The Corporation of the Township of North Frontenac

By-Law Number 2026-43

Being a By-law to Establish a Site Plan Control By-Law within the Township of North Frontenac; and Repeal By-Law Numbers 20-20 and 20-21

Whereas Section 41(2) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, permits the Council of a local municipality, where in an approved Official Plan, an area is shown or described as a proposed site plan control area, to designate such area as a site plan control area;

And Whereas such by-law may also define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required;

And Whereas Council deems it desirable to designate all of the lands within the limits of the Township of North Frontenac as a site plan control area and exempt from approval the classes of development as provided herein;

Now therefore, the Council of The Corporation of the Township of North Frontenac enacts as follows:

1. That Schedule A as follows, is hereby deemed to be and to constitute the Site Plan Control By-law for the Township of North Frontenac;

2. That By-law Number 20-20 Being the Site Plan Control Securities By-Law and By-Law Number 20-21 being the Site Plan Control By-Law are hereby repealed;

3. That all Resolutions, By-Laws or parts of By-Laws, which are contrary to or inconsistent with this By-Law are hereby repealed; and

4. This By-Law shall come into force and take effect on the final passing thereof.

Read a first and second time this 13th day of August, 2026

Read a third time and finally passed this 13th day of August, 2026

_____
Gerry Lichty, Mayor

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Tara Mieske, Clerk

Schedule A to By-Law Number 2026-43

1. Title and Administration and Enforcement

1.1. Title of By-law

This By-Law may be sited as the “Site Plan Control By-Law”.

1.2. Lands Subject to the By-Law

The provisions of this By-Law and Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended, shall apply to all lands lying within the corporate limits of the Township of North Frontenac.

1.3. Administration

1.3.1. Despite any provisions of any other By-Law of the Township of North Frontenac to the contrary, no building permit shall be issued until the plans and drawings required by this By-Law have been approved by the authorized officer, employee or agent of the Township, or where a referral has been made to the Ontario Land Tribunal, an order of the Tribunal or an order of a Court of competent jurisdiction. In addition, no permit may be issued until any Site Plan Control agreements required by the Township of North Frontenac for such development have been executed and registered on title.

1.3.2. Nothing in this By-Law shall prevent development on any lands subject to this By-Law where such development is proceeding in accordance with a valid building permit that was issued by the Township of North Frontenac prior to the passing of this By-Law.

1.3.3. Only the values provided with metric units of measurement that appear in the By-Law are official.

1.3.4. For the purposes of this By-Law, words used in the present tense also include the future; words in the singular also include the plural and words in the plural include the singular; words in the neutral gender include the masculine and the feminine; and the word “shall” is mandatory.

1.3.5. This By-Law shall be administered by the Township Clerk, or in the absence of the Clerk, the Deputy Clerk.

1.4. Enforcement

1.4.1. Any person who contravenes any of the provisions of Section 41 of the *Planning Act*, or its successors thereto, or the provisions of this By-Law shall be guilty of an offence and upon conviction shall be liable to the penalties under the *Planning Act*, or its successors thereto.

1.4.2. If any section, clause, or provision of this By-Law is, for any reason, declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part hereof other than the section, clause or provision so declared to be invalid. It is the intention that the remaining sections, clauses and provisions of this By-Law shall remain in full force and effect until repealed, despite those one or more provisions that have been declared to be invalid.

2. Definitions

In this By-Law, unless the context requires otherwise, the following definitions and interpretations shall apply:

Agri-tourism uses means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related Uses means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being near farm operations, and provide direct products and/or services to farm operations as a primary activity.

Development means 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 the *Municipal Act*, or of sites for the location of three or more mobile homes as defined in the *Planning Act* or of sites for the construction, erection or location of three or more land lease community homes as defined in the *Planning Act*.

Intensive Livestock Facility means an agricultural operation involving the rearing of animals that is designed to maximize production and minimize costs, and where animals are often confined indoors under strictly controlled conditions.

On-farm Diversified Uses mean uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Township means The Corporation of the Township of North Frontenac.

3. General Provisions

The following types of development shall be subject to Site Plan Control:

a) Commercial development, including recreational tourism uses such as, but not limited to, campgrounds, trailer parks, golf courses, and marinas.

b) Industrial development, including contractor's yards.

c) Institutional development, including community facilities, schools, and long-term care homes.

d) Residential development that contains more than 10 dwelling units on a single parcel of land.

e) Residential development containing fewer than 10 dwelling units on any parcel of land that is within 120 metres of a wetland, an inland lake, or a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.

f) An intensive livestock facility.

g) Agri-tourism uses, agriculture-related uses, and on-farm diversified uses that involve a commercial or manufacturing component, or that provide on-site goods or services for sale to the public.

4. Exemptions

The following classifications of development shall be exempt from Site Plan Control:

a) Principal residential dwellings, and any permitted accessory residential units, except where the development is proposed on a site with, or in proximity to, identified natural heritage features, natural hazards, or known archaeological deposits, the protection of which requires the registration of a Site Plan Control Agreement on title.

b) Bed and breakfast establishments with three or fewer rooms for rent.

c) Expansion of an existing commercial, industrial, or institutional development that does not increase the useable floor area of a building by more than 20 square metres (215 square feet) or 10 percent of the total floor area of the building,

whichever is less. This exemption does not apply to any existing structure that is equal to or greater than 232 square metres (2,500 square feet) in area.

d) The placement of a portable classroom on a school site of a district school board.

e) Interior building alterations.

f) Exterior building alterations that only affect the façade of existing buildings and do not change any other site elements.

g) Works that are required to comply with the *Fire Protection and Prevention Act* and its regulations, or an order issued thereunder.

h) Signs and temporary construction buildings placed in accordance with any applicable By-Law.

i) Agricultural uses, except for those uses noted in Section 3.

j) Public works or utilities.

k) Any structure erected for flood or erosion control purposes.

l) Any forestry or conservation use.

m) A cemetery.

n) A wayside pit or quarry.

o) A portable sawmill.

5. Application Submission Material

All lands subject to Site Plan Control must submit, for the review and approval of the Township of North Frontenac, graphic rendering(s), that include at a minimum the following:

a) Drawings showing the location of all buildings and structures to be erected and showing the location of all facilities and works (i.e., physical infrastructure), including all facilities designed to have regard for accessibility for persons with disabilities.

b) Drawings showing floor plans, elevations, and cross-section views for each building that are sufficient to display:

   i. The massing and conceptual design of the proposed building(s);

   ii. The relationship of the proposed building(s) to adjacent buildings, streets, and exterior areas to which members of the public have access;

   iii. The provision of interior walkways, stairs, elevators, and escalators to which members of the public have access from streets, open spaces, and interior walkways in adjacent buildings;

   iv. Exterior access and design of the building(s) or portions of the building(s) containing affordable housing; and

   v. Facilities designed for persons with disabilities.

c) Drawings showing sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

d) Drawings showing all elements of site design, including, but not limited to:

   i. All vehicle access points;

   ii. All walkways, ramps, and pedestrian access points;

   iii. All off-street loading spaces and parking areas;

   iv. Location of all lighting structures;

   v. Landscaping of the property for the protection and/or screening of adjoining lands, water bodies or natural heritage features, including the type of vegetation and techniques to be used, the existing vegetation that is to be preserved, and any structures such as walls, fences or barriers that are to be used; and,

   vi. The location and type of facilities and enclosures for the storage of recyclables, garbage, and other waste materials.

e) A grading plan for the property to illustrate how storm, surface and waste waters will be disposed of to prevent erosion or flooding, including the period during construction of the project. Plans will show the location and connections for all services to municipal services, including elevations and inverts.

f) Any other drawings, plans, studies, and information as required by the Township's Official Plan and/or identified through Pre-Application Consultation.

6. Conditions

As a condition of approval of the plans and drawings for the development or redevelopment of land, the Township of North Frontenac may require the dedication of land for:

a) Park or other recreational purposes, or the payment of money in lieu of land in the amount not exceeding two percent for commercial or industrial uses and five percent for all other uses.

b) The widening of any municipal road allowance.

c) Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land.

7. Registration of Agreements

The Owner shall enter into an agreement with the Township of North Frontenac dealing with and ensuring the provision of any or all of the facilities, works or matters required in this By-law or the *Planning Act*. Any agreement or amendment of any agreement entered into in accordance with this By-Law, shall be registered against the title of the land to which it applies at the cost of the Owner.

8. Lapsing of Approval

a) Site Plan Control approval, referenced as the Township of North Frontenac's execution of all agreements and documents, lapses and is of no force or effect:

   i. Where a building permit is required for the development, at the expiration of three years from the date of approval if no building permit is issued for development, or a building permit has been revoked; and

   ii. Where no building permit is required but the construction of the development has not been completed within three years of the date of the approval.

b) The lapse of an approval is effective upon the date of sending written notice by the Township of North Frontenac to the Owner by registered mail to the Owner's

last known address revoking the approval, or where an agreement has been registered, upon the registration of a notice that the approval is revoked and the agreement is terminated, unless the Township of North Frontenac agrees in writing to an extension. The request for an extension must be submitted in writing by the Owner to the Township of North Frontenac.

9. Securities

a) **General**As a condition of site plan approval, the Township may request securities to ensure that site works comply with the approved plans and all obligations to the Township are fulfilled. Securities are collected to ensure that works identified in the Site Plan Control Agreement are carried out in accordance with the Site Plan Control Agreement. Following the completion of a development and all required works, the property owner may apply to the Township to verify that all works are completed as required by the Site Plan Control Agreement and all obligations to the Township are fulfilled. Following this determination, securities will be released.

b) Calculating Financial Securities

The following formula shall be used to calculate the financial securities required for Site Plan Control:

Site Plan Application Type	Internal Works	All External Works	Landscape
Industrial, Commercial, Institutional	50% of Engineering Cost Estimate, not to be less than $10,000 and up to a maximum of $100,000	100% of Engineering Cost Estimate	50% of Landscape Cost Estimate
Residential	50% of Engineering Cost Estimate, not to be less than $3,000	100% of Engineering Cost Estimate	50% of Landscape Cost Estimate

Internal works include all works performed within the property limits of the site. All external works refers to any works external to the property, on either public or private lands, required to complete the site plan. Works to be considered in the Engineering Cost Estimate shall include but are not limited to grading, paving, landscaping, fencing, lighting, stormwater management, sewage, entrances, roadways, signage. Where a landscape architect is required a Landscape Cost Estimate shall be required; where it is deemed by the Township Planning Department that a Landscape Architect is not required, any landscaping costs shall be considered in the Engineering Cost Estimate.

The cost estimate shall not include the cost of any buildings for internal works.

Additional Site Plan Control Agreements to the Site Plan Control Agreement may be required prior to work being completed on Township property.

c) Estimate of Works

An estimate itemizing each cost shall be submitted at the time of application submission; an application for Site Plan Control will not be deemed complete until received. The costs will be reviewed by applicable staff for approval and the Township may require an estimate of works to be peer reviewed as a requirement of a site plan control agreement. An Engineering Cost Estimate must be provided by a consulting Professional Engineer (P.Eng) or a Landscape Architect.

d) Submission of Securities

The securities must be provided to the Township by certified cheque, debit, cash, or irrevocable Letter of Credit of a Canadian chartered bank or other financial security in the form satisfactory to the Township. Securities shall be provided at the time the Site Plan Control Agreement is entered into and prior to the commencement of works on the property or issuance of a building permit.

e) Release of Securities

When a partial release of securities is requested, the applicant shall provide the required evidence the works have been completed in accordance with the approved site plan; this may come in the form of a revised engineering cost estimate or landscape cost estimate reflecting works that have been completed or stamped engineering, architect or landscape architect drawings confirming that the works have been completed in accordance with the approved plan. A cover letter requesting inspections and security reduction or release shall be submitted with the required evidence. The Township will coordinate the required inspections of the property with the appropriate person to confirm and the securities will be returned to the owner after the inspection and approval of the works. The Township will ensure that 50% of the costs for the remaining works to be completed on-site and 100% of costs for the remaining works to be completed off-site remain and are not below the amount required to complete any deficiencies.

Upon completion to the satisfaction of the Township of the works to be constructed and the performance of all other obligations under the Site Plan Control Agreement, the security or balance thereof remaining shall be returned.

f) Draw Down on Securities

The Township shall not draw down on the security unless the owner is in default in the performance of works or an obligation under the Site Plan Control Agreement. If such default continues for more than a set number of days prescribed in the Site Plan Control Agreement and after the Township delivers written notice to the owner requiring the owner to remedy the default, the Township may draw down from the security to remedy the works. This shall be outlined in the Site Plan Control Agreement.