

# OFFICIAL PLAN AMENDMENT APPLICATION PROCEDURE



## INTRODUCTION:

Under the provisions of The Planning Act, no public work may be undertaken and no Zoning By-law may be passed unless it conforms to the land use policies and designations of the approved Official Plan. All proposals to subdivide, rezone, develop or redevelop land must conform to The Official Plan for the City of Guelph.

The Official Plan is the land development policy document of the City. This document provides an overall picture of how Guelph City Council believes land should be developed and used in the future. The Official Plan also contains land use plans identifying the long term use of various areas of the City (i.e. commercial, residential, industrial, open space, etc.).

When a proposal is made that does not conform with the Official Plan, the proposal cannot proceed without the processing and approval of an Official Plan Amendment by Guelph City Council.

**(Note: An amendment to the Official Plan does not constitute a change to the zoning of the property. An amendment to the zoning by-law is still required if the proposal does not conform to the existing zoning. In the event that a Zoning By-law Amendment is required, please refer to the Zoning By-law Amendment procedures and application form.)**

The Official Plan Amendment Procedure and flow chart on the following pages are designed to acquaint you with the manner in which the City of Guelph will process your application for an Official Plan Amendment.

You are strongly encouraged to consult with the City of Guelph Development and Parks Planning Staff for guidance in completing the attached application form in advance of making any formal submission.

## **Official Plan Amendment Application Procedure**

### **FEES:**

The attached application form must be completed and submitted with the required application fee as outlined on Schedule “1” attached. (Any cheques should be made payable to the City of Guelph.)

**The Grand River Conservation Authority (GRCA) is now collecting fees for application review. See Schedule 3 for details (Cheques will be made payable to the GRCA and submitted to the City of Guelph). Consultation with Planning staff is recommended to determine the applicable fees.**

### **SIGNS:**

All properties subject to an Official Plan Amendment application are required to post a “Notice of Application” sign or signs on the property affected by the application. Schedule “2” attached must be completed and submitted with the application form. You are encouraged to contact Development and Parks Planning regarding the wording of the “Notice of Application” sign prior to submitting the formal application.

**(Note: For concurrent applications submitted together with a Zoning By-law Amendment Application and/or Subdivision Application only one completed Schedule is needed.)**

### **APPLICATION REQUIREMENTS:**

No applications shall be officially received and processed unless the General Manager of Planning & Building Services is satisfied that it is complete.

A complete application consists of the following:

1. A completed and signed application form together with the prescribed application fee (Schedule “1”).
2. A completed Sign Application Form (Schedule “2”).
3. A signed letter of authorization from the owner(s) of the property for those applications submitted by an agent.
4. Eighteen (18) copies of all supporting technical and background information reports as required (see Additional Submission Requirements).

## Official Plan Amendment Application Procedure

### ADDITIONAL SUBMISSION REQUIREMENTS:

**(Note: Consultation with Staff is advised to identify additional submission requirements prior to formal submission).**

1. Proposed Official Plan amendments to designated lands for a proposed commercial centre containing 10,000 square metres (108,000 square feet) or more of gross leasable floor area or to expand an existing commercial centre already designated to contain 10,000 square metres (108,000 square feet) or more of gross leasable floor area, shall submit market impact, planning and transportation studies in accordance with Section 7.4.24 of the Official Plan.
2. Where a development/redevelopment proposal requiring an Official Plan amendment, Zoning By-law amendment or plan of subdivision may impact upon a Natural Heritage Feature identified on Schedule “2” of the Official Plan the proponent shall prepare an Environmental Impact Study (E.I.S.) in accordance with Section 6.3 of the Official Plan. (Natural Heritage Features include areas containing wetlands, forested areas, and wildlife habitats for terrestrial and aquatic species, valley lands, Areas of Natural and Scientific Interest (ANSI’s) environmental corridors and ecological linkages.
3. Applications proposing new development on “Landfill Constraint Areas” on Schedule “2” of the Official Plan shall submit appropriate evidence to the City that the proposed development can safely take place in accordance with Section 5.5.3 of the Official Plan.
4. Application proposing new residential development within 75 metres of the Hanlon Parkway or CN and Guelph Junction railway lines and adjacent to major traffic streets in new growth areas, may be required to submit noise and vibration evaluation studies in accordance with Section 8.2.31 of the Official Plan.
5. Where a development/redevelopment proposal requiring an Official Plan amendment, a Zoning By-law amendment, a plan of subdivision, a consent, a demolition permit or a building permit impacts upon a built heritage resource, the proponent may be required to prepare a Built Heritage Resource Impact Assessment or a Scoped Built Heritage Resource Impact Assessment in accordance with Section 3.5 of the Official Plan. (Built Heritage Resource means a building, structure, landscape, monument, installation (or a group of them) or visible remains, which meets the designation criteria adopted by Heritage Guelph and which is included in the City of Guelph Inventory of Heritage Structures as it is completed and as it may be amended. All buildings, structures, landscapes, monuments installations or visible remains constructed prior to 1930, but not limited to those constructed prior to 1930, shall be considered to be built heritage resources until considered otherwise by Heritage Guelph).

### Official Plan Amendment Application Procedure

6. Where development proposal is located on lands identified on Schedule “3” of the Official Plan “Areas of Potential Archaeological Resources”, an archaeological assessment may be required in accordance with Section “3.5” of the Official Plan.

An application for an Official Plan Amendment generally requires approximately 4 to 9 months to process either on its own or in conjunction with an application for a Zoning By-law Amendment. The procedure generally encompasses the following steps:

1. A formally submitted application will be reviewed by the Planning & Building Services to ensure all prescribed information has been provided and to ensure general feasibility of the proposal.
2. The wording for the “Notice of Application” Sign will be approved by the Planning & Building Services and conveyed to the owner/applicant. The owner/applicant is expected to erect/construct the sign as approved. (NOTE: Circulation of the application (STEP 3) will be withheld until the approved sign has been erected.)
3. A “Notice of Application” regarding the requested Official Plan Amendment will be circulated for a period of 30 days to owners within 120 metres of the subject property and various Departments and agencies for comment.
4. Any major issues arising from this circulation will be brought to the attention of the applicant for review and appropriate action.
5. An informal “Public Information Meeting” may be arranged by the Planning & Building Services for applications generating significant public interest or concern. The Owner/applicant is expected to attend this meeting to assist Development and Parks Planning in explaining the proposal and trying to resolve issues and concerns that are present.
6. Notice of a public meeting to be held by Guelph City Council is mailed at least 20 days in advance of the public meeting to owners and tenants within 120 metres of the subject property. (NOTE: Prior to arranging this public meeting the preliminary staff recommendation will be reviewed with the Owner/applicant.)
7. A staff report containing a recommendation and any conditions of approval, if required, will be formulated. (Copies of the staff report are available by contacting the Information Services Department, 837-5603.)
8. A public meeting is held by Guelph City Council.
  - Development and Parks Planning will introduce the application and summarize the staff recommendation.

### **Official Plan Amendment Application Procedure**

- Opportunity is then afforded the applicant and any other interested party to make verbal and/or written submissions to City Council concerning the proposed Official Plan Amendment.
  - City Council may choose to defer the application to a later meeting or they may refuse to approve the proposed Official Plan Amendment by passing a resolution.
9. If City Council passes a resolution approving the proposed Official Plan Amendment, the applicant will be required to submit a “Development Approval” fee of \$745.00 to allow:
- Preparation of the Amendment documents.
  - Mailing of the “Notice of Adoption” of the Official Plan Amendment as prescribed.
  - Official Plan consolidation.
10. If City Council passes a resolution approving the proposed Official Plan Amendment, the Official Plan documents will be prepared and a By-law adopting the Official Plan Amendment will be passed by City Council at a subsequent meeting.
11. Within 15 days of the adoption of the Official Plan Amendment by City Council, a written notice of adoption of the Official Plan Amendment is given to each person or public body that files a written request with the City Clerk and any other person or public body prescribed. There is a 20 day appeal period commencing the day after this notice is given in which an appeal may be made to the Ontario Municipal Board.
12. At the end of the 20 day appeal period, if no objections have been received, the Amendment is considered approved and in effect.



**APPLICATION FOR AMENDMENT TO THE OFFICIAL PLAN**  
**FOR THE CITY OF GUELPH**

A) **GENERAL INFORMATION**

1. **Owner's Name:** \_\_\_\_\_  
**Principle of Company (if Owner is a Company Name):** \_\_\_\_\_  
**Owner's Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Postal Code:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_
  
2. **Applicant's Name:** \_\_\_\_\_  
**(if different than above)**  
**Owner's Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Postal Code:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_
  
3. List of persons or institutions that have any mortgage, charge or encumbrance on the property:  
**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Postal Code:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_  
  
**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Postal Code:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_

**OFFICIAL PLAN AMENDMENT APPLICATION FORM**

**B) DESCRIPTIVE INFORMATION**

1. Municipal Address of subject property (if applicable):

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2. Legal Description (including lot and concession, lot and Registered Plan Number, Reference Plan and Part Numbers as applicable):

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3. Approximate area of the land covered by the proposed amendment:

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4. Current Official Plan Designation of Subject lands:

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**C) PURPOSE OF THE APPLICATION**

1. Explain the general purpose of the amendment:

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2. Does the amendment change or replace a land use designation in the Official Plan?

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

If **YES**, what is the proposed land use designation?

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**(NOTE: Please attach a proposed schedule identifying the change in land use designation.)**

**OFFICIAL PLAN AMENDMENT APPLICATION FORM**

3. Are any policies in the plan proposed to be:

- |    |          |       |            |            |           |           |
|----|----------|-------|------------|------------|-----------|-----------|
| a) | Changed  | _____ | <b>YES</b> | _____      | <b>NO</b> |           |
| b) | Replaced | _____ | <b>YES</b> | _____      | <b>NO</b> |           |
| c) | Deleted  | _____ |            | <b>YES</b> | _____     | <b>NO</b> |
| d) | Added    | _____ | <b>YES</b> | _____      | <b>NO</b> |           |

If **YES**, please identify the policy to be deleted or compose the proposed policy in detail, including the relevant section numbers:

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4. What is the land use or uses that would be authorized by the proposed Official Plan Amendment?

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**D) OTHER INFORMATION**

1. Is the subject land, or any land within 120 metres of the subject land, the subject of an application made by the applicant for approval of:

- |    |                            |       |            |       |           |
|----|----------------------------|-------|------------|-------|-----------|
| a) | An Official Plan Amendment | _____ | <b>YES</b> | _____ | <b>NO</b> |
| b) | A Zoning By-law Amendment  | _____ | <b>YES</b> | _____ | <b>NO</b> |
| c) | A Plan of Subdivision      | _____ | <b>YES</b> | _____ | <b>NO</b> |
| d) | A Consent (Severance)      | _____ | <b>YES</b> | _____ | <b>NO</b> |
| e) | A Minor Variance           | _____ | <b>YES</b> | _____ | <b>NO</b> |
| f) | A Minister's Zoning Order  | _____ | <b>YES</b> | _____ | <b>NO</b> |
| g) | A Site Plan                | _____ | <b>YES</b> | _____ | <b>NO</b> |

**OFFICIAL PLAN AMENDMENT APPLICATION FORM**

If **YES**, please state the location, purpose and status of the application, file number and approval authority:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby swear that the information provided by this application is true.**

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Owner's/Applicant's Signature  
(NOTE: If applicant is signing, the owner must complete the "**Application Authorization Form**" attached to this application)

*Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.*

**"FOR OFFICE USE ONLY"**

AMANDA No. Assigned: \_\_\_\_\_

File No. Assigned \_\_\_\_\_

Complete Application Review Date: \_\_\_\_\_

Assigned to: \_\_\_\_\_

## **SCHEDULE “2”**

### **CITY OF GUELPH PLANNING & BUILDING SERVICES**

#### **PROCEDURES AND REQUIREMENTS FOR THE ERECTION OF SIGNS FOR THE NOTIFICATION OF PLANNING APPLICATIONS**

##### **REQUIREMENTS:**

In conjunction with applications for approval of a Draft Plan of Subdivision or amendment to the Zoning Bylaw and/or the Official Plan for the City of Guelph, the applicant shall erect a non-illuminated sign at the applicant's cost on the subject property. The sign shall be professionally prepared and erected after the submission of the aforesaid application(s) and approval of the wording of the sign by Development and Parks Planning. The required sign shall also be removed within seven days of the approval, denial or closing of the application(s) by Guelph City Council, or withdrawal of the application(s). The aforesaid application(s) will not be circulated by the Planning Department until the required sign has been approved and erected. Where proposals involve more than one type of application (i.e. Official Plan Amendment, Zoning By-law amendment, subdivision) the sign(s) shall give notice of all applications.

##### **APPLICATION:**

The reverse of this form must be completed, signed by the owner or the applicant's authorized agent and submitted to Planning & Building Services.

##### **APPLICATION REVIEW:**

The application will be reviewed by Development and Parks Planning for compliance with these requirements, the Zoning By-law and the wording of the sign message.

##### **SIGN SPECIFICATIONS:**

- a) Size: 1.2m wide by 1.2m high, 0.6m ground clearance.
- b) Acceptable Materials: 20mm exterior grade plywood panel, vertical posts to be 10cm by 10cm installed a minimum of 1.2m below grade; 5cm by 5cm horizontal stringers to be located behind the top, bottom and centre of the sign panel.
- c) Paint: Sign panels and all structural members shall be painted on all sides and edges with two coats of exterior type matte finish alkyd paint over a suitable primer. Lettering shall be painted in black on a white background.
- d) Lettering: The sign shall be professionally lettered or silk screened using upper case Helvetica Medium typeface or similar sans serif, size 30mm, 50mm and 100mm. The lettering must not be capable of being removed.
- e) Wording: The sign shall contain wording that has been approved by Development and Parks Planning and shall generally be in the format as shown on the reverse of this sheet.

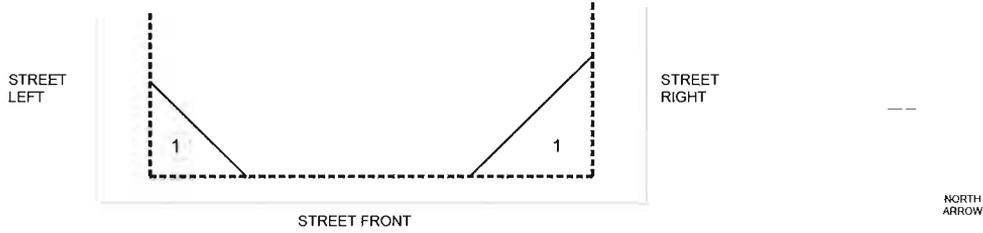
- f) Location: For interior lots having frontage on one street, the required sign shall be located approximately midway between the side lot lines at a maximum set-back of 1.2m from the streetline.

For lots with streetline(s) that abut two streets (i.e. corner lots, through lots), a separate sign shall be required facing each street, located approximately midway between the side lot lines at a maximum set-back of 1.2m from the streetline(s).

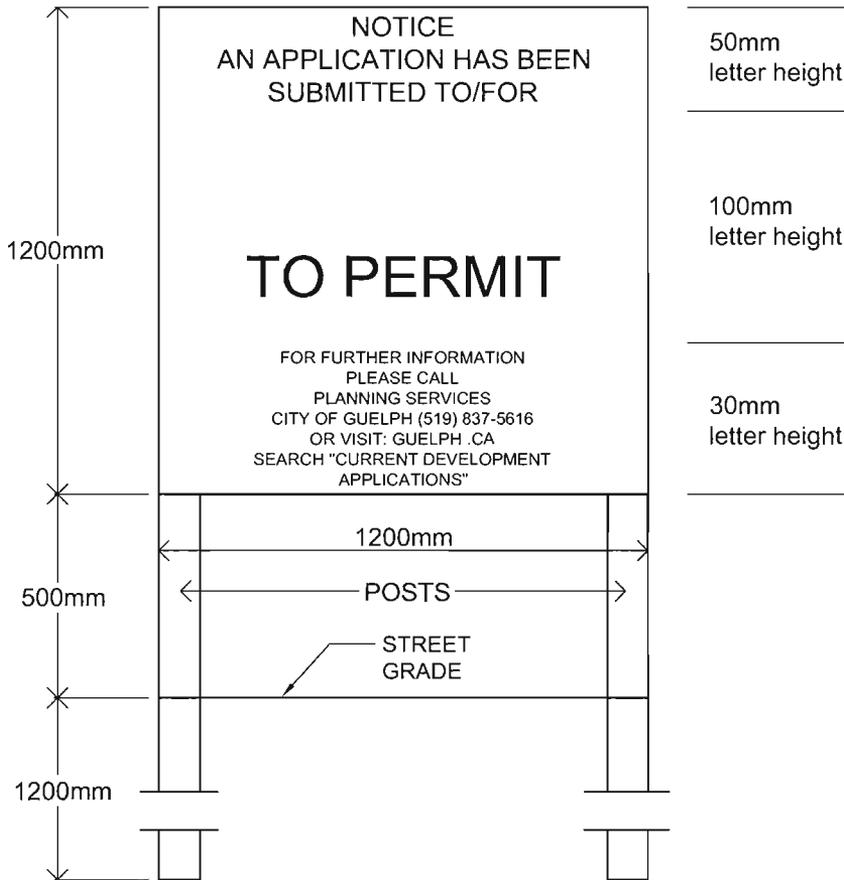
All signs shall be located away from any obstructions such that the signs are visible from the street.

- g) Maintenance: With signing of this application, the applicant agrees that the sign will be maintained both in structure and paint work to the satisfaction of the City.

# SIGN FOR PLANNING APPLICATION NOTICE



1. Sign must not be located in corner sight triangle, as specified by the Zoning By-law.
  2. Sign must be within 1.2m of street property line.
- Sign Message and Dimensions:



To the Planning Division:

The undersigned hereby agrees to construct the proposed sign(s) in accordance with the specifications contained herein and to maintain the sign(s) both in structure and paint work to the satisfaction of the City. The undersigned further agrees to remove the sign(s) within seven (7) days of the approval, denial or closing of the application(s) by Guelph City Council, of the withdrawal of the planning application(s).

Owner     Owner's Agent

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**APPLICATION AUTHORIZATION FORM**

**I/WE** \_\_\_\_\_, the registered Owners of \_\_\_\_\_ (municipal address or legal Description) hereby authorize \_\_\_\_\_ to act as agent for the Application of an Official Plan Amendment which deals with the above noted lands.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

*Personal information contained in this application form (name, address, phone number, e-mail address) is part of the public record and by signing such application form the applicant acknowledges that such information can be disclosed to the public.*



## Prescreening Criteria Grand River Conservation Watershed Plan Review Fee



Review Official Plan Schedules 1 and 2 provided. If the answer to any of the following questions is "YES", please circulate the application to the Grand River Conservation Authority for review. For consent applications, please apply the questions to both the severed and retained parcels.

### SCHEDULE 1:

1. Are there lands on the property that are identified in the Official Plan as "Core Greenlands" or "Non-Core Greenlands Overlay" or which fall within defined areas regulated by the Conservation Authority (scheduled areas or Special Policy Areas/Floodplain)?  
Yes  No
2. Is there a watercourse (creek, stream and/or river) and/or river valley slope on the property, or is the property located within 30m of the top of the bank of a slope?  
Yes  No

### SCHEDULE 2:

3. Is there a "Provincially Significant Wetlands" delineation on the property, or within 120m (400 feet) of the property?  
Yes  No
4. Is there an "Area of Natural and Scientific Interest (ANSI)" delineation on the property, or within 50m (164 feet) of the property?  
Yes  No
5. Is there a "Locally Significant Wetlands" delineation on the property, or within 30m (100 feet) of the property?  
Yes  No
6. Is there a "Significant Woodlands" delineation on the property, or within 50m of the property?  
Yes  No
7. Is there an "Other Natural Heritage Features" delineation on the property, or within 50m of the property?  
Yes  No
8. Is the property located within an "Aggregate Resource Areas" delineation, or within 50m of this delineation?  
Yes  No
9. Is the property located within the Regulatory Floodline?  
Yes  No