



2022



Perth County

Cultivating Opportunity

Development Planning Manual

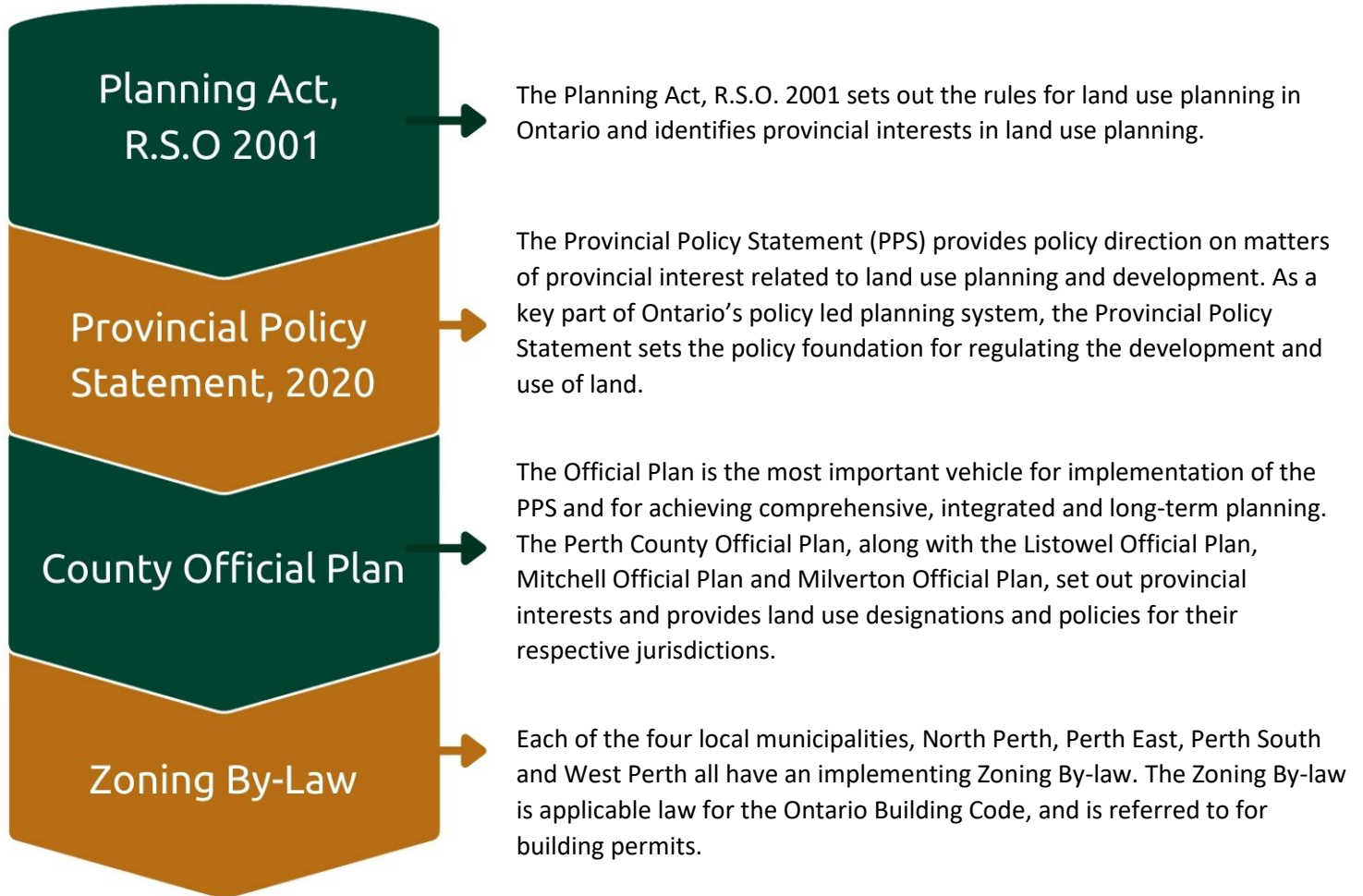


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Planning Authority Hierarchy



Zoning By-law Applications

A Zoning By-law Amendment is required when the use or development on a property does not comply with the local zoning by-law. Applicants may request to amend or rezone a property to permit proposed uses. All changes must comply with the Official Plan. [Section 34 of the Planning Act](#) assigns the Local Municipality Council as the approval authority for Zoning By-law Amendment applications. The corresponding [O.Reg.545/06](#) outlines the notice and appeal requirements.



1.0 Pre-Consultation

- 1.1. A development inquiry relating to zoning is received by the County Planning Department via phone, email or website either directly or by referral from a local municipality.
- 1.2. A request for pre-consultation should include the location of the proposed development, a description of the proposed development and a sketch including the boundaries and dimensions of the subject property, all buildings on the site with dimensions, abutting roads and entrances to the roads. The sketch is also to show all proposed buildings with structures.
- 1.3. Upon receipt of a request for a pre-consultation meeting, the local municipality will coordinate a pre-consultation meeting with municipal reviewers and agency staff who will may have comments regarding the proposal.
 - 1.3.1 Following the pre-consultation meeting, all commenting agencies will provide written comments to the Planner and local municipal staff. The Planner will forward planning comments along with any requirements from commenting agencies to the Applicant and copy municipal and agency reviewers.

2.0 Application Submission

- 2.1 The Applicant submits their application package to the respective municipality. The package must include: Complete Application Form (with a commissioned signature of all property owners), confirmation of ownership, sketch and application fee (see respective Local Municipality's Fees) and is required to address all considerations raised through the pre-consultation process
 - 2.1.1 The local municipal staff receive the application and review it to ensure that all components outlined above are included and completely filled out. The application is date stamped on the day received.
 - 2.1.2 The local staff:
 - Assigns a file number and a by-law number;

- Scans/saves the entire application package and creates a digital file for their files; and
- Forwards the application package to the County Planning Clerk.

2.1.3 The County Planning Clerk:

- Creates a digital file for the County and assigns the file to a Planner;
- Requests circulation materials with the County GIS Department (gis@perthcounty.ca – if urgent include gwhite@perthcounty.ca) via email for: 120-meter Circulation List, 120-meter Circulation Map, Notice Map, Report Photo and Schedule A (with draft text prepared by the Planner). These materials will contribute to the formal Notice of Receipt of Complete Application, Notice of Public Meeting and Council Report. GIS will provide the circulation materials within six (6) business days. The materials are placed into the digital file by GIS Staff once completed;
- Sends the 120-meter circulation list to the local municipality for confirmation that the information corresponds to the most recent data in their tax system. The Municipal Clerk will confirm and send back to the Planning Clerk with any edits/updates.

3.0 Confirmation of a ‘Complete Application’ and Draft Notice of Public Meeting

- 3.1 Within 30 Days of receipt of application: The Planner reviews the Application for completeness against the requirements of the *Planning Act* and logs the date they deem the application complete in the County Tracking System. The Planner notifies the Applicant via email that their application has been deemed complete and copies the Planning Clerk and local municipal staff.
- 3.2 Upon receiving confirmation of complete application from the Planner, the local municipal staff will send the cheque for deposit to financial services.

- 3.3 Within 15 days of deeming the application complete: The Planning Clerk will create a Notice of Complete Application.

***Note – The Notice of Complete Application and Notice of Public Meeting may be combined and circulated/posted together. The Planner will determine timing of these notice processes.**

- 3.4 The Planning Clerk creates the Notice of Public Meeting, according to O. Reg. 545/06. The prescribed notice period for a public meeting for a Zoning By-Law Applications is twenty (20) days and is sent to all properties within a 120-meter distance and a prescribed list of agencies. The notice must be posted 20 days prior to the Public Meeting.
- 3.5 The Planner will confirm the Purpose section of the Notice and the list of agencies requiring circulation with the Planning Clerk.

4.0 Circulation of Notice of Public Meeting

- 4.1 The Planning Clerk completes the circulation materials and provides them to the Local municipal staff prior to the circulation period - the items provided to the Local municipal staff include:
- The Notice of Public Meeting for the posted sign;
 - The Notice of Public Meeting for the mailout;
 - List of prescribed addresses for circulation to property owners within 120 metres to be printed on labels (120-meters); and
 - The list of agencies who are to receive the Notice of Public Meeting.
- 4.2 The local municipal staff will:
- Print and mail the Notice of Public Meeting to 120 m circulation list provided by the Planning Clerk;

- Print and laminate the sign document, then affix it to the Notice of Public Meeting for posting;
 - On or before the first day of the notice period indicated on the Notice of the Application:
 - Post the sign at the subject property;
 - Mail the Notice of Public Meeting to the 120m circulation list;
 - Email the notice to the agencies on the list of agencies provided;
 - Circulate a 'Request for Comment' to internal Staff to request comments regarding the application, with a date when all comments must be received; and
 - Post a copy of the notice on the municipality's website.
- 4.2.1 The person posting the sign should have either a marked vehicle or business cards to respond to any inquiries about posting the sign related to municipal business/planning application.

5.0 Council Report – Local Municipality

- 5.1 The Planner prepares a Planning Report for the Local Council which will include a recommendation to approve, deny or defer the Planning Application.
- 5.1.1 Prior to the agenda circulation deadline set by the Local Clerk, the Planner will send the Report and any attachments via email to the staff person assembling the agenda.
- 5.1.2 Each local municipality has individual preferences as it relates to the format of reports and attachments (i.e. naming convention, posting directly to eScribe or a comparable platform, providing to report package to the CAO) – Planners should confirm with the local municipality what preference/needs exist.

- 5.1.3 The Planner will review their recommendation with the Applicant and assist with any questions they have about public meeting procedures. Applicants are directed to the Council Agenda available on the municipal website for the report package.

6.0 Public Meeting

- 6.1 The Local Clerk will prepare the Public Meeting Agenda according to their procedures and by-laws.
- 6.2 The Planner will attend and present the report and their recommendation (if any feedback received is addressed) to the Local Council.
- 6.3 If a deferral is decided by Council, the Planner will work with the Applicant to address Council's resolution and return to a future council meeting with an updated report and recommendation.

7.0 Notice of Passing

- 7.1 If Council approves the application the Local Clerk will draft and circulate Notice of Passing stating the resolution of Council. The Notice of Passing must be circulated no later than 15 days after the day the by-law is passed to:
- The person or public body that made the application
 - Every person or public body that has provided a written request for the notice of passing
 - The Clerk of the County of Perth (include approved by-law)
 - The Regional Director of the Ministry of Municipal Affairs Municipal Services Office, if requested (include approved by-law)
 - The Perth County Planning Department
 - Any other agency or individual as prescribed on circulation list as per O Reg. 545/06.

7.1.1 The Notice will clearly state the last day for appeals to be made as twenty (20) days following the Notice of Decision being issued) and how to appeal the decision to the Ontario Land Tribunal.

8.0 Appeal to the OLT

8.1 If the by-law is appealed, the Clerk must provide all required materials, including the Notice of Appeal and record to the Ontario Land Tribunal (OLT) within 15 days of the last day for filing an appeal.

9.0 Declaration of No Appeals

9.1 Following the 20-day appeal period, if no appeals are received, the local municipal staff will issue a Notice of No Appeals to:

- The owner/applicant
- The person or agency requesting notice
- County of Perth Planning Dept; and
- Municipal Property Assessment Corporation

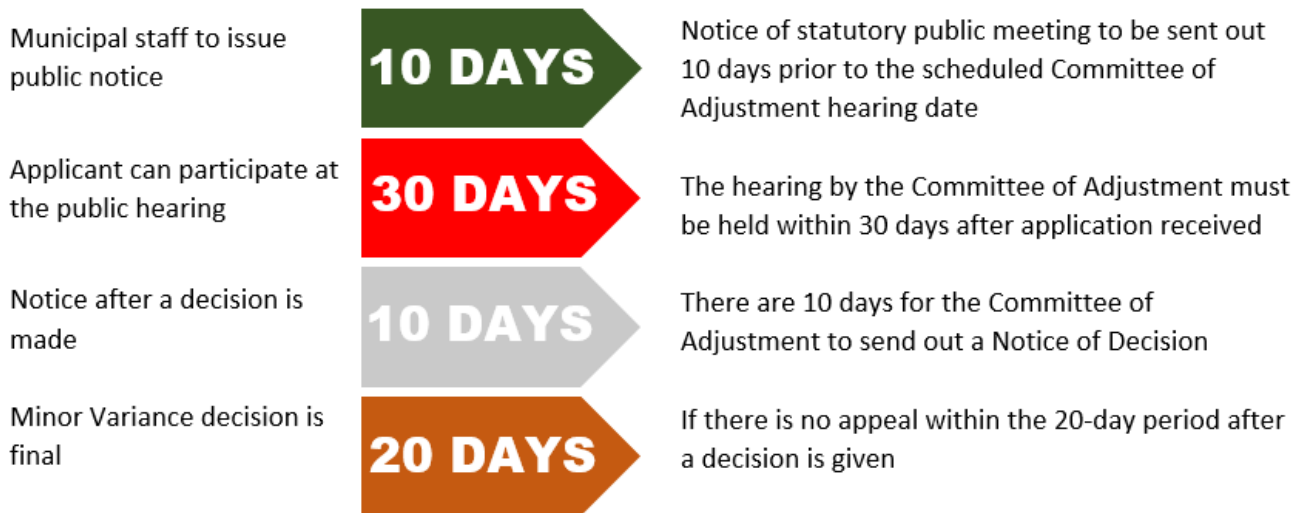
10.0 Notice of Refusal

10.0 When Council refuses a zoning by-law amendment application, notice of the refusal shall be given no later than 15 days after the day of refusal to:

- The owner/applicant
- Each person and public body that file a written request to be notified of a refusal; and
- Any prescribed person or public body.

Minor Variance Applications

A Minor Variance may be required when a property or development follows the general intent of the zoning by-law but it does not meet the minimum technical requirements. [Section 45 of the Planning Act](#) sets out the minimum requirements for a minor variance as well as delegates the local municipality’s Committee of Adjustment as the approval authority for this type of application. The corresponding regulation [O. Reg. 200/96](#) outlines the notice and appeal requirements.



1.0 Pre-Consultation

- 1.1. A development inquiry relating to zoning is received by the County Planning Department via phone, email or website either directly or by referral from a local municipality.
- 1.2. A request for pre-consultation should include the location of the proposed development, a description of the proposed development and a sketch including the boundaries and dimensions of the subject property, all buildings on the site with dimensions, abutting roads and entrances to the roads. The sketch is also to show all proposed buildings with structures.

1.3. Upon receipt of a request for a pre-consultation meeting, the local municipality will coordinate a pre-consultation meeting with municipal reviewers and agency staff who will may have comments regarding the proposal.

1.3.2 Following the pre-consultation meeting, all commenting agencies will provide written comments to the Planner and local municipal staff. The Planner will forward planning comments along with any requirements from commenting agencies to the Applicant and copy municipal and agency reviewers.

2.0 Application Submission

2.1 The Applicant (or their Agent) submits their application package to the respective municipality by mail or email – the package must include: Complete Application Form, confirmation of ownership, Sketch, and Cheque (see respective municipality website for fees), application is signed by all of the property owners, and signatures have been commissioned. The application is required to address all of the considerations raised through the pre-consultation process.

2.2 The local municipal staff receive the application – they confirm that all components outlined have been provided. The application is date stamped on the day of receipt.

2.3 The local municipal staff assign a file number and forwards all documents to the County Planning Clerk.

2.4 The Planning Clerk creates a digital file and assigns it to a Planner.

2.5 The Planning Clerk provides an email request (to gis@perthcounty.ca and if urgent, gwhite@perthcounty.ca) to GIS for: a 60-meter circulation list, 60-meter circulation map, notice map and report photo. These materials will contribute to the formal Notice of Public Hearing and the Council Report. These materials will be provided by GIS to the Planning Clerk and assigned Planner within four (4) business days. The prescribed Notice period for Minor Variance Applications is ten (10) days and is sent to all properties within a 60-meter distance AND a prescribed list of agencies, as detailed on the [Agency Checklist](#).

2.6 The Planner will review the GIS materials and notify the Planning Clerk if any changes are required.

3.0 Complete Application and Draft Notice of Public Hearing

- 3.1 Upon receiving confirmation of complete application from the Planner, the Local Staff will send the cheque for deposit to Financial Services.
- 3.2 The Planning Clerk will then draft a Notice of Public Hearing, as required by Ontario Regulation [O. Reg. 200/96](#). The Notice of Public Hearing must be circulated at least 10 days prior to the Public Hearing.
- 3.3 The Planner prepares the Purpose and Effect section of the Notice and provides the list of agencies requiring circulation with the Planning Clerk (using the Agency Checklist).
- 3.4 When GIS materials are received, the Planning Clerk will send the 60-meter circulation list to the Local Clerk for confirmation of correct addresses with the most recent data obtained in their tax system. The Local Clerk will confirm and send back to the Planning Clerk.

4.0 Planner's Review and Circulation of the Notice of Public Hearing

- 4.1 The Planner will determine the date of the public hearing and notify the Planning Clerk. The Planning Clerk will finalize the Notice of Public Hearing with the meeting date.
- 4.2 The Planning Clerk completes the circulation materials and provides them to the local municipal staff prior to the circulation period – the items provided to the municipal staff include:
 - The Notice for the posted sign;
 - The Notice for the mailout;
 - List of prescribed addresses for circulation that can be printed on labels (60-meters); and
 - The Agency Checklist that need to be emailed the Notice.
- 4.3 The municipal staff will:
 - Print and mail Notices to 60m circulation list;
 - Print and laminate the sign document, then affix it to the Notice of Public Meeting for posting;
 - On or before the first day of the notice period indicated on the Notice of the Application:

- Post the sign at the subject property;
- Mail the Notice to the 60m circulation list;
- Email the notice to the agencies on the Agency Checklist;
- Circulate to municipal staff and
- Post the notice on the municipality’s website.

4.3.1 The person posting the sign should have either a marked vehicle or business cards to respond to inquiries about posting the Notice of Planning Application sign.

4.4 Any comments received from agencies and/or the public are to be forwarded to the Applicant.

5.0 Committee of Adjustment

5.1 The Planner provides a planning report to the local Committee of Adjustment with a recommendation to the Committee to approve, deny or defer the application.

5.1.1 The Planner provides the report and any attachments to the Secretary-Treasurer COA for the agenda.

5.1.2 After the agenda package has been distributed to the Committee of Adjustment, the Planner advises the Applicant that the package is available on the municipal website and outlines the process for participating at the local Committee meeting.

6.0 Notice of Decision

6.1 Following the Committee meeting, the Secretary-Treasurer will circulate a formal Notice of Decision that states the resolution from the Committee meeting that either approves, denies or defers the application. The Secretary-Treasurer will circulate the Notice following the meeting.

6.2 If approved, the formal Notice will be sent to the County planning@perthcounty.ca – any commenting agencies and members of the public, any individual that requests to be notified of the decision, and the Applicant. The Notice will clearly state the last day for

appeals to be made (twenty (20) days following the Notice of Decision being issues) and the appropriate mechanisms to submit a formal appeal.

7.0 Appeal to the OLT

7.1 Upon receipt of a notice of appeal, the secretary-treasurer shall forward the notice of the appeal, the fee, all documents filed with the committee relating to the matter appealed, such documents as may be required by the Board, and any prescribed information and materials to the Ontario Land Tribunal.

8.0 Declaration of No Appeals

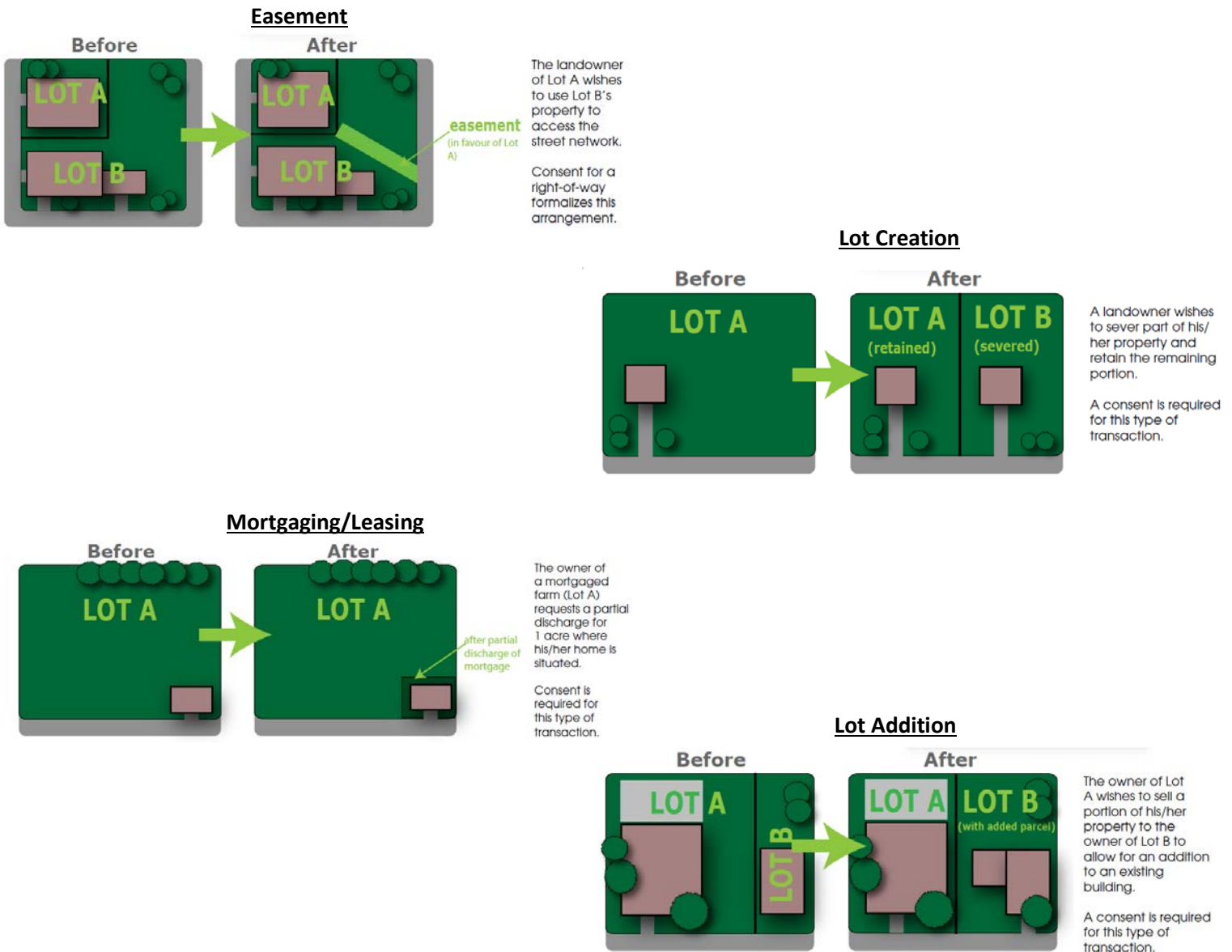
8.1 Following the twenty (20) day appeal period, if no appeals are received, the Committee of Adjustment Secretary-Treasurer will issue a Notice of No Appeals to the same list of contacts that the Notice of Decision was circulated to.

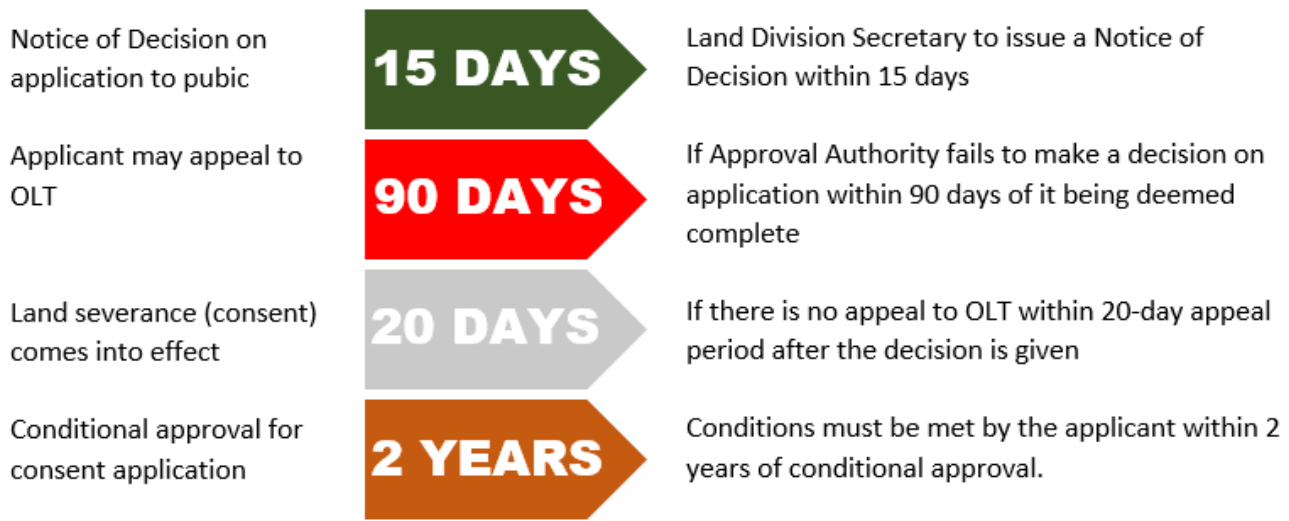
Consent Applications

A consent application is used for lot creation, lot addition, easements and the mortgaging or leasing of part of a property. The County of Perth is the approval authority for consent applications.

Planning Act [O. Reg. 197/96](#) outlines the notice and appeal requirements for consent applications.

Types of Consent Applications:





1.0 Pre-Consultation

All individuals considering an Application for Consent must complete the pre-consultation process prior to submitting a formal application – this is a requirement under County By-Law [3509-2016](#). This creates a more effective and efficient process for the applicant and staff. A preliminary review of the application will allow the Planner to outline the viability of the application and identify any additional information or studies required.

- 1.1. Before pre-consulting, Applicants should review [Guide to Consent Applications](#) and [Guide to Planning Application Pre-Consultation](#)
- 1.2. After reviewing both guides, Applicants must complete the [Pre-Consultation Submission Requirements and Request Form](#) and send it to planning@perthcounty.ca
- 1.3. The Planner will review the property via GIS and relevant policy – this information is then provided to the Applicant via email.
- 1.4. Inquiry (and all materials) are entered into the Tracking Sheet
- 1.5. If after receiving comments from Planning, the Applicant decides to proceed, a formal pre-consultation meeting will be arranged.
- 1.6. Applicant provides the Planner with the following: drawing, written description of objective, property location, and property owners involved (i.e. granting lands, benefiting lands, agents, etc).

- 1.7. If the Planner determines it is necessary to consult with agency reviewers, they will reach out with the file details to request comments. Upon receiving comments, if the respective staff should be included at the formal pre-consultation meeting, the Planner will invite them.
- 1.8. Planner coordinates a formal pre-consultation meeting.
- 1.9. Following the meeting, the Planner will provide a 'Pre-Consult Summary' to the Applicant and the local municipal staff for their use and records.

2.0 Application Submission

- 2.1 The Applicant submits their application package to the Planning Clerk. The package must include: [Complete Application Form](#) (signed by all property owners with a commissioned signature), Property Identification Number (PIN), Sketch, and Application Fee. If the application is for a Surplus Farm Dwelling, a completed [Surplus Farm Dwelling form](#) is required as well as a Property Identification Number (PIN) for the home farm.
- 2.2 The Planning Clerk receives the application – they confirm that all components outlined above are available and complete. The application is date stamped accordingly.
- 2.3 The Planning Clerk assigns a corresponding file number – this will be BXX/Year (ie. B01/22 will be the first file for 2022) and creates both a physical and electronic file.
- 2.4 A request for GIS materials is submitted via email for: a 60-meter circulation list, 60-meter circulation map and report photo. These materials will contribute to the formal Notice of Application, Notice of Public Meeting (if applicable) and the Council Report(s). These materials will be provided from GIS within ten (10) business days.
- 2.5 The Planner is formally notified of the Application.
- 2.6 The Planner will review the GIS package and advise the Planning Clerk of any additional material, corrections required.

3.0 Complete Application and Notice of Application

- 3.1 Upon receiving confirmation of complete application from the Planner, the Planning Clerk sends the cheque for deposit to Financial Services c/o Laura Albrecht and notes the following information for proper records: file number, Applicant/owner's name and type of application.
- 3.2 The Planning Clerk creates the Notice of Application, as required by [Ontario Regulation 197/96](#). The prescribed Notice Period for Consent Applications is at least fourteen (14) days and is sent to all properties within a 60-meter distance and a prescribed list of agencies using the Agency Checklist.
- 3.3 The Notice of Application is finalized once the Planner has completed the 'Purpose and Effect' section and is ready for circulation. Circulation includes:
 - The Notice to be sent to the 60-meter circulation list;
 - The Notice Sign is to be posted on the subject property; printed and laminated. It is then affixed to a 'Notice of Public Meeting/Application' sign and stand;
 - An email sent to all agencies specified on the Agency Checklist by the Planner (sent on the day the Notice is dated); and
 - A Notice on the Newsroom portion of the County website (posted on the day the Notice is dated).
- 3.5 The Planner will coordinate a site-visit to the subject lands on/or before the start of the Notice Period so the sign can be posted concurrently.

4.0 Planner's Review and Policy Analysis

- 4.1 Planner will circulate a 'Request for Comment' to internal Staff (as deemed necessary) – both County and local municipalities – to collect feedback related to the application. The Planner will provide a date when all comments must be received.
- 4.2 Planner will review all relevant policy, including the Provincial Policy Statement, County of Perth Official Plan, local Zoning By-Law, and any other applicable legislation. Upon

completing the policy review and receiving the comments from Staff, the Planner prepares a report for the local municipal Council with both County and local conditions.

- 4.3 If there is any opposition (disputes) received regarding the consent application, the Planner will attempt to resolve with the Applicant's participation as appropriate.
- 4.4 Planner will share general analysis and proposed conditions with the Applicant/Agent, along with any comments/feedback received from agencies/public.

5.0 Comments from Local Municipal Council

- 5.1 The Planner consults with the Local Clerk to schedule a date for consent application to be considered by the local council date after the completion of the 14-day Notice of Application period.
- 5.2 The Planner provides a planning report to the Council of the Township/ Municipality where the lands are located. The Council will consider the application and provide municipal conditions to the Land Division Committee (or it's delegate).
- 5.3 Prior to submitting the report to the Local Clerk:
 - Prior to agenda circulation, the Planner provides the report and any attachments/supporting aids to the Clerk for agenda preparation.
- 5.4 After the agenda package has been distributed to the local Council, the Planner should send the report to the Applicant/Agent to review. Identify the process for speaking at or attending the local Council meeting.
- 5.5 Following the local Council meeting, the municipal staff will email correspondence including a copy of the Local Council's resolution to the Land Division Secretary-Treasurer, via planning@perthcounty.ca.

6.0 Decision of the Planning Authority

- 6.1 After receiving comments from the local Council, the Planner will prepare a package for the decision-making authority.

- 6.1.1 Undisputed Consents: If there are no unresolved concerns or objections from any agency or member of the public, and the Planning staff have confirmed that the application is in conformity with Provincial and local Planning policy, the file is considered undisputed. The decision-making authority for undisputed consents is delegated to the Manager of Planning.
- 6.1.2 Disputed Consents: If the application has unresolved concerns or objections from any agency or member of the public, or if the file is not in conformity with Provincial and local Planning policy, the file is considered disputed, and will be considered by the Land Division Committee of County Council.

Delegated Authority Process for Undisputed Consents

- A report that includes the comments and conditions from the local Council will be provided to the Manager of Planning for review and decision.
- If approved, the Manager will sign the report and provide it to the Land Division Secretary-Treasurer.
- The Land Division Secretary-Treasurer will prepare a [Notice of Decision](#) and send it to the Applicant, any individuals that wished to be notified, and any person/body who provided comments. A [Condition Tip Sheet will be sent to the Applicant with the Notice of Decision to](#) with contact information required to fulfill the conditions of consent. A 20-day appeal period commences with the circulation of the Notice of Decision.
- Following the 20-day appeal period, the Declaration of No Appeals is circulated to agencies that commented, the clerk (County and local), MMAH representative

Land Division Committee for Disputed Consents

- Planner advises the Land Division Secretary-Treasurer that the file is disputed and will be added to the next Land Division Committee agenda.
- The Land Division Secretary-Treasurer will draft and circulate a Notice of Public Meeting that outlines the date and time of the meeting, along with how to register. The Land Division Secretary-Treasurer will create a list of external contacts that plan to attend the meeting.

- The Notice of Public Meeting will be posted on the County website, circulated to agencies as prescribed by the Planner, mailed to neighbours within 60m and a sign will be posted on the property 14 days prior to the meeting.
- The Planner will draft a report for Land Division Committee in iCompass, add it to the Land Division Committee agenda and notify the Manager that it is there for review.
- The agenda is circulated to members of the Land Division Committee and the zoom links are distributed. The agenda is sent to the applicants/agents of files being heard at the meeting – if they would like to attend in support, a link is provided.
- When the report is presented at Land Division Committee and any members of the public (including Applicant) may speak in support or opposition to the file.
- Land Division Committee will decide about the file.
- The Land Division Secretary-Treasurer will prepare a Notice of Decision (notifying of the file’s denial or conditional consent) and send it to the Applicant, any individuals that wished to be notified, and any person/body who provided comments. A [Condition Tip Sheet will be sent to the Applicant with the Notice of Decision to](#) with contact information required to fulfill the conditions of consent. A 20-day appeal period commences with the circulation of the Notice of Decision.

7.0 Appeal

7.1 If an appeal was received, it will proceed to the OLT process.

8.0 Declaration of No Appeals

8.1 If no appeal is received within the 20-day appeal period, the Land Division Secretary - Treasurer will provide a Declaration of No Appeals to the Applicant.

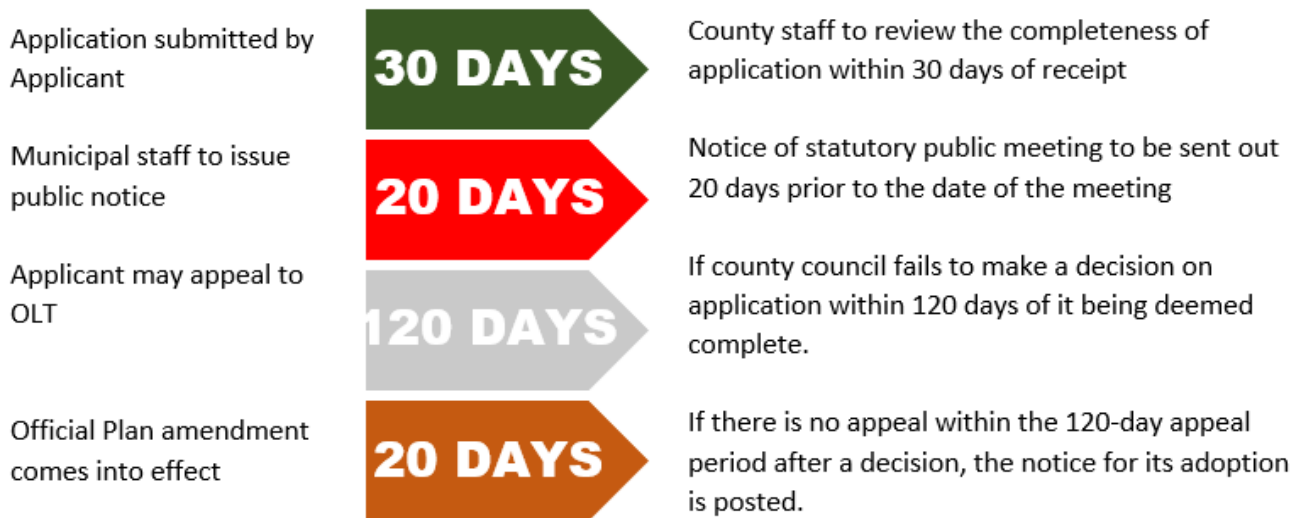
9.0 Clearing Conditions

- 9.1 The Applicant will initiate the process of satisfying conditions – including contacting the local municipality. The Land Division Secretary-Treasurer will track these conditions as they are received.
- 9.2 For conditions such as financial requirements or drainage, the local municipality will provide a Clearance Letter that states the conditions have been satisfied. The Planning Department requests that municipalities wait until all the conditions have been satisfied, and send one letter clearing all conditions. This will be sent to the Land Division Secretary-Treasurer. The Applicant and the solicitor will provide clearance letters for non-municipal items.
- 9.3 Once the Land Division Secretary-Treasurer receives all condition clearances, a formal Certificate of Official will be provided to the Applicant’s solicitor for final registration.
- 9.4 Confirmation of the final registration from the Land Registry Office will be provided from the Applicant’s Solicitor to the Land Division Secretary-Treasurer.

County Official Plan Amendment Applications

An Official Plan Amendment is required when a proposed development does not conform with a Municipality’s official plan. Policy amendments can affect land across the County, while site-specific amendments impact just one property. All changes made to an Official Plan must align with the [Provincial Policy Statement \(PPS\)](#). [Section 22\(1\) of the Planning Act](#) delegates the County of Perth as the approval authority for Official Plan Amendments. The corresponding regulation [O. Reg. 543/06](#) outlines the notice and appeal requirements.

To learn more refer to the Government of Ontario’s [Citizen’s Guide for Land Use Planning](#).



1.0 Pre-Consultation

All individuals considering an Application for an Official Plan Amendment must complete the pre-consultation process prior to submitting a formal application as required by County By-Law [3509-2016](#). This creates a more effective and efficient process for the applicant and staff. A preliminary review of the application will allow the Planner to outline the viability of the application and identify any additional information or studies required.

- 1.1. Before pre-consulting, Applicants should review [Guide to County Official Plan Amendment Applications](#) and [Guide to Planning Application Pre-Consultation](#)

- 1.2. After reviewing both guides, Applicants must complete the [Pre-Consultation Submission Requirements and Request Form](#) and send it to the planning@perthcounty.ca
- 1.3. Upon receipt of a request for a pre-consultation meeting, the local municipality will coordinate a meeting with municipal reviewers and agency staff who may have comments regarding the proposal.
- 1.4. Following the meeting, all commenting agencies will provide written comments to the Planner and local municipal staff. The Planner will forward planning comments along with any requirements from commenting agencies the Applicant and copy municipal and agency reviewers.

2.0 Application Submission

- 2.1 The Applicant (or Agent) submits their application package to the Planning Clerk. The package must include: complete application form, Property Identification Number (PIN), sketch and fee, signatures of all owners, owners' signatures commissioned, and any study or information requirements identified at the pre-consultation meeting.
 - 2.1.1 The Planning Clerk receives the application – they confirm that all components outlined above are available and complete. The application is date stamped accordingly.
 - 2.1.2 The Planning Clerk assigns a corresponding file number – this will be OPA #XXX.
 - 2.1.3 A digital and physical file are created.
 - 2.1.4 A request for GIS materials is submitted via email (to gis@perthcounty.ca and if urgent, cc gwhite@perthcounty.ca) for: a 120-meter circulation list, 120-meter circulation map, and report photo. These materials will contribute to the formal Notice of Application and Notice of Public Meeting and the Council Report(s). These materials will be received from GIS within ten (10) business days.
- 2.2 The Application is assigned to a Planner.
- 2.3 The assigned Planner will review and notify the applicant within 30 days whether the application is complete or not (i.e whether both the prescribed information and other information required by the County has been received). If the application is not complete,

the County may refuse to accept the application and whatever materials or fees submitted as part of the incomplete application may be returned to the applicant.

3.0 Complete Application Notice

- 3.1 Upon receiving confirmation of that the application is complete from the Planner, the Planning Clerk sends the cheque for deposit to Financial Services c/o Laura Albrecht and notes the following information for proper records: file number, Applicant name and type of application.
- 3.2 Within 15 days of the application being determined to be complete and notification sent, the Planning Clerk creates the Notice of Application, in alignment with [Ontario Regulation 543/06](#). The draft Notice of Complete Application is created and is finalized once the Planner has completed the 'Purpose and Effect' section and is ready for circulation. Circulation includes:
 - The Notice sent to the 120-meter circulation list;
 - The Notice Sign is to be printed, laminated and posted on the subject property;
 - An email sent to all agencies specified on the Agency Checklist by the Planner (sent on the day the Notice is dated); and
 - A Notice on the Newsroom portion of the County website (posted on the day the Notice is dated).

4.0 Planner's Review and Policy Analysis

- 4.1 Planner will circulate a 'Request for Comment' to internal Staff (as deemed necessary) – at both the County and local level - and external agencies as determined through a review of the application to collect feedback related to the application. The Planner will provide a date when all comments must be received.
- 4.2 Planner will review all relevant policy, including the Provincial Policy Statement, County of Perth Official Plan, local Zoning By-Law, and any other applicable legislation.

- 4.3 If there are comments submitted in regard to the application, the Planner should attempt to resolve the concerns by answering questions and insights.
- 4.4 Planner will share their analysis and any concerns with the Applicant/Agent, along with any comments/feedback received from agencies/public.
- 4.5 Upon completing the policy review and receiving the comments from staff, the Planner will prepare a report for the local municipal council.

5.0 Local Council

- 5.1 The Planner will present their report to the Council of the Township/Municipality where the subject lands are located. The Local Council will provide a resolution that either endorses or does not endorse the application to County Council:
 - 5.1.1 Once the Planner determines a Council date at which they will present their report, they should provide and confirm this date with the Local Clerk and County Planning Clerk.
 - 5.1.2 Prior to circulation to the Local Clerk for inclusion on the Agenda, the Manager of Planning may review the report if necessary or requested by the Planner.
 - 5.1.3 After the agenda package has been distributed to the local Council, the Planner will send the report to the Applicant/Agent to review, and identify the process for speaking at or attending the local Council meeting.
 - 5.1.4 Following the presentation and Council meeting, the Local Clerk will send a formal letter to the Planning Clerk, planning@perthcounty.ca, that provides the Council's resolution regarding the application.
 - 5.1.5 The Planner will proceed to bring forward the report to County Council for a Public Meeting and decision.

6.0 County Council

- 6.1 The Planning Clerk creates the Notice of Public Meeting, as required by Ontario Regulation 543/06. The prescribed notice period for Official Plan Amendments Applications is 20 days

prior to the Public Meeting and is sent to all properties within a 120-meter distance and a prescribed list of agencies.

- 6.1.1 A Notice of Public Meeting is created and made available for the Planner’s review of the ‘Purpose and Effect’ section. This Notice will be used for the mailed document and posted sign.
- 6.1.2 Based on the 120-meter circulation list, the document is printed and prepared to be mailed to the respective individuals.
- 6.1.3 The sign to be posted on the subject property is created: the notice is printed and laminated.
- 6.1.4 The Planner will coordinate a site-visit to the subject lands on/or before the start of the Notice Period so the sign can be posted concurrently.
- 6.1.5 On the initial day of the notice period, the Notice of Public Meeting will be posted on the County website and an email will be sent to a prescribed list of agencies.
- 6.1.6 Planner prepares a report for County Council, including a resolution from local municipality.
- 6.2 Planning Clerk requests a by-law number from County Clerk and Planner drafts the by-law.
- 6.3 Planner must submit the report via iCompass by the Friday at 12:00pm 13 days prior to the Council meeting. The Manager of Planning will review the report once it is in iCompass.
 - 6.3.1 Two reports will be submitted:
 - 6.3.1.1 Report for Planning Public Meeting (resolution to accept the report and resolution to hear public comments); and
 - 6.3.1.2 Report for County Council (resolution to accept the report and resolution to approve, deny or defer)
- 6.4 Planner presents report at the Public Meeting and then at County Council.
 - 6.4.1 Both meetings are held at the County Council meeting. Council will adjourn regular session and enter into the Public Meeting where Planners will present their report and the public has an opportunity to comment. Following this, the Public Meeting will adjourn and the regular Council meeting will resume.

- 6.4.2 Once back in regular session, Council will receive the Planner's and consider the information presented. Following this, they will make a decision.

7.0 Notice of Decision

- 7.1 If Council refuses the requested amendment then written notice of the refusal must be sent within 15 days after the day of the refusal to: Applicant, persons/bodies requested to be notified/and any prescribed persons or bodies (O. Reg. 543/06).
- 7.2 If Council adopts the amendment, the County must circulate a Notice of Adoption within 15 days to: MMAH, anyone who requested notice of adoption and any prescribed persons or bodies (O. Reg. 543/06). Include the enabling by-law.

8.0 No Appeals

- 8.1 If there are no appeals, the County will mail a copy of the approved official plan amendment with a Status of Decision to the applicant, anyone requesting notice, prescribed agencies and the local municipality advising that the amendment is in full force and effect beginning the day after the last day for appeals.
- 8.2 The Planning Clerk/LDS sends a copy of original documentation – via mail – to the local municipal office for their records.

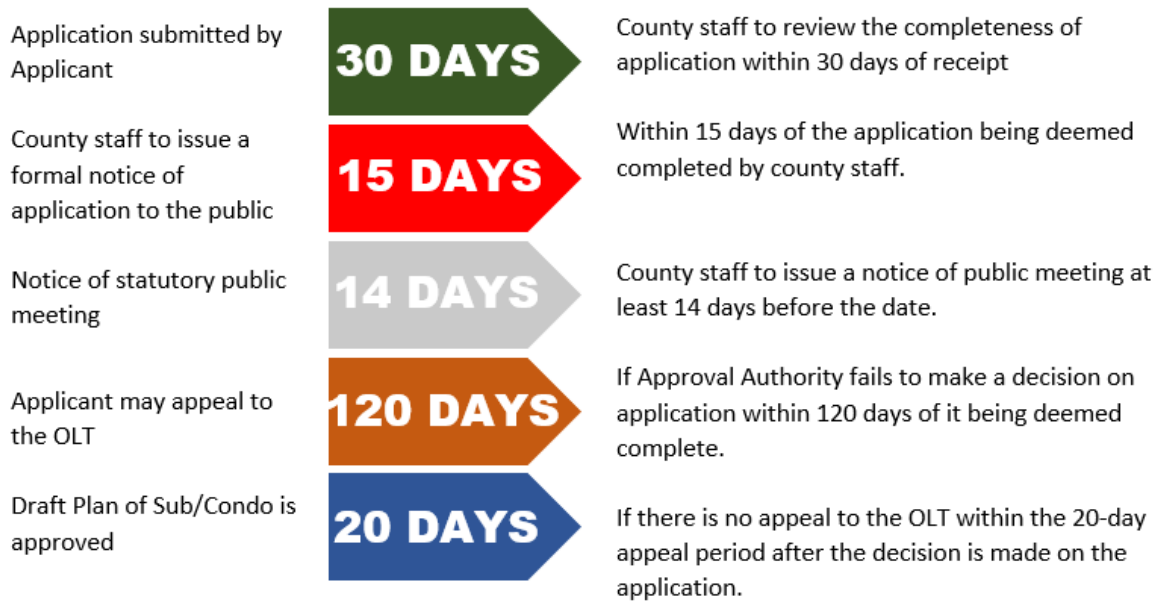
Subdivision and Condo Applications

A Plan of Subdivision is used for the comprehensive division of land including public streets, multiple lots and the possible need for extensive infrastructure. A Plan of Subdivision requires a precise geographic survey prepared by a Licensed Ontario Land Surveyor that must be submitted to the Land Registry Office. The Plan of Subdivision should include surveyed property boundaries, numbering and dimensions of lots, location and width of streets and sites of future schools and parks.

A Plan of Condominium is used for high and low-rise apartment complexes, townhouses, freehold buildings or any detached house, office or commercial mall. Residents and owners in a condominium share ownership of common elements. The Plan of Condominium application should include the ownership of the condominium corporation that is to be registered with Land Registry Office.

[Section 51\(5\) of the Planning Act](#), delegates approval authority for Plan of Subdivision and Plan of Condominium applications to the County of Perth.

The corresponding regulation [O. Reg. 544/06](#) outlines the notice and appeal requirements.



1.0 Pre-Consultation

All individuals considering an Application for a Plan of Subdivision/Condo must complete the pre-consultation process prior to submitting a formal application as required by County By-Law [3509-2016](#). This creates a more effective and efficient process for the applicant and staff. A preliminary review of the application will allow the Planner to outline the viability of the application and identify any additional information or studies required.

- 1.1. Before pre-consulting, Applicants should review [Guide to Subdivision/Condo Applications](#) and [Guide to Planning Application Pre-Consultation](#)
- 1.2. After reviewing both guides, Applicants must complete the [Pre-Consultation Submission Requirements and Request Form](#) and send it to the planning@perthcounty.ca
- 1.3. Upon receipt of a request for a pre-consultation meeting, the local municipality will coordinate a meeting with municipal reviewers and agency staff who may have comments regarding the proposal. U
- 1.4. Following the meeting, all commenting agencies will provide written comments to the Planner and Local municipal staff. The Planner will forward planning comments along with

any requirements from commenting agencies the Applicant and copy municipal and agency reviewers.

2.0 Application Submission

2.1 The Applicant (or Agent) submits their application package to the Planning Clerk. The package must include:

- Complete application form
- 8 copies of the draft plan, including a reduced copy on 11x17 sheet prepared by Ontario Land Surveyor
- A digital copy of the draft plan (AutoCAD .dxf and Acrobat .pdf formats)
- A copy of the PIN printout of the subject property
- Application fee, payable to the County of Perth
- Reports/studies as determined in the pre-consultation

2.1.1 The Planning Clerk receives the application – they confirm that all components outlined above are available and complete. The application is date stamped accordingly.

2.1.2 The Planning Clerk assigns a corresponding file number.

2.1.3 A digital and physical file is created.

2.1.4 A request for GIS materials is submitted via email (to gis@perthcounty.ca and if urgent, gwhite@perthcounty.ca) for: a 120-meter circulation list, 120-meter circulation map, and report photo. These materials will contribute to the formal Notice of Application and Notice of Public Meeting and the Council Report(s). These materials will be received from GIS within ten (10) business days.

2.2 The Planner is formally notified of the Application.

2.3 The Planner will review and notify the Planning Clerk that the application is complete within 30 days.

3.0 Complete Application and Notice of Application

- 3.1 Upon receiving confirmation of complete application from the Planner, the Planning Clerk sends the cheque for deposit to Financial Services c/o Laura Albrecht and notes the following information for proper records: file number, Applicant/owner's name and type of application.
- 3.2 The Planning Clerk creates the Notice of Application, as required by [Ontario Regulation 544/06](#). The prescribed notice period for applications is 14 days and is sent to all properties within a 120-meter distance AND a prescribed list of agencies.
 - 3.2.1 A draft Notice of Application is created and made available for the respective Planner's review of the 'Purpose and Effect' section. This Notice will be used for the mailed document and posted sign.
 - 3.2.2 Notice of Application is finalized.
 - 3.2.3 Based on the 120-meter circulation list, the document is printed and prepared to be mailed to the respective individuals.
 - 3.2.4 The sign to be printed, laminated and posted on the subject property is created. It is then affixed to a 'Notice of Public Meeting/Application' sign and stand.
 - 3.2.5 The Planner will coordinate a site-visit to the subject lands on/or before the start of the Notice Period so the sign can be posted concurrently.
 - 3.2.6 On the initial day of the Notice Period, the Notice of Application will be posted on the County website (available here).

4.0 Planner's Review and Policy Analysis

- 4.1 Planner will circulate a 'Request for Comment' to internal Staff (as deemed necessary) – at both County and local level – to collect feedback related to the application. The Planner will provide a date when all comments must be received.
- 4.2 Planner will review all relevant policy, including the Provincial Policy Statement, County of Perth Official Plan, local Zoning By-Law, and any other applicable legislation. Planner will also review all comments received, internally, externally and will work to resolve any concerns prior to making a recommendation to the local council.

- 4.3 Upon completing the policy review and receiving the comments from Staff, the Planner prepares a report for the local municipal Council with draft plan approval conditions.

5.0 Presentation to Local Council

- 5.1 The Planner provides a planning report to the local council of the Township/ Municipality where the lands are located. The local council will consider the application and provide a resolution that either recommends endorsement, deferral or does not endorse to County Council
 - 5.1.1 The Planner consults with the Local Clerk to schedule a date to consider the application by the local council.
 - 5.1.2 The Planner provides the report and any attachments/supporting aids to the Local Clerk for agenda preparation.
 - 5.1.3 After the Agenda Package has been distributed to the local Council, the Planner will send a link to the agenda on the municipal website to the Applicant/Agent.
- 5.2 Following the local council meeting, the Local Clerk will email the local council's resolution to the Land Division Secretary-Treasurer, via planning@perthcounty.ca.

6.0 County Council & Notice of Public Meeting

- 6.1 The Planning Clerk creates the Notice of Public Meeting, according to the requirements of [Ontario Regulation 544/06](#). The prescribed Notice Period for Subdivision/Condo applications is 14 days prior to the Public Meeting and is sent to all properties within a 120-meter distance AND a prescribed list of agencies.
 - 6.1.1 A draft Notice of Public Meeting is created and made available for the respective Planner's review of the 'Purpose and Effect' section.
 - 6.1.2 Notice of Application is finalized.
 - 6.1.3 Based on the 120-meter circulation list, the document is printed and prepared to be mailed to the respective individuals.

- 6.1.4 The sign to be posted on the subject property is created: the notice is printed and laminated and affixed to a 'Notice of Public Meeting/Application' sign and stand. The Planner is notified of the sign being complete and available for pick-up.
- 6.1.5 The Planner will coordinate a site-visit to the subject lands.
- 6.1.6 On the first day of the Notice Period, the Notice of Application will be posted on the County website.
- 6.1.7 The Notice will be emailed to the prescribed agency list.
- 6.1.8 Planner prepares report for County Council and will include the resolution from the Local municipality.
- 6.2 Planner requests a by-Law number from County Clerk and drafts the by-law for Council.
- 6.3 Planner must submit the report via iCompass by the Friday at 12:00pm 13 days prior to the Council meeting. The Manager of Planning will review the report once it is in iCompass.
 - 6.3.1 Two reports will be submitted:
 - Report for Planning Public Meeting (resolution to accept the report and resolution to hear public comments); and
 - Report for County Council (resolution to accept the report and resolution to approve, deny or defer)
- 6.4 Planner presents report at the Public Meeting and then at County Council.
 - 6.4.1 Both meetings are held at the County Council meeting. Council will adjourn regular session and enter into the Public Meeting where Planners will present their report and the public has an opportunity to comment. Following this, the Public Meeting will adjourn and the regular Council meeting will resume.
 - 6.4.2 Once back in regular session, Council will receive the Planner's report. Following this, County will make a decision.

7.0 Notice of Decision

- 7.1 If Council refuses or approves the application then written notice of the approval/refusal of the draft plan must be sent not later than 15 days after the day of the refusal to: the applicant, persons/bodies requested to be notified/and any prescribed persons or bodies.

8.0 Appeal to the OLT

- 8.1 Any person or public body may appeal the decision or any of the conditions within 20 days of the County giving notice of the decision by filing with the County a notice of appeal and the OLT fee. Where appeals are lodged, the County forwards to the record to the OLT within 15 days after the last day of filing an appeal (see Regulation 544/06 for contents of record to be forwarded to the OLT).

9.0 Fulfilling Conditions

- 10.1 Agents and applicants will begin working to fulfill conditions set-out in the Notice of Decision. If any changes/modifications arise to conditions, this must go to County Council for approval and an application must be submitted.
- 10.2 When conditions are nearing completion, the Agent/Applicant will identify to the County Planning department they are seeking final registration in the near future. The following is required in an application for final approval:
 - 10.2.1 Package that sets-out all conditions and how they have been fulfilled – including supporting documentation (i.e. clearance letters)
 - 10.2.2 Printed copies of Plan and Mylar copies.
 - 10.2.3 Once plans are received and all conditions are fulfilled, the Manager of Planning will review to ensure everything is in order. When this is completed the Manager will sign the plans and deliver them to the Land Registry Office for deposit.
 - 10.2.4 The Manager of Planning should notify the surveyor and applicant/agent that the plans have been deposited.
 - 10.2.5 The surveyor will send an Autocad file and this is forwarded to GIS for final consolidation in the system.

Part Lot Control Applications

Section 50(7) of the Planning Act sets out the authority for exempting land that is within a registered plan or plans of subdivision from part lot control (Section 50(5) of the Planning Act).

A municipality may pass a by-law exempting land that is within a registered plan of subdivision from part lot control. The by-law must be forwarded to the County of Perth, as the County is the approval authority for part lot control exemption by-laws.

A by-law that is approved under section 50(7) of the Planning Act should provide a time period after which the by-law expires.

The council of a local municipality, without approval from the County of Perth, may amend the by-law to extend the time period specified for the expiration of the exemption from part lot control.

1.0 Application Submission

- 1.1 The applicant provides a draft copy of the survey showing the parts of the reference plan to the Municipality. The assigned Planner will advise the applicant whether the parcel may be considered for exemption from Part Lot Control.
- 1.2 An application for Exemption from Part Lot Control includes a completed application form and a draft copy of the survey showing the parts on the reference plan with a complete zoning matrix, and payment for the application to the local municipality.
- 1.3 Following review, the assigned Planner will prepare a planning report and an 'Exemption from Part Lot Control By-law' for the local Council agenda. The Part Lot Control By-law shall include a date when the by-law shall be repealed. This repeal date is added to the by-law when it is passed by Municipal Council. Generally, the date of repeal is 1 year after the date that the By-law is passed by the County.
- 1.4 If Municipal Council approves the exemption from part lot control by-law, the by-law is then sent on to the County of Perth for review and final approval.

- 1.5 The Part Lot Control By-law will be reviewed by the Manager of Planning at the County and granted final approval, as delegated by Perth County Council.
- 1.6 Once the by-law is executed at the County level, all copies of the part lot control by-law are returned to the Municipal Clerk who then forwards it to the applicant's lawyer asking that the by-law be registered at the Land Registry Office. Proof of registration is to be provided to the Clerk.
- 1.7 When the by-law is registered, the applicant's lawyer may deposit the Reference Plan at the Land Registry Office and transaction of property can be based on this Reference Plan.

Note: Any subdivision agreement or site plan agreement and/or rezoning must be done prior to making application for Exemption from Part Lot Control.

Following Approval of Part Lot Control By-law

Between the date that the by-law is passed and the date of repeal, the applicant must:

- Ensure that the part lot control by-law is registered on title of the land to which it applies;
- Provide confirmation to the Clerk of the Municipality that the part lot control by-law is registered;
- Draw up and register deeds for the new parcels of land at the Land Registry Office;
- Ensure ownership on each new parcel is such that the properties do not merge on title once the Exemption from Part Lot Control By-law is repealed

Site Plan Control – UNDER REVIEW