

APPLICATION FOR ZONING BY-LAW AMENDMENT

Planning Act, R.S.O. 1990, c. P.13, as amended

INFORMATION FOR APPLICANTS

Please read carefully

- I. **Six copies** of the application must be submitted in **metric** dimensions by the Applicant or agent. If an agent is submitting the application, the Applicant must complete the **authorization** at the bottom of the last page of the application form.
- II. **All** questions must be answered. If a question does not pertain to your application, please enter "N/A" so we can be sure it wasn't simply overlooked.
- III. A **metric scale drawing(s)**, a copy of the **parcel register** for the property, and the **application fee** must accompany the application before it will be accepted.

III. PROCEDURE

1. An application for an amendment to the Zoning By-law is submitted together with the **\$850.00 fee** payable to the Township of Alberton.
2. The Clerk shall circulate each application to property owners within a 120 metre radius of the applicant's property.
3. The application is scheduled for consideration by Council. Before a proposed by-law can be passed by Council, at least one public meeting must be held, notice of which must be given at least 20 days in advance. In this instance, consideration of the application and the public meeting take place at the same time. A draft by-law is prepared for the public meeting. It is the responsibility of the Applicant to be satisfied that the content of the by-law is acceptable. Where the Clerk makes use of a legal description submitted by the Applicant for the purposes of preparing a by-law, the Township accepts no responsibility for the accuracy of the description. It is the Applicant's responsibility to be satisfied that the legal description describes the property for which the zoning amendment has been requested.
4. Where an application for a zoning amendment is refused or Council refuses or neglects to make a decision within 90 days of receiving the application, the Applicant may appeal to the Ontario Municipal Board under Section 34(11) of the *Planning Act*, R.S.O. 1990.
5. If Council decides to amend the Zoning By-law, the Applicant will be notified. Any conditions placed on the approval must be met before the passage of the by-law.

NOTE: In the case of zoning amendments which will permit the property to be subdivided, a conditional consent must be obtained from the Committee of Adjustment prior to the passage of the by-law.

6. Once all conditions are met, the passage of the by-law will be considered by Council.
7. After the by-law is passed, a notice that Council has passed the by-law is sent to all owners within 120 metres of the property, as well as to various public bodies and anyone else who has requested notification of the passage of the by-law.
8. If no appeal to the by-law is lodged with the Clerk within 20 days from the date the notice of passing was given, the process is finalized with the issuance of an affidavit or declaration by the Clerk. A copy of this document is sent to the Applicant.
9. If the by-law is appealed, the appeals are forwarded to the Ontario Municipal Board (OMB). The Committee of the Whole of Council will review the objections and decide if the by-law should be repealed or amended. When the by-law is forwarded to the OMB, a hearing may be held prior to the approval, rejection or modification of the by-law by the OMB. The Applicant will be required to provide a written commitment to reimburse the Township for any legal fees and disbursements incurred by the Township in the preparation and presentation of evidence in support of the by-law at any such hearing. The applicant will also be required to provide a deposit of \$2,500.00 for the legal fees and disbursements to be incurred.

CHECKLIST - APPLICATION FOR ZONING BY-LAW AMENDMENT

Did you remember to:

- **Provide 6 copies of the application?**
- **Answer all questions and submit the required information on the application?**
- **Have the application form signed and dated? Agents MUST have the Applicant's authorization attached or the application will not be accepted.**
- **Submit the required parcel register, a previous use inventory (if required) and metric scale drawing(s) with all required information shown?**
- **Submit the required \$850.00 application fee payable to the Township of Alberton?**