

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2022-199

Being a By-law to require mandatory Pre-consultation for certain
Planning Applications

WHEREAS the Council of the Corporation of the Township of Muskoka Lakes has deemed it necessary to develop a mandatory Pre-consultation By-law for certain planning applications;

AND WHEREAS this By-law is intended to streamline processes by assisting applicants in determining submission requirements early in the process thereby reducing the number of incomplete and premature applications;

AND WHEREAS under Sections 22(3.1)(b), 34(10.0.1)(b), 41(3.1) and 51(16.1)(b) of the Planning Act R.S.O. 1990 c.P. 13, as amended, Council may, by By-law, establish a requirement for pre-consultation on all applications for Official Plan Amendments, Zoning By-law Amendments, Site Plan Approvals, and Plans of Subdivision and Plans of Condominium;

NOW THEREFORE the Council of the Corporation of the Township of Muskoka Lakes enacts as follows:

This By-law shall be known as "The Planning Pre-consultation By-law".

1. GEOGRAPHIC LOCATION

- 1.1. This By-law shall apply to all lands lying within the geographic boundary of the Township, being in the District Municipality of Muskoka.

2. PRE-CONSULTATION REQUIREMENT

- 2.1. Any person or public body intending to file an application under Section 22 (Official Plan Amendment), 34 (Zoning By-law Amendment), 41 (Site Plan Approval), or 51 (Plan of Subdivision or Condominium Approval) of the Planning Act R.S.O 1990 c.P. 13, as amended, is hereby required to pre-consult with the Planning Division prior to submitting an application.
- 2.2. Any person or public body intending to file an application under Section 45 (Minor Variance) or 53 (Consent) of the Planning Act R.S.O 1990 c.P. 13, as amended, shall be encouraged to pre-consult with the Planning Division prior to submitting an application.
- 2.3. The Township shall not accept any application, which an applicant has not pre-consulted with the Planning Division as required under paragraph 2.1 above.
- 2.4. Despite the provision of paragraphs 2.1 and 2.3 above, the Director of Development Services and Environmental Sustainability, or designate, is hereby delegated the authority to waive the requirement for pre-consultation with the Planning Division where the Director of Development Services and Environmental Sustainability, or designate, determines that there is no need for a pre-consultation prior to the application being filed.
- 2.5. A Pre-consultation Application may be required to be filled out in its entirety and submitted prior to the scheduling of a pre-consultation meeting.
- 2.6. A site plan and description of the proposal satisfactory to the Planning Division is required to be submitted in advance of the scheduling of a pre-consultation meeting.

2.7. Pre-consultation may be subject to a fee as set out in By-law 2021-122 of the Township establishing payment of various fees for information, services, and activities, and as amended from time to time.

2.8. Appendix "A", attached hereto, shall form part of the pre-consultation process and may be amended from time to time without amendment to this by-law.

3. ENACTMENT

3.1. This By-law shall come into force and take effect on the day of final passing thereof.

3.2. Schedule I attached hereto is hereby made part of this By-law.

READ A FIRST AND SECOND TIME this 17 day of January, 2023.

READ A THIRD TIME AND FINALLY PASSED this 17 day of January, 2023.



Peter Kelley, Mayor



Cheryl Hollows, Acting Clerk



APPENDIX A TO BY-LAW 2022-199

1 Bailey Street
P.O. Box 129
Port Carling, ON P0B 1J0
T: 705-765-3156

Date: _____
Roll #: _____
Civic Address: _____
Official Plan Designation: _____
Zoning: _____
Planner: _____

Planning Services Pre-Consultation Checklist

Required Application(s):

- | | |
|-------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Consent | <input type="checkbox"/> Community Planning Permit |
| <input type="checkbox"/> Minor Variance | <input type="checkbox"/> Plan of Subdivision (District approval) |
| <input type="checkbox"/> Zoning By-law Amendment | <input type="checkbox"/> Plan of Condominium (District approval) |
| <input type="checkbox"/> Official Plan Amendment
(District approval) | <input type="checkbox"/> Deeming By-law |
| <input type="checkbox"/> Other (): | <input type="checkbox"/> Site Plan |
| | <input type="checkbox"/> Development Agreement |

Required Supporting Documentation:

Planning:

- | | |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Draft Official Plan Amendment | <input type="checkbox"/> Survey |
| <input type="checkbox"/> Visual Impact Analysis | <input type="checkbox"/> Lot Boundary |
| <input type="checkbox"/> Building Elevations | <input type="checkbox"/> Building Location |
| <input type="checkbox"/> Noise Impact Study | <input type="checkbox"/> Topographic |
| <input type="checkbox"/> Vibration Impact Study | <input type="checkbox"/> Flood Elevation Confirmation |
| <input type="checkbox"/> Environmental Impact Study (EIS) | <input type="checkbox"/> Site Plan (to a common metric scale) |
| <input type="checkbox"/> Scoped EIS | <input type="checkbox"/> Erosion/Sediment Control Plan and
Construction Mitigation |
| <input type="checkbox"/> Addendum to a previous EIS | <input type="checkbox"/> Locational Context Plan |
| <input type="checkbox"/> Site Evaluation Report | <input type="checkbox"/> D-4 Study (Waste Disposal Assessment Area) |
| <input type="checkbox"/> Archaeological Assessment | <input type="checkbox"/> Water Quality Impact Analysis |
| <input type="checkbox"/> Planning Justification Report (Qualified Planner) | <input type="checkbox"/> Market Feasibility Analysis |
| <input type="checkbox"/> Heritage Impact Statement | <input type="checkbox"/> Confirmation From a Lawyer Regarding Legal
Opinion |
| <input type="checkbox"/> Revegetation Plan | <input type="checkbox"/> Minimum Distance Separation Calculation |
| <input type="checkbox"/> Landscape Plan | <input type="checkbox"/> Parking Agreement for Mainland Parking (water
access and island properties only) |
| <input type="checkbox"/> Tree Preservation Plan | <input type="checkbox"/> Social Service Impact |
| <input type="checkbox"/> Park and Recreation Impact | |
| <input type="checkbox"/> Wildfire Risk Assessment | |
| <input type="checkbox"/> Economic Spinoffs | |
| <input type="checkbox"/> Boating Impact Assessment | |
| <input type="checkbox"/> Other: _____ | |

Building:

- | | |
|------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Site-specific Soils Investigation | <input type="checkbox"/> Licensed Septic Installer Letter of Opinion |
| <input type="checkbox"/> Septic Information or Design | |
| <input type="checkbox"/> Other: _____ | |

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Engineering:

- | | |
|------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Road/Traffic Impact Study | <input type="checkbox"/> Photometric Plan (Lighting) |
| <input type="checkbox"/> Functional Servicing Report | <input type="checkbox"/> Floodplain Engineering |
| <input type="checkbox"/> Stormwater Management Plan | <input type="checkbox"/> Geotechnical/Hydrogeological Study |
| <input type="checkbox"/> Stormwater Management Brief | <input type="checkbox"/> Record of Site Condition |
| <input type="checkbox"/> Lot Grading Plan | <input type="checkbox"/> Public Utilities Plan |
| <input type="checkbox"/> Entrance Design | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Other: _____ | |

Features to be studied/included in an EIS:

- | | |
|----------------------------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Wetland | |
| <input type="checkbox"/> Provincially Significant Wetland | |
| <input type="checkbox"/> Significant Wildlife Habitat
(Deer Wintering Areas, other) | <input type="checkbox"/> Steep Slopes |
| <input type="checkbox"/> Species at Risk | <input type="checkbox"/> Water Quality |
| <input type="checkbox"/> Muskoka Heritage Area | <input type="checkbox"/> Natural Vegetation |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Fish Habitat Assessment |
| | <input type="checkbox"/> Streams/Watercourses |
| | <input type="checkbox"/> Re-naturalization/Planting Plan |

Other Requirements:

- | | |
|----------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Cash-in-lieu of Parking Agreement |
| <input type="checkbox"/> Subdivision Agreement | <input type="checkbox"/> Condominium Agreement |
| <input type="checkbox"/> Cash-in-lieu of Parkland Dedication | <input type="checkbox"/> Consent Agreement |
| <input type="checkbox"/> Other (Encroachment, Lease, etc ...): _____ | <input type="checkbox"/> Site Plan Agreement |

Additional Consultations:

- Additional Consultation with Planning Services is required.
- Consultation with the following Township division(s) is required:
- District of Muskoka – (705) 645-2100
- Ministry of Natural Resources and Forestry - (705) 746-4201, NHI.ParrySound@ontario.ca
- Ministry of Transportation – (705) 789-2392
- Other (CN Rail, Pipeline, Hydro One, etc ...): _____

Notes:

- Prior to the submission of a Planning Application, consultation with your neighbours is encouraged.
- The land within 50 feet of a shoreline is required to remain in a natural state per the Township Site Alteration By-law #2022-108 and Tree Preservation By-law #2022-107.
- All outdoor lighting shall be dark-sky friendly and compliant with the Township Dark Sky By-law #2014-029.
- Most buildings and structures will require a Building Permit. Please contact the Township's Development Services Division [here](#).
- Most properties will require an Entrance Permit. Please click [here](#) to contact the Public Works Department for further information if the lot gains access from a Township road. Please click [here](#) to contact the Engineering and Public Works Department at the District of Muskoka if the lot gains access from a District road.
- Learn about proactive steps you can take toward improving lake health by creating and maintaining healthy shorelines through the Shoreline Evaluation Program - Love Your Lake - <https://loveyourlake.ca> & Muskoka Watershed Council.