

# TOWN OF GEORGINA

## APPLICATION FOR DEEMING BY-LAW OR REPEAL OF DEEMING BY-LAW

### APPLICATION GUIDE

**Development Services**  
26557 Civic Centre Rd.  
Keswick, Ontario  
L4P 3G1

**Telephone:**  
(905) 476-4301  
**Fax:**  
(905) 476-8100

Attention: Planning Division

### **PURPOSE OF APPLICATION**

1. This DEEMING BY-LAW/REPEAL OF DEEMING BY-LAW APPLICATION GUIDE sets forth the procedure for processing applications to pass or repeal a deeming by-law. The information required allows the Municipality to properly evaluate your application. The information you provide will assist the Municipality in expediting this process.
2. This application must be filed with the Planning and Building Department at the above address.

### **APPLICATION FEES**

Council has adopted an application fee of **\$1526.00 plus \$245.00 per lot** for Deeming By-law and fee of **\$2645.00 plus \$245 per lot** for Repeal of Deeming By-law (By-Law 2011-0015) (PL-7). This fee is required to cover the normal municipal costs incurred in processing a deeming by-law application. or repeal of a deeming by-law application.

### **USING THE APPLICATION**

The application should be completed by the property owner or authorized agent and returned to the Town of Georgina at the above address. When an agent is making an application, the written authorization of the owner must accompany the application. For your convenience, an authorization form has been included in the attached application. It is important to note that a Commissioner must witness the signature of the owner, solicitor or authorized agent on the application form.

### **INFORMATION REQUIRED**

1. The application must include a legal description of the subject lot(s), together with survey or sketch plan prepared in metric measurements, which shows:
  - (a) the location of existing buildings;
  - (b) the uses of abutting properties;
  - (c) all roads (named) abutting the subject lots;
  - (d) a proper metric scale and north arrow.
2. Prior to scheduling this matter for Council's consideration we ask that you submit a **Registered Deed** indicating that all lots are in common ownership.

## DEALING WITH THE APPLICATION

1. If the application form is incomplete or seems inaccurate, the application will be returned for completion, correction or clarification prior to processing.
2. After an evaluation of the application, the Building and Planning Department will prepare a report for the consideration of Council.
3. If the application is approved, a by-law will be prepared and placed before Council for their approval. If the by-law is passed, the by-law is circulated within 30 days of the passing thereof, to each person appearing on the latest revised assessment roll of land to which the by-law applies. Any person, within 20 days of the mailing of the notice of the passing of the by-law, may notify the Clerk that he/she wishes to make presentation to Council regarding the by-law.
4. The Clerk forwards one copy of the by-law to the Minister of Municipal Affairs and Housing.
5. The approved by-law must be registered with the land registry office. The ***applicant must arrange for the registration.***

## PROCESSING TIME

It generally takes about one to two months to complete the above process. Any application submitted by an owner to pass or amend a deeming by-law affecting his/her own property will obviously not object to the passing of the by-law and in this regard, the circulation of notice is only a formality. The situation may differ if Council deemed a plan or part thereof, thereby affecting a number of property owners.

# TOWN OF GEORGINA

## APPLICATION FOR DEEMING BY-LAW OR REPEAL OF DEEMING BY-LAW

### APPLICATION FORM

AS PER COUNCIL POLICY, ALL TAXES MUST BE PAID TO DATE BEFORE  
THE PROCESSING OF ANY PLANNING APPLICATION

1. *Assessment Roll No(s):* \_\_\_\_\_  
*Lot No.:* \_\_\_\_\_ *Conc. No.* \_\_\_\_\_  
*Registered Plan No.:* \_\_\_\_\_ *Street Address:* \_\_\_\_\_

2. Complete the following and check the line next to the person or firm to whom correspondence should be addressed.  
Check one box only.

	<i>NAME</i>	<i>ADDRESS AND TELEPHONE/ FAX NUMBER AND EMAIL ADDRESS</i>
<i>REGISTERED OWNER</i> <input type="checkbox"/>		
<i>AGENT OR SOLICITOR</i> <input type="checkbox"/>		

3. **SUBJECT PROPERTY**

- a) *Present use of subject lot(s):* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- b) *Proposed use of subject lot(s):* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- c) *Reasons for requiring a deeming by-law or repeal of deeming by-law:* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4. RIGHT TO ENTER**

I/We, \_\_\_\_\_, being the registered owner(s) of the subject lands, hereby authorize members of the Committee/Council (or a representative thereof), Town of Georgina staff, Peer Review Consultants retained by the Town of Georgina, and relevant external agency staff, to enter upon the subject lands for the purposes of evaluating the merits of this application.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

*Note: Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer(s) with authority to bind the corporation.*

**5. MUNICIPAL FREEDOM OF INFORMATION DECLARATION**

In accordance with the provisions of the Planning Act, I understand that all information and material that is required to be provided to the Town of Georgina respecting planning applications shall be made available to the public. In submitting this development application and supporting documentation, I \_\_\_\_\_ hereby acknowledge the above-noted policy and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

*Note: Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer(s) with authority to bind the corporation.*

**Affidavit or Sworn Declaration**

I, \_\_\_\_\_ of the \_\_\_\_\_ in  
the \_\_\_\_\_ solemnly declare that I am the owner, and officer of the owner,  
the agent of the owner, and that the above statements contained in the written application are true, and I make this  
solemn declaration conscientiously believing it to be true, knowing that it is the same force and effect as if made  
under oath, and by virtue of "The Canada Evidence Act".

Declared before me at the.....  
in the..... this..... day of..... in the year.....

\_\_\_\_\_  
A Commissioner, etc.

\_\_\_\_\_  
Applicant, Registered Owner or Agent

**Consent of Owner**

If an agent is used, the owner must also complete the following:

I/We ..... being the registered owner(s) of the subject lands,  
hereby authorize ..... to submit the enclosed application to  
the Planning and Building Department and to appear on my behalf at any hearing(s) of the application and to  
provide any information or material required by the Planning and Building Department relevant to the  
application.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

**NOTE TO OWNER:**

**IF THE APPLICATION IS TO BE PREPARED BY SOMEONE OTHER THAN THE OWNER,  
AUTHORIZATION SHOULD NOT BE GIVEN UNTIL THE COMPLETED APPLICATION  
AND ITS ATTACHMENTS HAVE BEEN EXAMINED BY YOU AND APPROVED.**