



Corporation of The Town of Parry Sound

Passing of By-law No: 2022 – 7257

7th Day of June 2022

Moved by Councillor





Seconded by Councillor

That By-law No: 2022 – 7257

Being a By-law to designate a Site Plan Control Area for The Corporation of the Town of Parry Sound.

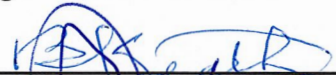
Be considered as read a first time.

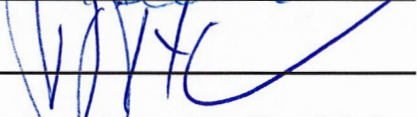
- Carried - ✓



Are all members in favour of having the second and third readings? ✓

Moved by Councillor





Seconded by Councillor

That the By-law Above Mentioned Be Considered as Read A Second, And Third Time, Passed, Signed and Sealed.

- Carried - ✓



Entered as Part of The Minutes of the Meeting Held this 7th day of June 2022.



Mayor Jamie McGarvey



Clerk Rebecca Johnson

- Postponed to: _____
- Amends By-law: _____
- Repeals By-law: _____
- By-law Amended: _____
- By-law Repealed: _____

Corporation of the Town of Parry Sound

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Being a By-law to designate a Site Plan Control Area for The Corporation of the Town of Parry Sound.

WHEREAS Section 41(2) of the Planning Act, RSO 1990, Ch. P.13, as amended, provides that where an area is described in the Town's Official Plan as a proposed Site Plan Control Area, Council may by By-law designate such areas as being subject to Site Plan Control;

AND WHEREAS the Town of Parry Sound Official Plan designates all lands and all of the Town as a Site Plan Control Area;

AND WHEREAS Section 41(13) of the Planning Act, RSO 1990, Ch. P.13, as amended, authorizes the Council of a municipality to delegate to an appointed officer of the municipality any of the Council's power or authority under Section 41;

AND WHEREAS the Town may require the approval of certain plans and drawings as a condition of development in the Town, and may require that an owner enter into a Site Plan Agreement with the Town, in accordance with Section 41 of the Planning Act;

NOW THEREFORE the Council of the Corporation of the Town of Parry Sound enacts the following:

1- Definitions

Council- The Council of The Corporation of the Town of Parry Sound.

Developer- The person who applies and/or will execute a development agreement.

Development- shall have the same meaning as that described in Section 41(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Development Agreement- shall have the same meaning as a Development Agreement in accordance with section 41(7)(c)(c.1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Official Plan- shall mean the Town of Parry Sound Official Plan, as amended.

Planning Act- shall mean the Planning Act, RSO 1990, Ch. P.13.

The Town- all lands within the municipal boundary of The Corporation of the Town of Parry Sound.

Zoning By-law- shall mean the Town of Parry Sound Comprehensive Zoning By-law.

Any term which is undefined in this By-law, but is defined in the Zoning By-law, shall be interpreted as defined in the Zoning By-law.

2- Area Designated for Site Plan Control

All land within the municipal boundaries of the Town of Parry Sound is hereby designated as a Site Plan Control Area.

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3- Development Agreements

No person shall undertake any development unless the Town of Parry Sound has approved plans, reports, and a Development Agreement in accordance with the Planning Act and this By-law.

4- Classes of Development Excluded from Site Plan Control

Despite Sections 2 and 3, the following land uses and types of development are exempt from Site Plan Control and the provisions of this By-law:

- a) Residential development (including accessory/ancillary units) of:
 - i. Single detached dwellings;
 - ii. Semi-detached dwellings;
 - iii. Duplex dwellings;
 - iv. Triplex dwellings; and
 - v. Row house dwellings of less than four dwelling units.
- b) A one-time addition or renovation to a residential building with four or more dwelling units, or as a result of such addition or renovation results in four dwelling units or more, which is less than 50 square metres of additional ground floor area.
- c) A one-time addition, renovation, or new development for commercial, industrial, or institutional uses which is less than 50 square metres of additional ground floor area.
- d) Commercial parking lots with less than 30% lot coverage, but not containing more than 10 parking spaces.
- e) Farming and agricultural buildings and uses.
- f) Town of Parry Sound buildings.
- g) Permitted temporary uses.
- h) Public schools

4.1- Planning Approval Requirements

Notwithstanding the exemptions in Section 4, Council and the Committee of Adjustment may require that, any development may be subject to Site Plan Control and the provisions of this By-law as a condition imposed upon an application for re-zoning, minor variance, or consent.

5- Delegation of Site Plan Approval

The CAO and the Director of Development and Protective Services of the Town of Parry Sound, or their successor, or their designate, is hereby delegated to exercise approval authority under Section 41 of the Planning Act, to approve plans and drawings, to impose conditions and to require Site Plan Control Agreements for the Site Plan Control area of the Town of Parry Sound.

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6- Pre-Consultation Prior to Application

Developers are required to pre-consult with staff members prior to submitting a site plan control application.

7- Site Plan Requirements/ Complete Application

All site plans and site plan applications shall be completed and submitted in accordance with the provisions and requirements as identified but not limited to in Schedules “I” and “II” to this By-law. If the necessary information is not submitted, the application will not be considered complete and will be returned to the Developer. An application will not be processed unless it is completed in accordance with the provisions of this By-law.

8- Authorization of Development Agreements

After the approval of a site plan control application, the Mayor and Clerk are authorized to execute, on behalf of the Town, a development agreement, an amendment to a development agreement and any documents which may be required to implement the conditions of approval of a development agreement, in the form substantially approved by the Director of Development and Protective Services, their successor, or their designate.

9- Site Plan Amendment Applications

For developments with an approved development agreement in place, any building addition of over 50 square metres, or any additional parking reconfiguration will require a Site Plan Amendment. These applications will be reviewed through a pre-consultation with planning staff where requirements will be identified. The Application shall be submitted in the form attached to this By-law as Schedule II.

10- Registration of Development Agreements

Development agreements and amendments to existing development agreements must be registered on title against the lands as per Section 41(10) of the Planning Act. The cost of the registration shall be borne by the developer or their affiliate. All matters as noted in the development agreement must be addressed prior to registration of the agreement on title. Building permits will not be issued until proof of registration of the Agreement is included with the application for Building Permit.

11- Deposits, Securities and Completion of Development at Owner’s Expense

The Town may require securities to be deposited for any facilities and works on public lands, site grading and stormwater works on public and/or private lands, vegetation or any other matters mentioned in Section 41(7) of the Planning Act which are in the public interest. Securities shall generally be in the amount as identified in Schedule “III” to this by-law.

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Unless stated otherwise in a development agreement, all costs as it relates to finalizing a development in accordance with a development agreement shall be the expense of the Developer.

If the person undertaking the development defaults on the terms of a development agreement, the Town is authorized to complete any required works, and realize upon any securities and deposits to recoup any costs. If there are insufficient securities to cover the Town’s costs, the outstanding balance may be added to the tax roll of the property, and will be collected in the same manner as taxes.

12- Rights of Entry

Unless prohibited by law, the owner signing the development agreement shall be requested to agree to the Town’s Principal Planner or Chief Building Official to enter the lands. This right of entry is in addition to any statutory rights of entry the Town may otherwise specifically have. The agreement will not authorize the entry into an occupied dwelling unit.

13- Council Powers

Council, at their sole discretion, may choose to omit any development from any or all requirements of this By-law by a Resolution of Council

14- Schedules “I”, “II” and “III” attached are hereby made part of this By-law.

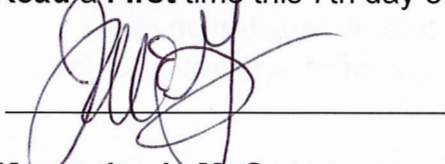
Schedules “I”, “II” and “III” attached are hereby made part of this By-law.

The Director of Development and Protective Services is delegated authority to approve minor administrative amendments as deemed necessary and appropriate to Schedules “I” “II” and “III”.

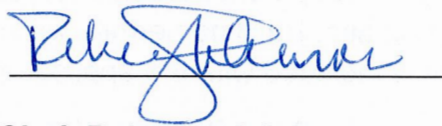
15- Previous By-laws Revoked

By-laws 2017-6723, 2018-6843 and 2019-6967 of the Town are hereby revoked.

Read a First time this 7th day of June, 2022



Mayor Jamie McGarvey




Clerk Rebecca Johnson

Read a Second and Third time, Passed, Signed and Sealed this 7th day of June, 2022.



Mayor Jamie McGarvey



Clerk Rebecca Johnson

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Schedule “I”

Site Plan Approval and Development Agreement Checklist

For the applicant to complete and submit with the Application Form

A) To ensure that your application is complete, identify that the following list is submitted with your application:	Yes	No	N/A
1. A complete application, including the application fee and deposit.			
2. A complete pre-consultation form, including identified requirements attached.			
3. Site Plan, drawings and reports as identified in Schedule “I” of the Site Plan Control By-law are attached. Also found below under “B”.			
4. Stormwater management report, completed by a professional.			
5. Construction mitigation report, completed by a professional.			
6. Engineering site servicing report, completed by a professional			
7. Explanation of ownership and maintenance of facilities designed for stormwater management, water and sewer, and garbage.			
8. Survey/Reference Plan			
9. Details regarding offsite improvements, if required.			
10. Copy of title abstract			
B) A complete Site Plan contains the following information:	Yes	No	N/A
1. Location of existing and proposed buildings and structures, including setbacks to the lot lines, in metric.			
2. Boundaries, abutting roads/railways and measurements of the lot, in metric.			
3. Front, side and rear lot lines designated as per the Town of Parry Sound Zoning By-law.			
4. A zoning compliance table describing the Zoning By-law requirements and the proposed development compliance with the regulations			
5. Height of building and number of storeys			
6. On and offsite facilities to provide access to and from the land such as access ramps, driveways, sidewalks, bike paths and curbing and traffic direction signs.			
7. Neighbouring property uses.			
8. Proposed and existing drainage courses and natural features.			
9. Proposed and existing easements and rights-of-way.			

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10. Proposed and existing walkways, fences, driveways, parking spaces, accessible spaces, loading spaces including the type of surfacing and measurements.			
11. Proposed stormwater management features and site servicing utilities.			
12. Existing municipal infrastructure and connections (ex. Municipal water and sewer mains, stormwater catchment and fire hydrants).			
13. Location and species of existing and proposed vegetation, landscaping, and planting features. Inventory of trees proposed to be removed and table of replacement vegetation.			
14. Walkways and means of pedestrian access which offer safe access to and from site, facilities designed for persons with disabilities and type of surfacing.			
15. Garbage collection facilities and types of enclosure.			
16. Lighting identified compliance with dark sky friendly.			
17. Snow storage location or an explanation of how snow will be removed.			
For Development Applications for Commercial/ Institutional/ or Residential development greater than 25 dwelling units, the following information is required:			
18. Architectural/ conceptual drawings which identify the development, building openings, massing, character and conceptual design including exterior building materials and colour.			
19. Drawings showing elevation and cross section views for each building containing more than 25 dwelling units.			
20. Phasing, if applicable.			
21. Streetscape features, such as street furniture and bicycle parking facilities.			
22. Fire route.			
23. Location of closest fire hydrant.			
24. Distance between buildings, if more than one building proposed on the lot.			
25. Ground floor elevation of buildings.			

Owner/Agent Signature

Date

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Schedule “II”

Site Plan Control Application



Office Use Only			
Roll Number:			
Permit Fee:		Receipt	
Date:			

Town of Parry Sound
SITE PLAN CONTROL APPLICATION

Part 1- Ownership/Applicant

APPLICANT INFORMATION

Applicant Name: _____

Company Name: _____

Address: _____

Town: _____ **Postal Code:** _____

Phone: _____ **Email:** _____

PROPERTY OWNER INFORMATION

Same as Applicant

Name: _____

Company Name: _____

Address: _____

Town: _____ **Postal Code:** _____

Phone: _____ **Email:** _____

Part 2- The Development

Describe: _____

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- a) Number of dwelling units: _____
- b) Building height: _____
- c) Number of floors: _____
- d) Building coverage (ie. Ground floor area): _____
- e) Gross floor area: _____
- f) Occupancy of all floor areas defined: _____

Part 3- Legal Description

Lot Number: _____

Plan/Concession Number: _____

Municipal Address: _____

Part 4- Type of Development

- Commercial
- Industrial
- Institutional
- Residential
- Residential (greater than 25 units)
- Mixed Use Building

Is this a rental development or a condominium? _____

Explain: _____

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Part 5- Official Plan

Official Plan Designation: _____

Part 6- Zoning

Present Zoning: _____

Uses intended: _____

Part 7- Planning Amendments

Official Plan amendment required? _____

Zoning By-law Amendment required? _____

Note: The owner and their consultants are responsible for satisfying themselves as to the correct Official Plan Designation and Zoning for the intended use.

While the Municipal staff will assist with requests for interpretation of the required planning documents, final responsibility for correctness of the Official Plan Designation and Zoning lies with the owner and his consultants.

Note: All fees are payable upon the submission of this application, Fees should be made payable to the "Town of Parry Sound"

Owner/Agent Signature

Date

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Letter of Authorization

For an application by a person other than the legal owner

To: Town of Parry Sound,
52 Seguin Street,
Parry Sound, On,
P2A 1B4

I, _____, being the legal owner of
property known as (civic address or legal description): _____

_____,
in the Town of Parry Sound, and having Tax Assessment Roll Number: 4932- _____

_____ do hereby authorize _____

_____ to make application to the Town of Parry Sound for a Site Plan Control Agreement.

Date: _____ Signature of Owner: _____

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Schedule “III”

Site Plan Control/Development Agreement Securities

1- Unless agreed by Council, securities shall be required in the following amounts:

- a. Municipal services on municipal property- 100%
- b. Municipal services on private property- 100%
- c. Private services on municipal property- 100%
- d. Private services on private property- 50%
- e. Returnable deposit to cover legal and stormwater review costs- value is dependent upon scale of the project

Securities shall be in the form of either a certified cheque, letter of credit valid for one year or a guaranteed investment certificate.