



## Municipality of Dysart et al

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*"The Heart of the Highlands"*

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### HOW TO PRESERVE YOUR RIGHT OF APPEAL

#### PARTICIPATE

To preserve your right of appeal to the Local Planning Appeal Tribunal (LPAT) with respect to a minor variance, a zoning by-law amendment or an official plan amendment application, you must actively participate in the public review process. Specifically, the Planning Act requires that a person or public body must make oral submissions at a public meeting or make written submissions to the Municipality of Dysart et al before a decision is made on the application.

#### REQUEST NOTICE

To be notified of the decision on an application, you must make a written request to the Municipality of Dysart et al for *Notice of the Decision*.

#### SUBMITTING AN APPEAL TO A DECISION

Once a decision is made on an application, the Municipality will issue a *Notice of Decision* to all participants, who have requested notice of the decision in writing. The *Notice of Decision* will outline the final date that you can submit an appeal to a decision on a planning application.

An appeal to any decision on a planning application must be made in writing to the Municipality and submitted, with the applicable fee, prior to the final date for appealing the application.

- To appeal a decision on a minor variance application: you must submit a notice of appeal to the Municipality of Dysart et al setting out the objection to the decision and the reasons in support of the objection. This notice must be accompanied by Appellant Form (A1) of the Local Planning Appeal Tribunal (LPAT) (completed in full) and the prescribed fee of \$400.00, made payable to the Minister of Finance for Ontario. The appeal must be received by the final date of appeal.
- To appeal a decision on a zoning by-law amendment application: you must submit a notice of appeal to the Municipality of Dysart et al setting out the objection to the decision and the reasons in support of the objection. This notice must be accompanied by Appellant Form (A1) of the Local Planning Appeal Tribunal (LPAT) (completed in full) and the prescribed fee of \$1100.00, made payable to the Minister of Finance for Ontario. The appeal must be received by the final date of appeal.  
**Note:** If the appeal argues that the decision is inconsistent with a *Provincial Policy*, a *County of Haliburton Official Plan Policy* or a *Dysart et al Official Plan Policy*, the appeal must explain the inconsistency.
- To appeal a decision on an official plan amendment application: you must participate in the public review process, undertaken by the Municipality of Dysart et al. All comments received by the Municipality of Dysart et al through the public review process, will be forwarded to the County of Haliburton, who are the approval authority for official plan amendment applications.

The County of Haliburton will consider the application and all background information, including all public comments. They will make a decision on the merits of the file and will issue a *Notice of Decision*. Any person who wishes to appeal the decision of the County of Haliburton, must submit a notice of appeal to the County of Haliburton. This notice must be accompanied by Appellant Form (A1) of the Local Planning Appeal Tribunal (LPAT) (completed in full) and the prescribed fee of \$1100.00, made payable to the Minister of Finance for Ontario. The appeal must be received by the final date of appeal.

### **SUBMITTING AN APPEAL TO A NON-DECISION**

To submit an appeal on the failure of the approval authority to make a decision on a planning application, please speak with Municipal staff about the procedure prescribed by the Planning Act.

### **LPAT FORMS**

LPAT Appellant/Applicant appeal forms are available by following the link below:

<https://elto.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>