

PLANNING AND DEVELOPMENT DEPARTMENT

Administration Centre
10 Wellington St. E.
Alliston, Ontario
L9R 1A1

Website: www.newtecumseth.ca
Email: planning@newtecumseth.ca
Tel: (705) 435-3900

GENERAL INFORMATION

This application form must be completed in its entirety and submitted to the Town for consideration.

The Zoning By-law is a document designed to regulate the use of land and the manner in which buildings are placed on the land. Uses are categorized by Zone with specific provisions on how to develop each use.

A Zoning By-law amendment is used to establish a use that is currently not permitted on a given property or to change the provisions that govern site configuration that cannot be achieved through a minor variance.

Pursuant to section 34 (10.1) of the Planning Act, R.S.O. 1990 applicants shall provide the Town with such information or materials as they may require. The Town may refuse to accept or further consider an application until the prescribed information, material and the required fees are received, and may be refused for other reasons and without a public meeting. Personal information on this application is collected under the legal authority of the Planning Act, R.S.O. 1990, as amended.

Complete and accurate submissions are required to ensure that the file can be processed. **Incomplete or inaccurate applications will be returned to the applicant for re-submission.** Except for required signatures, answers must be typed or neatly printed in dark ink, suitable for reproduction. All sections must be completed, or marked "N/A" (not applicable), as the case may be.

ZONING BY-LAW AMENDMENT APPLICATION CHECKLIST

BEFORE SUBMITTING AN APPLICATION, PLEASE ENSURE THE FOLLOWING IS COMPLETED:

- Fully complete all parts of the application form.
- Sign the application form in all appropriate locations and obtain the signed authorization of the owner if you are not the property owner.
- Attach the applicable nonrefundable fees and deposits. Cheques should be made out to the Town of New Tecumseth.
- Record of Comment from Town Pre-Consultation Stage 1
- Record of Consultation from Town Pre-Consultation Stage 2
- Attached one (1) digital copy of any sketches or required drawings in accordance with the requirements outlined in the application as identified in Town Pre-Consultation Stage 1 and Stage 2.
- Attached one (1) digital copy of all studies and reports to be submitted with the application demonstrating that they comply or conform to the applicable Town standards and by-laws.
- Attached one (1) digital copy of any correspondence, approvals or permits from other agencies relevant to the submission as identified in Town Pre-Consultation Stage 1 and Stage 2.
- Attached one (1) digital copy of all required plans, sketches, reports, etc. that form part of this application as identified in Town Pre-Consultation Stage 1 and Stage 2.

The development being proposed may be subject to Site Plan Control, requiring a Site Plan Agreement between the owner and the Town, prior to the issuance of a building permit. Please confirm with the Town's Engineering Department whether the proposed development is subject to Site Plan Control.

If at any time you have questions or concerns regarding your application, please contact the

OUTLINE OF THE ZONING BY-LAW AMENDMENT REVIEW AND APPROVAL PROCESS

The following is a brief description of the process which provides information on how to ensure that the application is reviewed as efficiently as possible:

Step 1 Application Pre-consultation

All applicants are required to arrange a pre-consultation stage 1 meeting with the Planning and Development Department. Pre-consultation assists the applicant in making the appropriate submission. During the pre-consultation meeting, applicants will be provided with relevant information regarding the proposal including the policies and requirements of the Town and how they may impact the proposal. Applicants will also be advised with regard to related approvals, and other agencies that could be consulted with to obtain further information. Planning staff within 30 days will provide a written Record of Consultation outlining any requirements as per the Town's Pre-Consultation for Submission of Planning Application and Complete Applications By-law 2022-107, as amended from time to time.

Zoning By-law Amendment applications are also subject to the Town's Pre-Consultation Stage 2 process. As communicated in Pre-Consultation Stage 1, the requirements include Pre-Consultation Stage 2 fees and the submission requirements of a cover letter requesting to proceed with Pre-Consultation Stage 2 in addition to the Record of Consultation, reports, studies, plans, drawings and information demonstrating that they comply or conform to the applicable Town standards and by-laws in addition to the submission of any approvals/comments identified in the Record of Consultation. An additional pre-consultation meeting may be required. Town staff will review the documentation for completeness and will prepare a Record of Comment within 45 days of the Pre-Consultation Stage 2 submission.

Where a study may be required as part of the submission requirements, the Town may retain the services of a peer reviewer. The cost of peer reviews required for processing applications where resources outside of Municipal Staff are required for the review shall be charged to the applicant plus 5% for administrative costs in addition to other applicable fees in accordance with the Town's Fees and Charges By-law.

Step 2 Submission of Application and Initial Review

Applications will not be officially accepted until they are deemed complete. When an application has been submitted, it will then be reviewed to ensure that it is complete and that all relevant information and fees have been submitted. The application must be accompanied by a plan as prescribed in this application. The Planning and Development Department may require that the plan be signed by an Ontario Land Surveyor. If the subject property has joint ownership, signatures of all joint owners, are required on the application.

Step 3 Comprehensive Review

Following the initial review, and on the determination that the application is complete and accurate, a comprehensive review will take place. At this time the application will be reviewed by all relevant municipal departments and may also be reviewed by the Town's solicitor. During this process the application will also be circulated to other review agencies as applicable such as the Nottawasaga Valley Conservation Authority, the County of Simcoe, Provincial Ministries, etc.

The comprehensive review process also includes public input. Information concerning the application will be circulated by mail to adjacent property owners and interest groups and the applicant will be required to post a sign on the property. Sign guidelines are attached to this application. It is the responsibility of the applicant to ensure that all signs are posted in accordance with the instructions attached to this application, and that the signs stays in place for the required posting period. Failure to do so will require that this process be repeated resulting in unnecessary delays to the processing of the application.

Step 4 Public Meeting/Committee of the Whole/Council Meeting

Following the comprehensive review, the Planning and Development Department will prepare a public meeting report detailing the application. The public meeting is the opportunity for anyone to voice their support or objection to the application. Following the public meeting, the application is usually referred back to staff for further consideration, and to address any comments made at the public meeting. The applicant may also be required to submit further information as a result of the discussion regarding the application.

Following the public meeting, a second report will be prepared by the Planning and Development Department addressing all comments received as well as Town concerns. The Planning and Development Department then makes a recommendation to approve, refuse or defer the application. The Committee of the Whole makes the decision which is then ratified by Council. It is advised that the applicant be present at the meeting in order to answer any questions of Council or the public.

Decisions regarding Zoning By-law amendments are subject to an appeal period of 20 days during which an appeal may be filed by applicants, agencies, interest groups and/or the public to the Ontario Land Tribunal. If a decision is appealed, you will be contacted to discuss the appeal and its implications on the proposal.

Step 5 Council Decision Waiver Option and Return of Application Fees

The Planning Act has prescribed statutory timelines of 90 days for a Zoning By-law Amendment for a Council decision to be made from the date the application has been deemed complete. Staff will strive to work expeditiously with the applicant towards a decision in a timely manner. Due to the Planning Act provisions, the Town staff may be in a position to recommend denial to Council in the event that the application has not progressed towards a positive outcome. The applicant has the ability to sign a waiver to be exempt from the Prescribed Planning Act Statutory timelines for a Zoning By-law Amendment application. The applicant can inquire with the Planning Department with respect to this option. The waiver must be signed and submitted to the Town of New Tecumseth Planning Department no later than three weeks prior to the Planning Act statutory timeline of 90 days.

In the event that no decision is made within the 90 days, application fees in accordance with the Planning Act provisions may need to be returned to the applicant. Planning application fees will only be considered to be returned upon written submission by the applicant making this request.

APPLICATION FOR ZONING BY-LAW AMENDMENT

FOR OFFICE USE ONLY
File No.:

1. Applicant Information

All communication will be directed to the Prime Contact only. Please indicate who this will be.

Prime Contact:

a) **Registered Owner(s)** Name(s) :

Address :

Mailing Address (If Different):

Telephone :

Fax :

Email Address :

Date Subject Land was acquired by current owner :

Date of the Application :

Are the subsurface rights and the surface rights held by the same owner? **YES or NO**
If **NO**, who owns the rights? Please provide contact information.

b) **Agents** Name :

Solicitor Planner Other: _____

Address :

Telephone :

Fax :

Cell Phone :

Email Address :

2. Description of Subject Property

a) Lot(s)/Blocks(s) :	b) Concession(s) :
c) Registered Plan No. :	d) Civic Address :
e) Roll Number(s) :	f) Date subject land was acquired:
g) Former Municipality of : <input type="checkbox"/> Alliston <input type="checkbox"/> Beeton <input type="checkbox"/> Tecumseth <input type="checkbox"/> Tottenham <input type="checkbox"/> Adjala <input type="checkbox"/> Tosorontio <input type="checkbox"/> Essa	
h) Are there any easements or restrictive covenants affecting the subject lands? YES or NO If yes , supply a copy of such documents and provide a brief description of its effect :	
i) What area does the amendment cover? a) The entire property; or b) A portion of the property.	
j) What are the existing uses of abutting properties? 1) To the north : 2) To the south : 3) To the east : 4) To the west :	
k) Does the owner have an interest in, or own any adjoining lands which are not to be included in this amendment? If yes, please describe the locations: 	
l) Name, address, phone number of person or company having any mortgage, charge or encumbrance on the property: 	
m) Physical description of the property :	
Frontage (m)	
Area (ha)	
Depth (m)	

3. Current and Proposed Land Use

a) What is the current Town Official Plan Designation and Zoning? Official Plan Designation: _____ Zoning: _____
b) What is the existing land use of the subject land? Also include a description of the uses of any buildings on the land, and length of time the use has continued.
c) Describe how the application conforms to the Official Plan: (Include on a separate piece of paper)
c) What is the proposed Zoning and Use for the subject land?

4. Existing and Proposed Structures Please fill in appropriate information in the chart below.
If more space is needed, please attach a separate page to this application.

	YES	or	NO
a) Are there any existing buildings or structures on the subject land?	YES	or	NO
b) Are there any proposed buildings or structures for the subject land?	YES	or	NO
Building Type:			
Existing or Proposed			
Date of Construction			
Ground Floor Area (m²)			
Gross Floor Area (m²)			
Number of Storeys			
Width (m)			
Length (m)			
Height (m)			
Use			
Setback from Front Lot Line (m)			
Setback from Rear Lot Line (m)			
Setback from Side Lot Lines (m)			

5. Purpose/Effect of the Amendment

a) What is the nature and extent of the proposed rezoning? (Include reasons why the rezoning is requested).

b) Is this a resubmission of a previous Zoning By-law Amendment Application?

YES or **NO**

c) Is the subject land within an area of pre-determined minimum and maximum density or height requirements?

YES or **NO**

If Yes, what are the requirements?

d) Is the application required to implement an alteration to a settlement area boundary, or to establish a new settlement area?

YES or **NO**

If Yes, identify the Official Plan Amendment that supported the alteration or establishment, and give a brief explanation of the purpose.

e) Is the application required to remove land from an area of employment?

YES or **NO**

If Yes, identify the Official Plan or Official Plan Amendment that supports the removal.

f) Does the Official Plan identify the area of this Zoning By-law Amendment to be subject to conditions?

YES or **NO**

If Yes, please explain how the application conforms to the Official Plan policies relating to zoning with conditions.

g) List the land uses that would be permitted by the proposed amendment:

6. Servicing

Please check the appropriate box under each of the servicing options.

Servicing	Type of Servicing	Existing		Proposed	
		Yes	No	Yes	No
Potable Water System	Publicly owned and operated piped water system				
	Privately owned and operated well				
	Lake or other water body				
	Other Means				
Sewage Disposal (See (a))	Publicly owned and operated sanitary sewage system				
	Privately owned and operated individual septic tank				
	Privately owned and operated communal septic system				
	Privy				
	Other means				
Storm Drainage	Storm Sewer				
	Ditches/Swales				
	Other : Please Specify				
Roads (See (b))	Provincial Highway				
	Municipal Road - Maintained Year Round				
	Municipal Road - Maintained Seasonally				
	Other public road				
	Right of Way				

a) Development utilizing privately owned and operated individual or communal septic systems producing more than 4500 litres/day of effluent are required to submit a *servicing options report* and a *hydrogeological report* in support of this application.

b) If access to the subject land is by private road, or if "other public road" or "right of way" was indicated, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

Servicing	Type of Servicing	Existing		Proposed	
		Yes	No	Yes	No
Other Services	Electricity				
	School Bussing				
	Garbage Collection				
	Natural Gas				

7. History of the Subject Lands/Status of Other Planning Applications

<p>a) Has the subject land ever been the subject of an application for a minor variance, consent, site plan approval, Official Plan amendment, Zoning By-law amendment, Minister's zoning order or approval of a plan of subdivision?</p> <p>YES or NO</p> <p>If yes, and if known, indicate the file number and the status of the application.</p>
<p>b) Has the subject land ever been (or currently) the subject of an application under section 34 of the Planning Act R.S.O. 1990?</p> <p>YES or NO</p>
<p>c) Has the subject land ever been (or currently) the subject of a Minister's Zoning Order?</p> <p>YES or NO</p> <p>If yes, and if known, indicate the Ontario Regulation number of the order.</p>

8. County of Simcoe Official Plan

<p>a) What is the current County of Simcoe Official Plan Designation?</p> <p>Designation: _____</p> <p>b) Please explain, or attach on a separate piece of paper how this application conforms with the County Official Plan.</p>

9. Provincial Policy/Plans

<p>a) Using a separate piece of paper, please confirm how this proposal is consistent with the Provincial Policy Statement, 2014 issued under subsection 3(1) of the Planning Act R.S.O. 1990.</p> <p>b) Does the subject land fall within a designated area under any provincial plan or plans?</p> <p>YES or NO</p> <p>If yes, please list and state the designation:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>c) If yes to b), does the application conform to, or not conflict with the plan(s)?</p> <p>YES or NO</p>
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10. Drawings and Additional Information

a) **Please attach 1 digital copy* of a sketch drawn to scale or survey** showing existing and proposed information:

- boundaries and dimensions of the subject land
- location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines
- approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application (i.e. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks)
- current uses on land that is adjacent to the subject land
- location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way
- location and nature of any easement affecting the subject land

Please refer to the attached example sketch.

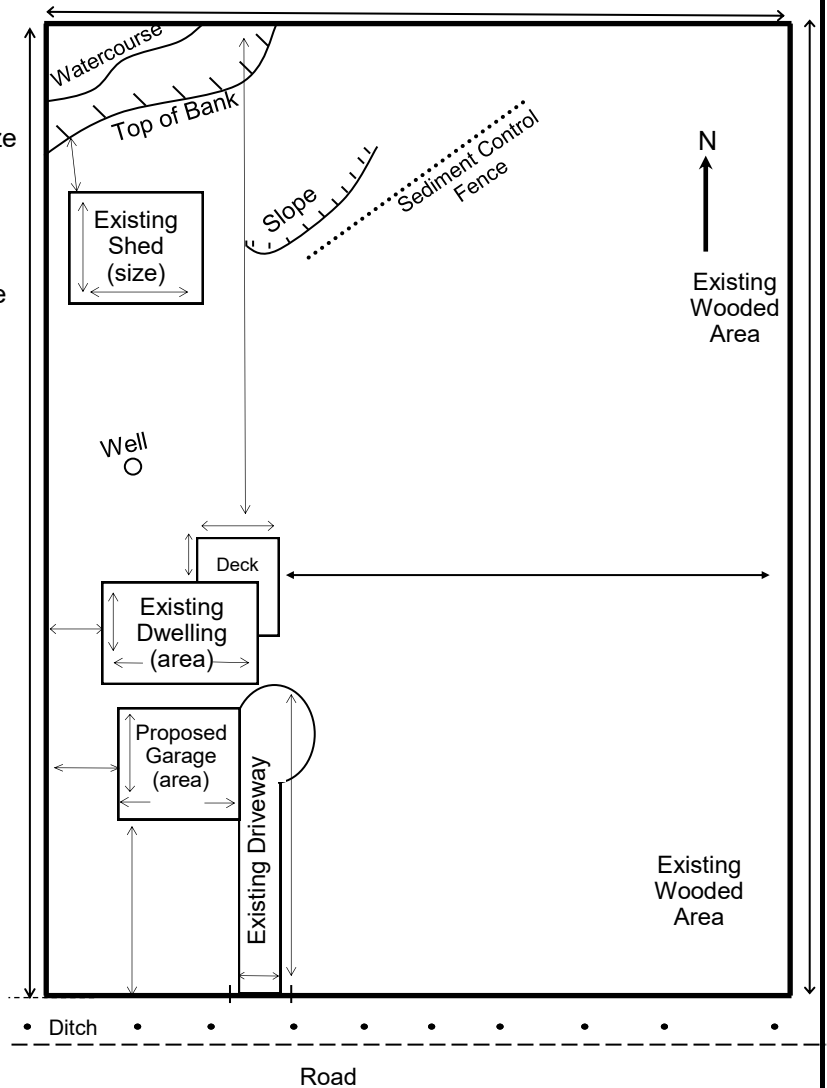
***Additional copies may be required depending on the complexity of the amendment.**

Example Sketch

Your sketch must show the following information:

- Legal description of property and roll number
- North Arrow (North should be to the top of the page)
- Lot frontage & depth measurements, and total size
- Proposed location, dimension, and size of the proposed lot in relation to the existing lot.
- Location of all land previously severed from land originally acquired by the current owner.
- Boundaries & dimensions of any land abutting the subject land that is owned by the applicant
- Existing uses on adjacent lands
- Location of topographical, natural & built features, including:
 - cliff edges, steep slopes
 - streams, wetlands, watercourses, ponds, drainage areas
 - woods, hedgerows, trees
 - agricultural fields and features
 - railway, hydro easements, trails, etc.
 - existing buildings, structures, etc.
- Location and distance from property line of all proposed and existing development, including:
 - buildings
 - accessory buildings, facilities, structures, including pools and decks
 - driveway, septic system, wells, etc.
 - parking areas, storage areas
 - cut &/or fill areas, berms, retaining walls, culverts, etc.
 - hydro, gas, phone, water, sewer services
 - sidewalks
- Measurements showing distance from proposed development to:
 - front, side and rear lot lines
 - any cliff edges, streams, woods fence lines, hedgerows, septic systems, etc.
 - any roads, railways, hydro corridors
- Sediment and erosion control measures
- Existing direction of drainage and swales
- Proposed changes in grade (filling, excavation, etc.)

NOTE: Each arrow needs to be accompanied by a distance!



Failure to provide the requested information may result in your application being delayed.

This information is being collected in accordance with the Planning Act, 1990, c.P.13, for the purpose of defining the development proposal. A site visit to the property may be conducted to review this application, without further notice in accordance with the Planning Act, 1990, C.p.13.

12. Owner's Authorization

I, (we) _____, being the registered owner(s) of the subject
(Name(s) of owner, individuals or company)

lands, hereby authorize _____ to prepare and submit a
(Name of Agent)
Zoning By-law amendment application for approval.

Signature of Owner(s) _____
Date

Note: If the owner is an incorporated company, the company seal shall be applied. If there is not a company seal, a statement of authority to bind is required.

13. Agreement on Costs

I have enclosed the applicable application processing fees and deposits.

I, _____, being the applicant for the
(Name of Applicant)

subject lands, hereby agree that notwithstanding that the agent may make payments on my behalf, I shall be solely and fully responsible for paying all costs the municipality may incur in the processing of this application. I further agree that such costs shall be paid promptly upon being invoiced by the Town, failing which, such costs, and interest and administration fees, may be collected, which may include recovering costs as taxes.

NOTE: Development Charges may be applicable to the development, which this application, if approved, will facilitate. Any questions with respect to the applicability of the Town's Development Charge By-law should be made to the Director of Finance.

Signature of Applicant _____
Date

14. Declaration: This must be signed by the applicant in the presence of a Commissioner.

I (we), _____, of the _____ of
_____, County/Region of _____ solemnly

declare that all the statements contained in this application and all supporting documentation are true, and I (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of 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 County/Region of
_____ this _____ day of _____, _____.

Signature of Owner(s) or Authorized Agent _____
Signature of Commissioner

Signature of Owner(s) or Authorized Agent

15. Applicant's Consent (Freedom of Information)

In accordance with the provisions of the Planning Act R.S.O. 1990, it is the policy of the Town of New Tecumseth to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I

_____, the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 that all the information in this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters or reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Applicant

Date

16. Public Notification of Planning Application and Signage Agreement

In compliance with the Planning Act R.S.O. 1990, your application for Zoning By-law Amendment will be circulated to affected parties who, in all probability, will be visiting the site prior to submitting their comments. The area subject to the proposed amendment must be clearly marked in accordance with a public meeting and remain posted until the date the appeal period has expired.

It is the responsibility of the applicant to ensure the complete application and public meeting sign are securely posted on the subject lands so that they're visible and legible from a public roadway. It is the responsibility of the applicant to provide the signs, therefore the Town is not responsible for any damages from the improper posting of the signs. Please consult the sign notice guidelines as attached to this application.

In the event that the property is not marked, Council may decline to hear the application until such time as the posting of the sign has been done, and a date for the next meeting is available, or Council may deny the application. Any additional cost caused by the deferment shall be paid by the applicant, agent or solicitor. In the case of rural properties, the appropriate emergency number (911) must be part of the site address on the application.

I/We _____ (owner/agent) have submitted a Zoning By-law Amendment application to the Corporation of the Town of New Tecumseth, and hereby confirm that I acknowledge the information outlined above.

Dated this _____ day of _____, 20 ____ .

Signature of Applicant

Signature of Witness

17. Owners Consent For Municipal Staff and Council to Enter the Site

I/We, _____ am/are the owner(s) of the land that is the subject of this Zoning By-law Amendment application and give permission to Town Staff and the Council of the Town of New Tecumseth to enter onto the subject land for the purpose of inspecting the lands to evaluate the merits of the application.

Signature of Applicant

Date

Signature of Applicant

This application package is to be submitted to:

**The Planning and Development Department
Town of New Tecumseth
10 Wellington Street E.
Alliston, Ontario
L9R 1A1**