

ZONING BY-LAW AMENDMENT APPLICATION PROCEDURE



INTRODUCTION:

The City of Guelph's current Zoning By-law is By-law (1995)-14864, as amended. The Zoning By-law regulates the use of lands in the City. The Zoning By-law contains maps or schedule which identify all properties and the zone in which they are located. Each zone contains a list of permitted uses and set of "development standards" or "regulations" which control the size of lots, size, location and height of buildings and structures, parking requirements, etc.

If a use proposed for a property is not permitted by the existing zoning, approval of a Zoning By-law Amendment will be required by Guelph City Council prior to establishing the use.

The Zoning By-law Amendment Procedure and flow chart on the following pages are designed to acquaint you with the manner in which the City of Guelph will process your application for a Zoning By-law Amendment.

You are strongly encouraged to consult with the City of Guelph Planning Services Staff for guidance in completing the attached application form in advance of making any formal submission.

FEES:

The attached application form must be completed and submitted with the required application fee as outlined on Schedule "1" attached. (Any cheques should be made payable to the City of Guelph).

The Grand River Conservation Authority (GRCA) is now collecting fees for application review. See Schedule "3" for details. (Cheques will be made payable to the GRCA and submitted to the City of Guelph.) Consultation with Planning staff is recommended to determine the applicable fees.

March 2010

Planning & Building Services

T 519-837-5616
F 519-837-5640
E planning@guelph.ca

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SIGNS:

All properties subject to a zoning by-law amendment are required to post a Notice of Application sign or signs on the property affected by the application. Schedule "2" attached must be completed and submitted with the application form. You are encouraged to contact Planning Services regarding the wording of the Notice of Application sign prior to submitting the formal application.

APPLICATION REQUIREMENTS:

No applications shall be officially received and processed unless the General Manager of Planning & Building Services is satisfied that it is complete.

A complete application consists of the following:

1. A complete and signed application form together with the prescribed application fee (Schedule "1").
2. A completed Sign Application Form (Schedule "2").
3. A signed letter of authorization from the owner(s) of the property for those applications submitted by an agent.
4. For applications proposing Specialized Zoning regulations, **32** copies of a preliminary site plan, drawn to scale, showing the location of all existing and proposed buildings and structures on the site including related facilities (such as parking and loading areas, walkways, driveways and landscaping) to be provided; together with a reduction of the plan (8 1/2 " x 14") suitable for reproduction.
5. Eighteen (18) copies of all supporting technical and background information reports as required (see additional submission requirements).

ADDITIONAL SUBMISSION REQUIREMENTS:

1. Where a development/redevelopment proposal requiring an Official Plan amendment, Zoning By-law amendment or plan of subdivision may impact upon a Natural Heritage Feature identified on Schedule "2" of the Official Plan, the proponent shall prepare an Environmental Impact Study (E.I.S.) in accordance with Section 6.3 of the Official Plan. (Natural Heritage Features include Provincially Significant Wetlands (PSW's), other Wetland Resource Areas, Areas of Natural and Scientific Interest (ANSI's), Significant Woodlots, Natural Corridors and Linkages and Habitat of Vulnerable, Threatened and Endangered Species.)

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2. Applications proposing new residential development within 75 metres of the Hanlon Parkway or CN and Guelph Junction railway lines and adjacent to major traffic streets in new growth areas, may be required to submit noise and vibration evaluation studies in accordance with Section 8.2.31 of the Official Plan.
3. Applications proposing new development on “Landfill Constraint Areas” on Schedule “2” of the Official Plan shall submit appropriate evidence to the City that the proposed development can safely take place in accordance with Section 5.5.3 of the Official Plan.
4. Where a development/redevelopment proposal requiring an Official Plan amendment, a Zoning By-law amendment, a plan of subdivision, a consent, a demolition permit or a building permit impacts upon a built heritage resource, the proponent may be required to prepare a Built Heritage Resource Impact Assessment or a Scoped Built Heritage Resource Impact Assessment in accordance with Section 3.5 of the Official Plan. (Built Heritage Resource means a building, structure, landscape, monument, installation (or a group of them) or visible remains, which meets the designation criteria adopted by the Heritage Guelph and which is included in the City of Guelph Inventory of Heritage Structures as it is completed and as it may be amended. All buildings, structures, landscapes, monuments installations or visible remains constructed prior to 1930, but not limited to those constructed prior to 1930, shall be considered to be built heritage resources until considered otherwise by Heritage Guelph).

An application for a Zoning By-law amendment generally requires approximately 4 to 9 months to process. The procedure generally encompasses the following steps:

1. A formally submitted application will be reviewed by Planning Services to ensure all prescribed information has been provided and to ensure general feasibility of the proposal and compliance with the Official Plan for the City of Guelph.
2. The wording for the “Notice of Application” Sign will be approved by Planning Services and conveyed to the owner/applicant. The owner/applicant is expected to erect/construct the sign as approved. (NOTE: Circulation of the application (STEP 3) will be withheld until the approved sign has been erected.)
3. A “Notice of Application” regarding the requested Zoning Amendment will be circulated for a period of 30 days to owners within 120 metres of the subject property and various Departments and agencies for comment.
4. Any major issues arising from this circulation will be brought to the attention of the applicant for review and appropriate action.
5. An informal “Public Information Meeting” may be arranged by Planning Services for applications generating significant public interest or concern. The Owner/applicant is expected to attend this meeting to assist the Department in explaining the proposal and trying to resolve issues and concerns that are presented.

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6. Notice of a public meeting to be held by Guelph City Council is mailed at least 20 days in advance of the public meeting to owners and tenants within 120 metres of the subject property. (NOTE: Prior to arranging this public meeting the preliminary staff recommendation will be reviewed with the Owner/applicant.)
7. A staff report containing a recommendation and any conditions of approval, if required, will be formulated. (Copies of the staff report are available by contacting the Information Services Department, 837-5603.)
8. A public meeting is held by Guelph City Council.
 - Planning & Building Services will introduce the application and summarize the staff recommendation.
 - Opportunity is then afforded the applicant and any other interested party to make verbal and/or written submissions to City Council concerning the proposed zoning by-law amendment.
 - City Council may choose to defer the application to a later meeting or they may refuse or approve the proposed zoning by passing a resolution.
9. If City Council passes a resolution approving the proposed zoning amendment, the applicant will be required to submit a "Development Approval" fee of \$745.00 to allow:
 - Preparation of a site plan agreement, if required.
 - Preparation of the actual zoning by-law amendment and explanatory note.
 - Mailing of the "Notice of Passing" of the By-law.
10. If required, site plan agreements covering the conditions of approval imposed by City Council, will be prepared, and forwarded to the applicant for execution. Properly executed agreements upon return will be signed by the City's Mayor and Clerk and registered on title.
11. The implementing Zoning By-law amendment is prepared and passed by City Council.
12. After the amending zoning by-law has been passed by City Council, notice of passing of the by-law is given to property owners and various public agencies and there is a 20 day appeal period commencing the day after this notice is given in which an appeal may be made to the Ontario Municipal Board.

Should no appeal be lodged, the amending zoning by-law is deemed to have come into force as of the date of passing.

CITY OF GUELPH ZONING BY-LAW AMENDMENT APPLICATION FORM

A) **GENERAL INFORMATION**

1. **Owner's Name:** _____

Principle of Company (if Owner is a Company Name): _____

Owner's Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

2. **Applicant's Name:** _____
(if different than above)

Applicant's Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

3. List of persons or institutions that have any mortgage, charge or encumbrance on the property:

Name: _____

Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

Name: _____

Address: _____

Postal Code: _____

Telephone Number: _____ **Fax Number:** _____

4. Date that the subject land was acquired by the current owner.

Zoning By-Law Amendment Application Form

B) DESCRIPTIVE INFORMATION

1. Municipal Address of subject property:

2. Legal Description (including lot and concession, lot and Registered Plan Number, Reference Plan and Part Numbers as applicable):

3. a) Lot Frontage: _____

b) Lot Depth: _____

c) Lot Area: _____

4. a) Are there existing buildings or structures on the subject property?

_____ **YES** _____ **NO**

b) If **YES** please identify the type, height and dimensions or floor area of each building (in metres):

c) If **YES** please identify the setbacks (in metres) of each building from the front, side, and rear lot lines (NOTE: An up to date survey may be submitted).

Front: _____

Side: _____

Rear: _____

d) Date of construction of all existing buildings: _____

5. a) Existing uses of the subject property? _____

b) How long have the existing uses of the subject property continued?

Zoning By-Law Amendment Application Form

6. Access to the subject property is provided by? (Please check appropriate box)

- a) Provincial Highway
 - b) Open Municipal Road
 - c) Right-of-way
 - d) Other (Please explain)
-

7. Servicing

a) Water is provided to the subject property by? (Please check appropriate box)

- i) Municipal Piped Water System
 - ii) Private Well
 - iii) Communal Well
 - iv) Other (Please explain)
-

b) Sewage disposal is provided to the subject property by? (Please check appropriate box)

- i) Municipal Sanitary Sewer
 - ii) Individual Septic System
 - iii) Communal Septic System
 - iv) Other (Please Explain)
-

c) Storm Drainage is provided by? (Please check appropriate box)

- i) Municipal Storm Sewer
 - ii) Ditch or swale
 - iii) Other (Please explain)
-

Zoning By-Law Amendment Application Form

C) PURPOSE OF THE APPLICATION

1. Existing Zoning Category of the subject property (please include any special zoning provisions affecting the lands):

2. a) Requested Zoning Category(s):

- b) Any requested Special Use Provisions:

- c) Any requested Special Regulation Provisions:

3. Reason why the zoning amendment has been requested:

4. Proposed uses of the subject land and/or buildings (please be specific – i.e. commercial - retail, office, restaurant; residential – townhouse, apartment and number of units; industrial – warehouse, manufacturing. Also include any details of proposed buildings including setbacks, building height, building floor area, etc.):

D) OTHER INFORMATION

1. Current Official Plan Designation(s) of the subject property:

Zoning By-Law Amendment Application Form

2. Is the subject land the subject of an application for approval of:
- a) A consent _____ **YES** _____ **NO**
- b) A plan of subdivision _____ **YES** _____ **NO**
- c) An Official Plan Amendment _____ **YES** _____ **NO**

If **YES**, please outline the status of the related applications and file numbers (if known):

3. Has the subject property ever been the subject of a previous zoning by-law amendment application?

_____ **NO**

_____ **YES** (Please Explain)

4. This application must be accompanied by a sketch, survey or preliminary site plan showing the following:

- i) The boundaries and dimensions of the subject land.
- ii) The 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.
- iii) The 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. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv) The current uses on land that is adjacent to the subject land.
- v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii) The location and nature of any easement affecting the subject land.

Zoning By-Law Amendment Application Form

I hereby swear that the information provided by this application is true.

Date Submitted

Owner's/Applicant's Signature
(NOTE: If applicant is signing, the owner must complete the "**Application Authorization Form**" attached to this application)

Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.

"FOR OFFICE USE ONLY"

AMANDA No. Assigned: _____

File No. Assigned _____

Complete Application Review Date: _____

Assigned to: _____

SCHEDULE "2"

CITY OF GUELPH PLANNING & BUILDING SERVICES

PROCEDURES AND REQUIREMENTS FOR THE ERECTION OF SIGNS FOR THE NOTIFICATION OF PLANNING APPLICATIONS

REQUIREMENTS:

In conjunction with applications for approval of a Draft Plan of Subdivision or amendment to the Zoning Bylaw and/or the Official Plan for the City of Guelph, the applicant shall erect a non-illuminated sign at the applicant's cost on the subject property. The sign shall be professionally prepared and erected after the submission of the aforesaid application(s) and approval of the wording of the sign by Planning Services. The required sign shall also be removed within seven days of the approval, denial or closing of the application(s) by Guelph City Council, or withdrawal of the application(s). The aforesaid application(s) will not be circulated by Planning Services until the required sign has been approved and erected. Where proposals involve more than one type of application (i.e. Official Plan Amendment, Zoning By-law amendment, subdivision) the sign(s) shall give notice of all applications.

APPLICATION:

The reverse of this form must be completed, signed by the owner or the applicant's authorized agent and submitted to Planning & Building Services.

APPLICATION REVIEW:

The application will be reviewed by Planning Services for compliance with these requirements, the Zoning By-law and the wording of the sign message.

SIGN SPECIFICATIONS:

- a) Size: 1.2m wide by 1.2m high, 0.6m ground clearance.
- b) Acceptable Materials: 20mm exterior grade plywood panel, vertical posts to be 10cm by 10cm installed a minimum of 1.2m below grade; 5cm by 5cm horizontal stringers to be located behind the top, bottom and centre of the sign panel.
- c) Paint: Sign panels and all structural members shall be painted on all sides and edges with two coats of exterior type matte finish alkyd paint over a suitable primer. Lettering shall be painted in black on a white background.
- d) Lettering: The sign shall be professionally lettered or silk screened using upper case Helvetica Medium typeface or similar sans serif, size 30mm, 50mm and 100mm. The lettering must not be capable of being removed.
- e) Wording: The sign shall contain wording that has been approved by Planning & Building Services and shall generally be in the format as shown on the reverse of this sheet.

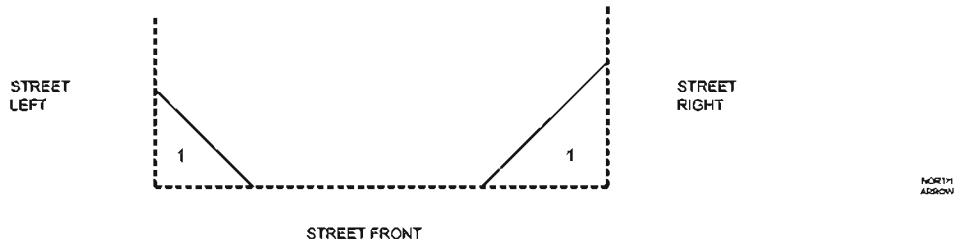
- f) Location: For interior lots having frontage on one street, the required sign shall be located approximately midway between the side lot lines at a maximum set-back of 1.2m from the streetline.

For lots with streetline(s) that abut two streets (i.e. corner lots, through lots), a separate sign shall be required facing each street, located approximately midway between the side lot lines at a maximum set-back of 1.2m from the streetline(s).

All signs shall be located away from any obstructions such that the signs are visible from the street.

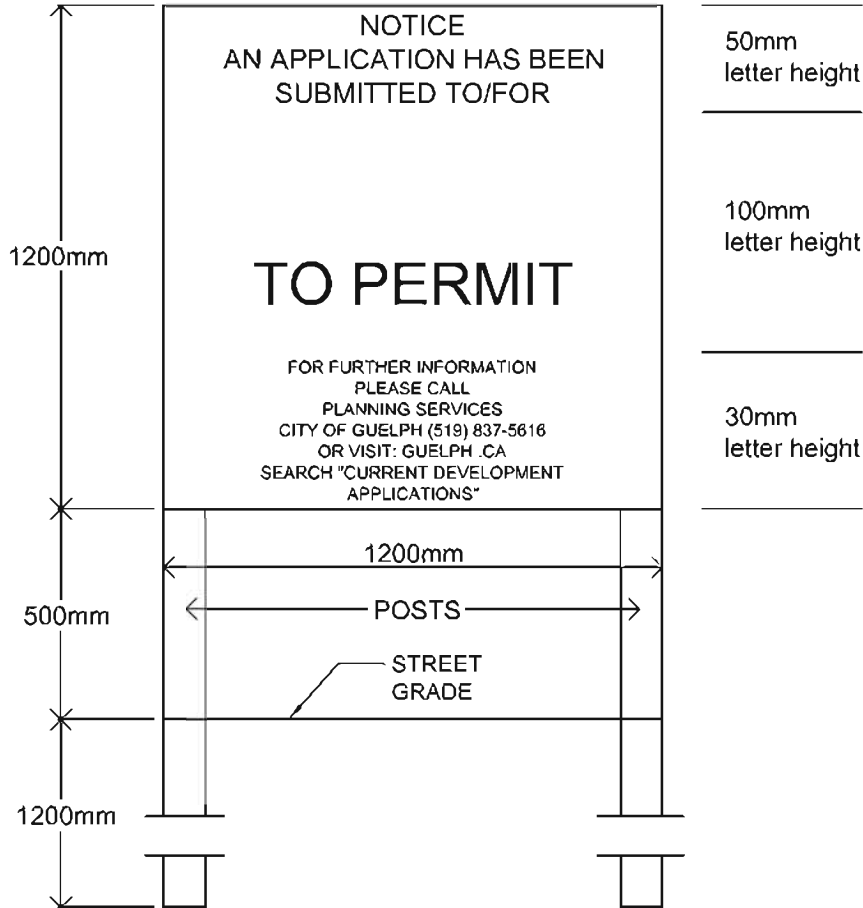
- g) Maintenance: With signing of this application, the applicant agrees that the sign will be maintained both in structure and paint work to the satisfaction of the City.

SIGN FOR PLANNING APPLICATION NOTICE



1. Sign must not be located in corner sight triangle, as specified by the Zoning By-law.
2. Sign must be within 1.2m of street property line.

Sign Message and Dimensions:



To the Planning Division:

The undersigned hereby agrees to construct the proposed sign(s) in accordance with the specifications contained herein and to maintain the sign(s) both in structure and paint work to the satisfaction of the City. The undersigned further agrees to remove the sign(s) within seven (7) days of the approval, denial or closing of the application(s) by Guelph City Council, of the withdrawal of the planning application(s).

Owner Owner's Agent

Signature

Date

FOR OFFICE USE ONLY

Approved by:

Date

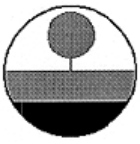
APPLICATION AUTHORIZATION FORM

I/WE _____, the registered
Owners of _____ (municipal address or legal
Description) hereby authorize _____ to act as agent
for the Application of a Plan of a Zoning Amendment which deals with the above
noted lands.

Date

Owner's Signature

Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.



SCHEDULE 3 Grand River Watershed Plan Review Fees



Effective June 1, 2002

Background Information

The Province of Ontario has encouraged conservation authorities to make programs and services more self-sufficient by applying the user-pay principle. The Grand River Conservation Authority is one of the last Conservation Authorities in Ontario to Charge plan review fees.

Service fees will allow the Conservation Authority to improve the efficiency and effectiveness of the delivery of our service. A user fee principle will ensure that the individual using the service is the person paying for the service. This will ensure that the broader tax base does not incur an increase in their taxes to cover these costs. The Grand River Conservation Authority will continue to provide Plan Input services to our municipal partners to implement the objectives of watershed planning.

The fees have been established in order to provide fair cost for the review time for applications.

Authority to Charge Fees

The Province has amended the Conservation Authorities Act to give a conservation authority power to “charge fees for services approved by the Minister” (Section 21.m.1). The Ministry of Natural Resources Policies and Procedures for the Charging of Conservation Authority Fees (June 13, 1997) identified “Plan Review” as an approved service for charging fees.

Process

When a landowner discusses or submits a Planning Act application, municipal staff will screen the application to determine whether it is within an area of interest to the conservation authority. If the site or land holdings are within an area of interest to the conservation authority, the municipal staff will advise the applicant of the appropriate fee for submission with the application. The GRCA may participate in a pre-consultation discussion and/or meeting with the applicant and the municipality before the application is formally submitted, where required.

For further information please contact the GRCA, Resource Planning Section at (519) 621-2763 ext. 230.

**GRCA Permit, Plan Review, Title Clearance and Inquiry Fee Schedule
effective August 1, 2010**

1. GRCA Permit

GRCA Permit Application	Development	Alteration or Interference with Wetlands, Shorelines & Watercourses	
Minor - <i>Low risk of impact on natural hazards or natural features, no technical reports required</i>	\$370 Minor Additions Accessory Structures 30 to 120 m from wetland Grading < 1 ha disturbed	\$370 Culverts for secondary or farm access generally less than 1m diameter Foot bridges (no in-stream work) Pond maintenance Septic system installation or maintenance Directional drilling – perpendicular Off-line pond	
Standard - <i>Moderate hazard risk and/or potential impact on natural hazards or natural features. Detailed report and/or plans required</i>	\$485 Single unit development Grading > 1 ha (no study) Development < 30 m from wetland Major Additions	\$850 New Municipal Trail Repair shoreline protection Bank stabilization Primary access or municipal culverts generally less than 1-2 m diameter Bridge or road repair	
Major - <i>requires one or more studies (Environmental Impact Study, Hydraulic Analysis, Storm Water Management, Geotechnical etc.).</i>	\$7,350 Golf Courses Multi-unit development, large scale development Grading > 1 ha (study)	\$4,815 Bridge replacement Shoreline protection (new)	\$7,350 New bridge or primary access culverts generally greater than 2 m diameter
Works initiated prior to GRCA permit approval	1.5 times the fee for the category	1.5 times the fee for the category	1.5 times the fee for the category
Rural Water Quality Program or related projects	\$75	\$75	

Note: The criteria for establishing the permit fee is based on the definitions of minor, standard and/or major application.

2. Title Clearance and General Inquiry Fees

\$180 / property

3. Plan Review Fee

Subdivision and Vacant Land Condominium:

Base Fee:	\$7,350
Applicant Driven formal modification:	\$1,205
Final Clearance for registration of each stage:	\$4,815
Processing fee:	\$185

Official Plan and/or Zoning By-law Amendment: Major: \$1,800

	Minor:	\$370
Consent:	Major:	\$850
	Minor:	\$370
Minor Variance:	Major:	\$485
	Minor:	\$240
Complex Applications OPA/ZC/Site plan etc.		\$7,350
Site Plan Approval Application:	Major:	\$2,525
	Minor:	\$370

Fee Notes:

The criteria for establishing the fee is based on the definitions of minor, standard and/or major application. The activities listed in the permit fee schedule identify some examples of projects that may be within these categories. The examples are provided for illustrative purposes. Staff should be consulted to determine the appropriate category for permit fees.

1. **Minor** – Low risk of impact on natural hazards or natural features, no technical reports required
2. **Standard Permit, Major Plan Review**– Moderate hazard risk and/or potential impact on natural hazards or natural features. Scoped technical reports or plans required.
3. **Major** - A hazard risk and/or potential impact to natural hazards or natural features and requires one or more studies (Environmental Impact Study, Hydraulic Analysis, Storm Water Management, Geotechnical etc.).
4. Applicants are encouraged to consult with staff prior to submission of all applications to determine the extent and nature of the information required to accompany the application, and to determine the appropriate fee.
5. Permit fees are non-refundable, except where review indicates that no permit is necessary.
6. After a permit has expired, a new application must be submitted. For applications to replace a prior permit received within one year of expiry a fee of \$75 is required. Any changes to the plans or a lapse of more than one year will require a full review and the Schedule of Fees in effect at the time will apply.
7. The Conservation Authority may provide a refund or require the applicant submit funds for a permit or plan review fee if it is found that an incorrect fee has been submitted. The fees are assessed based on the extent of review required.
8. Permit or plan review applications that fall into one or more categories will be charged one fee, at the highest rate.
9. Major Permit applications that have previously paid application or clearance plan review fees to the GRCA will be charged fees under the Minor or Standard category.
10. Complex applications are Planning Act (eg. OPA/ZC) and/or Site plan or development permit approval applications for: golf courses, trailer parks, campgrounds, lifestyle communities, and aggregate extraction etc.
11. A processing fee will apply for a clearance letter for a subdivision or condominium application, where no technical review/studies (eg. *no Erosion and Sediment Control plan, SWM brief etc. are required*).
12. Subdivision or Condominium Clearance Fees and revision fees will be paid directly to the Conservation Authority and must be paid prior to issuance of revised draft conditions or the final Conservation Authority clearance letter.

All fees are to be made payable to the Grand River Conservation Authority.



Prescreening Criteria Grand River Conservation Watershed Plan Review Fee



Review Official Plan Schedules 1 and 2 provided. If the answer to any of the following questions is "YES", please circulate the application to the Grand River Conservation Authority for review. For consent applications, please apply the questions to both the severed and retained parcels

SCHEDULE 1:

1. Are there lands on the property that are identified in the Official Plan as "Core Greenlands" or "Non-Core Greenlands Overlay" or which fall within defined areas regulated by the Conservation Authority (scheduled areas or Special Policy Areas/Floodplain)?
Yes No
2. Is there a watercourse (creek, stream and/or river) and/or river valley slope on the property, or is the property located within 30m of the top of the bank of a slope?
Yes No

SCHEDULE 2:

3. Is there a "Provincially Significant Wetlands" delineation on the property, or within 120m (400 feet) of the property?
Yes No
4. Is there an "Area of Natural and Scientific Interest (ANSI)" delineation on the property, or within 50m (164 feet) of the property?
Yes No
5. Is there a "Locally Significant Wetlands" delineation on the property, or within 30m (100 feet) of the property?
Yes No
6. Is there a "Significant Woodlands" delineation on the property, or within 50m of the property?
Yes No
7. Is there an "Other Natural Heritage Features" delineation on the property, or within 50m of the property?
Yes No
8. Is the property located within an "Aggregate Resource Areas" delineation, or within 50m of this delineation?
Yes No
9. Is the property located within the Regulatory Floodline?
Yes No