



TOWN OF FORT ERIE

SITE PLAN CONTROL PROCESSING GUIDELINES

2018

**Planning and Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6**

Site Plan Control Approval Process

What is "Site Plan Control"?

"Site Plan Control" is the approval, by the Town, of the lay-out of a development project. It is a type of development control, authorized by *The Ontario Planning Act*, that is different than, and in addition to, the Zoning By-law and the Ontario Building Code. Virtually all new development requires some form of Site Plan Approval. A site plan is required for new commercial, institutional, multi-residential buildings, greenhouses, or medical marihuana facilities and additions and in some cases industrial buildings or additions if the development is less than 20% of the gross floor area up to a maximum of 500 square feet. Site plans may also be required where new services or works are required on municipal property. ***In the case of commercial, industrial, institutional and multiple dwelling developments, a legal "Site Plan Agreement" with financial securities are required to ensure the project is completed according to approved plans and the Agreement.***

To support an application for Site Plan Approval, drawings are prepared and submitted such as site plan, site servicing plan, grading plan, landscaping plan, floor plans and building elevations. In many cases, a Stormwater Management Report may also be required. The Planning & Development Services department will determine what types of plans and other reports/documentations are needed and then review the project. Depending on the outcome of the review, the proponent may be required to resubmit drawings for further review to satisfy issues raised by staff. Once approval is given (and a Site Plan Agreement is registered on title), then the applicant may obtain a Building Permit.

Purpose of Site Plan Control

During the Site Plan Approval process, the Town will review site design features and co-ordinate the following:

- Overall site design
- Effect on surrounding land uses
- Siting of buildings
- Grading
- Sewer and Water servicing
- Stormwater Management
- Parking Lot Layout
- Access
- Building Design
- Landscaping

Once a complete application is received, the Planning Department will circulate and process the application through various Town departments and government agencies. This way, the Planning Department will be the applicant's one-stop contact. The Planning Department will advise the applicant of the status of the proposal and any changes or conditions throughout the process. Site Plan Control ensures the implementation of Town requirements (e.g. street widenings, road improvements, parking, drainage, servicing etc.). It also helps to improve the quality and appearance of the development and provides for the safe circulation of traffic.

If staff is satisfied with the review, staff will recommend approval of the site plan to the Director of Planning and Development Services.

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Site Plan Review Process Chart

PROCESS STEPS	DETAILS
1. Pre-Consultation	<ul style="list-style-type: none"> • Applicant to contact Development Coordinator to determine the level of Pre-Consultation • Applicant will obtain the Pre-Consultation Package via Town staff or website and submit the Pre-Consultation form to the Development Coordinator • Staff will review the pre-consultation submission prior to formal site plan submission to identify potential issues, required follow-up, etc. • The Manager of Development Approvals and/or Search Coordinator, Development Approvals contacts applicant and provides comments/direction based on staff review
2. Formal Submission of Site Plan Application	<ul style="list-style-type: none"> • applicant submits completed Site Plan Approval package including Application Fees • Staff review package for completeness (i.e., number of copies, reports, fees, etc.) • if package is complete - Manager of Development Approvals and/or Development Coordinator initiates processing
3. Circulate to Town Departments & Agencies	<ul style="list-style-type: none"> • Development Coordinator circulates plans, reports, etc. to pertinent Town departments (TPAC) and outside agencies • Comments from different departments/agencies forwarded directly to the Development Coordinator
4. Site Plan Review & Comments	<ul style="list-style-type: none"> • Manager of Development Approvals and/or Development Coordinator reviews comments and determines if plans are acceptable or if revisions are required: • if plans are acceptable, proceed to Step #6 • if revisions are required, the Development Coordinator provides feedback to applicant in the form of a letter, including all comments received to date and what revisions are required to the various plans submitted • Depending on the complexity of the proposed development and staff workload, the typical turnaround time for initial review is within three weeks and two weeks for any subsequent reviews.

<p>5. Finalize Site Plans & Re-submission</p>	<ul style="list-style-type: none"> • Applicant resubmits revised plans and other requirements to the Development Coordinator • If revisions/redesign are major, 2nd submission is re-circulated to specific departments or agencies (go back to Step 3) • Manager of Development Approvals and/or Development Coordinator determines if 3rd submission is required (if yes, go back to Step 3)
<p>6. Site Plan Approval & Report</p>	<ul style="list-style-type: none"> • The Director of Planning and Development Services and/or Designate stamps plans and circulates approved Final Plans
<p>7. Site Plan Agreement</p>	<ul style="list-style-type: none"> • Development Coordinator prepares the Site Plan Agreement and a draft copy of Agreement is provided to the Applicant/Owner for review • All requirements & conditions identified in Site Plan Review are included in the Agreement • Comments from Applicant/Owner incorporated in the Agreement and finalized
<p>8. Owner to execute Site Plan Agreement</p>	<ul style="list-style-type: none"> • Development Coordinator arranges for execution and registration of Agreement • Owner ensures that all parties appropriately sign the agreement and other requisite documents prepared by the Town and its solicitor (<i>note that signatures should be witnessed and where appropriate, corporate seals provided</i>) • Executed agreement and requisite documents returned to the Development Coordinator
<p>9. Owner submits securities, proof of land transfers, etc.</p>	<ul style="list-style-type: none"> • Owner submits all required securities, cash payments, etc., pursuant to the Site Plan Agreement
<p>10. Director of Community and Development Services and/or his Designate to execute Site Plan Agreement</p>	<ul style="list-style-type: none"> • Development Coordinator forwards the executed Site Plan Agreement and requisite documents to the Director of Planning and Development Services and/or his designate
<p>11. Site Plan Agreement registered on title by the Town's solicitor</p>	<ul style="list-style-type: none"> • Development Coordinator arranges the registration of the Agreement and other requisite documents with the Development Solicitor • Copy of registered documents forwarded to Development Coordinator • Copy of registered documents provided to the Owner

<p>12. Clearance of Conditions of Agreement</p>	<ul style="list-style-type: none"> • Owner commence construction of works as per Site Plan Agreement • Owner proceeds to satisfy conditions of Agreement and forward clearance letters to Manager of Development Approvals and/or Development Coordinator • Manager of Development Approvals and/or Development Coordinator monitors requirements of Agreement and ensure all required conditions are satisfied prior to clearing development for a Building Permit
<p>13. Building Permit Issuance</p>	<ul style="list-style-type: none"> • Manager of Development Approvals and/or Development Coordinator notifies Chief Building Official of clearance of all required conditions • Assuming Building Permit application and drawings are satisfactory, the Building Permit is issued
<p>14. Monitor Construction</p>	<ul style="list-style-type: none"> • Development Coordinator monitors construction to ensure works is carried out in accordance with the approved plans and the Agreement
<p>15. Reduction of Securities deposited with the Town</p>	<ul style="list-style-type: none"> • Upon satisfactory completion of works, the Owner may apply for a reduction in securities held by the Town • Development Coordinator to verify the works completed and if found satisfactory, the securities being held can be reduced
<p>16. Release of Securities at the conclusion of Maintenance Guarantee</p>	<ul style="list-style-type: none"> • Upon satisfactory completion and maintenance of the works and the expiry of the Maintenance Guarantee period, the Owner may apply for a release of the securities held by the Town • Development Coordinator with the Owner's representative to conduct final inspection and if found satisfactory, the securities being held will be released

1. STANDARD SUBMISSION REQUIREMENTS

1.1. Application Fees

Fees are established by the Town's Fees By-Law and are payable at the time of site plan submission (*Refer to current Fees By-law and Schedule for complete list of Planning Application Fees*). Site Plan Application fees are subject to annual review and adjustment, the most current fees will apply.

The legal cost deposit of \$565.00 must be paid at the time of application the remaining \$2000.00 must be paid as detailed in the financial schedule.

1.2. Required Documentation

- two (2) completed application forms fully executed including required authorization

The following legal documentation and schedules must be submitted for the preparation of a Site Plan Report:

- Solicitor's Certificate of Title** which should indicate that the applicant is the owner of the lands; all encumbrances, including leases against the lands; and that there are no executions against the lands (refer to Appendix C)
- Engineer's Cost Estimates for Site Works** (refer to Appendix D)
- Land Appraisal** for the calculation of cash-in-lieu of parkland dedication for the site prepared by a qualified real estate appraiser approved by the Town.

1.3. Required Sets of Plans and Reports/Studies

(as required by the Pre-Consultation Agreement)

- Two (2)** copies of a survey plan of the site (folded to legal size)
 - Eight (8)** sets of Development Plans, unless otherwise specified (folded to legal size and stamped with date of submission) including:
 - Site Plan
 - Servicing and Grading Plan
 - Plan and Profile – Roads and Services (when required)
 - Stormwater Management Plan and Report (2 copies - when required)
 - Landscape Plan
 - Floor Plans and Building Elevations (2 sets)
 - Tree Preservation Plan or Environmental Impact Statement (when required)
 - Any other required plan marked "For Information Only"
 - Background Information Report (2 copies - when required)
 - Preliminary Servicing Report (2 copies - when required)
 - Archaeological Report (2 copies - when required)
 - Geotechnical Report (2 copies - when required)
 - Traffic Impact Study (minimum 2 copies - when required)
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- Water Meter Layout (2 copies)

1.4. General Drawing Specifications

- Full scale prints of 24" x 36" or equivalent metric size. **LARGER THAN THIS SPECIFIED SIZE WILL NOT BE ACCEPTED.**
- Plans must be **folded** to a maximum legal size of 8½" x 14" and in separate sets.
- On smaller projects, information required on Site, Grading, Servicing and Landscape Plans may be combined on a single drawing.
- Scale** of drawings must be 1:100 to 1:500. ARCHITECTURAL SCALES are not acceptable for these plans. Submissions containing two or more of these plans should be drawn at the same scale for comparison purposes.
- Title block** must contain the following: name of project, municipal address of the project site, drawing name and number, scale, date, and any other relevant information (Note: if municipal address is not known or assigned, consult with Planning Staff).
- Plans not fully completed will be returned to the applicant for re-submission.
- It is the applicant's responsibility to identify any required Zoning By-law variances.
- All measurements to be shown in metric (with imperial conversions in brackets if desired)
- In addition to paper drawings, AutoCad (2000 compatible) drawing files are also required (*optional on initial submission but required at as-constructed stage*). If co-ordinate information is to be provided, UTM NAD83, Zone 17 in a ground coordinate system with a combined scale factor for conversion to grid coordinates is to be used.

1.5. Site Plan

Site Plan drawings submitted for approval shall be prepared and stamped by a professional engineer, Ontario land surveyor, licensed architect or landscape architect, and *at a minimum*, include the following information and standard notations:

- Site Plans must be prepared at a scale of 1:100 to 1:500 with key plan
 - North arrow (the drawing must be oriented to have vertical north line or as closely as possible)
 - Applicant/Owner's name and address
 - Project name, date, municipal address and legal description of land
 - Key plan for site location
 - Legal description of property
 - Property boundaries, bearings and dimensions
 - Adjacent property owned by the applicant or in which the applicant has interest
 - Widening of highways that abut the land
 - Location of existing and proposed buildings
 - Building(s) or aboveground features proposed for removal/demolition
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- Location or outline of existing buildings on adjacent properties
- Traffic circulation and location of Fire Route signs
- Building dimensions
- Loading doors and bays, loading areas and intended truck traffic
- Minimum distance between buildings (*please ensure all dimensions are sufficient to allow minor changes as may be necessary)
- Identify landscaped areas (width dimensions) and surface treatment (i.e., paved, gravel, sodded, etc.)
- Location of any exterior walkways, stairs, building entrances
- Location of play areas and outdoor amenity areas, details of equipment
- Sidewalk widths
- Garbage location and screening details if outside (garbage areas will not be permitted within the front yard of any property). All multi-area residential developments must provide adequate turning movements (*in accordance with Regional standards for turning radius*) on-site to facilitate either private or municipal garbage vehicles. All garbage pick-ups must be handled within the limits of the subject property. In the case of townhouse development, the Owner and/or Condominium Association will be responsible for entering into subsequent agreements for garbage disposal with Regional Niagara.
- Internal driveways, parking area and loading area layout, and ramps including dimensions of parking stalls, driveways and aisles
- Underground parking structures and setback to property lines
- Provisions for handicapped parking
- Typical pavement cross section indicating the depth of base and asphalt for driveways and parking areas
- Details of fencing and lighting
- Building blocks to be numbered with number of units (i.e., Building No. 2; 4 dwelling units)
- Residential driveways in front of garages
- All easements and right-of-ways on the property (including road right-of-ways) and dedicated road widening
- Pylon sign location/setback from lot line, sign area if known (*Note: Signage details are requested for preliminary review however such details will be considered as information only and in no way will signs be considered approved for permit purposes under the site plan approval processes. All signs are to comply with the Sign By-law and a sign permit must be obtained from the Building Department prior to installation.*)
- Site Plan and Building Statistics in chart form as follows:

SITE PLAN AND BUILDING STATISTICS	
<i>Development Proposal</i>	
<i>Project Name</i>	
<i>Owner</i>	
<i>Municipal Address</i>	
<i>Former Municipality</i>	
<i>Legal Description</i>	
<i>Official Plan Designation</i>	

SITE PLAN AND BUILDING STATISTICS		
Zoning and Zoning By-law	REQUIRED	PROVIDED
Lot Frontage	m	
Lot Area	m ²	
Side Yard	m	
Side Yard	m	
Rear Yard	m	
Building Height (max.)	metres / number of storeys	
Building Coverage (max.)	m ²	
Gross Floor Area	m ²	
Landscaped Area	m ²	
Parking Spaces		
Loading Spaces		

Required Site Plan Notes:

1. All work involved in the construction, relocation and repair of municipal services for the project shall be to the satisfaction of the Town and at the sole expense of the Owner.
2. Fire Route Signs and three Way Fire Hydrants shall be established to the satisfaction of the Fire Department and at the sole expense of the Owner.

1.6. Servicing and Grading Plan

Site Servicing and Grading Plans to Town standards (contact Engineering Division, Public Works Department) shall be prepared and stamped by a qualified Professional Engineer and at a minimum, include the following information and standard notations (Separate Servicing Plan and Grading Plan preferred). Site Grading design shall be in accordance with the Town of Fort Erie Lot Grading and Drainage Policy, By-law 252-92.

- Property boundaries
- Geodetic Bench mark description and elevation
- Existing and proposed grades, which should be shown as follows:
 - Existing 797.3
 - Proposed **797.3**
 - If proposed and existing are the same, use "existing" method to show this on the plan.
- Existing and proposed storm and sanitary sewers, water distribution system and service connections from the main to the building
- Existing and proposed sewer pipe sizes, materials, lengths, grades and invert elevations
- Plan and profile of roads or access and services as may be required
- Existing and proposed top of manholes and catchbasins and invert elevations
- Service connections invert elevations at the main and at the building.

- Existing and proposed municipal or private fire hydrants, fire protection system and mains, standpipe/sprinkler system and siamese connections location
- Existing ground elevations on adjacent lands and buildings in order to identify drainage patterns
- Location of adjacent ditches, creeks or watercourses including top of bank and invert elevations
- Location and type of easements and rights-of-way (existing and proposed) on and abutting the subject lands
- Location of existing driveways on abutting properties that are within 6 m of the mutual lot line(s) and location of existing driveways located opposite the subject property
- Road widening, sight triangles (consult with Engineering as to deemed width)
- Proposed retaining wall location and details
- All utilities on existing roads including storm, sanitary, water, telephone, hydro, cable and gas
- Lighting details including shielding to prevent illumination of adjacent residential areas and abutting roadways
- Location of hydro transformers
- Existing grades of abutting roads and proposed grades through new entrances
- Elevations on a grid throughout the site including lot corners and to at least 15m beyond so that drainage patterns may be evaluated
- Proposed drainage swales identifying lengths, grades and typical cross section.
- All surface drainage routes including swales, ditches, watercourses and their invert elevations and flow direction
- Ground floor and minimum basement elevations of the building and ground elevation at all building corners and entrances
- Location of downspouts for roof drainage (note that generally, roof drainage is to spill directly onto splash guards and onto the ground, not to be connected directly to an internal storm sewer system)
- Location of entrance culverts including length, grades and inverts
- Legend detailing all symbols (i.e., catch basins, retaining walls, road, property line, building line, existing and proposed elevations)
- On-site minor storm drainage system, where storm sewers are available.
- Major storm overland flow route
- Stormwater management facility including orifice details, rate of controlled flow, volume of storage, etc.

Required Servicing and Grading Plan Notes:

1. All driveways from property lines for the first 7.5 metres shall be 2 to 5% grade, and up to 10% maximum grade thereafter.
 2. The approval of this plan does not exempt the Owner or its bonded contractor from the requirements to obtain the various permits normally required to complete a construction project, such as, but not limited to the following: committee of adjustment, relocation of services, sewer and water permits,
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connection permits, encroachment permits/agreements, building and land use permits, entrance permits, road cut permits, etc.

1.7. Floor Plans and Building Elevation Plans (four sides of the project)

- General interior layout of all the proposed building floors identifying uses, etc.
- Front, side and rear elevations of a typical building block showing generally the material to be used (i.e. brick, concrete, blocks, precast concrete, stucco, etc.) for information purposes. The materials should be noted on the plan)
- The elevations must be complete in showing texture intended for information purposes (i.e., horizontal lines to show brick course, vertical lines to show wood siding or concrete patterns, stipple tone to show stucco finish, etc.)
- Commercial, industrial or institutional building bound adjacent to any residential property shall be required to provide a minimum decorative brick material on all exterior walls, location of doors, windows, leading areas, wall signs/bands, air conditioning, exhaust vents, roof top mechanical equipment (Type and height and screening to be noted), wall lighting, etc.

Required Floor Plan and Building Elevation Plan Notes:

1. Door and window locations and building materials may vary depending on final building layout, and are shown for information purposes only.

1.8. Landscape Plans

The importance of good landscaping in the success of a project and contribution to a healthy community is often underestimated. The Landscape Plan shall be prepared and stamped by a Professional Landscape Architect. Landscape plans shall include the following details at a minimum:

- Existing and proposed contours
 - Existing landscape elements to be retained or removed
 - Watercourses, shoreline, tree lines, top of slope
 - Location of all proposed plant material, planting beds, sodded/seeded areas, and other surface treatments. Plant material to be keyed to a plant list.
 - Plant list showing botanical and common name, size, quantity and root condition of plant material
 - Location, specification and details for walkways, pathways, parking, play areas, special activity areas, open space areas, exterior lighting, play structures, fences/screens, walkways, retaining walls, planters, edgers, stairs, ramps, street furniture, hydrants, curbs, existing ground signs, etc.
 - Planting details for coniferous and deciduous trees, shrubs and perennials to include staking, guying, installation, pruning, soil and mulch specifications.
 - Accurately show all existing trees to be preserved, removed or relocated and clearly specify the species, diameter and condition. For trees over 100mm caliper, they are to be identified on an individual basis, otherwise, general areas of small trees or shrub growth may be shown. If trees are to be preserved, a Tree Preservation Plan/specification will be required.
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- Irrigation plan, details and specifications.
- Location and treatment of garbage collection areas.

Required Landscape Plan Notes:

1. Any plant material or play equipment (if applicable) substitutions require the approval of the Town of Fort Erie.
2. Plant material, play equipment (if applicable) and fencing shall be provided by the Owner. Any additions must comply with the Zoning By-law.
3. Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing shall be to the satisfaction of the Town.
4. All landscaping shall be installed prior to the end of the first growing season following occupancy of the development.
5. Notwithstanding the Maintenance Guarantee period in the agreement, all plant materials shall have a two (2) year warranty.

1.9. Tree Preservation Plan (if required)

Development sites containing existing vegetation, boundary trees located on lot lines, or proposing development adjacent to properties or streets containing existing vegetation within 3 metres of its property limits shall retain all vegetation until such time as the site plan approval has been given which sets out agreed upon tree preservation. The proposal will be assessed using information provided by the applicant. At a minimum, the plan should include the following:

- Identify all plant material in a clear legible manner outlining quantities, species, size, height, condition/health and locations of material to be saved or removed. This has to be carried out by a certified arbourist.
 - Identify proposed and existing grades, entrances of driveways and utility services
 - Identify all existing vegetation 3m outside of the subject property boundaries or property lines including Town trees (individually locate all trees with caliper measuring 100mm or greater, all other vegetation identify in masses showing outline of canopy created by massing)
 - Identify all trees on Town property
 - Location of existing trees is to be surveyed and identified on a survey plan prepared by an O.L.S. Using the survey as the base plan, the location of the existing trees shall also be shown on the site servicing/grading plan(s)
 - Tree protection standards refer to all material on private property which the owner agrees to save as part of the approved site plan. Such areas to be clearly displayed on the tree protection plan
 - After care of trees to be preserved should be identified on the tree preservation plan as to watering, fertilizing and pruning
 - Any trees located within the Town's road allowance, that are proposed to be removed, require a written assessment and support for the removal by the Town.
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1.10. Survey Plan

A survey must be prepared, stamped and signed by an Ontario Land Surveyor, or as an alternative, an O.L.S stamp and signature on a site plan prepared by an architect or engineer prior to building permit issuance. The survey plan shall include the following information:

- Legal description (lot number and concession, registered plan number, lot or block number)
- Lot area in metric measure
- Location of proposed building(s) and encroachments
- All existing structures, topographical features (i.e., swales, top of bank)
- Geodetic bench marks, property boundaries and bearings, dimensions, found or planted IB's or SIB's, etc.
- Existing easements, etc.

1.11. Miscellaneous Reports and/or Studies

The following reports and/or studies may be required depending on the location, extent and complexity of the development:

- Background Information Report
- Preliminary Servicing Report
- Environmental Impact Study
- Stormwater Management Report
- Archaeological Report
- Geotechnical Report
- Traffic Impact Study

2. SITE PLAN REVIEW PROCESS

2.1. Key Players

(a) Technical Planning Advisory Committee (TPAC)

The Technical Planning Advisory Committee (TPAC) is comprised of Town staff from various municipal departments responsible for making recommendations/decisions related to site plan and development approval.

The Development Review Team consists of individuals from the following Town Departments who review development proposals from a variety of perspectives.

Planning: conformity to Official Plan policy and Zoning By-law regulations, aesthetics, urban design and considerations of relevant urban design guidelines, compatibility, function and efficiency, heritage resources, architectural elevations, signage, landscaping, etc.

Engineering: road widening, road and curb cut requirements, driveway locations, traffic impact analysis, parking design, safety and access; lot grading/drainage and storm water management and sewer and water servicing.

Parks and Leisure: parkland requirements

Fire: fire access routes, fire hydrants

Corporate Services: development charges, cash-in-lieu of parkland, etc.

Building: preliminary comments on Ontario Building Code and servicing requirements to assist with preparation of plans for building permit applications

(b) Manager of Development Approvals and/or Development Coordinator

The *Manager of Development Approvals and the Development Coordinator* are your key municipal contact whose principal responsibility is to process and monitor your Site Plan Application. All submissions, correspondence, comments, etc. should go through these individuals to ensure the efficient processing of your application.

Once you receive Site Plan approval, the Manager of Development Approvals and/or the Development Coordinator will prepare and complete a Site Plan Agreement and ensure that all the conditions of your Site Plan Approval are satisfied.

It is the Manager of Development Approvals who provides the ultimate clearance for you to obtain your Building Permit.

2.2. Pre-Consultation

Prior to the formal submission of site plans, applicants are required to complete the Pre-Consultation Process in accordance with Town By-law 63-09. Applicants should contact the Development Coordinator or Manager of Development Approvals who will obtain some information to determine the extent of the pre-consultation required. The applicant will then be asked to submit the pre-consultation application form, fee and package to the Development Coordinator. The Development Coordinator will circulate the package to the required Town staff and other key agencies as applicable. Comments regarding the submission will be noted to the applicant and what the next steps in the application process.

Appendix F contains the names and telephone numbers of individuals to contact.

2.3. Processing of Site Plan Application - See "Site Plan Review Process Chart"

3. SITE PLAN AGREEMENT

All developments subject to Site Plan Control shall require a Site Plan Agreement with financial securities to ensure that the project is developed, completed and maintained according to approved plans and the agreement. The requirement for a Site Plan Agreement may be waived under the following conditions:

- Where no on-site works are to be undertaken and where no municipal services or works are required to be undertaken on municipal property; or
- Where on-site works to be undertaken are minor and will have no effect on existing surrounding infrastructures or drainage and where no municipal services or works are required to be undertaken on municipal property.

4. SECURITY AND FINANCIAL REQUIREMENTS

4.1 Financial Securities

Financial securities (refer to Appendix D) will be required prior to execution of the Agreement by the Town, in the form of a standard Letter of Credit from a chartered bank or a certified cheque payable to the Town of Fort Erie, calculated based on the Engineer's cost estimates of the works in the following amount:

- 15% of estimated construction cost of On-Site Primary Services
- 100% of estimated construction cost of Off-Site Primary Services
- 50% of estimated construction cost of On-Site Secondary Services
- 120% of estimated construction cost of Off-Site Secondary Services

4.2 Cash Payment

All cash payment identified in the Financial Schedule of the Agreement will be required prior to execution of the Agreement by the Town, which may include any or all of the following:

- Administration, Engineering and Inspection Fee based on the estimated cost of works as follows:
 - 4% of the estimated construction cost of works to a maximum of \$4,000.00 where the cost of works is less than \$100,000.00; or
 - 3.5% of the estimated construction cost of works to a maximum of \$15,000.00 where the cost of works is between \$100,000.00 and \$500,000.00; or
 - 3% of the estimated construction cost of works where the cost of works is in excess of \$500,000.00.
 - The Engineering Review deposit will be subtracted administration, engineering and inspection fee cash payment
 - Outstanding property taxes
 - Local improvement charges
 - Cash in lieu of parkland dedication
 - Deposit for Legal expenses
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- Tree planting reserves
- Street and/or traffic regulatory signs

5. DELEGATED APPROVAL

Town Council, by *By-law No. 143-03*, has delegated the authority of site plan approval to the Director of Community and Development Services and/or his designate.

Town Council, by *By-law No. 36-13*, has delegated authority for the execution of Site Plan Agreements to the Director of Community and Development Services and/or his designate.

6. SITE PLAN APPROVAL TIME LIMITS

The Town staff commits to a 90 day staff review time in 90% of the site plan applications. This means that from the date of application staff will not **review** an application for more than 80 days before it is approved. The final approval of the site plan could take longer than 80 days from application submission as it is dependent on the timing of the applicant's consultant's resubmission/s.

Similar to a new application, the authority to grant an extension to a site plan approval is delegated to the Director of Planning and Development Services and the Manager of Development Approvals.

APPENDIX A

SAMPLE FORMAT - LETTER OF CREDIT

(Note: Security to be provided on Financial Institution's letterhead)

IRREVOCABLE STANDBY LETTER OF CREDIT BANK REFERENCE NO. for AMOUNT (CAN \$'S)

THE CORPORATION OF THE TOWN OF FORT ERIE
1 Municipal Centre Drive
Fort Erie, Ontario
L2A 2S6

We hereby authorize you to draw on (NAME AND ADDRESS OF BANK) for account of (NAME AND ADDRESS OF OWNER), up to an aggregate amount of (FULL AMOUNT AS PER SUBDIVISION AGREEMENT) available on demand.

Pursuant to the request of our customer, the said (NAME OF OWNER), we, (NAME OF BANK), hereby establish and give to you an Irrevocable Standby Letter of Credit in your favour in the total amount of Canadian (\$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 a right as between yourself and our said customer to make such demand and without recognizing any claim of our said customer.

Provided, however, that you are to deliver to (NAME AND ADDRESS OF BANK) at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be and/or have been expended to obligations incurred or to be incurred by you in connection with a subdivision agreement between (NAME OF OWNER) and The Corporation of the Town of Fort Erie regarding servicing works for the (NAME OF SUBDIVISION).

The amount of this Letter of Credit shall be reduced from time to time as advised by notice in writing given to us from time to time by you.

This Letter of Credit will continue to (DATE), and will expire on that date and you may call for payment of the full amount outstanding under this Letter of Credit at any time up to the close of business on that date. It is a condition of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to any such future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period.

Partial drawings are permitted. We hereby agree that drawing under this credit will be duly honoured upon presentations, and shall state that they are drawn under (NAME AND ADDRESS OF BANK) Letter of Credit no. (BANK REFERENCE NO.) dated (DATE).

(NAME OF BANK)

(Authorized Signature)

(Authorized Signature)

**Normally one calendar year after the date of issuance.*

APPENDIX B DEVELOPMENT CHARGES

(Please refer to the Town of Fort Erie website for updated Development Charge Fees at www.forterie.ca or available upon request)

APPENDIX C

SOLICITOR'S CERTIFICATE OF TITLE FORM

To: The Town of Fort Erie

Re: " _____"
Part of Lot _____, Concession _____ designated as Part
_____ on Reference Plan _____ Town of Fort Erie, Ont.

I, the undersigned, hereby certify to the Town of Fort Erie that _____
is the registered owner of the above lands by Transfer/Deed of Land registered _____
as Instrument No. _____

AND is the registered owner in fee simple, free and clear of all encumbrances and has a good and marketable title to the above lands, subject to the following:

1. _____
2. _____
3. _____
4. _____

Without limiting the generality of the foregoing, **I ALSO HEREBY CERTIFY** to the Town of Fort Erie:

- (a) that realty taxes on the lands of the tax roll which include the land affected by the above Transfer and Mortgage have been paid; and
- (b) that there are no writs of execution of liens filed with the Sheriff of the Judicial District of Niagara South or with the Land Titles Division of the Registry Office against _____ of any prior registered owner(s) on title; and
- (c) I am a member in good standing of the Law Society of Upper Canada.

Dated at _____ this _____ day of _____ 20_____

Signature of Barrister & Solicitor: _____

Name of Barrister & Solicitor:
Name of Firm:
Address:
Town and Postal Code:

APPENDIX D

SAMPLE COST ESTIMATE

ON-SITE PRIMARY SERVICES		
1.	Watermains and Appurtenances	
2.	Sanitary Sewers and Services	
3.	Storm Sewers and Appurtenances including Stormwater Management Facility	
4.	Site Preparation. Grading and Granular A Base	
5.	Concrete Curb & Gutter	
6.	HL8 Base Course Asphalt	
7.	Electrical Distribution System and Streetlighting	
8.	Other (Specify)	
	Sub-Total	

OFF-SITE PRIMARY SERVICES		
1.	Water Distribution System	
2.	Sanitary Sewer Collection System	
3.	Storm Sewer System	
4.	Site Preparation and Grading	
5.	Base Course Asphalt and Curb/Curb and Gutter	
6.	Other (Specify)	
	Sub-Total	

ON-SITE SECONDARY SERVICES		
1.	Surface Course Asphalt	
2.	Walkways	
3.	Landscaping & Planting	
4.	Fencing	
5.	Outdoor Lighting	
6.	Other (Specify)	
	Sub-Total	

Appendix D (Continued)

OFF-SITE SECONDARY SERVICES		
1.	Surface Course Asphalt	
2.	Sidewalk/Walkways	
3.	Grading and Sodding/Planting of Boulevards	
4.	Other (Specify)	
	Sub-Total	

SECURITIES		
1.	15% of On-Site Primary Services	
2.	100% of Off-Site Primary Services	
3.	50% of On-Site Secondary Services	
4.	120% of Off-Site Secondary Services	
	TOTAL LETTER OF CREDIT or CERTIFIED CHEQUE REQUIRED	

CASH PAYMENT			
1.	Administration, Engineering & Inspection Fee (Refer to Section 4.2 of the Guidelines)		
2.	Deposit for Estimate of Legal Expenses		
3.	Other (Specify)		
	TOTAL CASH PAYMENT		

APPENDIX E

TELEPHONE DIRECTORY/INFORMATION SHEET

Mr. Richard Brady, MA, MCIP, RPP
Director of Planning & Development Services
Town of Fort Erie
(905) 871-1600 Ext.2500

Ms. Kira Dolch, MCIP, RPP
Manager of Development Approvals
Town of Fort Erie
(905) 871-1600 Ext.2502

Mr. Jeremy Korevaar, C.E.T.
Coordinator, Development Approvals
Town of Fort Erie
(905) 871-1600 Ext.2505

Mr. Matthew Kernahan, MCIP, RPP
Senior Development Planner
Town of Fort Erie
(905) 871-1600 Ext.2507

Mr. Keegan Gennings, CBO
Chief Building Official
Town of Fort Erie
(905) 871-1600 Ext.2515

Jasin Marr, P. Eng
Engineering Division Manager
Town of Fort Erie
(905) 871-1600 Ext.2402

Mr. Erik Acs
Regional Municipality of Niagara
Planning & Development Department
2201 St. David's Road, P.O. Box 1042
Thorold, Ontario L2V 4T7
Phone: 1-800-263-7215

Mr. Phil Lambert, P.Eng.
Regional Municipality of Niagara
Public Works Department
2201 St. David's Road, P.O. Box 1042
Thorold, Ontario L2V 4T7
Phone: 1-800-263-7215

Mr. David Deluce
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2
Phone: (905) 788-3135

Mr. Neil Ferris
Heritage Planner
Ministry of Tourism, Culture & Recreation
44 Centre Street
London, Ontario N6J 1T4
Phone: (519) 675-7742

Ms. Alexandra Boucette
Corridor Management Officer
Ministry of Transportation
159 Sir Hearst Avenue
7th Floor, Building D
Downsview, Ontario M3M 0B7
Phone: (416) 235-3883

Ms. Ellen Savoia, MCIP, RPP
Niagara Parks Commission
P.O. Box 150
Niagara Falls, Ontario L2E 6T2
Phone: (905) 356-2241

Mr. Dennis Franco
Canadian Niagara Power Company Limited
1130 Bertie Street, P.O. Box 1218
Fort Erie, Ontario L2A 5Y2
Phone: (905) 871-0330

APPENDIX G SAMPLE SITE PLAN DRAWING

