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Official Plan And/or Zoning By-Law Amendment Process in Huron County

Guidelines

Detach and retain this page for future reference

Introduction

The submission of an application to the municipality to amend the Official Plan or Zoning By-law is regulated by in the Ontario Planning Act. As such, this form must be completed and accompanied with the required fee prior to consideration by Council or a committee of Council. The purpose of these Guidelines is to assist persons in completing the application to amend the Official Plan or Zoning By-law.

Assistance

You can contact the Clerk at the local municipal office or contact the Planner responsible for your municipality at 519-524-8394 ext. 3 (Huron County Planning & Development Department).

Application

Each application must be accompanied by the application fee in the form of a cheque payable to the local municipality. (e.g. A-C-W, Bluewater, Central Huron, Goderich, Howick, Huron East, M-T, North Huron, South Huron)

Application Type	2023 Fees <i>effective Jan 1/23</i>
Official Plan Amendment (OPA) - County OPA, local OPA	\$4,020
Zoning By-law Amendment (ZBLA)	\$2,067
Combined Local OPA & ZBL	\$5,053
Combined County OPA & local OPA	\$6,662
Combined County OPA, local OPA & ZBL	\$7,753

Authorization

If the applicant (agent or solicitor) is not the owner of the subject land, a written statement by the owner must accompany the application which authorizes the applicant to act on behalf of the owner as it relates to the subject application.

Drawing

All applications for Official Plan or Zone change must include an accurate to scale drawing, preferably by a qualified professional, showing the items listed below:

- a) the boundaries and dimensions of the subject land;

- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion may affect the application;
- d) the current uses of land that is adjacent to the subject land;
- e) the 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;
- f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

NOTE: Additional information may be required by the municipality, County, local and provincial agencies in order to evaluate the proposed amendment. This information is often a requirement of the local Official Plan, the County Official Plan, Provincial policies and/or applicable regulations. The required information may include studies or reports to deal with such matters as environmental impacts, traffic, water supply, sewage disposal and storm water management.

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary, which may require another application(s) and fee(s), are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

In addition to the application fee, where the County/Municipality requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all legal and consulting fees incurred by the County/Municipality, at the County/Municipality's actual cost. Depending on the amount of such fees, which the County/Municipality expects to incur on any given application, the County/Municipality may also require the applicant to enter into an agreement with respect to the payment of such fees and may, where appropriate, require security to be posted.

Copies:

One copy of the application,

One copy of the drawing (no larger than 11" x 17"),

Three copies of any supporting documentation

Detach and retain this page for future reference

1. Pre-consultation meeting (municipal staff, county planning staff and affected agencies).
2. If applicable to the subject property, a Restricted Land Use Permit may be required to be obtained from the Risk Management Official PRIOR to the submission of application and fee.
3. Submission of application and fee to the Municipality with any required reports (i.e. Environmental Impact Study, Comprehensive review, etc.)
4. Staff may request additional information from the applicant.
5. Application received by Municipal Council and Municipal Council will determine whether the application is complete.
6. Circulation of notice of completeness and notice of public meeting 20 days prior to the public meeting. Notices are circulated to the County of Huron, neighbouring municipalities, agencies, provincial ministries and abutting land owners within 120 metres.
7. The Municipality and Huron County Planning Department staff reviews application for conformity to Official Plan, Zoning By-law and Provincial Interests, Planning Act. Comments from local agencies, provincial ministries and neighbours are taken into consideration.
8. A public meeting held at local Municipality. Municipal council may adopt, deny or defer the Official Plan or Official Plan amendment.
9. If the Official Plan or Official Plan amendment is adopted locally, the Clerk of the Municipality sends a record of information, along with the application to the County of Huron, as the County of Huron is the approval authority. The Municipality circulates a notice of adoption.
10. If an Official Plan Amendment is undisputed (no unresolved concerns), it can be approved by the Manager of Planning. Disputed Official Plan Amendments (having unresolved concerns), and new Official Plans or 5-year Reviews of Official Plans are scheduled on the next available Committee of the Whole and County Council meetings for a decision (i.e. approve, modify and approve, deny, defer).
11. Notice of decision sent within 15 days of decision.
12. The 20-day appeal period begins the day after the notice of decision is mailed.
13. If no appeal is received by the Huron County Clerk after 20 days, the Official Plan or Official Plan amendment is in full force and effect. If the Official Plan or Official Plan amendment is appealed, the application is forwarded to the Ontario Land Tribunal, who will make a final decision on the application.

Zoning By-Law Amendment Process in Huron County

1. Pre-consultation meeting (municipal staff, county planning staff and affected agencies).
2. If applicable to the subject property, a Restricted Land Use Permit may be required to be obtained from the Risk Management Official PRIOR to the submission of application and fee.
3. Submission of application and fee to the Municipality with any required reports (i.e. Environmental Impact Study, Traffic Impact Study, etc.)
4. Staff may request additional information from the applicant.
5. Application received by Municipal Council and Municipal Council will determine whether the application is complete.
6. Circulation of notice of completeness and notice of public meeting 20 days prior to the public meeting. Notices are circulated to the County of Huron, neighbouring municipalities, agencies, provincial ministries and abutting land owners within 120 metres.
7. The Municipality and Huron County Planning Department staff reviews application for conformity to Official Plan, Zoning By-law and Provincial Interests, Planning Act. Comments from local agencies, provincial ministries and neighbours are taken into consideration.

8. A public meeting held at local Municipality. Municipal council may approve, deny or defer the zoning by-law amendment.
9. Notice of decision sent to those who requested to be notified of Council's decision within 15 days of the decision of Municipal Council. A 20-day appeal period begins the day after the notice of decision is mailed.
10. If no appeal is received by the Municipality within the 20 days, the zoning by-law amendment is in full force and effect. If the zoning by-law amendment is appealed, the application is forwarded to the Ontario Land Tribunal, who will make a decision on the application.



For office use only File # _____
Received _____, 20 ____
Considered Complete _____, 20 ____

Application for Official Plan and/or Zoning By-Law Amendment

Municipality of _____

A. The Amendment

1. Type of Amendment

Official Plan Amendment Zoning By-law Amendment Both

2. What is the purpose of and reasons for the proposed amendment(s)?

B. General Information

3. Applicant information

a) Registered Owner's Name(s): _____

Address: _____

Phone: Home _____ Work _____

Cell _____

Email _____

b) Applicant (Agent) Name(s): _____

Address: _____

Phone: Home _____ Work _____

Cell _____

Email _____

c) Name, Address, Phone of all persons having any mortgage, charge, debenture or encumbrance on the property:

d) Send Correspondence To? Owner Agent Other _____

4. What area does the amendment cover?

the "entire" property or

just a "portion" of the property

5. Provide a description of the entire property:

Ward: _____

911 Address and Road Name: _____

Roll Number (if available): _____

Concession: _____ Lot: _____ Registered Plan No.: _____

Area: _____ hectares Depth: _____ metres Frontage (Width): _____ metres

6. Is any of the land in wellhead protection area?

Yes No Unknown

If **Yes**, please obtain a Restricted Land Use Permit from the Risk Management Official.

If **Unknown**, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

7. Provide a description of the area to be amended if only a 'portion' of the property:

Area: _____ hectares Depth: _____ metres Frontage (Width): _____ metres

8. What is the current planning status?

Official Plan Designation: _____

Zoning: _____

9. List land uses that are permitted by current Official Plan designation:

C. Existing and Proposed Land Uses and Buildings

10. What is the "existing" use of the land?

How long have the existing uses continued on the subject land: _____

11. What is the "proposed" use of the land?

Provide the following details for all buildings: (Use a separate page if necessary)

Are any buildings proposed to be built on subject land: Yes No

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	_____	_____
b) Main Building Height _____ (m)	_____ (m)	_____ (m)
c) % Lot Coverage _____	_____	_____
d) # of Parking Spaces _____	_____	_____
e) # of Loading Spaces _____	_____	_____

- f) Number of floors _____
- g) Total Floor Area _____ (sq m) _____
- h) Ground Floor Area _____
(exclude basement) _____
- i) Building Dimensions _____
- j) Date of Construction _____
- k) Setback from Buildings to: Front of Lot Line _____
Rear of Lot Line _____
Side of Lot Line _____

D. Existing and Proposed Services

12. Indicate the Applicable Water Supply and Sewage Disposal

Type of Disposal	Municipal Water	Communal Water	Private Well	Municipal Sewers	Communal Sewers	Private Septic
Existing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If the requested amendment would permit development on a privately owned and operated individual or communal septic system, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, the applicant must submit:

- a servicing options report; and
- a hydrogeological report.

13. Will storm drainage be provided by:

- Sewers Swales
- Ditches Other: Please specify: _____

Is storm drainage present or will it be constructed? _____

14. Type of access: (check appropriate box)

- Provincial Highway
- Municipal Road, seasonally maintained
- County Roads
- Right of Way
- Municipal Roads, maintained all year
- Water Access

E. Official Plan Amendment

(Proceed to Section F if an Official Plan Amendment is not proposed.)

15. Does the proposed Official Plan amendment do the following?

- | | | | |
|--|------------------------------|-----------------------------|----------------------------------|
| Add a Land Use designation in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Change a Land Use designation in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Change a policy in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Replace a policy in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Delete a policy in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Add a policy in the Official Plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |

16. If applicable, and known at time of application, provide the following:

- a) Section Number(s) of Policy to be changed: _____
- b) Is the text of the proposed new policy attached on a separate page? Yes No
- c) New designation name: _____
- d) Is a map of the proposed new Schedule attached on a separate page? Yes No

17. List purpose of amendment and land uses that would be permitted by the proposed amendment:

18. Does the requested amendment alter all or any part of the boundary of an area of settlement in a municipality or establish a new area of settlement in a municipality?

- Yes No

If Yes, attached the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement.

19. Does the requested amendment remove the subject land from any area of employment?

- Yes No

If Yes, attached the current Official Plan policies, if any, dealing with the removal of land from an area of employment.

20. Is the requested amendment consistent with the Provincial Policy Statement issued under Section 3(1) of the Planning Act?

- Yes No

F. Zoning By-Law Amendment

(Proceed to Question 29 (Drawing) if a Zoning By-Law Amendment is not proposed.)

21. Does the proposed Zoning By-Law amendment do the following?

- | | | | |
|---|------------------------------|-----------------------------|----------------------------------|
| Add or change zoning designation in the Zoning By-Law | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Change a zoning provision in the Zoning By-Law | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Replace a zoning provision in the Zoning By-Law | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Delete a zoning provision in the Zoning By-Law | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Add a zoning provision in the Zoning By-Law | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |

22. If applicable and known at time of Zoning Application, provide the following:

- a) Section Number(s) of provisions to be changed: _____
- b) Text of proposed new provision attached on a separate page? Yes No
- c) New zone name: _____
- d) Map of proposed new Key Map attached on a separate page? Yes No

23. List land uses proposed by Zoning amendment.

24. Has there been a previous application for rezoning under Section 34 of the Planning Act affecting the subject property?

- Yes No

25. Is the intent of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

- Yes No

If yes, please attach details of the Official Plan or Official Plan Amendment.

26. Is the intent of this application to remove land from an area of employment?

- Yes No

If yes, please attach details of the Official Plan or Official Plan Amendment that deals with the matter.

27. Is the application for an amendment to the Zoning By-Law consistent with Provincial Policy Statement issued under Section 3(1) of the Planning Act?

- Yes No

G. Sketch Checklist

28. Accurate, to scale, drawing or proposal:

In the space below or on a separate page(s), please provide a drawing of the proposal, preferably prepared by a qualified professional. In some cases, it may be more appropriate to prepare additional drawings at varying scales to better illustrate the proposal.

This application shall be accompanied by a clean, legible sketch sharing the following information. Failure to supply this information will result in a delay in processing the application.

A sketch showing in metric units:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structure on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of river or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i. are located on the subject land and on land that is adjacent to it, and
 - ii. in the applicant's opinion may affect the application;
- d) the current uses of land that is adjacent to the subject land;
- e) the 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;
- f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land

The drawings should show: (please use a survey if available)

- Property boundaries and dimensions
- Dimensions of area of amendment
- Distance from structure to lot lines
- Easements or restrictive covenants
- Building dimensions and location
- Neighbouring adjacent land uses
- Parking and loading areas
- Use of neighbouring properties
- Public roads, allowances, rights of way
- Municipal Drains/Award Drains
- Wetlands, forested areas, ANSI's, ESA's
- Driveways and lanes
- Other features (bridges, wells, railways, septic systems, springs, slopes, gravel pits)
- Natural watercourses
- North arrow

H. Other Related Planning Applications

29. Has the applicant or owner made application for any of the following, either on or within 120 metres of the subject land?

- | | | |
|-------------------------|------------------------------|-----------------------------|
| Official Plan Amendment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Zoning By-Law Amendment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Minor Variance | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Plan of Subdivision | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Consent (Severance) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Site Plan Control | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

30. If the answer to questions 29 is Yes, please provide the following information:

File No. of Application: _____

Approval Authority: _____

Lands Subject to Application: _____

Purpose of Application: _____

Status of Application: _____

Effect on the Current Application for Amendment: _____

I. Other Supporting Information

31. Please list the titles of any supporting or attached documents:

(e.g. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc. It is recognized that the applicant meets with planning staff to attempt to determine the supporting documents that will be required.)

J. Pre-Submission Consultation

Applicants are strongly encouraged to contact the County and speak/meet with the Planner to the Municipality before submitting an application for information.

Date of Applicant's consultation meeting with County Planner: _____

Has the Planner advised the Applicant that this application needs to be reviewed by the County Biologist for comments on Natural Heritage matters?

- Yes - Submit a fee of \$224.00 made payable to the Treasurer, County of Huron
- No

K. Public Consultation Strategy

32. Please outline your proposed strategy for consulting with the public with respect to this amendment request:

(e.g. individual contact, hold a neighbourhood meeting, telephone conversation, letter explaining proposal and inviting questions/comments, website/internet, etc.)

L. Authorization for Agent/Solicitor to Act for Owner

*(If affidavit (K) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below **must** be completed.)*

I (we) _____ of the _____ of
_____ County/Region of _____ do hereby authorize
_____ to act as my agent in the application.

Signature: _____

Date: _____

M. Applicant's Declaration

(This must be completed by the Person Filing the Application for the proposed development site.)

I, _____ of the _____
(Name of Applicant) (Name of Town, Township, etc.)

In the Region/County/District _____ solemnly declare that all of the statements contained in this application and supporting documentation are true and complete, and I 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."

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

In addition to the application fee, where the County/Municipality requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all legal and consulting fees incurred by the County/Municipality, at the County/Municipality's actual cost. Depending on the amount of such fees, which the County/Municipality expects to incur on any given application, the County/Municipality may also require the applicant to enter into an agreement with respect to the payment of such fees and may, where appropriate, require security to be posted.

I/we _____ hereby agree to pay all fees incurred by the County/Municipality related to the review of this application.

Declared before me at:

Region/County/District _____ In the Municipality of _____

Signature _____

This _____ of _____, _____
(day) (month) (year)

Name of Applicant: (please print) _____

Commissions of Oaths _____ Signature of Commissioner _____

Date _____

N. Owner/Applicant's Consent Declaration

In accordance with the provisions of the Planning Act, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I,

_____, the owner/the authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the County of Huron staff, Municipal staff and council members of the decision-making authority to access to the subject site for purposes of evaluation of the subject application.

Signature _____

Date _____

Application and Fee of \$_____ Received by the Municipality

If comment fees are required for the County Biologist to review this application, (see Section J: Pre-Submission Consultation), please collect a fee of \$224.00 made payable to the Treasurer, County of Huron.

Complete This Form to Determine If Septic Comments Are Required on Your Planning Application

For certain planning applications, comments are required from local municipal staff to assist the municipality in its decision on your application. This sheet will determine if comments are required from local staff, and if so, the appropriate fee* must be submitted with your application and paid to the local municipality (*based on the local municipality's Fee Schedule – consult with your Planner to determine).

Name of Applicant: _____

Name of Owner (if different from the applicant): _____

Location of Property (Lot, Concession or Registered Plan, and Municipality):

Type of Planning Application(s) submitted with this form:

- Consent (Severance)
- Zoning By-Law Amendment
- Official Plan Amendment
- Minor Variance
- Plan of Subdivision/Condominium

Please answer Section A **or** Section B, depending on the type of servicing available. In the following question, "property" means the subject property or, in the case of a severance, each of the resulting lots.

Section A – Where *Sanitary Sewers* are available

Is the property within 183 metres (600 feet) of an abattoir (slaughter house)?

Yes No

Section B – Where *Septic Systems* are required

1. The application is for the creation of a new lot for which the primary use will be a dew dwelling (other than a new dwelling on a farm).

Yes No

2. Is the property less than .4 hectares (1 acre) in area?

Yes No

3. Does the property have less than .2 hectares (1/2 acre) of "useable land" for a septic tank and tile bed? See definition of "useable land" below.

Yes No

4. I am uncertain of the location of the existing septic tank and tile bed on the property.
 Yes No
5. There will be more than one dwelling unit on each lot.
 Yes No
6. An industrial or commercial use is proposed which will require a septic system.
 Yes No
7. Is the property with 183 metres (600 feet) of an abattoir (slaughter house)?
 Yes No
8. The application is for a new Plan of Subdivision/Condominium
 Yes No

“Useable Land” means an area of land with suitable original soil for the installation of a Class 4 subsurface sewage disposal system, free of any buildings, structures swimming pools, etc. and such land is or will be used solely for a septic tank and tie bed and any future replacement of the tile bed, and which area is at least 3 metres (10 feet from any property line, at least 15 metres (15 feet) from a top-of-bank of a watercourse or lake, not located in a flood plain, not located in an environmentally sensitive area, and does not contain field tile or other artificial drainage. (Other restrictions may apply according to legislation.)

Name of Owner or Designated Agent _____

Signature _____

Date _____

To be completed by Municipal Clerk: Has the Septic Review Fee, made payable to the local municipality, been collected from the applicant?

**Please note type of application and file # on the cheque.*

Yes No Amount: _____

Name of Clerk-Treasurer _____

Signature _____

Date _____