

# PLANNING PROCESS GUIDE



Consolidated: October 2022.

THE CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC



## Planning Process Guideline

Planning is the management of land, resources, and development in our communities. It is a process that helps to determine where homes, stores, and factories are built, and which services are provided. Strathroy-Caradoc's Planning Department works closely with Municipal Departments, Middlesex County, government agencies, and local Conservation Authorities to co-ordinate and process local development applications to manage growth and establish a high quality of development that supports the long-term health, safety, welfare, and well-being of all residents. This Planning Process Guide outlines some of the most common development applications within the municipality.

This guide is intended for information only and offers a summary of legislation and policies that are subject to change. The Department works with individuals and groups to provide detailed information about the development process in Strathroy-Caradoc as well as specific considerations and guidance relevant to each application.

**Please contact a Municipal Planner for additional information or book a pre-consultation discussion.**

### PLEASE NOTE

This guide presents a high-level overview of common planning applications. Not all steps, requirements, costs, and responsibilities have been included in full. Legal, engineering, and peer review fees are examples of common costs associated with planning applications—all of which are the full responsibility of the applicant.

Processes may differ from those outlined within this guide depending on the application and any policy changes.

Pre-consultation and submission of an application do not guarantee approval. Decisions on all applications lie with the Municipal Council and/or the Committee of Adjustment.

The time it takes to process applications varies, Strathroy-Caradoc strives to ensure efficient and timely processing of applications.

### USEFUL RESOURCES

The documents listed below are helpful resources in understanding various aspects of land use planning as they outline the specific requirements involved with growth, development and the planning application process.

[Ontario Planning Act](#)

[Provincial Policy Statement](#)

[Middlesex County Official Plan](#)

[Strathroy-Caradoc Official Plan](#)

[Strathroy-Caradoc Zoning By-Law](#)



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**For further information, visit our website at [www.strathroy-caradoc.ca](http://www.strathroy-caradoc.ca)**

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## WHAT IS IT?

Each property within Strathroy-Caradoc belongs to a zone (such as *residential, commercial, agricultural, or industrial*) that determines what uses and buildings are permitted. Strathroy-Caradoc's Zoning By-law contains regulations and standards for each zone (for example, *the maximum building height*). If there are some proposed deviations from the regulations and standards (for example, *an increased building height*), a Minor Variance would be necessary.

### Applications are reviewed against and must meet all the following tests:

- 1) Is the variance minor?
- 2) Is it desirable for the appropriate development or use of the land, building or structure?
- 3) Does it meet the general intent and purpose of the Zoning By-law, and
- 4) Does it maintain the general intent and purpose of the Official Plan?

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of Public Meeting is posted on the subject lands and is circulated** to the applicants, any landowners within a minimum distance of 60 metres, and any relevant agencies at least 10 days before the meeting.

### STEP 5

**Staff collect public and agency comments and prepare a planning report** that includes a planning recommendation.

### STEP 6

**A Committee of Adjustment public hearing is held** where an application will be either approved (with or without conditions), denied, or deferred by the Committee.

### STEP 7

**A Notice of Decision is provided** to the applicants, agencies, and by request within 10 days of the Hearing.

### STEP 8

**A 20-day appeal period begins on the date of the decision.** Any appeals will be heard by the Ontario Land Tribunal for a final decision.

### STEP 9

**Once the application has been approved and is final, an application for a building permit can be submitted.** A building permit cannot be issued until the application has reached this stage.

## WHAT IS IT?

Each property within Strathroy-Caradoc belongs to a zone (such as *residential, agricultural, commercial, or industrial*) that determines what uses and buildings are permitted. Strathroy-Caradoc's Zoning By-law contains the regulations and standards for each zone (for example, *permitting a residential use*). If a proposed use or structure does not conform to the requirements outlined in the Zoning By-law (for example, *a different proposed use*), a Zoning By-law Amendment would be necessary.

Applications are reviewed to determine if they are consistent with Provincial policies if they conform to Middlesex County's Official Plan and Strathroy-Caradoc's Official Plan, and if the proposal is suitable for the site and compatible with adjacent land uses. The review may also consider other elements such as services, access, and environmental matters, etc. The approval of a Zoning By-law Amendment does not exempt an application from securing any other required permits or approvals.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of Application will be provided** within 15 days after the application is deemed complete.

### STEP 5

**A Notice of a Public Meeting is posted on the property and circulated** to the applicants, landowners within a minimum distance of 120 metres, and any relevant agencies at least 20 days before the meeting. The notice provides details about the upcoming public meeting. An Open House may be requested.

### STEP 6

**Staff collect public and agency comments and prepare a planning report** that includes background information, policy context and a summary of public and agency comments.

### STEP 7

**The application is presented during a public meeting** of Council for Council's consideration as well as public consultation. Council's decision to approve, deny or defer the application may take place during the public or future Council meeting.

### STEP 8

**A Notice of Passing is provided** to the applicants, agencies, and by request within 15 days of a Council Approval.

### STEP 9

**A 20-day appeal period begins on the date of the notice of passing.** Any appeals will be heard by the Ontario Land Tribunal for a final decision.

### STEP 10

Once the application has been approved and is final, **an application for a building permit or site plan can be submitted.**

## WHAT IS IT?

Site Plan Control is a technical development review process to ensure site development matters such as land use compatibility, landscaping, parking, access, barrier-free accessibility, and site servicing are built and maintained. Site Plan Control is also used to ensure safe, appropriate, and functional development that is in line with Municipal standards. Site Plan Control is typically applied to industrial, commercial, and multi-unit residential developments. It does not address the interior of buildings.

Site Plans must be prepared by qualified professionals, and technical studies and reports may be required to support a proposal. The Site Plan Review process takes input from various departments and agencies into account during the preparation of a Site Plan Approval Agreement. A Site Plan Approval Agreement is a binding contract between the Municipality and the Owner and is required to be registered on the title of the property and is a prerequisite to the building permit application process.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**The application is circulated** to Municipal departments and any relevant agencies for review.

### STEP 5

**Staff evaluate the application** against the Zoning By-law, agency comments, and engineering development standards and, if necessary, provide recommended changes to the applicant. Once the application meets the requirements, a site plan agreement is prepared.

### STEP 6

**The application and site plan agreement will then be considered by Municipal Staff** where it will be either approved, denied, or deferred.

### STEP 7

If approved, the agreement can be registered against the title of the property.

### STEP 8

**An applicant may appeal** to the Ontario Land Tribunal for a final decision.

### STEP 9

Once approved, signed, and registered, the **applicant can now apply for a building permit.**

## WHAT IS IT?

An Official Plan is a comprehensive policy document that establishes the long-term vision for Strathroy-Caradoc. It contains policies that deal with issues of Provincial, County, and Municipal interests, and sets out the goals, objectives, and policies that are used to manage and direct physical change that is further implemented through Strathroy-Caradoc's Zoning By-law and other planning approvals.

If a proposed land use or development is not in conformity with the Official Plan, an amendment may be needed. Official Plan Amendments are evaluated against principles of good planning, Provincial policy, County policy, and Strathroy-Caradoc's Official Plan. If Municipal Council supports the proposed amendment, it is then submitted to the County of Middlesex as the Approval Authority for review and a decision.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of a Public Meeting is posted on the subject lands and circulated** to the applicants, landowners within a minimum distance of 120 metres as well as any relevant agencies at least 20 days before the meeting. An Open House may be requested.

### STEP 5

**Staff collect public and agency comments and prepare a planning report** that includes background information, policy context and a summary of public and agency comments.

### STEP 6

**The application is presented during a public meeting of Council.** The application will be either adopted (and forwarded to Middlesex County), denied, or deferred by Council during the initial or at a future Council meeting.

### STEP 7

**If the application is locally adopted, Middlesex County will review the proposal.** The application will be considered by County Council and either approved, approved with modifications, denied or deferred.

### STEP 8

**A Notice of Decision is provided** to the applicants, agencies, and by request from Middlesex County.

### STEP 9

**A 20-day appeal period begins on the date of the Notice of Decision.** Any appeals will be heard by the Ontario Land Tribunal for a final decision.

## WHAT IS IT?

Severance, or consent, is generally required to divide land into smaller parcels. Typical types of consents include the creation of a new lot, adding land to a neighbouring lot, creating a right-of-way, easement and temporary easement, allowing a mortgage charge over part of the property, and entering into a lease over a part of a property for more than 21 years.

Applications are reviewed to determine if they are consistent with the Provincial Policy and comply with the criteria in the Planning Act; conforming to the Official Plan policies, the requirements within the Zoning By-law, and the proposed use or development is suitable for the site and compatible with adjacent land uses. Examples of considerations include the availability of municipal servicing, availability of adequate vehicular access, grading & drainage, and potential environmental impacts.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of a Public Meeting is posted on the subject lands and circulated** to the applicants, landowners within 60 metres, and any relevant agencies at least 14 days before the meeting.

### STEP 5

**Staff collect public comments and prepare a planning report** that includes a recommendation. If in support, the report will also include the conditions of approval, such as a requirement for a rezoning (please see *Zoning By-law Amendment Process*).

### STEP 6

**A decision is made during a Committee of Adjustment hearing** where an application will be either approved (with or without conditions), denied, or deferred by the Committee.

### STEP 7

**A Notice of Decision is provided** to the applicants, agencies, and by request within 15 days of the Hearing.

### STEP 8

**The 20-day appeal period begins on the date of the Notice of Decision.** Any appeals will be heard by the Ontario Land Tribunal for a final decision.

### STEP 9

**The applicant has two year to fulfill the conditions of approval and submit relevant documentation to the Municipality** so that a consent certificate can be issued. The certificate must be registered with the Land Registry Office by a real estate lawyer or clerk within two years of issuance.

## WHAT IS IT?

When farming operations expand by acquiring additional farm parcels, there may be existing homes or dwellings on the newly acquired lands that are surplus to the farming operation. Through a process known as a Surplus Farm Dwelling Severance, these habitable dwellings (often called a residence surplus to a farming operation) may be severed from the farmland so that they can be separately sold as a residential lot. In order for a dwelling to qualify as a dwelling surplus to a farming operation, **criteria must be satisfied including, but not limited to:**

- 1) The dwelling must have been in existence as of January 1st, 1999 and be in a habitable condition;
- 2) The dwelling must be surplus as a result of the consolidation of farming operations;
- 3) The remaining farmland must be zoned to prohibit new dwellings;
- 4) If required, any incompatible buildings, structures, or barns must be removed;
- 5) The new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services and to minimize the loss of agricultural land;
- 6) Specific criteria as outlined in Strathroy-Caradoc's Official Plan.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** The pre-consultation discussion(s) will review the purpose of the application, identify application requirements, and review the application material for completeness. More than 1 pre-consultation meeting may be required.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of a Public Meeting is posted on the subject lands and circulated** to the applicants, landowners within 60 metres, and any relevant agencies at least 14 days before the meeting.

### STEP 5

**Staff collect public comments and prepare a planning report** that includes a recommendation. If in support, the report will also include the conditions of approval, such as a requirement for a rezoning (please see *Zoning By-law Amendment Process*).

### STEP 6

**A decision is made during a Committee of Adjustment hearing** where an application will be either approved (with or without conditions), denied, or deferred by the Committee.

### STEP 7

**A Notice of Decision is provided** to the applicants, agencies, and by request within 15 days of the Hearing.

### STEP 8

**The 20-day appeal period begins on the date of the Notice of Decision.** Any appeals will be heard by the Ontario Land Tribunal for a final decision.

### STEP 9

**The applicant has two years to fulfill the conditions of approval and submit relevant documentation** to the Municipality for certification.

## WHAT IS IT?

A Plan of Subdivision/Plan of Condominium allows a piece of land to be divided into smaller lots or units in a comprehensive manner. In considering a proposed plan, applications are evaluated against criteria such as conformity with Strathroy-Caradoc's Official Plan and Zoning By-law, Middlesex County's Official Plan, Provincial policies, the Planning Act, and engineering standards. Compatibility with adjacent properties and the suitability of the land for the proposed purpose are also considered, including the size and shape of the lots being created, adequacy of vehicular access, servicing, and environmental matters. The Subdivision/Condominium process is typically a technical process and applicants will require professional planning, engineering, legal, and surveying assistance.

Subdivision/Condominium applications are submitted to Middlesex County and are usually processed concurrently with other planning applications (such as Zoning By-law amendments) so that Council and the public have a comprehensive understanding of the proposal.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with planners, public agencies, Municipal Staff, and the County.** Pre-consultation will review purpose of application, application requirements and review of application material for completeness.

### STEP 2

**Submit a complete application, any required documents and applicable fees to the County (and the Municipality if required).** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal. A Notice of Application will be provided within 15 days after it is deemed complete by the County.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of a Public Meeting is posted on the subject lands and circulated** to the applicants, landowners within a minimum distance of 120 metres, and relevant agencies at least 20 days before the meeting.

### STEP 5

**During a public meeting of Council, the application will be considered, and public input will be gathered.** Staff may also request an additional public Open House and information report. An Open House may be requested before the statutory public meeting.

### STEP 6

**Staff evaluate the application and recommend changes.** Once the application meets requirements, staff prepare a planning report with a recommendation including draft plan approval conditions.

### STEP 7

**During a meeting of the Council, the application will be considered, and a recommendation will be made** to either locally endorse (or forward to Middlesex County), deny, or defer.



## PLAN OF SUBDIVISION or CONDOMINIUM PROCESS CONTINUES

### STEP 8

During a meeting of the County Council, **a decision will then be made** by Council to either approve the application with conditions, deny, or defer.

### STEP 9

**A Notice of Decision is provided by Middlesex County** to the applicants, agencies, and by request within 15 days of the Decision.

### STEP 10

**A 20-day appeal period begins on the date of the Notice of Decision.** Appeals are heard by the Ontario Land Tribunal for a final decision. If no appeals are received, the Draft Plan is approved. It is the applicant's responsibility to fulfill the conditions of the Draft Plan Approval and submit evidence of this to the County in order for the plan to be registered.

## WHAT IS IT?

A Temporary Use By-law is approval from Council for a temporary use of land, buildings or structures for any purpose that is otherwise prohibited in the Zoning By-law. Every property within Strathroy-Caradoc belongs to a zone (such as *residential, commercial, or industrial*) that determines what uses, and buildings are permitted. Strathroy-Caradoc's Zoning By-law contains the regulations and standards for each zone (such as *permitting residential use*). If a proposed use or structure does not conform to the requirements outlined in the Zoning By-law, a Temporary Use Zoning By-law may be considered.

Temporary Use By-laws are used to zone land or buildings for specific use for up to three years or to permit the establishment of a garden suite for a period of up to ten years. When considering a Temporary Use By-law application, compatibility with surrounding lands, the adequacy of services, access and parking, traffic impacts, and conformity with Official Plan policies will all be considered.

## WHAT IS THE PROCESS?

### STEP 1

**Schedule a required pre-consultation discussion(s) with the Planner.** Pre-consultation will review purpose of application, application requirements and review of application material for completeness.

### STEP 2

**Submit a complete application, any required documents, and the applicable fees to the Municipality.** The application is to be signed and commissioned either at the municipal office with a commissioner of oaths, a notary public, lawyer or paralegal.

### STEP 3

**Submission of a complete application 'starts the clock' on the application.** A notice of complete application is issued.

### STEP 4

**A Notice of a Public Meeting is posted on the subject lands and circulated** to the applicants, landowners within 120 meters, and any relevant agencies at least 20 days before the meeting.

### STEP 5

**Staff collect public and agency comments and prepare a planning report** that includes a planning recommendation. A temporary use agreement is also drafted at this time and must be executed by the registered owners of the subject land prior to the public meeting.

### STEP 6

**A public meeting of Council is held** where an application will be either approved, denied, or deferred.

### STEP 7

**A Notice of Passing is provided** to the applicants, agencies, and by request within 15 days of the Hearing.

### STEP 8

**A 20-day appeal period begins on the date of Notice of Decision.** Any appeals will be heard by the Local Planning Appeal Tribunal for a final decision. An agreement and security may be required.

### STEP 9

Once the application has been approved and is final, **an application for a building permit or site plan can be submitted.**

### STEP 10

**When a Temporary Use By-Law expires, the uses permitted by that by-law must cease.** It is the property owner's responsibility to renew the Temporary Use By-Law prior to lapsing.