

Guide to Zoning By-Law Amendment Process

What is Zoning By-Law Amendment?

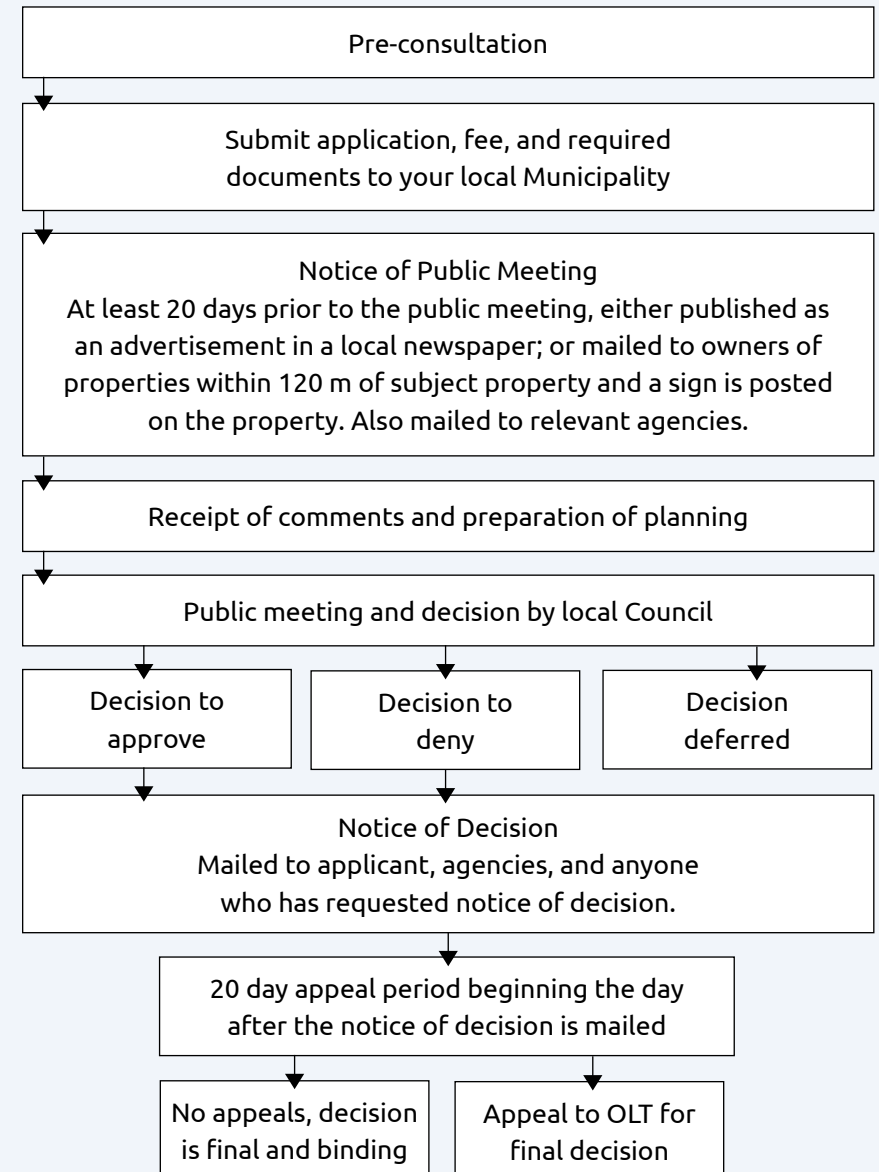
If a proposed use or structure on a property does not meet the requirements of the Zoning By-law, the owner may apply for a Zoning By-law amendment, also known as a 'rezoning'. A proposed zoning change must conform to the Official Plan, or an Official Plan amendment may also be required.

The decision to approval 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.



This guide is intended to provide preliminary information only.
Last updated: July 23, 2024

Zoning By-Law Amendment Process



1. Preconsultation

Contact the Huron County Planning and Development Department at 519-524-8394 Extension 3 or your local Municipal office to arrange a meeting with the Planner for your municipality. Applicants are strongly encouraged to have a pre-consultation meeting with the Planner before they submit 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. The Planner will help you understand the process and assist in finding solutions to problems.

2. Complete an Application

Please ensure all questions in the application form are answered and detailed explanations are given, especially for question #2 (purpose and reasons for proposed amendment) and question #11 (proposed use of the land). Also ensure that the application is accompanied with a sketch or copy of a survey showing the property layout, as well as the applicable application fee. Planning application forms are available online through Cloudpermit at <http://huroncounty.ca/plandev/forms/>.

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3. Submit Application and Required Documents

Submit the application, sketch, fee and any required supporting materials to your local municipality. Application submission is done online through Cloudpermit available here: <https://www.huroncounty.ca/plandev/forms/>

You may wish to call the municipal office in advance to ensure a Commissioner is available to sign the application form. If you require contact information for your local Municipal office, please call the Planning and Development Department at 519-524-8394 Extension 3.

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 either published in a local newspaper at least 20 days prior to the meeting; or sent by mail to neighbouring property owners within 120 metres of the subject property. A sign displaying details of the public meeting is also posted on the subject site if a mailed notice is used. Copies of the application may be circulated to the local Council, municipal staff and external agencies such as the Conservation Authority and Health Unit to obtain comments. The Planner will review the application against provincial, county, and local policies, consider all comments received, and conduct a site visit prior to preparing a planning report.

5. Public Meeting and Decision

At the public meeting, the Planner 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 is mailed to the applicant. It is also sent to any members of the public 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. Listed on this notice is the last day for appeals, which is 20 days from the day after the notice is mailed.

7. Decision is in Effect

If there are no appeals, the applicant will receive a "Clerk's Certificate" in the mail. If 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. Ask your local Planner if you have any questions about the decision.

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

Appeals

Members of the public do not have the right to appeal the decision; only the applicant, the Minister of Municipal Affairs and Housing, a specified person under the Planning Act or public body that has an interest in the matter, may appeal the decision. Please refer to the County of Huron website for details about appeal rights: <https://www.huroncounty.ca/plandev/guides-and-resources/planning-procedures/additional-appeal-information/>.

Appeals are decided by the Ontario Land Tribunal (OLT). Those wishing to appeal must submit a completed Appellant Form to the Municipal Clerk along with the filing fee payable to the Minister of Finance. Website: <https://olt.gov.on.ca/tribunals/lpat/about-lpat/>

Application Forms

Application Forms are available online through Cloudpermit: www.huroncounty.ca/plandev/forms/. Completed applications and fee(s) are submitted to the local Municipality via Cloudpermit.

Fees

The fees schedule is available online here: <https://www.huroncounty.ca/plandev/guides-and-resources/application-fees/>

Further Information

For more specific information related to individual applications, or for assistance in completing applications, please call the number below and ask for the Planner for your local municipality.

Huron County Planning & Development Department

57 Napier St., 2nd Fl Goderich, ON, N7A 1W2

519-524-8394 Ext. 3

E-mail: planning@huroncounty.ca

*“Planning with the
community for a healthy,
viable and sustainable
future.”*

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