

What is a Zoning By-law Amendment?

If a proposed use or structure on a property does not meet the requirements of the Zoning By-law, the owner may apply for a Zoning By-law amendment, also known as a 'rezoning'. A proposed zoning change must conform to the Official Plan, or an Official Plan amendment may also be required.

The decision to approve or deny a Zoning By-law Amendment is made by the local Municipal Council. Section 34 of the *Planning Act* sets out the process and requirements for Zoning By-law amendment applications.

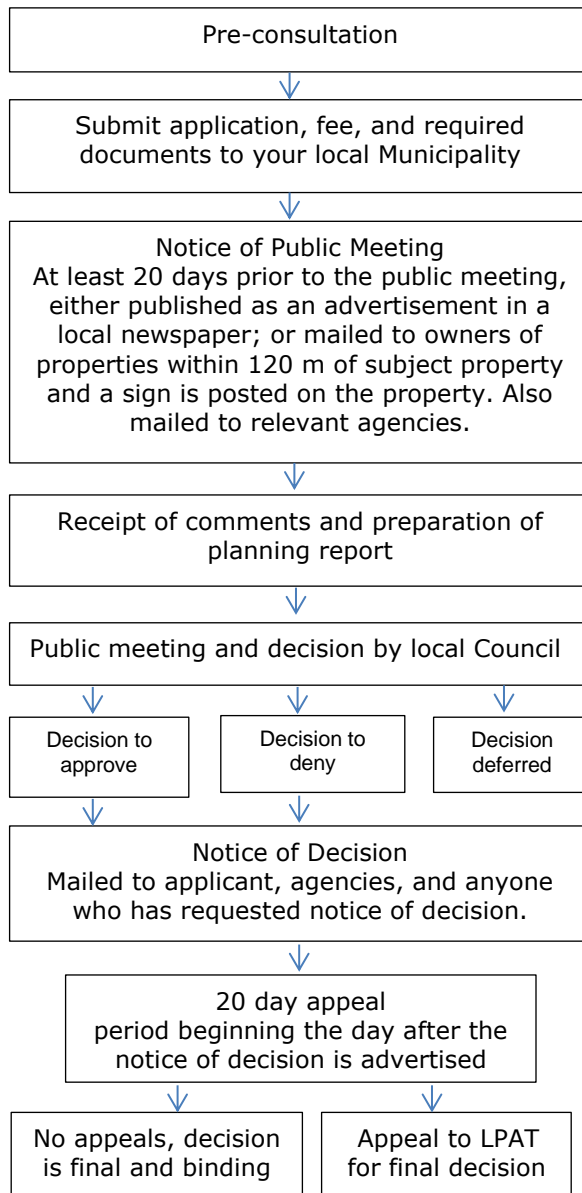
Application

Forms are available online (<https://www.espanola.ca/building-and-planning/land-use-planning>) or at the local municipal office. Completed applications and fee(s) are submitted to the local Municipal office.

The Zoning By-law Amendment Application fee is \$1,031.00 (2019 Fee).

*Additional fees may apply; for example, if the application needs to be reviewed by the Town of Espanola Land Use Planning Consultant.

Zoning By-law Amendment Process



This pamphlet is intended to provide preliminary information only. Last updated: K 201



GUIDE TO THE ZONING BY-LAW AMENDMENT PROCESS



For more information, contact:
 Paula Roque
 Clerk/Manager of Planning Services
 Town of Espanola
 100 Tudhope St, Ste 2
 Espanola, ON, P5E 1S6
 705-869-1540 Ext 2113
 E-mail: proque@espanola.ca

Application Process

1. Preconsultation

Contact the Manager of Planning Services at 705-869-1540 ext 2113 to arrange a meeting. Applicants are encouraged to have a preconsultation meeting prior to submitting an application. During this meeting, the details of the proposal will be discussed to determine if a Zoning By-law Amendment is the best approach and how to apply. Staff will help you understand the process and assist in find solutions to problems.

2. Complete an Application

Please ensure all questions in the application form are answered and detailed explanations are given, especially with respect to the purpose and reasons for the proposed amendment and proposed use of the land. Also, ensure that the application is accompanied with a sketch or copy of the survey showing the property layout, as well as the applicable application fee. Planning application forms are available online at <https://www.espanola.ca/building-and-planning/land-use-planning>; or you can obtain a copy from the Municipal Office.

3. Submit Application and Required Documents

Submit the application, sketch, and fee to your local municipal office. You may wish to call the municipal office in advance to ensure a Commissioner is available to sign the application form, (705) 869-1540.

Application Process (cont.)

4. Notice of Public Meeting

If the information in the application form is complete, a public meeting date is set for the application to be heard by the Municipal Council. Notification of the public meeting will be published in the local newspaper at least 20 days prior to the meeting; and sent by mail to neighbouring property owners within 120 metres of the subject property. Copies of the application are circulated to municipal staff and external agencies as required. The Manager of Planning Services will review the application against provincial and local policies, consider all comments received, and conduct a site visit when required.

5. Public Meeting and Decision

At the public meeting, the Manager of Planning Services will present the planning report and recommendation to the Municipal Council. Those present are given the opportunity to speak. Council may make a decision following the public meeting, or at a later date.

6. Notice of Decision

A notice of the decision which identifies appeal rights is mailed to the applicant. It is also sent to anyone who provided written comments or attended the public meeting and who requested to be notified of the decision of Council. This notice will be sent out within 15 days after the public meeting, the final day for appeals is included, which is 20 days from the day after the notice is mailed is included.

Application Process (cont.)

7. Decision is in Effect

If there are no appeals and the application has been approved, the applicant will be able to apply for a building permit and be in compliance with the zoning by-law. If you have questions about the decision, contact the Manager of Planning Services.



A decision only becomes final and binding if there are no appeals within the twenty day appeal period.

Appeals

Any person who spoke at the public meeting or sent a written submission to the Clerk can appeal the decision of Council within the 20 day appeal period. Appeals are decide by the Local Planning Authority Tribunal (LPAT). Those wishing to appeal must submit a completed Appellant Form to the Municipal Clerk along with the \$300 filing ~~fee payable to the~~ to the Minister of Finance. Website: <http://elto.gov.on.ca/tribunals/lpat/about-lpat/>

For more specific information related to individual applications, or for assistance in completing applications, please call: (705) 869-1540 Ext 2113