

## instructions for zoning by-law amendment application

**PLEASE DETACH AND RETAIN THE FIRST TWO PAGES FOR FUTURE REFERENCE**

If you require this form in an alternative format, please contact Middlesex Centre at [planning@middlesexcentre.ca](mailto:planning@middlesexcentre.ca) or 519-666-0190 / 1-800-220-8968.

### BACKGROUND INFORMATION

This process pertains to an application for zoning by-law amendment pursuant to Section 34 of the *Planning Act*. Prior to the Municipality processing the application, it is required that a copy of the attached application form be completed including the required sketch and processing fee of \$3,300. The application fee for a temporary use by-law is \$1,200 and the fee for a renewal of a temporary use by-law is \$750.

Please note:

- The application must be completed in metric units.
- The receipt of inaccurate information may cause delays in the processing of this application.
- Additional information, studies and/or reports may be required by the Municipality prior to approval being granted. The Municipality reserves the right to determine what information is necessary in order to properly process an application.
- Any external consultants' costs that the municipality may incur as a result of the review of this application will be the responsibility of the applicant as noted on page 5 of this application.

### APPLICATION SUBMISSION

Please submit the application and fee to:

Planning and Development Services Department  
Municipality of Middlesex Centre  
10227 Ilderton Road  
Ilderton, ON N0M 2A0

Marion-Frances Cabral  
Planner  
T: 519.930.1006  
Email: [mcabral@middlesex.ca](mailto:mcabral@middlesex.ca)

### APPLICATION PROCESS

<b>Step 1</b>	<b>Consult with Planning Staff:</b> Applicants are encouraged to meet with Staff prior to submitting an application.
<b>Step 2</b>	<b>Application submission:</b> Complete the attached application form and include the required processing fee. (Fees are subject to change. Refer to the current Fee By-law.)
<b>Step 3</b>	<b>Complete application accepted:</b> The file is opened and timelines for processing are established.
<b>Step 4</b>	<b>Notice of Public Meeting:</b> The application is circulated to the public, agencies and municipal departments. The public circulation applies to every property owner within 120 metres of the subject land and to every person and public body that has provided a written request for such notice. A "Planning Meeting" sign is erected on the subject land.
<b>Step 5</b>	<b>Planning Evaluation Report:</b> Staff undertakes an evaluation of the application using the relevant planning policy documents. A recommendation is provided to Municipal Council.

<b>Step 6</b>	<b>Public Meeting:</b> The public meeting of Municipal Council is generally heard on the third Wednesday of every month. It is recommended that you and/or your agent attend the Meeting to explain the reasons for your application. Municipal Council will consider your application as well as staff's recommendation. In addition, members of the public will be given an opportunity to speak to your application. Council will then render a decision regarding the proposal.
<b>Step 7</b>	<b>Appeal period:</b> Following the decision of Council and subject to the conditions specified in the Planning Act, an appeal may be made to the Ontario Land Tribunal (OLT) by filing a notice of appeal with the Clerk of the Municipality. Visit <a href="https://olt.gov.on.ca/">https://olt.gov.on.ca/</a> for more information.
<b>Step 8</b>	<b>Enactment:</b> If the Zoning By-law Amendment was passed by Council and no appeal is submitted, the Zoning By-law Amendment comes into force following the lapsing of the appeal period.

## APPEAL TO THE ONTARIO LAND TRIBUNAL

If an application is made for a zoning by-law and Council fails to make a decision within 150 days after the day the application is deemed complete by Staff, the applicant may appeal to the Ontario Land Tribunal (OLT) with respect to the consent application.

Anyone may appeal a decision of Council to the OLT within 20 days of the date of the Notice of the Passing of the Municipal Clerk by personally delivering or sending a Notice of Appeal to the Clerk of the Municipality and the required forms, downloadable from the OLT website (<https://olt.gov.on.ca/>). The appeal must set out the reasons for objecting to the decision, and must include the prescribed fee. The Municipal Clerk will then prepare an appeal package and forward it to the OLT. The OLT will schedule a hearing and give written notice of the time and date in advance of the hearing. The decision of the OLT is considered final.

## zoning by-law amendment application

PURSUANT TO SECTION 34 OF THE PLANNING ACT

<b>1. Applicant information</b>	
<b>Registered owner(s) of the subject land</b>	
Name:	
Address:	
Town:	Postal Code:
Phone:	Cell:
Fax:	Email:
<b>Authorized agent (authorized by the owner to file the application, if applicable)</b>	
Name:	
Address:	
Town:	Postal Code:
Phone:	Cell:
Fax:	Email:

<b>2. The date of the application:</b>
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<b>3. If known, please indicate the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land. Provide a separate sheet where needed.</b>	
Name:	
Address:	
Town:	Postal Code:
Phone:	Cell:
Fax:	Email:

<b>4a. Current Official Plan land use designation:</b>
<b>b. Please explain how this application conforms to the Official Plan?</b>

<b>5a. Current Zoning:</b>
<b>b. Please explain the nature and extent of the rezoning?</b>

**c. Please provide the reason why the rezoning is requested?**

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**6. Description of subject land**

Geographic Township:	Concession(s):	Lot(s):
Registered Plan:	Lot(s):	
Reference Plan:	Part(s):	
Street Address:	Municipal Roll Number:	

**7. Dimensions of subject land (in metric units)**

Frontage:	Depth:	Area:
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**8. Access to subject land** (please provide information for only those that apply to this property)

Provincial Highway:	County Road:
Municipal Road:	Other Public Road:
Right of Way:	Water:

**Item 15 to the Schedule of Ontario Regulation 545/06 applies only if access is by water.**

**9. Describe all existing uses of the subject land?**

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**10. Please indicate whether there are any existing buildings or structures on the subject land?**

Yes\*  No

\*If yes, please complete the following table indicating the types of buildings and structures, including date of construction, that currently exist on the lot and the specified measurements (in metric units):

Type of Building / Structure	Date of construction	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area

**11. Describe all proposed uses of the subject land?**

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**12. Please indicate whether any buildings or structures are proposed to be built on the subject land?**Yes\*  No 

\*If yes, please indicate the type of buildings or structures proposed on the subject land and the specified measurements (in metric units):

Type of Building / Structure	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area

**13. Please indicate the date when the subject land was acquired by the current owner?****14. Please indicate the length of time that the existing uses of the subject land have continued?****15. Water Supply:** Water supply will be provided via?

<input type="checkbox"/>	publicly owned and operated piped water system	<input type="checkbox"/>	lake or other water body
<input type="checkbox"/>	privately owned well or communal well	<input type="checkbox"/>	other (please specify) _____

**16. Sewage Disposal:** Sewage disposal will be provided via?

<input type="checkbox"/>	publicly owned and operated sanitary sewage system	<input type="checkbox"/>	privy
<input type="checkbox"/>	privately owned individual or communal septic system	<input type="checkbox"/>	other (please specify) _____

**17. Please indicate if the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed.**Yes\*  No 

\*If yes, have the following reports been submitted as part of the requested amendment?

<input checked="" type="checkbox"/>	servicing options report	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input checked="" type="checkbox"/>	hydrogeological report	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**18. Storm Drainage:** Storm drainage will be provided via?

<input type="checkbox"/>	storm sewers	<input type="checkbox"/>	swales
<input type="checkbox"/>	municipal drainage ditches	<input type="checkbox"/>	other (please specify) _____

<b>19. Indicate the minimum and maximum density and height requirements if applicable:</b>			
	Minimum	Maximum	
Height			
Density			

  

<b>20. Is this an application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: (please use a separate sheet)		

  

<b>21. Does this application remove land from an area of employment?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment: (please use a separate sheet)		

  

<b>22. Are the subject lands within an area where zoning with conditions applies?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, provide an explanation of how the proposed amendment complies with the Official Plan policy relating to the zoning with conditions: (please use a separate sheet)		

  

<b>23. If known, has the subject land ever been the subject of:</b>		
An application for an amendment to the Official Plan under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for an amendment to the Zoning By-law under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
A Minister's zoning order under the <i>Planning Act</i> ? *If yes, provide the following: Reg. No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for approval of a Plan of Subdivision under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for an application for Consent under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>

  

<b>24. Please indicate how the application is consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at <a href="http://ontario.ca/page/land-use-planning">ontario.ca/page/land-use-planning</a>)?</b>

  

<b>25. Is the subject land within an area of land designated under any provincial plan or plans?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, explain how the requested amendment conforms or does not conflict with the provincial plan or plans.		

**26. Does your proposed strategy for consulting with the public regarding the subject application exceed the Planning Act's minimum requirements?**

Yes\*

No

\*If yes, elaborate on the additional consultation proposed.

**Items 30 and 31 to the Schedule of Ontario Regulation 546/06 apply only if the subject land is within an area of land designated under any provincial plan or plans.**

**27. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in processing the application. Please fill out the checklist below to ensure you have included all the required information.**

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- 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 (for example buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks)
- The current uses on land that is adjacent to the subject land.
- 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.
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easements affecting the subject land.

#### **MUNICIPAL COSTS**

Please be advised that the municipality may incur expenses associated with obtaining outside legal/engineering/planning review/assistance from its consultants, relating to your application. Any expenses that the municipality incurs in this regard will be forwarded to you, the applicant, for payment.

I, \_\_\_\_\_, (the applicant) acknowledge that I will pay all legal/engineering/planning expenses the municipality incurs as outlined above.

Signature

Date

**AGENT AUTHORIZATION** (\*Please complete for an agent to act on behalf of the owner of the subject land.)

I, \_\_\_\_\_, being the owner of the property described in Section 1 of  
(Name)

this application for zoning by-law amendment, hereby authorize \_\_\_\_\_  
(Agent)

to act as my agent in matters related to this application for zoning by-law amendment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Owner

**STATUTORY DECLARATION**

I, \_\_\_\_\_ of the \_\_\_\_\_  
(Name) (Name of City, Town, Township, Municipality, etc.)

in the \_\_\_\_\_  
(Name of County, Region or District)

**SOLEMNLy DECLARE THAT**

The information provided in this application as required under Section 34 of the Planning Act and Ontario Regulation 546/06 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

Declared before me at the \_\_\_\_\_

of \_\_\_\_\_ in the \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
A Commissioner of Oaths

\_\_\_\_\_  
Applicant or Authorized Agent\*