

## Zoning By-law Amendment Process

Council (or the public) initiates a By-law amendment

- 34 (10.01) - Municipality may require preconsultation on any application
- 34 (10.1 & 10.2) - Application filed must include studies or information required by the municipality
- 34 (10.3) - Municipality may refuse to accept application until information received and application fee paid

Application Review

- 34 (10.4) - Municipality has 30 days to notify the applicant and public bodies that the application is complete or incomplete, OR
- 34 (10.9) - If Council refuses the application, must notify applicant in writing with reasons within 15 days

Notice of Public Meeting

- 34 (12) - Municipality must hold at least one meeting and must provide sufficient information to enable public to understand the zoning proposal
- 34 (13) Notice to be given to all prescribed persons and public bodies and contain all prescribed information
- 34 (14.1) - Notice of a public meeting to be given a minimum of 20 days prior to the date of the public meeting

Options for Giving Notice

- O. Reg. 545/06: Notice to be given by 1st class mail to all property owners within 120 m of subject land, **and** by posting a notice clearly visible on the property **OR**
- by publishing a notice in the newspaper that has general circulation in the area affected by the by-law

Public Meeting

- Public meeting must be a meeting of Council or a delegated committee and may be a separate meeting or piggy-backed onto a council meeting
- Anyone wishing to make oral or written presentation must be given opportunity to do so. Public should be advised that failure to do so prohibits them from appealing Council's decision to the OMB

Notice of Passing of By-law

- 34 (18) - Notice of passing must be given within 15 days after the day the by-law was passed
- O. Reg 545/06: notice given by 1st class mail to all property owners within 120 of subject property and to anyone who requested in writing to be notified, **OR**
- by publishing notice in the newspaper
- Notice and copy of by-law must be sent to MMAH

Notice of Appeal

- 34 (19) - Last day of appeal is 20 calendar days after the day the by-law is passed
- 34 (19) - Appeal must be in writing with reasons for the objection and must be filed with the clerk along with appeal fee of \$125 payable to the Minister of Finance
- 34 (23) - Record of appeal must be sent to OMB within 15 days after the last day for filing the appeal