

Zoning By-law Amendment (Rezoning)

Information Guide



A Zoning By-law Amendment is often referred to as a Rezoning. A Rezoning is a public planning process to make a change to the City's Zoning By-law that is not considered minor. Further to an analysis of relevant policies, staff will make a recommendation to Council on whether or not a Rezoning should be approved. The Rezoning process typically takes three months to complete and two Stages of Preconsultation with City staff is required. This brochure outlines the steps in the Rezoning process.

Please note that new uses or a change in use will only be supported by staff if the use is permitted in the City's Official Plan. If the use is not permitted in the City's Official Plan, then you will also be required to apply for an Official Plan Amendment.

Step 1: Preconsultation

Preconsultation with City staff is strongly recommended if you are planning to submit a Rezoning application. There are two Stages of Preconsultation. The purpose of Stage 1 Preconsultation is to determine the list of plans, studies, information and material required to deem the application complete. Stage 2 Preconsultation involves detailed report review to ensure conformity with the City's planning documents.

You will need to hire a **Professional Planning Consultant** to prepare and represent your application. Your Planning Consultant will initiate and coordinate the two Stage Preconsultation process. There are **fees** for the City's Preconsultation services. Please consult our **Planning Fee Schedule**.

If your Rezoning application is for a large-scale or infill development, your Planning Consultant will be required to organize a Public Open House. Your Planning Consultant will prepare a Notice of Public Open House and provide the City with the notices, in stamped envelopes, to circulate to all property owners within 120m (400ft) of the property. If the applicant is required to host their own Public Open House, then they will also be required to post Public Notice Signs on the property in advance of advertising for the Open House. The purpose of the Public Notice Signs, which provide information about the proposal, is to serve as a notice to the public that the property is going through the Rezoning process.

If your Rezoning application is one that is not required to host a Public Open House, then your Planning Consultant will still be required to undertake



some form of Public Consultation as required by the *Planning Act*. You might choose to knock on doors in the neighbourhood, post more signs, or take out an ad in the newspaper. Your Planning Consultant must submit a Consultation Report detailing the outcome of your consultations prior to the City's scheduling of the Public Meeting of Council. The City's **Consultation Strategy and Consultation Reporting Requirements** provides you with the guidance to undertake your own consultation.

Step 2: Prepare the Application

The **Rezoning Application Form** is available on the City's website. It will take your Planning Consultant and other consultants (if required) time to prepare the application, Site Plan, and additional required plans, studies, information and material. It is critical that the application form and Site Plan

be thoroughly prepared with all of the information required by the *Planning Act* included, otherwise your application will be deemed incomplete, which will delay the processing time.

Step 3: Submit the Application

The completed application must be submitted electronically to planning@orillia.ca together with the appropriate fee paid at Orillia City Centre (50 Andrew St. S.). The fee is non-refundable if the application is denied by Council. City staff have 30 days under the *Planning Act* to review the application for completeness. Within 30 days from receipt of an application (including the fee), staff will either deem the application complete or incomplete. An incomplete submission



will not be further processed until the missing information is provided to the City's satisfaction. As soon as an application has been deemed complete, all information contained in the application (except the mailing address, phone number and email of the owner/ applicant) can be shared with the public.

Step 4: Consultation

For an application that has been deemed complete, your Planning Consultant will receive a Letter of Complete Application together with instructions on posting Public Notice Signs on the property (if the signs have not already been posted on the property during the Preconsultation process).

Once a Rezoning application has been deemed complete, the City is required by the *Planning Act* to issue a Notice of Complete Application. This Notice is circulated to the applicant/owner and prescribed agencies and bodies set out in the *Planning Act*, and is advertised in the City's Weekly Bulletin newsletter.

The City will then schedule a Public Meeting of Council. Generally, Council meets twice a month (although its schedule is variable). A Notice of Public Meeting is required to be circulated by the City to the applicant/owner and the prescribed agencies and bodies set out in the *Planning Act*; advertised in the City's Weekly Bulletin newsletter and circulated to all property owners within 120m (400ft) of the property.

The Notice of Public Meeting provides the date and time of the Public Meeting of Council together with information about the Rezoning application. The Notice of Public Meeting must be circulated a minimum of 20 days prior to the Public Meeting.

During this consultation period, staff will also circulate to other departments and agencies to garner comments about your Rezoning application. All of the input received during this consultation period is included in the staff report which is prepared and presented at the Public Meeting of Council.

Step 5: Public Meeting of Council

The Public Meeting of Council is open to every member of the public. As the applicant you and/or your Professional Planning Consultant will be provided with the opportunity to present your application to Council. Members of the public who wish to provide comments or ask questions about the application are able to address Council. This is followed by members of Council providing comments and asking questions. No decisions are made during the Public Meeting.

Step 6: Decision and Appeal Period

After the Public Meeting has concluded, Council won't make a decision on whether or not to approve the Rezoning application until the next available Council meeting to give Council time to contemplate the application.

Once Council has made a decision, the City is required to issue a Notice of Passing to notify the applicant/owner, agencies, and anybody who requested they receive notice of the decision on the Rezoning application. The *Planning Act* provides for a 20-day appeal period following the issuance of the Notice of Passing. An appeal may be filed to the Ontario Land Tribunal by the applicant or any member of the public or agency who provided oral or written comments prior to Council's decision. This appeal,

along with the associated fee, must be filed with the City prior to the expiry of the appeal period.

If no appeals are filed, then Council's decision is final and binding. If an appeal is filed, then the matter is referred to the Ontario Land Tribunal for resolution and the City's jurisdiction on the matter is at an end.

Step 7: Next Steps

After a Rezoning has been approved, either the property needs to receive **Site Plan Approval** from the City or **Building Permits** need to be applied for. Most large-scale developments are required to obtain Site Plan Approval from the City. Building Permits cannot be issued until the Rezoning is final and binding and Site Plan Approval (if required) has been issued by the City.

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