

ZONING AMENDMENTS

A Zoning By-Law controls the use of land in your community. The Zoning By-Law states:

- How land may be used
- Where buildings and other structures can be located
- The types of buildings that are permitted and how they may be used
- Lot sizes and dimensions, parking requirements, building heights and setbacks from the street and property lines.

If you want to develop your property in a way that is not permitted by the Zoning By-Law, you may apply for a zoning amendment. Council can only consider a change if the new use is allowed by the Official Plan.

Zoning amendment applications are reviewed in relation to the policies of the Provincial Policy Statement and the Official Plan and any applicable provincial plans. Council can consider a zoning change only if the new use is allowed under the Official Plan and is consistent with the Provincial Policy Statement.

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Zoning Amendment Process

- Pre-consultation with Planning Department Staff
- Submit an application
- Application review
- Notice of public meeting in the local newspaper (at least 20 days prior to date of meeting)
- Council meeting
- Appeal period (20 days after Notice of Decision is advertised)
- Approval

Fees

Please consult the Town of Greater Napanee website for applicable fees.

THE APPLICANT IS ALSO RESPONSIBLE FOR ANY FEES ABOVE THE DEPOSIT AND WILL BE INVOICED FOR ALL COSTS.

There may also be fees to external agencies depending on the location and requirements of the application.



ZONING AMENDMENT APPLICATION FEES

The municipality requires an applicant to submit an application fee when applying for a zoning amendment and a deposit to cover all costs associated with processing the application. Any costs above the deposit will be invoiced to the owner/applicant who submitted the application. These costs include consultant fees and advertising costs.

The municipality has found, on average, **a zoning amendment application will cost an owner/application approximately \$5,000.00 to process.** The owner/applicant is responsible for all fees related to process the zoning application.

I, _____ have read the above and agree to reimburse the Town of Greater Napanee
(name of applicant)

for all costs related to my zoning amendment application, once invoiced by the Town.

Dated this _____ day of _____, _____.

Name of Applicant

Municipal Staff

Application for an Amendment to the Zoning By-Law of the Town of Greater Napanee

Under Subsection 34(10.1) of the *Planning Act*

This application form is to be used to request amendments to the Town's Zoning By-Law. In this form, the term "subject land" means the land that is subject of the proposed amendment.

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town of Greater Napanee. A sketch of the subject land must also be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application must accompany the application (see section 10.0).

Note that additional information may be required by the Town or by local and provincial agencies in order to evaluate the proposed amendment. The required information may include studies or reports dealing with such matters as impacts on the environment, transportation network, water supply, sewage disposal, and storm water management. In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41, of the *Planning Act*.

Most of the information requested in this form is prescribed in the Schedule to *Ontario Regulation 545/06* made under the *Planning Act*. This information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also requests other information that will assist the approval authority and others in their planning evaluation of the development proposal. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Upon receipt of an application, the required fee and other information (as required), public notice will be given in accordance with the Regulations under the *Planning Act*. At least 20 days after this public notice, a public meeting will be held concerning the application, as required by the Ontario *Planning Act*.

Zoning By-Law Amendments are circulated to various agencies for their comments. These agencies may require additional information to evaluate the proposal.

The applicant is encouraged to attend the public meeting, to present the proposal. The applicant and other interested parties will be provided a Notice of Decision made by the Committee of Adjustment concerning the application. If no notice of appeal is received within 20 days, the decision of the Committee is final and binding.

To help you complete the application form, please consult the Development Services office at (613) 354-3351.



Town of Greater Napanee
 Development Services
 99-A Advance Ave
 Napanee, Ontario
 K7R 3Y5

Application for an Amendment to the Zoning By-Law of the Town of Greater Napanee

for office use only

Date Received	File No.	Fee(s) Paid
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1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

Name	Address	Phone/E-mail
Registered Owner(s)*		Business
		Home/Cell
		E-mail
Applicant(s)		Business
		Home/Cell
		E-mail
Agent, if any (eg. Planning Consultant)		Business
		Home/Cell
		E-mail
Solicitor		Business
		Home/Cell
		E-mail

*If a company, please give name and phone number(s) of principal owner (or president).

2.0 PROPERTY INFORMATION

Lot(s)/Block(s)	Concession	Registered Plan No.
Reference Plan No.	Part(s)	Parcel No.
Former Municipality	Municipal Address	
Assessment Roll#		

2.1 Particulars of the Subject Land (use metric units):

Frontage	Average Depth	Area
Current Official Plan Designation		Current Zoning Designation

2.2 Provide the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

2.3 Date the subject land was acquired by the current owner: _____

3.0 EXISTING USES OF THE SUBJECT LANDS

3.1	Existing use(s) and duration	
3.2	Previous use(s) and duration	

3.3 List any existing Buildings or Structures on the Property

Building / Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side	Side			

3.4 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act? YES NO DON'T KNOW

4.0 PROPOSED USE OF THE SUBJECT LANDS

4.1 What is the proposed use of the subject lands?

4.2 List any proposed Buildings and Structures (attach a separate page if necessary)

Building / Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side	Side			

4.3 Attach a sketch showing (in metric units):

- a) The boundaries and dimensions of the subject land;
- b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
- c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
- d) The current uses of land that is adjacent to the subject land;
- e) The location, width, name and type of any roads within or abutting the subject land;
- f) The location of parking and docking facilities if access is to be by water only; and
- g) The location and nature of any easements affecting the subject land.

5.0 NATURE OF PROPOSED REZONING

5.1 Describe the nature and extent of the rezoning request.

5.2 State the reason(s) why the rezoning is requested.

5.3 Does the request rezoning conform to the Official Plan? YES NO

If YES, explain how it conforms.

If NO, has an application for an Official Plan amendment been completed? YES NO

6.0 STATUS OF OTHER PLANNING APPLICATIONS

6.1 Have there been any previous applications made under the *Planning Act* for consent, approval of a plan of subdivision or an amendment to the Zoning By-Law or has the subject land ever been the subject of a Minister’s Zoning Order? YES NO

6.2 If YES to 6.1, and if known, list below or attach on a separate page:

Type of Application	File # / Ontario Regulation #	Details	Status

7.0 SERVICING

7.1 Indicate the existing and proposed servicing type for the subject land.

<u>Water Supply</u>	<u>Retained</u>	<u>Severed</u>	<u>Sewage Disposal</u>	<u>Retained</u>	<u>Severed</u>
Public piped water system			Public piped sewage system		
Private communal well(s)			Private communal septic system		
Private individual well(s)			Individual septic system(s)		
Lake or other water body			Other means		
Other means					
<u>Storm Drainage</u>	<u>Retained</u>	<u>Severed</u>	<u>Access</u>	<u>Retained</u>	<u>Severed</u>
Sewers			Provincial highway		
Ditches or swales			County road		
Other means			Municipal road		
			Water		
			Other means		

8.0 PLANNING JUSTIFICATION

8.1 Indicate how the proposed use(s) will be compatible with the surrounding land uses.

8.2 Indicate how the proposed amendment relates to the overall goals and objectives of the Provincial Policy Statement issued under the *Planning Act*.

9.0 DECLARATION

I, _____, of the _____ in the
(name of applicant) (name of municipality/township)

County of _____ solemnly declare that all the information contained in this application and any supporting documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington

this _____ day of _____, _____.

Commissioner of Oaths Applicant

10.0 OWNER'S AUTHORIZATION (If the applicant is not the owner)

I, _____, of the _____ in the
(name of owner) (name of municipality/township)

County of _____ am the owner of the land that is the subject of this application for a

Zoning By-Law amendment and I hereby authorize _____ to act as my agent in this application.

Signature of Owner

11.0 ACKNOWLEDGEMENT

In accordance with the provisions of the *Planning Act*, it is the policy of the Town of Greater Napanee to provide public access to all development applications and supporting documentation.

I, _____, agree and acknowledge that this application and any supporting
(name of applicant)

material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, I hereby consent to the Town photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.

Signature Date

SCHEDULE "B"

TO

PLANNING FEES BY-LAW

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under *the Planning Act*.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeals Tribunal from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Land Tribunal (OLT) in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

Witness

Applicant

Witness

Applicant



The Town of Greater Napanee has a duty to protect employees from all forms of harassment and violence while in the workplace. By signing this application, I agree that all dealings with employees will be handled in a respectful and appropriate manner. I further agree that I and/or persons acting on my behalf, will conform to all applicable policies of the Town of Greater Napanee, which can be provided on request. Breach of a policy could result in processing delays, denial of service or other remedies contained in the approved policy.

Thank you for your cooperation.

Name

Signature

Date