

REMOVAL OF A HOLDING SYMBOL

(Section 36 of the Planning Act RSO, 1990 as amended and Ontario Regulation 545/06, S.8)

Introduction

Local council may use a holding "H" symbol on a Zoning By-Law passed under Section 34 of the Planning Act (use the Zoning By-law process to implement a Holding Zone). Holding Zones are used to put limits on development of land, until certain conditions are met. A holding "H" symbol may be removed by amending the original Zoning By-law.

Section 36 of the Planning Act sets out the process and requirements for removing the holding "H" symbol of a Zoning By-law. The local municipality is the approval authority for an application to remove a Holding "H" symbol.

Process

Complete Application:

- Application form, fee, and supporting material(s) submitted to the Manitoulin Planning Board on behalf of the Municipality.
- Application reviewed for completeness and prescribed information.
- If complete, application assigned a file number and processing commences.

Notice of Intention (O. Reg. 545/06 S. 8)

Notice of Intention to pass an amending By-law to remove the holding "H" symbol is given; as required by the Planning Act (20 days notice).

Either by:

- personal service or prepaid first class mail to the owner of the subject property. If the owner of the subject property is a condominium corporation, notice may be given to the condominium corporation instead of being given to all land owners;
OR
- publication in the newspaper
AND
- by personal service, mail or fax to the Local Municipal Office.
AND
- by personal service, mail or fax to every person or public body requesting notice.

The notice shall include the following:

- An explanation of the effect of the removal of the holding "H" symbol.
- A description of the subject land and a key map showing the subject land.
- A statement of the earliest day on which council proposes to meet to pass the amending By-law.

No public meeting is required.

A notice of decision is only required to be sent to the property owner. No appeal period, other than for the owner if Council refuses to or neglects to make a decision on the application within 120 days.

**APPLICATION TO REMOVE A HOLDING "H" SYMBOL
FOR A ZONING BY-LAW AMENDMENT**

1. Applicant Information: An owner's authorization is required in Section 6, if the applicant/agent is not the owner.

1.1 Name of Owner(s)			
Home Telephone No.	Cell No.	Business Telephone No.	
Full mailing address		Email &/or Fax	
1.2 Name of Agent/Applicant			
Home Telephone No.	Cell No.	Business Telephone No.	
Address		Email&/or Fax	
2. Location of the Subject Land (Complete applicable boxes in 2.1)			
2.1 Township/Municipality		Property Identification No.	
Concession Number(s)	Geographic Lot No(s)	Name of Street/Road	House No. 911 No.
Survey Plan No.	Survey Part/Lot No.(s)		
3. i) What is the purpose of the holding "H" symbol?			
ii) What is the date that the holding "H" symbol was applied?			
iii) What is the application File Number that placed the holding "H" symbol?			
iv) What is the By-law Number that placed the holding "H" symbol?			

4. How have the requirements for removal of the holding "H" provision been satisfied? (Please use separate sheet if needed.)

5. AFFIDAVIT OR SWORN DECLARATION

I/We, _____ of the _____ in the _____
make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

at the _____ in the _____
this _____ day of _____ 20__.

Commissioner of Oaths

Owner(s) or Authorized Agent/Applicant

Owner(s) or Authorized Agent/Applicant

6. AUTHORIZED AGENT

Authorization of Owner(s) for Agent to Make the Application

I/We _____, am/are the registered owner(s) of the subject lands for which this application is to apply. I/We do hereby grant authorization to _____ to act on my/our behalf in regard to this application.

Date

Signature of Owner(s)

Date

Signature of Owner(s)

7. Permission to Enter

I/We hereby permit the Manitoulin Planning Board staff and/or the Municipal Staff and its representatives to enter the premises for the purpose of performing inspections of the subject property, if required.

Signature of Owner(s)

Date

Signature of Owner(s)

Date

The Planning Board will assign a File Number for complete applications and this should be used in all communications.

Applicant's Checklist:	Have you remembered to attach:	Yes
	The original signed request form?	___
	A copy of the current land transfer/deed for the subject land?	___
	A copy of the Holding By-law?	___
	A copy of the documentation supporting the removal of the holding symbol?	___
	A copy of a sketch and/ or survey?	___
	The required fee of \$150.00 payable to the Manitoulin Planning Board (cheque or money order)	___

**Forward to: The Manitoulin Planning Board
40 Water Street, Unit 1
P.O. Box 240
GORE BAY, Ontario P0P 1H0**