

# TOWN OF GEORGINA

## APPLICATION FOR PLAN OF SUBDIVISION / CONDOMINIUM APPROVAL

### APPLICATION GUIDE

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**AS PER COUNCIL POLICY, ALL TAXES MUST BE PAID TO DATE BEFORE THE  
PROCESSING OF AN APPLICATION FOR PLAN OF SUBDIVISION OR  
CONDOMINIUM APPROVAL.**

### PURPOSE OF APPLICATION

1. This SUBDIVISION/CONDOMINIUM APPLICATION GUIDE sets forth the procedure for processing all subdivision/condominium applications. This guide and attached application form set out the information required by the Town to properly assess and evaluate your plan. A properly completed application accompanied by all supporting documentation as required, will assist us in expediting the processing of your plan. It is recommended that the applicant discuss the proposal with Town Planning staff BEFORE submitting a formal application.
2. The attached application form is to be used only when applying to The Corporation of the Town of Georgina. The attached application must be filed in duplicate with the Planning and Building Department.

### PRE-CONSULTATION

3. The Planning and Building Department highly recommends that the owner/agent arrange in advance to meet with staff prior to making the formal submission in order to avoid delays relating to incomplete applications or lacking information requirements. Staff may recommend pre-consultation with applicable commenting public bodies or agencies, which may have jurisdictional concerns with the proposal.

Such public bodies or agencies may include the York Regional Departments of Planning & Development Services, Transportation & Works, the Lake Simcoe Region Conservation Authority (lands within their jurisdiction), the Ministry of Transportation (provincial highway jurisdiction), the Ministry of Citizenship, Culture & Recreation (archeological heritage concerns), or other bodies who may have an interest in the application.

The pre-consultation process is key to ensure that all issues are identified, and potentially resolved, as early on in the planning process as possible, and preferably before a formal application is submitted to the municipality.

The public bodies or agencies may require the submission of a fee for reviewing the subject application. It is suggested that you contact the public bodies or agencies directly to determine whether payment of a review fee is required.

### USING THE APPLICATION

4. 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 it, 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 the signature of the owner, solicitor or authorized agent on the application form must be witnessed by a Commissioner.

## COMPLETENESS OF THE APPLICATION

5. The information in this guide and in the attached application form that must be provided by the applicant is indicated in *italics*. This information is prescribed in accordance with Subsection 51(17) of the Planning Act, and is identified in the Schedule to Ontario Regulation 196/96. The prescribed information must be provided along with the appropriate fee [in accordance with the Fee By-law 2011-0015 (PL-7)].

In accordance with Subsection 51(19) of the Planning Act, if the prescribed information and fee are not provided, the Town will return the application or refuse to further consider the application until the prescribed information and the fee are provided.

6. In accordance with Subsection 51(18) of the Planning Act, the application form and guide also set out additional information (i.e. technical information or reports) that will assist the Town and other public bodies in their planning evaluation of the proposed plan of subdivision/condominium. To ensure the quickest and most complete review, this information should be submitted along with the mandatory or prescribed information. In the absence of this additional information, it may not be possible to do a complete review and proper analysis within the legislated time frame for making a decision. As a result, the application may be deferred or refused.
7. Supporting technical information may include the following:
- functional servicing report and/or master plans;
  - stormwater management reports and/or master plans;
  - transportation studies and/or master plans;
  - environmental and biological/ecological preservation plans;
  - urban design reports/plans;
  - market analysis and financial impact studies;
  - tree preservation plans and landscape analysis plans; and
  - flood plain mapping and analysis.

In most cases, these studies will need to look beyond the boundary of the subject site and in the case of servicing and stormwater management master plans, may need to be completed on a watershed or subwatershed basis.

8. A Site Screening Questionnaire must be completed and submitted with every application. The application will not be considered complete and no processing shall occur until the questionnaire is completed and submitted.
9. If a corporation is making the application, the corporation's seal must be affixed under the section entitled "AUTHORIZATION OF OWNER".

## PROCESSING FEES

10. The applicant must submit the appropriate fee for the processing of the application, in accordance with the Town of Georgina Fee By-law No. 2011-0015 (PL-7), as amended. A copy of the fee schedule is attached for reference.

Furthermore, in accordance with By-law No. 2006-0132 (BU-1), applications requiring review by the Town of Georgina On-Site Sewage Inspector must be accompanied with a completed INSPECTION FEE form. The subject form is attached and must be submitted with the application. A fee, made payable to the Town of Georgina, must accompany the completed form. The fee is not required ONLY if municipal sanitary sewers are in use on the lot, and the property is municipally serviced.

The Region of York fee requirements for the review of an application for approval are outlined on the attached Schedule "A"- By-Law No. A-0393-2007-091. The Region of York fee is to be submitted to the Town as part of the processing of the application. Cheques are to be made payable to "The Regional Municipality of York", and will be forwarded to the Region by the Town upon circulation of the application for comment.

The Lake Simcoe Region Conservation Authority (LSRCA) fee requirements for the review of an application for approval are outlined on the attached *Conservation Authority Planning Review Application Form*. The *Initial Fee* of the LSRCA, in the amount of \$10,000.00, must be submitted to the Town by the applicant, as part of the submission of the application for approval. Upon circulation of the application to the Conservation Authority for comment, the Authority will return the fee to the applicant if it is determined that their review is not necessary. Alternatively, the Authority will advise of their comments and whether any additional fees are required for processing and/or final clearances.

## INFORMATION REQUIREMENTS

11. The Town needs:
- 2 copies of the completed application form;
  - 15 copies of any supporting documentation/technical studies;
  - 40 copies of the Draft Plan (folded to size of 82@ x 14"), unfolded plans will not be accepted;
  - 1 – 8.5" x 11" mylar reduction of the draft plan;
  - the application fee as indicated on the Town's Fee Schedule in accordance with By-law 2011-0015 (PL-7), as amended;

- the appropriate fee (*if applicable*) for the review of the application by the Town of Georgina On-Site Sewage Inspector, in accordance with By-law No. 2006-0132 (BU-1);
  - the Region of York fee, for reviewing an application for approval, pursuant to By-law No. A-0323-2005-108, as amended;
  - the Lake Simcoe Region Conservation Authority fee, for reviewing an application for approval, pursuant to Section 1 (m.1) of the Conservation Authorities Act.
12. In accordance with Section 51(17) of the Planning Act, the following information is required to be shown on the draft plan:
- a) the boundaries of the land proposed to be subdivided, certified by an Ontario Land Surveyor;
  - b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
  - c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;
  - d) the purpose for which the proposed lots are to be used;
  - e) the existing uses of all adjoining lands;
  - f) the approximate dimensions and layout of the proposed lots;
  - g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
  - h) the availability and nature of domestic water supplies;
  - i) the nature and porosity of the soil;
  - j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
  - k) the municipal services available or to be available to the land proposed to be subdivided; and
  - l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.
13. Additional requirements for plans of condominium:
- a) proposed exclusive use areas of the common element such as outdoor yards and parking;
  - b) roadways and pedestrian access to proposed private units.
14. Rural or Estate Residential plans of subdivision or condominium will not be considered unless they are accompanied by the following information:
- a) A detailed landscape analysis of the site and adjacent property undertaken by a landscape architect holding membership in the Canadian or American Society of Landscape Architects. The analysis should include a topographic survey at minimum 1.5 metre intervals and should indicate the extent of any proposed grading, final grade levels, trees to be felled and proposed new planting including species.
  - b) A detailed site plan including building locations, roads, utilities and landscape elements (existing and proposed).
  - c) A detailed engineering report and servicing plan relating to proposed water supply, sewage disposal and storm drainage facilities.
  - d) An assessment of the impact that such development will have on the rural community and surrounding land uses.
15. It is necessary to take into account the health, safety, convenience, and welfare of the present and future inhabitants when considering a subdivision or condominium application in conjunction with the matters set out in Section 51(24) of the Planning Act.
16. The Town may enter into subdivision agreements imposed as a condition of draft plan approval.
17. The Town may impose such conditions to the approval of the plan of subdivision as in the opinion of the Town are reasonable.

## PEER REVIEW OF TECHNICAL STUDIES

18. The Town may deem it desirable to have independent, qualified professionals conduct a Peer Review of technical studies in support of development applications that have been completed by the proponents. Peer reviews may be required for any identified technical studies or reports.
19. In accordance with the Town's Policy for Peer Reviews, the peer review consultants are to review the technical studies having regard to relevant Town, Regional and Provincial policies and guidelines, and provide recommendations to the Town regarding the acceptability of the methodology or approach used in the study, the completeness, and accuracy of the conclusions and findings of the study.

The cost of the peer review will be the responsibility of the proponent for the subject development application.

## DEALING WITH THE APPLICATION

20. Upon receipt of the application, the submission is reviewed by Planning and Building Department staff for completeness. It is highly recommended that the owner or agent arrange in advance to meet with staff prior to making the formal submission in order to avoid delays relating to incomplete applications or lacking information requirements. The Planning and Building Department may recommend pre-consultation with certain commenting public bodies or agencies which may have jurisdictional concerns with the proposal. If the application form is incomplete or seems inaccurate, the application will be returned for completion, correction or clarification prior to commencing the processing of same.
21. After accepting the completed application, the Town may confer with officials with the Region of York and other Ministries, commissions and authorities, and others who may have an interest in your proposal, to obtain information and recommendations from them.
22. Section 51(20) of the Planning Act and Ontario Regulation 196/96 require that the Town convene at least one public meeting regarding the proposed plan of subdivision before a decision can be made. In most cases, the Town will hold the required public meeting in conjunction with related applications also requiring public input under the Act (i.e. Zoning or Official Plan amendments). The Town will schedule and circulate notice for the Public Meeting of Council and request the proponent to prepare and erect the appropriate signage on the subject property to the Town's specifications.
23. At the Public Meeting, the proponent presents the proposal. The Public is provided an opportunity to comment on the proposal. Council asks questions and provides comments. Planning staff usually present a preliminary report with a recommendation that staff report back to Council at such time as all agency comments and public input are received and assessed.
24. The application is brought back to a Council meeting after the proponent has addressed any concerns raised at the initial meeting and Planning staff has received and assessed agency comments and public input. The proponent presents the proposal with any proposed modifications. The public is provided an opportunity for input. Planning staff presents a recommendation report, which will include conditions of draft approval. If Council grants draft plan approval, any conditions must be fulfilled prior to the final approval of the plan. The agencies affected by the conditions must confirm in writing that the conditions have been fulfilled.
25. The Planning Act provides that an application for draft plan approval may be referred to the Ontario Municipal Board for decision [Sec. 51(34)]. Provision is also made for an appeal to the Municipal Board regarding the Town's decision, the lapsing provision or any of the conditions imposed by the Town [Sec. 51(39)].

A schematic description of the review process is displayed on the flow chart attached.

## DEVELOPMENT CHARGES

26. Pursuant to By-law No. 91-145 (TA-1), development charges will apply to and shall be calculated and collected in accordance with the provisions of the aforementioned By-law on land to be developed for residential and non-residential uses, where the development of that land will increase the need for services and the development requires the approval of a plan of subdivision.

The Town is also required to collect development charges on behalf of the Regional Municipality of York, the York Region Board of Education and the York Region Roman Catholic Separate School Board.

## WATER AND SEWAGE ALLOCATION

27. Pursuant to Section 14.5.1 j) and Section 9.1.5 k) of the Sutton and Keswick Secondary Plans, respectively, the Town of Georgina shall only approve residential and industrial development proposals which can be allocated municipal water and sewer servicing capacity. In this regard, please contact the Planning Division to enquire whether there is servicing allocation available prior to submitting an application for development approval.

**OFFICIAL PLAN**

28. If a form of development is proposed which does not comply with the respective policies of the Town of Georgina Official Plan, an amendment to the Plan will be required as a prerequisite to Council's endorsement of the subdivision or condominium application. However, the subdivision or condominium application may be filed simultaneously with an application to amend the Official Plan.

**ZONING BY-LAW**

29. If the zoning of the subject land would not permit the proposed plan of subdivision or condominium, an amendment to the Town's Zoning By-law will be required. It is recommended that a zoning amendment application be filed with the Town simultaneously with an application for plan of subdivision or condominium. Generally, an amendment to the By-law will not be passed prior to the issuance of draft plan approval.