



Site Plan Approval Manual



**Town of Whitby Planning and
Development Department**

2018

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1.0 Introduction

1.1 What is Site Plan Approval?

Site plan approval involves the review and approval of detailed drawings in accordance with the policies contained in the Official Plan, Zoning By-law, site specific urban design guidelines and any other applicable regulation or policies.

This manual is intended to provide guidance for the site plan approval process from the pre-consultation stage through to construction. As part of the application review process, it is acknowledged that the need for additional information or studies may be required. This manual does not supersede other agency or municipal requirements.

1.2 When is Site Plan Approval Required?

The Planning Act under section 41, provides the legal authority for municipalities to enact a site plan control by-law in accordance with the provisions of the Official Plan. The site plan control by-law can be accessed through the Town's website or receive hard copies from the Planning and Development Department.

The Town's Official Plan under Section 10.1.11 requires that the entire plan be designated by by-law as a site plan control area pursuant to the provisions of the Planning Act.

1.3 What are the Approval Processes?

There are two possible approval processes for the consideration of a site development proposal; an administrative process and a standard process.

Administrative Process

- Applies to sites subject to existing development agreements and/or no agreement, receiving minor site and building amendments, including building additions up to 300 square metres of gross floor area.
- No site plan application required
- Minor amendment fee to be provided in accordance with the fees by-law.

Standard Process

Applies to substantial new development and/or redevelopment of sites for buildings/additions greater than 300 square metres of gross floor area.

- Development agreements and/or letter of undertaking required
- Refer to the fees by-law for site plan fees.



2.0 Pre-Consultation

2.1 Preconsultation Request (By-law # 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 relevant departments and agencies to provide an overview of the requirements for the Site Plan Application in the context of the applicable policies, legislative regulations (zoning by-laws), guidelines, and professional opinions.

The applicant is required to prepare and submit to the Planning and Development Department the following documents:

- A letter outlining the key points of the development proposal, any unique land features, restrictive covenants and future uses;
- A concept site plan prepared in metric measurements with full statistics, landscape with species types and quantity, floor plans and building elevations showing proposed building materials and colours;
- An accurate plan of survey (if required);
- Any other supporting material deemed necessary; and
- The pre-consultation fee in accordance with By-law # 6884-14, as amended.

An incomplete submission for a pre-consultation will not be processed. Once all necessary documents have been received, the information will be circulated to all interested departments and agencies, within approximately three (3) weeks.

2.2 Preconsultation Meeting

Attendees of the pre-consultation meeting (i.e. Town departments and agencies) will be prepared to discuss any issues with the applicant. No communication or non-attendance will be considered as “no comment”. The following will be provided to the applicant/consultant at the meeting:

- Acknowledgment of any issues/concerns with the proposal.
- A summary of any comments in bullet point form including a red lined plan to articulate the comments to the applicant/consultant if necessary.
- A list of site specific studies/reports required for a complete application.
- Identification of any external elements critical to the development.
- Follow up discussions may be held between the applicant/consultant and any department /agency to discuss their requirements with the applicant/consultant to resolve any challenges.



- The applicant/consultant will have the opportunity to present their proposal and discuss the comments/conditions with departments/agencies to seek a resolution.

2.3 Record of Pre-Consultation

Applicant/consultant will be provided with record of the pre-consultation meeting within five (5) business days of the meeting. The record of pre-consultation will identify the following:

- A listing of the mandatory submission requirements and the written agency comments (where provided) for the concept proposal;
- The need for any other applications that may be required. (e.g. zoning by-law amendment, minor variance, lifting of the holding provision 'H');
- Whether the development proposal requires the preparation of a comprehensive block plan/urban design brief; and
- The approval process that will be followed. (i.e. administrative or standard)

The record of pre-consultation provides the applicant/consultant with direction to prepare a site plan and related drawings including the requirements for a complete application.

While every attempt will be made during the pre-consultation process to identify all required studies, reports and supporting material, it must be understood that as review of an application proceeds, the need for additional information may arise.

Where it is determined that a site plan application or 'proposed development' is to follow an administrative process, a modified pre-consultation process will be considered, which may include limiting attendee's at the pre-consultation meeting, E-mail circulation, and comment and/or consultation by telephone where appropriate.



3.0 Application Review Stage

3.1 Site Plan Application Package

The applicant/consultant is responsible to compile the submission requirements in accordance with the record of pre-consultation and submit a complete site plan application to the Planning and Development Department in both hard copy and electronic (pdf) format.

The submission documents will be reviewed to confirm that all critical elements of the record of pre-consultation have been included. This may require liaising with other commenting agencies.

It is noted that applications will not be accepted for review without the supporting documentation. Any missing requirements from an application will be assessed and may be circulated for comment once received. However, no decision will be made until staff/agencies have sufficient information to support the plan.

3.2 Circulation of Site Plan Application

The site plan application will be circulated to all relevant internal/external departments and agencies (depending on the location of the development). No communication will be considered as “no comment.”

It is noted that for an administrative application approval, consultation with others will be at the discretion of the planner.

In order to facilitate the site plan review, the commenting departments/agencies will be required to:

- Provide solution based comments rather than simply identifying issues;
- Provide draft conditions of approval in point form; and,
- Provide any required amendments to the plans, drawings and details in red lined form.

3.3 Conditions of Site Plan Approval (Draft copy to Applicant)

Conditions of site plan approval will be issued to the applicant/consultant and agencies for acceptance. Included with the conditions will be a list of the plans, drawings and details that will form part of the site plan approval.

The applicant will agree to the conditions by signing the Conditions of Site Plan Approval letter.

In the event one (1) or more of the conditions cannot be agreed upon, the matter will be outlined in a report to the Planning and Development Committee for resolution.

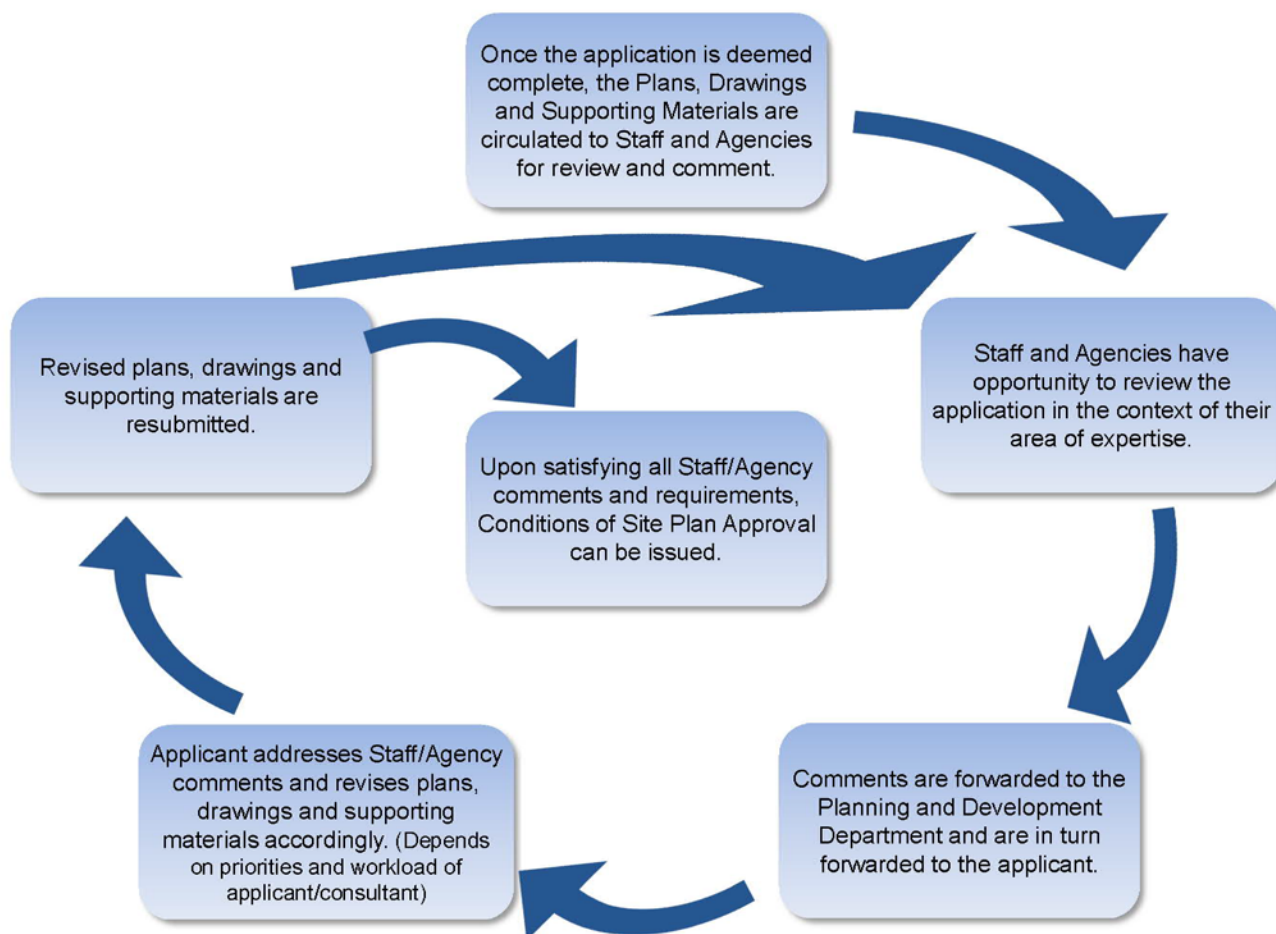


3.4 Conditions for Site Plan Approval (Final approved copy)

The final conditions of site plan approval package includes:

- A list of the conditions of site plan approval, including whether a site plan agreement or Letter of Undertaking is required;
- Red lined copies (if necessary) of the site plan, landscape plan, lighting plan, building elevations and any related drawings; and,
- Fee requirements.

The chart below further explains the review process.



4.0 Site Plan Approval Stage

4.1 Detailed Revised Site Plan Package

The applicant must submit the requisite Site Plan Agreement / Letter of Undertaking fee and a written request for the same. To minimize the likelihood of revisions and resubmissions, applicants/consultants are encouraged to follow the instructions written and in plan form when updating the final site plan application package.

The applicant/consultant is required to amend the drawings in accordance with the conditions of approval and any related red lined drawings. A complete package must be submitted in both hard copy and electronic (pdf) formats. The need for revisions will vary depending on the application. It is expected that more complex applications will require additional revisions to satisfy the conditions of approval.

It is noted that incomplete packages for review will not be processed.

The package will be distributed to the appropriate departments/agencies for review and comment. The comments will be compiled and provided to the applicant/consultant for revision of the site plan package drawings. Timely responses to the requested revisions by the applicant/consultant and commenting departments/agencies is crucial in achieving approval of the site plan package.

The applicant must submit five (5) full scale sets of all drawings and five (5) reduced copies to 8 ½" x 14" for inclusion in the site plan agreement or Letter of Undertaking. The drawings will be stamped and signed by the Commissioner of Planning and Development or his designate.

Where there is not a requirement for a site plan agreement or Letter of Undertaking the reduced site plan package drawings will not be required.

4.2 Issuance of Site Plan Approval Package

Regardless of the approval process, once all conditions for site plan approval have been satisfied, the approval package will be assembled, including:

- A site Plan approval letter with full scale drawings; and,
- A final copy of the Site Plan Agreement/Letter of Undertaking for signature.

Upon the receipt of the site plan approval package, the Applicant will:

- Sign the Site Plan Agreement in triplicate and return all two (2) copies to the Planning and Development Department or Sign the Letter of Undertaking and return the Letter to the Planning and Development Department;
- Provide all required securities/cash contributions as outlined in the site plan agreement/Letter of Undertaking at the time of execution; and,



- Submit any other documents/materials as required in the agreement/Letter of Undertaking or written approval letter (e.g. road widening/daylight triangle/vehicular and pedestrian easements) at the time of execution.

Following receipt of the above, the site plan agreement will be executed by the Town and registered on title. The Letter of Undertaking is kept on file. The applicant/consultant and relevant departments/agencies will be provided with a copy of the Site Plan Agreement/Letter of Undertaking.



5.0 Construction Stage

5.1 Building Permit Application

Applicants/consultants are required to submit building, servicing and sign permit applications directly to the Building Division. All submissions are required to conform to the Ontario Building Code, Zoning By-law and any applicable laws. Building permits cannot be issued until the site plan application has been approved. Conditional permits may be issued subject to meeting the conditions established by the Chief Building Official.

5.2 Building Permit Process

Formal review of the Building Permit applications includes:

- Review for compliance with Zoning By-law and other applicable law as defined in the Ontario Building Code.
- Confirmation that all holding symbols have been removed from the respective zone category; and,
- Confirmation of site plan approval.

The executed site plan agreement/Letter of Undertaking including the approved site plan drawing package (where required) will be provided to the Building Division. The requirements for the building permits (conditional, full, demolition) and any related permits such as site servicing and sign permits can be found on the Town's website at www.whitby.ca or from the Building Division at (905) 430-4305.



6.0 Security

The Town requires a security in the form of an irrevocable letter of credit or as otherwise determined by the Town Treasurer from the applicant in order to secure against the potential non-compliance on the part of the applicant to complete the works required in the site plan agreement/Letter of Undertaking.

The security is based on 50% of the total engineering and landscape estimated cost for the on-site works to be completed in accordance with the approved engineering and landscape drawings.

6.1 Letter of Credit Requirements

The value of the required securities is determined based on the requirements of the associated site plan agreement/Letter of Undertaking. The value is required to be provided at 50% of the value for the on site engineering/landscape works and at 100% of the value for the required off site engineering/landscape works.

The applicant will be required to provide the securities through an irrevocable letter of credit (or other form of security approved by the Treasurer) in accordance with the Town of Whitby's policy for letters of credit. A contingency of 15% plus the HST of 13% is added to the required security. The required security is identified in the site plan agreement/Letter of Undertaking and must be provided to the Town upon executing the above noted documents.

The engineering security estimate is to be completed by the consulting engineer through an online cost estimate form and electronic submissions which can be found on the Public Works Department website. The landscape security estimate form is to be completed by the consulting landscape architect and submitted electronically including the landscape plan to the Planning and Development Department for review and approval. The landscape form is found in the site plan package guidelines on the Planning website.

6.2 Compliance Inspections

Following the building permit process, the applicant has 6 months (or as negotiated) to complete the landscape works. The engineering works must be completed in a similar time frame in order to complete the landscape works.

Once the engineering and landscape works have been completed in accordance with the approved plan, the applicant is to contact the Planning and Development/Public Works Departments for an inspection.

If deficiencies are found, a letter will be sent to the applicant, landscape architect and engineering consultant requesting compliance. A final inspection will be performed once the respective Departments are advised of the deficiency completion.



6.3 Release of Securities

Once the site has been developed in conformity with the approved plans and inspected to the satisfaction of the Town of Whitby, the Treasury Department will be notified to provide a full release of the associated securities.

Site plan agreement/Letter of Undertaking developments are not required to provide a warranty period to the Town of Whitby for the engineering/landscape on site works. Consideration for partial release from the securities will require prior approval from the relevant Department. A warranty period of one (1) year and a 10% security for works performed on public lands is required.



7.0 Resource Information

1. Pre-consultation request form Link

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

2. Site Plan Application Link

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

3. Site Plan Control By-law Link

https://icreate4.esolutionsgroup.ca/230767_Whitby/en/resources/7430-18---Site-Plan-Control-By-law.pdf

4. Lighting Study

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

5. Shadow Study

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

6. Landscape Plan Guidelines for Site Plan Development

http://www.whitby.ca/en/resources/plx-guidelines_LandscapePlanGuidelinesforSitePlanandSubdivisionDevelopments-201407.pdf

7. Whitby Accessibility Plan

http://www.whitby.ca/en/townhall/resources/PL-Accessibility_AccessibilityPlan2013-2015.pdf

8. Public Works / Engineering General Conditions of Approval

www.whitby.ca

9. Sign By-law (Permanent / Temporary)

http://www.whitby.ca/en/resources/cs-bylaw_signspermanent.pdf

http://www.whitby.ca/en/resources/cs-bylaw_signstemporary.pdf



10. Departments and Agencies

Town of Whitby, Accessibility Coordinator
Town of Whitby, Building Division
Town of Whitby, Community & Marketing Services
Town of Whitby, Corporate Services
Town of Whitby, Landscape Architect
Town of Whitby, Public Works
Town of Whitby, Treasurer
Town of Whitby, Urban Designer
Whitby Fire
Region of Durham Health Department
Region of Durham Planning & Economic Development
Region of Durham Works Department
Durham Region Transit (DRT)
Bell Canada
Canada Post
Canadian National Railway (CNR) (within 300m)
Canadian Pacific Railway (CPR) (within 300m)
Central Lake Ontario Conservation Authority
Downtown Brooklin Development Steering Committee
Downtown Whitby Development Steering Committee
Durham Catholic District School Board
Durham District School Board
Durham Region Police Services
Enbridge Consumers Gas
Enbridge Pipelines Inc.
Go-Transit Railway (within 300m)
Hydro One Networks Inc. (within 120m)
Le Conseil Scolaire de district Catholique Centre-Sud
Le Conseil Scolaire de district du Centre-Sud-Ouest
Ministry of Transportation
Oshawa Airport



Rogers Communications
Trans-Canada Pipelines Limited (within 200m)
Trans-Northern Pipelines Inc. (within 30m)
Whitby Hydro Electric Corporation
Whitby LACAC (Heritage) (subject or adjacent property)
Clerk – City of Oshawa (within 1km)
Clerk – City of Pickering (within 1km)
Clerk – Town of Ajax (within 1km)
Clerk – Township of Scugog (within 1km)

