurred by South Huron

Costs incurred by South Huron during the review of the application, preparation, and execution of the agreement will be rebilled to the applicant. These third-party reviews could include but not limited to:

- Legal review
- Engineering review
- Professional Consultant review

## Process

### Standard Site Plan Process

A Standard process will be the most common and will typically require securities, insurance and an agreement that is authorized by by-law.

Typical developments that required standard stream

- Residential development with over 10 units.
- Commercial development
- Industrial development
- Institutional development
- Works proposed on or within municipal property
- Works proposed to municipal infrastructure

### Minor Site Plan Process

The minor site plan process is a streamlined version of the standard process used for less complex developments. The following types of development applications may go through minor site plan review process:

- Redevelopment of existing buildings proposes to add less than 50 per cent of the existing ground floor area and does not require works on municipal lands or to municipal infrastructure.
- Amendments to the individual drawings for an approved site plan (e.g., landscape plan, elevations etc.)
- Expansions of existing parking lots that do not require works on municipal lands or to municipal infrastructure.

After the pre-consultation meeting, and after the SPRG has reviewed the application, South Huron will inform the applicant which process the application will be required to follow.

## Chapter 2

### Step 1: Pre-consultation Submission

The applicant will prepare a pre-consultation submission via Cloudpermit. A complete pre-consultation submission must include all documentation

The SPRG hosts Planning meetings on Tuesdays from 2-3pm and 3-4pm via virtual. Exceptions can be granted upon request and SPRG availability.

A pre-consultation submission must be received at least two weeks before the meeting. One week in advance you will be notified of the date and time of the meeting that your submission will be considered.

### Step 2: Formal Site Plan Submission

Once you receive your summary of comments from the pre-consultation meeting you will begin to prepare your formal site plan submission.

A complete formal site plan submission, via Cloudpermit, must include all documentation, studies, applicable fees as indicated by the SPRG.

At the time of a complete application, the applicable development charges rate for the project will be frozen. The rate will remain frozen for a two-year period (plus interest where applicable) starting on the approval date of the site plan agreement.

### Step 3: Amend Plans and Re-submit (if needed)

In cases where changes are required to the plans after your formal submission, the applicant is required to resubmit their amended drawings via Cloudpermit for the SPRG to review.

### Step 4: Enter into a Site Plan Agreement

Once the plans and designs are approved by SPRG and applicable Agencies, you will be required to enter into an agreement with South Huron. The agreement sets out the obligations of the property owner and/or developer to construct and maintain the site according to the drawings that were approved by South Huron.

The site plan agreement must be signed by the registered property owner or Agent (if not the owner), and any mortgagee. Any mortgages may be postponed by the mortgagee/lender in favour of the site plan agreement. The postponement must be registered on Title and will be at the applicant's expense. Standard agreements are registered on Title of the property to ensure that they bind subsequent landowners.

South Huron will prepare the agreement and provide a draft to you for review. Once the site plan agreement is signed (either wet signature or electronic timestamped signature acceptable) and returned to the municipality with the securities and insurance, it will then be signed by the Mayor and Clerk executing the agreement. A copy of the signed agreement will be provided to the applicant.

Please see "Securities" under General Information for more details.



The development charges rate that was frozen at the time of a complete application, are now frozen for two years.

#### [Amendment to approved site plan drawings and/or agreement.](#)

An amendment is a request to change the plan(s) that have been approved. The CAO is authorized to approve minor changes to existing agreements. The CAO shall, prior to approving any minor change to a Site Plan Agreement, confer with the SPRG.

The fee to apply for an amendment to the agreement will be as per the Municipality's Fees and Charges By-law, as amended. The required fee is payable upon request of the amendment and prior to SPRG reviewing requested amendment.

Any costs incurred from the review of the requested amendment will be billed back to the applicant.

### [Step 5: Post Development Inspections and Release of Securities](#)

#### [Inspections](#)

Inspections for the installation of and commissioning of any site servicing, grading, and any works on municipal property will be via the Ontario Building Code as a Building and/or Plumbing permit(s) will be required for works on private property or through the Municipal Standard Specifications for all works on municipal property.

After the above inspections have passed, and the application is ready for a final inspection, they can request an inspection through Cloudpermit via the messaging portal. Once requested the inspection will take place as soon as possible with the inspection results being provided via Cloudpermit.

Once your site complies with the approved plans the site will be considered to be in full compliance. A letter will be issued, and the file will be closed.

#### [As-built drawings submission](#)

When as-built drawings are a required condition of the agreement, or as required by the Chief Building Official, these drawings must be provided to the satisfaction of the Building Department prior to the release of the final securities.

#### [Release of Securities](#)

Depending on the complexity and scope of the works to be installed, there may be multiple opportunities for security reductions. These details and the required request to release securities form will be indicated within the agreement.

Depending on the complexity and scope of the works to be reviewed, a third party may be requested to review the security reduction to confirm the requested reduction is appropriate for the works completed. All costs incurred will be at the cost of the Applicant.