

STAFF REPORT: PLANNING & BUILDING SERVICES



REPORT TO: Planning & Building Committee
MEETING DATE: October 4, 2010
REPORT NO.: PL.10.92
**SUBJECT: Official Plan & Zoning By-law
Amendment Applications and
Minor Variance Applications & The
Provision of Public Notice**
**PREPARED BY: David Finbow, Director Planning &
Building Services**

A. Recommendations

THAT Council receive Staff Report PL.10.92. respecting “Official Plan & Zoning By-law Amendment Applications and Minor Variance Applications & The Provision of Public Notice”.

B. Background

The purpose of this Report is to advise Council of the Town’s current practice with respect to the provision of notice to the public of a Public Meeting with respect to Official Plan and Zoning By-law Amendment Applications and Minor Variance Applications.

Official Plan and Zoning By-law Amendment Applications

O.Reg. 543/06 and O.Reg. 545/06, Regulations made pursuant to the *Planning Act*, require that notice of an Official Plan or Zoning By-law Amendment be provided by one of the following methods:

1. By personal service or ordinary mail, to every owner of land within 120 metres of the subject land and by posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property within the subject land or, if posting on the property is impractical, at a nearby location chosen by the clerk of the municipality

OR

2. By publishing a notice in a newspaper that, in the opinion of the clerk of the municipality, is of sufficiently general circulation in the area to which the proposed official plan or plan amendment would apply that it would give the public reasonable notice of the public meeting or open house, as the case may be.

The Town’s practice for the past number of years has been to:

1. Provide notice by ordinary mail to every owner of land within 120 metres;
2. Publishing a notice in the Courier-Herald and the Enterprise Bulletin; and,

3. Posting notice on the Town's website.
4. Posting notice being posted at Town Hall in the lobby and at the Planning Division.

If Council desires, Council could direct that notice also be posted on the property. This would entail additional costs, costs that could be borne by the applicant if Council desired, and additional staff time related to facilitating the provision of appropriate signs and confirming the posting of the notice. If Council is desirous of this being implemented, Town Staff would address the additional costs via our 2011 review of Planning Fees.

Minor Variance Applications

O.Reg. 200/96, a Regulation made pursuant to the *Planning Act*, requires that notice of an Official Plan or Zoning By-law Amendment be provided by one of the following methods:

1. By personal service or prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and by posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the secretary-treasurer.

OR

2. By publication in a newspaper that, in the opinion of the secretary-treasurer, is of sufficiently general circulation in the area to which the application applies to give the public reasonable notice of the hearing.

The Town's practice for the past number of years has been by way of clause 1. Town Staff are not aware of any issues or concerns with respect to the extent of the provision of notice related to minor variances.

C. The Blue Mountains' Strategic Plan

Providing a strong, well managed municipal government.

D. Budget Impact

N/A

E. Attached

N/A

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