



Hamilton

**PLANNING AND ECONOMIC DEVELOPMENT
DEPARTMENT**

**SUBMISSION REQUIREMENTS
AND APPLICATION FORM
FOR SITE PLAN CONTROL**

A. PROCEDURE FOR APPLICATION FOR APPROVAL OF PLANS AND DRAWINGS PURSUANT TO SECTION 41 OF THE *PLANNING ACT*, R.S.O., 1990

1. APPLICATION FORM¹

Submit application by completing the attached forms, together with the following:

- (a) FIVE (5) copies of a Survey Plan of the site (folded legal size²);
- (b) FIVE (5) copies of site plan (folded legal size²);
- (c) FIVE (5) copies of building elevations (folded legal size²);
- (d) ONE (1) copy of the site plan and building elevations reduced to 11" x 17";
- (e) ONE (1) electronic copy of all plans and drawings (PDF on USB) ;
- (f) ONE (1) electronic copy of all information/reports/documents as outlined in the Formal Consultation Document, if applicable (PDF on USB);
- (g) FIVE (5) copies of the completed application form with signatures;
- (h) ONE (1) electronic copy of the completed application form **without signatures** (PDF on USB);
- (i) Applicable City of Hamilton application fee, and;
- (j) Conservation Authority fee, if applicable.

Note²: All plans must be folded with maximum size of 8 1/2" x 14" (legal size) and in separate sets with the title block visible in the lower right hand corner of the drawing sheet. Plans will not be accepted if this requirement has not been complied with. Rolled up plans will not be accepted.

Note³: Electronic files must be submitted on a USB Flash Drive.

Please use the following naming convention for the electronic files:

- Application.pdf
- Grading_Plan.dpf
- Elevation_Plan.pdf
- Site_Plan.pdf
- Servicing_Plan.pdf
- Landscape_Plan.pdf

All information submitted in support of this application will be considered public information, including any reports, studies, drawings or other documentation submitted by applicant(s), agent(s), consultants(s) or solicitor(s). The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. The City of Hamilton is also permitted to provide copies of the application and any supporting information to any member of the public or other third party that requests the information.

Note¹: Development in the Ancaster Existing Residential “ER” Zone of Zoning By-law No. 87-57 is subject to Site Plan Control. Please refer to Subsection 9.13 of Site Plan Control By-law No. 15-176, as amended by By-law No. 21-069.

Where noted in this document, there are separate submission requirements for the Ancaster Existing Residential “ER” Zone, which are detailed in Part A, Section 11 of this document. Additional plan requirements are identified in Part B.

For application form requirements, please refer to Part A, Section 11.

2. FORMAL CONSULTATION

Formal Consultation is a vital part of the planning process. Formal Consultation is required for proposals located within Design Priority areas, as noted in Section 3 below, as well as proposals that in the opinion of the Manager of Development Planning, Heritage and Design, will benefit from Formal Consultation with the City of Hamilton prior to submitting a Site Plan Control application. All other applications are exempt from Formal Consultation unless requested by the applicant.

Formal Consultation Meetings allow staff of the Development Planning, Heritage and Design Section to review a proposed project prior to submitting an application and assist you in providing required information, including:

- Ensuring technical requirements are met such as road widening, encroachments and conservation matters;
- Ensuring that the Design Guidelines are implemented;
- Compliance to the Zoning By-law; and,
- Identifying any other required information and materials.

Please refer to the area map (SCHEDULE “5”) to determine the appropriate team for your area and to arrange an appointment.

If a Formal Consultation Meeting has identified any other information and materials (i.e. specific studies, plans or reports) which are necessary to provide a complete review of the application, this information must be included with the application. The application will not be considered complete until this information has been provided.

3. DESIGN REVIEW PANEL

On August 16, 2013, Hamilton City Council approved the Design Review Panel Pilot Project (DRP). The scope of the DRP is generally limited to complex Zoning By-law Amendments and Site Plan applications in the following Design Priority Areas:

- Downtown Hamilton Secondary Plan Area;
- Areas of Major Change and Corridors of Gradual Change within Setting Sail Secondary Plan Area; and,

- Any other large scale project that has the potential to significantly impact the physical environment functionally and aesthetically.

Applications subject to the DRP will be identified at the Formal Consultation stage including any additional submission requirements.”

4. APPLICATION FEES

Please refer to the attached schedule of fees.

The fee is required to be submitted with the application or resubmission on the fourth (4th) occasion and for each subsequent resubmission. All fees must be made payable to the City of Hamilton.

A Minor Site Plan Control Application is for detached and semi-detached dwellings. Commercial, industrial and institutional uses (new development and/or revisions to existing development) under 100 square metres may be considered a Minor Site Plan Control Application. However, if during the site plan review stage it is determined that the proposed development requires changes to the approved grading plan or may have off-site impacts, then the application will be “bumped-up” to a Full Application and the additional fee will be required.

Note: Development in the Ancaster Existing Residential “ER” Zone is subject to a separate application criteria, type and fee. Please refer to the schedule of fees.

The Conservation Authorities within the City of Hamilton charge fees for their review of *Planning Act* applications. Once an application is submitted, City of Hamilton staff will advise the proponent if their application requires Conservation Authority review, and if so, which Conservation Authority their project falls within and which fee is applicable. The fee is to be made payable to the appropriate Conservation Authority and submitted to the City of Hamilton upon request. The fee will be forwarded to the Conservation Authority along with the application.

Combined Applications will only be charged at the highest rate. The Conservation Authority reserves the right to request additional fees should the review require a substantially greater level of effort.

For the purposes of determining Conservation Authority Plan Review Fees, the following criteria are used:

An application is considered to be “**Minor**” when no technical studies are required, or only a scoped Environmental Impact Statement is required.

An application is considered to be “**Major**” when technical studies (such as Stormwater Management and Geotechnical) beyond a scoped Environmental Impact Statement are required.

An application is considered to be “Complex” in the following case for quarries, golf courses and applications of a similar nature as well as larger commercial/industrial applications that are generally over 4.5 hectares in size and technical studies (such as Stormwater Management and Geotechnical) beyond a scoped Environmental Impact Statement are required.

5. PROFESSIONAL STAMP

Plans are required to be prepared and stamped by qualified professionals. Where development includes structures and/or buildings submitted for approval under Site Plan Control, and being consistent with the Ontario Building Code, and the Ontario Architects Act, Building Evaluation Plans must be prepared and stamped by an architect or engineer, except for single detached dwellings and minor projects as determined by the Manager, Development Planning, Heritage and Design, Planning and Economic Development Department.

Where development includes Grading and Landscape Plans submitted for approval under Site Plan Control, the plans must be prepared and stamped by a qualified professional architect, engineer, or landscape architect, except for minor projects determined by the Manager, Development Planning, Heritage and Design, Planning and Economic Development Department.

Plans not fully completed will be returned to the applicant for resubmission. It is the applicant's responsibility to identify any proposed zoning by-law variances.

6. SITE PLAN SECURITIES*

For development proposals approved under Section 41 of the *Planning Act*, the City requires the posting of performance securities, such as a Letter of Credit, to be held against the completion of exterior site development works (ie. Landscaping and Engineering).

There are two alternatives for calculating the amount of the required Letter of Credit:

***Note:** For properties located in the Ancaster Existing Residential “ER” Zone, please refer to Part A, Section 11.

6.1 Detailed Cost Estimates

Complete an itemized cost estimate for 100% of the cost of the exterior works as per the Guides for Estimating Security Requirements for Landscaping and Engineering (see SCHEDULE “1” and “2”).

The applicant is to submit the cost estimates for review by the Planning Division. Securities will be required in the amount of 75% of the approved cost of the works.

An example of an Irrevocable Letter of Credit is attached as SCHEDULE “3 “.

6.2 Lump Sum Payment

The amount of the Letter of Credit is calculated based on the area and street frontage, and the type of land use. The following formulas shall be used for calculating the value of the required Letter of Credit:

For new development, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the estimated cost of exterior site works, but in no case shall the amount be less than \$75,430.00:

Residential: \$113,145 per hectare + \$1,295 per metre frontage
Industrial: \$37,715 per hectare + \$435 per metre frontage
Institutional: \$45,265 per hectare + \$970 per metre frontage
Commercial: \$113,145 per hectare + \$970 per metre frontage

For additions, alterations or additional buildings on developed sites, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the total cost of all site development works, but in no case shall the amount be less than \$37,715.00:

Residential: \$57,115 per hectare + \$655 per metre frontage
Industrial: \$19,400 per hectare + \$220 per metre frontage
Institutional: \$22,635 per hectare + \$545 per metre frontage
Commercial: \$57,115 per hectare + \$545 per metre frontage

After satisfactory completion of all exterior site works and receipt of all required certifications, the total amount of the security held by the City shall be released except for landscaping which shall be held until June following the end of the first growing season. Securities can be reduced as the works are completed. For further details relating to Site Plan Securities including Security Reductions Related To On-Site Works, see attached SCHEDULE "6".

7. SITE PLAN AGREEMENT/UNDERTAKING

One original copy of the Site Plan Undertaking must accompany the final Site Plan submission. The undertaking must be signed by the owner and where the owner is a corporation, must be signed by the authorized signing officer(s) and the corporate seal affixed. The names of the persons signing must also be typed or printed below the signature line. The Site Plan Undertaking Format is attached as SCHEDULE "4".

At the discretion of the Manager, Development Planning, the owner may be required to register a Site Plan Agreement on title.

8. SITE PLAN APPROVAL

Site Plan approval is valid for one (1) year from the date of approval by the Manager, Development Planning, Heritage and Design. If a Building Permit is not issued during this time, Site Plan approval is void.

A request for extension of Site Plan approval may be made directly to the Manager,

Development Planning, Heritage and Design, prior to the lapsing of the one (1) year approval. Written justification for the extension and the required fee shall be provided with the request for extension. The Manager of Development Planning, Heritage and Design will consider the request in light of current requirements and:

May deny the request;

May grant the request; or

May grant the request with revisions or additional conditions.

9. FINANCIAL REQUIREMENTS

The owner may be required to meet financial requirements of the City, such as, but not limited to the following:

- Development charges - contact Building Division, Planning and Economic Development Department;
- Cash-in-lieu of parkland dedication (City) - contact Building Division, Planning and Economic Development Department;
- Local improvement charges - contact Corporate Services Department;

10. CORRESPONDENCE

The agent or applicant must make reference to the application number when the application has been submitted in all correspondence and communications. Response to any inquiries may be delayed without this number.

11. ANCASTER EXISTING RESIDENTIAL “ER” ZONE

11.1 APPLICATION FORM

Submit the application by completing the attached forms, together with the following:

- (a) FIVE (5) copies of a Survey Plan of the site (folded legal size*);
- (b) FIVE (5) copies of site plan (folded legal size*);
- (c) FIVE (5) copies of building elevations (folded legal size*);
- (d) FIVE (5) copies of grading plan (folded legal size*);
- (e) ONE (1) copy of the site plan, building elevations, and grading plan reduced to 11” x 17”;
- (f) ONE (1) electronic copy of all plans and drawings (PDF locked file format);
- (g) ONE (1) electronic copy of all information/reports/documents as outlined in the Formal Consultation Document, if applicable (PDF locked file format);
- (h) ONE (1) electronic copy of the completed application form **without signatures** (PDF locked file format); and,
- (i) FIVE (5) copies of the completed application form with signatures.

***Note: All plans must be folded with maximum size of 8 1/2" x 14" (legal size) and in separate sets with the title block visible in the lower right hand corner of the drawing sheet. Plans will not be accepted if this requirement has not been complied with. Rolled up plans will not be accepted.**

Please provide separate files for all of the required documents/plans and use the following naming convention examples for the electronic files:

- Application.pdf
- Site_Plan.pdf
- Grading_Plan.dpf

11.2 SITE PLAN SECURITIES

For development proposals approved under Section 41 of the Planning Act, the City requires the posting of performance securities, such as a Letter of Credit, to be held against the completion of exterior site development works.

A minimum refundable deposit of \$10,000, in the form of a Letter of Credit or cash, is required to be submitted, prior to the release of the site plan drawings for building permit purposes.

Detailed Cost Estimate

To confirm the amount of the refundable deposit required, complete an itemized cost estimate for 100% of the cost of the exterior works as per the Guide for Estimating Security Requirements (see Schedule "2"). The applicant is to submit the cost estimate for review by the Planning Division. Securities will be required in the amount of 100% of the approved cost of the works.

Note: The required cost estimate is for engineering requirements only. A cost estimate of landscaping security requirements is not required. Please refer to Schedule "2" which is to be used as a guide.

An example of an Irrevocable Letter of Credit is attached as Schedule "3".

After satisfactory completion of all exterior site works and receipt of all required certifications, the total amount of the security held by the City shall be released.

12. CONTACTS

During the preparation of the site plan, the applicant should consult the various departments involved in the plan review process, to ensure that municipal requirements are satisfied and incorporated in the plans when the application is made.

(a) For matters dealing with traffic, parking and access ramps, consult with:

Public Works Department
Transportation Planning and Parking
Geometrics and Corridor Management
77 James Street North, Suite 320
Hamilton, Ontario L8R 2K3
Telephone: 905-546-2424 Ext. 5920

(b) For matters dealing with zoning, demolition, building permits, consult with:

Planning and Economic Development Department
Building Division
Engineering & Zoning Section
71 Main Street West, 3rd Floor,
City Hall, Hamilton, ON L8P 4Y5
Telephone: 905-546-2424 Ext. 2720

(c) For matters dealing with the landscaping and the site plan, consult with:

Planning and Economic Development Department
Planning Division
Development Planning, Heritage and Design Section
71 Main Street West, 5th Floor City Hall
Hamilton, Ontario L8P 4Y5
Telephone: 905-546-2424 Ext. 1355
Telephone: 905-546-2424 Ext. 2799

(d) For matters dealing with and road allowances and encroachments, consult with:

Public Works Department	Telephone: 905-546-2424 Ext. 2439
Engineering Services	for road widening and road allowances
77 James Street North, Suite 320	
(Hamilton City Centre)	Telephone: 905-546-2424 Ext. 5803
Hamilton, Ontario	for encroachments
L8R 2K3	

(e) For matters dealing with site drainage and road widenings, consult with:

Planning and Economic Development Department
Growth Management Division
Engineering Design and Construction Section
71 Main Street West, 6th Floor,
City Hall
Hamilton, Ontario
L8P 4Y5

Telephone: 905-546-2424 Ext. 4147

(f) For matters dealing with lighting plan for Public Parking Lots consult with:

Planning and Economic Development Department
Parking Operations and Initiatives
80 Main Street West @ Summers Lane
Hamilton, Ontario L8P 1H6

Telephone: 905-546-2424 Ext. 6008

(g) For matters dealing with tree preservation consult with:

Public Works Department
Environmental Services Section
77 James Street, Suite 320
Hamilton, Ontario
L8P 2K3

Telephone: 905-546-2424 Ext. 2566

B. PLAN REQUIREMENTS FOR APPROVAL OF PLANS AND DRAWINGS PURSUANT TO SECTION 41 OF THE *PLANNING ACT*, R.S.O., 1990

1. Survey Plan (metric scale) by O.L.S. showing:

- Net lot area in metric measure
- The property and its bearings, dimensions, stakes, etc
- Location and size of existing watermain, Hydro poles, Bell vaults, etc.
- Location and type of closest existing fire hydrants (information available from the Public Works Department)
- Ancaster “ER Zone - for new dwellings or front yard additions, the front yard setback of the nearest principal dwellings on either side of the lot, that face the same street.

2. Site Location Map

The applicant shall provide a Site Location Map outlining the subject development property in the form of the City Neighbourhood Plan which can be obtained from the Planning and Economic Development Department.

3. Site Plan

Details of Development: (data to be listed on plan)

Net lot Area _____ m²

Building Coverage (max.) _____ m² (for Commercial Dev.)

Gross Floor Area (max.) _____ m² (for Commercial or Apartment Dev.)

Building Height Proposed and Permitted (max.) _____ m (max.) storeys

No. of units (max.) _____ (If Residential)

No. of Parking and Loading Spaces (min.) Proposed and Required

Landscaped Area (min.) _____ m² Proposed and Required

The Site Plan shall show:

- Property boundaries
- Front, side, rear lot lines (designated)
- Location of existing and proposed buildings, hydro poles/vaults, etc.
- Location or outline of existing buildings on adjacent properties
- Location and type of closest fire hydrant, existing and proposed
- Traffic circulation and Fire Route signs (applicant to ensure that the Fire Code requirements of the Ontario Building Code regarding vehicular access and movements are complied with)
- Fire access routes as required by the Ontario Building Code
- *Location and dimensions of all proposed buildings, additions and structures (e.g. 4 m max.)
- *Minimum yard requirements (front, side, rear) (e.g. 6 m min.)
- *Minimum distances between buildings (e.g. 3.5 m min.)
- Parking area layout and ramps showing minimum dimensions. (e.g. 6 m min.; 2.7 m min. - typical)
- All vehicular entrances (widths and radii) and driveways
- Building Blocks to be numbered with number of units, such as:

BUILDING NO. 2
FOUR (4) DWELLING UNITS

- Location of any interior walkways, stairs, escalators, building entrances
- The design must incorporate barrier free access features and designated parking facilities
- Location of any interior amenity areas
- North arrow (The drawing must be oriented to have a vertical north line or as closely as possible)
- Scale (in metric) 1:50; 1:100; 1:200; 1:400; 1:500
- Landscaped areas and location and height of fences, visual/acoustical barriers, retaining walls
- Signs and setbacks from property lines
- Floor area breakdown including basements, cellars and mezzanines
- Floor plans (where applicable)
- Existing vegetation with drip lines
- Road widenings
- Adjacent street names
- Garbage storage and recycling cart areas
- Easements, rights of way, etc.
- Building entrances and exits
- Title block including project name, address, date of issue, professional stamp, etc.
- If the proposed development is to be developed in phases, then the phasing line shall be shown and the Details of Development shall be provided for each phase and total of the proposed development.
- Visibility triangles are required at the intersection of the vehicular access points. The applicant should consult with the Public Works Department, Roads and Traffic Division, regarding the size of the required visibility triangles. The maximum height of any objects or mature vegetation within the visibility triangles is not to exceed a height of 0.60 metres above the corresponding perpendicular centreline elevation of the adjacent street.
- **Ancaster “ER” Zone** – for new dwellings or front yard additions, the front yard setback of the nearest principal dwellings on either side of the lot, that face the same street.

***Note: Please ensure all dimensions are sufficient to allow minor changes as may be necessary**

4. Minimum Grading Information

- A description of the geodetic bench mark used to establish all elevations on the plan must be provided.
- Sufficient existing and proposed elevations/detail on both the subject and adjacent external lands to clearly show the existing and proposed drainage patterns. Drainage should be dealt with internally to the development and the development must not block drainage from the external lands.
- Location of all existing and proposed catch basins, swales, retaining walls, berms, accesses, drainage courses, etc. must be provided.
- Ground floor and minimum basement floor elevations of buildings and units.
- An indication of how the roof leaders of the existing/proposed buildings drain. Either overland or directly to the storm sewer system.
- Preliminary stormwater management detail as applicable must be submitted, i.e. location and types of storage facilities, etc. (shown conceptually)

Note: Incomplete plans will be returned resulting in delays of procedure - please ensure all information is included and all printing is clear and legible.

5. Building Elevations (4 sides of the proposed structures)

- To show the overall design of the proposed structure or ground sign.
- Include elevations of adjacent buildings along the street.
- Front, side and rear elevations of a typical building Block showing generally the material to be used (e.g. brick, wood, concrete block, precast concrete, stucco, etc.) for information purposes. The materials should be noted on the plan.
- The elevations must be complete in showing texture intended for information purposes - (e.g. horizontal lines to show brick course, vertical lines to show wood siding or concrete patterns, stipple tone to show stucco finish, etc.).

***Note: For development in the Ancaster Existing Residential “ER” Zone, building elevations are required to show the overall design of the proposed building or structure, to aid zoning compliance review.**

6. The following notes must be shown on the site plan

A. NOTES ON SITE PLAN

1. All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
2. Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
3. Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.
4. All driveways from property lines for the first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
5. The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits/approvals normally required to complete a construction project, such as, but not limited to the following:
 - Building permit
 - Road cut permits
 - Approach approval permits
 - Committee of Adjustment
 - Sewer and water permits
 - Relocation of services
 - Encroachment Agreements (if required)
6. Abandoned accesses must be removed and the curb and boulevard restored with sod at the owner's expense to the satisfaction of the Corridor Management Section, Public Works Department.
7. For visibility triangles at the vehicular access points, the following note to be provided:

“__ metre by __ metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.70 metres above the corresponding perpendicular centreline elevation of the adjacent street.”
8. All signs must comply with Sign By-law No. 10-197.

7. Underground Parking Layout (if applicable)

Showing ramps, stairwells, parking spaces for floor or floors of underground parking, as required.

8. Lighting Plan for Public Parking Lots

- Location of all proposed fixtures/lighting poles.
- Type of fixtures including manufacturer's wattage, voltage and lamp type.
- Photometric data or computer printout showing Foot Candle (F.C.) levels.
- Use "IES" Roadway Lighting as guidelines - Table 14-27

"Recommended Maintained Horizontal Illuminances for Parking Facilities", as minimum requirements with an exception to raise the lighting level to 5 F.C. for Hamilton Parking Authority Outdoor Parking Lot.

- Location of adjoining residential building(s).

9. Perspective/Model/or Section

This item is optional for presentation purposes. However, depending on the nature or magnitude of the project, a perspective or section may be required in order to clarify the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access.

The perspective or section should be an architectural rendering of a view of a typical block or building and its proposed setting for presentation purposes. The drawing should be shown within the context of the adjacent lands, if applicable.

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
GUIDE FOR ESTIMATING LANDSCAPING SECURITY REQUIREMENTS

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit cost</u>	<u>Total</u>
1. Trees	Pyrus calleryana "Bradford" (Bradford Pear) 200 cm., B.R.	10	\$ 0.00	\$ 0.00
2. Shrubs	Cornus Florida 80 cm., 3 gallon(White flowering dogwood)	10	\$ 0.00	\$ 0.00
3. Ground Cover	Vinca minor 6 cm., pt(Periwinkle)	100	\$ 0.00	\$ 0.00
4. Planting Bed- Topsoil	100 mm depth	2,000m ²	\$ 0.00	\$ 0.00
5. P.S.T. and G.S.T				\$ 0.00
			TOTAL	\$ 0.00

Note: Depending on the specific details of the plans submitted and approved, securities may be required for additional items not noted on the above list.

The security estimate submitted must be stamped by a qualified professional engineer, architect or landscape architect.

City of Hamilton Planning and Economic Development Department
Planning Division
Development Agreements - Guide for Estimating Security Requirements

<u>Item</u>	<u>Description</u> (examples only)	<u>Quantity</u>	<u>Unit cost</u>	<u>Total</u>
1. Asphalt Binder	"x" mm	m ² or tonnes	\$/m ² or \$/tonne	\$
2. Asphalt Surface	"x" mm	m ² or tonnes	\$/m ² or \$/tonne	\$
3. Granular "A" Base	"x" mm	m ² or tonnes	\$/m ² or \$/tonne	\$
4. Concrete Curbing	Type ("x" mm by "x" mm)	m	\$/m	\$
5. Concrete Walks	"x" mm by "x" mm	m ²	\$/m ²	\$
6. Catch Basins	Single	number required	\$/each	\$
	Double	number required	\$/each	\$
7. Storm Sewers	Size	m	\$/m	\$
8. Road Cut/Repair	Size	m ²	\$/m ²	\$
9. Storm M.H.'s	Depth/Size	number required	\$/each	\$
10. Retaining Walls:	Pressure Treated ("x" mm by "x" mm)	m ² of wall face	\$/m ² of wall face	\$
	Precast Concrete / Armour Stone etc.	m ² of wall face	\$/m ² of wall face	\$
11. Topsoil	"x" mm	m ²	\$/m ²	\$
12. Sod	No. 1 Nursery Sod	m ²	\$/m ²	\$
13. Fencing	1.5 m Chain Link	m	\$/m	\$
	1.8 m Chain Link	m	\$/m	\$
	1.5 m PT	m	\$/m	\$
	1.8 m PT	m	\$/m	\$
14. Brick or Concrete Paving Stones		m ²	\$/m ²	\$
15. P.S.T. and G.S.T.				\$
TOTAL				\$

Note: Landscaping items (ie trees, shrubs etc.) have not been included in the above noted guideline as these security requirements are under the review of the Planning Division, Planning and Economic Development Department. Please contact their Section for details.

Depending on the specific details of the plans submitted and approved, securities may be required for additional items not noted in the above list. The security estimate submitted must be stamped by a qualified professional engineer, architect or landscape architect. Estimate must include cost of materials, labour etc.

BANK LETTERHEAD

To: **City of Hamilton**

Attention:
Director of Budgets/Fiscal Policy
Finance & Corporate Services
71 Main St. W. 1st Floor
Hamilton ON L8P 4Y5

Subdivision/Site Plan: _____

Letter of Credit Number: _____

Total Amount: _____

Date: _____

Branch: _____

Beneficiary: City of Hamilton

UNCONDITIONAL IRREVOCABLE LETTER OF CREDIT

We hereby authorize you to draw on _____

for account of our customer, _____ up to an aggregate amount of _____

dollars (\$) available by your written demand as follows:

Pursuant to the request of our customer, the said _____, we, the _____

hereby establish and give to you this unconditional irrevocable letter of credit in your favour in the total amount of _____ dollars (\$) which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you which demand we shall honour without enquiring whether you have a right as between yourself and our said customer to make such demand without recognizing any claim of our said client.

Provided, however, that you are to deliver to the _____

_____ at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be used to perform outstanding obligations of our said customer to you or to ensure that any outstanding obligations of our said customer to you are performed pursuant to this Agreement, being, **(Insert name of development here)**, dated _____, 20XX.

It is understood and agreed that the obligation of the undersigned under this Letter of Credit is an obligation to pay money only and that in no circumstances shall the undersigned be obliged to perform or cause to perform any of our customer's obligations to you.

The amount of the Letter of Credit shall be reduced from time to time as advised by notice in writing given to us by you from time to time.

This Letter of Credit will continue in full force and effect until _____ and will expire at the close of business on that day upon notice of expiry being given by us as provided herein and you may call for payment of the full amount outstanding under this Letter of Credit at any time prior to the close of business on that date and should this Letter of Credit not be renewed.

We agree to notify you in writing on or before _____ (one month prior to expiry date set out above) if this Letter of Credit is to expire on the original expiry date and if we fail to give notice of expiry then this Letter of Credit shall be deemed to be **automatically renewed** for a further year from the original expiry date and so on from year to year thereafter.

Partial Drawings hereunder are permitted.

Written demand must be presented to us no later than close of business on the expiry date or renewed expiry date hereunder as the case may be.

The written demands drawn under this Letter of Credit shall state on their face that they are drawn under _____, Letter of

Credit No. _____.

Dated: _____.

For: _____

Authorized Signing Officer

FILE No.

UNDERTAKING

RE:

I, (We) _____, the owner(s) of the land, hereby undertake and agree without reservation,

- (a) to comply with all the content of this plan and drawing and not to vary therefrom;
- (b) ¹to perform the facilities, works or matters mentioned in Section 41(7)(a) of the *Planning Act* shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;
- (c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and,
- (d) in the event that the Owner does not comply with the plan dated _____, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.

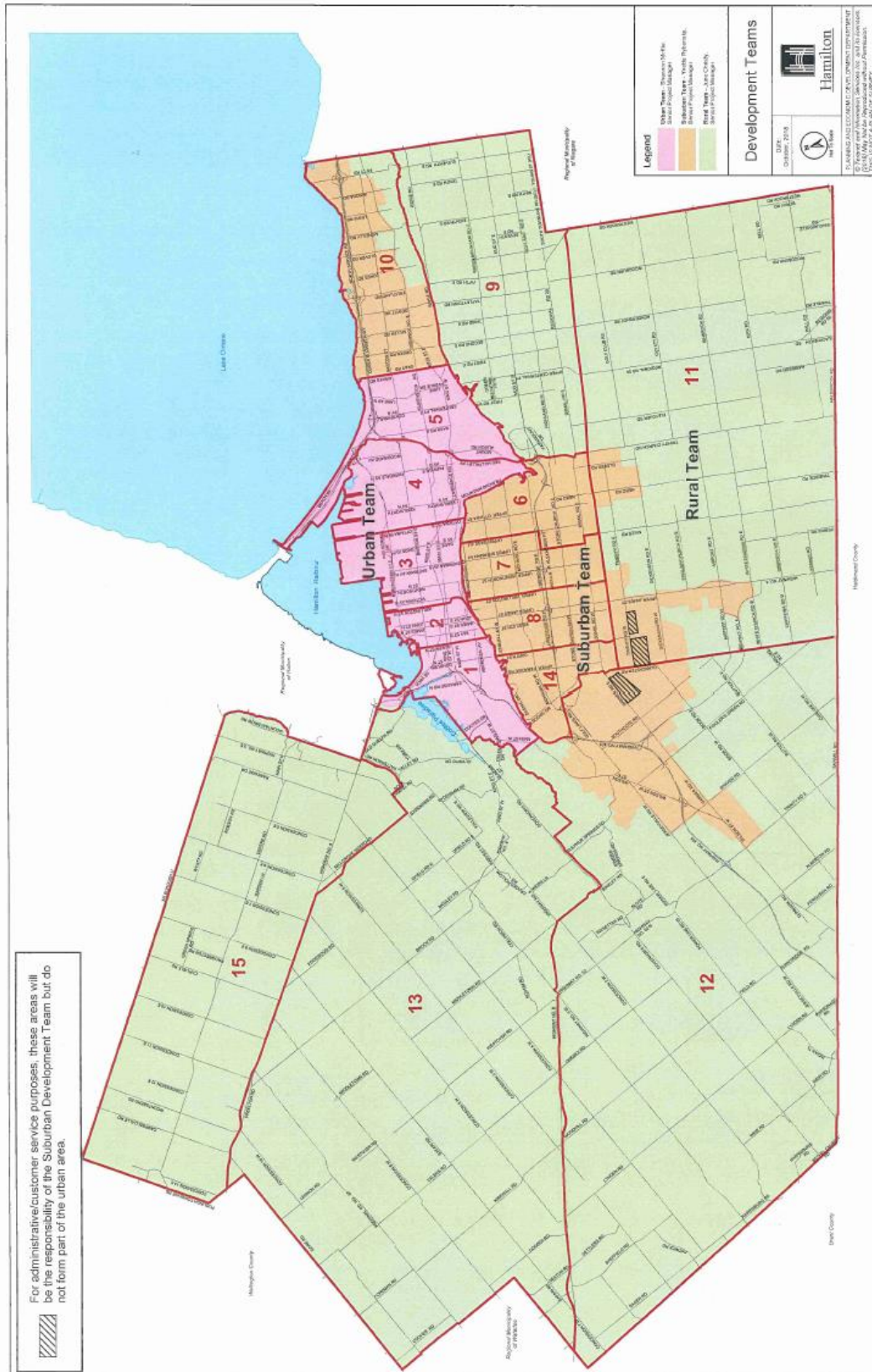
Dated this _____ day of _____ 20_____

_____	_____ (seal)
Witness (signature)	Owner(s) (signature)

_____	_____
Witness (print)	Owner (print)

Address of Witness

¹ Section (b) Revised March 11, 2004



LETTER OF CREDIT POLICY

SITE PLAN SECURITIES

For development proposals approved under Section 41 of the *Planning Act* (Site Plan Approval), the City may require the posting of performance securities, such as Letter of Credit, to be held against the completion of all on-site works (i.e. Landscaping and Engineering).

a. ON-SITE WORKS

There are two alternatives for calculating the amount of the required Letter of Credit for on-site works:

a) Detailed Cost Estimates

Complete an itemized cost estimate for 100% of the cost of the exterior works as per the Guides for Estimating Security Requirements for Landscaping and Engineering (see SCHEDULE "1" and "2").

The applicant is to submit the cost estimates for review by the Planning Division. Securities will be required in the amount of 75% of the approved cost of the works.

An example of an Irrevocable Letter of Credit is attached as SCHEDULE "3 ".

b) Lump Sum Payment

The amount of the Letter of Credit is calculated based on the area and street frontage, and the type of land use. The following formulas shall be used for calculating the value of the required Letter of Credit:

For new development, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the estimated cost of exterior site works, but in no case shall the amount be less than \$75,430.00:

Residential: \$113,145 per hectare + \$1,295 per metre frontage
Industrial: \$37,715 per hectare + \$435 per metre frontage
Institutional: \$45,265 per hectare + \$970 per metre frontage
Commercial: \$113,145 per hectare + \$970 per metre frontage

For additions, alterations or additional buildings on developed sites, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the total cost of all site development works, but in no case shall the amount be less than \$37,715.00:

Residential: \$57,115 per hectare + \$655 per metre frontage
Industrial: \$19,400 per hectare + \$220 per metre frontage
Institutional: \$22,635 per hectare + \$545 per metre frontage
Commercial: \$57,115 per hectare + \$545 per metre frontage

b. SECURITY REDUCTIONS / RELEASE RELATED TO ON-SITE WORKS

After satisfactory completion of **all on-site works** and receipt of **all required certifications**, the total amount of the security held by the City shall be released, **except for landscaping which shall be held until June following the end of the first growing season.**

- a. Reductions of security held under Site Plan Agreements are permitted to an amount equal to the total value of the works outstanding, but not less than 10% of the total value of the works required under the Agreement;
- b. Security reductions / releases are dealt with on a request basis;
- c. An administration fee \$350 (+ HST) is required for each security reduction request;
- d. Reduction / release requests are reviewed and processed by the Growth Management Division upon the production by the Applicant, at the Applicant's sole expense, of an Engineer's Certificate, satisfactory to the Senior Director Growth Management, which indicates:
 - i) a description of what works have been completed;
 - ii) the percentage of the total value of the works under the Site Plan Agreement that have been completed to date; and,
 - iii) that the amount of security remaining with the City is sufficient to cover the remainder of the work required under the Site Plan Agreement.



Hamilton

The City of Hamilton
APPLICATION FOR SITE PLAN APPROVAL
Pursuant to Section 41 of the *Planning Act*

For Office Use Only	File No.: _____
	Date Application Received: _____
	Reviewed By: _____
	Date Application Deemed Complete: _____

SITE PLAN CONTROL

Full Application (check one)

- Urban or Non-Farm based Rural – DA
- Hamilton Beach – DAB
- Farm based Rural - DAR
- Ancaster (ER) Zone - DAER

Amendment to Approved Site Plan (check one)

- Urban or Non-Farm based Rural – SPA
- Farm based Rural – SPAR

Preliminary Site Plan Review (no approvals are provided) - PSR

PART ONE	FORMAL CONSULTATION	(Formal Consultation is required prior to submitting an application, unless exempted)
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Has a formal consultation been completed prior to submitting this application?
Yes No If yes, attach Formal Consultation Document to application.

Has this proposal been exempted from formal consultation?
Yes No If yes, attach Exemption Letter.

Have the required studies, plans or reports as outlined in the Formal Consultation Document or Exemption Letter been submitted?
Yes No

PART TWO	APPLICANT	(Full and correct name of applicant(s), whether a Corporation or an individual, must be provided)
-----------------	------------------	--

Name _____

Address _____

Address _____

Postal Code _____ Telephone _____

Fax _____ Email _____

PART THREE	LAWYER
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(Full and complete name of applicant's lawyer, for the purpose of forwarding all legal documentation for registration, transfer, etc.)

Name _____

Firm _____

Address _____

Address _____

Postal Code _____ Telephone _____

Fax _____ Email _____

PART FOUR	AGENT
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(All correspondence will be submitted through the Agent and the information provided should be of the authorized Agent or other person acting on behalf of the Applicant)

Name _____

Address _____

Address _____

Postal Code _____ Telephone _____

Fax _____ Email _____

PART FIVE	APPLICANT'S INTEREST
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(Consent or authorization MUST accompany this application)

State whether the applicant is owner/prospective owner/lessee

Or, owner is under Offer to Purchase dated

If the applicant is not the owner:

(a) Has the owner consented to the application? Yes No

(b) State the owner's name and address:

Name _____

Address _____

Address _____

Postal Code _____ Telephone _____

Fax _____ Email _____

PART SIX	DEVELOPMENT PROPOSAL
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Provide a complete written description of the nature of the application with details of the proposed development including, but not limited to: proposed use(s), development details (i.e. height/storeys, floor area(s), number of parking/loading spaces, lot coverage, landscape area, etc.) If additional space is needed, attach a separate page.

PART SEVEN	LAND AFFECTED
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1. Survey plan **MUST** accompany this application.
2. State municipal number, address, former municipality and give description of the land for which the plans and drawings are proposed.

Lot	Concession	Former Township/Municipality
Registered Plan No.	Lot(s)	
Reference Plan No.	Part(s)	
Municipal Address		Parcel No.

PART EIGHT**PRESENT ZONING AND LAND USE**

State the present zoning of the land, including By-law number and former municipality:

Is the subject property located within or adjacent to an Environmentally Sensitive Area of Major Open Space Area:

For what purpose(s) is the land (including buildings) now used:

For what purpose(s) will the land (including buildings) be used:

PART NINE**ADDITIONAL INFORMATION PERTAINING TO THE DEVELOPMENT PROJECT**

Name of Owner

Company Name

Principal Stakeholders in the Numbered Company

Type of Business (Existing)

Type of Business (Proposed)

Number of Shifts

Number of Employees

Full Time _____ Part Time _____

Number of Employees Per Shift

Full Time _____ Part Time _____

Floor Area of Current Building

_____ Square Metres _____ Square Feet

Floor Area of Proposed Expansion

_____ Square Metres _____ Square Feet

PART TEN	HISTORY
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Has the site been the subject of any of the following (state file number if known):

- Zoning Application _____
- Plan of Subdivision _____
- Site Plan Control Application _____
- Committee of Adjustment _____
- Land Division Committee Application _____
- Official Plan Amendment _____

PART ELEVEN	This information is required in accordance with the Condominium Conversion Policy
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Is this residential development intended to become a condominium?

Yes No

PART TWELVE	PREVIOUS USE OF PROPERTY
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- Residential Industrial Commercial
- Agricultural Vacant Other _____

(a) If Industrial or Commercial, specify use _____

(b) Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes No Unknown

(c) Has a gas station been located on the subject land or adjacent lands at any time?

Yes No Unknown

(d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

(e) Are there or have there ever been underground storage tanks or buried waste on the subject lands or adjacent lands?

Yes No Unknown

(f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes No Unknown

(g) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes No Unknown

(h) If there are existing or previously existing buildings, are there any building materials remaining on site that are potentially hazardous to public health (e.g., asbestos, PCB's)?

Yes No Unknown

(i) Is there reason to believe that the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes No Unknown

(j) What information did you use to determine the answers to 10(a) to 10(i) above?

(k) If previous use of property is industrial or commercial, or if YES to any of 10(b) to 10(i), a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

PART THIRTEEN	ACKNOWLEDGEMENT CLAUSE
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I acknowledge that the City of Hamilton is not responsible for identification and remediation of contamination on the property which is the subject of this Application - by reason of its approval to this Application.

Date

Signature of Owner

PART FOURTEEN	AFFIDAVIT OR SWORN DECLARATIONS (Please use a separate page for each owner if more than one.)
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This declaration to be sworn by a Commissioner of Oaths. A Commissioner is available at the following Departments:

- Planning and Economic Development Department, 5th Floor
- Building Services Division, 3rd Floor
- City Clerk's Division, 1st Floor

I, _____ of the _____
in the _____ make oath and say (or solemnly declare) that to the best of my knowledge and belief that the particulars given in this application are correct and in accordance with the requirements of Section 41 of the *Planning Act*, R.S.O., 1990 for site plan control.

Sworn (or declared) before me
at the _____
in the _____
this _____ day of _____, _____.

Commissioner of Oaths

Applicant

PART FIFTEEN	AUTHORIZATIONS (Please use a separate page for each owner if more than one.)
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- a) If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

Authorization of Owner for Agent to Make the Application

I/we, _____, am/are the owner(s) of the land that is the subject of this application and I/we authorize _____ to submit this application as my agent.

Date	Signature of Owner
Date	Signature of Owner

- b) If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

Authorization of Owner for Agent to Provide Personal Information

I, _____, am the owner of the land that is the subject of this application for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 I authorize

_____ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date	Signature of Owner
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PART SIXTEEN	CONSENT OF THE OWNER
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Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, _____, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Date

Signature of Owner

NOTE: Where owner or applicant is a corporation, full name of Corporation and name and title of signing officer to be set out.

PART SEVENTEEN	COLLECTION OF INFORMATION
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The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 71 Main Street West, 1st Floor, City Hall., Hamilton, Ontario, Telephone: 905-546-2424, ext. 1928.