



Municipality of Shuniah

Application to Amend the Zoning By-Law

Under Section 34 and 36 of the Planning Act

Note to applicants:

This application form is to be used by persons or public bodies wishing to amend the Zoning By-Law for a specific property in Municipality of Shuniah. In this form, the term "subject property" or "the property" means the land that is subject of the proposed amendment.

A site visit is required. Submission of this application constitutes tacit consent for authorized Municipality of Shuniah staff to inspect the subject lands or premises.

A pre-consultation meeting with the Municipality prior to submitting the application is required. The purpose of a pre-consultation meeting is to identify any other information and materials (e.g., specific studies, plans or reports) which are necessary to provide a complete review of the application. This information must be included with the application.

Completeness of the Application:

The information that must be provided by the applicant is indicated in the application form, in accordance with Ontario Regulation 545/06 under the Planning Act. The mandatory information must be provided with the fee (LRCA + Shuniah). If the mandatory information and fees are not provided, the application will be returned, or refused for further consideration until the information and fee have been provided.

The application form also sets out other information that will assist the Municipality and others in their planning evaluation of the Zoning By-Law amendment application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making decisions. As a result, the application may be refused.

Once the application is determined complete, revisions and/or changes to the application, including dimensions, will not be allowed. Please ensure the accuracy of your application. Errors or omissions may require a further

application and additional expense. Confirmation of the current land use and zoning on your property may be obtained from the Planning Department. The amendment and supporting documents will be made available to the public on the Shuniah website, www.shuniah.org, for further information please contact our office.

Submission of the Application:

The complete submission will include:

- ONE paper and ONE electronic PDF version of the full package including Survey Plan of the property
- The applicable fee(s) (LRCA + Shuniah) in accordance with the most recent Municipal Fees and Tariffs By-law.

Disclosure of information:

All information submitted in support of this application will be considered public information, including any reports, studies, drawings or other documentation submitted by applicant(s), agent(s), consultant(s) or solicitor(s). The Municipality of Shuniah is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. The Municipality of Shuniah is also permitted to provide copies of the application and any supporting information to any member of the public or other third party which requests the information.

OFFICE USE ONLY:

Application No. _____ Receipt No. _____

Date of Pre-consultation Meeting: _____

Date Complete Application Received: _____ Date Notice Given: _____

Fee Enclosed (amount): \$ _____ (LRCA) \$ _____ (Shuniah)

PART 1 GENERAL PROPERTY DESCRIPTION**1. Registered Owner(s):**

Owner's Name (indicate home owner along with property owner if different, such is the case with Associations): _____

Owner's Mailing Address: _____

City: _____ Prov.: _____ Postal Code: _____ Phone _____

Cell: _____ Email Address: _____

2. Applicant/Agent information: (If different from Registered Owner, An Owner's authorization is required, Schedule A)

Applicant's Name: _____

Solicitor/Authorized Agent/Firm: _____

Applicant's Mailing Address: _____

City: _____ Prov.: _____ Postal Code: _____ Phone: _____

Cell: _____ Email Address: _____

Send Correspondence To? Owner Applicant Agent/Solicitor **3. Location of subject land:**

Property Address: _____

Property Roll Number - 58-28-0__0-00__ - _____ (obtained from tax bill or assessment notice)

Association Name: _____

Concession No.	Section No.	
Registered Plan No.	Lot(s) No.	
Mining Location	Reference Plan No.	Pts.
Geographic Township:	<input type="checkbox"/> MacGregor	<input type="checkbox"/> McTavish

4. Lot dimensions (in metric units):

Frontage:	Depth:	Area:
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5. Encumbrances:

5.1 Please indicate the nature of any restrictive covenants or easements affecting the subject lands and describe each easement or covenant and its effect.

5.2 If known, the name of person(s) to whom the land or interest in land is to be conveyed, leased or mortgaged.

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5.3 How long have the subject lands been in the owner's possessions? _____

6. Existing use of property:

Zoning:	Official Plan Designation:
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6.1 How long has this existing use continued? _____

6.2 Is the property located in a high-density area? If so, what is the Green Star status (none, partial or full)?

7. Description of all existing use buildings or structures:

(e.g., Recreational, permanent dwelling, commercial shop)

or Vacant Land

8. List of all existing buildings and structures (provide all measurements in METRIC units):

Type of buildings or structures	All yard setbacks (m)				Building dimensions	Ground floor area	Height	When built
	Front	Rear	Side	Side				
1.								
2.								
3.								
4.								
5.								

9. Describe the drainage of the site and any on-site or nearby water sources (e.g., creeks, ponds, ditches):

10. Former Use of Property Table (check as applicable):

Does the Owner own Adjoining Property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Is there any reason to believe that the subject property or adjacent property may be environmentally contaminated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Has an industrial or commercial use, or an orchard, been on or adjacent to the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Has lot grading been changed by adding or removing earth or other material?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Has a gas station been located on the subject property or adjacent land at any time?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Has there been petroleum or other fuel stored on the subject property or adjacent land?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Has the Ministry of the Environment, Conservation and Parks, or any other agency formally or informally advised the owners that the property is or may be contaminated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown

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10.1 What information did you use to determine the answers to the above questions on former uses?

10.2 If you answered YES to any of Section 10 Former Use of Property Table, a previous use inventory showing all former uses of the subject property, or if appropriate, the land adjacent to the subject property is needed. Is the previous use inventory attached? Yes No
 If the inventory is not attached, please explain.

10.3 If you answered Yes to any of the questions related to Section 10, Former Use of Property Table, was an Environmental Site Assessment (ESA) conducted under the Environmental Assessment Act or has a Record of Site Condition (RSC) been file? Yes No Unknown
 If no, why not? Explain on a separate page, if necessary.

11. Uses adjacent to the subject property:

North _____ -

South _____ -

East _____ -

West _____ -

PART 2	ZONING BY-LAW AMENDMENT
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12. Indigenous land claims:

12.1 Does the proposed zoning by-law Amendment apply to lands subject to any indigenous land claims or provincial/indigenous co-management agreement? Yes No
 If known, provide any information you may have below or as an attachment to the application.

12.2 Have you consulted with Indigenous Peoples on this request for a zoning by-law Amendment? Yes No

If yes, provide any information you have on the consultation process and the outcome of the consultation. Attach a separate page, if necessary

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13. Consultation Strategy:
Please describe in detail you proposed strategy for consulting with the public with respect to this requested amendment. Please explain below or attach on a separate page.

14. What is the proposed zoning by-law amendment?

15. Describe the purpose of the proposed amendment:

Explain on a separate page, if necessary

16. Do the existing parts of the Zoning By-Law that would be affected by the requested Zoning By-Law Amendment conform with the Municipality of Shuniah Official Plan? [] Yes [] No

If yes, explain how.

17. Does the proposed Zoning By-Law amendment conform with the Municipality of Shuniah Official Plan?

If yes, explain how. (Read and cut and paste all relevant policies sections. Use a separate page as needed).

18. Describe how the proposal will fit in with the existing land uses in the area.

19. Describe in detail how the proposed amendment conforms with the intent of the Zoning By-Law.

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20. Other planning applications

20.1 Has the subject land ever been or is it currently the subject of any other planning application, including applications before the Ontario Land Tribunal (OLT), for approval of either:

Zoning By-law Amendment Consent Minor Variance Site Plan Approval

Official Plan Amendment Plan of subdivision or condominium Minister's zoning order

If yes, and if known, specify: the file number; the approval Authority; the land it affects; its purpose; its status, and its effect on the proposed amendment:

21. If the subject property is within an area where zoning with conditions may apply, how the application conforms to the official plan policies relating to zoning with conditions:

22. Description of ***proposed*** buildings or structures
(e.g., Recreational, permanent dwelling, commercial shop)

23. List of proposed buildings or structures on the property

Type of buildings or structures	All yard setbacks (m)				Building dimensions	Ground floor area	Height	When built
	Front	Rear	Side	Side				
1.								
2.								
3.								
4.								
5.								

24. Describe the general topography and any special characteristics that may affect development (ravines, rocks, marshlands)

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PART 3	SERVICING
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25. Description of Street/Road:

<input type="checkbox"/> Opened	<input type="checkbox"/> Paved	<input type="checkbox"/> Gravelled	<input type="checkbox"/> Public	<input type="checkbox"/> Private
Width of Street or Road				
Is the road maintained by the Municipality?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	
Has the road been dedicated/transferred to the Municipality?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	
Is the Road privately owned and/or privately maintained?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	

26. Road access and/or frontage:

Name of Road: _____
 Type of Road (i.e. Provincial Highway, Regional Road, Local Public Road, Private Road, Other) _____

If Other, specify details, including water and right of ways, if access to the subject land will be by water only, the parking and docking facilities used or to be used, and the approximate distance of these facilities from the subject land and the nearest public road.

27. Describe what type of sewage disposal system is or will be provided to the subject land; and if it meets Provincial standards:

If the proposed amendment would permit development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent would be produced per day and/or results in the development of more than 5 lots/units, a *sewage options report* and a *hydrogeological report* is required.

28. Describe how water will be provided to the subject property:

If the proposed amendment would provide water through a privately owned and operated individual or communal well, the development of more than 5 lots/units may need a hydrological report. If lake or other water body water is proposed to be used, a permit To Take Water may be required (taking more than 50,000 litres of water per day requires a permit from the Ministry of Environment and Climate Change).

29. Describe how storm drainage will be managed (i.e. ditches, swales, others):

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PART 4	PROVINCIAL POLICY
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30. Provincial Policy Statement (PPS):

30.1 Is the proposed amendment consistent with the PPS under subsection 3(1) of the *Planning Act*?
 Yes No

30.2 Explain how the requested amendment is consistent or not consistent with the PPS. Attach a separate page, if necessary. Submit a copy of a planning report, if applicable. (Read and cut and paste the relevant sections).

31. **Is the subject land within an area of land designated under any provincial plan or plans?** Yes No
 If yes, does the proposed amendment conform to or does not conflict with the provincial plan or plans:

CURRENTLY, THIS DOES NOT APPLY.

32. Significant Features:

32.1 Has a site assessment been carried out by a qualified person to determine if natural heritage features exist on or within 120 metres of the subject property? Yes No

32.2 Have any studies been completed to assess the impacts of the proposed development on any existing natural heritage features and adjacent lands? Yes No

32.3 Are any of the following uses or features on the subject lands of the proposed amendment or within 500 metres of the subject property of the proposed amendment, unless otherwise specified.

Significant Features checklist (Please check all appropriate boxes, if any apply.)

Use or Feature	On the Subject Property	Within 500m of Subject Land (indicate approx. distance)	Potential information needed
Class 1 Industry*			If sensitive land uses proposed within 70m from the boundary lines, a noise/odour/particulate study may be needed
Class 2 industry**			If sensitive land uses proposed within 300m from the boundary lines, a noise/odour/particulate study may be needed
Class 3 industry***			If sensitive land uses proposed within 1000m from the boundary lines, a noise/odour/particulate study may be needed
A landfill site (closed or active)			If sensitive land use is proposed, and if within 500 m of the perimeter of the fill area, address possible leachate and groundwater impacts, noise, methane gas control, odour, vermin and other impacts may be needed.
A sewage treatment plant or waste stabilization pond			Assess the need for feasibility study for residential and other sensitive land uses.

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Provincial Highway			Consult Ministry of Transportation if access to provincial highway is proposed. If located in proximity to provincial highway, a traffic impact and a stormwater management report may be needed.
An active railway line and major highways			Evaluate impacts of noise within 100m
Electricity generating station, hydro transformer, railway yard, etc.			If sensitive land use is proposed, and if within 1000m, a noise study may be needed to determine possible noise impacts and appropriate mitigation measures.
High voltage electric transmission line			Consult the appropriate electric power service.
Transportation, infrastructure and utility corridors			Will there be a negative impact on a planned corridor?
Cultural heritage and archaeology			Adverse impact on significant built heritage resources and significant cultural heritage to be mitigated. Development is only allowed on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved.
An agricultural operation, including livestock facility or stockyard			Development to comply with Minimum Distance Separation Formulae (MDS)
An active mine site or an aggregate site operation site within 1000m of the subject land			Will development hinder or be incompatible with continued operation or extraction?
Mineral aggregate resources areas			Will development hinder access to the resource or the establishment of new resources operations?
A non-operating mine site within 1000m of the subject property			Demonstrate that the mine has been rehabilitated OR all potential impacts have been investigated and mitigated.
A rehabilitated mine site, abandoned mine site or mine hazard			If proposal is on, adjacent to, or within 1000m, consult with the Ministry of Northern Development, Natural Resources & Forestry
A significant coastal wetland A significant habitat of endangered species and threatened species A provincially significant wetland within 120 metres of the subject property species			Development and site alteration are not permitted in the features. Are any significant coastal wetlands or unevaluated wetlands present on the subject property or within 120 m? Are any known significant habitats present on the subject property or within 50 m? Has there been preliminary site assessment to identify whether potentially significant habitats are present?
A significant wildlife habitat A significant Areas of Natural and Scientific Interest (ANSI)			Development not permitted, unless demonstrate no negative impacts. Indicate if there are any significant wildlife habitat, and Areas of Natural and Scientific Interest (ANSIs) on the subject lands or within 50 m.
Fish habitat			Development and site alteration are not permitted in fish habitat except in accordance with provincial and federal requirements. Is any fish habitat on the subject property or within 30 m? Is any lake trout lake on the subject lands or within 300 m? If yes to any of the above, an environmental impact study may be required.
Adjacent lands to natural heritage features and areas			Not permitted unless demonstrated that ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative impacts.
Floodplain			Identify if located in floodplain and address accordingly, as per policies and Lakehead Region Conservation Authority.
A contaminated site			Assess an inventory or previous uses in areas of possible soil contaminations.
Hazardous sites****			Demonstrate that hazards can be address.
Erosion hazards			Determine feasibility within the 1:100 year erosion limits of river valleys and streams.
Sensitive surface water features and sensitive groundwater features			Restricted in or near sensitive surface water features and sensitive groundwater features. Demonstrate suitable mitigation measures and/or alternative development approaches to protect, improve or restore sensitive surface water features, sensitive groundwater features and their hydrologic functions.
A municipal or federal airport			Evaluate impacts of noise.
Crown land (identified by the Ministry of Natural Resources & Forestry as being of special interests, such as a lake access point)			Consult Municipality for assistance in dealing with planning issues relating to proposals requiring the acquisition or use of Crown lands. Contact the Ministry of Natural Resources and Forestry (MNRF) District Office regarding the actual acquisition or use of Crown land.

*Class 1 industry: Small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

**Class 2 industry: Medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

***Class 3 industry: Processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

****Hazardous sites: property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils or unstable bedrock.

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33. Archaeological features:

33.1 Does the subject property contain any know archaeological resources or area of archaeological potential?

If yes, is the proposal consistent with the official plan Cultural Heritage Resources and Archaeology Policies?

Yes No If yes, please explain. Attach a separate page, if necessary. Submit a copy of the technical report(s), if applicable.

34. Is there any other information that you think may be useful to the Municipality in reviewing this request for amendment? If so, explain below or attach a separate page with this information. If applicable, include the original or certified copy of the supporting information and material.

35. SITE PLAN REQUIREMENTS

- North arrow, scale and legend;
- Boundaries of the subject property to the application including lot area and dimensions;
- Locations and dimensions of all existing buildings (*show locations of buildings/structures on adjoining properties*);
- The setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area (*show locations of buildings/structures on adjoining properties*);
- Location of well and neighbouring wells (indicate if the wells are dug or drilled, and indicate distance form property lines);
- location of subsurface sewage disposal system, including septic tank, weeping beds and any other components (*show neighbouring properties systems if known*);
- Location of all natural and artificial features (e.g., easements, railways, pipelines, high voltage transmission lines, highways, watercourses, drainage ditches, banks, slopes (contour lines), wetlands, wooded areas, wells, and septic fields) that are located on the subject land and on land that is adjacent to it and in the applicant's opinion, may affect the application See also Official Plan Schedule B1 Constraints Map. (NOTE: the LRCA Regulates 30m around all wetlands);
- The nature of the existing use of the adjacent properties (*e.g., residential, agriculture, automotive*);
- The proposed development, including the area and dimensions the size and location of buildings, parking areas (*including the dimensions of all parking spaces and aisles*), landscaping, amenity areas, etc.;
- The location, width and name of any roads within or abutting the subject property, indicating whether it is an unopened road allowances, a public travelled road, a private road or right of way;
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- The location and nature of any easement affecting the subject property; and,
- Any additional supporting information the applicant may wish to submit.

PLEASE ENSURE **ALL** PERTINENT INFORMATION IS CONTAINED ON A SINGLE SKETCH ONLY. THE MAXIMUM SIZE FOR THE ACCOMPANYING SKETCH SHALL BE **11" X 17"**. It is up to the applicant to ensure that the information provided is accurate.

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AFFIDAVIT OR SWORN DECLARATION

I/We, _____ of the City/District/Regional Municipality of _____ in the City/District/Regional Municipality of _____ solemnly declare that all the statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

SWORN/AFFIRMED /DECLARED before me at the

_____ In the Province)

Of Ontario this _____, day of _____ 20____)

SIGNATURE

A Commissioner for taking Affidavits. _____

signature

stamp

CONSENT OF THE OWNER:

***AUTHORIZATION OF 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 a consent and for the purposes of the Freedom of Information and Protection of Privacy Act I authorize and consent to the use by or the 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.

Date

Signature of Owner

Note: The information in this application and all other information, studies, reports and comments received relative to the processing of this application is collected for the purpose of creating a record that is available to the general public.

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Schedule A

Owner Name(s): _____

Address: _____

Phone Number: _____

Attention: Clerk

Subject: Letter of Authorization

RE: Subject Lands at Lot: _____ Plan: _____

Address: _____ Municipality of Shuniah

Dear Approval Authority:

I, _____, am the owner of the land that is the subject of this application for a minor variance and I authorize _____ to make this application on my behalf as described in the attached site plan. For the purposes of the Freedom of Information and Protection of Privacy Act I authorize _____ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the process on of the application.

Please do not hesitate to contact me if there are any further questions. Yours truly,

Owner Signature

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Schedule B

A Planning Justification Report is a report provided by an applicant as part of a complete application which:

- describes the subject property, its existing physical conditions, and its context within the surrounding community;
- outlines the Proposed Application;
- provides an overview of the relevant planning policy and regulations that affect the planning application, including Provincial Policy Statement, Growth Plan for Northern Ontario, the Shuniah Official Plan and any other related policy, regulations and guidelines;
- details potential adverse effects or impacts;
- summarizes each of the technical studies triggered by the potential adverse effects or negative impacts;
- details how adverse effects or negative impacts will be minimized or the mitigation measures with contingency plans; and,
- provides planning opinion and justification for the proposed development Application.

The level of detail for the planning justification shall be appropriate to the complexity or potential impact of the proposal; and/or in accordance with relevant official plan policy sections.

In the case of a Zoning Amendment, the Planning Justification Report is a brief (because most of the information has already been stated in the application form above) statement which summarizes the information required by the Planning Act; and also gives the applicant an opportunity to explain in their own words what they are seeking to achieve and why.

The Planning Justification Report must describe if the zone is being changed and/or if the permitted uses are changing, and if it is specific to the subject property only.

It must conclude by addressing potential adverse effects and compatible development (see *below).

Sample Planning Justification Report for a Zoning By-Law Amendment

Title: Planning Justification for a Zoning By-Law Amendment application to allow:....., located at.....

In summary, the reason for the request is to

The proposed development is beneficial to the community because.....

The potential adverse effects are.....; but will have little to no impact because the following (mitigation) measures will be implemented.....(reference technical studies).

Therefore, the resulting development will be compatible. (See *below for explanation of compatible development and adverse effects).

*Compatible Development (excerpt from the 2020 Shuniah Official Plan)

In order to proceed, all new development requiring a Planning Act approval shall be compatible with existing uses in the vicinity by avoiding adverse effects or minimizing adverse effects to acceptable or negligible levels, and where applicable, in accordance with Provincial guidelines and Shuniah staff.

Where a development initiative has the potential to be incompatible with or cause adverse effects to other land uses/users in the vicinity, appropriate technical studies evaluating compatibility; and mitigation using avoidance, buffering, separation distances or other measures, shall be part of the planning justification in a complete application (see section 4).

Potential Adverse Effects

Common potential adverse effects of a proposed development relate to, but are not limited to:

- pattern, scale, massing, design of development, servicing levels of existing and future development;
- visual impacts relating to outdoor storage;
- shadowing and/or lighting and/or visual impacts on surrounding land uses including privacy of adjacent residential uses
- traffic volume and safety
- vehicle access and parking
- hydrological and hydrogeological functions
- surrounding natural heritage features and cultural heritage resources; and,
- noise, vibration, odour, dust and other contaminants or emissions.

Potential adverse effects for sensitive uses as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;

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- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.