



Official Plan Amendment Guidelines

(This guideline is part of the Official Plan Amendment application form and is “required reading” for applicants.)

The Official Plan is a comprehensive land use planning document designed to guide and direct future growth of the City in a logical and orderly manner to the benefit of all residents. It is, in effect, a blueprint of how a Municipality wants to guide and direct future land use development and growth.

The Official Plan sets out areas of the City intended for residential, industrial, commercial, institutional, and agricultural use and development, as well as identifying major open space and environmental protection areas, and parkland. The Plan identifies permissible land uses and contains general policies to guide development within the various land use designations. Permissible uses and policies contained within the Official Plan are then implemented through the more detailed land use regulations contained within the City’s Comprehensive Zoning By-law.

If a property owner wishes to develop land differently than what the Official Plan prescribes, they may make an application for an Official Plan Amendment (OPA). The Council for the City of St. Catharines must first adopt an amendment to the Official Plan prior to it receiving final approval by the Council for Regional Niagara. If the Official Plan Amendment is deemed to be minor in nature and satisfies other criteria after pre-consultation with staff at Niagara Region, an exemption from the requirement for final approval by the Council for Regional Niagara may be granted.

Official Plan Amendments can be City-wide, area-wide or site-specific. Given the importance of an OPA and the impact a change in the Official Plan may have on a community or neighbourhood, there is a public consultation process designed to provide information to the public and to allow opportunity for concerns to be raised prior to decisions being made by staff or Council.

How to apply

If a property owner is considering an Official Plan Amendment in order to carry out a proposed development, they should first meet with City planners to determine if an amendment is in fact needed, if the proposed development is appropriate for the site, or if there is another way in which the development could be accomplished. This would also be a good opportunity to discuss with staff the policy direction within the Plan for the particular type of development contemplated.

If it is determined that an amendment to the Official Plan is the only means available for accomplishing your development, you should submit the attached application form to the Planning Services Department along with the appropriate fee (see Fee Schedule), describing the present Official Plan land use designation for this site, the proposed changes you wish to make, and the reason for the changes. An application for a Zoning By-law Amendment should be made at the same time, since the City’s Zoning By-law specifically implements the Official Plan.

What happens next?

The application is processed by the Planning Services Department who will circulate it to a variety of internal departments and outside agencies and host an information meeting for the public. Once all comments have been received, the planner assigned to the application will prepare a report to City Council, with a recommendation to approve, modify or refuse the Official Plan application. You may appear at Council to present your views, since this is a public meeting.

Appeal

For those amendments that have been granted exemption from final approval by the Council for Regional Niagara, City Council approves the proposed amendment and will pass a by-law which will be circulated to give interested parties the chance to appeal. A 20-day appeal period is provided once Notice of Adoption of the By-law has been given. If no appeals are received by the end of the appeal period, the amendment becomes law.

Official plan amendments of a site specific nature, or to effect changes to City wide policies or neighbourhood wide policies (eg. secondary plans), and which have not been granted exemption from final Regional Niagara approval, are adopted by City Council and forwarded to the Region of Niagara for final approval. The Region of Niagara provides a Notice of Decision to approve the official plan amendment and provides a 20day appeal period. If no appeals are received by the end of the appeal period, the amendment becomes law.

If Council refuses your application or neglects to make a timely decision, you may appeal to the Ontario Municipal Board. As well, the final approval authority may approve, in part, the Official Plan Amendment, and defer other parts of the amendment to give opportunity for further deliberation and consultation in a manner to try and rectify any outstanding issues or concerns that may be identified through the approval process.

Timing

Once an application is received and reviewed for completeness, the time period required until the application is considered by Council is **approximately** 4 months. Timing is dependant on whether an application is "complete", Council Meeting schedule, complexity of issues within an application, staff workload, and additional time required to allow for final approval by Regional Niagara.

Other Permits or Approvals that may be required

- Zoning By-law Amendment - If proposed development does not conform to the Zoning By-law.
- Plan of Subdivision or Consent if division of land into lots or blocks is required.
- Heritage Approval - If property is located in a Heritage Conservation District.
- Site Plan Control Applications - For most commercial and industrial developments, for certain residential developments, for the establishment of parking lots, for certain changes in land use, and for any development in certain zones.



THE CORPORATION OF THE
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PLANNING SERVICES
Development

ZONING BY-LAW AND/OR OFFICIAL PLAN AMENDMENT APPLICATION

ZONING FILE NUMBER 60.35.

O.P. FILE NUMBER 60.30.

AMANDA NO: _____

Planning received stamp here.

FOR OFFICE USE ONLY

Reviewed for completeness by _____ (Planner)

Date received as complete application with fee paid _____ (Date)

Property Location: _____ (Municipal Address)

Name of Applicant: _____ (Agent Owner)

PREAMBLE

It is the responsibility of the applicant or authorized agent to complete this form and to supply all of the documents required by the Planning Services

1. Fifteen (15) copies of a Site Plan based on an actual survey by an Ontario Land Surveyor showing total holdings of the owner(s) indicating the location, size and use of land, and location of existing and proposed buildings or structures on the subject lands, and when applicable, show parking areas, loading spaces and entrances/exits. Also include location and nature of any easement affecting the subject land. Sketch in natural and artificial features on the subject and abutting lands, i.e. railways, watercourses, woodlands, roads. Show current uses adjacent to subject land. (Larger plan to be folded to 8½ x 14" size). **ALL PLANS MUST BE IN METRIC UNITS.**
2. One (1) copy of survey or reference plans, including legal description, respecting this application, in metric units.
3. One (1) 8½ x 14" photo reduction of the Site Plan.
4. One (1) copy of the completed application form.

Due to the nature of some applications, additional support material or other information may be requested by the City.

Please note that prior to formal circulation by the City, a preliminary review of the application will be undertaken to determine whether or not proper and sufficient information has been provided to appropriately address the relevant issues of the proposal and environs. It shall be the applicant's responsibility to supply additional information if requested (for example: acoustical studies, traffic studies, shadowing diagrams, elevation plans, economic feasibility studies, environmental impact studies, concept plans and/or staging plans as requested by the Municipality).

All information is to be forwarded to the:

Planning Services Department, City of St. Catharines, Box 3012, City Hall, 50 Church Street,
St. Catharines, ON L2R 7C2 Phone No: (905) 688-5600 ext. 1719
Fax No: (905) 688-5873 E-mail: ps@stcatharines.ca

Applicants should review this application with the Planning Services Department before submitting.

Pursuant to the provisions of the Planning Act, application is hereby submitted for: (check applicable)

OFFICIAL PLAN AMENDMENT

Under Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended and other applicable legislation (Fee: \$ _____) N.B. The Regional Municipality of Niagara charges an additional fee, paid directly, to process this application.

BY-LAW AMENDMENT

Under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, Zoning By-law _____ (Zone _____). (Fee: \$ _____)

BY-LAW AND OFFICIAL PLAN AMENDMENT

Under Sections 17 and 21 and 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended and other applicable legislation, amending Zoning By-law _____. (Fee: \$ _____) N.B. The Regional Municipality of Niagara charges an additional fee, paid directly, to process this application.

NOTE: A fee of \$400.00 is required to adjourn and reschedule a public meeting required for a rezoning or official plan amendment.

Enclosed herewith are the forms, legal description of the property, surveys and reference plans, together with ten (10) copies of the site plan and the support material and the required fee made payable to the Treasurer of the City of St. Catharines.

1. APPLICANT INFORMATION

NAME OF APPLICANT: _____

TITLE: _____
(i.e. owner, company president, agent, etc.)

MAILING ADDRESS: _____

POSTAL CODE: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

SIGNATURE: _____

Date: / /
 M D Y

IF THE APPLICANT IS NOT THE OWNER, ITEM #2 MUST BE COMPLETED.

2. AUTHORIZATION (Must be filled in if the applicant and/or agent is not the registered owner of the land) ***PLEASE PRINT***

I/We _____

hereby authorize and direct _____

to make this application on the property known municipally as _____

for which I am/we are the registered owner(s).

Witness

Signature

Date

Address

3. MORTGAGES, CHARGES, AND OTHER ENCUMBRANCES

List the names and addresses of all mortgages, holders of charges or other encumbrances with respect to the subject land(s). _____

Date of Acquisition: / /

Date Existing Buildings Constructed: / /

4. OFFICIAL PLAN (OP) INFORMATION

- A) Existing Official Plan Designation _____
Is an OP plan designation amendment proposed? Yes No
(If yes, describe) From: _____ To: _____
- B) Existing policy affected _____
Is a policy change proposed? Yes No
If yes, what is the change _____
- C) Is the site requirement being changed? Yes No
(If yes, how) _____
- D) Is an Exception to the Official Plan proposed? Yes No
Proposed OP exception _____

5. ZONING INFORMATION:

- By-Law Number _____ Zoning Area _____
Zone _____ Zone Change Yes No
Proposed Change From: _____ To: _____
Is this an addition to permitted uses? Yes No
Type of use being added _____
Is a language change proposed? Yes No
Language to be changed _____
Is an Exception to the by-law proposed? Yes No
Proposed by-law exception _____

WHEN CHANGES TO THE EXISTING ZONING BY-LAW REGULATIONS ARE REQUIRED TO ACCOMMODATE EITHER THE EXISTING OR PROPOSED BUILDING, THE FOLLOWING COLUMNS ARE TO BE COMPLETED

ZONING REGULATIONS ALL MEASUREMENTS MUST BE IN METRIC	() ZONE REQUIREMENT	MODIFICATIONS	
		Existing Building	Proposed Building
<i>Minimum lot area</i>			
<i>Minimum lot frontage</i>			
<i>Minimum lot depth</i>			
<i>Minimum front yard</i>			
<i>Minimum rear yard</i>			
<i>Minimum side yard</i>			
<i>Minimum flankage yard</i>			
<i>Minimum lot coverage</i>			
<i>Minimum landscaped area</i>			
<i>Maximum height of building or structure</i>			
<i>Number of storeys</i>			
<i>Maximum number of dwelling units</i>			
<i>Maximum number of buildings</i>			
<i>Minimum distance between buildings on same lot</i>			
<i>Minimum number of parking spaces</i>			
<i>Maximum parking area coverage</i>			
<i>Loading area requirements</i>			
<i>Other</i>			

PROPOSED TYPE OF BUILDING _____

6. PROPERTY INFORMATION

- i) Lot (Street) frontage _____ metres
- ii) Depth _____ metres
- iii) Area _____ metres
- iv) Width of abutting road allowances _____
- v) Municipal water Available? Connected?
- vi) Sanitary Sewer Available? Connected?
- vii) Storm Sewer Available? Connected?
- viii) Private Septic?

If more than 400 litres of effluent would be produced per day as a result of the development a Servicing Options Report and a Hydrogeological Report are required as part of this application.

D) A site plan? Address: _____
File No: _____
Decision/Status: _____
Effect on Amendment: _____

E) An amendment to an Official Plan, Address: _____
A Zoning By-law or a Minister's File No: _____
Zoning Order? Decision/Status: _____
Effect on Amendment: _____

9. Does requested amendment remove the subject land from an area of employment? List the current official plan policies, if any, dealing with the removal of land from an area of employment: _____

10. How is the requested amendment consistent with the policy statements issued under subsection 3(1) of the Act? _____

11. Is the subject land within an area of land designated under any provincial plan or plans?
Yes No
If yes, which plan(s): _____

12. If the answer to 11 is yes, how does the requested amendment in conformity with the provincial plan or plans? _____

13. If known, has the subject land ever been the subject of: (a) Zoning By-law Amendment?
File No: _____
Status: _____
(b) Official Plan Amendment?
File No: _____
Status: _____

14. INTEREST IN ADJOINING LANDS

Does the applicant/agent or owner have a legal interest in any adjoining lands (i.e. lands that share) A common boundary with the subject lands? If so, describe to what extent.

15. CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

Complete the consent of the owner concerning personal information set out below.

I, _____ am the owner of the land that is subject of this application for approval of a condominium description and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application.

Signature Day Month Year

12. AFFIDAVIT

I, _____ of the City of _____, solemnly declare that:

All statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as it made under oath and by virtue of the Canada Evidence Act.

Declared before me at the _____ of _____)
_____)
_____)
in the _____))
of _____))
this _____ day of _____, 20 ____)

Signature of Owner or Authorized Agent

A Commissioner