



BY-LAW NO. 6-OP-2006

OF

The Corporation of Norfolk County

BEING A BY-LAW TO ADOPT AN OFFICIAL PLAN FOR NORFOLK COUNTY AND REPEAL BY-LAWS FOR THE FORMER MUNICIPALITIES' OFFICIAL PLANS.

WHEREAS, the Planning Act, R.S.O. 1990, as amended, Chapter P.13, Section 17 (22) states that "When the requirements of subsection (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval.";

AND WHEREAS the Council of Norfolk County has by Resolution passed on February 14, 2006 authorized the enactment of a by-law to adopt an Official Plan for Norfolk County and repeal the by-laws enacting the official plans of the former municipalities.

AND WHEREAS the procedure arriving at the adoption of By-law 5-OP-2006 was flawed due to omission of Public Meeting Notice to certain public bodies and persons

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:

1. That the document, inclusive of text and schedules attached hereto as Schedule A entitled "Norfolk County Official Plan" and which forms an integral part of this by-law, is hereby adopted as the Official Plan for Norfolk County pursuant to subsection (22) of Section 17 of the Planning Act;
2. That the Clerk is hereby authorized and directed to forward to the Ontario Ministry of Municipal Affairs and Housing, the Norfolk County Official Plan adopted hereby and make application to the said Minister for approval of same pursuant to Section 17(34) of the Planning Act;
3. That subject to final approval of the Norfolk County Official Plan, the following By-laws are hereby repealed in their entirety;

By-law No. 145-95 (Haldimand-Norfolk Official Plan) as amended by various amending by-laws to the effective date of this By-law, together with any such amending By-laws

and By-law No. 86-98 (City of Nanticoke) as amended by various amending by-laws to the effective date of this By-law, together with any such amending By-laws

and By-law No. 97-24 (Town of Simcoe) as amended by various amending by-laws to the effective date of this By-law, together with any such amending By-laws

and By-law No. 50-97 (Township of Delhi) as amended by various amending by-laws to the effective date of this By-law, together with any such amending By-laws

and By-law No. 425-NO-97 (Township of Norfolk) as amended by various amending by-laws to the effective date of this By-law, together with any such amending By-laws;

4. That Bylaw 5-OP-2006 be repealed in its entirety.
5. That the effective date of this By-law shall be the date of final passage thereof.

ENACTED AND PASSED THIS 9TH DAY OF MAY, 2006.

First Reading: May 9, 2006

Second Reading: May 9, 2006

Third Reading: May 9, 2006


Mayor


Clerk/Manager of Council Services

Ministry of
Municipal Affairs
and Housing

Municipal Services Office -
Western

659 Exeter Road, 2nd Floor
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THE CORPORATION OF
NORFOLK COUNTY
RECEIVED
DEC 24 2008

PLANNING DEPT.

December 23, 2008

Ms. Beverly Wood
Clerk/Manager of Council Services
Norfolk County
P.O. Box 545
Main Admin. Building
50 Colbourne Street South
Simcoe, ON N3Y 4N5

Re: Norfolk County Official Plan
MMAH File No. 28-OP-8005

Dear Ms. Wood:

The above-noted Official Plan was modified and approved as modified on December 23, 2008. Please find attached a Notice of Decision, regarding the above-noted Official Plan, which sets out the appeal period of the decision.

If you have any questions regarding this matter, please feel free to call Scott Oliver at (519) 873-4033.

Sincerely,

Bruce Curtis
Manager - Community Planning and Development

enclosure

c.c. OMAFRA
MOE
MNR
MNDM
MTO
Ministry of Culture
Grand River Conservation Authority
Long Point Region Conservation Authority
Six Nations of the Grand
Mississaugas of the New Credit
All persons who requested notice
Jim McIntosh, Norfolk County ✓

Ministry of
Municipal Affairs
and Housing

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Ontario

February 4, 2009

Ms. Beverly Wood
Clerk/Manager of Council Services
Norfolk County
P.O. Box 545
Main Admin. Building
50 Colbourne Street South
Simcoe, ON N3Y 4N5

Subject: **Status of Decision
Norfolk County Official Plan
MMAH File No. 28-OP-8005**

Dear Ms. Wood:

This letter is further to the Notice of Decision given on December 23, 2008 pursuant to subsections 17(34) and (35) of the *Planning Act* with respect to the approval of Official Plan. It is intended to provide you with the status of the decision pursuant to subsections 17(36) and (38) of the *Planning Act* which pertain to appeals, when decisions become final and when approvals come into effect.

Please be advised that four appeals were lodged within the 20 day appeal period. These appeals are:

- (1) Peter Tice on behalf of The Corporation of Norfolk County;
- (2) Peggy Scruton of Scruton Marine Services;
- (3) Thomas A. Cline on behalf of Gary DePauw; and,
- (4) Thomas A. Cline on behalf of himself.

A copy of each appeal letter is attached.

Pursuant to subsection 17(42) of the *Planning Act*, the Official Plan has been forwarded to the Ontario Municipal Board with the required record.

If you have any questions regard this matter, please contact Scott Oliver, Team Lead - Planning at 519-873-4033 or scott.oliver@ontario.ca.

Sincerely,

Bruce Curtis, MCIP, RPP
Manager, Community Planning and Development
Municipal Services Office - Western

c.c. Jim McIntosh, Norfolk County (Langton Office)

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

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**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

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June 30, 2010

VIA: bruce.curtis@ontario.ca

Bruce Curtis
Ministry of Municipal Affairs and Housing
South West Regional Office - Western
659 Exeter Road, 2nd Floor
London, ON N6E 1L3

Re: Case/File Number: PL090088
MMAH File No.: 6-OP-85005
Adopting By-Law Number: 6-OP-2006
Appellants: Thomas Cline, Gary DePauw, Norfolk County and Scruton Marine Services
Property Location: All Lands Within the County of Norfolk
Municipality: County of Norfolk

Subsection 17(39) of the *Planning Act* provides;

(39) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn and if the time for filing notice of appeal has expired, the secretary of the Municipal Board shall notify the approval authority that made the decision and,

- (a) the decision or that part of the decision that was the subject of the appeal is final; and
- (b) the plan or part of the plan that was approved and in respect of which all the appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn. 1996, c. 4, s. 9.

I am writing to advise that the remaining appeal by Thomas Cline was withdrawn by letter dated April 6, 2010.

There are no outstanding appeals in this matter, and our file is closed.

Yours truly,

Patrick Hennessy
Board Secretary

c.c. Thomas Cline
The Clerk (Norfolk)
Peter Tice

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inquiries@norfolkcounty.on.ca
ptice@rossmcbride.com