

SITE PLANS

MGA, PART VIII, PLANNING AND DEVELOPMENT, SITE PLANS

- 231** (1) Where a municipal planning strategy so provides, a land-use by-law shall identify:
- (a) the use that is subject to site-plan approval;
 - (b) the area where site-plan approval applies;
 - (c) the matters that are subject to site-plan approval;
 - (d) those provisions of the land-use by-law that may be varied by a site-plan approval
 - (c) the matters that are subject to site-plan approval;
 - (e) the criteria the development officer shall consider prior to granting site-plan approval.
 - (f) the form and content of an application for site-plan approval.
- (2) Site-plan approval shall not apply to development of one or two unit dwellings.
- (3) No development permit shall be issued for a development in a site-plan approval area unless:
- (a) the class of use is exempt from site-plan approval as set out in the land-use by-law and the development is otherwise consistent with the requirements of the land-use by-law; or
 - (b) the development officer has approved an application for site-plan approval and the development is otherwise consistent with the requirements of the land-use by-law.
- (4) A site-plan approval may deal with:
- (a) the location of structures on the lot;
 - (b) the location of off-street loading and parking facilities;
 - (c) the location, number and width of driveway accesses to streets;
 - (d) the type, location and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements necessary to protect and minimize the land-use impact on adjoining lands.
 - (e) the retention of existing vegetation;
 - (f) the location of walkways, including the type of surfacing material, and all other means of pedestrian access;
 - (g) the type and location of outdoor lighting;
 - (h) the location of facilities for the storage of solid waste;
 - (i) the location of easements;
 - (j) the grading or alteration in elevation or contour of the land and provision for the management of storm and surface water;
 - (k) the type, location, number and size of signs or sign structures;
 - (l) provisions for the maintenance of any of the items referred to in this subsection.

- 232** (1) A development officer shall approve an application for site-plan approval, unless the
- (a) matters subject to site-plan approval do not meet the criteria set out in the land-use by-law; or
 - (b) applicant fails to enter into an undertaking to carry out the terms of the site plan.
- (2) Where a development officer approves or refuses to approve a site plan, the process and notification procedures and the rights of appeal are the same as those that apply when a development officer grants or refuses to grant a variance.
- (3) The council, in hearing an appeal concerning a site-plan approval, may make any decision that the development officer could have made.
- (4) A council may by resolution provide that any person applying for approval of a site-plan shall pay the municipality the cost of
- (a) notifying affected land owners;
 - (b) posting a sign.