

Schedule "A" to By-law No. 2154-2019

SITE PLAN CONTROL GUIDELINES

TOWNSHIP OF BLANDFORD-BLENHEIM

Prepared by the County of Oxford
Community Planning Office

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SECTION 1 - INTRODUCTION

1.1 Description

In the Province of Ontario, the Planning Act authorises municipalities to employ Site Plan Control as a land use tool to ensure the appropriate location of a development on a site and to ensure the safety, attractiveness and compatibility with the surrounding land. This Guideline document is intended to inform the public and potential developers about the use and requirements of Site Plan Control in the Township of Blandford-Blenheim, as well as provide guidelines for site plan preparation and review.

Section 2 of this Guide provides an overview of the Township's Site Plan Control process, and Section 3 identifies the requirements for submitting an application. The more specific objectives, criteria and standards that are to be considered for each form of development are also set out in Section 4.

1.2 Definition of "Development"

For the purposes of Site Plan Control, *development* is defined in the Planning Act as:

"the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164(4) of the *Municipal Act, 2001*, or subsection 3(1) of the *City of Toronto Act, 2006*, as the case may be, or of sites for the location of three or more mobile homes as defined in subsection 46(1) of this Act, or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of this Act." [S. 41(1) Planning Act, R.S.O. 1990].

In addition to the provisions of the Act, Section 10.3.11 of the County Official Plan also provides general policies relating to the use of Site Plan Control, and defines the entire Township as a proposed Site Plan Control Area. In addition, development is further regulated by the Township of Blandford-Blenheim Zoning By-law, and other applicable by-laws.

Pursuant to Section 41 of the Planning Act, the Council of the Township of Blandford-Blenheim has enacted a comprehensive Site Plan Control (SPC) By-law. The Township's SPC By-law identifies the *development* and land uses that are subject to Site Plan Control. The By-law requires the submission of plans, drawings, and where necessary, appropriate studies, prior to permitting *development* on the land that is subject to Site Plan Control.

1.3 Goals of Site Plan Control

The principal goals of Site Plan Control, include, but are not limited to, the following.

- Ensuring the safety and convenience of vehicular and pedestrian traffic to, from, and on the site of a new *development* or redevelopment;
- Reducing the cost to the municipality where *development* requires the widening of existing roads or the granting of easements for municipal purposes;
- Ensuring that off-street parking and loading facilities are properly located, constructed and maintained during all seasons;
- Improving the quality and aesthetic appearance of developments for greater enjoyment by the users and tenants;
- Improving the image of the Township through well-designed individual developments.

1.4 When is Site Plan Approval Required?

Site Plan approval is required for all new *development* in an Agri-Business Zone (AB), Residential Type 3 Zone (R3), Village Zone (V), Central Commercial Zone (CC), Highway Commercial Zone (HC), Restricted Industrial Zone (MR), General Industrial Zone (MG), Institutional Zone (I) or Recreational Zone (REC). Site Plan Control also applies to *development* in special zones where the zone symbols are followed by a dash and a number.

Site Plan approval is also required for existing *development* where an addition is proposed to increase the size of a building or structure by more than 25% of the gross floor area in any of the zones noted above.

In particular, site plan approval is required in the following situations:

- a) The construction, erection or placing of one or more buildings or structures on the land;
- b) An interior or exterior alteration to a building or structure on a property that has the effect of increasing the usability of the property;
- c) An addition or alteration to a building or structure on a property that has the effect of increasing the size of the building or structure in all zones;
- d) The making or construction of, or addition to, a commercial or industrial parking lot resulting in five or more parking spaces; or,
- e) An amendment to an existing site plan, elevation plan, landscape plan, and/or servicing plan or an amendment to an existing site plan agreement with the Township on property which has been designated as a site plan control area in the Site Plan Control By-Law which has been adopted by the Township.

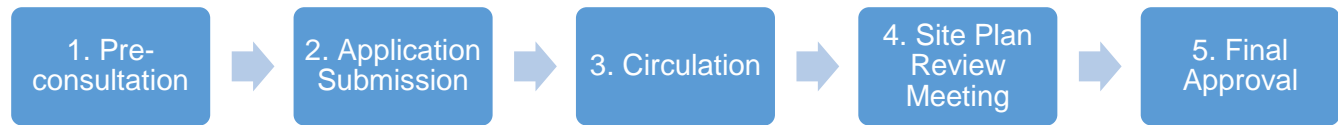
It should be noted that all submissions must meet the requirements of the Township Zoning By-Law No. 1360-2002 and County of Oxford Official Plan, otherwise planning approval will be required prior to the approval of a site plan application.

The following classes of *development* are exempt from site plan approval:

- Dwellings: Single detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling containing a maximum of two (2) dwelling units, and a street fronting townhouse approved through a plan of subdivision;
- Uses, buildings or structures accessory to the uses listed above;
- Buildings or structures used for an agricultural use, but not including agricultural-commercial or agricultural-industrial operations such as farm equipment sales and service establishments, farm supply outlets and other uses set out in the Agri-Business Zone of the Township of Blandford Zoning By-law 1360-2002;
- Placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

SECTION 2 – SITE PLAN CONTROL PROCESS

The site plan approval process generally consist of five steps, as follows:



1. Pre-Consultation

The Township requires that the owner/applicant and their agents meet with Township Staff and County Planner, to discuss the *development* proposal before submitting an application for Site Plan Control. The applicant will be advised that various Official Plan policies and Zoning By-law provisions will apply to the *development*. Review of these policies and provisions will assist the applicant to design the placement of the proposed buildings, structures and other built features on the site before submitting the site plan drawings and the lot grading and servicing drawings. It is expected that any required studies will be identified during the pre-submission consultation review. The applicant will be expected to provide such studies in conjunction with the complete application.

2. Application Submission

The site plan review process is initiated by submitting a completed application for Site Plan approval to the Township. Application forms are available on the County of Oxford website.

The prescribed fee and any required deposit as established by the Township must accompany the completed application. The complete application submission requirements are listed in Section 3 of this Guideline.

3. Circulation

Once the Site Plan application is deemed complete, Township staff will circulate the application to the following appropriate agencies for review and comment.

- i. Township Chief Building Official
- ii. Township Director of Protective Services
- iii. Township Director of Public Works
- iv. Township Drainage Superintendent
- v. County Community Planning Office
- vi. County Public Works Department
- vii. County Sourcewater Protection Officer
- viii. Southwestern Public Health
- ix. Ontario Provincial Police
- x. County or Township Accessibility Advisory Committee, if required
- xi. Conservation Authority agency with jurisdiction, if required.
- xii. Any other public agency, if required (eg. Bell Canada, Union Gas, etc.)
- xiii. Provincial Ministries, if required

Any comments that are received during the circulation process will be provided to the applicant. The applicant is required to address the comments that were received and submit revised site plan drawings in pdf format (or hard copies, depending on the complexity of the plans) for further review and comment.

4. Site Plan Review Meeting

If required, a site plan meeting will be scheduled for Staff, circulated agencies and the applicant to review the application and agency comments in further detail.

5. Final Approval

In accordance with Township By-Law No. 2154-2019 authority to approve plans and drawings required for any site plan control area has been delegated to the Township Chief Administrative Officer.

Notwithstanding the above, Council may, by resolution, advise that the Chief Administrative Officer not approve plans or drawings of a proposed *development* and shall refer such plans or drawings directly to Council. In this case, the County Planner will prepare a Site Plan Report to Council, which outlines the nature of the proposal and provide a summary of the comments received. A draft Site Plan Development Agreement will also be prepared by Staff and appended to the report for Council's consideration.

In either case, upon receipt of the final plans, the Chief Administrative Officer will prepare the final Site Plan Agreement. The approved plans and documents, and any recommended conditions, will be incorporated into the Agreement. A sample Site Plan Agreement is attached as Appendix "B" to these guidelines.

The Township Chief Administrative Officer will forward three (3) copies of the Agreement to the applicant for consideration. The applicant will then execute and return the signed Agreements to the Township along with any necessary performance securities or deposits, and the Mayor and CAO/Clerk will sign the Agreement on behalf of the Township. The applicant will then arrange to register the Agreement on title (in the Oxford County Land Registry Office) and return one copy to the Township, with proof or registration.

6. Potential for Public Meeting

To assist in encouraging the integration of new *development* with adjacent land uses, where a site-specific Zone Change application is approved prior to the submission of a Site Plan application, Township Council may, by duly adopted resolution of Council, require a formal public meeting at the site plan approval stage. The applicant will be notified of any requirement for a public meeting.

Where Council has resolved to seek further public input in regard to site-specific *development* issues, a Public Notice letter shall be prepared by the Chief Administrative Officer. Said Public Notice shall contain a reduced copy of the proposed Site Plan drawing(s) and a brief description of the proposal, and it shall be sent to the neighbouring property owners who were previously advised of the related Zone Change application. The Public Notice shall also be sent to any person who did not receive the related notice for the Zone Change application but did make a written request to the Township for notice of the Township's decisions in regard to the proposed *development*.

SECTION 3 – SUBMISSION REQUIREMENTS

3.1 Where to Submit

The site plan application form, in conjunction with the required drawings, studies/reports, and fee, must be submitted to the following office:

Township of Blandford-Blenheim
Municipal Office
47 Wilmot Street South
Drumbo, Ontario N0J 1G0
Telephone: (519) 463-5347
Fax: (519) 463-5881
Website: <http://www.blandfordblenheim.ca/>

3.2 Processing Fee

The following applicable fee is to be paid by cash or cheque to the “Treasurer, Township of Blandford-Blenheim”.

- Full Site Plan Application - **\$3,100.00** (\$600.00 + \$2,500.00 Oxford County Public Works)

3.3 Fee) Who Can Apply

The application is to be completed by the property owner, or their duly appointed and authorized agent. Where the application is being made by an agent, written authorization from the owner must be included in the application submission.

3.4 General Submission Requirements

A complete application must include the following:

- A completed application form;
- A cost estimate for all works, if necessary;
- Five (5) full-sized (24 x 36 inch) copies of the detailed Site Plan drawing set;
- One (1) copy of a reduced (11 x 17 inch) drawing set;
- Three (3) copies of all applicable studies;
- One compact disc or jump drive of the drawing set and required studies in PDF format. PDF copies may also be sent by email;
- Drawings must be printed in black and white, with the exception of facade drawings;
- All drawings are to be collated (sorted into sets and stapled together) and folded to fit into a legal-size file folder;
- All drawings must be in metric units;
- The Site Plan and Landscape Plan must be submitted as separate drawings, unless otherwise advised by municipal staff; and,
- Stamps of qualified professionals such as an engineer, architect or landscape architect preparing the drawings must be affixed to each drawing.

3.5 Security Deposit

In accordance with the Township Site Plan Control By-law, an applicant may be required to provide the Township with a performance security deposit of cash, certified cheque or irrevocable letter of credit, or any combination thereof, to ensure satisfactory provision and maintenance of the facilities, works or matters listed in Section 41(7)(a) of the Planning Act, as approved under the site plan approval process. The performance security shall be administered in accordance with the following provisions:

- a) The applicant shall provide the performance security at the time of registration of the site plan agreement or before the Township Chief Building Official issues a building permit.
- b) The security will be equal to the greater of \$2,000 or the dollar value of 50 percent of the costs of all site work of the *development*, including, but not limited to, asphalt, curbing, servicing and landscaping, whichever is greater. In addition, the security shall be equal to the dollar value of 100 percent of the costs of works affecting the municipal road allowance or works within or on municipal easements. The amount of the performance security shall be listed in the agreement with the applicant.
- c) The release of the performance security may be done in phases as each phase is completed. The method by which the release is phased shall be outlined in the agreement with the applicant.
- d) The final release of the performance security shall be upon completion of facilities, works or other matters, as noted in the Agreement, to the satisfaction of the Township Engineer, the Township Chief Building Official or Chief Administrative Officer. The applicant's request for final release of the performance security shall be accompanied by any necessary certificates, as required by the Township.

3.6 Drawing Requirements

A site plan submission must include the following drawings and associated details.

a. Site Plan

In general, the following details are to be included:

- a) All site plans and floor plans must be drawn to scale at a maximum of 1:200 and minimum of 1:300.
- b) Property dimensions and lot area must be certified by an Ontario Land Surveyor.
- c) Top right corner - Location (key) map at a scale of 1:2000 showing an outline of the *development* site with sufficient amount of surrounding area to indicate its general location, with major adjacent features indicated, such as parks and roads;
- d) *Development* title and developer's name,
- e) site location (legal description and municipal address),
- f) Property Identification Number ("PIN")
- g) Drawing date (including schedule of revisions);
- h) North arrow and drawing scale;
- i) Centre line and curb line of adjacent streets, sidewalks and existing street line;
- j) Any portions of the subject lands that are required to be dedicated for road allowance and street widening purposes in accordance with adopted Township Council and/or County Council policies;
- k) If the site is adjacent to a river or large watercourse, show the location of the surface water at normal flows and the regulatory floodplain boundary, and any regulatory fill line limits, if established by the Conservation Authority;
- l) Clear indication of subject property (dimensions & area calculations) and property details (i.e. gross floor area of buildings, percent of landscaped open space, number of dwelling units, etc.);
- m) Approximate location and height of buildings on adjacent sites;

- n) Adjacent property owned or controlled by the applicant;
- o) Locations, heights and dimensions of all buildings and other structures proposed on the site, and the dimensions of all required yards. Include location of existing and proposed septic tank and tile beds, and private wells, if applicable.
- p) Location and height of external lighting fixtures;
- q) Location of all garbage and recyclable storage facilities (including type of structure and fencing);
- r) Loading areas;
- s) Access driveways and parking aisles showing on-site vehicular circulation and the aisle widths and proposed direction of traffic flows as well as any proposed ramps;
- t) Parking areas, or structures, number of spaces, including spaces for persons with disabilities,
- u) Dimensions of parking spaces, location of pedestrian and vehicular building entrances;
- v) The site or building area to be devoted for each proposed use, if multiple uses are proposed;
- w) Proposed drive-through location showing dimensions, required number of queue spaces, order boards and drive-through window(s) and any associated traffic control features (pavement arrows and signs);
- x) Proposed snow storage areas;
- y) Landscaped open space areas;
- z) Existing and proposed grades;
- aa) On-site storm water management facilities, if required;
- bb) Location and height of free-standing signs; and,
- cc) Location and width of walkways.

b. Landscape Plan

The base mapping for the landscape plan(s) is the area of the site plan. The landscape plan is to be drawn in black line only, and must include:

- a) The location of all existing (to be preserved or removed) and proposed trees and shrubs (the symbols used must reflect the branch spread or canopy of existing trees and shrubs, and the proposed trees and shrubs at maturity);
- b) A Landscaping Table listing all species, including common name, botanical name, quantity, size and condition at planting;
- c) Planting specifications and any required instructional drawings;
- d) Inset drawings can be used to show detailed tree and potted shrub planting methods;
- e) All areas to be seeded or covered in grass sod and the calculated area thereof, in addition to the percent coverage for the site.

c. Utility, Grading and Services Plan

The Utility, Grading and Services Plan must be in compliance with the Township Municipal Servicing Standards, as amended, and will include details with respect to the proposed sanitary sewer or private services, storm drainage, water delivery, electrical delivery systems, gas, and communication services for the proposed *development*, or each phase of *development*.

In general, the following details are to be included:

- Sanitary services, indicating the location, direction, size and grades associated with:
 - i. existing and proposed sanitary pipes from existing and proposed building(s) to private drain connections with municipal sewers;
 - ii. private drain connections to municipal sewers;
 - iii. control access points ("manholes") to be located at the streetline on private property; and,

- iv. all control access point ("manhole") invert and finished grade elevations.
 - v. Ministry of Environment requirements - "private sewers" are to be designed generally in accordance with "Guidelines for the Design of Sanitary Sewage Works, Systems, Storm Sewers (interior), Water Distribution Systems and Water Storage Facilities"; and,
 - vi. location and capacity of existing and proposed septic tank(s) and tile bed(s) on the property, if municipal sanitary sewers are not available.
- Storm drainage services, indicating the location, direction and size (where relevant) associated with:
 - i. catch basins - locations, proposed elevations for grates and inverts;
 - ii. drainage piping location and all access hole inverts and final grade elevations from building to private drain connections;
 - iii. private drain connections - existing and new, location, size and grade; drainage swales (landscaped areas) - elevations along swale, cross sections % grade (slope);
 - iv. overland flow - show flow arrows to permit ready identification of overland flow direction, show existing and proposed elevations along property lines, and key points on site and abutting properties;
 - v. flows from adjacent properties - in the event that adjacent private properties drain onto the site being developed, the storm drainage system is to be designed to prevent storm water from backing up and creating a flooding or ponding condition on the adjacent property;
 - vi. weeping tiles - identify how flows will be handled should weeping tiles be installed;
 - vii. dry well systems and retention systems - display such relevant detail contained in the consulting Engineer's design as will be necessary to ensure that these features are implemented by the contractor; and,
 - viii. sediment and erosion control measures to be implemented before and during construction and post-construction.
 - Water services, indicating the location, elevation/grade, direction and size (where relevant) associated with any existing or proposed water services for all phases of the *development*.
 - Electrical services, indicating the location of any transformers, electrical vaults, secondary services and meters. Entry points into buildings must also be shown.
 - Gas and communication services, indicating the location of any existing or proposed utilities, transformers, gas regulators or communication pedestals.

d. Building Elevations

Building elevation plans must be submitted for all residential buildings containing more than four (4) dwelling units and all commercial, industrial and institutional buildings with a gross floor area greater than 300 m² (3,230 ft²).

In general, the following details are to be shown:

- Façades of the building(s), and the front façade of any buildings on adjacent properties, showing elevations, heights, slopes, etc.;
- All windows, doors, other openings, and any mechanical equipment;
- Signs, graphics and supporting structures, with size and height dimensions;
- Longitudinal cross-section view through the building(s) to the street line;

- Proposed construction material (steel, brick, stone, glass, etc.) for exterior walls, roof, doors, etc., as well as the design style of any painted or pre-manufactured surfaces; and,
- Location and style of exterior lighting attached to buildings and structures.

e. Additional Studies/Reports

Any studies and/or reports deemed to be necessary in a pre-consultation meeting or as a result of agency circulation (i.e. Stormwater Management Plan, Traffic Impact Study, Lighting Study, etc.).

SECTION 4 – DESIGN GUIDELINES

4.1 General Objectives and Guidelines

The following objectives and design guidelines are to be applied as the need arises, on a project by project basis.

4.1.1 Location of Buildings and Facilities

The objectives of site plan control for building and facility location are to demonstrate the extent to which the massing and conceptual design of new *developments* are developed:

- a) to minimize conflicts with adjacent land uses;
- b) to provide a comfortable and pleasing environment for the intended uses in terms of building orientation, form and siting;
- c) to be consistent with or complimentary to existing buildings that are to be retained; and,
- d) to be consistent with or complimentary to existing streetscapes.

4.1.2 Building Orientation

Objectives for proper orientation of buildings on a *development* site, include the following:

- a) Where possible, buildings should reinforce the prevailing street pattern by aligning with the established building line or street edge. Buildings may be setback from or placed at an angle to the existing street edge if they are of community importance.
- b) Where possible, public views into, through and out of a *development* site should be maintained and improved. Community identity can be achieved by ensuring views are maintained to community features such as churches, heritage buildings, bodies of water, valleys, open space and bridges.
- c) New *development* next to parks, open space and streets should be designed to blend with the open area.
- d) Buildings should be oriented to maximize energy conservation.

4.1.3 Building Form

The scale and character of new *development* should reflect the existing neighbourhood pattern and/or adjacent heritage buildings, including consideration for existing building heights, landscaping, roof treatments, facades (i.e. materials, textures and colours), lighting, and general building design (i.e. railings, lintels, arches and ironworks).

4.2 Residential Development

4.2.1 General Building Orientation

- a) Consideration should be given to locating residential buildings close to the north lot line to increase solar access to open spaces on the site.
- b) The proposed building(s) should not excessively shade adjacent private or public property.
- c) The long axis of apartment buildings should be oriented north and south or northeast and southwest where feasible, to ensure that most of the dwelling units will receive sunlight during some part of the day.
- d) The long axis of residential buildings with openings on opposite sides should be oriented east and west to the greatest possible extent.
- e) Residential buildings exceeding 4 storeys should be sited with one of the longest walls parallel to and not more than 6 m (20 feet) from a driveway that can accommodate fire equipment.
- f) Common areas and, in particular, children's play areas should be located centrally so as to provide for visual surveillance.

4.2.2 Multi-family Residential Setbacks and Separation Spaces

Multi-family residential *development* shall be appropriately setback from property lines, to ensure the following.

- a) Adequate Daylight/Sunlight - Space should be provided around dwellings to ensure the provision of daylight. It is also desirable to provide for direct sunlight to habitable areas of each dwelling unit, if possible, throughout the year. New housing should be located so as not to unduly deprive existing dwellings and private outdoor spaces in the surrounding areas of adequate sunlight or daylight.
- b) Ventilation - The space around the unit should be sufficient to permit natural ventilation of the dwelling.
- c) Noise - Physical separation and/or screening should be provided between the dwelling unit and adjacent users and activities to permit the occupant to enjoy rest and privacy without undue interference from external noise.
- d) Visual Privacy - Windows and entrances of a dwelling unit should be separated and/or screened from adjacent buildings and activities so as to permit residents to make full use of their interior living spaces. The frequency, duration, and proximity of potential intrusions outside the unit affect visual privacy within a dwelling unit. These will determine the type of separation or screening required.
- e) Application of Setback and Separation Space - The minimum setback or separation space in front of any window or opening should be applied along the full length and height of the exterior wall. Separation spaces should be free of buildings, roadways, communal parking areas and any communal amenity areas intended for active use.

4.2.3 Private Outdoor Amenity Areas

Private Outdoor Amenity Areas are intended to provide private outdoor areas directly related to the dwelling unit that can effectively extend the living area of the unit. These areas are to be used for recreation or aesthetic purposes within the boundaries of a lot and may include landscaped open areas, patios, balconies, communal lounges, swimming pools, recreation facilities and any other areas which may be used for recreational or aesthetic purposes. Outdoor amenity areas shall not include any driveway or parking area. Private outdoor amenity areas should address the following.

- a) Type of Occupancy - The amenity space should reflect the anticipated type of households that will occupy the dwelling units.
- b) Accessibility - For ease of maintenance, an on-grade private outdoor space should be accessible from the front of the unit without requiring access through a living or dining room. A private outdoor space above grade should be easily accessible from a principle habitable room such as a living room.
- c) Separation and Screening - Separation between a private outdoor space and adjacent use should be sufficient. This can be accomplished by distance separation or screening. Where screening is used to provide separation between abutting on grade privacy areas, this screening should be at least 1.5 m (5 feet) high.
- d) Parking Separation - Common parking lots should not be closer than 3 m (9.8 feet) to a private outdoor space and should be oriented so that headlights and fumes are not directed towards the private outdoor space by using a parallel parking arrangement or by screening with planting or fencing.

4.2.4 Parking and Loading Facilities and Internal Driveways

To ensure appropriate design for vehicle access and loading, the following are to be considered:

- a) All surfaces used for required parking and loading facilities and vehicular circulation shall be paved with asphalt or other hard surface treated to prevent the raising of dust or other loose particles as set out in the Zoning By-law.
- b) Consideration may be given to alternative surface materials such as cobblestone, etc., which allow precipitation to percolate into the soil, for any parking spaces provided over the minimum number required.
- c) All parking stalls are to be painted with lines to delineate the size of stalls.

4.2.5 Proximity to Railway Lines and Other Sources of Noise

Applicants may be required to provide, in conjunction with site plans, an acoustical engineering study outlining on-site noise measurements, methods of evaluation, noise sources and abatement measures that are recommended to meet provincial standards. New residential *development* which is proposed to locate in proximity to railway lines or other major sources of noise will be required to meet Provincial Noise Guidelines for residential (sensitive use) *development* to ensure an acceptable acoustical environment is provided for future occupants.

The applicant will be responsible for any costs associated with having the study peer-reviewed by an independent acoustical engineer on behalf of the Township of Blandford-Blenheim.

Where noise abatement measures are required, site plans and/or landscaping plans shall incorporate the necessary remedial and mitigation measures.

4.3 Commercial Development

4.3.1 General Guidelines

In general, commercial uses can have impacts on other more sensitive land uses (such as residential). New commercial uses, and expansions to existing commercial uses, must have minimal impacts on nearby sensitive land uses. As such, the design should meet the following objectives:

- a) Ensure new *developments* are sited such that adjacent properties have visual privacy and sunlight as well as protection from the new *developments* lighting, noise, odour and vibration.
- b) Screen unsightly elements from public view, such as loading areas, snow storage areas, transformers, meters, garbage enclosures and roof-top mechanical equipment.
- c) Avoid building designs with large flat surfaces and incorporate angles, differing setbacks, peaked rooflines, canopies, and coloured trim to provide interesting, attractive façade(s).
- d) Provide safe, convenient access for persons with disabilities to all major building entrances by means of minimal grade changes, curb cuts, ramps and railings.
- e) Provide screening and buffering between existing residential uses and new *developments*.

4.3.2 Village Core

Within the Village Core, buildings encouraged to be located at the streetline to ensure the following.

- a) Frequent and convenient pedestrian connections between buildings and the public sidewalk.
- b) A more attractive streetscape along the sidewalk.
- c) Weather protection for the pedestrian. Avoid conditions that increase wind and snow piling in pedestrian areas. Provide protection for pedestrians from inclement weather with shelters, canopies and windbreaks at building entrances and along storefront facades.
- d) Minimize the public view of off-street parking areas and servicing facilities.
- e) Define a public street space that is comfortable to the pedestrian.

4.4 Parking, Driveway and Loading Facilities

4.4.1 Parking Areas

To ensure adequate parking areas are provided, the following shall be considered.

- a) Delineate parking rows with poured concrete curbs or planters at each end to prevent uncontrolled internal traffic movements and generally to confine traffic to designated parking aisles or driveways.
- b) Mark all parking areas to clearly designate all parking spaces.
- c) Design all parking areas so as not to require vehicles to reverse from the property onto a public street.
- d) Minimize access to and from parking aisles along main internal driveways.
- e) No more than 15 parking spaces should be permitted in a row without an interrupting minimum 3 m (9.8 ft) wide planting area.
- f) Provide adequate and convenient parking for all types of motorists such as employees, visitors and the public and clearly identify the types of parking areas.
- g) Public parking should not conflict with shipping, loading, garbage removal or utility areas.
- h) Avoid excessive grades for parking areas.
- i) The surface of required parking areas shall be paved with asphalt or other hard surface treated to prevent the raising of dust or other loose particles as set out in the Zoning By-law. Consideration may be given to alternative surface materials that allow precipitation to percolate into the soil for

any parking spaces provided over the minimum number required.

- j) To ensure that parking is not the dominant visual element in the streetscape, screen larger parking areas with buildings, landscaping or low walls, while still maintaining some visibility to provide public safety by means of public surveillance.
- k) Provide properly identified accessible parking spaces in close proximity to building entrances. The spaces should be designed to minimize the need for persons with disabilities to cross internal driveways. Accessible parking spaces should accommodate cars or vans which have lifts or ramps installed on either the side or rear of the vehicle. Parking spaces should be designed to provide space for the lift or ramp and manoeuvring space for the person with a disability. Appropriate signage is required at the designated parking space(s). Specific details are set out in the County of Oxford Facility Accessibility Design Standards, which are available on the County of Oxford website, or at the County offices. The Design Standards are not mandatory, but are encouraged for all new or redeveloped buildings and facilities.

4.4.2 Internal Driveways

To ensure adequate internal driveways, the following shall be considered.

- a) Delineate main internal driveways, which are heavily travelled, with raised curbs to avoid interference to moving traffic created by parking manoeuvring.
- b) The horizontal alignment of all driveways should be geometrically sound, but lengthy straight sections should be minimized to discourage high speeds.
- c) Speed bumps may be used to discourage high speeds.
- d) ensure adequate visibility of intersecting traffic movements in the design of driveways and parking aisle intersections.
- e) In large commercial or industrial *developments*, main internal driveways should not be located abutting building entrances in order to minimize pedestrian and vehicle conflicts.
- f) Driving lanes that allow two-way circulation are encouraged and should be easily identifiable.
- g) Driving lanes should widen at drop-off areas near buildings.
- h) One-way lanes shall have clearly marked directional signs.
- i) Turning areas shall be provided at the end of dead-end driveways.

4.4.3 Off-Street Loading Facilities

To ensure loading facilities are properly located and designed, consideration is to be given to the following.

- a) Access - Sufficient space should be provided on a property to permit delivery vehicles to make all manoeuvres "off-street". Vehicles reversing from the property on to a street should be avoided. Roads providing access to building fronts and fire routes are to be designed to support emergency vehicles.
- b) Location - Access to loading facilities may be by separate access or by an internal driveway serving a parking area. Loading spaces shall abut the building to be served.
- c) Paving - All loading spaces, manoeuvring areas and driveways should be hard surfaced with suitable materials in accordance with Section 5.18.1.8 of the Zoning By-law
- d) Joint Loading Facilities - In commercial *developments* or other similar integrated *development*, the use of joint loading facilities to serve all or several individual businesses will be encouraged.

4.5 Access and Road Widenings

4.5.1 Access

To ensure the orderly and safe movement of traffic in and out of private properties with minimum interference between vehicular and pedestrian traffic, the following shall be considered.

- a) The number of access driveways shall be minimized;
- b) Each *development* will be analyzed in terms of site characteristics, including street frontage, land area, traffic generation and parking capacity to determine the desirable number and location of access driveways.
- c) Individual residential driveways on to arterial streets should be avoided.
- d) Access for *development* on a corner lot should be as far from the intersection of the two streets as possible.
- e) Where required, the site plan shall make provisions for the joint use of common driveways between abutting properties. The *development* will make provision for these types of driveways.

4.5.2 Fire Department Access

Access to buildings for firefighting, as required by the Ontario Building Code, shall be shown on the site plan. All designated Fire Routes on the site shall be appropriately posted with signs.

4.5.3 Road Widenings and Sight Triangles

Site plans shall show the lands to be dedicated to the Township and/or County for road widenings and sight triangles. These lands shall be free of all buildings, structures and signs and shall be used for landscaping only. Dedication to the municipality will be free of all legal encumbrances and at no cost to the municipality.

4.6 Pedestrian Facilities

To ensure the provision of safe and convenient pedestrian circulation including facilities for the disabled, elderly and children, the following shall be considered.

- a) Sidewalks and pedestrian walkways shall be located to join building(s) access points to parking areas, recreational areas and public sidewalks. They should be located in accordance with user needs. Public sidewalks will be installed across the frontage of the site in accordance with the Township standards.
- b) Public building entrances shall be linked to sidewalks and parking areas by means of a safe, convenient and well-lit walkway system.
- c) Walkways that cross vehicular lanes shall be identified with changes in paving materials, signs or built elements such as canopies or arches.
- d) Continuous pedestrian walkways shall be provided between entrances of units in buildings with multiple tenancies.
- e) Where pedestrian activity is increased, such as at street corners, building entrances, storefronts, or where elements cause obstruction (i.e. door swings, overhangs, etc.), increase the width of walkway.
- f) Pedestrian areas shall be protected from vehicular intrusion with landscaping, curbs or a series of short posts.

- g) Grade changes shall be minimized between the public sidewalk and private pedestrian areas adjacent to buildings.
- h) Pedestrian facilities shall be designed to enable disabled persons, the elderly and parents with strollers to travel unassisted from the public sidewalk to at least one main building entrance and one main parking area by incorporating sidewalk ramps of a proper gradient and surfacing material instead of steps. Compliance with the Ontario Building Code will be required.

4.7 Site Lighting

The type, location, height, intensity and direction of lighting shall be shown on the site plan. Outdoor lighting shall be installed to provide sufficient illumination of the site for the following.

- a) Pedestrian security and safety at building entrances and access routes.
- b) Functional vehicular movement.
- c) To highlight signs, external building design and landscaped open space.

Lighting should be kept internal to the site and not adversely affect adjacent residential properties, or adjacent public streets, which could pose a vehicular safety hazard. Illumination patterns and levels must be designed to ensure that the site is not illuminated more than necessary.

4.8 Landscaping and Buffering

4.8.1 Landscaping

Landscaping shall be provided to improve the aesthetics and function of the site, through the following.

- a) Screening unsightly areas and providing privacy.
- b) Adding visual interest to open space.
- c) Softening the dominant building at a pedestrian scale.
- d) Providing definition of public walkways and private amenity areas.
- e) Controlling access to adjoining properties.
- f) Providing protection from wind and sun conditions.
- g) Reducing storm water runoff flows on the site and stabilizing slopes.
- h) Providing planting strips to separate non-residential and residential uses in accordance with the Zoning By-law.

4.8.2 Screening

Screening should also be located primarily between conflicting land uses and around the perimeter of the site, to act as a buffer. Screening may include plants, hedges, walls, fences, and berms, and herbaceous or organic ground cover, and will generally achieve the following.

- a) Visually screen less pleasing elements or areas on-site, such as parking areas and service entrances, as well as utility installations, provided the operation and maintenance of these installations are not compromised;
- b) Assist in reduction of noise between abutting properties, which may adversely affect abutting land uses;
- c) Assist in reduction of noise from collector or arterial roads; and,
- d) To protect the function of certain use areas of the site, such as creating windbreaks or shelter for tennis courts, sunlight for outdoor swimming pools, and creating privacy areas in residential *developments*.

4.8.3 Ornamental Planting

Ornamental planting can include items such as plants, hedges, walls, fences, and berms, and herbaceous or organic ground cover. Ornamental planting should be located to:

- a) Compliment the architecture of the building(s);
- b) Compliment and assist in the protection of existing trees, landforms, and watercourses; and,
- c) Define certain spaces by enclosing or dividing areas such as passive and active recreation areas, pedestrian circulation, and entrances onto the site.

4.8.4 Preservation of Existing Landscape Elements

Consideration should be given to the preservation, retention and improvement of existing landscape elements such as major trees and watercourses. Where trees are to be preserved, the applicant and/or contractor should consult with the Township and shall submit to the Township an appropriate Landscaping and/or Tree Preservation Plan, as prepared by a qualified professional.

4.8.5 Plant Selection

The selection of landscaping and plant material shall be based on the following criteria:

- a) Year Round and Seasonal Interest
 - colour of leaves, flowers, bark, stems berries and cones
 - height of planting through to maturity
 - form and shape, particularly tree species
 - foliage density in terms of penetration of sunlight through the tree
 - hardiness and suitability to the local environment
 - availability
- b) Maintenance - fertilizing, pruning and watering
- c) Function - wind protection, seasonal shading and vandal resistance
- d) Physical Conditions
 - prevailing wind conditions
 - probability of frost
 - atmospheric pollution
 - natural availability of water from ground water, storm run-off and precipitation
 - proximity of buildings in terms of shadow and obstruction of sunlight
 - proximity of roads and vehicular access ensuring sight lines are not obstructed
 - proximity of roads ensuring salt spray and snow storage areas do not damage plantings
 - proximity of municipal services and utilities ensuring root systems do not obstruct sewer and water lines, and underground electric lines, and branches do not obstruct overhead electric lines
 - Plants that drop large seed pods or shrubs with thorns or sharp edges shall be planted away from pedestrian walkways.

4.8.6 Tree Protection

Tree preservation and protection is encouraged through careful site planning including the appropriate location of buildings, facilities and servicing. In general, when trees are to be saved in a construction area, the following measures shall be followed to ensure the longevity of those trees:

- a) Where deemed necessary by Council, a tree preservation report will be required to be prepared by a qualified consultant such as an Urban Forester, Arborist, or Landscape Architect. This report shall include detailed tree inventories, assessments, discussion of alternatives and multiple recommendations.
- b) A snow fence or other barrier could be erected around the tree to at least the "drip line" of the tree. The "drip line" is the outer extent of branches, regardless of tree maturity. The small, fibrous roots, which feed the tree, are often located at the extremities of the root system. By protecting the "drip line" the tree root system can be protected, thereby keeping the tree healthy.
- c) Where possible, no excavation shall be carried out within the "drip line" of trees to be saved. Root loss must be minimal.
- d) No heavy equipment shall be driven over the treed area, to prevent soil compaction around the tree roots.
- e) No soil or construction materials shall be piled within the drip line area or around the trunks.

4.9 Waste Storage Facilities

4.9.1 General Requirements

Site Plan designs should ensure that adequate waste storage facilities and enclosures are provided to permit the following.

- a) The storage of garbage between collections thereby avoiding health, safety, and litter problems.
- b) For the efficient and safe collection of garbage by collection vehicles.
- c) For the storage and collection of recyclable materials.
- d) Protection from animals.
- e) Adequate separation between conflicting uses including residential uses.

4.9.2 Design Features of Waste Storage Facilities and Enclosures

Proper design and location of on-site waste storage facilities is paramount to proper functioning of a site design. The following shall be considered in this regard.

- a) Location - at an inconspicuous location at the building service entrance or rear yard
- b) Accessibility - Waste storage facilities shall be easily accessible to the waste collection vehicle.
- c) Collection Platform Material - concrete pad or other structurally adequate impervious material.
- d) Enclosure Wall Material - low maintenance durable material such as brick or ornamental block or other approved material.
- e) Enclosure Wall Height - 2 m (6 feet) minimum.
- f) Clearance Opening of Gates - 1.2 m (4 ft) minimum.
- g) Street fronting Townhouse - an individual area within or immediately associated with each unit is required for waste storage. Common exterior storage facilities are not recommended and will only be permitted where the applicant demonstrates that individual storage facilities are not feasible.
- h)** Apartments - waste is to be centrally stored in specifically designed common storage facility.

APPENDIX “A” – TOWNSHIP SITE PLAN APPLICATION FORM

FILE NO. _____

REC'D: _____

DATE APPLICATION CONSIDERED _____

COMPLETE: _____

**TOWNSHIP OF BLANDFORD-BLENHEIM
SITE PLAN APPLICATION FORM**

The undersigned hereby request the Township of Blandford-Blenheim to consider a Site Plan Control application pursuant to Section 41 of the Planning Act on the lands hereinafter described.

NOTE: The property owner or his authorized agent must complete the application. Where an agent is making the application, the written authorization of the owner must be completed below. If the application is being made under an agreement of purchase and sale, a copy of the agreement must be attached and it will remain confidential.

1. BACKGROUND INFORMATION

a) Applicant Information:

Name _____

Address _____

City: _____ Postal Code _____

Contact Person E-mail: _____

Telephone Number _____ Fax Number _____

b) Registered Owner: (if other than applicant)

Name _____

Address _____

City: _____ Postal Code _____

Contact Person E-mail: _____

Telephone Number _____ Fax Number _____

c) Location of Subject Land:

Lot Number(s) _____ Plan No. or Concession _____

Part Number(s) _____ Reference Plan _____

Lot Number(s) _____ Registered Plan _____

Street Address (if any) _____

The subject land is located on the _____ side of the street between _____
_____ and _____.

Property Identification Number (P.I.N): _____

Assessment Roll Number: _____

a) This development proposal involves –

New Development _____ or Expansion of Existing Development _____

If new, is any demolition of existing buildings on the site proposed? Yes ___ No _____

Are there previous site plan or development agreements registered against these lands?

Yes ___ (File no. _____/ Status: _____) No _____

e) Existing use(s) of Subject property:

f) Proposed uses of land and buildings:

g) Official Plan information:

Schedule “B-1” Township Land Use Plan: _____

Schedule “__-__” Village of _____ Land Use Plan: _____

Other Schedules and Appendices _____

h) Zoning By-law No. 1360-2002:

Existing Zoning _____

If this development proposal is related to a recent or current Zone Change application, please
indicate the File No.: _____ Status: _____

2. SITE INFORMATION

Note: Under Parts 2(a) and 2(b) below, where the proposed dimension / feature does not meet the By-law regulation, a Minor Variance(s) shall be required.

2 a) <u>Zoning Provisions</u>	<u>REGULATION</u> by Zoning By-law 1360-2002	<u>PROPOSED</u> as shown on Site Plan
Lot Frontage	_____	_____
Lot Depth	_____	_____
Lot Area	_____	_____
Lot Coverage	_____	_____
Front Yard	_____	_____
Rear Yard	_____	_____
Interior Side Yard	_____	_____
Exterior Side Yard (corner lot)	_____	_____
Landscaped Open Space (%)	_____	_____
No. of Parking Spaces	_____	_____
No. of Loading Spaces	_____	_____
Width of Planting Strip	_____	_____
Driveway Width	_____	_____
Handicap Spaces	_____	_____
Other (Specify)	_____	_____
Minimum Distance Separation (MDS)		
Distances, if applicable.	_____	_____
To Barn	_____	_____
To Manure Storage Facility	_____	_____

Off-Street Parking and Loading Facilities

Total number of off-street parking spaces existing:	_____
Number of off-street parking spaces proposed (include existing & proposed):	_____
Number of off-street loading facilities existing:	_____
Number of off-street loading facilities proposed (include existing & proposed):	_____

2 b) Proposed Building Size:

Ground Floor Area of Existing Buildings(s) _____
Ground Floor Area of Proposed Development _____
Total Ground Floor Area (including existing & proposed) _____
Number of Storeys proposed _____
Building Height Proposed _____
Total Gross Floor Area Proposed (including existing and proposed) _____

3. **COMPLETE SUBSECTION (A) OR (B) OR (C), AS APPLICABLE:**

3(a) Multiple Family Residential: (check here ___ if **not** applicable)

Landscaped Area _____ sq m (or sq.ft.)

Conversion or Addition to Existing Residential Buildings Yes____ No ____

Amenity and/or Children's Play Area Yes____ No ____

UNIT BREAKDOWN

<i>Type</i>	<i>Number of Units</i>	<i>Floor area of Unit Type (sq. m. or sq. ft.)</i>
Bachelor	_____	_____
One-Bedroom	_____	_____
Two-Bedroom	_____	_____
Three-Bedroom	_____	_____

List any other Facilities to be provided (e.g. play facilities, underground parking, games rooms, swimming pool, etc.)

3(b) Commercial / Industrial Uses: (check here ___ if **not** applicable)

No. of Buildings Proposed _____

Conversion or Addition to Existing Building? Yes____ No __

Describe _____

Gross Floor Area (breakdown by Type of Use, e.g. - office area, retail, storage, manufacturing area, etc.) _____

Seating Capacity (for restaurant or assembly hall, etc.) _____

Describe Type of Business Proposed _____

No. of Staff Proposed - Initially _____ In future (5 yrs) _____

Open Storage Required? Yes _____ No _____

Describe type, location, and buffering (if any) _____

Phasing if any _____

If residential use is proposed as part of, or accessory to commercial/industrial use, please complete Sec. 3(a).

3(c) Institutional, Open Space or Other Uses –

(check here ___ if **not** applicable)

Describe Type of Use Proposed _____

No. of Beds (if applicable) _____

Gross Floor Area by Type of Use

(e.g. office, common rooms, storage, etc.) _____

Landscaped Area _____ sq.m. (or sq.ft.)

4. AUTHORIZATION

Authorization of Owner(s) for Applicant/Agent to Make the Application

I/We, _____

_____, am/are the owner(s) of the land that is the subject of this

application for site plan and I/we authorize _____,
to make this application on my/our behalf.

to submit this application to the Township of Blandford-Blenheim on my behalf.

Signature of Owner(s)

5. APPLICANT DECLARATION:

I/We, _____ of the _____ of
(name) (Township/City)
_____ in the _____ of _____
(name of municipality) (County) (Name of County)

DO SOLEMNLY DECLARE THAT:

All of the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath and by virtue of the Canada Evidence Act.

DECLARED before me at the _____ of _____
(Township/City) (name of municipality)
in the _____ of _____
(County) (Name of County)

this ____ day of _____ 20 ____ . _____
Signature of Owner/Applicant

A Commissioner for Taking Affidavits, Etc.

To be completed by Owner:

I, _____, hereby agree to support the application for Site Plan Control if an appeal to the Local Planning Appeal Tribunal is filed.

Signature of Owner(s)

APPENDIX “B” – EXAMPLE SITE PLAN AGREEMENT

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT, made in Triplicate this _____ day of _____, _____,

BETWEEN: _name of applicant/company_
hereinafter called the 'Owner'

OF THE FIRST PART

- and -

The Corporation of the Township of Blandford-Blenheim,
a Municipal Corporation within the County of Oxford, hereinafter called the
'Township'

OF THE SECOND PART

WHEREAS the Owner represents that they are the Registered Owner of those lands and premises in the Township of Blandford-Blenheim described in Schedule "A" to this Agreement and have applied to the Township of Blandford-Blenheim for site plan approval under the Planning Act, R.S.O., 1990, and amendments thereto.

AND WHEREAS the Owner acknowledges that the lands are subject to Site Plan Control pursuant to the provisions of Section 41 of the Planning Act, R.S.O., 1990, and pursuant to Township of Blandford-Blenheim Site Plan Control By-law No. 1679-2011;

AND WHEREAS the Township is of the opinion that such land development is not proper and in the public interest unless the Owner agrees to perform the covenants herein set forth;

WITNESSETH that, in consideration for the approval of the said plans and as a condition of such approval, the parties hereto covenant and agree one with the other as follows:

1. The lands affected by this Agreement are the lands described in Schedule "A" attached hereto and are hereinafter referred to as "the subject lands";
2. The Owner has obtained an approved Site Plan from the Township, indicating the locations of the structure(s) to be built, the access ways, the parking areas and appropriate on-site drainage, planting scheme, among other details. Said approved Site Plan and related drawings are attached hereto as Schedule "B".
3. The Owner agrees to the following:
 - a) to retain a qualified Professional Engineer to oversee the implementation of the site plan, including but not limited to the installation of drainage, water and sanitary sewer connections (if necessary) and final grading, for the duration of the construction of the structure(s), and that the said Professional Engineer shall provide reports to the Township (and County, if required) regarding the implementation of the site plan at the discretion of the municipality and at the sole expense of the Owner;

- b) that prior to commencing any site alteration activity, or building construction, the Owner will secure all the necessary approvals for installation of municipal services onto the subject lands, if necessary for the development;
 - c) that prior to the erection of any buildings or structures that are subject to the provisions of the Building Code Act, the Owner shall supply the appropriate structural plans, and detailed site and grading plans, in order to obtain the building permits required;
 - d) that all work and services required under this Agreement shall be carried out in good and workmanlike manner in accordance with good trade practices so as to cause a minimum of nuisance to the neighbours;
 - e) all landscaped materials are to be maintained at all times to at least the minimum standards established in the Agreement. Any removal or loss of landscaped materials shall be replaced and maintained to achieve basic compliance with this Agreement;
 - f) that all necessary precautions shall be taken during site alteration and construction activity to avoid the raising of dust, creating unnecessary noise and other nuisances and to provide for the public safety, so far as is practicable;
 - g) to grant to the Township and/or County, as the case may be, and their servants, agents and contractors, a license to enter the subject lands for the purpose of inspection of the works and the lands or for any other purpose pursuant to the rights of the Township and/or County under this Agreement;
 - h) that any damage to Township or County property adjacent to the subject lands, that has been deemed to have occurred as a direct result of development activity on the subject lands, either during or after site alteration and construction, will be repaired and/or returned to a condition satisfactory to the Township or County, at the sole expense of the Owner. Any deposit required for this purpose, as identified in Schedule "C" to this Agreement, shall be returned to the Owner, in accordance with the provisions listed in Schedule "C" and at the discretion of the Township or County, as the case may be.
4. This Agreement will be registered on the Title of the subject lands and the Owner shall be solely responsible for the expenses associated with the preparation and registration of this Agreement and compliance with all the provisions hereof. If necessary, the Owner shall be required to provide to the Township a registered copy of the Agreement prior to the issuance of any building permit.
 5. The Owner covenants and agrees that upon the approval of the plans set out in Section 2 of this agreement, and following registration of this Agreement on the Title, the Owner shall carry out all works shown on the said plans in accordance with said plans at the sole expense of the Owner, and such work shall proceed in a timely manner.
 6. The Owner agrees to reimburse the Township for all reasonable engineering and legal costs incurred by the Township for the preparation and supervision and enforcement of this Agreement, and such payment is to be made within thirty (30) days of the receipt of any associated invoice from the Township.
 7. All applicable Township Development Charges and all County of Oxford Development Charges shall be paid prior to the issuance of any building permit.
 8. If applicable, all fees and charges levied by the County of Oxford relating to the installation of sanitary sewers or municipal water services shall be paid prior to the issuance of any building permit.

9. The following special provisions shall apply to the development to address unique circumstances and unique solutions, as required to ensure good orderly development on the subject lands:
 - a) *The Owner covenants and agrees to*
 - b) *Add other clauses, as required, especially clauses that reference studies and related recommendations affecting the development proposal.*
10. The Owner covenants and agrees that no later than twelve (12) months after occupancy of the proposed development on the subject lands, or the expansion of such use, as applicable:
 - a) the Owner shall provide to the Township two (2) copies of the “as constructed” drawings, printed in full size drawing format, that accurately illustrate the works and services; the buildings; the engineered site grading and drainage features; and, the landscaping and parking features as required to be constructed for the proposed development on the subject lands; and,
 - b) the “as constructed” drawings shall be prepared and certified by the Owner’s Engineer (or other professional), as required for each drawing. The “as constructed” drawings shall be accompanied by the Engineer’s (or other professional’s) Certificate of Completion, indicating the proposed development has been completed in accordance with the approved plans; and,
 - c) the Owner further covenants and agrees that, only upon receipt of the Engineer’s certificate of completion and the “as constructed” drawings, together with a written request from the Owner to the Township, shall the Township be required to provide a refund of the deposit submitted with the application for Site Plan Control; and,
 - d) the Owner further acknowledges that failure to meet the above-noted requirements (for the “as constructed” drawings, Engineer’s Certificate of Completion and Owners’ written request) within the prescribed time period shall constitute a breach of the terms of this agreement. Upon determining such breach, the Township shall provide to the Owner, in writing, notice of the deposit forfeiture; whereupon the deposit that was provided to the Township in support of the application shall be forfeited immediately to the Township and no further refund of this deposit shall be provided by the Township to the Owner; and,
 - e) the Owner further covenants and agrees that the forfeiture of the deposit to the Township, should this event occur, in no way releases the Owner from their obligation to provide the required Certificate(s) of Completion and the “as constructed” drawings for this development.
11. The Owner acknowledges that any changes in land use, or any changes to the approved Site Plan drawing(s), attached as Schedule “B” to this Agreement, will require further review and approval by the Township and other applicable authorities, if necessary, prior to the commencement of any site alterations or the approval of any building permit(s) associated with those proposed changes. If necessary, an amendment to this Agreement will be required to be entered into in order to identify the change(s) and to address any additional concerns of the Township.
12. The Owner acknowledges that this Agreement is entered into under the provisions of Section 41(7)(c) of the Planning Act, R.S.O. 1990, as amended, and that any expenses of the Township arising out of the enforcement of this agreement may be recovered in the following manner:
 - a) by use of any cash, deposit or security furnished to the Corporation under Section 3.2.1 of the Site Plan Control By-law; or,
 - b) by action; or,
 - c) in a like manner as real property taxes, pursuant to the Municipal Act, 2001.

13. The parties hereto agree that this Agreement and everything contained herein shall enure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and assigns of each of the parties hereto as the case may be and shall constitute a covenant running with the lands described in Schedule "A" attached hereto.
14. The Owner covenants and agrees that the right of the Township to enter into this Agreement and to enforce each and every term, covenant and condition thereof shall not be called into question directly or indirectly in any proceeding whatsoever in law or in equity or before any administrative or other tribunal and that the Township may plead this provision in any such action or proceeding as a complete and conclusive estoppel of any denial of such right.
15. All words importing the singular only shall include the plural; words importing the masculine only shall include the female and words importing a person shall include a corporation.

IN WITNESS WHEREOF the respective parties have executed this Agreement.

Signed, Sealed and Delivered
in the Presence of

 INSERT OWNER NAME HERE

Witness

I have the authority to bind the Corporation

Authorized by
By-law No. _____

CORPORATION OF THE
TOWNSHIP OF BLANDFORD-BLENHEIM

Mayor

CAO/Clerk

We have authority to bind the Corporation.

SCHEDULE "A"

ALL AND SINGULAR that certain parcel of tract of land and premises situate, lying and being in the Township of Blandford-Blenheim (former Township of _____), in the County of Oxford, being composed of:

Part Lot ____, Concession ____, formerly in the Township of ____, being designated as Parts __ to __, inclusive, on Reference Plan 41R-_____.

AND SUBJECT TO an easement over Parts __ and __ on Reference Plan 41R-_____, as in (Instrument No. _____)

Registry Division of Oxford (No. 41)

SCHEDULE "B"

Insert copy of APPROVED Reduced Site Plan drawing(s), as required.

SCHEDULE "C"

Security Deposit for Works Affecting Adjacent Lands Owned by the Township and/or County

The following provisions apply with respect to Deposits to be provided by the Owner to the Township for the purposes of security associated with any works, services or other matters related to the proposed development that affect adjacent municipal lands, including road allowances.

1. A deposit shall be paid to the Township by the Owner, in the amount of:
\$ _____.00
2. The deposit represents 100% of the value of construction of the proposed works, services or other matters to be constructed within the adjacent municipal road allowance, with such works, services and other matters having being deemed necessary for the purposes of the approved development pursuant to Section 41(7) of the Planning Act, R.S.O 1990.
3. Should the Owner fail to ensure satisfactory development, execution and completion of the works, services and other matters within the municipal road allowance necessary for the approved development, the Township may, at its discretion, or at the request of the County, as applicable, draw upon the deposit as set out in clause 1 of Schedule "C" in order to complete and/or remedy any outstanding items, as required to be constructed or established in accordance with the approved site plan.
4. Should the Township decide to draw upon the Deposit, it shall provide appropriate advance notice, in writing, at least one (1) week prior to taking such action, to the Owner prior to drawing from the deposit. Said notice shall specify the outstanding issues to be remedied and the amount of the deposit that is to be used to effect such remedy. Should the Owner satisfactorily remedy the outstanding issues prior to the Township's action, then the Owner shall immediately provide necessary certificates, as prepared by their Professional Engineer, noting that such outstanding remedies have met the requirements of the approved site plan.
5. Upon receipt by the Township of the Certificate of Completion and the "as built drawings", pursuant to Section 10 of this Agreement, the deposit shall be returned to the Owner, less any Township (or County) costs paid out of the deposit.
6. Partial returns of the deposit may be released in advance of the receipt of the Certificate of Completion, but in no case shall the full amount of the deposit be returned in advance of the owner meeting the provisions of Section 10 of this Agreement.
7. The Township shall not pay any interest on the deposit.