



APPLICATION FOR OFFICIAL PLAN AMENDMENT

Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
519-741-2426; planning@kitchener.ca

USING THE APPLICATION FORM

This application form is to be used by anyone wishing to apply to the City of Kitchener for an amendment to the City of Kitchener Official Plan. To avoid delay, it is important that all relevant information be accurately provided. In this form, the term “subject land” refers to the land that is the subject of the proposed official plan amendment.

The applicant has the responsibility to advise the City of Kitchener of any changes in ownership, agents, names, addresses and telephone numbers etc. to ensure that they are advised of all matters pertaining to their application.

COMPLETENESS OF THIS APPLICATION

The information requested in this application must be provided by the applicant and will be used to process the request under Sections 17 & 22 of the Planning Act and Ontario Regulation 543/06. Receipt of this application by the City of Kitchener does not guarantee it to be a ‘complete’ application. Further review of the application will be undertaken and the applicant may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

Pre-Submission Consultation is a requirement of the planning process. **This application will not be accepted in the absence of a Record of Pre-Submission Consultation.** Through the Pre-Submission Consultation process, other information and material (e.g. technical information or reports) may be required to assist the City and other agencies in their evaluation of the proposed Official Plan Amendment. This application will not be considered complete in the absence of any material specified in the Record of Pre-Submission Consultation.

RELATED APPLICATIONS

If the Official Plan Amendment is being submitted in conjunction with an Application for Plan of Subdivision and/or Zoning By-law Amendment, these applications must be completed and submitted together. Any applications for a Plan of Subdivision, Official Plan Amendment and/or Zoning By-law Amendment that are required for a site plan application must have received a Council decision prior to the submission of the site plan application.

SUBMISSION REQUIREMENTS AND APPLICATION FEES

Complete applications must be submitted by email to planning.applications@kitchener.ca (maximum 10 MB); for larger files please upload directly to the City’s ShareFile account (contact us if you require access) with a corresponding email to advise that the application has been uploaded. Payment is due immediately following the digital submission. Send a cover letter (be sure to include the address of the subject property) along with the cheque (payable to the City of Kitchener) to Kitchener City Hall, Development & Housing Approvals Division, 200 King Street West, 6th Floor, Kitchener ON N2G 4V6.

As per subsection 22(5) of the Planning Act, the City has established standards for complete applications in the Official Plan. An application for an Official Plan Amendment will only be considered complete when all of the following items have been provided:

- ☐ Application form (completed and signed)
- ☐ Copy of key map showing the extent and boundaries of the lands affected and their proximity in location to major roads
- ☐ Copy of plan showing all items required by Ontario Regulation 543/06 (as described below)
- ☐ A reduced copy of the proposed plan at 8.5”x 11” paper size at an appropriate scale and clearly legible

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- ☐ Copy of signed Record of Pre-Submission Consultation
- ☐ All supporting information and materials required to be provided with the initial submission pursuant to the Record of Pre-Submission Consultation
- ☐ If the site is located within a Source Protection Area, provide a copy of the Notice of Source Protection Plan Compliance (Section 59 Notice) obtained from the Regional Municipality of Waterloo. For more information, visit the Region's website at <http://www.regionofwaterloo.ca/sourceprotection>.

☐ Application fee - **\$34,611.00**

☐ Reduced fee if submitted with concurrent Zoning By-law Amendment application - **\$31,150.00**

- PLUS (if not already included with concurrent Zoning By-law Amendment application fees) -

☐ Public notice advertisement fees - **\$1,518.00**

☐ Notification signs - **\$276.00 each** (indicate number of signs required) _____

☐ Heritage Review Surcharge fee - **\$3,375.00** (if heritage plans or studies are required, as identified by staff)
NOTE: If a final heritage decision is required by City Council, an additional fee will be required prior to scheduling of the Council meeting.

TOTAL FEES SUBMITTED: \$ _____
(please include a scanned copy of cheque with the digital submission)

A **Neighbourhood Meeting** fee (separate cheque in the amount of **\$1,278.00**) is required to be submitted with this application (in the event a meeting is not required the cheque will be returned). If more than one meeting is required, additional fee(s) will apply for each subsequent meeting.

Additional agency plan review fees may also apply. Please see below for more information and forward fees directly to the applicable agency, as required:

- **Region of Waterloo** – Planning and Development Services, Applications
- <https://www.regionofwaterloo.ca/en/doing-business/applications.aspx>; 519-575-4400
- **Grand River Conservation Authority** – Planning & Development, Permit Fees
- <https://www.grandriver.ca/en/Planning-Development/Permit-fees.aspx>; 519-621-2761

NOTICE SIGNS

Please note that all properties subject to an application for an Official Plan Amendment are required to post notice signs. As per Council Policy I-705, should the subject property be situated at an intersection or have frontage on more than one public road, notification signs will be required for each street frontage. If the application includes several properties more than one sign per frontage may be required. Property specific notice signs are provided by the City, at the cost noted in the fees section of this form, and shall be installed by the applicant.

A photograph of the installed property specific notice sign must be sent to the File Planner prior to the application being deemed complete. The sign(s) shall remain in place until a decision has been made by Council and the applicable appeal period has expired. At that time, it is the responsibility of the applicant to remove the sign(s).

OFFICIAL PLAN AMENDMENT PROCEDURE

The targeted timeframe for processing an application for an Official Plan Amendment is within 120 days. The procedure generally encompasses the following steps:

1. The application is reviewed by planning staff to ensure all prescribed information and the required fee has been provided. Within thirty (30) days of the receipt of an application the applicant will be notified in writing whether the application is considered “complete”. Instructions regarding the notice signs will be sent to the applicant at this time.
2. Within fifteen (15) days of the application being deemed complete a “Notice of Application” will be advertised in The Record (local newspaper) and circulated to residents within 240 metres of the subject land & various departments / agencies for comment. Installation of the notice signs should be coordinated with the circulation of the Notice of Application. Any major issues arising from this circulation will be brought to the attention of the applicant for review and appropriate action.
3. Following the circulation period, a staff report containing a recommendation and any conditions of approval, if required, will be formulated.
4. Once the staff report has been finalized, a notice will be advertised in The Record (local newspaper) twenty (20) days in advance of the statutory public meeting. Notice will also be given directly to any persons that responded to the preliminary circulation outlined above.
5. At the public meeting, opportunity is afforded to the applicant and any other interested parties to make verbal and/or written submissions concerning the application. The committee may choose to recommend approval, refusal or deferral of the application.
6. If recommended for approval or refusal by the committee, the proposed amendment is then forwarded to city council for consideration.

If recommended for approval by city council, the proposed amendment will then be forward to the Regional Municipality of Waterloo for final approval. The Region of Waterloo may choose to approve, refuse or modify the proposed amendment. Notice of the decision will be given to those who have expressed interest, and the 20-day appeal period will commence the day after this notice is given, during which time the application may be appealed to the Ontario Land Tribunal (OLT). Should no appeal be filed, the amendment is final and binding as of the date of council passing.



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1. REGISTERED OWNER (list on additional page if required)

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

2. APPLICANT (if other than registered owner)

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

3. ALL PERSONS OR INSTITUTIONS WHO HAVE ANY MORTGAGE CHARGE OR ENCUMBRANCE ON THE PROPERTY

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

4. PRE-SUBMISSION CONSULTATION

a) Has the proposed amendment to the Kitchener Official Plan been the subject of a pre-submission consultation meeting with Planning Division staff? ☐ Yes ☐ No ☐ Waived

b) If yes, what was the date of pre-submission consultation? _____

Has a copy of the Record of Pre-submission Consultation been included? ☐ Yes ☐ No

NOTE: The Record of Pre-submission Consultation documents the required information and materials that must be submitted in conjunction with the application form and fees. The Record is used by staff to determine whether the application is complete and acts as a receipt for any pre-submission consultation fees that you may have paid.

5. DETAILS OF SUBJECT LAND

a) Municipal address of property subject to application: _____
b) Legal description of subject property (include lot & registered plan number and parts on reference plan):

c) Area of the subject lands: _____
d) Existing use of the subject lands: _____

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e) Is the subject property:

- Designated under the Ontario Heritage Act? ☐ Yes ☐ No
- Listed on the Municipal Heritage Register? ☐ Yes ☐ No
- Included on Heritage Kitchener's Inventory of Historic Buildings? ☐ Yes ☐ No

NOTE: Please attach a key map showing the extent of the lands affected by this application and their location in proximity to major roads.

6. CURRENT OFFICIAL PLAN DESIGNATIONS AND ZONING

a) Current regional official plan designation for the subject property:

b) Does the requested amendment conform to the application policies of the Regional Official Plan?

☐ Yes ☐ No

c) What is the current city official plan designation for the subject property? Please include any Official Plan policies or special designations such as floodplain that may affect the subject lands.

d) What land uses does the current designation authorize?

e) Identify the secondary plan and land use designation for the subject property, if applicable:

f) Is a secondary plan amendment being requested together with this official plan amendment?

☐ Yes ☐ No

- If yes, identify the applicable sections, policies, schedules, etc.:

g) What is the existing zoning of the subject lands?

h) Is a zoning by-law amendment being submitted together with this official plan amendment?

☐ Yes ☐ No

- If yes, identify the proposed zoning categories and any requested special regulation provisions and/or special use provisions:

7. PROPOSED OFFICIAL PLAN AMENDMENT

- a) What is the purpose of the requested amendment and the proposed use of the subject lands?

- b) Does the requested amendment change, replace or delete a policy in the Official Plan?

☐ Yes ☐ No

- If yes, please list the affected policies and provide the text of the requested amendment (please attach separate page if necessary):

- c) Does the requested amendment add a policy or Special Policy Area to the Official Plan?

☐ Yes ☐ No

- If yes, please describe the requested policies or Special Policy Areas and provide the proposed text for the requested amendment (please attach a separate page if necessary):

- d) Does the requested amendment change or replace a designation in the Official Plan?

☐ Yes ☐ No

- If yes, please list the affected designation and describe the proposed changes:

- e) What land uses would the requested official plan amendment authorize?

- f) Are any official plan schedules or maps proposed to be changed or replaced?

☐ Yes ☐ No

- If yes, please list the affected schedule or map:

g) Does the requested amendment alter all or any part of the City Urban Area?

☐ Yes ☐ No

- If yes, please list current official plan policies and regional official plan policies dealing with the alteration of the City Urban Area:

h) Does the requested amendment remove the subject land from an area of employment?

☐ Yes ☐ No

- If yes, please list current official plan policies and regional official plan policies dealing with the removal of land from an area of employment:

7. PROPOSED SERVICING

a) **Sewage Disposal** - select service type:

- ☐ Publicly owned piped sewage system
☐ Privately owned communal wastewater system*
☐ Privately owned and operated individual wastewater system*
☐ Other (describe): _____

*If selected, and if more than 4,500 litres of effluent would be produced per day as a result of the development being complete, a servicing options report and hydrogeological report must accompany the application.

b) **Water Supply** -select service type:

- ☐ Publicly owned piped water system
☐ Privately owned communal well
☐ Privately owned individual well
☐ Other (describe): _____

c) **Stormwater Drainage** - A preliminary stormwater drainage report is required for all types of storm drainage. Select the proposed stormwater drainage servicing below:

- ☐ Sewers
☐ Ditches or swales
☐ SWM pond
☐ Infiltration trenches

Attach and provide the name of the preliminary servicing information for the facility you have identified:

Name of servicing information/report: _____

Have you attached a preliminary stormwater management report? ☐ Yes ☐ No

If not attached in a separate report, in what report can it be found? _____

d) **Access** - select service type:

- ☐ Provincial (MTO access or land use permit may be required)
- ☐ Regional
- ☐ Municipal
- ☐ Water

Name of servicing information/report: _____

8. OTHER APPLICATIONS

Are there any previous or current Planning Act applications (such as plan of subdivision, consent, zoning by-law amendment) pertaining to the subject lands? ☐ Yes ☐ No

- If yes, provide file number and status of each application:

9. PROVINCIAL POLICY CONFORMITY

a) Is the plan consistent with the policy statements issued under any subsection 3(1) of the Act?

(i.e. the Provincial Policy Statement)

☐ Yes

☐ No

ACKNOWLEDGEMENT

- ☐ I acknowledge that submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.
- ☐ I acknowledge that the information requested on this form, and submitted with this application, is collected under the authority of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process this application and forms part of the public record. I understand and agree that the information provided within this application may be published on the City of Kitchener website and therefore be publicly accessible. Questions about this collection can be made to City of Kitchener Planning Division at 519-741-2426.
- ☐ I acknowledge that, to facilitate the City's compliance with O. Reg. 191/11 *Integrated Accessibility Standards* under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11., the Consultant/Contractor shall provide any final report and any other document identified by the Project Manager/City Representative as intended City/Client website content in an accessible format that complies with the World Wide Web Consortium Web Content Accessibility Guidelines 2.0 AA [other than success criteria 1.2.4. Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-Recorded)]. However, this requirement shall not apply to drawings, photos, maps, site plans, or other documents that the Project Manager/City Representative agrees cannot practicably be converted to an accessible format. For detailed information about AODA requirements and to find training resources, visit <https://aoda.ca/>.

Signature of Owner/Applicant: _____ Date: _____

AFFIDAVIT (to be completed *in person* in the presence of a Commissioner of Oaths)

I, _____, of the City/Town/Township of _____,
in the County/Region of _____, solemnly declare that the information contained in
this application is true, the information contained in the documents that accompany this application is true and
that the owner as of the day on which this application is made has unconditional ownership of the subject lands
and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: _____

Declared before me at the

City/Town/Township of _____ in the County/Region of _____
this _____ day of _____, 20 _____.

Commissioner of Oaths: _____

REGIONAL MUNICIPALITY OF WATERLOO - ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

This form must be completed by the property owner(s) for all development applications submitted to the City of Kitchener on behalf of the Regional Municipality of Waterloo.

1.	What are the current uses of the property? _____			
2.	Was the subject property ever used for industrial purposes? If yes, please describe approximate dates and types of industry:	Yes ☐	No ☐	Uncertain ☐
3.	Was the subject property ever used for commercial purposes where there is potential for site construction (i.e. automotive repair, gas station, dry cleaning operation, chemical warehousing, etc.)? If yes, please describe approximate dates and types of commercial activity:	Yes ☐	No ☐	Uncertain ☐
4.	Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? If yes, when? _____ Please provide description of waste materials:	Yes ☐	No ☐	Uncertain ☐
5.	Have hazardous materials ever been stored or generated on the property (e.g. has HWIN registration or other permits been required)? If yes, please summarize details:	Yes ☐	No ☐	Uncertain ☐
6.	Is there reason to believe that this property may be potentially contaminated based on historical use of this or an abutting property? If yes, please describe the nature of the suspected contamination:	Yes ☐	No ☐	Uncertain ☐
7.	Has the subject property or adjacent property ever been used as an agricultural operation where cyanide products may have been used as pesticides?	Yes ☐	No ☐	Uncertain ☐
8.	Are there or were there ever any above ground or underground storage tanks for fuels or chemicals on the property? If yes, please summarize details:	Yes ☐	No ☐	Uncertain ☐
9.	Does this property have or ever had a water supply well, monitoring well, geothermal well? If yes, please provide details:	Yes ☐	No ☐	Uncertain ☐
10.	Does the property use or has it ever used a septic system?	Yes ☐	No ☐	Uncertain ☐
11.	Have any environmental documents been prepared or issued for this property, including but not limited to a Phase I and II environmental site assessment, risk assessment, Record of Site Condition or Certificate of Property Use?	Yes ☐	No ☐	Uncertain ☐
12.	Will lands be dedicated to the Region as part of this application (including road allowances, daylight triangles?)	Yes ☐	No ☐	Uncertain ☐