
The City of Temiskaming Shores
P.O. Box 2050, 325 Farr Drive, Haileybury, Ontario P0J 1K0

**HELPFUL HINTS TO COMPLETING AN
APPLICATION FOR A ZONING BY-LAW AMENDMENT
Under Section 34 of the Planning Act**

Pre-consult with City Planning Staff before submitting an application.

Section 1: Applicant Information

1.1. Name of Owner: Each owner, whose name is on the deed for the property, must be listed.

1.2. Agent/Applicant: Although it is not necessary, some owners choose to appoint a planner, lawyer, surveyor, contractor, or family member to act on their behalf with respect to the application

Section 2: Location of the Subject Land

2.1. This information can be found on your deed, survey or tax bill. The City Planning Department can also supply this information to you.

- Municipal Address is the 911 Address.

2.2. Easements or restrictive covenants – could be a water or sewer easement in favour of the City, Hydro easement, Right of Way in favor of a neighbour for their driveway, etc.

Section 5: Planning Information

It is recommended that the applicant consult with City Planning Staff before completing this section.

Section 7: Settlement Area Boundary

Consult with City Staff.

Section 9: Existing Uses

9.1. These are the uses that one would see during a site visit to the property.

9.5. Consult with City Staff.

Section 11: History of the Subject Land

11.1. and 11.2. Consult with City staff.

Section 12: Simultaneous Applications

Consult with City Staff.

Section 13: Additional Studies or Information

Consult with City staff.

Section 14: Authorizations

AUTHORIZATION OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION - Personal information collected is the information you provided on the Consent Application Form. This information will be shared with agencies, City staff, neighbours, and the public as required to process the application for Zoning By-law Amendment in accordance with the *Planning Act*.

AUTHORIZATION OF THE OWNER FOR AGENT TO MAKE THE APPLICATION – if you have chosen an agent to represent you with respect to this application (SECTION 1.2 OF THE APPLICATION FORM), this authorization will permit the agent to speak and act on your behalf and will authorize the City to discuss the application with your agent.

AUTHORIZATION OF THE OWNER FOR AGENT TO DISCLOSE PERSONAL INFORMATION – This gives the agent permission to provide YOUR personal information with respect to the application.

Section 15: Declaration

This is to declare that the information contained in the application for is true to the best of your knowledge. **Each owner** must swear a declaration.

City Staff have been appointed Commissioners and will Commission the Affidavit for free. Other Commissioners could be lawyers, law clerks, municipal clerks and treasurers, etc.

The Affidavit must be signed in front of the Commissioner.

Section 16: Sketch

All of the information outlined on the application that pertains to your property must be shown on the sketch in accordance with the *Planning Act*.

Note: If you do not have an existing survey plan, a hand drawn sketch to scale is usually sufficient. If you are unable to obtain accurate measurements, you should consider engaging a surveyor to either prepare the sketch, or to make some preliminary calculations for you.

What happens next?

Once your application is submitted, staff are required by the Planning Act to circulate notice of your application to persons and agencies prescribed by Regulation who may have an interest in the proposed consent. These agencies include the City departments, Provincial Ministries if applicable, and if applicable agencies such as TransCanada Pipelines, Ontario Northland Railway, the Chief of every First Nation Council, etc. These agencies are asked to comment on the application. Their comments are considered by the Council before making a decision on the application.

An official “Notice of Complete Application” and “Notice of Public Hearing” will be mailed to the owner, solicitor and or agent, reporting agencies and to all neighbours within 120 metres at least 20 days prior to the Public Hearing. A notice will also be published in the Temiskaming Speaker.

At the Hearing, Council will ask the City Planner to present the application and give planning evidence in support of the application. The Planner will discuss the application in terms of: Description of the property, the purpose

of the application, uses on adjacent lands, written comments from agencies and neighbours that were circulated, consistency with the Provincial Policy Statement, Official Plan and Zoning By-law. The owner will be given an opportunity to speak to the application and any members of the public that are present who wish to speak to the application can do so. Council may ask questions of the owner or the public.

In making a decision on the application, Council will take into account the Planning Report, and comments from agencies and the public.

Generally, the Hearing will be held and a decision given within 90 days of receipt of a completed application. If a decision has not been reached within 90 days, the applicant has the right to appeal to the Ontario Municipal Board. Before filing such an appeal, however, the applicant should determine the status of the file to see if a decision will be reached within a reasonable time. If all needed information is provided at the time the application is submitted, delays in processing can be avoided.

Once a decision is given, there is a 20-day appeal period, from the date the Notice of Decision is sent out, when the decision of the Council may be appealed to the Ontario Municipal Board. After the appeal period has expired, the decision is final and binding, and the new zoning is in place.