



# THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

1 BAILEY STREET, P.O. BOX 129, PORT CARLING, ONTARIO P0B 1J0

## ZONING BY-LAW AMENDMENT GUIDE

### WHAT IS A ZONING BY-LAW?

A zoning by-law is a set of standards which implement the *Official Plan* policies. It is very specific on such items as the permitted uses of land, location of buildings, and the density of buildings.

The Township's Comprehensive By-law 2014-14 was passed by Council on February 13, 2015, and contains detailed provisions which development must adhere to in the waterfront, community, and rural designations.

### WHAT IS A ZONING BY-LAW AMENDMENT?

When a proposal cannot meet the requirements of the by-law or a new use of the land is being proposed, the by-law requires an amendment. If the proposal requires a change of use, this is referred to as a zoning by-law amendment or rezoning. In the case of a proposal which will not change the use but will not meet the other requirements of the by-law (e.g., yard setbacks, lot area), this is known as an exemption to the by-law.

In accordance with the *Planning Act R.S.O. 1990, as amended*, applications can be received. The applications are circulated to certain agencies and neighbouring property owners within the immediate vicinity. A public meeting is held, and Council makes a decision based on comments from the various agencies, neighbours, and the Planning Department.

### ZONING BY-LAW AMENDMENT AS A CONDITION OF CONSENT

Lot creation by way of severance is known as a "consent." There are times when a new lot is felt appropriate but is not quite large enough or existing buildings are too close to a new lot line. A condition may be imposed that requires the lot or buildings to conform to the by-law by way of an amendment to the by-law. This condition must be completed before the lot can be created. An application for an exemption to the by-law with respect to lot size, zoning, etc., can be processed/considered at the same time as the consent application. Processing both the consent application and zoning by-law amendment is known as a "concurrent application."

### ITEMS CONSIDERED WHEN REVIEWING A ZONING BY-LAW AMENDMENT

A review of an application and the circulation to other agencies would include, but are not necessarily limited to, the following:

- i) conformity with the *Official Plan*,
- ii) compatibility with surrounding land uses,
- iii) impact on neighbours,
- iv) affect on the natural environment including: floodplains, wetlands, mineral aggregates,
- v) visual impact,
- vi) impact on roads,
- vii) past decisions on similar matters.

Please be advised that an application once deemed complete will be circulated to all property owners within 800 feet of the subject property. It is highly recommended that you contact your neighbouring property owners in advance of this circulation to discuss your proposal.

## **SUBMISSION REQUIREMENTS**

1. Fee:

Exemption	\$1300.00
Rezoning	\$1550.00 (plus cost recovery)
Removal of Holding Zone	\$400.00
In Conjunction with Severance	50% of fee
Refund (if circulation denied)	50% of fee

\*\* Additional administrative processing fee: Where an approval under the Planning Act is sought for development which exists or is under construction, and is in contravention of the requirements of the Township, an additional administrative / processing fee in the amount of 75% of the respective application fee, as defined herein, shall be required at the time of submission of the application.

2. Completed application form and Planning Services Agreement authorized by the landowner.

3. Concept / Plan Showing:

- i) location of property,
- ii) property boundaries,
- iii) north arrow, scale,
- iv) location of existing and proposed buildings,
- v) details of proposed buildings (size, height),
- vi) location of buildings on abutting properties.

Any drawings exceeding 11" x 17" or Studies/Reports are required to be submitted in digital format in addition to hard copy.

## **LENGTH OF TIME FOR APPROVAL**

This depends on the complexity of the proposal, but the process usually takes three (3) to four (4) months.

## **SUBMIT TO:**

Director of Planning,  
Township of Muskoka Lakes,  
1 Bailey Street,  
P.O. Box 129,  
Port Carling, Ontario P0B 1J0