

APPLICATION FOR ZONING BY-LAW AMENDMENT INFORMATION SHEET

1. Completion of Application

The attached application form is to be completed and submitted to the Planning and Land Information Department. In all cases, please ensure that you keep a copy for your records.

Every application must be complete. The information that is prescribed by Ontario Regulation 545/06 must be provided by the applicant. If the mandatory information is not provided, the Municipality will return the form or will refuse to consider the zoning by-law amendment until the prescribed information has been provided.

The application requests additional information that will assist the Municipality and others in their planning evaluation of the proposed zoning by-law amendment. To ensure the quickest and most complete review, this information should be submitted along with the prescribed information.

2. Authorization of Agent

The application should be completed by the property owner or his authorized agent. Where the application is being submitted by an agent, the written authorization of the owner is required. Section "D" of the application is provided for this purpose.

3. Application Fee and Planning Services Acknowledgment

Each application shall be accompanied by the application fee (cash, e-transfer, cheque – made payable to the Municipality of Dysart et al), and shall be accompanied by one signed, witnessed and dated copy of the attached "Planning Services Acknowledgment".

The applicable application fee will be based on the Municipality's Fees and Charges By-law and provided to the applicant during the pre-consultation process. Below is a summary of the Official Plan Amendment application fee schedule and applicable definitions.

Major Zoning Bylaw Amendment Application ² :	\$3450.00
Minor Zoning Bylaw Amendment Application ³ :	\$1500.00
Temporary Use Bylaw Application:	\$1200.00
Request to Lift Holding (H) Provision:	\$750.00

²Major Zoning Bylaw Amendment:

A "Major" Zoning Bylaw amendment is a Zoning Bylaw amendment that (one or more may apply):

- i) Requires a major amendment to the Municipality's Official Plan and/or an amendment to the County of Haliburton's Official Plan;

- ii) Requires extensive studies and/or consultation and collaboration with external agencies;
- iii) Constitutes a change of use to permit new Commercial, Industrial, Extractive or Institutional uses;
- iv) Constitutes a substantial increase in density (ex: accompanying an application for Plan of Condominium or Subdivision, conversion to medium or high-density residential use from low density residential use.).
- v) Constitutes a substantial increase in the development envelope or density for existing Commercial, Industrial, Extractive or Institutional uses.

³Minor Zoning Bylaw Amendment:

A “Minor” Zoning Bylaw amendment is a Zoning Bylaw amendment that:

- i) Applies to a single parcel or land for low density residential use, including the construction of an additional dwelling unit;
- ii) Permits additional ancillary or accessory uses or structures that are compatible with the existing Zone designation and Official Plan policies;
- iii) Permits minor increases in floor area, height, parking areas, etc., for existing Commercial, Industrial or Institutional uses;
- iv) Clarifies existing zone boundaries through a professional evaluation (ex: a qualified professional providing revised environmental protection boundaries, hazard land boundaries, etc.).

4. Pre-Consultation:

A pre-consultation is not mandatory for this process. However, applicants for zoning bylaw amendment are encouraged to submit a request for pre-consultation review to the Municipality in advance of application submission.

5. Plans Required

Each application shall be accompanied by two (2) copies of a plan showing:

- (a) The boundaries and dimensions of the property.
- (b) The accurate location, size and type of all proposed and existing buildings and structures on the property.
- (c) The distance from side, rear and front lot lines of all existing or proposed buildings.
- (d) The location, width and names of all roads within or abutting the property, indicating whether they are public travelled roads, private roads or rights of way or unopened road allowances. The location and number of parking and loading spaces, ingress, egress and direction of traffic.
- (e) The location of all natural and artificial features on the property (*i.e. railways, wells, septic tanks, drainage ditches, watercourses, slopes, swamps, wooded*

areas), the location of any of these features on adjacent lands which may affect the proposal, and any proposed changes to the land, such as grading, blasting, planting or channelization.

- (f) The use of adjoining lands (*i.e. residential, agricultural, commercial, etc.*).
- (g) The location and nature of any restrictive covenant or easement affecting the property.

Please Note: All reports and plans must be submitted in digital format and hard copy.

6. Additional Information

Additional information, such as a survey plan may be required to properly process the application and will be requested if necessary.

- 7. A copy of the current property identification number (PIN) sheet for the property.
<https://help.onland.ca/en/property-search/>

8. Declaration Required

The contents of this application and any maps/appendices shall be validated by the applicant in the form of a statutory declaration before a Commissioner or other person empowered to take affidavits.

9. Responsibility of Applicant

The filing of this application is considered as an undertaking by the applicant to accept all conditions herein set forth.

10. Effective Date

The effective date of this application shall be deemed to be that on which it is received with sufficient information.

11. Submission

Mail or deliver the application to: Municipality of Dysart et al
Planning and Land Information Department
135 Maple Ave
P.O. Box 389
Haliburton, ON
K0M 1S0
info@dysartetal.ca

APPLICATION FOR AMENDMENT TO ZONING BY-LAW

Planning Act R.S.O. 1990, C.P. 13
O. Reg. 545/06, as amended

OFFICE USE ONLY

Pre-Consultation File: _____			
Date Application Received: _____	File Number: _____		
Date Application -Complete: _____	Application Fee: \$ _____	Receipt: _____	

The undersigned hereby applies to the Municipality of Dysart et al for an amendment to the Zoning By-law for the lands described herein.

SECTION "A" - OWNER AND OWNERSHIP INFORMATION

1. Name of Owner(s): _____
Telephone No.: _____ Residence: _____ Office: _____
Address: _____
_____ Postal Code: _____
E-mail address: _____
2. Name of Agent (*if any*): _____
Telephone No.: _____ Residence: _____ Office _____
Address: _____
_____ Postal Code: _____
E-mail address: _____

Note: Unless otherwise requested, all communications will be sent to the agent, if any.

3. (a) Encumbrances (*mortgages*): Yes __ No __
(b) If yes: Name: _____
Address: _____
(c) Letter of Consent of Mortgagee (*required before the application will be processed*).

SECTION "B" - DESCRIPTION OF SUBJECT LAND

4. Legal Description of subject land:

Lot: _____

Concession: _____

Lot/Part: _____

Plan: _____

Geographic Township of: _____

Civic Address: _____

5. Dimensions of land affected:

Area: _____

Frontage: _____

6. Access:

(a) Is the lot accessed by road? Yes __ No __

If yes:

Provincial Highway (*name*): _____

County Road (*name*): _____

Municipal Road (*name*): _____

Private Right of Way (*name*): _____

(b) Is the lot a water access lot? Yes __ No __

If yes; where is the mainland boat docking facilities?

SECTION "C" - PLANNING INFORMATION

7. Official Plan: _____

8. Explain how the applications conform to the Official Plan: _____

9. (a) Present Zoning: _____

(b) Zoning Requested: _____

(c) Reasons for Change: (*give detailed description*)

10. Land Use:

(a) Existing Land Uses: *(give detailed description - be specific)*

(b) Dates Existing Land Uses Established:

(c) Proposed Land Uses: *(give detailed description - be specific)*

	<u>EXISTING</u>	<u>PROPOSED</u>
Number of dwelling units	<hr/>	<hr/>
Number of other buildings <i>(describe use and size of each - attach additional sheet if necessary)</i>	<hr/>	<hr/>
Building area of each building	<hr/>	<hr/>
Front building setback	<hr/>	<hr/>
Exterior side building setback	<hr/>	<hr/>
Interior side building setback	<hr/>	<hr/>
Rear building setback	<hr/>	<hr/>
Building setback from high water	<hr/>	<hr/>
Building height(s)	<hr/>	<hr/>
Gross floor area(s)	<hr/>	<hr/>
Landscaped open space	<hr/>	<hr/>
Planting strip width	<hr/>	<hr/>
Number of parking spaces	<hr/>	<hr/>
Number of delivery spaces	<hr/>	<hr/>
Number of loading spaces	<hr/>	<hr/>
Driveway width	<hr/>	<hr/>

11. Servicing: Indicate the following:

Sewage Disposal System <i>Please check one</i> - municipal sewers: _____ - private communal sewers: _____ - private individual system - (septic system, filter bed, etc.): _____ - other (please specify): _____	Storm Drainage System <i>Please check one</i> - municipal storm sewer: _____ - storm water pond: _____ - ditches and swales: _____
Water System <i>Please check one</i> - municipal water system: N/A - private communal system - (5 or more users): _____ - private individual system: _____	Water Source <i>Please check one</i> - drilled well: _____ - dug well: _____ - lake: _____ - other (please specify): _____

12. If the application proposes development on a privately owned and operated individual or communal septic system, and more than 4500 litres of effluent would be produced per day, attach:

- (a) a servicing option report: _____
- (b) a hydrogeological report: _____

13. Provincial Policy:

Table 1 below lists the features or development circumstances of interest to the County and Provincial agencies. Complete Table 1 and note the potential Information requirements of each section. Attach a separate sheet explaining how the proposal is consistent with the Provincial Policy Statement.

Table 1 Significant Features Checklist

Features or Development Circumstances	If a feature, is it on site or within 500 metres OR (b) If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	YES (✓)	NO (✓)		
Non-farm development near designated urban areas or rural settlement areas				Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion or urban areas or rural settlement areas.
Class 1 industry ¹			Metres	Assess development for residential and other sensitive uses within 70 metres.

Features or Development Circumstances	If a feature, is it on site or within 500 metres OR (b) If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	YES (✓)	NO (✓)		
Class 2 industry ²			Metres	Assess development for residential and other sensitive uses within 300 metres.
Class 3 industry ³			Metres	Assess development for residential and other sensitive uses within 1000 metres.
Landfill Site			Metres	Address possible leachate, odour, vermin and other impacts
Sewage Treatment Plant			Metres	Assess the need for a feasibility study for residential and other sensitive land uses
Waste Stabilization Pond			Metres	Assess the need for a feasibility study for residential and other sensitive land uses
Active Railway Line			Metres	Evaluate impacts within 100 metres
Controlled access highways or freeways including designated future ones			Metres	Evaluate impacts within 100 metres
Operating mine site			Metres	Will development hinder continuation or expansion of operations?
Non-operating mine site within 1000 metres			Metres	Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater				Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric transformer station			Metres	Determine possible impacts within 200 metres.
High voltage electric transmission line			Metres	Consult the appropriate electric power service
Transportation and infrastructure corridors				Will the corridor be protected?
Prime agricultural land				Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.
Agricultural operations			Metres	Development to comply with the Minimum Distance Separation Formulae
Mineral aggregate resource areas				Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations			Metres	Will development hinder continuation of extraction?
Mineral and petroleum resource areas				Will development hinder access to the resource or the establishment of new resource operations?

Features or Development Circumstances	If a feature, is it on site or within 500 metres OR (b) If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	YES (✓)	NO (✓)		
Existing pits and quarries			Metres	Will development hinder continued operation or expansion?
Significant wetlands			Metres	Demonstrate no negative impacts
Significant portions of habitat of endangered and threatened species			Metres	Demonstrate no negative impacts
Significant fish habitat, woodlands southeast of the Canadian Shield, valleylands, areas of natural and scientific interest (ANSI) and wildlife habitat			Metres	Demonstrate no negative impacts
Sensitive groundwater recharge areas, headwaters and aquifers				Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected
Significant built heritage resources and cultural heritage landscapes				Development should conserve significant built heritage resources and cultural heritage landscapes
Significant archaeological resources				Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed, catalogued and analyzed prior to development.
Erosion Hazards				Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains				Where one-zone flood plain management is in effect, development is not permitted within the Flood Plain. Where two-zone flood plain management is in effect, development is not permitted within the floodway. Where a special policy area (SPA) is in effect, development must meet the official plan policies for the SPA.
Hazardous sites and rehabilitated mine sites			Metres	For development on rehabilitated mine sites, an application for approval from the Ministry of Northern Development and Mines (MNDM) should be made concurrently.

14. Is the property presently the subject of any other applications under the Planning Act?

- | | | | | | | | |
|-----|--|-----|-----|----|-----|----------|-------|
| (a) | Application for zoning by-law amendment | Yes | ___ | No | ___ | File No. | _____ |
| (b) | Application for consent (<i>severance</i>) | Yes | ___ | No | ___ | File No. | _____ |
| (c) | Application for subdivision/condominium approval | Yes | ___ | No | ___ | File No. | _____ |
| (d) | Application for minor variance | Yes | ___ | No | ___ | File No. | _____ |

15. Proposed strategy for consulting with the public.

- (a) consistent with Section 34 of the Planning Act: _____
- (b) other (attached proposed strategy): _____

Note: The Municipality reserves the right to require an enhanced public consultation strategy, depending on the proposal.

SECTION "D" AUTHORIZATION

If the applicant is not the owner of the land that is subject of this application, the owner must complete the following or a similar authorization:

I/We, _____, am/are the registered owner(s) of the lands subject of this application and I/we hereby authorize _____ to prepare and submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

(Date)

Signature of Owner(s)

(Date)

Signature of Owner(s)

SECTION "E" CONSENT OF THE OWNER

The owner must also complete the following or a similar authorization:

I/We, _____ am/are the registered owner(s) of the lands subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I/we hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application. I/We also authorize and consent to representatives of Council, committee members, municipal staff and/or any consultant/professional employed by the municipality for the purpose of processing this application, entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

(Date)

Signature of Owner(s)

(Date)

Signature of Owner(s)

SECTION "F" – AFFIDAVIT

I, WE _____ of the
Township/Town/City of _____ in the County/District/Region
of _____ solemnly declare that all of the above statements contained
in this application are true and I, we 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".

DECLARED before me at the _____)
_____)
of _____ in the _____)
_____)
of _____ this _____)
day of _____, 20____)

Signature of Owner(s) - or Authorized Agent

Signature of Commissioner, etc.

The following acknowledgement must be signed by the registered owner(s), witnessed and dated:

SECTION "G" – PLANNING SERVICES ACKNOWLEDGEMENT

The filing of this application is considered as an undertaking by the registered owner(s) to accept all terms and conditions as set forth herein. Where the applicant is not the registered owner(s), the owner will be responsible for any and all outstanding costs related to the processing of this application.

APPLICANT'S RESPONSIBILITY:

1. The Applicant agrees to provide the Municipality with the following:
 - (a) Any information in the Applicant's possession concerning all planning matters with respect to this application.
 - (b) All surveys, drawings, sketches or plans as required to process this application.
 - (c) The required application fee and deposit, as outlined in the Municipality of Dysart et al Fees and Charges By-law, as amended.
2. The Applicant understands and agrees that where the services of the Municipal Solicitor are required to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
3. The Applicant understands and agrees that where the Municipality is required to engage the services of any other professional, including but not limited to, a surveyor, a hydrologist, a limnologist, etc. to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
4. If Council supports an application and its decision on the application is appealed to the Ontario Land Tribunal (OLT) by someone other than the applicant, the applicant will be responsible for all Municipal costs to defend the decision. These costs may include all

planning fees, legal fees, engineering fees, fees of other professionals, disbursements, reproduction costs, telephone charges, peer review fees and any other reasonable costs which may be incurred by the Municipality.

Additional funds may be requested to fully cover the Municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant.

The applicant will submit a Five Thousand Dollars (\$5,000.00) deposit to the Municipality, upon submission of the file to the Ontario Land Tribunal (OLT). The applicant will be responsible for the full cost of the Municipality's expenses at the hearing.

Any person has the right to appeal Council's decision to the Ontario Land Tribunal. The appeal period extends for 20 days following the mailing of the *Notice of Passing*. An appeal is initiated by filing a *Notice of Appeal*, accompanied by the required fee, with the Municipal Clerk or the Ontario Land Tribunal e-file service. If submitted to the Municipal Clerk, the Municipality will forward the file to the Ontario Land Tribunal.

To appeal to the **Ontario Land Tribunal**, a copy of an appeal form can be located at <https://olt.gov.on.ca/appeals-process/forms/>. An appeal may be filed using the OLT e-file service [E-File Portal | Ontario Land Tribunal \(gov.on.ca\)](https://olt.gov.on.ca/appeals-process/forms/) (first-time users will need to register for a My Ontario Account) by selecting Dysart et al (Municipality) : Clerk and Secretary Treasurer as the Approval Authority. Alternatively, you may submit an appeal in person or by registered mail/courier addressed to the Municipality of Dysart et al, P.O. Box 389, Haliburton ON, K0M 1S0, no later than 4:30 pm on the final date for appeal noted on the notice of decision. The filing of an appeal after 4:30 pm will be deemed to have been received the next business day. If the e-file service is down, you can submit your appeal to mbishop@dysartetal.ca. An appeal will only be processed once all fees are received.

MUNICIPALITY'S RESPONSIBILITY:

5. The Municipality agrees to process the application in accordance with the provision of the Planning Act, R.S.O. 1990,c.p.13, as amended.

SITE VISITS:

6. The Owner(s) acknowledges that Municipal staff, Councillors or Committee members may be required to visit the property which is the subject of this application in order to process this application. The Owner(s) consents to such site visits as may be required.
7. The Owner(s) acknowledges that the processing of this application may require the taking of pictures, either still or video, of the subject property. The Owner(s) consents to such pictures as may be required.

DEPOSITS / INVOICES:

8. The Municipality may require the payment of deposits upon submission of any application. Deposits may be applied to cover peer review fees, professional fees should the Municipality require the expertise or advice of a third-party consultant, as well as any legal costs incurred. Where the Municipality finds it necessary to make use of professional assistance in the processing of this application, the Municipality will request a deposit from the applicant to cover the cost of the service and processing of the application will not continue until the deposit is received by the Municipality. The deposit will be requested upon submission of the application.

Should fees exceed the initial deposit received, the Municipality shall request further deposits or payments of invoices. Additional funds may be requested from time to time, to fully cover the municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant.

The Municipality will keep an accurate record of all costs incurred with respect to planning applications. Upon completion of the processing of an application, the Municipality will reconcile the account for the applications where a deposit has been paid. A refund of the deposit will be made with the exception of those costs incurred by the Municipality.

The applicant agrees to pay promptly, interim accounts from time to time in respect of all reasonable expenses incurred by the Municipality, payment for which has been made by the Municipality or invoices for which have been received by the Municipality.

Below is a summary of the deposits as per the Municipality's Fees and Charges By-law, as amended.

Peer Review Deposit:	\$5000.00
Professional Services Deposit:	\$2500.00
Legal Fees Deposit:	\$750.00
Ontario Land Tribunal Deposit:	\$5000.00

WITNESSED BY:

Per: _____
Signature of Owner(s)

Per: _____
Signature of Owner(s)

DATE: _____, 20