

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 2025-70**

**BEING A BY-LAW TO DESIGNATE CERTAIN LANDS IN THE TOWNSHIP OF  
SOUTH GLENGARRY AS A SITE PLAN CONTROL AREA.**

**WHEREAS**, the *Municipal Act, 2001*, c.25 S 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

**AND WHEREAS** the *Municipal Act 2001*, c. 25 S. 5(3) provides that the powers of every council are to be exercised by by-law;

**AND WHEREAS** the Corporation of the Township of South Glengarry, through the United Counties of Stormont, Dundas and Glengarry, has in effect an Official Plan containing approved policies relating to the establishment of a Site Plan Control Area.

**AND WHEREAS** pursuant to Section 41(2) of the *Planning Act R.S.O., 1990 Chapter P.13*, as amended, Council is empowered to designate the whole or any part of an area defined in an Official Plan as a Site Plan Control Area.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY HEREBY ENACTS AS FOLLOWS:**

1. **THAT** this by-law may be cited as the "Site Plan Control By-law".

**DEFINITIONS**

2. **THAT** in this By-law,

- a) **"Architect"** shall mean the holder of a licence, a limited licence, a certificate of practice or a temporary licence with Ontario Association of Architects (OAA).
- b) **"Building Area"** shall mean the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.
- c) **"Chief Building Official"** shall mean a Chief Building Official appointed or constituted under Section 3 or 4 of the *Building Code Act* for the Township.
- d) **"Council"** shall mean the Council of the Corporation of the Township of South Glengarry.
- e) **"Development"** shall mean the construction, erection, placing, or replacing of one or more buildings or structures on land or the making of an addition or alteration of a building or structure that has the effect of substantially increasing the size of 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 of sites for the location of three or more mobile homes as defined in subsection 46 (1) of the *Planning 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 the *Planning Act*. R.S.O. 1990, c. P.13, s. 41 (1); 1994, c. 4, s. 14; 2002, c. 17, Sched. B, s. 14 (1); 2006, c. 32, Sched. C, s. 47 (8).
- f) **"Ontario Land Surveyor"** shall mean an individual licensed to engage in the practice of cadastral surveying or engages in the

practice of professional surveying as an Ontario Land Surveyor pursuant to the Surveyors Act.

- g) **“Owner”** shall mean an owner of land whose interest in the land is defined and whose name is specified in an instrument in the proper Registry or Land Titles Office and includes a corporate owner or a partnership.
- h) **“Professional Engineer”** shall mean a person who holds a licence or a temporary licence with Professional Engineers Ontario (PEO).
- i) **“Site Alteration”** shall mean activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.
- j) **“Township”** shall mean the Township of South Glengarry.

### SITE PLAN CONTROL AREA AND LAND USES

- 3. **THAT** the lands which are affected by this by-law, and which is hereby designated as a “Site Plan Control Area” are those lands identified by the following zone classifications and land uses in the *Township* of South Glengarry Zoning By-law, as amended.

### ZONE CLASSIFICATIONS

#### Commercial Zones

Core Commercial.....	CC
General Commercial .....	CG
Hamlet Commercial.....	C1
Highway Commercial.....	CH

#### Industrial Zones

Light Industrial.....	ML
Heavy Industrial.....	MH
Rural Industrial.....	MR
Airport Industrial.....	MA
Salvage Yard .....	SY

Institutional Zone..... IN

Residential Zones ..... R1, R2, R3 and R4 (containing 10 units or more on one property).

### LAND USES

- a) Commercial (located in any zone)- not including Agri-Tourism Uses
- b) Industrial (located in any zone)
- c) Institutional (located in any zone)
- d) Residential (located in any zone)- when the subject property abuts a provincially significant wetland and/or the St. Lawrence River and is 0.4 hectares (1 acre) or less in size. Lands that are greater than 0.4 hectares in size within the “Site Plan Control Area” may be subject to site plan control if there is known grading and drainage issues within the subject area, the lands are located within or adjacent to a flood plain or a provincially significant wetland. This will be determined by *Township* Planning staff.

## APPLICATION REQUIREMENTS

4. **THAT** prior to the submission of a site plan application, formal pre-consultation with *Township* staff shall be required.
5. **THAT** the purpose of the formal pre-consultation is to review the draft development proposal for the lands affected by the proposed application(s). Also, to identify the need for and the scope of other information and materials considered necessary by the *Township* and other affected agencies, in addition to that required by the approved application forms, to allow for a full consideration of the development application. Other affected agencies may include but not be limited to; the United Counties of Stormont, Dundas and Glengarry, the Ministry of Transportation, the Ministry of Environment, Conservation and Parks, CN Rail and the Raisin Region Conservation Authority.
6. **THAT** in the absence of a pre-consultation meeting, or where a meeting has occurred and an applicant has failed to submit all required information and materials, the application shall be deemed incomplete.
7. **THAT** notwithstanding the requirements of Section 9 of this By-law, in the course of the review process for a site plan control application which has been deemed a complete application, additional reports, studies, and drawings not identified in a pre-consultation meeting may be required to address specific issues and/or enable Council and its delegated authorities to make decisions.

## DEVELOPMENT AND SITE ALTERATION

8. **THAT** no person shall undertake any *development* within a zone classification or land use identified under Section 3 of this By-law unless the *Township* has approved site plans containing all items outlined in Section 10 of this By-law.
9. **THAT** no person shall undertake any *site alteration* within a zone classification or land use identified under Section 3 of this By-law if the site alteration exceeds 25% of the total area of the property unless the *Township* has approved site plans containing all items outlined in Section 10 of this By-law.

## SITE PLAN REQUIREMENTS

10. **THAT** plans submitted for review and approval shall be prepared by a *Professional Engineer, Architect, or Ontario Land Surveyor* and must contain the following information:
  - a) the legal description of the property including dimensions and civic number;
  - b) a common metric scale;
  - c) a benchmark related to geodetic datum;
  - d) geodetic elevations;
  - e) a Zoning Compliance Table which includes the required zoning standards. A Building Code data matrix is suggested to be placed on the plan to ensure compliance to the Ontario Building Code;
  - f) existing elevations of adjacent lands to provide sufficient context of neighbouring property landscape;
  - g) location of proposed and/or existing municipal or private services;

- h) location of the proposed and/or existing public and private accesses/entrances with dimensions;
- i) location and dimensions of proposed fire route, water supply for firefighting, and hydrants if required;
- j) location of stormwater management facilities if required;
- k) location of proposed and/or existing landscaping if required by the *Township*;
- l) elevations and locations of proposed and/or existing swales and ditches;
- m) the existing and proposed grading and drainage of the subject site which shall include the following:
  - i. drainage is to be directed away from all structures;
  - ii. the minimum surface slope will be 2%;
  - iii. swales shall be provided when:
    - i. drainage flows are to be carried around buildings, or
    - ii. drainage enters a lot from adjacent lands.
  - iv. swales will incorporate the following:
    - i. minimum gradient of 1%.
    - ii. maximum side slopes of 3 horizontal :1 vertical;
    - iii. minimum depth of 150 millimetres;
    - iv. maximum depth of 600 millimetres;
    - v. highpoint elevation and location; and
    - vi. position swale, including side slopes fully within one lot.
  - v. a band, 0.5 metres in width, will be maintained at the site perimeter that matches the existing grade of abutting lands. In situations where this is unachievable, reductions to the 0.5 metres band may be considered.
- n) the location, dimensions, and identification of all existing and/or proposed buildings;
- o) the location, dimensions, and footprint of the building as well as the total lot coverage;
- p) finished main floor elevation of all proposed and/or existing structures;
- q) elevations at building corners, lot corners, top and bottom of ditches, road centerline, changes in gradient and at a maximum spacing of 20 meters;
- r) setbacks buildings and property lines;
- s) location and dimensions of existing and/or proposed parking spaces, including accessible parking spaces if required; and
- t) arrows indicating flow direction of surface water.

## LOT GRADING CONFIRMATION CERTIFICATE

11. **THAT** upon completion of all site work for the zone classifications and land uses under Section 3 of this by-law, a Lot Grading Confirmation Certificate prepared by a *Professional Engineer, Architect, or Ontario Land Surveyor* shall be provided confirming lot grading and drainage in its entirety has been completed in accordance with the approved final site plan(s).
12. **THAT** an acceptable elevation tolerance shall be deemed to be the approved grade plus or minus 0.1 metres (4 inches).

### EXEMPTIONS

13. **THAT** the provisions of Section 3 shall not apply to the following classes of development:
  - a) temporary building used during construction of a permanent building or structure;
  - b) tents and similar structures to be erected for a temporary period;
  - c) any internal alterations to a building, which do not substantially increase the usability thereof;
  - d) accessory structures 100 square metres and less in *building area*;
  - e) additions 50 square metres and less in *building area*; and
  - f) decks.
14. If accessory structures 100 square meters and less in *building area* and additions 50 square meters and less in *building area* result in grading and drainage changes to the subject property, at the discretion of the *Chief Building Official*, site plan control approvals may be required.

### DEVIATIONS

15. **THAT** where deviation from the approved site plan and/or Agreement is required, proposed changes shall be submitted to the *Township* for review. A report prepared by a *Professional Engineer, Architect, or Ontario Land Surveyor* shall accompany the submission and outline the reasons for proposed deviation. The *Township*, within a reasonable time, may accept the deviation or request modifications to be made.

### FINANCIAL SECURITIES

16. Where a site plan control agreement requires the submission of financial securities to ensure the satisfactory completion or maintenance of the works required by the Agreement and approved plan listed therein, the amount of the security shall be as follows:

	SITE WORKS	SECURITY REQUIRED
Non-Residential & Residential (10 units or more)	Under \$500,000	\$5,000.00
	\$500,000 - \$1,000,000	\$10,000.00
	> \$1,000,000	\$20,000.00

## **VIOLATIONS AND PENALTIES**

17. **THAT** any person(s) who contravenes any of the provisions of Section 41 of the Planning Act, or its successors thereto or the provisions of this by-law is guilty of an offence and on conviction is liable to the penalties provided for in Section 67 (1) and (2) of the Planning Act, or its successors thereto.

## **CONFLICTS**

18. **THAT** in the event of conflict between the provisions of this by-law and any other by-law of the *Township*, the most restrictive provision shall prevail. This by-law comes into effect on the date of adoption by Council.

## **REGISTRATION**

19. **THAT** any agreement or amendment thereto entered into in accordance with this by-law may be registered against the title of the land to which it applies.

## **FEES**

20. **THAT** this by-law is subject to a Site Plan Control Application Fee as well as a deposit to cover the costs for engineering peer review services. These fees are outlined in the *Township* of South Glengarry Comprehensive Fee By-law.

## **REPEAL**

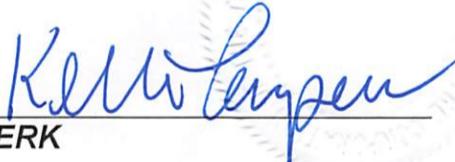
21. **THAT** By-law 14-18 hereby be rescinded as well as any other by-law pertaining to this matter.

## **EFFECTIVE DATE**

22. **THAT** this by-law shall come into force and effect upon the final reading.

**READ A FIRST, SECOND AND THIRD TIME, PASSED, SIGNED AND SEALED IN OPEN COUNCIL THIS 8<sup>TH</sup> DAY OF DECEMBER 2025.**

  
MAYOR

  
CLERK