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rideaulakes.ca

**Planning Advisory and
Committee of Adjustment
Members**

Chair - Sue Dunfield
Bastard & South Burgess Ward

Bastard & South Burgess Ward
Paula Banks

North Crosby-Newboro Ward
Debbie Hutchings
Ron Pollard

South Elmsley Ward
Jeff Banks

Arie Hoogenboom, Mayor

Public Member
George Bracken

**Development Services
Department**

Tom Fehr, Manager of
Development Services

Brett Cavanagh
Chief Building Official

Brett Moreland
Deputy Chief Building Official

Foster Elliott
Associate Planner

Tracy Perrin
Development Services Analyst

Amy Schur
Development Services Analyst

Kayla Porter
Development Services Analyst

SITE PLAN CONTROL APPLICATION

Pursuant to section 41 of the Ontario Planning Act, the Township has adopted a Site Plan Control By-law which affects commercial development projects; and a majority of development proposals greater than 30m² (320ft²) within 100m (328ft) of a waterbody. The need for a Site Plan Application also stems from any proposal to develop adjacent to an identified natural heritage feature.

Site planning is a process through which the Township reviews elements of a development proposal that cannot be regulated through the Ontario Building Code (OBC) or the Zoning By-law. Such elements may include: architectural design; landscaping; the preservation of natural features; storm water management; site access; lighting; and signage.

The following is an overview of the *Application/Review Process*:

- 1) At the outset, you are encouraged to consult with Township staff regarding any development proposal to determine whether or not planning and building approvals are required.
- 2) All Site Plan Applications are made to the Township's Development Services Department. The application must be deemed by staff to be "complete" prior to it being received.
- 3) The Manager of Development Services and the Chief Administrative Officer are authorized to approve applications at the staff level. Should an applicant disagree with a staff condition of approval, the condition of concern can be brought before the Township's Planning Advisory & Committee of Adjustment.
- 4) Those applications taken to the Planning Advisory & Committee of Adjustment will be presented by staff during a scheduled public meeting.
- 5) During the public meeting, the Committee will make a decision on the conditions of approval based on facts presented in the planning report/presentation; and based on any input received from members of the public and/or the applicant. The Committee may also choose to defer their decision pending the receipt of additional information.

- 6) An appeal of the Committee's decision may only be made to the Ontario Land Tribunal by the owner of the affected property.
- 7) If Staff or the Committee approves the application, a Site Plan Agreement will be prepared outlining the conditions of the approval, if any. This Agreement must be signed by the applicant and a representative of the Township. It may be a requirement of the Committee, to have the Site Plan Agreement registered with the Land Registry Office to ensure conformity with imposed conditions.
- 8) The Township's Site Plan Control By-law, as implemented through the *Ontario Planning Act*, is recognized under the provisions of the *Ontario Building Code* as "*applicable law*". Accordingly, the Township's Chief Building Official (CBO) cannot issue a building permit until the Site Plan Agreement has been entered into by the owner/applicant, when applicable. Once this Agreement has been finalized, the CBO may issue a building permit provided structural/design changes that may be required as part of the Site Plan Agreement are incorporated into the application for a building permit.

Commercial Site Plan Applications

Applicants are encouraged to review the Township's *Commercial Site Plan Design Guidelines* prior to the submission of a commercial site plan application. These guidelines have been established to ensure that future commercial development or redevelopment preserves and enhances the overall aesthetic and natural quality of Rideau Lakes. Township staff welcome applicants to schedule a preliminary review of their commercial development proposal to identify possible constraints and opportunities.

Who will review the Site Plan Application?

Township Council has given approval authority for Site Plan applications to the Manager of Development Services and the Chief Administrative Officer. The Manager is able to approve applications which are fully-conforming with the Township's planning documents and the underlying principles of good land use planning. If a dispute arises between applicants and the Manager related to proposed conditions, the approval authority for the conditions becomes the Planning Advisory and Committee of Adjustment.

The Committee is comprised of 4 members of Council and the Mayor. Public meetings associated with the review of planning applications generally occur on the **second and fourth Wednesday of each month**. While the meetings are commonly held at the Township's municipal office, special circumstances may warrant the holding of a public meeting at one of the municipal community centres. Applicants are advised to consult with Township staff prior to their scheduled meeting to verify its time and location.

How will the public meeting be run?

- 1) All applicants and persons wanting to speak to an application are asked to wait outside the meeting room until the meeting begins.
- 2) The Chair of the Committee will announce each application as it occurs on the meeting agenda.
- 3) A staff member will provide an overview of the application as well as a recommendation.
- 4) The Chair will ask the applicant if he/she has anything to add to the review of the application.
- 5) The Chair will ask members of the Committee if they have any questions for staff or the applicant. Site Plan Control Applications are not circulated to the public; however, anyone may attend a scheduled public meeting. It is up to the Committee to decide if comments from the public will be entertained.
- 6) Typically, a decision will be made during the meeting and a copy of the decision will be sent to the applicant. The Committee's decision may be deferred if additional information is required or if the proponent seeks to address issues/concerns raised by Committee members or the public.

How Will Staff Review Your Application?

- ✓ Staff will first review the application to determine the proposal's conformity with the Township's Zoning By-law and Official Plan, as well as the policies of the *Ontario Provincial Policy Statement*. Township staff will also have regard for the principles of good land use planning (e.g. land use compatibility, health and safety, environmental impact, etc.).
- ✓ Following the initial review, staff will conduct an on-site analysis of the unique aspects of the property which may affect the proposal. Such aspects may include: site topography, environmental features, site context, the location of hydro corridors, potential traffic impacts, the location of the septic system and well; and any other factors as determined on a case by case basis.
- ✓ In reviewing the application, staff may have regard for similar proposals that have been reviewed by the Committee to ensure consistency in decision-making activities and general municipal standards.
- ✓ When relevant, the Township will circulate the application to outside commenting agencies which may include: the Conservation Authority; Parks Canada; the County of Leeds and Grenville; and any Ontario Ministry whose mandate may require consideration of the project (e.g. Ministry of Transportation, the Ministry of Natural Resources, the Ministry of Municipal Affairs and Housing, the Ontario Ministry of Agriculture, Food, and Rural Affairs, etc.).
- ✓ Pending receipt of comments from any outside agency; and following the completion of an on-site review of the proposal, staff will formulate a recommendation which will be presented to the Planning Advisory and Committee of Adjustment during the scheduled public meeting.

Application Fees

All fees must be submitted with a complete application in order for the application to be accepted by the Township. The Municipality's Fee Schedule sets out the applicable cost of a site plan application. These fees are not refundable.

Conservation Authority Fees

Site Plan Applications may be subject to review by the Cataraqui Region Conservation Authority (CRCA) or the Rideau Valley Conservation Authority (RVCA) depending on the location of the affected property and associated development. Consultation with CRCA/RVCA staff is strongly recommended to determine whether or not a permit is required. Failure to obtain a permit from the conservation authority can lead to subsequent delays in the Township's issuance of a building permit.

Specialized Studies:

Please be advised that the Township may require that specialized studies be completed. Such studies may include: an Environmental Impact Study (EIS); land use compatibility study; a hydrogeological and/or geotechnical assessment; a traffic assessment; a lake impact study; archaeological report or another form of analysis used to ensure that a proposal will not result in negative impacts to the public or the environment, amongst other factors. The need for such studies may be determined from the outset based on the location of proposed development, or following a site inspection through which staff may identify potential hazards or conditions requiring consideration. Consultation with staff is again encouraged.

5 KEY FACTORS that may facilitate the approval of your application:

- 1) Meet with a Township Planner prior to the submission of your Site Plan Application. Staff may be able to identify potential issues and opportunities which could affect your project. In addition, staff may be able to present you with options to make your proposal more acceptable.
- 2) Ensure that the Site Plan Application is **complete** and that the information provided is **accurate**. Delays in the Township's review of an application commonly stem from a lack of detailed information. Remember to provide an inventory of **all structures** on the affected property and their respective **dimensions**. A detailed and accurate site plan drawing can be extremely beneficial in the overall review of a particular development proposal.
- 3) Contact the Township prior to the scheduled public meeting to obtain a copy of the staff report and to more-fully understand the recommendation being provided to the Committee.
- 4) It is highly recommended that you attend the public meeting to answer questions from the Committee or any other member of the public.
- 5) Contact Township staff the day following the meeting to determine how to proceed with the completion of a building permit or any subsequent planning approval.

Other Frequently Asked Questions

1. *How can I find out if my application will be approved before I make an application?*
Staff are available to review the application prior to its submission. Staff will provide as much guidance as possible based on their knowledge of the Township's planning documents, the history of Committee decisions on similar applications, and the circumstances of the individual property. Applicants should be advised that while staff have a good understanding of the Township's regulations and policies and how the Committee has reviewed similar applications in the past, it is not always possible or advisable for staff to be absolutely confident of how successful an application will ultimately be.
2. *When do I need to have my application in to get on an agenda?*
Generally, **20 days prior to the meeting** is sufficient to allow staff enough time to fully-review the application. Periods of peak development activity throughout the summer months may cause an increase in the time required to review and schedule an application for a public meeting.
3. *What is my recourse if the application is denied, or I'm dissatisfied with the conditions of approval?* An appeal to the Ontario Land Tribunal is your recourse. Contact staff to find out more about how to make an appeal or visit the Ontario Land Tribunal's website at <https://olt.gov.on.ca/>
4. *Who has the right to appeal a decision regarding a Site Plan Application?*
Only the applicant can appeal the decision to the Ontario Land Tribunal.
5. *How is the fee determined?*
Council sets the fee schedule each year. The fee is set based upon a calculation of staff time, mileage to travel to the site, Committee member stipends, file storage costs, notices sent to adjacent property owners, and general administration of the process.
6. *How long is my Site Plan Control approval good for?*
Unless a new Zoning By-Law is created or a Zoning By-Law Amendment occurs that impacts the specific property where the approval was granted, the Site Plan approval remains valid.

7. *Can someone else besides the owner apply for Site Plan approval?*
The owner can authorize another individual/firm to act as their agent throughout the site plan application process.
8. *Do I need to have a professional prepare and submit my application?*
Site plan applications associated with small-scaled development do not typically require the assistance of a professional (e.g. engineer, planner, architect, designer, etc.). However, larger-scaled projects may benefit from the expertise of someone who has an understanding of the planning process and the requirements of the Ontario Planning Act, Provincial Policy Statement; and other related regulatory documents as administered by Rideau Lakes, the County, and the Province.
9. *How does the public become involved in the process?*
Unlike other planning applications, the *Planning Act* does not require any public notice of an application made under the Site Plan Control By-law. While in some instances applications may be presented to the Township's Planning Advisory & Committee of Adjustment, they are not generally reviewed as part of a formal public meeting. It is the Committee's discretion to notify the public of an application that they believe may affect the greater public interest. There are no formal appeal rights for the public.
10. *Will there be conditions placed upon my Site Plan approval?*
It is common for conditions to be placed on the approval of a site plan application. Such conditions may include: the replanting of native trees and shrubs along the shoreline, the movement of hydro lines (which should be coordinated with Hydro One), a reduction of the building footprint to more-adequately respect on-site constraints, landscaping requirements, financial contributions due to a determined impact on municipal infrastructure, lighting restrictions, and the upgrading of an existing septic system to meet the requirements of the current Ontario Building Code.
11. *Where can I find the regulations and restrictions for my property?*
The Township's Zoning By-law is the most important document with respect to the regulation of development and land use activities occurring/proposed within the municipality. The Zoning By-law is designed to implement the policies of the Township's Official Plan. The Official Plan is used as a guide to the future growth of the Rideau Lakes' Community. The Zoning By-law and Official Plan can be accessed through the Township's Website (<https://www.rideaulakes.ca/grow/plans-programs/planning-services/planning>) Development Services Department link.
12. *Will a staff planner visit my property prior to an application being submitted to assess the potential development proposal?*
The Development Services Department strives to provide such a service dependent upon other workload priorities. Generally, staff are able to communicate the intent and purpose of the Township's regulatory documents by reviewing a particular proposal with the applicant and use of the municipality's Geographic Information System (GIS). This preliminary review can save time and associated costs for both the Township and the applicant. However, when on-site considerations cannot be adequately understood by using the Township's mapping system, staff will make every effort to schedule an on-site inspection to review existing and potential development constraints. In all cases, staff will visit the property once a site plan application has been received. Applicants may be required to provide access to the property should such a need arise (e.g. island lots).

Site Plan Control Application Checklist

The following must be provided in order for the application to be deemed “**complete**”:

Application Form *[all sections must be complete]*

Site Plan drawing including:

- Title (owners name, property address, north arrow, scale, and legend)
- Property boundaries and dimensions
- All existing and proposed structures with their dimensions and the setback distances between each structure and adjacent property lines/waterbodies
- Location of existing or proposed septic system and drilled/dug well on site; and within adjacent properties if known
- Location of entrance/driveway and any existing rights-of-way/easements
- Location of existing or proposed landscaping, trees, naturalized areas, etc.
- Identification of steep slopes, rock outcroppings, low-lying areas and other topographical features that may affect drainage patterns on and off site
- Identification of natural features (e.g. wetlands, woodlots, watercourses, etc.)
- Identification of artificial features (e.g. roads, hydro corridors, ditches, etc.)
- Description of adjacent land uses (e.g. residential, commercial, open space, etc.)

Township Fee

Copy of Property Transfer / Deed of Land

Copy of septic permit or a formal request for file search from the Township

Floor Plans and Building Elevations *(discuss with staff to determine applicability)*

Natural Heritage Screening Report *(if applicable)*

Shoreline Buffer Planting Plan *(if applicable)*

NOTE: Full size drawings may be submitted however in all cases copies of the drawings must be provided on Ledger-sized paper (11” x 17”) or smaller for copying purposes and for inclusion in the final Site Plan Agreement.

The Township may require additional information to ensure conformity with provincial and other regulatory documents. Applicants are encouraged to consult with staff from the relevant conservation authority to determine whether or not approvals/permits are required. The Township may not be able to issue a building permit until such approvals/permits are obtained.

Cataraqui Region Conservation Authority (CRCA): 1-877-956-2722 (toll free)
crca@cataraquiregion.on.ca Rideau Valley Conservation Authority (RVCA): 1-800-267-3504 (toll free)
postmaster@rvca.ca



Site Plan Control Application

OFFICE USE ONLY

Date Received: _____ File Number: _____
Application Fee: _____ Roll Number: _____
Fee Paid (date): _____
Application deemed "complete" (date): _____

*** Prior to submitting this application you are encouraged to consult with a Township planner.***

1.0 APPLICANT INFORMATION

Name(s): _____

Address: _____

Please check the one that applies:

- ☐ Owner
☐ Authorized Agent
Solicitor
☐ Other: _____

Email: _____

Phone: (home) _____

Phone: (cell) _____

2.0 PROPERTY OWNER(S) INFORMATION (if different from applicant information)

Name(s): _____

Address: _____

If the subject land is owned by a corporation or estate, all directors that make up that entity must sign the attached affidavit or authorize an individual to act as the agent.

Phone: (home) _____ Email: _____

Phone: (cell) _____

3.0 LEGAL DESCRIPTION / LOCATION OF THE SUBJECT LAND

County		Township		Ward (Former Township)
Concession no.(s)	Lot number(s)	Legal Description:		
Registered plan no.	Lot(s) / Block(s)	Civic/911 Address:		
Reference plan no.	Part number(s)	Parcel number(s)	Assessment Roll No.	
Date subject land was acquired by current owner:				

4.0 DIRECTIONS TO THE SUBJECT PROPERTY

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5.0 LAND USE, ZONING, and OFFICIAL PLAN DESIGNATION

Criteria ¹ :	Subject Property
Existing use (e.g. seasonal residential, open space)	
If known, how long have existing uses continued for?	
Proposed use (e.g. permanent residential)	
Zoning Classification (e.g. Rural – RU)	
Official Plan Designation (e.g. Rural, Natural Heritage)	

6.0 DESCRIPTION OF THE PROPOSAL

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¹ Please refer to the Township's website (<https://www.arcgis.com/apps/MapSeries/index.html?appid=818394433eb54593b3943610489afe7c>) or consult with a Township Planner to identify the Zoning Classification and Official Plan Designation affecting the subject property.

7.0 Property Characteristics

Lot Area		(acres, hectares, ft ² , m ²)
Lot Depth		(feet / metres)

Lot Frontage	<i>Length (feet/metres)</i>	<i>Name (road / waterbody)</i>
<i>on a publically maintained road (Township/County Rd/Prov. Hwy)</i>		
<i>on a watercourse</i>		
<i>on a private laneway / right-of-way</i>		

Please provide a brief description of the property taking into account factors such as: soil type & depth, lot configuration, steep slopes or low-lying areas, natural features and any other item may impact the proposed development. Also, please include a description of the use of lands surrounding the lot.

Water Supply:	Please identify the type of water supply serving the subject property: Lake Dug well Drilled well Other: (please specify) _____
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Sewage Disposal System:	Please provide information pertaining to the existing/proposed septic	
	Type of System:	Conventional system (leaching / filter bed) Tertiary treatment Holding tank Grey water system Composting/self-contained toilet, privy, outhouse
	Year Installed:	Permit No:
	Size of Tank:	Make of Tank:
	Type of Bed:	Area of Bed:

² For installations that occurred between 1973 and 1998 applicants may wish to consult the local Health Unit to obtain a record of the septic installation. This will require a "Request for File Search". Installations that occurred after 1998 would have required a permit from the Township office. Please contact the Development Services Department to obtain a copy of this permit (Toll free: 1-800-928-2250).

8.0 Existing and Proposed Structures: Dimensions

In the tables below, please provide a **complete** record of all existing and proposed structures. Please do not omit any structures as this may cause a delay in the review of your site plan application. In addition, please note whether any of the existing structures will be removed/relocated as part of the overall proposal.

EXISTING STRUCTURES (measurements may be provided in either feet or metres)

Type of Structure ³	Ground Floor	Gross Area	No. of Storeys	Length	Width	Height	Date Built

Please place an asterisk (*) beside any existing structure that may be removed as part of this site plan application.

PROPOSED STRUCTURES (measurements may be provided in either feet or metres)

Type of Structure ³	Ground Floor	Gross Area	No. of Storeys	Length	Width	Height	Date Built

Will the proposal add any of the following?

	Yes	No	If yes, provide:	Existing	Proposed
Living Area			Size of (ft or m):		
Bedrooms			Number of:		
Bathrooms			Number of:		
New Plumbing Fixtures ⁶			Number of Fixtures:		

³ **Type of structure:** may include: seasonal/permanent dwelling, deck (i.e. attached vs. unattached to dwelling), screened porch, sleeping cabin, garage, storage shed, marine facility, gazebo, or other building/structure.

⁴ **Ground floor area:** the building "footprint" (i.e. that portion of land covered by the structure)

⁵ **Gross floor area:** total amount of finished living space within a dwelling; or the total space within any accessory structure (e.g. ground floor area plus the floor area of any loft or additional storey(s)).

⁶ **Plumbing Fixtures:** as per the Ontario Building Code (OBC) a sink represents 1.5 fixtures; a bathtub/shower (1.5); a flush toilet (4); a dishwasher (1.5); washing machine (1.5); laundry tub (1.5); full bathroom (6).

9.0 Existing and Proposed Structures: Setbacks

In the tables below, please insert all structures noted in Section 9 and provide the setback distances between each structure and the relevant property line. The setback should be accurately measured as the **horizontal distance**⁷ between the closest component of a structure and a property line. The column titled “other” refers to: watercourses, hydro corridors, easements, and other items that may require specific separation distances from buildings or structures. If any of these “others” items exist, please include the relevant separation distances.

EXISTING STRUCTURES *(measurements may be provided in either feet or metres)*

Type of Structure	Front Lot Line ⁸	Rear Lot Line ⁹	Side Lot Line ¹⁰	Side Lot Line ¹¹	Other (specify):

Please place an asterisk (*) beside any existing structure that may be removed as part of this application.

PROPOSED STRUCTURES *(measurements may be provided in either feet or metres)*

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Other (specify):

⁷ The **horizontal distance** is derived by bringing a structure onto the same plain as the lot line/ waterbody and then measuring the distance between that structure and the lot line. No vertical fluctuations (e.g. steep slopes, ridges, hills, etc.) should be included in the measurement. On properties where such fluctuations exist, taking incremental measurements may aid in providing accurate distances.

⁸ **FRONT LOT LINE** shall mean the following:

- In the case of an interior lot, the line dividing the lot from the street;
- In the case of a corner lot or through lot, the shorter line abutting a street, or where access is gained to the lot regardless of the length of the line;
- In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.

⁹ **REAR LOT LINE** shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be no rear lot line.

¹⁰ **SIDE LOT LINE** shall mean a lot line other than a front or rear lot line.

10.0 ACCESS TO THE PROPERTY

How is the subject property accessed?

Type of Access	Name of Road/Waterbody
- Provincial Highway	_____
- Municipal Road	_____
- Private Road/Laneway	_____
- Water	_____

If the property is accessed by water, what docking and/or parking facilities are available on the mainland? _____

11.0 RECORD OF PREVIOUS LAND USE AND PLANNING ACTIVITY

Previous Uses	Yes No Unknown
1) Has there been any industrial or commercial use on the subject land or any adjacent lands?	
2) Has there been any petroleum or other fuel stored on the subject land or any adjacent lands?	
3) Is there any reason to believe the subject land may have been contaminated by former uses on the site or any adjacent lands?	
4) Are there any other previous land uses that ought to be given particular consideration in the review of this application?	

Planning Activity	Yes No Unknown
<p>Has the subject property been affected by any preceding planning approval? If yes, please provide any relevant reference/application #'s.</p> <p>-Minor Variance</p> <p>-Site Plan Approval</p> <p>-Zoning By-Law Amendment</p> <p>-Official Plan Amendment</p> <p>-Other (please specify)</p>	

Please provide any additional information that you feel may be relevant in the review of this application; you may submit as many additional pages as necessary:

Consent of Owner

Consent of Owner(s) to the use and disclosure of personal information; and to allow site visits to be conducted.

I/We, _____, being the registered owner(s) of the lands subject of this application, and for the purpose of the *Freedom of Information and Protection of Privacy Act*, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this applications.

I/We also authorize and consent to representatives from the Township of Rideau Lakes and the persons and public bodies conferred with under the *Planning Act* entering upon the subject lands of this application for the purpose of conduction any site inspections as may be necessary to assist in the evaluation of the application.

Date: _____.

Owner(s)' Signature

Affidavit

I/We, _____ of the _____ in the _____
(name of owner(s)/agent(s)) (City in which you reside)
_____ in the _____
(County/Upper-tier municipality, if applicable) (Province/State)

solemnly declare that all of the above statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that this is of the same force and effect as if it were made under oath.

Declared before me at the:

_____ . (e.g. municipality)

In the _____ . (e.g. county/upper-tier municipality)

This _____ day of _____, _____.

A Commissioner of Oaths

Applicant(s) Signature

Personal information contained in this form is collected under the authority of the *Planning Act*, [Section 40], and will be used to determine the eligibility of the proposed site plan.

Note:

The Approval of this Planning Application does not relieve the Owner from the requirements of the Ontario Building Code or any other relevant regulatory control that may affect the use and development of the subject property (e.g. Conservation Authority Regulatory Controls, Zoning By-law Regulations, etc.).

Owner's Authorization

I/We, _____

being the registered owner(s) of the subject lands hereby authorize _____

to prepare and submit the application for on my/our behalf to the Corporation of the Township of Rideau Lakes.

Witness

Owner(s) Signature

Date



