

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2019-0029

**FOR THE CONSIDERATION OF
COUNCIL
July 16, 2019**

SUBJECT: SITE PLAN CONTROL BY-LAW AND APPLICATION PROCESS REVIEW

1. RECOMMENDATIONS:

1. That Council receive Report DS-2019-0029 prepared by the Development Engineering Division, Development Services Department dated July 16, 2019 respecting proposed updates to the Site Plan Control By-Law and Application Process Review.
2. That Council authorize staff to proceed with a public and stakeholder consultation program related to the proposed changes to the Site Plan Control By-law and related Site Plan Control Application Process, as set out in Report No. DS-2019-0029.
3. That following the public and stakeholder consultation program, staff return to Council with an assessment of all comments received and a final proposed Site Plan Control By-Law and related Site Plan Control Application Process for Council's consideration.

2. PURPOSE:

The purpose of this report is to provide an overview of the current Site Plan Control By-law (SPCB) and the related Site Plan Control application review and approval process, and to outline proposed changes to the SPCB and related process as a basis for public and stakeholder consultation.

3. BACKGROUND:

3.1 Site Plan Process Review Objective

The rationale for the review of the existing SPCB and related application process is to align the process with the municipality's Corporate Strategic Plan, which was endorsed by Council on May 29, 2019. The Strategic Plan highlights four areas of priority:

- Grow our Economy
- Deliver a High Quality of Life
- Engage our Community and Promote Partnerships
- Provide Exceptional Customer Service

The goal of the new SPCB and application process review is to help “Grow our Economy”, while continuing to provide exceptional municipal service to the community. The site plan control process and by-law have significant impact on business and the economy of Georgina, as the ICI (industrial, commercial, institutional) sector properties are often subject to site plan control. The need to streamline the Town’s development approval process was outlined in the 2017 Investment Attraction Strategy.

Council demonstrated its commitment to supporting economic development and growth by endorsing the Business Class Program Phase 1 on December 6, 2017 and Phase 2 on February 13, 2019. The Business Class Program looks at methods to expedite and attract development related to economic growth. Staff recognize that the development approval process is often complex and requires various inputs from external agencies. It is an objective of the SPCB review to streamline the process and reduce the number of steps or barriers to development, where possible.

3.2 Overview of Legislation

Section 41 of the *Planning Act, R.S.O 1990* (Planning Act or Act), as amended, provides the municipality the authority to review and approve proposed development plans and drawings, and ensure that development meets certain standards so the site will function properly and look attractive.

The Planning Act defines “development” in Section 41.(1) of the Act as *“the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers”*.

The Planning Act also permits municipalities to pass a Site Plan Control By-law under Section 41.(2) where it states: *“Where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law, designate the whole or any part of such area as a site plan control area.”*

As noted above, the Act enables the Town to require drawings and reports to ensure that new development is appropriately designed, with consideration to a number of matters including urban design, site servicing, traffic management, parking, emergency services, landscaping, stormwater management, and accessibility. Site Plan Control cannot be used with respect to interior design, the layout of interiors or the manner of construction of buildings.

Once the plans or drawings are approved, a site plan agreement is often executed to contractually bind the owner to develop and maintain a site in accordance with the approved plans and the terms of the agreement. Agreement are typically

registered on title with the plans or drawings to ensure that current and future property owners are obliged to maintain the site in accordance with the agreement.

Site Plan Approval is “applicable law” identified in the Ontario Building Code that must otherwise be complied with before Building permits can be issued. Town Council has exercised its Site Plan Control powers for decades to manage the form and design of development in accordance with applicable standards.

3.2.1 Town Official Plan

The Official Plan sets the land use vision and road map for the development of the Town to the year 2031. The Georgina Official plan contains a wide range of policies which establish design and development objectives for different land uses and circumstances.

Section 11.5 of the Town of Georgina Official Plan establishes that all lands within the Town of Georgina are subject to Site Plan Control with exemptions as set out in the Site Plan Control By-law, which are:

- single family detached, semi-detached, duplex or two family dwelling
- agricultural or farm related buildings or structures
- structures for the purpose of farming storage or operations

The Town Official Plan also states that all site plan applications are to go through a pre-consultation process prior to application submission, provide drawings, plans and reports required for the review of the application and enter into a Site Plan Agreement with the Town.

The Official Plan contains detailed policies relating to site/urban design particular to different land uses. It establishes the basic framework under which the planning process will strive to create developments at various scales which, through excellence in community design, foster attractive, sustainable and safe built environments and communities where people interact, learn, work, play and reside. It further establishes design principles and objectives that form a partial basis for the review of development applications including those for Site Plan approval.

3.2.2 Site Plan Control By-law

The scope of the Town’s SPCB is contained in By-law Number 86-244, as amended by By-law Number 92-120 and By-law Number 2019-0037 (refer to Attachment 1). In addition to the long standing exemptions provided in relation to low density residential development, the most recent amendment, By-law Number 2019-0037, further exempts building additions or structures no greater than 20% or 100 m² of the existing gross floor area from site plan control, whichever is the lesser.

3.2.3 Delegation of Site Plan Approval Authority

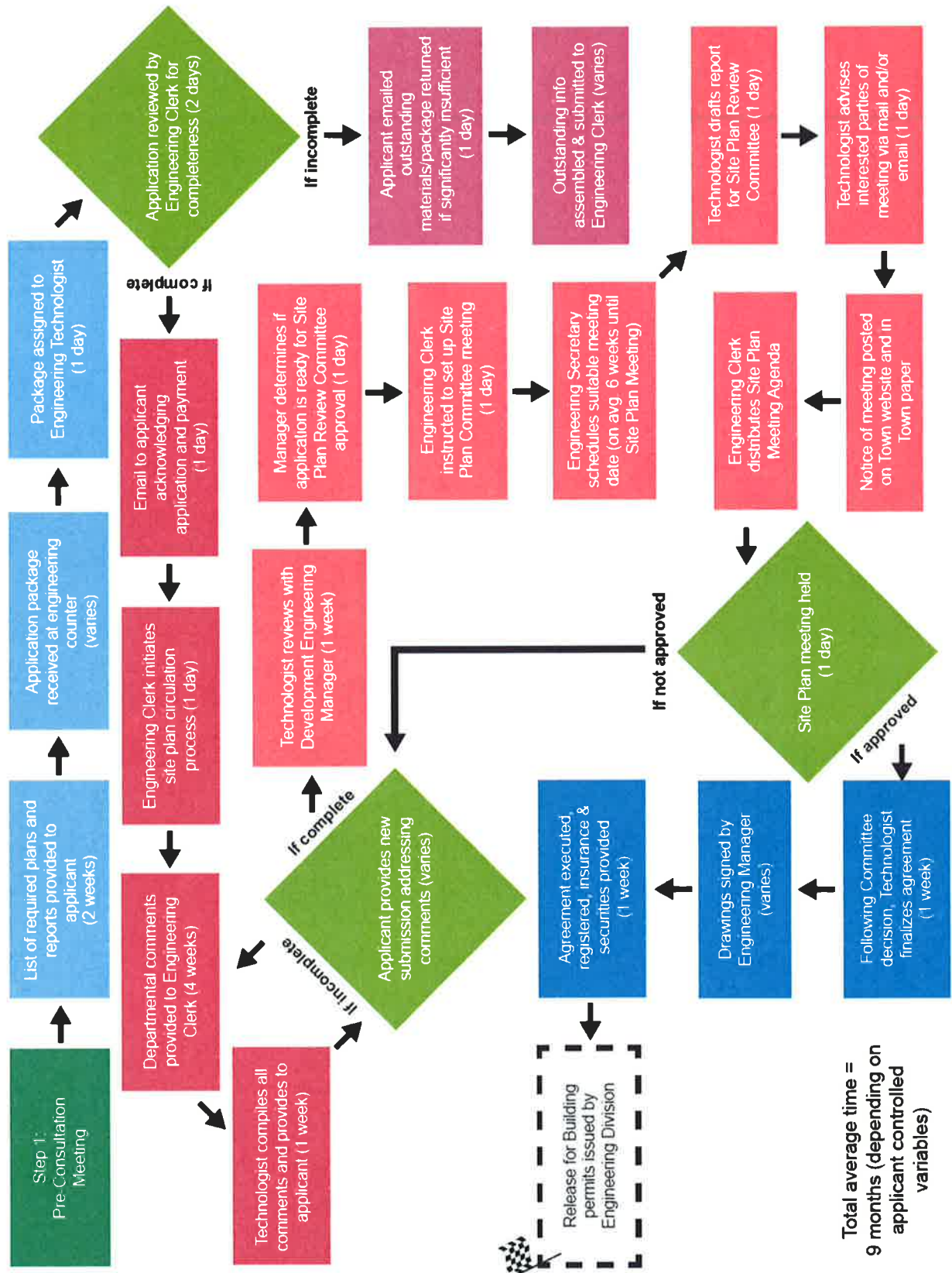
The Planning Act grants site plan approval authority to Council. However, Section 69 (13) of the Planning Act authorizes Council to delegate this authority to a committee, officer or a position.

The Town's delegation by-law being By-Law Number 2012-0024 (refer to Attachment 2) delegates Council's site plan control powers to a Site Plan Review Committee (SPRC). The SPRC consists of the Mayor, Regional Councillor and the Councillor of the Ward in which the subject lands are located. The By-law was further amended by By-Law Number 2019-0038 (PL-3) to delegate the review and approval of exterior building design plans and drawings to the Director of Development Services or his/her designate for additions or alterations to a building or structure not exceeding 20% of the existing total gross floor area and not exceeding a maximum gross floor area of 100 m², whichever is the lessor. No other delegation authority with respect to the site plan process is provided.

3.3 Current Application Review and Approval Process

The key steps of the current site plan application review process is presented in a flow chart on the next page (Figure 1), along with approximate time for each step.

Figure 1: Current Site Plan Review Process



4. **ANALYSIS:**

The SPCB and process review was conducted primarily by the Development Engineering division, who currently administer the process. A review of the current practices of the northern six municipalities of York Region (N6) was conducted as part of the review (refer to Attachment 3). Preliminary input was provided through various staff members involved in the Site Plan review process, including the Manager of Economic Development and Supervisor of Development Planning.

4.1 Exemptions

On April 17, 2019, Council passed By-Law 2019-0037 (A by-law amending Site Plan Control By-law 86-244 as amended) which specifies that building additions or accessory structures not exceeding 20% of the existing gross floor area or 100 sq. m for gross floor area (whichever is the lessor) would not be subject to site plan control. This amendment was intended to remove site plan control approval requirements from smaller developments. These applications would still be subject to other statutory requirements such as a Site Alteration Permit and Building Permit, as well as a review of the exterior building design by the Director of Development Services, but would not be subject to the standard site plan control review process.

It is also recommended that where development occurs on Town owned land, such development would also be exempt (eg. Pefferlaw Fire Hall, MURC, Civic Centre) since these projects are subject to Council approval, public consultation and appropriate technical review by Town staff and technical agencies. Where the lands are owned by the Town but leased to an external entity it would also be exempt as any concerns related to development could be captured through the lease agreement and a site plan agreement would not be required.

The following applications are currently exempt:

- Buildings or structures relating to farming or agricultural operations and do not serve the public such as Barns/Stables/Sheds/Greenhouses
- Addition or new accessory building no more than 20% of existing gross floor area or up to 100 m² whichever is the lesser
- Single family detached, semi-detached or duplex dwellings

The following applications are proposed to also be exempt from Site Plan Control:

- **Where the applicant is the Municipality**
- **Temporary Uses (ie. patios)**
- **Townhouses that are within a registered plan of subdivision or condominium and captured as part of the development agreement**
- **All other exempt applications as per Schedule "A" (Attachment 4)**

4.2 Delegation of Site Plan Approval

The Planning Act permits Council to delegate Site Plan approval to a committee or an individual. As stated earlier Delegation By-Law Number 2012-0024 delegates site plan approval to a Site Plan Review Committee consisting of the Mayor, Regional Councillor and the Ward Councillor which the site plan application is located. In order to reduce timeframes associated with site plan approval it is proposed that minor applications and site plan amendment applications be delegated to the Director of Development Services. This is not a new concept as many municipalities in Southern Ontario including all in the N6 have delegated some or all site plan approval to staff (refer to Attachment 3).

For the Town of Georgina, “Minor Applications” are defined as those having less than 250 m² of gross floor area and not exceeding 20 % of the existing gross floor area. It is recommended that these applications would be delegated to the Director of Development Services unless the addition is less than 100 m² in which case it would be exempt from Site Plan Control. “Mid-range applications” are defined as having a gross floor area between 250 m² and 500 m² or between 20% and 40% of existing gross floor area, whichever is the lesser. All mid-range applications are proposed to be delegated to the Director of Development Services or his/her designate. “Major” Applications, are defined as exceeding 500 m² or greater than 40% addition of the existing gross floor area. Major Applications would continue to be delegated to the Site Plan Review Committee. The above noted three classes of application are based on the current Town of Georgina Planning Fee By-law Number 2019-0037 (PL-7).

As economic growth is one of the main goals of the Corporate Strategic Plan, it is also proposed that all site plan applications within the Keswick Business Park Secondary Plan be delegated to the Director of Development Services or his/her designate.

The proposed changes reflects a phased approach to the delegation of site plan approval authority from the current committee structure to staff. One aspect to this approach which staff recommends is the inclusion of a provision that should the Site Plan Review Committee (SPRC) believe that a delegated application should be subject to the review of the SPRC, they may request to “bump-up” a delegated application to the SPRC if 2 out of the 3 members of the Committee make such request. This is similar to the process recently adopted in Newmarket.

In addition to the above, the following applications are also proposed to be delegated to the Director of Development Services for Site Plan approval:

- **Model Homes and Sales Offices**
- **Addition or new accessory building no greater than 40% of the existing gross floor area to a maximum of 500 m²**
- **Installation of drive-through facilities**

- **New commercial parking lots or expansion of existing commercial parking lots**
- **Site Plan Control Approval applications within the Keswick Business Park Secondary Plan boundary**
- **Residential dwellings containing five or fewer residential units**
- **All other delegated applications as per Schedule “A” (Attachment 4)**

4.3 Application Process Review

As one of the main goals of the organization is to continuously improve customer service, staff conducted an analysis of the current process. Some customer service improvements have already been made with the creation of the third floor hub at the Town Civic Centre, this has allowed staff to be able to have a central location to take in all development applications. Cross-training of staff is also underway to ensure that front line staff can cover for one another in case of absence. Also, with the Town exploring options for a development tracking system site plan applications will be processed and tracked more efficiently, thus providing improved customer service. The proposed changes to the By-law and process will improve overall efficiency

4.4 Circulation/Review/Comments

Site Plan applications are currently circulated by the Development Engineering Division. Circulation of the reports, plans and documents has been completed by mail in the past, which extends the time necessary for review as well as creates additional administrative work. The Division is currently transitioning to an electronic circulation system for site plan applications. This will reduce the timeframes for application review as well as reduce the cost on the applicant of providing documents in paper format.

Furthermore, a standard tracking form of timelines and dates is being implemented. This would provide information to the applicant on every submission of the progress of the review as well as tracking of the previous submissions.

Once the proposed improvements are implemented and as full staffing compliment is regained, return of comments to applicants on complete submissions would be targeted for three weeks. Staff will continue to work with all Departments and external agencies so that they may be able to meet those timeframes as final approval of the application ultimately requires the input and comments from all departments and external agencies.

The current Town practice is:

- Approximately 4 week turnaround commenting period
- Approximately 5 week response time to the applicant
- Each Division does their own tracking using Microsoft Office Suite software

The proposed recommendations:

- **Implement a 2 week commenting period**
- **Implement a 3 week submission turnaround commenting period to the applicant**
- **Implement an electronic site plan application tracking system by 2022 or 2023 as part of the IT Strategic Plan**

4.5 Communication/Public Notice

Under the Planning Act, the Town is not formally required to give public notice or hold a public meeting in relation to the review and approval of Site Plan applications. Third party appeals are also not permitted for site plan applications. Despite this, it has been the Town's practice to provide email or mail notice to interested parties with respect to any planning application that preceded a Site Plan application to the site plan meetings and provide the opportunity to comment or ask questions. Notice of the meeting is published in the Advocate and posted on the Town's website.

To help further streamline the process, it is proposed that Town staff only provide public notice for applications considered by the Site Plan Review Committee for approval. As mentioned earlier, major site plan applications are defined as a new building or an addition greater than 40% of existing gross floor area or greater than 500 m². For applications that are exempt from Site Plan Control or delegated to the Director of Development Services, it is proposed that no public notice or consultation be administered. For major site plan applications, the public notice will be posted on the Town website with the agenda and report as well as in the local paper at minimum one week in advance of the site plan meeting.

It is proposed that Council and the public will continue to be informed of the status of developments in the Town, including all Site Plan application through the semi-annual update of development projects.

The Town current practice of public notice/communication:

- Posting all site plan applications on the Town website and in the Advocate in advance of the Site Plan Review Committee Meeting
- Circulating all interested parties on the meeting of the Site Plan Review Committee related to the application based on previous interest in a preceding public notice/planning matter.

The proposed changes to the communication:

- **'Major' site plan applications will be posted in the local newspaper and on the Town website minimum one (1) week in advance of the meeting. Interested parties will continue to be circulated on these applications.**
- **Applications that were "bumped up" to the Site Plan Review Committee would also be posted in the local newspaper and on the Town website minimum one (1) week in advance of the meeting.**

Interested parties will continue to be circulated on these applications.

- **A semi-annual update will be provided on all Site Plan Applications that were delegated to the Director of Development Services. This would be presented along with the semi-annual development status update report to Council.**

The proposed changes to the steps in the different classes of Site Plan Applications, are shown in Attachment 5, as follows: Site Plan Review Committee delegated applications as Figure 2, director delegated applications as Figure 3, and exempt applications as Figure 4.

4.6 Site Plan Control Application Fees

In 2017 Watson Consultants (Watson) conducted a new fee review of certain development engineering fees and in 2018 Hemson Consultants (Hemson) conducted a free review of all planning application fees. The fee review determined that site plan fees should cover the costs incurred by the Town as a result of the application. The full cost recovery fees for site plan applications currently consist of three fees. These include the initial site plan application fee, with varying fees based on the application being major, minor, or an amendment to an existing site plan. There is also the site plan agreement preparation fee, and finally the site plan inspection fee.

Table 1- Site Plan Approval Fees 2019

Major Site Plan Application	\$28,500
Minor Site Plan Application	\$11,800
Major Amendment to Existing Site Plan	\$6,400
Minor Amendment to Existing Site Plan	\$3,600
Site Plan Agreement Fee	\$3,900
Amendment to Site Plan Agreement	\$1,560
Site Plan Inspection Fee (currently)	5.4% of construction cost, minimum \$4,000

In the 2017 engineering fee review, a new Site Plan Inspection Fee was established to capture the cost of a service that was not reflected in the initial Site Plan Application fee. The 2018 planning fee review determined that the site plan application fee should be increased to account for many of the steps in the process that were not previously costed. Based on a concern that the planning fee review study also captured some of the engineering inspection costs, staff reviewed the steps in the fee breakdown and consulted with both Watson and Hemson. Staff confirmed that this was the case and determined that the site plan inspection fee should be set at 2.7% of the construction cost with a pre-set minimum of \$1,000.

Proposed changes to the site plan inspection fees:

- **Reduce the site plan inspection fee to 2.7% of construction cost to a pre-set minimum of \$1,000**

4.7 Security

The Town current practice is to retain a security from applicants as a condition of site plan approval to ensure that the Town has the funds to correct work that is completed improperly or emergency work that must be done to mitigate damage to Town infrastructure, the environment or private property. Town practice has been to require a security for road fouling in an amount of \$25,000 subject to the Site Plan Review Committee approval. The purpose of the \$25,000 road fouling security is solely to guarantee that the site does not negatively impact neighbouring properties or municipal infrastructure such as mud-tracking on the road or sediment release on neighbouring properties. These monies are not intended to fund the completion of the site should the applicant fail to complete the work.

Staff have assessed the security amount and reviewed previous situations where circumstances have required the Town to draw upon the posted security. It was determined that the amount should be revised to reflect the scale of development.

For any civil works done on the Town's road right-of-way due to the site plan application, it is proposed that the Town continue to collect 100% of the value of the civil works to guarantee that the works are done correctly.

The following table shows the proposed amounts that would be collected as security from the different type of applications:

Site Plan Application	Security for maintenance of the construction site and road fouling
Minor Application/ Minor Amendment	\$10,000
Mid-Range Application	\$15,000
Major Application/ Major Amendment	\$25,000

It is also proposed that the Town continue to collect 100% tree security or receive tree compensation for all applications for the value of the trees to be removed on site. This is to guarantee the planting of trees.

Security release would not change and would be as per the current Town Development Design Criteria. Upon completion of all the work to the satisfaction of the Town, 100% of the road fouling security would be released back to the applicant and 80% of the civil works security. The remaining 20% would be held for a 2 year period to guarantee the maintenance of the works.

The current Town practise:

- \$25,000 Security for road fouling for Site Plan Applications
- 100% Security of value of Town road right-of-way civil works

The proposed changes to the security is as follows:

- **Security amounts to be \$10,000, \$15,000 and \$25,000 for minor, mid-range and major site plan applications respectively for the purpose of maintenance of the construction site and road fouling.**
- **100% security of value of trees to be removed or payment of tree compensation.**

4.8 Insurance

The Town current practice is that all contractors conducting work on Town infrastructure or a Town right-of-way are to provide a certificate of insurance of no less than \$5 million listing the Town as co-insured. This has served the Town well in the past and staff propose to continue this process. This requirement is proposed to be imposed on all types of site plan applications. This condition has traditionally been imposed by the Site Plan Review Committee based upon staff recommendation, however, it is now proposed to be added to the new SPCB.

Existing insurance requirements proposed to remain the same:

- **A \$5 million insurance certificate from the applicant is required for all site plan applications that are not exempt from the process.**

4.9 Site Plan Agreement

The Town current SPCB requires that the applicant enter into a site plan agreement with the Town as part of site plan approval. No work on site is permitted on properties subject to site plan control prior to execution of the agreement. The site plan agreement is executed to contractually bind the owner to develop and maintain a site in accordance with the approved plans and the terms of the agreement. This agreement is then registered on title with the drawings to ensure that current and future property owners are obliged to maintain the site in accordance with the agreement. This procedure is proposed to continue with the proposed new SPCB. For site plan applications that are delegated to the Director of Development Services, it is proposed that the Director and Town Clerk be authorized to sign the agreement and bind the municipality.

The proposed change to Site Plan Agreement process:

- **Where the Site Plan approval is delegated to the Director of Development Services, he/she shall be authorized to sign the Site Plan agreement along with the Town Clerk and bind the Corporation.**

4.10 Sign-Off

Current Town practice has been that the Manager of Development Engineering signs off on the drawings as final site plan approval prior to execution and registration of the agreement. Additionally, current practice is that certain drawings are endorsed by subject matter experts. Specifically the Planner on file signing off on the elevation drawings and the Zoning Examiner endorsing the site plan drawings. It is proposed that this practice continue.

5. RELATIONSHIP TO STRATEGIC PLAN:

This report and the development proposed herein addresses the following strategic goals:

GOAL 1: “Grow Our Economy” – SUSTAINABLE ECONOMIC GROWTH AND EMPLOYMENT

GOAL 2: “Provide Exceptional Municipal Service” – Organizational and Operational Excellence.

6. FINANCIAL AND BUDGETARY IMPACT:

The review and analysis of the SPCB and related process was undertaken internally by staff. There are no direct budgetary impacts as a result of the SPCB and process review.

The proposed update to the SPCB and related process is intended to streamline and improve the Site Plan Review function at the Town. The precise economic impact of this initiative cannot be quantified but represents a positive step towards enhancing growth and assessment generation.

The proposed changes to the engineering inspection fee of the planning fee by-law would not have any financial impacts because the fees collected would result in full cost recovery for development applications, which is the intention of the fee by-law.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

7.1 Legislated

No public consultation or notice is required for this report.

7.2 Non-legislated

No public consultation process or notice is required under the Planning Act for review of the existing SPCB and related process.

Should Council adopt the recommendations in this report, staff would undertake a consultation program with the development community, the commenting agencies and the public. The report will be circulated to the Georgina Developer Association, the Georgina Economic Development Committee and the Site Plan commenting agencies to also provide their input and feedback. All comments will be provided to the development engineering clerk, and will be considered and reviewed by the Development Review Team (DeRT). Also, with the assistance of the Manager of Economic Development staff will consult with recent applicants who have gone through the process for their feedback and input.

The review period will be for eight weeks for the public and agencies to provide their comments. Notice of the Site Plan By-law review will be posted on the website and in the local paper and other media channels for the public review and comment.

8. CONCLUSION:

To this point the SPCB and process review has been conducted by Staff with the overall objective of aligning the process to be consistent with the Corporate Strategic Plan. Specific adjustments to the process reflected in recommendations for exemptions to Site Plan Control and delegations of approval authority are intended to respond the Goal 1 – Grow Our Economy. Adjustments to the administration of the process are reflective of the principles of continuous improvement and respond to Goal 4 – Provide Exceptional Municipal Service.

If Council adopts the recommendations in this report, staff will embark on a public and stakeholder consultation program based upon the draft proposed changes to the SPCB and related process. Following the consultation process and related input staff would return with a further report outlining final recommended amendments to the SPCB and related process in Q4 of 2019.

Prepared by:



Zaidun Alganabi, PMP, M.Eng, P.Eng.
Manager of Development Engineering

Recommended by:



Harold W. Lenters, M.Sc.PI, MCIP, RPP
Director of Development Services

Approved by:



Dave Reddon
Acting Chief Administrative Officer

Attachment 1 – Existing Site Plan Control By-Law and as Amendments
Attachment 2 – Existing Delegation By-Law and Amendments
Attachment 3 – Comparison to Other Municipalities Site Plan By-Laws
Attachment 4 – Draft Site Plan Control and Delegation By-Law
Attachment 5 – Summary of Proposed Process Changes

CORPORATION OF THE TOWN OF GEORGINA^{DATE-}
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 86-244 (PL-3)

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA FOR THE TOWN OF GEORGINA.

WHEREAS there is an Official Plan for the Town of Georgina Planning Area in effect for the Corporation of the Town of Georgina;

AND WHEREAS the Corporation of the Town of Georgina considers the best interests of the Municipality to require its approval of certain Plans and Drawings as a condition to consent to development within the territorial limits of the Municipality;

AND WHEREAS the Corporation of the Town of Georgina may in the best interests of the Municipality require a Developer to enter into a Development Agreement with the Municipality pursuant to The Planning Act, 1983 as amended;

BE IT THEREFORE ENACTED and it is hereby enacted as a By-law of the Corporation of the Town of Georgina as follows:

1. That pursuant to Section 40(2) of The Planning Act, 1983 as amended, all lands within the territorial limits of the Corporation of the Town of Georgina are designated as a site plan control area with the following exceptions:

- a) any lands which are designated on Schedule 'A' to the

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Official Plan for low density residential uses or contain existing low density residential uses consisting of a single family detached, semi-detached, duplex or converted two family dwellings and accessory structures.


- b) agricultural and farm related buildings or structures which are utilized for farming operations and by their nature do not serve the public. Agricultural, commercial or industrial operations such as farm equipment sales and service, farm supply sales, greenhouse operations and agricultural storage, sales and supply establishments, but excluding a farm produce stand, are not subject to this exemption.

- c) residential and farm fences.

Notwithstanding, sub clauses (a) and (b) above, site plan control may be applied to such low density residential and agriculture and farm related uses, but only for the purpose of obtaining municipal easements as per Section 40(7)(a)(8) of the Planning Act, 1983.

By-law Read a First, Second and Third time and finally passed this day of 29th day of December, 1986.


Mayor, John S. Rogers


Clerk, Larry Simpson

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 92- 120 (PL-3)

A BY-LAW TO AMEND BY-LAW NUMBER 86-244 (PL-3).

WHEREAS BY-LAW NUMBER 86-244 (PL-3), BEING A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA, IS IN EFFECT FOR THE CORPORATION OF THE TOWN OF GEORGINA.

AND WHEREAS the Corporation of the Town of Georgina considers it appropriate to amend By-law Number 86-244 (PL-3) to more precisely implement the site plan control policies of the Official Plan.

THEREFORE pursuant to Section 40(2) of the Planning Act, 1983, the Council of the Town of Georgina ENACTS AS FOLLOWS:

1. That sub-clause 1.a) of By-law Number 86-244 (PL-3), be deleted in its entirety and replaced with the following:

"1.a) any lands which are designated on Schedule 'A' to the Official Plan for low density residential uses and which are proposed to be developed for or contain existing low density residential uses consisting of a single family detached, semi-detached, duplex or converted two family dwellings and accessory structures."

By-law Read a First and Second time this 10th day of
September 1992.

By-law Read a Third time and Finally passed this 10th day of
September 1992.


MAYOR, ROBERT JOHNSTON


CLERK, LARRY SIMPSON

**THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK**

BY-LAW NO. 2019-0037 (PL-3)

**BEING A BY-LAW TO AMEND BY-LAW NO. 86-244 (PL-3) AS
AMENDED, BEING A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA FOR THE CORPORATION OF THE TOWN OF
GEORGINA**

**WHEREAS BY-LAW NUMBER 86-244 (PL-3) AS AMENDED, BEING A BY-
LAW TO DESIGNATE A SITE PLAN CONTROL AREA, FOR THE
CORPORATION OF THE TOWN OF GEORGINA;**

**AND WHEREAS the Corporation of the Town of Georgina considers it
appropriate to amend By-law Number 86-244 (PL-3) as amended, to more
precisely implement the site plan control policies of the Official Plan.**

**THEREFORE pursuant to Subsections 41 (4) and (13) of the Planning Act, the
Council of the Corporation of the Town of Georgina enacts as follows:**

- 1. That By-law No. 86-244 (PL-3) of the Corporation of the Town of Georgina
as amended, is hereby further amended as follows:**

**That the following two new sub-clauses be added after sub-clause c) in
Section 1:**

- "d) Subject to the review and approval of exterior building design
plans and drawings by the Director of Development Services or
his/her delegate, an addition or alteration to a building or structure
not exceeding 20% of the existing total gross floor area and not
exceeding a maximum gross floor area of 100m², whichever is the
lessor amount is exempt from site plan control.**
- e) Subject to the review and approval of exterior building design
plans and drawings by the Director of Development Services or
his/her delegate, a detached accessory building or structure not
exceeding 20% of the existing total gross floor area of the main
building it is accessory to and not exceeding a maximum gross
floor area of 100m², whichever is the lesser amount is exempt
from site plan control."**

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2. That the following new Section 2 be added after Section 1:

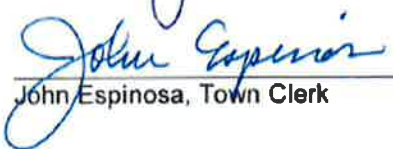
"2. No person shall undertake any development in the site plan control area unless the Council of the Corporation of the Town of Georgina, or the person or persons to whom authority has been delegated by Council, has approved the plans and drawings required pursuant to the Planning Act and the Town's Official Plan Policies, including but not limited to:

- a) Matters relating to exterior building design details, including without limitation, the character, scale, appearance and design features of buildings and their sustainable design;
- b) Sustainable and accessible design elements within, or adjacent to, an adjoining municipal right-of-way, including without limitation, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling container and bicycle parking facilities; and,
- c) Facilities designed to have regard for accessibility for persons with disabilities."

3. THAT By-law No. 2019-0032 (PL-3) be hereby repealed.

READ and enacted this 17th day of April, 2019.


Margaret Quirk Mayor


John Espinosa, Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2012-0024 (AD-3)


**A BY-LAW TO DELEGATE SITE PLAN CONTROL POWERS
AND AUTHORITY OF COUNCIL RELATING THERETO**

WHEREAS Section 41 (13)(b) of The Planning Act, R.S.O. 1990, as amended (the Act), authorizes Council by by-law to delegate to either a committee of the Council or to an appointed officer of the municipality any of the Council's powers or authority under this section;

NOW THEREFORE, the Council of The Corporation of the Town of Georgina enact as follows:

1. That a Site Plan Review Committee be appointed which shall be comprised of the following three (3) members:
 - a) The Mayor;
 - b) Regional Councillor;
 - c) The Ward Councillor representing the Ward in which the subject lands are situate with respect to any specific site plan(s).
2. That in the absence of the Mayor or the Regional Councillor, then a Ward Councillor be designated in accordance with the Appointment of the Presiding Officer schedule for that given term.
3. That in the absence of the Ward Councillor representing the Ward in which the subject lands are situate with respect to any specific site plan(s), then a substitute Ward Councillor would be designated in accordance with the availability of any other Ward Councillor.
4. That for the purposes of all Site Plan Review Committee meetings quorum will require all three (3) members to be in attendance.
5. That By-law No. 86-36 (PL-3) is hereby repealed.
6. That this By-law shall come into force and take effect on the date of passing.

READ a first, second and third time and finally passed this 27th day of February, 2012.


Robert Grossi, Mayor


Roland Chenier, Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2019-0038 (PL-3)

A BY-LAW TO AMEND BY-LAW 2012-0024 (AD-3) BEING A
BY-LAW TO DELEGATE SITE PLAN CONTROL POWERS
AND AUTHORITY OF COUNCIL RELATING THERETO

WHEREAS Section 41(13)(b) of The Planning Act, R.S.O. 1990, as amended (the Act), authorizes Council by by-law to delegate to either a committee of the Council or to an appointed officer of the municipality any of the Council's powers or authority under this section;

NOW THEREFORE, the Council of the Corporation of the Town of Georgina enact as follows:

That By-law No. 2012-0024 (AD-3) of the Corporation of the Town of Georgina, is hereby amended as follows:


That the following two new clauses be added after clause 4:

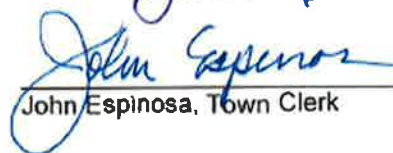
- "5. That with respect to exceptions 1d) and 1e) in By-law Number 86-244 (PL-3) as amended by By-law Number 2019-0037 (PL-3), the review and approval of exterior building design plans and drawings is delegated to the Director of Development Services or his/her delegate.
6. That in the event of a dispute of the decision of the Director of Development Services or his/her delegate, the matter shall be referred for a decision to the Town's Site Plan Review Committee."

That clauses 5 and 6 in By-law 2012-0024 (AD-3) be deleted and the following new clause 7 be added:

- "7. That this By-law shall come into force and take effect on the date of passing."

READ and enacted this 17th day of April, 2019.


Margaret Quirk, Mayor


John Espinosa, Town Clerk

	Georgina (current)	East Gwillimbury	King	Whitchurch-Stouffville	Aurora	Newmarket
Delegation of Site Plan Approval	Site Plan Review Committee (Mayor, Regional Councillor, Ward Councillor) As per By-law 2019-0038 (PL-3) additions or accessory buildings less than 20% or 100m ² shall be delegated to the Director to review the exterior building design.	General Manager of Planning and Legal Services	Director of Planning	Director of Development Services	Director of Planning	Director of Planning and Building
Exemptions	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -As per By-law 2019-0038 (PL-3) additions or accessory buildings less than 20% or 100m ² are exempt from Site Plan Control	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -Less than 10% of existing Gross Floor Area or 90m ² -Applications determined to be 'minor' by the General Manager -Home Occupations -Institutional Uses -'Minimal' building or parking construction -Applications outside the area subject to Site Plan Control	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -Less than 10% of existing Gross Floor Area or 100m ² -Outdoor Patios or accessory commercial buildings	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -structures for the purpose of flood prevention -Less than 100m ² of existing Gross Floor Area -York Region or Town facilities -Applications determined to be 'minor' by the Director -Applications outside the area subject to Site Plan Control	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -Less than 50m ² of existing Gross Floor Area -single family detached and semi-detached dwelling -agricultural buildings or for the purpose of farming operations -Town owned or operated facility -Cemetery -Conservation or forestry development	-single family detached, semi-detached dwelling, duplex -agricultural buildings for the purpose of farming operations -Temporary sales centre -Less than 37m ² of existing Gross Floor Area -Applications determined to be 'minor' by the Director -Applications outside the area subject to Site Plan Control
Fees (50 Unit Site Plan Application)	\$28,500 + 5.4% Site Plan Inspection Fee	\$13,691	\$5,280	\$38,800	\$37,664	\$49,001
Security	100% of total value of Town Works and minimum \$25,000 road fouling	100% of total value of Town Works	150% of cost to remove all structures and remediate the site	60% of total value of Site Works and \$20,000 consulting security	100% of total value of Town works, landscaping, fire breaks and to restore site cleanup and restoration	100% of total value of work in boulevards, landscaping, trees,

SCHEDULE "A" to BY-LAW 2019-XXX

SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT	Exempt	Delegated Process	Site Plan Committee Approval
AGRICULTURAL			
Barns/Stables/Sheds	x		
Greenhouse or Agricultural Building less than 500 m ² GFA	x		
Redevelopment or Addition to existing building of less than 50 m ² GFA	x		
Greenhouse or Agricultural Building greater than 500 m ² GFA		x	
Redevelopment or Addition to existing building greater than 50 m ² GFA		x	
COMMERCIAL			
New or Expansion of Commercial Parking Lot resulting in fewer than 5 parking spaces	x		
New or Expansion of Commercial Parking Lot resulting in 5 or greater parking spaces		x	
Installation of a Drive-through		x	
Temporary Uses (including outdoor patios)	x		
New Commercial Building 500 m ² or greater or an addition of 40% or greater of existing GFA			x
New Commercial Building less than 500 m ² GFA or a building addition of no greater than 40% of existing GFA		x	
Addition or alteration to an existing building or structure not exceeding 20% of the existing total GFA and not exceeding 100m ² , whichever is the lesser	x		
Sales Office or Model Home(s)		x	
INDUSTRIAL			
New or Expansion of Industrial Parking Lot resulting in fewer than 5 parking spaces	x		
New or Expansion of Industrial Parking Lot resulting in 5 or greater parking spaces		x	
New Industrial Building 500 m ² or greater or an addition of 40% or greater of existing GFA			x
New Industrial Building less than 500 m ² GFA or a building addition of no greater than 40% of existing GFA		x	
Addition or alteration to an existing building or structure not exceeding 20% of the existing total GFA and not exceeding 100m ² , whichever is the lesser	x		
KESWICK BUSINESS PARK SECONDARY PLAN			
Addition or alteration to an existing building or structure not exceeding 20% of the existing total GFA and not exceeding 100m ² , whichever is the lesser	x		
New Building 100 m ² or greater or an addition of 20% or greater of existing GFA		x	
INSTITUTIONAL			
New or Expansion of Institutional Parking Lot resulting in fewer than 5 parking spaces	x		
New or Expansion of Institutional Parking Lot resulting in 5 or greater parking spaces		x	
New Institutional Building 500 m ² or greater or an addition of 40% or greater of existing GFA			x
New Institutional Building less than 500 m ² GFA or a building addition of no greater than 40% of existing GFA		x	

Addition or alteration to an existing building or structure not exceeding 20% of the existing total GFA and not exceeding 100m ² , whichever is the lesser	x		
School Portables or School Accessory Structures		x	
RECREATIONAL			
Privately Operated Facilities			x
Outdoor Recreational Facilities including golf courses, driving ranges, sports fields, private parks, campgrounds, etc.			x
New or Expansion of Recreational Parking Lot resulting in fewer than 5 parking spaces	x		
New or Expansion of Recreational Parking Lot resulting in 5 or greater parking spaces		x	
RESIDENTIAL			
Single Family, Semi-detached or Duplex	x		
Replacement Dwellings	x		
Temporary Dwellings	x		
Residential Accessory Structure	x		
Enlargement of an existing dwelling which obtains its access via a private road or right-of-way	x		
Residential Buildings containing more than 3 residential units		x	
Residential Buildings containing more than 5 residential units			x
LEGAL NON-CONFORMING USES			
Enlargement or Extension or Conversion of a Legal Non-Conforming Use		x	
TRANSPORTATION and COMMUNICATION			
Airstrips, Aerodromes, Airports			x
GOVERNMENT PROJECTS			
Town Projects	x		

NOTES:

1. Any class of Development requiring site plan approval which is not specifically listed in the categories above or expressly exempt in this By-law, shall be required to be processed through the Site Plan Review Committee.
2. Any application that is delegated to the Director of Development Services may be "bumped-up" to the Site Plan Review Committee for approval if 2 out of the 3 members of the Committee make such request.

Figure 3: Site Plan Approval Delegated to the Director of Development Services

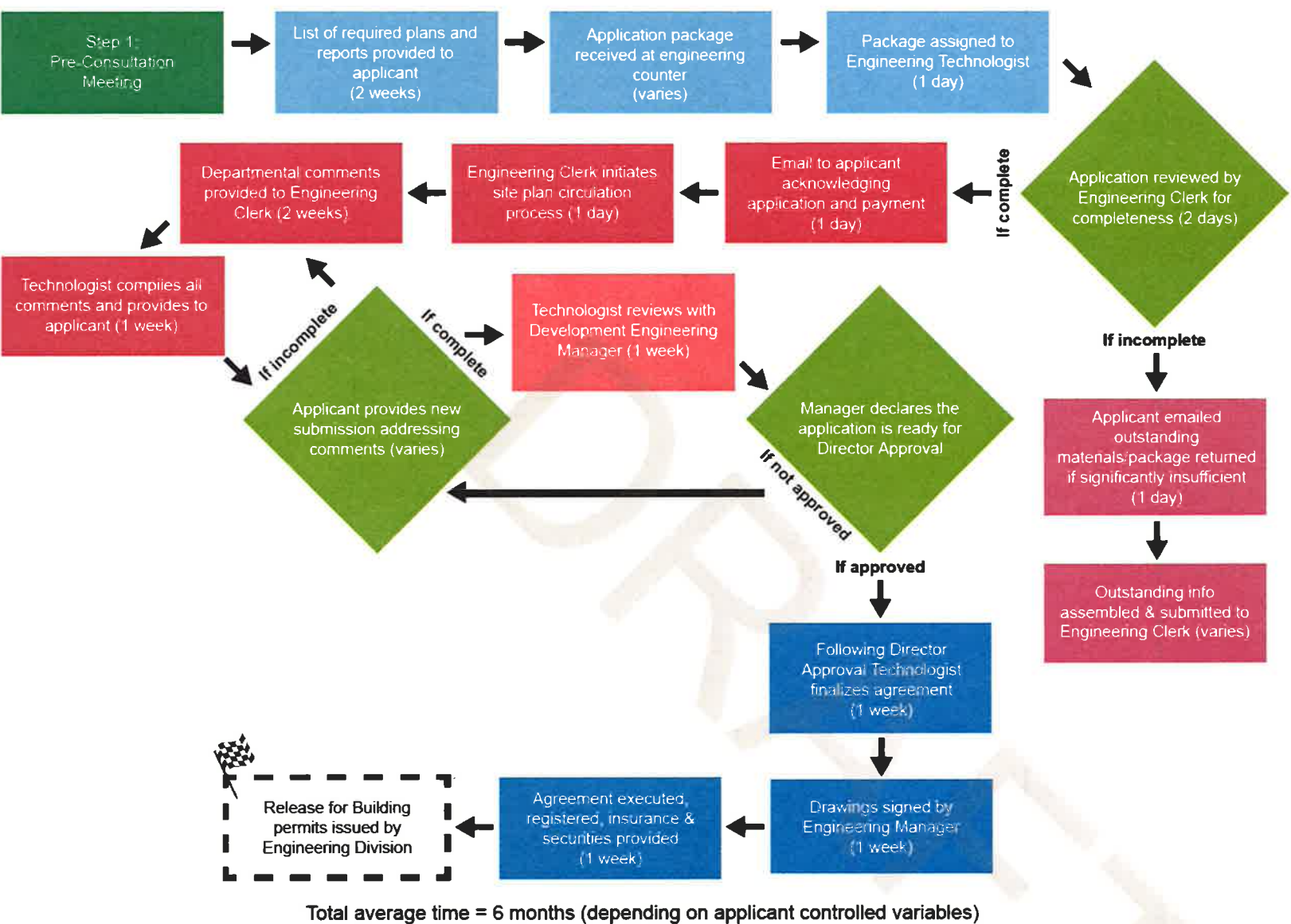
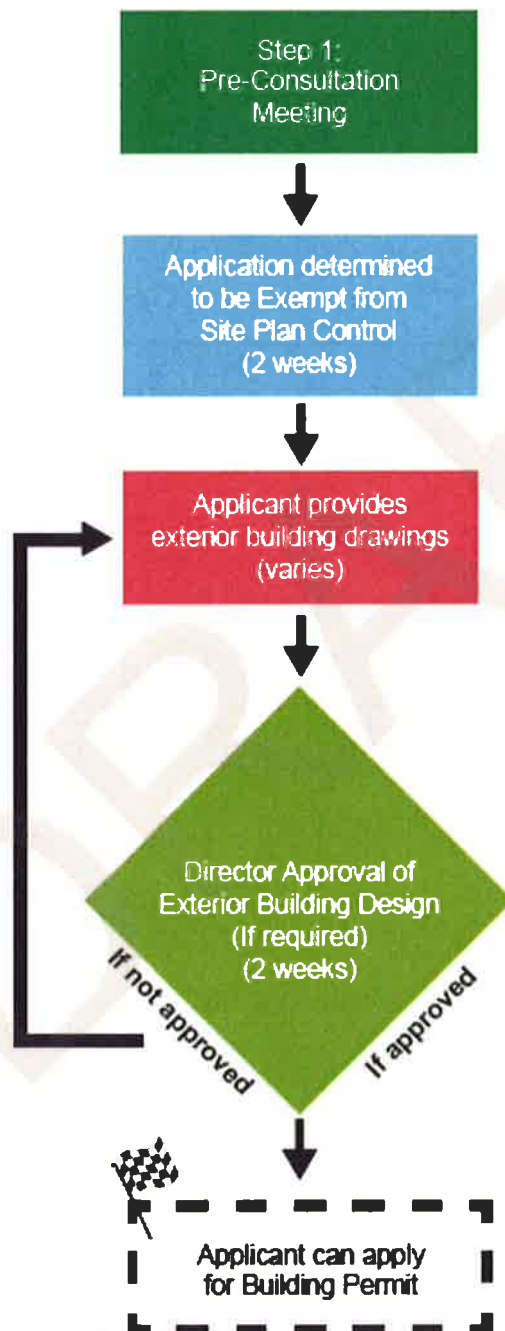


Figure 4: Site Plan Process for Exempt Applications



Total average time = 1 month (depending on applicant controlled variables)