

TOWN OF GEORGINA

APPLICATION FOR ZONING BY-LAW AMENDMENT

APPLICATION GUIDE

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**AS PER COUNCIL POLICY, ALL TAXES MUST BE PAID TO DATE BEFORE THE
PROCESSING OF A ZONING AMENDMENT APPLICATION.**

PURPOSE OF APPLICATION

1. This ZONING AMENDMENT APPLICATION GUIDE sets forth the procedure for processing all zoning amendment applications. The information required allows the Municipality to properly evaluate your proposal. The information you provide will assist the Municipality and associated public bodies in expediting this process.
2. The attached application form is to be used only when applying to the Corporation of the Town of Georgina. This 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.

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 it is being made by an agent, 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 34(10.1) of the Planning Act, and is identified in the Schedule to Ontario Regulation 199/96. The prescribed information must be provided along with the appropriate fee. In accordance with Subsection 34(10.3) 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 34(10.2) of the Planning Act, the application form and guide also set out additional information that will assist the Town and other public bodies in their planning evaluation of the proposed zoning amendment. To ensure the quickest and most complete review, this information should be submitted along with the 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 proposed zoning amendment may be deferred or refused.

7. 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. 98-165 (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, 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.

In accordance with Section 1 (m.1) of the Conservation Authorities Act, the Lake Simcoe Region Conservation Authority (LSRCA) has also established fees for the review of zoning amendment applications. The LSRCA will be providing plan review and technical clearance services in accordance with the Provincial Policy Statement by reviewing applications in relation to various environmental features such as wetlands, wildlife habitat, fish habitat, habitats of threatened and endangered species, areas of natural and scientific interest, woodlands, valley lands, and flood and erosion control.

Attached please find a copy of the *Conservation Authority Fee Schedule for Planning Services*. A *Preliminary Analysis Fee*, payable to the *Lake Simcoe Region Conservation Authority*, must be submitted by the applicant as part of the submission of the application to the Town. 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.

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. Architectural plans of proposed buildings should be attached to the application or may be required as the application proceeds through the approval process.

10. A deposited reference plan of the subject land may be required showing the dimensions of the property and buildings.

11. A preliminary landscape plan may be required where the buffering of a conflicting land use is required.

12. If the application is for the approval of housing development, supportive documentation indicating how the proposed amendment conforms to the Housing Policies of the Provincial Policy Statement (PPS), will be required.

SUBMISSION OF THE APPLICATION

13. The Town needs:

- * 2 copies of the completed application form
- * 15 copies of the information/reports if indicated as needed when completing the sections of the application form.

These copies will be used to consult with other agencies that may have an interest in the matter.

In addition to the above, the applicant may be required to submit supporting technical studies, which may include:

- functional servicing reports 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.

PEER REVIEW OF TECHNICAL STUDIES

14. The Town may deem it desirable to have independent, qualified professional conduct a Peer Review of technical studies in support of development applications that have been completed by the proponents. Peer Review may be required for any identified technical studies or reports.

15. 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.

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

DEALING WITH THE APPLICATION

17. 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.
18. After accepting the completed application, the Town may confer with officials with the Region of York and other Ministries, commissions and authorities, and with others who may have an interest in your proposal, to obtain information and recommendations from them.
19. In accordance with Section 34(12) of the Planning Act and Ontario Regulation 199/96, all applications to amend the Zoning By-law must undergo a public consultation process. The Municipality must ensure that the written Notice be sent out no less than 20 days prior to the date of the Public Meeting of Council.

Notice of a public meeting to inform the public of the proposal will be given by publication in a local newspaper; or,

by mail to every property owner of land within 120 metres of the area to which the proposal applies; and,

the posting of a sign or signs on the property providing notice of the proposal and public meeting. The erection of the sign(s) shall be carried out in accordance with the procedures and requirements set out in the form attached hereto.

20. After an evaluation of the application and of the comments from other agencies or bodies, the Planning and Building Department will prepare report(s) for Council's consideration. If the application is approved by Council, and when conditions of approval are fulfilled, a by-law will be prepared and placed before Council for their approval.
21. If a by-law is passed by Council, notice of the passing may be given by publication in the local newspaper or by mail from the Clerk to the applicant, neighboring property owners within 120 metres of the area to which the by-law applies, and to each person, agency or public body that has given the Clerk a written request to obtain a copy of the notice of passing.

DEVELOPMENT CHARGES

22. 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 passing of a zoning by-law or amendment thereto.

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

23. Pursuant to Section 14.5.1 j) and Section 13.8.3 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.

PROCESSING TIME

24. In accordance with the Planning Act, Town Council is given 90 days from the date of receipt of a complete application to make a decision on the application (see attached flow chart). If the time frame imposed under the Planning Act is not met, the applicant may refer the matter to the Ontario Municipal Board. If there is an appeal to the zoning amendment and an Ontario Municipal Board hearing is required, the process may be extended by several months. Where no appeals have been filed, the Planning Act provides that the amending by-law will come into force after the required By-law circulation period (20 days).