



Site Plan Approval Manual for the Oak Ridges Moraine and Environmentally Sensitive/Hazard Land Areas



**Town of Whitby Planning and
Development Department**

2015

Table of Contents

- 1.0 Introduction 3
 - 1.1 The Oak Ridges Moraine (ORM) 3
 - 1.2 Environmentally Sensitive/Hazard Land Areas 3
 - 1.3 Site Plan Approval and Length of Time..... 4
 - 1.4 Department and Agency Responsibilities 4
- 2.0 Guide To Site Plan Approval 5
 - 2.1 Pre-Consultation (By-law No. 5967-07) 5
 - 2.2 Natural Heritage Features/Hydrological Evaluations..... 5
 - 2.3 Landform Conservation Areas 5
 - 2.4 Environmental Management 6
 - 2.5 Submitting the Application 6
 - 2.6 Conditions of Site Plan Approval..... 7
 - 2.7 Starting Construction 7
 - 2.8 Other Departments/Agencies Approvals..... 8
- 3.0 Resource Information..... 8
 - 3.1 Site Plan Application Link 8
 - 3.2 Site Plan Control By-law Link..... 8
 - 3.3 Whitby Official Plan & Oak Ridges Secondary Plan Link 8
 - 3.4 Provincial Oak Ridges Moraine Information Link 8



1.0 Introduction

Site Plan Approval in the Oak Ridges Moraine and Environmentally Sensitive/Hazard Land Areas involves the review and approval of detailed drawings in accordance with the provisions of the Official Plan, Zoning By-law and the Oak Ridges Moraine Conservation Plan. Site Plan Approval is intended to protect the environment. The conveyance of road widening to a road authority is contrary to that intent, wherein, any development considerations will require that the appropriate building setbacks be provided to accommodate the planned road allowance width. The site plan review process will ensure that development proceeds in accordance with the applicable regulations.

This manual is intended to provide guidance on the Site Plan Approval process from the pre-consultation stage through to construction. The requirements of the Town of Whitby is provided; however, it must be acknowledged that as part of an application review, the need for additional information or studies may be required. This manual does not supersede other agency or municipal requirements.

1.1 The Oak Ridges Moraine (ORM)

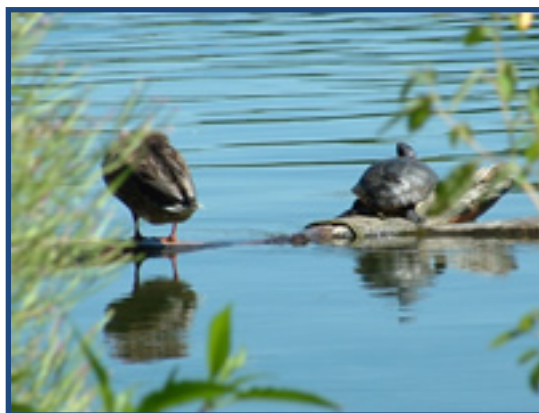
The Oak Ridges Moraine is a significant land form that has a unique concentration of environmental, geological and hydrological features. Provisions have been included in the Municipal Official Plan, Zoning By-law and Site Plan Control By-law.

Permitted development within the Oak Ridges Moraine is subject to Site Plan Approval as found in the Site Plan Control By-law. Not all lands within the Oak Ridges Moraine are subject to Site Plan Approval.

1.2 Environmentally Sensitive/Hazard Land Areas

Environmentally Sensitive/Hazard Land Areas are to be maintained and enhanced when assessing development activity and its impact on the natural environment through the review and approval process under the Planning Act.

The Municipal Official Plan and Site Plan Control By-law contain policies and processes to be contemplated when considering development.



1.3 Site Plan Approval and Length of Time

The Council of the Town of Whitby has delegated the responsibility of approving site plan applications in the Oak Ridges Moraine and Environmentally Sensitive/Hazard Land Areas to the Commissioner of Planning.

A Site Plan Application that is not complex in nature may be approved with conditions within 3 to 6 weeks. Applications that are complex and require the evaluation of significant natural heritage and environmental features can take up to 4 to 6 months. The time to process an application varies depending on completeness, accuracy, and complexity of the development. Adhering to the requirements identified in the pre-consultation meeting will likely shorten the processing time.

1.4 Department and Agency Responsibilities

The Planning and Development Department will administer the site plan approval process which will involve, but not be limited to, the following departments and agencies.

Department/Agency	Responsibility
Town of Whitby Planning and Development Department	- Official Plan & Zoning By-law provisions - ORM Conservation Plan - Site Plan Control
Town of Whitby Public Works Department	- Grading & Drainage Plans - Driveway Location
Town of Whitby Building Division	- Ontario Building & Fire Code Compliance - Servicing relating to Permits - Building Permits
Region of Durham Works Department	- Driveway Location (regional) - Development Charges
Region of Durham Health Department	- Private Sewage Disposal System requirements - Well information
Central Lake Ontario Conservation Authority (CLOCA)	- Grading & Drainage - Stormwater Management - Sediment Erosion Control - Permits - Fees
Ministry of Transportation	- Land Use Permits - Grading & Drainage - Driveway Location



2.0 Guide To Site Plan Approval

2.1 Pre-Consultation (By-law No. 5967-07)

Prior to a formal application submission, a pre-consultation meeting is to be held to provide an opportunity for the applicant to discuss the development proposal and for the departments and agencies to provide an overview of the requirements for the Site Plan Application in the context of the applicable policies, legislative regulations, guidelines, and professional opinions. Staff will prepare a brief summary of the meeting which must be signed by the applicant and submitted with the formal Site Plan Application.

To arrange a pre-consultation meeting, please contact the Planning and Development Department.

2.2 Natural Heritage Features/Hydrological Evaluations

An application is required if a development proposal is within 120 metres of any key natural heritage feature, hydrologically sensitive features, or landform conservation areas.

Where proposed developments may have significant impacts on the natural environment, the appropriate studies/reports will be required to be prepared by a qualified professional in the specific field of study. Developments with minimal impact may be evaluated by the Planning and Development Department Staff and related department(s) in consultation with the Central Lake Ontario Conservation Authority. The Planning and Development Department Staff in consultation with the Conservation Authority may arrange a site visit to determine the need and scope of the evaluation.

2.3 Landform Conservation Areas

In order to determine the Category of the subject property, refer to the Site Plan Control By-law. Applications for development/site alteration must maintain significant landform features and limit the disturbance to the landform feature to a minimum by:

- ◆ the maximum net developable area of the site that is disturbed to not more than 25% in a landform conservation category 1 and 50% in a landform conservation category 2 of the total site area.
- ◆ the maximum net developable area of the site with impervious surfaces to not more than 15% in a landform conservation category 1 and 20% in a landform conservation category 2 of the total site area.



2.4 Environmental Management

Environmentally Sensitive/Hazard Land Areas are generally indicated on Schedule "A" and "C" of the Whitby Official Plan and shall be retained wherever feasible in a natural state. Development proposals that are impacted by environmentally sensitive/hazard land areas shall be considered in accordance with policy 4.9.3 and 5.3.2 of the Official Plan and consultations with related departments and the Central Lake Ontario Conservation Authority. The Planning and Development Department's Staff in consultation with the Conservation Authority may arrange a site visit to determine the need and scope of the evaluation. If there is no negative impacts to the environmentally sensitive/hazard land areas, the Commissioner of Planning has the authority to waive the requirement for a formal Site Plan Application.

2.5 Submitting the Application

Planning Staff will review the Site Plan Application to determine whether it is complete or incomplete within 7 days of receiving the application. If the application is incomplete, a letter will be forwarded to the applicant outlining the deficiencies. Revisions and resubmissions of supporting drawings and/or documents/information are common practice and should be taken into consideration when estimating work plan timeframes.

Municipal and commenting agencies rely on accurate information details on all submitted drawings and plans. Once the application is complete, it is circulated to the applicable departments and agencies for their review and comments. The approval process is as follows:

1. The Planner circulates the Application & Plans to the relevant Department/Agencies.
2. Department Staff and Agencies to provide comments within 3-4 weeks (approximately).
3. Comments are reviewed by the Planner and provided to the Applicant within 1 week of receiving the same.
4. Applicant addresses comments and re-submits the revised drawings/plans and supporting materials if required.
5. Planner and relevant departments/agencies review revised plans/documents for completeness. May require further revisions and resubmission.



6. Conditions of Site Plan approval can be issued on the final drawings.

If there are questions with respect to making an application for site plan approval, applicants are encouraged to contact the Planning and Development Department.

2.6 Conditions of Site Plan Approval

At such time as the drawings and supporting materials are in their final form, the Planner responsible for the application will issue a draft set of conditions of site plan approval for the applicant to review. The applicant will provide the Planner with their concurrence, in writing, as outlined in the letter attached to the draft set of conditions of site plan approval.

The conditions of site plan approval will contain both standard conditions applicable to all developments and conditions that are specific to the development site. The conditions will make reference to the final set of site plan drawings and the final version of any supporting reports or studies. The conditions will detail the need for the applicant to enter into a Site Plan Agreement, execute a Letter of Undertaking, or proceed to the construction phase with the approved drawings.

Once the applicant concurs with the conditions of site plan approval, the Planner will request five (5) full size sets of drawings (folded to 8.5" x 14" legal size paper) which will be stamped and signed for approval by the Commissioner of Planning including the conditions of site plan approval. The approved site plan conditions and drawings will be provided to the applicant with a copy to the Public Works, Building, and Treasury Departments where applicable.

In the event there is a disagreement with any of the conditions of approval or part of site plan drawings that cannot be resolved at a staff level, the Planning and Development Department will prepare a report to the Planning and Development Committee and Council for a resolution.

2.7 Starting Construction

Prior to starting construction, the applicant will be required to satisfy the conditions of Site Plan Approval with the Planning and Development Department that may include, but not be limited to, entering into a Site Plan Agreement, executing a Letter of Undertaking, submitting a Letter of Credit and/or other financial contributions to the Town as deemed necessary; including receiving a building permit for any building over 10 square metres (107 square feet) and any related plumbing permits. The Building Division will inform the applicant of the following requirements for a building permit:



- ◆ Building/Demolition permit application and fees
- ◆ Drawings required for submission with application
- ◆ Development charges (Town/Region/School Board)
- ◆ Other applicable laws and departmental/agency clearances.

2.8 Other Departments/Agencies Approvals

The following Departments/Agencies approval may be required prior to construction:

- (1) Whitby Public Works Department – Grading/Drainage & Driveway Entrance
- (2) Region of Durham Health Department – Private Sewage System Permit
- (3) Ministry of Transportation – Building & Land Use Permit
- (4) Region of Durham Public Works – Entrance Permit for Region of Durham Roads
- (5) Central Lake Ontario Conservation Authority – Permit for Development
- (6) Whitby Hydro – Permission to connect to power supply.

3.0 Resource Information

3.1 Site Plan Application Link

http://www.whitby.ca/en/resources/pl-application_siteplanapproval.pdf

3.2 Site Plan Control By-law Link

http://www.whitby.ca/en/resources/pl-bylaw_584606-designatesiteplancontrolarea.pdf

3.3 Whitby Official Plan & Oak Ridges Secondary Plan Link

<http://www.whitby.ca/en/residents/officialplan1994.asp>

(see Section 11.11 ORM Secondary Plan and Schedules R, S, T and U)

3.4 Provincial Oak Ridges Moraine Information Link

<http://www.mah.gov.on.ca/Page322.aspx>

