



Guide for Official Plan and / or Zoning By-Law Amendment Applications

Introduction

You need to complete an Official Plan and / or Zoning By-Law Amendment Application if:

- you wish to use a property in a way that is different from how it is outlined in our Official Plan
- you are seeking a revision to a requirement in our Zoning By-Law

This guide outlines the procedures followed by the City of Belleville when processing applications to amend the Official Plan and / or Zoning By-law pursuant to sections 17 and 34 of [the Ontario Planning Act, R.S.O. 1990, c. P.13](#), as amended.

Consult this guide before completing your application.

Application Process

1. Pre-Consultation

- You must complete a pre-consultation meeting before you submit your application.
- During your pre-consultation meeting, you will present the details of your proposed amendment.

2. Completing Your Application

- Your application must include the exact nature and details of the amendment you are seeking.
- If helpful, we suggest seeking professional planning and / or legal advice before you submit your application.
- Ensure your application is complete with:
 - all appropriate signatures
 - the required fees
 - any associated plans or materials identified in the pre-consultation meeting
- Incomplete, incorrect, or inaccurate applications will not be accepted or processed until all required information is provided.



- Before submitting, review your application and any notes from your pre-consultation meeting. Contact the Policy Planning Section of the Engineering and Development Services Department if you have any questions. Any revision to your application after it has been submitted may create significant delays in processing time and / or may require more than public meeting.
- Submit your fully completed application to the Planning Department.

3. Processing Your Application

- Your application is reviewed by Planning staff.
- If accepted, a notice of “Complete Application and Public Meeting” will be sent to:
 - you, the applicant
 - any prescribed person or public body, as required by the Ontario Planning Act, R.S.O. 1990, c. P.13, as amended, including all property owners within a 120 meter radius of the land identified in your application
 - members of the Planning Advisory Committee, and
 - anyone who has requested notice
- Your application will then be circulated to other City Departments and relevant local agencies for review and comment.
- There must be a sign placed on the land identified in the application that notifies the public of your application for proposed amendment. We will create this sign and notify you when it is ready for pick-up.
- It is your responsibility to post the sign on the land identified in the application. The sign must be visible to the public. You must submit a picture of the posted sign to the Policy Planning Section of the Engineering and Development Services Department.
- We will prepare a staff report in regard to your application. This report will go to the Planning Advisory Committee for their consideration at the public meeting.

4. The Public Meeting

- Be prepared to address the public, you may be asked to answer questions and support your application.
- Other interested parties have an opportunity to speak in favour or against your application during this meeting.
- Written submissions regarding your application will also be accepted.



5. Analysis and Approval Process

- Discussions and comments from the public meeting, as well as written comments from the public and local agencies are considered by Planning staff when analyzing your application.
- You may be asked to respond to any questions and comments during this analysis of your application. Your responses will become part of the official record.
- You may also amend your application during this analysis period.
- Based on our analysis, Planning staff will complete a recommendation report and submit this to the Planning Advisory Committee for consideration.
- The Planning Advisory Committee will review the staff recommendation report and make a further recommendation to City Council on whether or not to approve your application.
- City Council will consider the recommendations from the Planning Advisory Committee, and will approve or deny your application.
- If City Council approves your application, an amending By-Law will be prepared and passed by City Council.

6. Appeal Period

- Once approved or denied by Council, a “Notice of Decision” will be sent out as required by Sections 17(23) and 34(18) of the Ontario Planning Act R.S.O. 1990, c. P.13, as amended.
- This notice outlines that City Council has approved or denied your application to make an amendment to our Official Plan or Zoning By-Law.
- There is a 20 day appeal period during which anyone who has made a verbal or written submission prior to the passing of the By-Law may file a notice of appeal, accompanied by the required information, and appeal fee to the Local Planning Appeal Tribunal (LPAT), through the City Clerk.
- If no appeals are filed within 20 days of the notice, and if there was a By-Law passed, it will take effect immediately.
- If an appeal is filed within the 20 day appeal period, the appeal will be forwarded to LPAT for processing.

Appeals to the Local Planning Appeal Tribunal (LPAT)

1. Appealing a City Council Approved Application

- During the 20 day appeal period anyone who has made a verbal or written submission prior to the passing of the By-Law may file a notice of appeal by



giving written notice, accompanied by the required information and appeal fee, to the City Clerk.

- To make an appeal to LPAT for a City Council approved application:
 - Send by registered mail or deliver written notice of appeal, including grounds for appeal to our City Clerk.
 - in describing your grounds for appeal, you must include which part of the decision of the municipality/approval authority being appealed:
 - is inconsistent with the Provincial Policy Statement
 - fails to conform with or conflicts with a provincial plan, or
 - fails to conform with an applicable Official Plan
 - Complete an “Appellant Form” found on the LPAT website and submit this form with written notice to our City Clerk.
 - Include a cheque payable to the Minister of Finance for the fee charged under the *Local Planning Appeal Tribunal Act, 2017*.

2. Appealing a City Council Denied Application

- During the 20 day appeal period, you may file a notice of appeal by giving written notice, accompanied by the required information and appeal fee to the City Clerk.
- To make an appeal to LPAT for a City Council denied application:
 - Send by registered mail or deliver written notice of appeal to our City Clerk. The written notice of appeal must include grounds for appeal, and how your application claims to bring these plans into conformity with the Provincial Policy Statement or a Provincial Plan.
 - in describing your grounds for appeal, you must include which part of the decision of the municipality/approval authority being appealed:
 - is inconsistent with the Provincial Policy Statement
 - fails to conform with or conflicts with a provincial plan, or
 - fails to conform with an applicable Official Plan
 - Complete an “Appellant Form” found on the LPAT website and submit this form with your written notice to our City Clerk.
 - Include a cheque payable to the Minister of Finance for the fee charged under the *Local Planning Appeal Tribunal Act, 2017*.

3. Appealing a “No Decision”

- In the case that City Council does not make a decision to approve or deny your application within the legislated time period, you may file an appeal by giving



written notice, accompanied by the required information and appeal fee to the City Clerk.

- To make an appeal to LPAT for a non-Decision by City Council:
 - Send by registered mail or deliver written notice of appeal to our City Clerk. The written notice of appeal must include grounds for appeal, and how your application claims to bring these plans into conformity with the Provincial Policy Statement or a Provincial Plan.
 - in describing your grounds for appeal, you must include which part of the decision of the municipality/approval authority being appealed:
 - is inconsistent with the Provincial Policy Statement
 - fails to conform with or conflicts with a provincial plan, or
 - fails to conform with an applicable Official Plan
 - Complete an “Appellant Form” found on the LPAT website and submit this form with written notice to our City Clerk.
 - Include a cheque payable to the Minister of Finance for the fee charged under the *Local Planning Appeal Tribunal Act, 2017* with the written notice of appeal, and Appellant Form.

Please be advised that the above information is intended to provide an overview of the LPAT appeal process. This document should not replace any formal instruction provided through the LPAT website, or communicated by the City Clerk. For complete information on how to file an appeal to LPAT, you should contact Matt MacDonald, City Clerk, at 613-967-3256 or mtmacdonald@belleville.ca.