



Instructions for Zoning By-law Amendment Application

PLEASE DETACH AND RETAIN THE FIRST TWO PAGES FOR FUTURE REFERENCE

BACKGROUND INFORMATION

This process pertains to an application for zoning by-law amendment pursuant to Section 34 of the Planning Act. Prior to the Village processing the application, it is required that a copy of the attached application form be completed including the processing fee of \$85.00.

Please note:

- **The Village of Newbury is the approval authority for zoning by-law amendments.**
- 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 Village prior to approval being granted. The Village reserves the right to determine what information is necessary in order to properly process an application.

APPLICATION SUBMISSION

Please submit the application, sketch and fee to:

Village of Newbury
22910 Hagerty Rd.
Newbury, ON
N0L 1Z0

APPLICATION PROCESS	
Step 1	Consult with Staff: Applicants are encouraged to meet with Staff prior to submitting an application. Depending on the nature of the application, you may be required to submit studies in support of your proposal.
Step 2	Application submission: Complete the attached application form and include the submission of the required sketch and processing fee.
Step 3	Complete application accepted: The file is opened and timelines for processing are established.
Step 4	Notice of Public Meeting: 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.
Step 5	Public Meeting: Public meetings are generally heard on the second Monday of every month. The purpose of the meeting is to hear from members of the public. It is expected that you and/or your agent will attend the meeting to explain the reasons for your application. Council may grant or deny the application, or defer its decision. In the case of a deferral, the applicant and/or your agent will be notified by the Clerk of the date on which Council will further consider the application and/or the public meeting will resume.
Step 6	Notice of Decision: <ul style="list-style-type: none"> ○ If the By-law is passed, a notice is circulated as required under the Planning Act. ○ Where an amendment is refused, the owner and anyone who made written request to the Village Clerk for notice are informed of the decision. ○ Where an application is referred back to staff, the owner should contact staff to discuss the options and opportunities going forward, and for clarification of the referral.
Step 8	Appeal period: Following the decision of Council and subject to the conditions specified in the Planning Act, an appeal may be made to the Ontario Municipal Board (OMB) by filing a notice of appeal with the Clerk of the Village. Visit www.omb.gov.on.ca for more information
Step 9	Enactment: If no appeal is submitted, the Zoning By-law amendment is enacted and brought into force.

APPEAL TO THE ONTARIO MUNICIPAL BOARD

If an application is made for a zoning by-law and Council fails to make a decision within 120 days after the day the application is deemed complete by Staff, the applicant may appeal to the Ontario Municipal Board (OMB) with respect to the consent application.

Within 20 days of the date that the Notice of the Decision is completed, any of the following may appeal to the OMB:

1. The applicant;
2. A person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the Council; and,
3. The Minister.

The appeal must be filed with the Village Clerk, must set out the reasons for the objections to the decision, include the reasons in support of the appeal, and must include a cheque in the amount of \$300.00, made payable to the Minister of Finance of Ontario. The Clerk will then prepare an appeal package and forward it to the OMB. The OMB will schedule a hearing and give written notice of the time and date in advance of the hearing. The decision of the OMB is considered final.



For Office Use Only	
Date Received:	
File Number:	

Zoning By-law Amendment Application

Pursuant to Section 34 of the Planning Act

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

2. 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.	
Name:	
Address:	
Town:	Postal Code:
Phone:	Cell:
Fax:	Email:

3a. Current Official Plan land use designation:

b. Please explain how this application conforms to the Official Plan?

4a. Current Zoning:

b. Please explain the nature and extent of the rezoning?

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

5. Description of subject land

Geographic Municipality:

Lot(s)/Concession:

Registered Plan:

Lot(s):

Reference Plan:

Part(s):

Street Address:

Municipal Roll Number:

6. Dimensions of subject land (in metric units)

Frontage:

Depth:

Area:

7. 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:

8. Describe all existing uses of the subject land?

9. 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

10. Describe all proposed uses of the subject land?

11. 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

12. Please indicate the date when the subject land was acquired by the current owner?

13. Please indicate the length of time that the existing uses of the subject land have continued?

14. 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	<input type="checkbox"/>	other (please specify) _____
<input type="checkbox"/>	privately owned communal well		

15. 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 septic system	<input type="checkbox"/>	other (please specify) _____
<input type="checkbox"/>	privately owned communal septic system		

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

17. 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) _____

18. Indicate the minimum and maximum density and height requirements if applicable:		
	Minimum	Maximum
Height		
Density		

19. Is this an application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
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*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)*

20. Does this application remove land from an area of employment?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
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*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)*

21. Are the subject lands within an area where zoning with conditions applies?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
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*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)*

22. If known, has the subject land ever been the subject of:		
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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"/>
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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"/>
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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"/>
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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"/>
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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"/>
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23. Is this application is consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at www.mah.gov.on.ca)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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24. Please describe how you intend to consult with the public with respect to the application.		
As per the requirements of the Planning Act only?	Yes <input type="checkbox"/>	No* <input type="checkbox"/>
<p>*If no, provide details on how you intend to consult beyond the requirements of the Planning Act below: <i>(please use a separate sheet if necessary)</i></p>		

25. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in procession the application. Please fill out the checklist below to ensure you have included all the required information.
<ul style="list-style-type: none"> <input type="checkbox"/> The boundaries and dimensions of the subject land. <input type="checkbox"/> 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. <input type="checkbox"/> 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) <input type="checkbox"/> The current uses on land that is adjacent to the subject land. <input type="checkbox"/> 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. <input type="checkbox"/> If access to the subject land will be by water only, the location of the parking and docking facilities to be used. <input type="checkbox"/> The location and nature of any easements affecting the subject land.

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 Authorize Agent*

AGENT AUTHORIZATION

(Please complete the authorization 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