



COMMUNITY PLANNING PERMIT SYSTEM

BACKGROUND AND KEY DIRECTIONS REPORT



DECEMBER 2020



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Executive Summary

This Draft Background and Directions Report was completed as one of the initial steps towards the creation of a Community Planning Permit System (CPPS) for the Town of Huntsville. A CPPS is a land use planning tool available to municipalities, administered through a Community Planning Permit By-law (CPP By-law), that combines Zoning By-law Amendments, Minor Variances, and Site Plan applications, into one single application and approval process.

With an anticipated rising population and increasing tourism, there is a growing interest and demand for balancing development with the protection of Huntsville's unique character and natural resources. A CPP By-law would replace the Town's existing Zoning By-law and enable the municipality to provide greater direction regarding aspects of development that are typically outside of zoning such as site alteration, grading, tree removal, natural feature protection, shoreline controls, flood plain and natural hazard limitations.

The implementation of a CPPS will provide the Town with increased efficiency, certainty and scope to regulate and manage development applications in a more streamlined, flexible manner. **Figure 1** below provides a comparison of the Town's existing development approvals process and the CPPS development approvals process.

This report summarizes the current planning context within which the CPP By-law will be developed, highlights how other municipalities have approached the creation and implementation of a CPP By-law and provides an overview of key directions to be carried forward into the CPP By-law.

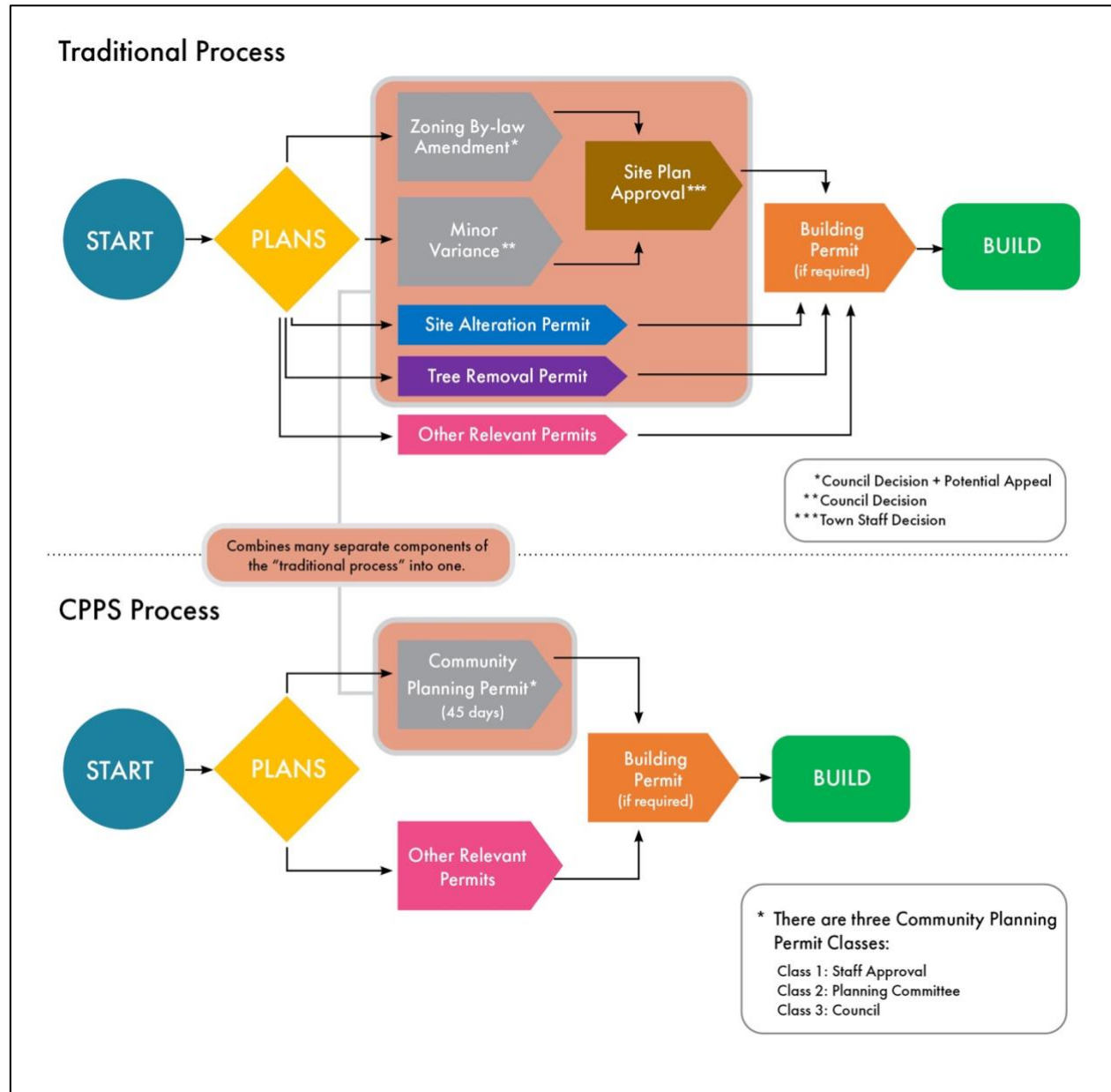


Figure 1. Current Approvals Process and CPP Approvals Process

Planning Context

In 2007, the Planning Act was updated to enable the implementation of a development permit system framework, with the intent of offering municipalities the option to regulate and manage development in a more streamlined, flexible manner. In 2017, this regulatory framework was modified, re-implemented and introduced as a "Community Planning Permit System". Over the past decade, the CPPS has gained traction in Ontario as our collective understanding of the tool evolves. In 2019, Bill 108 reinforced the use of this tool, recognizing its potential to not only streamline the development

process but to also direct growth in a way that protects the characteristics and natural features of a municipality.

Importantly, the Muskoka Official Plan supports the establishment of a CPPS within its six Area Municipalities, and the Town of Huntsville Official Plan contains enabling policies for the creation of a Town-Wide CPPS. A CPP By-law is referenced numerous times throughout the Town's Official Plan and provided as an alternative to zoning permissions and requirements, as well as an alternative or addition to site plan approval or the issuance of a minor variance. These policies provide direction for the development of a CPPS.

Best Practice Review

In order to identify best practices, the CPP By-laws of four different Ontario municipalities were reviewed, including the Township of Lake of Bays, Town of Innisfil, Town of Carleton Place and Town of Gananoque. The review of the CPP By-laws for each of these municipalities provides important lessons and tips that Huntsville can use in the development of the Town's very own CPP by-law, including matters related to by-law structure, administration and formatting.

Official Plan, Zoning and Recent Applications

The Town of Huntsville is comprised of the Huntsville Urban Settlement Area; the Community Settlement Areas of Novar, Port Sydney and Utterson; the Hidden Valley Recreational Resort and Lifestyle Area; the Waterfront; and Rural Areas. The Official Plan sets out policies for numerous different land use designations throughout these areas, which will be used to form the basis for the delineation of the CPP By-law Precincts. There are many instances where land use designation policies of the Official Plan speak to specific implementing CPP By-law provisions, which will be considered in the development of the new by-law and are summarized in this report.

Huntsville's Comprehensive Zoning By-law 2008-66P sets out permitted uses and lot requirements for many different zones within the Town. Existing zoning provisions will be used to inform the development of standards within the new CPP By-law. It is important that the Precinct-specific provisions of the by-law conform to the intent of each Official Plan designation within which they are located.

As part of this report, a review was conducted to compare each of the Town's existing zones to the designations of the Official Plan they are most often located within. This preliminary review was undertaken to analyze conformity of the existing Zoning By-law with the policies of the Town's new Official Plan. While many of the existing zone standards generally conform to the Official Plan, some do not. The CPP By-law must conform to the Official Plan.

To supplement our review, an analysis of past approved minor variance and zoning by-law amendment applications was undertaken to identify trends in recent applications and to be carried forward as key directions for the CPP By-law.

The next stages of this study will determine which of the existing zoning provisions will be carried forward, updated, modified, restructured or removed as part of the development of the CPP By-law.

Key Directions

Section 7 of this report identifies key directions for the development of the Town's CPP By-law arising from our background review of best practices, the Town's Official Plan, the Town's Zoning By-law and previous minor variance and zoning by-law amendment applications. These key directions are succinctly summarized here.

By-law Structure

- In developing the CPP By-law, outline clear expectations for the public through the development of goals and objectives for the Town;
- Ensure that the CPP By-law is easy to understand, yet contains sufficient detail to accomplish the set goals and objectives;
- Make use of graphics, including figures and diagrams to visually represent concepts and standards of the By-law; and
- Align the CPP By-law with applicable plans, such as the Town's Official Plan.

Application Process

- Provide clarity of interpretation with respect to development permit requirements;
- Establish how the Town wishes to address variances to the by-law, and identify when and how decisions are delegated to staff vs. Council;
- Clarify and identify under which circumstances a permit is not required (for example, if a proposal is compliant with applicable standards, does not result in extensive removal of vegetation, does not involve extensive re-grading, is not along the Waterfront, etc.);
- Identify if there are any exemptions from obtaining a CPP (for example, properties that are subject to an existing site plan agreement, applications related to the maintenance and repair of buildings or structures, seasonal structures, etc.);
- Ensure that the CPP By-law requires pre-application consultation meetings for applications;
- Identify application requirements within the CPP By-law;
- Set out a list of potential conditions to be met prior to CPP approval (for example, the requirement for studies to be completed within a year);

- Specify notice requirements for applications (requirements for circulation of application details to neighbours);
- Consider the establishment of standards related to height and density increases in exchange for community benefits; and
- Ensure that monitoring provisions are in place to allow for refinements based on community and stakeholder needs.

Precinct Boundaries

- The CPP By-law will identify a number of Community Planning Permit Precincts, to which standards of the by-law will be applied. These Precinct boundaries will be based on the boundaries of the land use designations from the Town's Official Plan;

Specific Standards for Precincts

- Review of the Official Plan has identified a clear intent and directives to protect natural heritage and shorelines in the Town, and to ensure appropriate grading and alteration through development. These matters must be implemented and reflected in the CPP By-law as appropriate;
- The Official Plan sets out policies that apply to many or all land use designations, including off-street parking requirements, servicing, and active transportation, among many others. These policies have implications for the CPP By-law, and appropriate standards will have to be developed to address these matters;
- The existing definitions in the Zoning By-law pre-date some of the definitions in the Town's Official Plan that must be carried over into the CPP By-law and will need to be updated;
- General Standards: The General Standards in the Town's existing Zoning By-law do not always reflect the intent and policy direction of the Official Plan (i.e. parking standards) and will need to be updated;
- There have been a range of approved variances for specific standards. These ranges will inform the identification of appropriate tolerances to be considered in the CPP By-law to differentiate between when staff and Council are able to approve variances to Community Planning Permit applications.

Next Steps

In early December, the consulting team will be conducting interviews with municipalities that have implemented Community Planning Permit Systems in order to inquire about their experiences with implementation and to further inform the best practices review component of this study.

Following the interviews, the Draft report will be finalized into a Final Background and Directions Report, and will also incorporate feedback received from engagement opportunities through January and February 2021, as in Section 8 of this report. It is

anticipated that the Final Report will be finalized and presented to Planning Committee in February 2021.

Due to the Covid-19 Pandemic, the Engagement Plan for Huntsville's CPP By-law will utilize a variety of online engagement tools, with additional opportunities for community input for those who might not have access to internet. Engagement will involve stakeholder consultation, public education, and public consultation. Since the development of a CPP By-law is complex and addresses a range of development issues, public education will be important in order to increase awareness around what a CPP By-law is, why Huntsville is using it, and the benefits that it will bring to the Town and community.

1. Introduction

1.1. Purpose of the Study

The Town of Huntsville Official Plan (February 2019) provides a policy framework for land use planning to guide physical, social and economic growth as well as environmental management in the Town. Importantly, the Official Plan also contains enabling policies for the creation of a Town-wide Community Planning Permit System (CPPS). With an anticipated rising population and increasing tourism to the Town, there is a growing interest and demand for development in Huntsville. The introduction of a Community Planning Permit By-law (CPP By-law) will provide an alternative to the traditional planning approval process while enabling greater efficiencies within the development approval process.

The Town's new Official Plan is the result of considerable effort on the part of the Town and the broader Huntsville community to strengthen and establish new policies rooted in the Town's vision for managing sustainable growth, promoting a strong and resilient economy, celebrating arts, culture and heritage and protecting the environment. Importantly, in addition to setting out enabling policies for the creation of the Town's CPPS, the Official Plan lays out a framework for matters to be addressed within the future CPP By-law, including growth, flood management, tree and vegetation removal, site alteration and shoreline protection among other matters.

This Draft CPPS Background and Directions Report was informed by a review of the Official Plan and Zoning By-law, an analysis of performance standards and existing permissions that should be carried forward into the CPP By-law, a review of recent rezoning and minor variance approvals, a review of best practices, and an analysis of consistency and conformity with Town, District and Provincial policies. The purpose of this report is to summarize the current planning context as the foundation for the CPP by-law to highlight how other municipalities have approached the creation and implementation of a CPP By-law and to provide an overview of key directions to be carried forward into the CPP By-law.

This report is an important milestone in the context of the overall CPPS Study. As addressed in further detail within Section 8 of this report, the report will be finalized into a Final CPPS Background and Directions following key inputs obtained from Planning Committee, the public and other stakeholders through December 2020, January and February 2021. These key inputs will provide critical feedback which will be incorporated into the final directions, ultimately informing the development of the CPP By-law. These timelines are shown in **Figure 2**.



Figure 2. Timeline of Study Process

1.2. What is a CPPS?

The Community Planning Permit System (CPPS), formerly known as the Development Permit System (DPS), is a land use planning tool, available to municipalities to use when planning for the future of their communities. The result of the implementation of a CPPS is a Community Planning Permit By-law (CPP By-law).

A CPP By-law is a land use planning tool that combines Zoning By-law Amendments, Minor Variances, and Site Plan applications, into a single application and approval process. In the Town of Huntsville's planning context, a CPP will replace the existing Zoning By-law, and will enable the municipality to provide greater direction regarding aspects of development that are typically outside of zoning such as site alteration, grading, tree removal, natural feature protection, shoreline controls, flood plain and natural hazard limitations. Because of this, the CPP By-law is intended to streamline the development approvals process. In comparison, under a traditional approach to planning applications, these processes are completed in parallel or consecutively as part of multiple development applications.

By combining these processes, a CPP By-law allows for considerable flexibility in the application of development standards and land use permissions, providing more certainty to the public and stakeholders on the future use of

Minor Variance (MV)

A Minor Variance allows a landowner to request a minor modification to a requirement under the Zoning By-law to use or develop land in a way that does not conform to the Zoning By-law, but follows its general intent. There are four tests that must be met to approve a Minor Variance, which include that it is:

1. Minor in nature
2. Fits within the character of the neighbourhood
3. Conforms to the intent of the Official Plan
4. Conforms to the intent of the Zoning By-law

Zoning By-law Amendment (ZBA)

A ZBA is required if a proposed development does not comply with the Zoning By-law and relief could not be sought by way of a Minor Variance.

Site Plan Control (SPC)

The Town's Official Plan identifies all lands that may be subject to SPC in the Town. The primary function of SPC is to address locations of buildings, structures and landscaping.

land. A CPP By-law combines traditional zoning and site plan application processes and sets out the legal authority to regulate land uses while also providing the ability to fine-tune development proposals by controlling site layout details and establishing development agreements.

Importantly, under a CPPS, a planning permit must be obtained prior to a development proceeding unless explicitly exempted from the By-law. It should also be noted that a CPP By-law does not replace the need for a Building Permit, which must be obtained once a planning permit is approved.

It is important to note that under a CPPS all public and stakeholder consultation is front-ended, meaning it is part of implementing the CPPS-enabling Official Plan Policies and the establishment of the CPP By-law. This is different from traditional zoning where stakeholder consultation is firmly embedded as part of the development approvals process. While some local governments decide to incorporate public notification as part of the CPP By-law planning permitting process, it is important to note that there are no third-party appeals for CPP By-law applications. Only the development applicant has the right to appeal a decision on a CPP By-law application. **Figure 3** provides an overview of the CPPS.

1.2.1. How does a CPP By-law differ from Zoning By-law?

The CPPS is implemented through a CPP By-law. A CPP By-law is similar to a Zoning By-law in that it regulates the use of the land and establishes permitted uses and development standards on a site-by-site basis. Both by-laws establish requirements, such as setbacks for buildings; height of buildings; number of residential units; setbacks from the water; and parking requirements. However, since the CPP By-law streamlines Minor Variances, Zoning Amendments and Site Plan Agreements, it also identifies development rules and requirements that are usually covered under separate processes.



Figure 3. Overview of the Community Planning Permit System

The CPP By-law may include details on site alteration, grading, tree removal, natural feature protection, shoreline controls, and floodplain and natural hazard limitations. In addition, a CPP By-law may also provide directions on aspects of development that are typically not included as part of a Zoning By-law, such as landscaping requirements, urban design criteria, heritage character, and community benefits. As part of the CPP

By-law, a CPP Area is created to show the geographical area to which the By-law applies. Once a CPP By-law is in place it replaces the existing Zoning By-law for that area.

Depending on the development rules, standards and criteria set out in the CPP By-law, a development application may either be approved by staff, a Planning Advisory Committee, or Council. Development applications submitted under a CPP By-law are reviewed within 45 days. Decisions on a development application may only be appealed by the applicant to the Local Planning Appeal Tribunal (LPAT).

In comparison, a development under the current zoning by-law could be subject to a Minor Variance (approximately 2 months), or Zoning By-law Amendment (approximately 3 months) plus site plan control (approximately 3 months for a major site plan). **Table 1** below provides a summary of the key differences between a Zoning By-law and a CPP By-law.

Table 1. Overview of the Differences Between a Zoning By-law and CPP By-law

	Zoning By-law	CPP By-law
Land Use	Regulates the use of the land and establishes permitted uses and development standards on a site-by-site basis for the entire Township.	Regulates the use of the land and establishes permitted uses and development standards on a site-by-site basis for the entire Township.
Permitted Uses and Variations	Establishes permitted uses only. Variations require a Zoning By-law Amendment (ZBA) or Minor Variance.	Establishes permitted uses, discretionary uses and variations that will be considered.
Approvals	Zoning Amendments currently are approved by Council, Minor Variances are approved by Committee of Adjustment, Site Plan Approval currently delegated to staff.	CPP By-law could include 3 classes of approvals, Class 1 delegated to staff, Class 2 to Committee and Class 3 to Council.
Urban Design	Typically included in urban design guidelines and implemented through the SPA phase.	Ability to define precinct areas and specific urban design requirements in the bylaw itself to improve transparency and achievement of established objectives.
Development Approvals Process	Separate processes for Minor Variance, ZBA and SPA. Additional processes in place for site alternation permit, tree removal permit, and other relevant permits.	Combines Minor Variances, Zoning Amendments and Site Plan Agreements into a single development application and can cover off need for a site alternation permit and tree removal permit.
Public Consultation	Requires mandatory public meetings as part of a Minor Variance and Zoning Amendment. SPC does not include public consultation	Does not require mandatory public meetings as part of a development application under a CPP By-law

	Zoning By-law	CPP By-law
Appeal Rights	Current appeal process allows third party public appeals 20 days after date of decision on Minor Variance, 20 days after giving notice of decision on ZBA, and 30 days after no decision has been made on a SPA.	Only the applicant has the right to appeal a decision on a CPP application to LPAT. The applicant can also appeal if no decision has been made within 45 days.
Approval Timeline	Town's current approval timeline of approximately 3 months for a ZBA, approximately 2 months for a Minor Variance and 3 months for a major site plan application.	Approval timeline of 45 days

1.2.2. How does a CPP By-law differ from Site Plan Control?

Section 41 of the Planning Act allows municipalities to establish areas of Site Plan Control through their Official Plan and by by-law in order to control aspects of “development”, as defined by Section 41(1) of the Act.

The Huntsville Official Plan identifies different areas within the Town that are subject to Site Plan Control in order to ensure appropriate development. According to Part F Section 1.6 of the Official Plan, Site Plan Control is a planning tool implemented prior to development and deals with specific design matters such as building and structure location, parking, driveways, lighting, vegetation retention and landscaping, easements, grading and stormwater management.

Under the Planning Act, an updated regulatory framework for the implementation of a CPPS was implemented by the Province under O.Reg 173/16. This is further discussed within the next section of this report. As previously described, the framework for a CPPS streamlines Zoning Amendments, Minor Variances and Site Plan Agreements into a single application and approval process. Therefore areas subject to Site Plan Control are covered under a CPP By-law.

As shown in **Table 2** below, Section 1 of O.Reg 173/16 provides a broader definition for “development” under the CPPS process than Section 41(1) of the Planning Act under the Site Plan Control process. Specifically, the CPPS process allows a municipality to control activities relating to site alteration and vegetation removal.

Table 2. Comparison of “Development” Definitions for Site Plan Control and CPPS

“Development” Definition Under Site Plan Control Source: Planning Act Section 41(1)	“Development” Definition Under a CPP By-law Source: O-Reg 173/16 Section 1
<ul style="list-style-type: none"> • Construction, erection or placing of one or more buildings or structures on land • Making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability • Laying out and establishment of: <ul style="list-style-type: none"> ○ a commercial parking lot ○ sites for the location of three or more mobile homes (as defined in subsection 46 (1) of the Act) ○ sites for the construction, erection or location of three or more land lease community homes (as defined in subsection 46 (1) of the Act) ○ sites for the location of three or more trailers (as defined in subsection 164 (4) of the Municipal Act, 2001) 	<ul style="list-style-type: none"> • Construction, erection or placing of one or more buildings or structures on land • Making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability • Laying out and establishment of: <ul style="list-style-type: none"> ○ a commercial parking lot ○ sites for the location of three or more mobile homes (as defined in subsection 46 (1) of the Act) ○ sites for the construction, erection or location of three or more land lease community homes (as defined in subsection 46 (1) of the Act) ○ sites for the location of three or more trailers (as defined in subsection 164 (4) of the Municipal Act, 2001) • site alteration, including but not limited to: <ul style="list-style-type: none"> ○ alteration of the grade of land ○ placing or dumping fill, or • the removal of vegetation.

1.3. Why the Town is Considering a CPPS

The Town of Huntsville is well situated for the implementation of a CPP By-law. With an anticipated rising population and increasing tourism, there is a growing interest and demand for balancing development with the protection of Huntsville’s unique character and natural resources. The implementation of a CPP By-law will provide the Town with increased efficiency, certainty, and scope to regulate and manage development applications in a more streamlined, flexible manner, while protecting the areas that

matter to the community. **Figure 4** provides a comparison of the Town's existing development approvals process and the CPP By-law development approvals process.

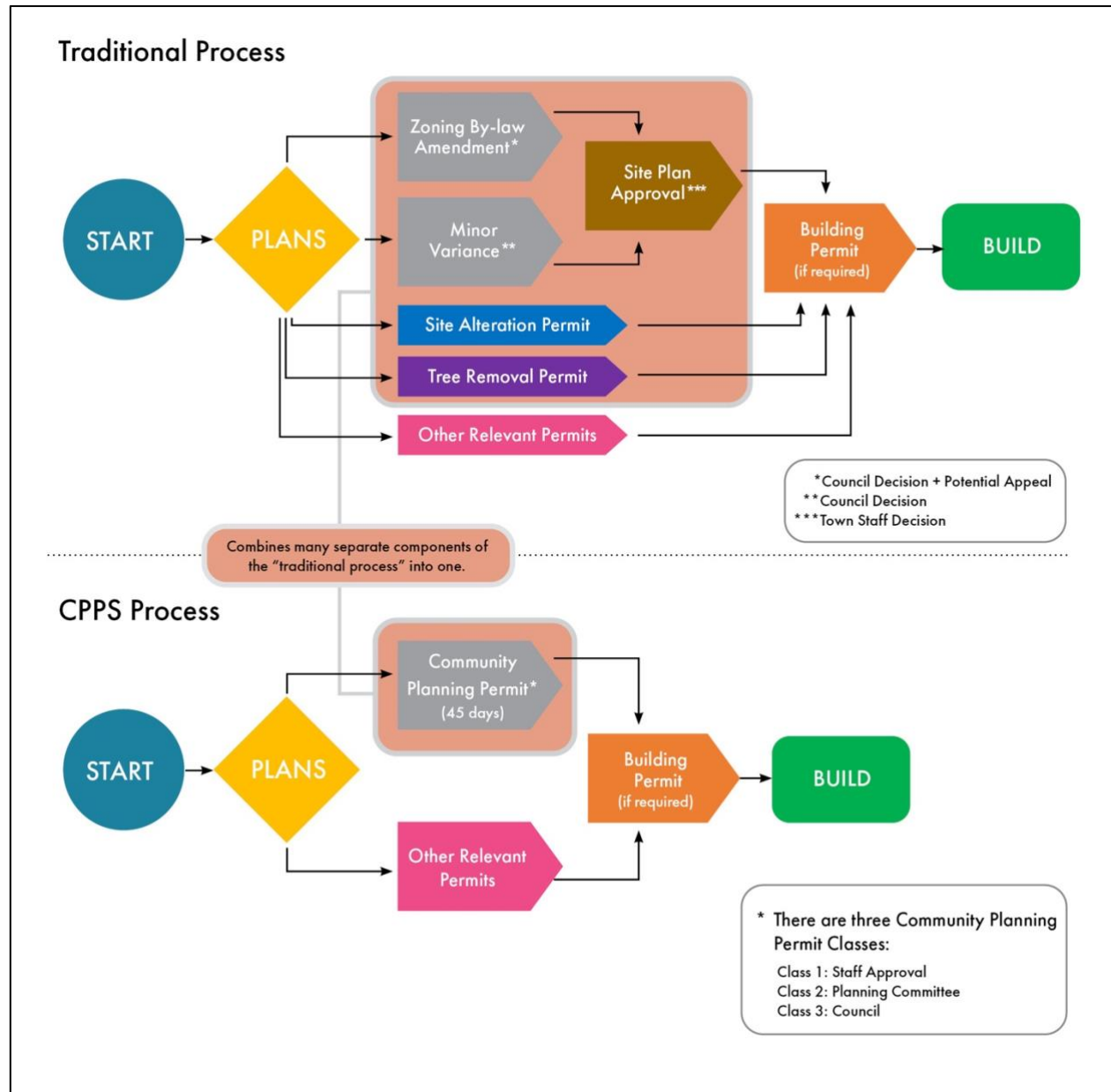


Figure 4. Current Approvals Process and CPP Approvals Process

The information below provides an overview of the benefits of a CPPS for the Town of Huntsville.

Increased efficiency: The strength of the CPPS is that it offers a streamlined development approvals process. This is achieved by combining Minor Variances,

Zoning Amendments and Site Plan Agreements processes under a unified process, and reducing approval timelines.

Increased certainty: A CPPS provides the Town, developers, and the public with certainty about the type of development that can occur as-of-right, what flexibility to the rules may be possible, and what conditions must be fulfilled in the event such flexibility is sought. The CPPS relies on upfront public consultation, through comprehensive stakeholder engagement to help define the long-term vision for the Town of Huntsville. As such, the CPP By-law reflects the needs and wants of the community. This replaces the need for case-by-case public consultation in the future since development applications under a CPP By-law reflect the community's vision.

Increased scope: While a Zoning By-law and a CPP By-law address similar matters, the latter incorporates site plan control and discretionary uses and variations within one document. The CPP By-law provides the Town with the opportunity to add additional regulations and direction on public realm, urban design, and community benefits. A CPP By-law also has the ability to regulate tree removal and site alteration activities as part of a one-window planning permit process, which replaces the need for separate by-laws for regulating such activities. By incorporating these elements into the CPP By-law, they are legally enforced similar to zoning.

1.4. Summary of Report Contents

The remaining sections of this report are as follows:

Section 2 provides an overview of the provincial and local planning context for the establishment of a CPP within the Town.

Section 3 documents best practices from other municipalities.

Section 4 summarizes all of the applicable CPP policies of the Huntsville Official Plan and provides an overview of each land use designation.

Section 5 summarizes the permissions of each zone within the Zoning By-law, provides a comparison between the zones and the Official Plan designations they are located within and briefly discusses key performance standards.

Section 6 summarizes past site-specific amendments and minor variances.

Section 7 outlines key directions to carry forward into the CPP By-law.

Section 8 explains next steps for the Study.

2. Planning Context

A CPP By-law is guided by a range of provincial, regional, and local documents, including the Planning Act and Regional and Local Official Plans. These documents provide the legislative requirements and general direction that inform how local governments establish a CPPS and CPP By-law. This section provides an overview of the relevant provincial, regional and local policies which apply to the establishment of a CPP By-law within the Town of Huntsville.

2.1. Provincial Policy Context in Ontario

In Ontario, planning is guided by the *Planning Act*, the Provincial Policy Statement (PPS) and various Provincial Plans that have been implemented by the Province of Ontario. The *Planning Act* (1990) is the enabling legislation for land use planning in Ontario. It sets the framework for statutory planning and identifies the delegated powers for municipal land use planning. **Figure 5** provides a simplified example of the planning framework in Ontario, and how development applications are considered as part of planning process based on the existing framework and the proposed framework with the implementation of a CPP By-law.

In 2007, the *Planning Act* was updated to enable the implementation of a development approvals framework known as the Development Permit System, (DPS), now referred to as the Community Planning Permit System (CPPS). The tool was first implemented through *O.Reg. 608/06* with the intent to offer municipalities the option of regulating and managing development in a more streamlined, flexible manner.

In 2017, the regulatory framework that provided for implementation of the DPS was modified and the tool was re-implemented and introduced as a “Community Planning Permit System” under *O.Reg. 173/16*.

Over the past decade, the CPPS has gained traction in Ontario as our collective understanding of the tool evolves. In 2019, Bill 108 reinforced the use of this tool for municipalities, recognizing its potential to not only streamline the development process but to also direct growth in a way that protects the characteristics and natural features of a municipality. One of the main changes introduced through Bill 108 is the role of the Minister in establishing a CPPS. Under Bill 108, Section 70.2.2 also provides the Minister with the opportunity to order municipalities to establish a CPPS, which may include identifying a specific area or specific location to which the CPPS must apply. This is not the case the Huntsville, where the Town is deciding itself to implement a CPPS.

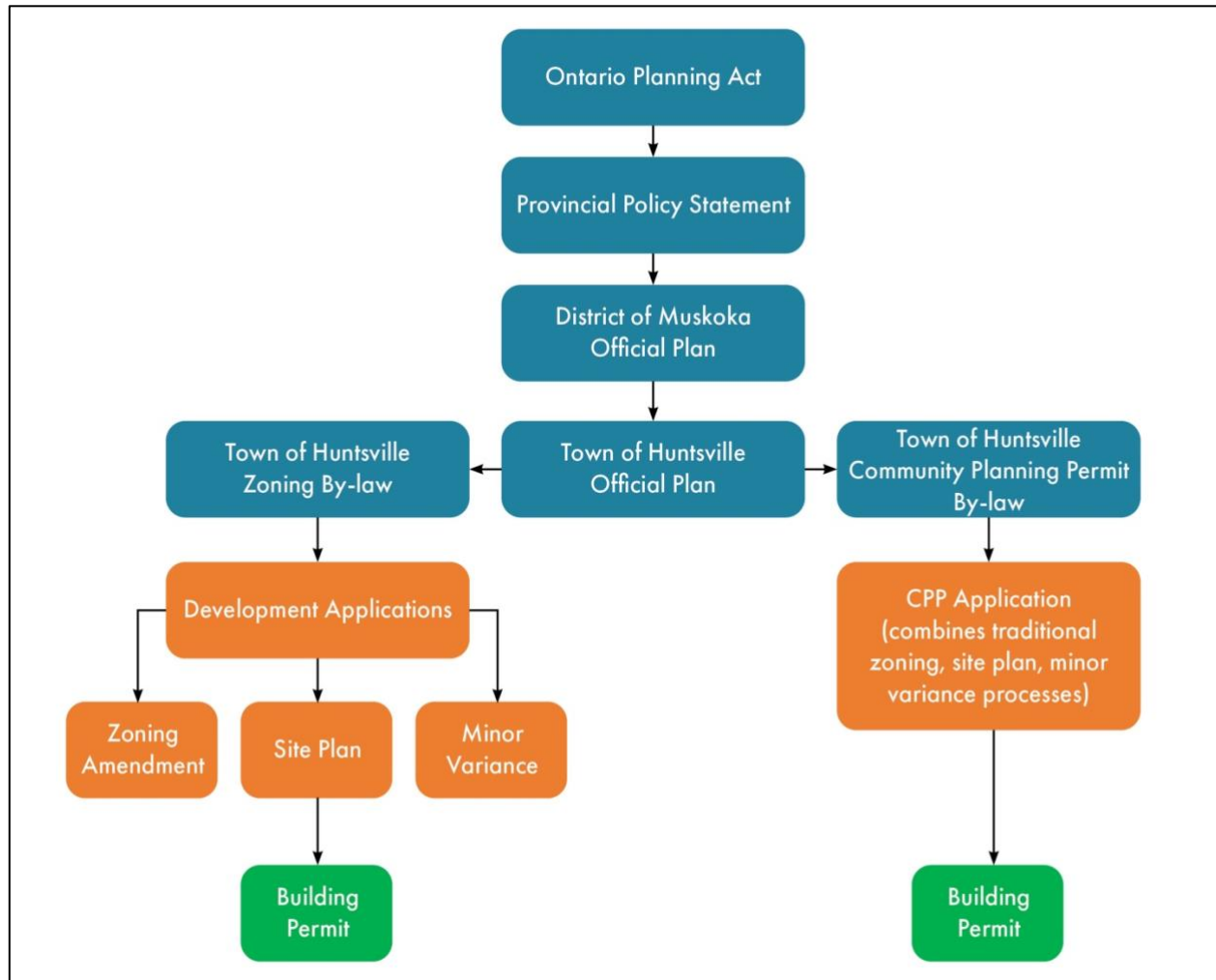


Figure 5. Existing and Proposed Planning Framework

2.2. Local Policy Context

The Provincial Plans are implemented on a regional level through the District Municipality of Muskoka's Official Plan (June 2019). The Town of Huntsville is one of the six Area Municipalities within the District. As per Muskoka's Official Plan policy M5a), Muskoka supports the establishment of a CPPS within its six Area Municipalities and provides guidance on what needs to be included within a CPPS. As outlined under Official Plan policy M5b), the following components must be included in the CPPS-enabling policies of the Area Municipal Official Plans:

- Identify the CPP Area;
- Set out the scope of any delegation and authority and limitations;
- Describe the municipality's goals, objectives and policies in proposing a CPPS for each area; and

- Set out types of conditions that may be included in a CPP By-law, which may include:
 - criteria for evaluating discretionary uses and variations;
 - additional information and material requirements for a CPP By-law application;
 - exemptions for any class of development or use of land from the complete information and material requirements; and,
 - policies related to the provision of specified facilities, services or matters in exchange for a specified density or height of development or increases in density or height.

The Muskoka Official Plan also makes reference to the Muskoka Water Strategy (2003), which provides a framework for the protection of Muskoka's water resources. The Town of Huntsville's Official Plan (February 2019) implements the District policies at a local level.

2.2.1. CPPS Enabling Policies

In 2019, the Town of Huntsville updated its Official Plan, which is used to express the goals and objectives of the community, identify significant natural features and guide physical development and redevelopment. The Official Plan contains enabling policies for the creation of a Town-wide CPPS. The Town's Official Plan includes the following background statement within Part F Section 1.4, which introduces the CPPS-enabling policies of the Plan:

"The community planning permit system is a planning tool that allows for the replacement and combining of the zoning amendment, minor variance and site plan approval processes, as well as the regulation of vegetation removal and site alteration, as well as other types of development. This system also offers opportunities to streamline the planning approvals processes and clearly establish rules and criteria for development within the by-law."

Several policies are set out within Part F Section 1.4 that permit and direct the establishment of a community planning permit system. Policy 1.4.4 permits the Town to implement a CPPS through a CPP By-law for any area or areas within the Town. However, the Huntsville Official Plan must be in effect before a community planning permit by-law for any area in the Town is passed (Part F Policy 1.4.5). In accordance with Section 26 (9) of the *Planning Act*, the Town is required to review and amend its Comprehensive Zoning By-law to ensure that it conforms to the updated Official Plan. In March 2020, Council directed Town staff to develop a CPP By-law for the Town of Huntsville rather than amend its Zoning By-law.

As per Official Plan Part F Policy 1.4.6, once the CPP By-law is in force and effect, it replaces the Zoning By-law and site plan control for the area identified within the By-law.

This means that the use and development of land must comply with the development standards, rules, and criteria set out in the CPP By-law, unless an exemption is in place.

According to Part F Policy 1.4.7, if enacted, the use and development of land must comply with the permitted uses, standards and criteria of the community planning permit by-law, which will be demonstrated through the issuance of a community planning permit. However, the community planning permit may exempt specific proposed uses or developments. Notably, existing site plan agreements may be amended as long as the proposed amendment complies with the CPP By-law.

In accordance with *O. Reg. 173/16*, Section 4(2) and as outlined in the Town's Official Plan Section F, Policy 1.4.8, a CPP By-law must include the following:

- "Contain a description of the area to which the by-law applies, which must be within the boundaries of the area identified in the Official Plan;
- Set out and define permitted and discretionary uses;
- Set out development standards with specified minimum and maximum standards;
- Set out any internal review for permit decisions;
- Describe notification procedures for decisions;
- Set out criteria for determining whether a proposed use or development is permitted;
- Describe the process for amending planning permits, planning permit agreements and pre-existing site plan agreements;
- Outline any conditions of approval that may be imposed;
- Set out the scope of delegated authority, including any limitations; and
- Include a statement exempting placement of a portable classroom on a school site existing on January 1, 2007, from the requirement for a permit."

Section 4 of this report further discusses the enabling and directive policies of the Huntsville Official Plan as they relate to the development and implementation of a CPP By-law.

3. Best Practice Review

This section of the report provides an overview of municipalities in Ontario that have implemented a CPPS and approved a CPP By-law. This is followed by a high-level review of some of the best practices associated with the development permit system in other parts of Canada. The purpose of this review is to identify best practices in establishing a CPP By-law and will help inform the creation of a CPP By-law for the Town of Huntsville.

The CPP By-laws for the following municipalities were a focus of the review, due to their potential application to the Town of Huntsville, as shown on **Figure 6**:

- Township of Lake of Bays;
- Town of Innisfil;
- Town of Carleton Place; and
- Town of Gananoque.

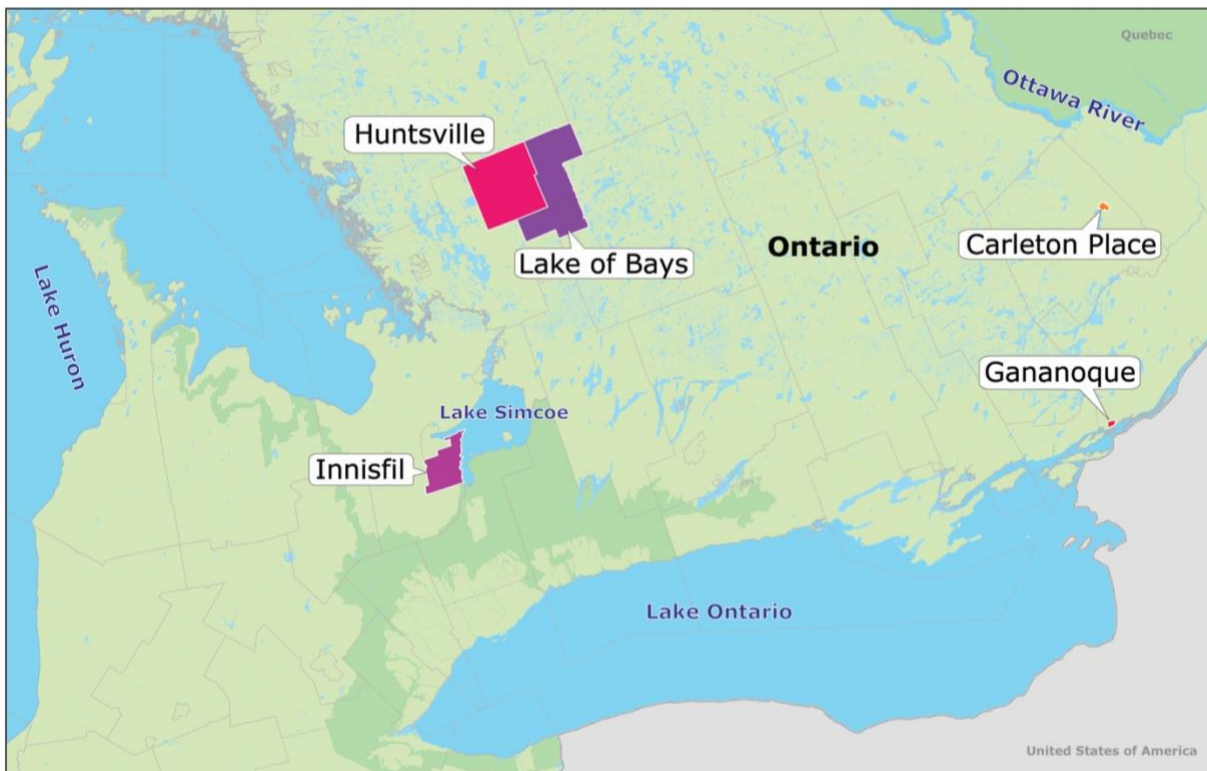


Figure 6: Location of Focus Municipalities in Ontario

Please refer to **Table 3** at the end of Section 3.4 for an overview of the CPP By-law review for these municipalities. **Table 3** contains a succinct and comprehensive summary of the information described within this Section of the report, and can be

reviewed as a quick reference for relevant information. It should be noted that some of the municipalities are using the term Development Permit System (DPS). As such, the term “DPS” instead of “CPPS” has been used to accurately reflect the By-laws.

3.1. Township of Lake of Bays



Figure 7. Lake of Bays, Muskoka (Source: Township Lake of Bays Website)

3.1.1. Background and Context

The Township of Lake of Bays is located within the District Municipality of Muskoka and has a population of approximately 3,167 people (Census, 2016). The Township is known for its natural setting. In 2001, the Ministry of Municipal Affairs and Housing (MMAH) selected Lake of Bays as one of five DPS pilot projects in Ontario. The other pilot projects were located in the City of Hamilton, Town of Oakville, City of Toronto, and the Region of Waterloo. Notably, Lake of Bays was the only municipality that enacted a DPS.

In 2004, Lake of Bays introduced its first DPS By-law. The DPS By-law was based on the guiding principles identified in Section H.20 of the Lake of Bays Official Plan, which focused on the preservation of the waterfront, including ecological and social values. While Official Plan Policy J.20 states that the entire Township may be designated as a DPS Area, the Town’s current DPS focuses on the waterfront. In 2018, the Township started a review of its DPS By-law. One of the main objectives of the review was to expand the CPP Area to include other parts of the community. The section below provides an overview of the Township’s updated CPP By-law, which is currently undergoing review.

3.1.2. Overview of the CPP By-law

The Township’s draft CPP By-law was issued for public review in December 2020. The Town’s draft CPP By-law focuses on Waterfront, Rural, Community, Extractive, Waste Disposal Industrial, Institutional, Open Space, and Environmental Protection Areas. The proposed CPP Areas are delineated on Schedule A of the draft CPP By-law.

The CPP By-law identifies two classes of CPP Permits, Class 1 Staff Variations and Class 2 Council Variations. Depending on the complexity of the permit application, an application is either delegated to staff or Council for review and approval. A Class 1 Staff Variation is issued for development applications that generally meet the intent of the CPP By-law. There are no notification requirements associated with a Class 1 Staff Variation. If a development application is more complex, it is considered a Class 2 Council Variation. A development application under a Class 2 application stream will be reviewed and approved by Council and property owners within 120 m of the subject property are notified. Any residential development that complies with the standards of the CPP By-law, does not involve extensive vegetation clearing, and does not involve development within the shoreline yard, does not require a development permit. The CPP By-law notes that a pre-consultation meeting with Township staff is required prior to the submission of a permit application.

The CPP By-law identifies 28 CPP Areas, each containing directions on permitted uses, development standards, discretionary uses, variations, and design and built form. Discretionary uses that meet the intent of the CPP By-law are generally permitted. However, depending on the CPP Area, a discretionary use may have specific conditions attached such as completing a Water Quality Impact Assessment. Each of the 28 land use districts includes a percentage variation that may be approved by staff or Council. The CPP By-law states that community benefits are not applicable for areas that are part of the CPPS.

As per the CPP By-law, conditions can be assigned to certain development applications prior to a development permit being approved. These conditions could require further studies to be completed in order to receive full approval. The applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given by Town staff based on a formal request by the applicant.

3.1.3. Lessons Learned

In 2016, the Township completed its Official Plan Review, which included the preparation of a discussion paper regarding the expansion of the DPS currently in force and effect. The discussion centred on the scope of the DPS within the Township. At present, the DPS only applies to the Township's Waterfront designation with the remainder of the Township being governed by its zoning by-law. This two stream approval process has resulted in confusion and inefficiencies in the development approval process.

Based on the discussion paper, it was recommended that the DPS be expanded across the Township to promote the streamlining of the development approvals process. The Township's long-term goal is to slowly phase out the Zoning By-law and replace it with a new CPP By-law. However, concern was expressed that the application of a CPPS across the Township could result in greater restrictions on rural landowners, depending

on the type of conditions that are put in place. The Township expressed confidence in being able to address any concerns, specifically as they relate to vegetation removal.

Some of the differences between the 2004 DPS By-law and the 2020 draft CPP By-law include detailing the application requirements and expanding the CPP Area from eight to 28 land use districts. In addition, under a CPP the definition of development includes site alteration and vegetation removal and the first 20 metres from a lake is protected.

Challenges have been noted by Township staff in relation to enforcing tree removal and site alteration requirements, as well as concerns from the forestry and logging industry. As a result, the revised CPP By-law will include exceptions for forest management and logging. Also, the term “DPS” has been updated to “CPPS” and design and built form criteria have been included for each CPP Area.

In the context of the Township of Lake of Bays, the CPP By-law has been successful in achieving what it sets out to achieve, which is to streamline the development approvals process and shorten approval timelines, however since the CPPS is not Town-wide, the benefits of streamlining have been limited to the subject lands and the municipality continues to facilitate both processes. In addition, the CPP By-law provides staff with clear direction on the variances and discretionary uses available based on the type of development application, such as a Class 1 or 2 Variation. Any discretionary use not identified in the CPPS by-law would require an amendment to the by-law. It get avoid numeros by-law amdnements for new uses, Town uses the term “similar uses to those permitted” to provide flexibility for the municipality to permit uses that may not have been envisioned at the time of drafting the by-law.

The above noted revisions to the Lake of Bays CPP By-law provide some key insights that the Town of Huntsville may wish to consider in the drafting of its CPP By-law.

3.2. Town of Innisfil



Figure 8. Lake Simcoe (Source: Town of Innisfil CPP By-law)

3.2.1. Background and Context

The Town of Innisfil is located on the western shore of Lake Simcoe, immediately south of Barrie in Simcoe County. As of 2016, the Town has a population of approximately 36,566 people. As per the Town of Innisfil Official Plan (November 2018), Lake Simcoe is a key natural feature which is to be preserved in accordance with the policies of the Official Plan and the Lake Simcoe Protection Plan. While the entire Town may be designated as a CPPS area, Official Plan Policy 22.17.2 identifies the Lake Simcoe shoreline, Innisfil Heights Strategic Settlement Employment Area, and the Waste Disposal Assessment Areas as priority areas. The section below provides an overview of the Town's CPP By-law.

3.2.2. Overview of the CPP By-law

The Town's CPP By-law came into effect in 2017. As per Official Plan Policy 22.17.2, the CPP Area encompasses the Lake Simcoe shoreline, which was identified as a priority area. The objective of the CPP By-law is to promote alignment between development and the Lake Simcoe Protection Plan; maintain residential and recreational uses along the shoreline; enhance the ecological function of the shoreline; and protect people and property from natural hazards. Three guiding principles – Grow, Connect, Sustain – form the basis of the CPP By-law and are reiterated throughout the document. The areas that are subject to the CPPS are identified on Schedule A of the By-law.

The CPP By-law identifies three classes of development permits, which delegate the approval authority to either staff or Council. A Class 1 Application involves variations to the development standards within the CPP By-law which require review and approval by Council. A Class 1 Application requires notification of property owners within 60 m and up to 120 m of the subject property. A Class 2 Application involves variations to the development standards that may be considered by staff and a Class 3 Application meets all development standards within the CPP-By-law. Class 2 and 3 Applications do not have any notification requirements associated with them.

As part of the application process, a pre-consultation meeting with staff is required prior to submission of a development permit application to identify technical study requirements. Specific technical studies which could be required include: Coastal Engineering Study, Environmental Impact Assessment, Fish Habitat Impact Assessment, Contaminant and Spill Management Plan, Erosion and Sediment Control Plan, among others. Any development application that is consistent with the Town's Site Plan Control By-law and involves the maintenance and repair of structures is exempt from a development permit. If the planning permit is approved with conditions, the owner must fulfill the conditions associated with the approval in advance of the planning permit being issued.

Within the CPP By-law, twenty-one Shoreline Permit Areas are identified. All areas are addressed under one set of standards, providing direction on land and water permitted uses, development standards, variations, and accessory uses. Since the CPP Area

focuses on the shoreline, only two discretionary uses are identified within the by-law, boathouses and boat ports which are subject to a Class 1 permit. Detailed policies are provided on criteria, variations, and conditions of approval, which align with the guiding principles identified at the beginning of the CPP By-law. Site-specific provisions are included for specific properties. In addition, the CPP By-law includes policies on height and density increases in exchange for community benefits, such as public art, parkland, built form innovative technology, public access to shoreline, and streetscape improvements.

3.2.3. Lessons Learned

While the CCP By-law was approved by Town Council 2017, it took almost two years of hearings and appeals before it was approved by the Ontario Municipal Board, now referred to as the Local Planning Appeal Tribunal (LPAT). Specific areas that required attention included deciding on how to promote an ecologically sound and safe development process along the Lake Simcoe shoreline. In the interim, the Town updated its Site Plan Control By-law to address some of the concerns regarding vegetation removal.

Overall, the CPPS is a new tool for the Town of Innisfil and a first step towards streamlining the development process, while balancing the complex needs and wants of various stakeholders regarding the Town's waterfront.

To promote the CPP By-law, the Town implemented an education program that focused on shoreline property owners, abutting municipalities, and other stakeholders. Town staff noted that one area of the CPP By-law that requires explanation to the public is how variances are addressed. Although the Town allows Planning Committee to approve a variance from the by-law (considered a Class 2 approval) up to a certain percentage, variances are not approved as-of-right and an applicant must justify the rationale for the variance. In instances where a variation from the standards is being sought, the following criteria must be met prior to the issuance of a planning permit:

- The proposal is appropriate for the lands;
- The proposal takes into account the unique characteristics of the property;
- Any potential off site impacts are identified and mitigated;
- The proposal shall maintain the general intent of the By-law;
- The proposal shall maintain the general intent of the Official Plan; and,
- The proposal is consistent with the Provincial Policy Statement and is consistent with all applicable provincial plans and policies, including the Lake Simcoe Protection Plan (LSPP) and any other provincial plan or policy. If ever a conflict arises between any plan, policy or document, the provision that gives the greatest protection to the ecological health of the Lake Simcoe watershed will prevail.

This approach is different from the other CPP By-laws reviewed in that a set of criteria must be met to evaluate the appropriateness of a variance. This highlights the

importance of a customized approach to variations, depending on the overall goal, which in the Innisfil example is protection of the shoreline.

The current CPPS for the shoreline does not include urban design guidelines, but the Town is exploring design policies as part of the CPPS for employment lands.

One of the challenges noted by Town staff is balancing the interests of the Conservation Authority, the Lake Simcoe Protection Plan, and the Town's ability to regulate. To further streamline the development approvals process, the Town incorporated development standards from the local Conservation Authority within the CPP By-law. As a result, applicants are only required to submit one application to obtain approval from the Town and the local Conservation Authority.

Due to the recent approval of the CPP By-law as well as COVID-19, the Town has not had a full season yet to vet the by-law. However, the Town is currently considering expanding its CPP Area to an employment area. The long-term goal is to expand the CPP town-wide, as they have seen a number of benefits to the tool.

3.3. Town of Carleton Place



Figure 9. Carleton Place Town Hall (Source: Carleton Place Website)

3.3.1. Background and Context

The Town of Carleton Place is located east of Ottawa in Lanark County and has a population of approximately 11,901 people (Census, 2016). Carleton Place is known for its small town character and its location along the Mississippi River, a tributary of the Ottawa River. As per the Town of Carleton Place Official Plan (July 2013), Policy 6.14 states that the entire Town shall be governed by a DPS By-law. The Carleton Place Official plan provides a detailed overview of the objectives of introducing a DPS and the application requirements for a DPS permit. The section below provides an overview of the Town's DPS By-law.

3.3.2. Overview of the DPS By-law

The Town's DPS By-law came into effect in 2008, identifying the entire Town as a DPS Area. In alignment with Carleton Place Official Plan Policy 6.14.1, the objectives of the DPS By-law include the preservation of the existing small town character; improvement of the waterfront area; preservation and enhancement of neighbourhoods; promotion of rehabilitation of industrial properties; expansion of green spaces and park facilities; increase of diversity of arts, culture and recreation; and protection of the natural environment. The DPS Area is delineated on Schedule A of the DPS By-law.

The DPS By-law identifies four classes of DPS Permits, which delegate the approval authority to either staff or the Planning Advisory Committee. A Class I Development permit is issued for residential development applications that generally meet the intent of the DPS By-law. A Class IA Development Permit is required for non-residential development applications that generally meet the intent of the DPS By-law and do not result in any off-site impacts related to traffic, noise, drainage, lighting or similar impacts. Class I and IA Development Permits are approved by staff and do not have any notification requirements. A Class II Development Permit is issued for development that requires minor variations from the standards in the DPS By-law. The development permit is approved by staff and a notice is posted on the subject property for 15 days. Development permit applications that are identified as a Class III are approved by the Planning Advisory Committee. These applications require that a notice of the proposed development is posted on the site, published on the Town's website, and circulated to properties within 120 m of the subject lands. Permit applications may be referred to Council for review. As part of the development permit application process, a pre-consultation meeting with staff is required.

Nine land use districts are identified within the DPS By-law, containing policies on permitted uses, development standards, and discretionary uses, with some districts including additional provisions. Variations are outlined as part of the section on general provisions. The DPS By-law also includes a detailed section on built form criteria, including graphics on the overall look and feel of development.

Provisional approval may be given prior to the issuance of a Planning Permit. The applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given by Town staff based on a formal request by the applicant.

3.3.3. Lessons Learned

Since its implementation in 2008, the Town's DPS By-law has undergone minor amendments in 2015 to 2018. Some of these amendments were schedule-related and establishing compliance between the DPS By-law, other By-laws, and the County's Source Water Protection policies.

In October 2020, a Public Open House was held regarding a more comprehensive amendment to the DPS By-law in accordance with Section 34 and 70.2 of the *Planning Act*. The purpose of the amendment was to address the following items, among others:

- Update typographical errors, grammar, and omissions;
- Clarify administration, interpretation, enforcement, application class, application requirements, application process and agreement/permit requirements;
- Provide further detail on key issues such as outdoor storage, parking, permitted projections, secondary suites, increasing permitted uses in permit areas, additional provisions in greenfield and infill development; and
- Add clarification and additions to definitions.

An Interim-Control By-law was passed in May 2019 to freeze development over 28 feet in height for townhouses and apartment buildings. In response to this, a neighbourhood character analysis was completed to determine what is appropriate. Based on this review, the Town has an opportunity to further delineate the By-law districts to maintain and enhance the character of specific areas, which at present, permit a range of residential densities.

Overall, the Town's design criteria and built form inventory within the CPP By-law has proven useful in evaluating development applications for older parts of the Town.

The Town's DPS By-law approval process emphasizes the importance of regularly monitoring the implementation of the By-law to help make refinements based on community and stakeholder needs.

3.4. Town of Gananoque



Figure 10. Downtown Gananoque, King Street (Source: Wikimedia Commons)

3.4.1. Background and Context

The Town of Gananoque is located to the east of Kingston and has a population of approximately 5,159 people (Census, 2016). The Town's location along the St. Lawrence River within the 1,000 Islands area make it a popular tourist destination. As per the Town of Gananoque Official Plan (September 2009), Policy 5.4.10 states that the entire Town may be designated as a DPS. The Official plan provides a detailed overview of the objectives of introducing a DPS and the application requirements for a DPS permit. The section below provides an overview of the Town's DPS By-law.

3.4.2. Overview of the DPS By-law

In 2009, the Town adopted the DPS-enabling policies in its Official Plan, which was followed by the enactment of the DPS By-law in 2011. In alignment with Gananoque Official Plan Policy 5.4.10.2, the objectives of implementing a DPS By-law included preserving and enhancing the Town's heritage, preserving the historic and environmental character, and promoting a sustainable development pattern that provides high quality of life for residents. The DPS By-law is applicable throughout Gananoque, with some exceptions. Additional modifications are required for Waterfront Areas and Entrance Areas. The DPS Area is delineated on Schedule A of the DPS By-law.

The DPS By-law identifies three classes of development permits. Based on the complexity and scale of the development, a permit application may be approved by staff, the Planning Advisory Committee, or Council. A Class I Development Permit is issued by staff for development applications that generally meet the intent of the DPS By-law. Development applications that do not meet the general intent of the DPS By-law are considered a Class II Development Permit. A Class II Development Permit is reviewed and approved by the Planning Advisory Committee and requires that a notice is circulated to properties within 120 m of the subject lands. A Class III Development Permit is issued for development applications that do not meet the general intent of the DPS By-law. Development applications that are considered a Class III are reviewed and approved by Council and require that a notice is posted on site and circulated to properties within 120 m of subject lands.

A development permit is not required for single, semi-detached, and duplex dwelling units, as long as the development or proposed development is conforming to the requirements, standards and provisions within the designated Residential Development Permit Area. A development permit is also not required for any development previously approved through site plan control. Technical reports may be required for a more complex development permit including, but not limited to: Stormwater Management Report, Noise Impact Analysis, Environmental Impact Statement, Tree Preservation Plan, and Archeological Assessment studies.

Within the DPS By-law, twelve land use districts are identified. Each of these areas have separate policies related to permitted uses, discretionary uses, and special

exceptions, as applicable. In addition, design criteria are included for each district, providing detailed directions on building materials, paint colour in heritage-significant areas, façade design, storefront design and glazing, roof design, and access and parking among others. The DPS By-law does not make reference to potential community benefits in exchange for height and density.

A provisional approval may be given, prior to the issuance of a Planning Permit. The applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given by Town staff based on a formal request by the applicant.

3.4.3. Lessons Learned

Since the approval of the DPS By-law in 2011, minor amendments have been made to clarify the procedures of development approvals. In early 2020, the DPS By-law was amended to include definitions, provisions and discretionary uses related to Bed and Breakfasts, Heritage Tourist Inns and Short Term Accommodations.

Some of the main challenges the Town experienced with the initial DPS By-law relate to knowledge gaps by the municipality and stakeholders and reaching agreement on permitted uses, specifically drive-thru's. Stakeholder engagement is a key component in addressing the above noted concerns. As a result, the Town conducted targeted outreach to lawyers, developers/contractors, and real estate agents. The Town met with each group individually to provide an overview of the proposed DPS By-law. Overall, the targeted outreach was very well received.

Another key consideration is the inclusion of variances within the Town's DPS By-law. At present, Council may vary the standards, provisions and requirements up to 100%. While this provides flexibility for Council, it may create uncertainty regarding expectations for the applicant and does not trigger a full public process that would otherwise be required if a DPS Amendment was needed. It is therefore recommended that the intent of each variation be carefully considered within the site specific context to which it applies.

In order to manage the Planning Act timeline and the uncertainty regarding the timing of agency input, the Town requires agency comment in advance of deeming an application complete. The Town has also used conditional approvals to manage outstanding issues related to larger developments.

Overall, the streamlined development approvals process under the DPS By-law has made it easier to manage development applications for the Town and the response regarding the approval timelines has been positive by applicants.

Table 3. Overview of CPP/DPS By-law Review

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
DPS/CPP Area			
Waterfront, Rural, Community, Extractive, Waste Disposal Industrial, Institutional, Open Space, and Environmental Protection Areas subject to CPP By-law	Shoreline Areas are subject to CPP By-law, with some exceptions	Entire Town is subject to DPS By-law	Entire Town is subject to CPP By-law
Goals and Objectives			
<p>Goals:</p> <ul style="list-style-type: none">To ensure consistency with the Provincial Policy Statement and conformity with the District's Official Plan and Township's Official Plan;To implement the community vision related to the waterfront, the natural environment, the rural and community areas, the local economy, and culturally significant resources;To establish a fair and consistent planning permit process for all residents; andTo recognize the importance of the Township's natural and diverse setting. <p>Objectives:</p> <ul style="list-style-type: none">To streamline planning approvals by replacing and combining the zoning by-law amendment, minor variance, and site plan approval processes;To protect the rural, community, and waterfront character and functions of the Township through appropriate standards for development;To provide for establishment or re-establishment of vegetation along Township and District roads;	<p>Goals:</p> <ul style="list-style-type: none">Implement vision, principles and policies of the Official Plan;Engage the community in the creation of the planned vision for the Lake Simcoe shoreline;Establish a comprehensive planning framework along the Lake Simcoe shoreline; andProtect people and property from natural hazards that exist for shoreline development. <p>Objectives:</p> <ul style="list-style-type: none">Provide alternative regulatory framework;Align development with the Lake Simcoe Protection Plan;Protect people and property from natural hazards;Recognize existing land uses and identify expectations of future development;Maintain residential and recreational uses along shoreline;Increase the natural appearance and ecological function of shoreline; andImprove water quality and fish habitat. <p>Guiding Principles:</p> <ul style="list-style-type: none">Grow: Embrace managed growth	<p>Objectives:</p> <ul style="list-style-type: none">Preserve existing small town character;Improve the waterfront area;Preserve and enhance neighbourhoods;Promote rehabilitation of industrial properties;Expand green spaces and park facilities;Increase diversity of arts, culture and recreation; andProtect the natural environment.	<p>Objectives:</p> <ul style="list-style-type: none">Preserve and enhance the Town's unique "small town" heritage;Preserve historic and environmental character; andProvide a high quality of life through a sustainable development pattern.

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
<ul style="list-style-type: none">To minimize vegetation removal and site alteration outside of building envelopes and activity areas;To maintain and improve, where possible, the water quality of lakes, rivers, and streams within the municipality through the establishment of vegetation protection zones;To establish a development process based on fairness, consistency, transparency, and proper notification for all residents.	<ul style="list-style-type: none">Connect: Embrace meaningful ways to connect<ul style="list-style-type: none">Sustain: Embrace principles of sustainability		
Permit Area(s)			
Twenty-eight CPP Areas. Each district includes a set of policies related to permitted uses, development standards, discretionary uses, variations, and design and built form guidelines.	Twenty-one Shoreline Permit Areas. All areas are addressed under one set of policies, providing direction on permitted uses on land and water, development standards, variations, and accessory uses. Site Specific Provisions are included for specific properties.	Nine land use districts. Each district includes a set of policies related to permitted uses, development standards, and discretionary uses; however, overlap exists between the districts. Some districts also include additional provisions.	Twelve land use districts. Each district includes a set of policies related to permitted uses, discretionary uses, design criteria, and special exceptions.
Number of Permit Classes			
Two permit classes	Three permit classes	Four permit classes	Three permit classes
Delegation of Approvals and Notification Requirements			
Class 1: Applications involving staff variations. Permit is approved by staff. Referred to as Staff Variation Planning Permits. Class 2: Applications involving Council variations. Permit is approved by Council. Referred to as Council Variation Planning Permits.	Class 1: Applications involving council variations. Permit is approved by Council. Class 2: Applications involving staff variations. Permit is approved by staff.	Class I: Applications involving staff variations. Permit is approved by staff. Class IA: A non-residential proposal that generally meets the requirements. Permit is approved by staff.	Class I: Applications involving staff variations. Permit is approved by staff. Class II: A development that has received request for review by Planning Advisory Committee and generally does not meet the requirements. Permit is approved by Planning Advisory Committee.

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
	Class 3: Applications meet all development standards and may be considered by Staff. Permit is approved by staff.	Class II: Any development that requires variations from the standards. Permit is approved by staff. Class III: A development that requires Committee approval or conditional approval. Permit is approved by Committee.	Class III: A development that has received a request for review by Council and generally does not meet the requirements. Permit is approved by Council.
Notification Requirements			
There are no notification requirements for a Class 1 permit. A Class 2 permit requires a notice to be circulated to neighbours within 120 m of the subject property and for the notice to be posted on the subject property. Within 15 days after a decision is made written notice of the decision, including reasons and any conditions, must be given to the applicant and to each person or public body that submitted a written request to be informed of the decision with the clerk of the municipality.	A Class 1 permit requires that property owners within 60 m and up to 120 m of the subject property must be notified. There are no notification requirements for a Class 2 and 3 permit.	There are no notification requirements for a Class I and IA permit. A Class II permit requires that the notice is posted on site for 15 days. A Class III permit requires that the notice be posted on site, published on the Town website, and circulated to properties within 120 m of subject lands. For a Class II and III permit, comments received are summarized in the staff report. Interested residents may attend the Committee or Council meeting, however there is no opportunity for delegation as there is no third party appeal rights under to CPPS.	There are no notification requirements for a Class 1 permit. A Class II and III permit require that the notice is posted on site and circulated to properties within 120 m of subject lands.
Applications Exempt from Development (Planning) Permit			
Development that complies with the standards of the CPP By-law, site alteration and vegetation removal within Rural designation but outside vegetated buffer, repair and maintenance of existing buildings or structures, placement of fill less than 7 m ² , portable classrooms, and forestry operation or conservation use are exempt.	Development consistent with a site plan agreement pursuant to the Town's Site Plan Control By-law, or maintenance, repair, seasonal structures, storage sheds, and placement of portable classrooms are exempt.	Development of single, semi-detached, and duplex dwelling units, as long as the development is conforming to the requirements, standards and provisions within the designated Residential Development Permit Area are exempt.	Development of single, semi-detached, and duplex dwelling units, as long as the development is conforming to the requirements, standards and provisions within the designated Residential Development Permit Area are exempt. Previous development approved through site plan control, repairs or maintenance, and placement of portable classrooms are also exempt.
Pre-Consultation			
Applicants are required to consult with staff prior to submitting a permit application.	An owner of property located within the Shoreline Permit Area may meet with Town staff and other agencies, such as the Lake Simcoe Region Conservation Authority and	Applicants are required to consult with municipal staff prior to submitting a permit application.	Applicants must consult with municipal staff prior to submitting a permit application.

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
	Ministry of Natural Resources and Forestry to discuss the proposal and submission requirements.		Agency comments are required in advance of deeming an application complete. The applicant must submit a signed “Confirmation of Pre-Consultation Form” as part of the complete application package.
Technical Study Requirements			
Technical reports may be required prior to issuance of a development permit. The extent of issues to be addressed within individual technical reports, impact assessment, or site evaluation studies are established in the Official Plan. A detailed list of potential technical studies is provided in the By-law.	Technical reports may be required prior to issuance of a development permit.	Technical reports may be required prior to issuance of a development permit. A detailed list of potential technical studies is provided in the By-law.	Technical reports may be required prior to issuance of a development permit. A detailed list of potential technical studies is provided in the By-law.
Application Submission and Review			
An application is deemed complete once any associated drawings and studies as identified in the pre-consultation are received. The Director of Planning will provide written notice to the applicant that the application is complete. The timelines for review will commence at that date.	An application is deemed complete once any associated drawings and studies as identified in the pre-consultation are received. Within five business days the Town will confirm whether the Application is complete.	The Director of Planning and Development or a designate will evaluate each application within 10 business days of its submission and will issue a statement that the submission meets all the requirements of a complete application, as outlined within the Official Plan. The applicant will receive formal correspondence from the Director of Planning and Development or designate within 15 days of receipt of the application. The timelines for review will commence at that date. The By-law includes a flow-chart outlining the development permit review process.	The By-law includes a detailed overview of what is considered a complete application. The Manager of Community Development will evaluate each application within 10 working days of its submission and to determine whether the application is complete or whether additional information is required. The applicant will receive formal correspondence from the Planning and Approvals Coordinator within 10 business days of receipt of the application. The timelines for review will commence on the date when the application is considered complete.
Provisional Approval			
A provisional approval may be given, prior to the issuance of a Planning Permit. The	If the Planning Permit is approved with conditions, the owner must fulfill the conditions	A provisional approval may be given, prior to the issuance of a Planning Permit. The	A provisional approval may be given, prior to the issuance of a Planning Permit. The

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given based on a formal request.	associated with the approval in advance of the issuance of the Planning Permit.	applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given based on a formal request.	applicant has a maximum of one year from the date of the issuance of a conditional approval to fulfill the condition. An extension may be given based on a formal request.
Discretionary Uses			
Discretionary uses that meet the intent of the CPP By-law are generally permitted through “similar uses to those permitted” language. Depending on the CPP Area, a discretionary use may have specific conditions attached such as completing a Water Quality Impact Assessment.	Discretionary uses identified within the by-law includes boathouses and boat ports which are subject to a Class 1 permit.	Discretionary uses within the land use districts are subject to the Class II development permit approval stream, with the exception of discretionary uses within the Residential District and the Health Campus.	Depending on the land use planning district a discretionary use may be subject to the Class III Development Permit approval stream.
Variations			
<ul style="list-style-type: none">The percentage of variations vary based on the development standard (e.g., parking, buffers and setbacks).Staff may vary the standards based on percentage up to 20%.Council may vary the standards, provisions and requirements as outlined in the By-law for each requirement, generally up to 100%.	<ul style="list-style-type: none">A set of criteria must be met prior to the issuance of a planning permit. These criteria are not based on a percentage variation.	<ul style="list-style-type: none">Staff may vary the standards, provisions and requirements based on percentage.Council may vary the standards, provisions and requirements up to 100%.	<ul style="list-style-type: none">Staff may vary the standards, provisions and requirements based on percentage.Council may vary the standards, provisions and requirements up to 100%.
Vegetation Removal and Fencing			
A stand-alone section is included on vegetation removal and site alteration, which includes a set of criteria and planning permit requirements. Minimal direction on fence-related standards. Township does not have a Fence By-law.	Vegetation removal mentioned in the context of site alteration Fence-related development standards are included throughout the By-law.	Stand-alone section included on vegetation removal and site alteration.	Stand-alone section included on vegetation removal and site alteration. Fence-related development standards are included throughout the By-law.

Township of Lake of Bays <i>Draft Community Planning Permit By-law 2020</i>	Town of Innisfil <i>Community Planning Permit By-law 062-17</i>	Town of Carleton Place <i>Development Permit By-law 15-2015</i>	Town of Gananoque <i>Development Permit By-law 2005</i>
Urban Design Guidelines			
Includes detailed design guidelines. Illustrations on building height, setbacks and the layout of the shoreline activity area are provided as appendices.	Does not include detailed design guidelines as development is low-density residential and along the shoreline. Illustrations on boathouse, deck, lot frontage and setbacks are provided in Section 7. Intending to include design guidelines for future CPPS for Employment Lands.	Includes detailed Built Form Inventory, Built Form Design Criteria, as well as designer heritage colours to be used for the exterior of buildings.	Design criteria included as part of the various permit areas.
Community Benefits			
Reference made that community benefits are not provided within the CPP Area.	Community benefits are provided in exchange for height and density.	No reference to community benefits.	No reference to community benefits.
By-law Structure			
<ul style="list-style-type: none"> Explanatory Notes and Context Administration General Provisions Community Planning Permit Areas Definitions Schedules and Appendices (e.g., maps and graphics, criteria for variations, standards, discretionary uses) 	<ul style="list-style-type: none"> Community Planning Permits (Goals and Objectives, Exemptions, Variations) Administration Definitions Shoreline Permit Area Development Standards and Uses Example Illustrations Schedule A - Maps 	<ul style="list-style-type: none"> Explanatory Note and Intent Administration General Provisions, incl. Variations Development Permit By-law Designations Built Form Inventory Built Form Design Criteria (incl., graphics) Definitions Schedule A – DPS Area 	<ul style="list-style-type: none"> Explanatory Note and Intent Administration General Provisions Development Permit Area Designations Overlays Definitions Appendix A – Examples of Designer Heritage Colours Schedule A – Development Permit Areas Schedule B- Overlays Schedule C – Special Exception Designations
Appearance and Readability			
<ul style="list-style-type: none"> Text-heavy document Portrait format Not too many graphics or visuals to help with interpretation Use of tables helps reader to distill and understand various standards Clear and readable font Document length: over 180 pages 	<ul style="list-style-type: none"> Graphic and visual document (balance of text and graphics) Landscape format Use of illustrations and photographs Use of tables helps reader to distill and understand various standards Clear and readable font Document length: over 100 pages User-friendly and appealing document 	<ul style="list-style-type: none"> Text-heavy document Portrait format Several diagrams throughout Limited photographs Limited use of tables Clear and readable font Document length: 110 pages 	<ul style="list-style-type: none"> Balance of text and graphics Portrait format Combination of maps and hand-drawn diagrams Limited use of tables Clear and readable font Document Length: over 220 pages

3.5. Review of the CPPS in Canada

While the CPPS has slowly been gaining traction in Ontario, municipalities in British Columbia (BC), Alberta, Manitoba and Nova Scotia have been using their version of the tool, which is generally referred to as a Development Permit System. Although the municipal processes and legislative requirements differ between provinces, similar to Ontario, local governments are able to designate Development Permit Areas (DPAs). The information below provides a high level overview of some examples of where a Development Permit System has been applied elsewhere in Canada and key lessons learned.

3.5.1. British Columbia

Section 488 of Division 7 of the BC Local Government Act allows a local government in their Official Community Plan (OCP) to designate DPAs for specific purposes, such as: protecting the natural environment; protecting development from natural hazards; revitalizing commercial areas; guiding form and character of development; and promoting conservation of water and energy. The DPA must describe the special conditions or objectives and how these will be addressed. DPA regulations are supported by the Zoning By-law regulations. While most municipalities in BC have implemented DPAs, below are a few examples.

The Town of Ladysmith on Vancouver Island has designated various areas under a Development Permit System with the objective to guide development and to protect areas of importance. The Town has a range of DPAs, encompassing commercial, industrial and multi-family development. Development within the DPAs is directed by a set of guidelines. Any land alteration near riparian areas and on steep slope land is also subject to the Development Permit Guidelines. These guidelines include a list of application requirements, exemptions, and a set of special conditions, objectives, and design guidelines for each of the DPAs. Depending on the complexity of the permit application, additional studies and approvals may be required.

Another example of a municipality that has implemented a Development Permit System is the City of Campbell River. Located within the Strathcona Regional District, the City of Campbell River has experienced a change in the growth and demographic patterns in the last few years. As a result, it was recommended that the housing needs of the City could be accommodated within the established communities with modifications to the DPAs and an OCP amendment to delete the estate lot designation. This required setting an overall density target, expanding the types of houses and reducing the lot size in specific areas and establishing a Form and Character Development Permit.

The City's Development Permit Handbook includes details on the application requirements and design guidelines. Depending on the complexity of the application, it is recommended that the applicant attend a meeting with the Development Review Committee. The application is initially reviewed by staff before it is circulated to internal and external stakeholders. Once the application has been reviewed it is handed over to

Council for review and approval. The Approval process takes approximately 12+ weeks depending on the complexity of the application.

3.5.2. Alberta

In Alberta, Section 640 of the Municipal Government Act allows a municipality to require a development permit for any or all development that occurs in the municipality. The Land Use By-law identifies the uses that require a development permit, the conditions that may be placed on the development permit, and the appeal process. The Town of Strathmore is one example of a municipality in Alberta that has implemented development permits.

The Town of Strathmore is located east of the City of Calgary on the TransCanada Highway. In 2014, the Town conducted a complete review of the Municipal Development Plan (MDP) and the Land Use By-law. In times of high growth and development in the Region, Strathmore was not seeing development or demand and determined that the MDP and Land Use By-law did not support growth. The MDP was re-written giving clear direction for new development and outlining the density targets to be achieved. The Land Use By-law created new development permit criteria including design guidelines for new development, innovative overlay districts to encourage higher density and residential mixed use in the downtown area and direction for linear open space for pedestrian connectivity within the Town. Notably, rural areas, single-detached homes and farm buildings often do not require a development permit and proceed immediately to the building permit phase.

3.5.3. Lessons Learned

While some stakeholders would like to have more development controlled through the permit system, others prefer to not overburden an area with specific restrictions. Based on a high-level review of available documents and local knowledge, the following best practices may be considered in the context of Huntsville.

- Establish consistency between development permit guidelines and areas where a Development Permit System is not required;
- Promote a shared understanding of the Development Permit System among staff to avoid contradictory advice;
- Eliminate repetition and overlap of development permit categories by combining similar categories with one another; and,
- Streamline the application process within the DPS to the extent possible.

While the lessons learned are context specific, they offer some key considerations for the Town of Huntsville in implementing a CPP By-law. A key takeaway for the Town is the streamlining of information within the CPP By-law, which may include deciding the

number of land use districts within a CPP By-law and determining where there may be overlap in terms of development standards, variances, and exemptions.

3.6. Key Take-Aways for the Town of Huntsville

A review of the approaches of the above mentioned municipalities provides an opportunity to identify best practices in drafting and implementing a CPP By-law for the Town of Huntsville. The following best practices have been identified for consideration:

- 1. Provide clear expectations on the goals and objectives of the CPP Area.** As noted earlier, the establishment of a CPPS and CPP By-law relies upon upfront public consultation to help define how development will occur. It is therefore important that the goals and objectives are clearly articulated to demonstrate that the initial feedback has been taken into consideration to promote community support for the CPP By-law. For example, the Town of Innisfil makes use of three guiding principles, which are used to demonstrate alignment between the goals and objectives and the policies, as applicable.
- 2. Balance the level of detail based on the local context.** The level of detail in a CPP By-law is highly context specific. Whether the objective is to promote or discourage development will inform the complexity of the standards, provisions and requirements layed out in the CPP By-law. For example, while the DPS By-law of the Town of Gananoque focuses on heritage preservation, the Town of Innisfil's By-law focuses on the preservation of the Lake Simcoe shoreline.
- 3. Promote alignment between the CPP By-law and other applicable plans.** Taking into consideration existing documents, such as the Town's Official Plan and the Muskoka Water Strategy (2003), will not only create clarity on the planning permit requirements, it will also streamline the CPP By-law with existing plans, strategies and guidelines. For example, the DPS By-law of the Town of Carleton Place was amended to establish alignment with Lanark County's Source Water Protection Policies.
- 4. Clearly outline the permit requirements for stakeholders and Town Staff.** The CPS By-laws of the above mentioned municipalities include varying degrees of information on the planning permit requirements. Based on the best practices review in western Canada, it has been noted that contradictory advice on permit requirements is provided by different departments. In the context of the Carleton Place DPS By-law, a comprehensive amendment to the DPS By-law is currently underway, which includes clarifying application requirements and process, and permit requirements. Clearly articulating the planning permit requirements as

part of the initial drafting of the CPS By-law may reduce potential future misunderstandings.

5. **Provide direction on discretionary uses and special provisions as applicable.** The CPP By-law policies of the above mentioned municipalities are tailored to reflect the needs of the various land use districts. Discretionary uses and special provisions are identified as appropriate, which means that the development standards for some land use districts within the CPP Area are more or less detailed. For example, although the Town of Innisfil has twenty-one shoreline areas, one set of development standards is provided for all of them. In comparison, the Township of Lake of Bays has eight waterfront districts, each with its own set of standards.
6. **Consider decisions on delegating approval in the context of variances.** Based on a review of the CPP By-laws mentioned above, delegating approval and setting variances go hand-in-hand. In the majority of cases, staff may approve development applications based on a percentage variation whereas Council may apply up to a 100% variation to the standards, provisions and requirements laid out in the CPP By-law. In comparison, the Town of Innisfil assigns meter or percentage variations for staff and Council based on the site context of the proposed development. When deciding on delegating approval and setting variances, attention should be placed on streamlining the planning permit application process within the CPP By-law itself.
7. **Make the CPP By-law easy to navigate and user friendly.** It should be remembered that a CPP By-law combines Zoning By-law Amendment, site plan control, and minor variance under one unified process. A CPP By-law is therefore often a lengthy document. The CPP By-laws of the municipalities mentioned above range between 108 and 288 pages, including appendices and schedules. A clearly structured Table of Contents, the use of visuals, graphics, and text boxes is encouraged.

4. Key Official Plan Policies

As described above, the policies of the Huntsville Official Plan enable and provide direction for the development of a community planning permit by-law. A CPP By-law is referenced numerous times throughout the Town's Plan and provided as an alternative to zoning permissions and requirements, as well as an alternative or addition to site plan approval or the issuance of a zoning amendment or minor variance.

Part F Section 1.6 of the Official Plan discusses agreements. Within this section, CPPs and site plan control is discussed and according to Part F Policy 1.6.1, these measures shall be utilized by the Town to ensure compatibility with the vision and principles of the Plan, as well as to ensure:

- “safe, orderly and functional development;
- safety and efficiency of vehicular and pedestrian and wheelchair/scooter access;
- land use compatibility between new and existing development;
- the provision of functional and attractive on-site amenities and facilities such as buffering, landscaping, fencing and lighting, to enhance the urban design policies of this Plan;
- the provision and appropriate placement of required services such as driveways, parking, loading facilities and garbage storage and collection;
- the provision of easements or grading and site alterations necessary to provide for public utilities and site drainage or storm water management;
- the proposed development is built and maintained as approved;
- ensure that the site is accessible to persons with disabilities and provides facilities to support transit and active transportation;
- appropriate protection for natural heritage features and areas, including recreational water quality;
- best management practices are considered for shoreline development;
- stick nest sites that are identified at the time of site assessment for birds dependent on existing stick nests are protected; and
- the control and minimization of vegetation removal when new buildings, driveways, septic systems and other types of site alteration, as well as accessory activities such as landscaping in deer wintering areas, are proposed.”

According to Part F Policy 1.6.2, “any area of the Town not subject to the community planning permit system is described as a proposed site plan control area and will be designated as such in a site plan control by-law passed by the Council.” The policy then lists, specific uses which may be exempted, at the discretion of the Town.

Part F Policy 1.6.3 states that prior to approval of a CPP or site plan agreement, where district interests may be affected, the District of Muskoka must be advised and provided

with a reasonable opportunity to request any specific development requirements for the land. As set out by Part F Policy 1.6.4, development subject to a CPP By-law or site plan control may require “*dedication free of all charge and encumbrance to the appropriate authority for road improvements*”.

The following sub-sections of this chapter provide an overview of Official Plan policies providing direction to be implemented through a CPP by-law. These directions are organized by topic, including natural heritage policies, land use designation policies, and other policies found throughout the OP.

4.1. Natural Heritage Policies

Part B of the Official Plan sets out policies for achieving environmental resiliency in the Town and provides policy directives and measures to be addressed through the CPP by-law as described below.

Wetlands

Specifically, wetland areas and sites will be protected through the implementation of a CPP (among other appropriate implementation measures such as through the comprehensive zoning bylaw, holding or interim control by-laws, site plan control, or a by-law under the Municipal Act regulating fill and grading) (Part B Policy 2.2.7).

Fish Habitat and Significant Wildlife Habitat

The Official Plan contains extensive policies with respect to fish habitat and significant wildlife habitat. The Official Plan sets out that development must be setback from fish habitats, except for the accommodation of certain structures and facilities, including docks, water lines, paths, or other permitted accessory structures. To protect and maintain the integrity of wildlife habitat, and to implement the recommendations of a technical report, appropriate planning tools may include:

- requiring increased lot frontage and area at the time lots are divided (through zoning or CPP By-law requirements);
- imposing building setbacks (through zoning or CPP By-law requirements); and
- specific siting of buildings, structures, driveways, pathways and the retention of vegetation (through site plan control, other agreements or CPP By-law requirements) (Part B Policy 2.5.10).

Muskoka Heritage Areas

Section 2.7 of the Official Plan addresses Muskoka Heritage Areas, which are regionally important biotic and abiotic areas or sites. The policies require that appropriate planning tools protect these areas and ensure that the integrity of these features and their functions are maintained. The CPP By-law should address these policies and ensure that development within 120 metres of a Muskoka Heritage Areas is regulated through the planning permit process, ensuring no negative impacts.

Land-Water Interface – Shoreline Development and Protection

The Official Plan also contains policies specific to development along the shoreline, and includes directions that should be carried through to the CPP By-law, including the following:

- **Part B Policy 3.1.4** refers to potential reductions in minimum required setbacks, to be implemented through the CPP By-law, where development will not result in a negative environmental or visual impact, provided on site phosphorus management and impact mitigation measures are implemented, and subject to a specific set of conditions.
- **Part B Policy 3.1.7** discourages any shoreline alteration and indicates that where shoreline alteration is proposed, that a CPP may be required.
- **Part B Policy 3.1.10** states that boathouses or boatports extending out into the water beyond the maximum permitted distance will generally not be permitted. This should be reflected in the CPP by-law, and any threshold beyond maximum requirements should be identified in the applicable zoning or **community planning permit by-law** will generally not be permitted.

Flood Hazards

- **Part B Policy 4.1.2** indicates that the CPP By-law will identify the high water mark to be used in determining setbacks to water resources.
- The Official Plan also sets out that the CPP By-law will identify flood plain limits for watercourses and flood elevations of lakes (Part B Policy 4.1.8).

Wildland Fire Hazards

- **Part B Policy 4.2.4** requires that development within areas with the presence of hazardous forest types for wildland fire will be subject to a **community planning permit**. Wildland fire mitigation measures will only be accepted where they are consistent with the natural heritage features and areas policies of this plan.

Steep Slopes and Erosion Areas

- Steep slopes are a prevalent topographical feature of the Town. **Part B Section 4.3** addresses steep slopes and includes policies with respect to development on steep slopes and potential for erosion. For example, policies require that where development is proposed on steep slopes, that natural vegetation be substantially retained to address potential erosion concerns adjacent to fish habitat, shoreline, ridgelines or where there is minimal soil or vegetation cover. On steeper slopes, development should blend into the natural landscape, and the policies set out principles for appropriate development to be achieved. These principles should be implemented through the CPP By-law, and addressed as part of any planning permit application on a steep slope.

4.2. Land Use Designations

The following section provides an overview of the Town's land use designations as identified in Part C of the Official Plan, which will be used as structural elements of the CPP By-law. The community structure of Huntsville is comprised of the following areas:

- the Huntsville Urban Settlement Area (as shown on Schedule B-1);
- the Community Settlement Areas of Novar, Port Sydney and Utterson (as shown on Schedule B-2);
- the Hidden Valley Recreational Resort and Lifestyle Area; (as shown on Schedule B-2);
- the Waterfront; and
- Rural Areas.

The existing zoning provisions for each zone in the Town's Zoning By-law will be used to inform the standards within the new CPP by-law.

This section of the report identifies key policies and directions from the land use designations in the Town's Official Plan that are specific to the implementation of the new CPP By-law.

Any relevant policies relating to implementing CPP provisions are outlined within each designation section below under separate sub-headings.

4.2.1. Huntsville Urban Settlement Area

Part C Section 3 of the Official Plan contains policies for the various designations of the Huntsville Urban Settlement Area (Huntsville Urban Area).

There are some policies that apply to all designations within the Huntsville Urban Area, and within these policies, there are parking standards that should be carried over to the CPP by-law.

General - Parking

Across the Huntsville Urban Area, off-street parking and potential minimum parking requirements will be specified within the CPP By-law where appropriate (Part C Policy 3.2.22). CPP requirements will also regulate off-street parking areas and facilities (Part C Policy 3.2.23).

4.2.1.1. Urban Residential Designation

Policies for the Urban Residential designation are set out in Part C Section 3.3. This designation permits and encourages a broad range of residential dwelling types including:

- low density (single detached units, duplex and semi-detached units);

- medium density (triplexes, fourplexes, townhouses and small-scale multiple); and
- high density residential (low and mid-rise apartments).

It is important to note that the Official Plan does not provide a definition for low-rise or mid-rise, and high-rise is not referenced within the Plan. Convenience commercial uses are also permitted within this designation.

Locating Medium and High Density Residential Development

The review of development proposals for medium and high density residential development shall consider that lots may be occupied by more than one building, as authorized in a community planning permit by-law (Part C Policy 3.3.11).

The CPP by-law should include standards to address the location and built form of medium and high density residential developments.

4.2.1.2. Urban Shoreline Residential Designation

Part C Section 3.4 sets out policies for the Urban Shoreline Residential designation, which extends from Hunter's Bay along the Muskoka River through Downtown to the northwest shoreline of Fairy Lake. Permitted uses include low and medium density residential housing.

Lot and Density Requirements

The minimum required shoreline frontage for new lots containing multiple residential development will be regulated by a CPP By-law (Part C Policy 3.4.5).

4.2.1.3. Lookout Residential Designation

The Lookout Residential designation applies only to Part of Lot 16, Concession 1, Geographic Township of Chaffey, which permits low density housing, townhouses and open space uses. Part C Section 3.5 of the Official Plan sets out specific development standards for the area, but does not provide direction for implementing zoning or CPP regulations.

4.2.1.4. Mixed Use Designation

Part C Section 3.6 sets out policies for the Mixed Use designation, which consists of several different areas within the Huntsville Urban Area. These areas are intended to accommodate a mix of medium and high density residential uses, as well as office, entertainment, recreational, service commercial and retail uses.

Density

The maximum permitted density for multiple unit residential shall generally not exceed 60 units per gross hectare. Minimum and maximum densities will be established by the CPP by-law (Part C Policy 3.6.2).

Highway 60

Policy 3.6.7 of the Official Plan speaks to development within the Highway 60 Mixed Use designation, and requires development to have regard to the recommendations of the “Town of Huntsville Corridor Design Recommendation Report”. This area is an important gateway into Huntsville. As such, the CPP By-law should include standards to reflect the design intent of the corridor.

4.2.1.5. Central Business District Designation

Policies for the Central Business District designation are set out in Part C Section 3.7. This area is intended to function as the Town’s primary service centre and permits a broad range of retail, service, commercial, administrative, entertainment and cultural uses as well as multiple residential uses in mixed use buildings.

The Official Plan does not provide any direction for implementing zoning or CPP regulations for this designation.

4.2.1.6. Regional Commercial Designation

There are two main Regional Commercial designated areas within the Huntsville Urban Area. According to Part C Section 3.8, these areas are to function as shopping centres that serve the entire region, permitting a full range of retail and personal services contained within large single tenant retail buildings and/or multiple tenant buildings designed in a coordinated campus environment.

Permitted Uses

The establishment of additional limited commercial uses may be considered, subject to the CPP By-law (Part C Policy 3.8.3).

4.2.1.7. Business Employment Designation

Part C Section 3.9 sets out policies for the Business Employment designation, which consists of four main employment areas within the Huntsville Urban Area.

A broad range of employment use are permitted including manufacturing, processing, repairing, servicing, storing, research, administration and offices. Additionally, commercial uses are permitted if they are space extensive highway commercial uses or those with outdoor storage or displays. Commercial uses servicing the travelling public or employees of employment areas are also permitted.

Design

Development within this designation shall be subject to a CPP and should incorporate a high level of urban design and substantial landscaping (Part C Policy 3.9.12).

4.2.1.8. Huntsville Highlands Secondary Plan

The Huntsville Highlands Secondary Plan area consists of approximately 202 hectares of land, generally located within the south west portion of the Huntsville Urban Area. Based on the development policies set out within Part C Section 3.10, these lands are intended to function as a series of residential neighbourhoods.

There is no specific direction provided for implementing zoning or CPP regulations.

4.2.2. Community Settlement Areas

Part C Section 4 outlines policies for the Community Settlement Areas (Community Areas). These include Port Sydney, Novar and Utterson, which are all smaller, historic community settlements that provide mostly residential uses, and function as commercial and business service centres for the surrounding waterfront and rural areas.

Each area is unique with its own heritage, function, appearance and character. While the Port Sydney area is made up of a few different land use designations as described below, the majority of lands within Novar and Utterson are designated Community Residential and contain small portions of land designated Community Commercial.

Overall, there is little direction within the Official Plan provided for implementing specific CPP measures for development within Community Settlement Areas. However, as noted in the subsections below, there are a few key specific directions to note.

4.2.2.1. Community Residential Designation

Policies for the Community Residential designation are set out in Part C Section 4.3. Lots within these areas are generally large with mature landscaping, and contain cottage-like homes and seasonal dwellings which play a key role in contributing to the character of each area and the Town as a whole. Permitted uses are limited to low density residential uses and small scale convenience commercial uses.

The Official Plan does not set out any specific implementing zoning or CPP regulations for this designation.

4.2.2.2. Community Commercial Designation

Part C Section 4.4 sets out policies for the Community Commercial designation, which is characterized by a mix of low density residential development, small scale service and commercial uses and institutional development on a limited scale. Each commercial centre within the Town's three Community Settlement Areas has developed a distinct character.

The Official Plan does not set out any specific implementing zoning or CPP regulations for this designation.

4.2.2.3. Community Business Designation

Part C Section 4.4 sets out policies for the Community Business designation, which accommodates larger commercial and industrial uses, such as space extensive highway commercial uses or commercial uses with outdoor storage or displays.

The Official Plan does not set out any specific implementing zoning or community planning permit regulations for this designation.

4.2.2.4. Restricted Rural Designation

Part C Section 4.5 sets out policies for the Restricted Rural designation, which generally act as a holding category for future development in Port Sydney applying to lands with existing uses that are expected to cease.

The desired long-term land uses include residential areas and/or open spaces, and any expansion of industrial uses will be preceded by CPP by-law amendment and subject to site plan control (Part C Policy 4.7.2).

4.2.3. Hidden Valley Recreational Resort and Lifestyle Area

Part C Section 5 of the Official Plan sets out policies for the Hidden Valley Recreational Resort and Lifestyle Area (Hidden Valley Resort Area). This area functions as a major resort commercial hub and is comprised of the Resort Commercial, Recreational Resort Commercial, Open Space and Deerhurst Village designations.

4.2.3.1. Resort Commercial Designation

According to Part C Section 5.3, the Resort Commercial designation applies to resort commercial uses, resort amenities and related recreational resort residential development. Permitted uses include resort commercial uses, including accommodation and recreational facilities and amenities, limited scale commercial uses and recreational resort residential uses.

Design

A concept plan is required for new resort recreational development within this designation. After submission of a plan to the Town, setbacks, minimum distance separations, parking requirements and other applicable regulations will be established by the zoning by-law or CPP by-law (Part C Policy 5.3.6 and 5.3.7).

4.2.3.2. Recreational Resort Residential Designation

Part C Section 5.4 sets out policies for the Recreational Resort Residential designation, which permits low and medium density residential dwellings and short-term rental accommodation uses.

The Official Plan does not provide any specific implementing zoning or CPP regulations for this designation.

4.2.3.3. Deerhurst Village Centre

The Deerhurst Village Centre designation as described in Part C Section 5.5 applies to two mixed use resort areas and permits resort commercial uses including limited retail and personal service uses, recreational uses and recreational resort residential uses. The designation is comprised on two sub-designations:

- Plateau, which will contain the majority of resort commercial, retail and recreational resort residential units; and
- West Riverfront, which will contain a limited among of commercial and recreational resort commercial units.

Specific development policies are set out for each sub-designation, with no specific implementing zoning or CPP direction.

4.2.4. Highway 60 Transition Corridor Designation

Part C Section 6 sets out policies for the Highway 60 Transition Corridor designation, which is located between the Huntsville Urban Area and the Hidden Valley Resort Area. It runs parallel to Fairy Lake and along Highway 60 and generally comprises of a low-density residential dwellings and open space uses. According to the Official Plan, this area will continue to develop in a less dense manner, in order to protect the character of the Hidden Valley Resort Area.

The Official Plan does not set out any specific implementing zoning or CPP regulations for development along this corridor.

4.2.5. Waterfront

Part C Section 7 sets out policies for the Town's Waterfront designation, which includes lands generally extended inland 150 metres from any waterbody greater than 8 hectares, but outside the Huntsville Urban Area, Community Settlement Areas and the Hidden Valley Resort Area. These shoreline communities are located along lakes and rivers and comprise primarily of low density residential development, resort commercial uses, private camps and other similar uses. Permitted uses include waterfront residential uses, waterfront commercial uses, open space and conservation uses.

Protecting Waterfront Character

Standards will be established by the CPP By-law to regulate the size and location of shoreline structures located within the shoreline setback or in proximity to shore areas, including docks, decks, gazebos, boat ports and boathouses. These standards may include a combination of restrictions on total footprint, floor area, width, length or height (Part C Policy 7.2.15).

Areas of shoreline frontage not used for shoreline activity should be retained, restored or enhanced, preserving a minimum 15 metre natural vegetative buffer from the normal

or controlled high water mark. Policy 7.2.17 states that community planning permits should be used to protect, restore and enhance natural vegetated shorelines in order to protect habitats, prevent erosion, maintain the character of the shoreline, minimize visual impact of development, control or prohibit the use of fertilizers, require alternate means of access to docks and boathouses, and other matters.

Waterfront Landings and Individual Access Points

Specific standards and parking requirements for waterfront landings and individual access points should be established (Part C Policy 7.2.28).

Lake Plans

Section 7.5 of the Official Plan sets out policies to recognize the individual character of the various lakes within Huntsville, including recognizing that some lakes have Lake Plans which provide for more detailed policy direction (similar to a secondary plan). The policies also address the defining character attributes of each lake. The CPP By-law should address these policies and ensure that the character defining attributes of the Lakes, as outlined in the Official Plan and Lake Plans, are regulated through the planning permit process where feasible.

4.2.6. Rural

The Town's Rural designation includes the lands outside of the Huntsville Urban Area, the Community Settlement Areas, the Hidden Valley Resort Area and the Waterfront designations, as well as any other land not subject to a designation. As set out in Part C Section 8, these areas function as natural heritage resource and conservation areas, as well as areas for recreation and limited small-scale low density development.

Access

According to the Official Plan, "legal private road or other unencumbered access may be permitted for remote tourist commercial uses, institutional accommodation and recreation facilities" provided "the zoning or community planning permit by-law indicates that public service facilities will be limited" (Part C Policy 8.2.15.d).

Rural Business

Part C Policy 8.10.4 states that new rural businesses will be established through an amendment to the community planning permit by-law, which will address the appropriateness of the *development* for the specific location, site circumstances, proposed road access as well as access to emergency and municipal services. As such, the CPP by-law should address when and where rural uses may be permitted, and under what circumstances.

4.2.7. Open Space Designation and Parkland

Part D Section 4 of the Official Plan sets out policies for lands within the Open Space designation, which includes lands used for passive parkland, natural open space, passive and active outdoor recreation areas as well as educational, interpretive and conservation. Open space uses are also permitted within any of the Town's land use designations.

This section of the Official Plan provides policies related to design, parkland dedication and crown lands, however it does not set out any specific implementing zoning or CPP provisions.

4.2.8. Institutional Designation

Part D Section 5 provides policies for lands designated Institutional. While institutional uses are permitted within all of the Town's land use designations, some specific areas within the Port Sydney and Huntsville Urban Area as shown on Schedule B-1 are specifically designated Institutional. According to Part D Policy 5.1.2, institutional uses in the Town have been identified on the Town's schedules to the greatest extent possible, however as additional lands are zoned institutional, schedules will be consolidated without amendment to the Official Plan.

Permitted uses include educational facilities; places of worship and retreats; service club and non-profit organization facilities; public health care centres, long term care homes, child care facilities, counselling centres or emergency centres; community facilities; fire, ambulance and police stations; cemeteries; and municipal, provincial and federal buildings or facilities.

Policies are provided specific to community facilities and the design of institutional uses, however none provide any direction for zoning or CPP provisions.

4.3. Other Policies to be Addressed in the CPP By-law

In addition to policies specific to the land use designations, there are many other policies that are to be implemented through a community planning permit system, as addressed below.

Businesses and Services – Home Based Business

Part C Policy 1.8 states that home based businesses are permitted in any residential dwelling unit, however the types of businesses may be established through zoning or CPP By-laws. According to Part C Policy 1.8.1, the CPP By-law shall provide an appropriate range of uses and development standards to regulate home occupations.

Secondary Residential Dwelling Units

According to Part D Policy 2.3.6, the implementing CPP By-law will identify provisions for secondary residential dwelling units. These units are permitted in the Huntsville

Urban Area, Community Settlement Areas, the Hidden Valley Resort Area, and the Rural designation. Regulations may be established to include matters such as building code compliance, parking requirements, maximum size and number of driveways, requirements for exterior appearance of primary and secondary dwellings, yard setbacks, landscaping requirements, entrance and access requirements, minimum outdoor amenity space requirements and maximum density requirements.

Parking and Active Transportation

According to Part D Policy 3.15, parking requirements within CPP By-law shall be regularly updated to reflect current best practices that improve active transportation and minimize ineffective parking requirements. This includes:

- a “park once” strategy for business areas;
- requirements for bicycle parking;
- reduced vehicle parking requirements; and
- up to date parking requirement calculations.

Stormwater Management

As set out by Part E Policy 1.1.2, stormwater management and construction mitigation measures will be implemented as necessary in CPP By-laws or other agreements to minimize extent of site grading, restricting site alteration in areas of steep and rocky terrain, preserving natural features, using grass swales, directing runoff to soakaway pits or grassed areas, using stormwater retention ponds, minimizing extent of paved areas, using permeable surfaces and securing contaminants.

Water Supply and Sanitary Sewer Services

Part E Policy 2.1.3 outlines that CPP By-law may prohibit development where full municipal water and sanitary sewer services are not available or planned within the Huntsville Urban Area, the Hidden Valley Resort Area or the Highway 60 Corridor Service Area.

Provincial and District Roads

Part E Policy 3.7.1 states that development along and adjacent to Provincial and/or District Roads may require greater lot frontages or setbacks than typically required and as such, may be required to be subject to obtaining a Community Planning Permit prior to construction.”

Private Roads

According to Part E Policy 3.13.5, the CPP By-law may recognize that public services will be limited where development is proposed on the basis of private road access.

Non-Complying Buildings, Structures and Lots

Part F Policy 1.4.21 states that specific provisions and performance standards shall be contained within the implementing CPP By-law regarding the “enlargement, repair or renovation of non-complying structures”. Standards may include:

- respecting the maximum width of the addition;
- respecting the minimum size of the dwelling/structure;
- maximum height; or
- any other relevant measures.

Existing Lots

Part F Policy 1.4.22 suggests that the CPP By-law may recognize existing lots (as of the date of approved Official Plan) that do not meet the minimum frontage and area requirements of the Plan, provided:

- the lot is suitable to accommodate the proposed use, including water and sewage disposal services;
- the character of the lot is consistent with its surroundings;
- Official Plan environmental, water quality and development constraints policies are addressed; and
- any applicable existing lot development policies of the Plan are addressed.

In addition, Part F Policy 1.4.23 describes that the CPP By-law and conditions of approval for community planning permits will require correct coverage provisions, careful siting of development, and on undersized lots, the maintenance or restoration of vegetation, particularly in the Town’s waterfront and rural areas.

4.4. Summary of Implications for the CPP By-law

This section identifies key implications for the Town’s CPP By-law, based on our review of the Official Plan. The By-law must conform to the Town’s Official Plan. Key directions are derived from these implications:

- **Precinct Boundaries:** The CPP By-law will identify a number of Community Planning Permit Precincts, to which standards of the By-law will be applied. These Precinct boundaries will be based on the boundaries of the land use designations from the Town’s Official Plan, , so the Official Plan land use designation boundaries will directly inform the CPP Precinct boundaries (see **Figure 11** for example of Precinct boundaries in Port Sydney);
- **The Environment:** Our review of the Official Plan has identified a clear intent and directives to protect natural heritage areas and shorelines in the Town, and to ensure appropriate grading and site alteration through development. The

policies of the OP addressing these matters must be implemented and reflected in the CPP By-law as appropriate;

- **Land Use Designations:** As noted above, the Official Plan land use designation set out the framework for the delineation of Precinct boundaries within the By-law. The OP also provides a useful framework for collapsing designations into larger areas based on the Town's structure in terms of Settlement Areas, Community Areas, Rural Areas, and Waterfront areas. This framework will be a useful way of organizing the CPP By-law's development criteria. The Official Plan policies must be used to direct and inform the creation of standards to implement the policies applicable to each designation, and as such, existing zone standards may not be directly transferable. This is addressed in greater detail within the following section of this report; and
- **Other Standards:** The Official Plan sets out policies that apply to many or all land use designations. These policies address matters such as off-street parking requirements, servicing, and active transportation, among many others. These policies have implications for the CPP By-law, and appropriate standards will have to be developed to address these matters.

As noted, a detailed list of key directions stemming from these implications is included within Section 7.2.2 of this report.

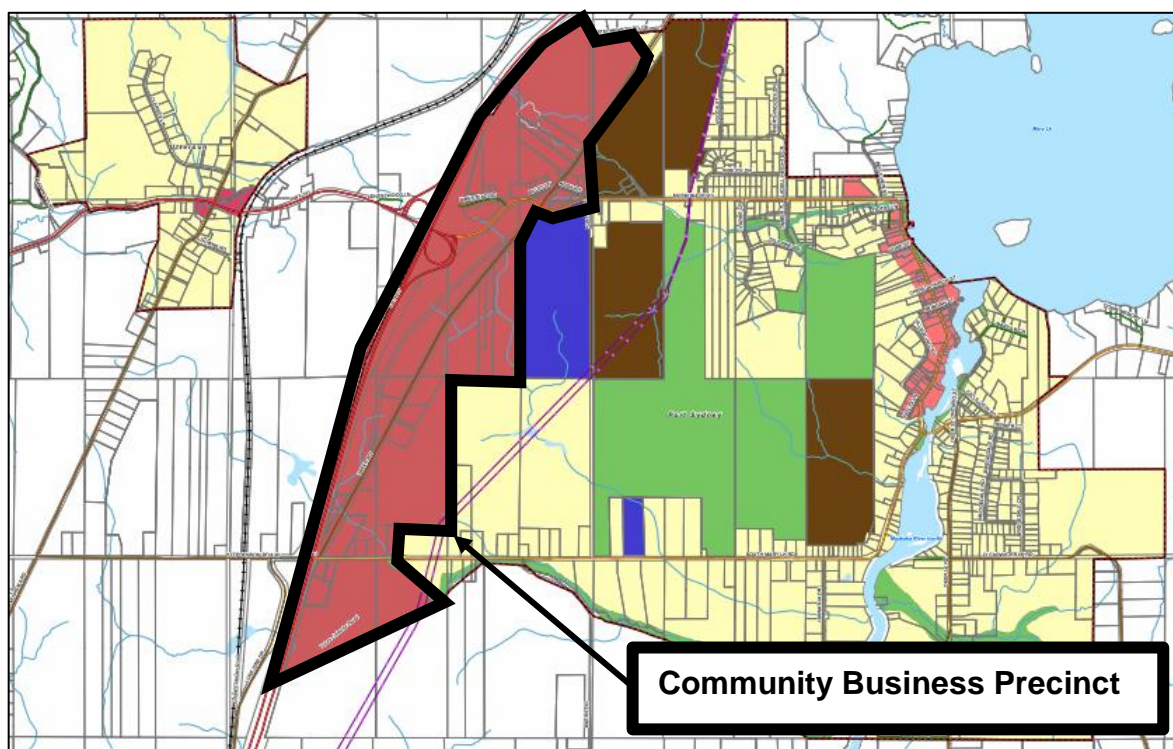


Figure 11. Sample Precinct Boundary of Community Business Precinct in Port Sydney

5. Zoning Review

Huntsville's Comprehensive Zoning By-law 2008-66P sets out permitted uses and lot requirements for different zones within the Town. These zoning by-law provisions will inform the content of a CPP By-law. The study will determine which provisions will be carried forward, updated, modified, restructured or removed as part of the CPP By-law.

5.1. Comparison of Official Plan Designations and Zones

The previous section of this report provides an overview of the Town's Official Plan, and as noted within that section, the land use designations will form the basis for the delineation of the CPP Precincts within the CPP By-law. **Appendix A** to this report provides a list of how the existing zones in Huntsville will be collapsed into the new Precinct categories of the CPP By-law. This will simplify the structure of the CPP By-law as compared to the existing Zoning By-law, and bring it in line with the Town's new Official Plan.

This section of the report provides a comparison of each of the Town's existing zone categories with the designations of the Official Plan they are most often located within. This preliminary review of existing zone permissions and requirements was undertaken to analyze conformity and consistency with the current policies and designations of the Huntsville Official Plan. It provides a high level summary of how the general intent and uses of each zone and land use designation align, to frame the path forward to the creation of the new CPP By-law.

It should be noted that the Official Plan acts as a guiding document and will typically provide broader direction than a zoning by-law. Therefore, its policies may permit a more expansive range of uses.

5.1.1. Residential Zones

Section 5.2 of the zoning by-law sets out provisions for the Town's six different Residential Zones. These are described below as they relate to the applicable Official Plan designations that they are located within.

Residential One (R1) Zone

The R1 Zone permits single detached dwellings and residential group homes. Permitted accessory uses include home occupations and secondary suites, as well as artisan studios and day nurseries within a dwelling. Backyard hens are permitted on larger lots.

This zone is generally located within:

- the Huntsville Urban Area on lands designed Urban Residential and Urban Shoreline Residential;
- the Port Sydney Community Area on lands designed Community Residential; and
- the Hidden Valley Resort Area on lands designated Recreational Resort Residential.

Each of these residential designations support the provision of low density single detached dwellings. According to the Official Plan, home-based businesses are permitted within any residential dwelling unit in the Town, based on conformity with a list of criteria set out in Part C Policy 1.8. This policy permission is applicable across many other zones permitting home occupations. Secondary residential dwelling units are permitted in the Huntsville Urban Area (as well as Community Areas, the Hidden Valley Resort Area and the Rural designation), and are subject to provisions of the CPP By-law (Part D Policy 2.3.6). This permission is also applicable across other zones within the Town. In addition, a recent amendment to the Town's Zoning By-law addresses short-term rental accommodations, which is a permitted accessory use within the R1 Zone and other zones permitting residential uses.

Residential Two (R2) Zone

The R2 Zone permits the same uses as the R1 Zone, with the addition of semi-detached and duplex dwellings.

This zone is located within the Huntsville Urban Area on lands designated as Urban Residential and Urban Shoreline Residential, the policies of which permit low density residential dwellings.

There are also instances where the R2 zone overlaps with the Central Business District and Mixed Use Area designations. These designations are geared towards providing medium and high density residential dwellings and mixed uses, which do not align with the permissions of the R2 Zone.

Residential Three (R3) Zone

The R3 Zone is intended to act as a medium density zone. Permitted uses include single detached dwellings, semi-detached dwellings, duplex dwellings, semi-detached duplex dwellings, street townhouse dwellings (three to eight units) and multiple dwellings (up to four units). Accessory uses permitted include artisan studios, bed and breakfasts, boarding houses, day nurseries, home occupations, private parks and secondary suites.

The R3 Zone is located within the Huntsville Urban Area on lands designated as Urban Residential and Urban Shoreline Residential. These designations both permit low and medium density dwellings. The permissions of the R3 Zone align with the permissions of these designations.

Additionally, the majority of lands within the Residential Lookout designation are zoned R3. This designation permits low and medium density housing (townhouses), which aligns with the R3 Zone.

There are also few instances where the R3 Zone overlaps with the Central Business District and Mixed Use designations. The Central Business District designation only permits multiple residential uses within a mixed-use building, which the permissions of the R3 Zone do not align with. The Mixed Use designation permits both medium and high density residential uses, which the zone also permits, however the other permissions of the R3 Zone do not meet the overall intent of this designation.

A small area within Novar on lands designated as Community Residential is also zoned R3. Permitted uses within this designation are limited to low density residential uses and small scale convenience commercial uses. As such, the existing zoning of this area within Novar does not conform to the Official Plan. The CPP By-law will need to permit housing types in line with the Official Plan.

Residential Four (R4) Zone

The R4 Zone permits multiple residential uses including duplex dwellings, multiple dwellings, street townhouse dwellings (three to eight units), nursing homes, residential care facilities and seniors' homes. The zoning by-law defines a multiple dwelling as a "dwelling containing three or more dwelling units". This is the highest density residential use within the Town's zoning.

The R4 zone is located within the Huntsville Urban Area, on lands designated as Urban Residential. There are a few instances where this zone overlaps with the Urban Shoreline Residential and Mixed Use designation as well. The Urban Residential and Mixed use designations permit medium and high density dwellings. Specifically, the Urban Residential designation permits medium density dwellings including triplexes, fourplexes, townhouses and low-profile multiple unit residences and high density uses including low and mid-rise apartments. The Mixed Use designation does not provide any dwelling type examples. The Urban Shoreline Residential designation only permits low and medium density residential uses, permitting up to low-profile multiple unit residences.

Multiple dwellings within the zoning by-law, depending on their extent, seem to align with the permissions of both medium and high density residential within the Official Plan. This includes low-profile multiple unit residences and low and mid-rise apartments. The CPP should define apartment buildings and where they are permitted.

Rural Residential (RR) Zone

The RR Zone permits single detached dwellings and residential group homes, as well as accessory uses including artisan studios, bed and breakfasts, day nurseries within a

dwelling, home industry, secondary suites, and depending on specific lot requirements a hobby farm, tourist homes and backyard hens.

The RR Zone occupies the majority of lands designated Community Residential within Utterson and Novar. A portion of Port Sydney's Community Residential lands are also zoned RR. This designation permits low density limited development, in alignment with the zone.

There are also many different areas throughout Huntsville's Rural designation zoned RR. The policies of this designation emphasize extremely low density development on large lots that is rural in character. The permissions of the zone are complimentary to the designation permissions, allowing single detached residential dwellings and secondary suites, as well as rural businesses and agricultural uses.

Residential Mobile Home (RM) Zone

The RM Zone permits mobile homes and residential group homes. Areas zoned RM are located within the Town's Rural designation, which specifically permits rural businesses including tourist camping commercial establishments that require or rely on rural locations. This includes mobile homes, according to the definition within the Official Plan.

5.1.2. Shoreline Residential Zones

Section 5.3 of the zoning by-law sets out provisions for the Town's five Shoreline Residential Zones including:

- the Shoreline Residential One (SR1) Zone;
- the Shoreline Residential Two (SR2) Zone;
- the Shoreline Residential Three (SR3) Zone;
- the Shoreline Residential Four (SR4) Zone; and
- the Shoreline Residential Five (SR5) Zone.

Each of these zones permit single detached dwellings and the same accessory uses including an artisan's studio and a bed and breakfast establishment or home occupation on lot sizes at least 1 hectare in size. Differences between the zones include different standards for lot frontage, area and coverage, as well as front yard requirements.

The majority of lands zoned Shoreline Residential are located along the waterfront outside of urban and community settlement areas. These areas are within the Waterfront designation of the Official Plan which permits low density residential dwellings (single detached) as well as commercial and open space uses that generally maintain the character of the waterfront and natural landscape. The policies of the designation state that unless otherwise specified, lots shall be no smaller than 1 hectare, with 60 metres of shoreline frontage, given that these areas are un-serviced and require individual septic systems and wells. The minimum provisions of the

Shoreline Residential Zones generally align with this, some requiring higher, except for the SR1 Zone which only requires 4,000 m². This will need to be updated to conform to the Official Plan.

There are a few instances where lands located along the waterfront within the Hidden Valley Resort Area designated as Recreational Resort Residential and Resort Commercial are zoned Shoreline Residential. However, the majority of residentially designated lands within this area along the waterfront are zoned R1. This is also true for lands along the waterfront within the Port Sydney Community Residential designation. Regardless, these designations permit low density residential uses, which the zoning aligns with.

5.1.3. Commercial Zones

There are seven different Commercial Zones identified within Section 5.4 of the zoning by-law, as described below.

Convenience Commercial (C1) Zone

The C1 Zone permits small scale neighbourhood commercial uses including artisan studios, bars, financial establishments, food stores, health services, markets, offices, personal service establishments, restaurants (excluding drive throughs), retail stores, service establishments, variety and convenience stores and veterinary clinics. Dwelling units (to a maximum of three) are also permitted.

There are small pockets of land zoned as C1 within the Rural designation. The Rural designation allows rural businesses including industrial, commercial and tourist commercial camping establishments.

There are also a few small areas zoned C1 within the Port Sydney and Utterson Community Commercial designation, which permits small scale and service commercial shops in alignment with the zone permissions.

General Commercial (C2) Zone

Lands within the C2 Zone are intended to function as traditional commercial areas, and permit a broad range of entertainment, retail, educational, restaurant, office and tourist uses, among others.

Similar to the C1 Zone, there are a few small areas of the C2 Zone located throughout the Rural designation of the Town.

The C2 zone is also located within a few designations in the Huntsville Urban Area including the Urban Residential, Urban Shoreline Residential, Mixed Use, Business Employment and Regional Commercial designations. The Urban Shoreline Residential designation is the only designation that does not permit commercial uses.

Within Port Sydney and Utterson, this zone corresponds to a few small areas designated Community Commercial which permits small-scale and service commercial uses. The zone also overlaps with some areas designated Community Business in Port Sydney. Commercial uses in this designation are limited to space extensive highway commercial uses or those with outdoor storage or displays such as automotive or marine sales or service establishments. Many of the smaller-scale permissions of the C2 Zone do not conform such as adult entertainment establishments, artisan studios, bars, financial establishments, laundromats/dry cleaners, restaurants, retail stores and variety and convenience stores.

Highway Commercial (C3) Zone

The C3 Zone is similar to the C2 Zone and permits a broad range of entertainment, retail, educational, restaurant, office, and tourist uses, among others.

The C3 Zone is generally located along highways within the Town and does not appear to be connected to any one specific land use designation. Within urban and community area boundaries, this zone tends to be located within commercial designations near major roads and highways. Within Novar, the majority of the Community Commercial designation is zoned the C3 Zone. Most of these designations permit commercial uses, within which the zone conforms.

Outside of urban and community areas, the C3 Zone is located within the Rural designation. As previously mentioned, depending on the specific use, the C3 Zone may or may not align with the permitted uses and intent of the Rural designation.

Tourist Commercial (C4) Zone

The C4 Zone permits tourist and resort commercial uses such as artisan studios, existing bars, existing institutional tourist establishments, markets, existing marinas, offices, personal service establishments, existing restaurants, convenience stores and other tourist related uses.

The C4 Zone is located primarily within the Rural designation. There is also one area designated Mixed Use within the Huntsville Urban Area that is predominantly zoned C4 Zone. This zone supports a large range of uses permitted by the designation.

The C4 Zone is also located within Port Sydney on lands designated Community Commercial and within the Hidden Valley Resort Area on lands designated Resort Commercial. Both of these designations permit the tourist oriented and small-scale service commercial uses that are also permitted in the C4 zone.

Shopping Centre Commercial (C5) Zone

Lands within the C5 Zone are intended to support a range of enclosed shopping centre uses. This zone is located within the Huntsville Urban Area on lands designated Regional Commercial and Central Business District.

The intent of the Regional Commercial designation is to permit large single tenant retail buildings and multi-tenant commercial buildings, while the Central Business District designation permits a full range of retail, personal service, service commercial and entertainment uses. The C5 zoning permissions conform to the permitted uses in these two designations.

Gateway Commercial Campus (C6) Zone

The C6 Zone permits commercial plaza uses including a broad range of commercial, retail, restaurant, office and tourist uses.

There is one large area zoned C6 located within the Huntsville Urban Area designated Regional Commercial. The permissions of the zone align with this designation. Policies of the designation state that buildings shall be coordinated in a campus environment with a high level of urban design.

Central Business District (C7) Zone

The C7 Zone also accommodates a broad range of mixed commercial, office, service, retail, restaurant and tourist establishments.

Lands zoned C7 are located all throughout the Central Business District designation of the Huntsville Urban Area. The designation permits a full range of retail, personal service, service commercial and entertainment uses, which the zoning aligns with.

5.1.4. Shoreline Commercial Zones

Section 5.5 of the zoning by-law identifies four different Shoreline Commercial Zones. Similar to the Shoreline Residential Zones, all of the Shoreline Commercial Zones are located outside of urban and community area boundaries within the Waterfront designation. According to the designation, permitted waterfront commercial uses include tourist commercial uses and appropriate small-scale commercial uses providing services as well as marinas and waterfront contracting access operations.

Shoreline Commercial One (CS1) and Two (CS2) Zone

The CS1 Zone permits tourist homes and existing tourist establishments, with smaller accessory uses including day nurseries, dwelling units, home occupations, existing golf courses and marinas, personal service establishments, places of assembly, private parks, restaurants, retail and convenience stores (to a maximum of 200 m²) and staff quarters. These uses generally align with the permissions of the Waterfront designation.

The CS2 Zone permits the same uses as the CS1 Zone, with the exclusion of an existing marina.

Institutional Camp (CS3) Zone

The CS3 Zone permits an existing institutional tourist establishment and a tourist home. A similar range of accessory uses are permitted as the other Shoreline Commercial Zones, with the addition of an educational institution. These uses align with the permissions of the Waterfront designation for tourist commercial uses.

Marina (CS4) Zone

The CS4 Zone permits an existing contractors' establishment, a marina and a tourist home. Accessory uses include a dwelling unit, home occupation, outdoor storage, personal service establishment, private park, restaurant, and retail or convenience store (to a maximum of 200 m²). These principal uses are explicitly permitted through the policies of the designation.

5.1.5. Industrial Zones

Section 5.6 of the zoning by-law identifies six different Industrial Zones as described below.

Light Industrial (M1) Zone

The M1 Zone permits a broad range of lighter industrial and service uses such as adult entertainment establishments, garden centres, health services, kennels and veterinary clinics, home improvement centres, motor vehicle centres, fuel storage facilities offices, personal service establishments, restaurants and tourist uses, among others.

There are many areas throughout the Rural designation zoned M1. Industrial uses are included within the permission for rural businesses in the Rural designation, however these uses must require or rely on a rural location. According to the Rural designation, rural businesses include extensive resource management activities, minor agricultural activities, small-scale businesses and businesses that relate to the rural area, including those that would not be appropriate in a settlement area due to character and function.

The policies of this designation generally only allow for limited development and rural-related uses that respect the character of these areas. However, almost all of the lands zoned M1 are located adjacent to highways or major roads, which helps to preserve the more rural character of other rural areas.

Within the Huntsville Urban Area, the M1 Zone is located within the Business Employment designation which permits a broad range of employment uses in alignment with the permissions of the zone. However, there are also areas of land along Hunters Bay zoned M1 that overlap with the Open Space, Urban Residential and Residential Shoreline designation. The M1 Zone conflicts with the intent and permissions of these land use designations.

Muskoka Commerce Park (M2) Zone

The M2 Zone permits similar uses to those of the M1 Zone, with the exclusion of some uses such as fuel storage facilities, kennels and motor vehicle body shops.

Lands within this zone are located within one specific area of the Business Employment designation within the Huntsville Urban Area, permitting employment uses that the permissions of the zoning conform with.

Rural Special Industrial (M3) Zone

Lands within the M3 Zone are intended to support low effluent uses including contracting establishments, fuel storage facilities, garden centres, heavy equipment sales and services, light industrial uses, vehicle service stations, storage facilities, service establishments, transportation depots and warehouses.

The M3 Zone is located throughout the Rural designation. Similar to the M1 Zone, areas zoned M3 are located in close proximity to highways or major roads. The permissions of the designation allow for rural industrial businesses that would not be appropriate in settlement areas.

Heavy Industrial (M4) Zone

The M4 permits a range of heavy industrial uses. This zone is located within the Rural designation, which as discussed, permits rural industrial businesses and businesses not appropriate in settlement areas.

Sand and Gravel (M5) Zone

The M5 Zone permits pits and related industrial manufacturing uses. This zone is located within the Rural designation, which specifically permits rural resource industries, including mineral aggregate resources.

Pit and Quarry (M6) Zone

The M6 Zone permits pits and quarries and related industrial manufacturing uses. This zone is located within the Rural designation, which specifically permits rural resource industries, including mineral aggregate resources.

5.1.6. Mixed Use Zones

There are five different Mixed Use Zones identified within Section 5.7 of the zoning by-law. All of these zones are located within specific areas of the Huntsville Urban Area within the Mixed Use designation.

Main Street West (MU1)

The MU1 Zone permits a full range of medium and high-density dwelling types (up to multiple dwellings) as well as other mixed uses such as health services, marinas, nursing homes and seniors' homes, offices, private parks, recreational and service

establishments, restaurants, tourist establishments and homes and convenience stores. Accessory uses must be located within single detached or townhouse dwellings and include bed and breakfasts, boarding homes, day nurseries, home occupations and secondary suites.

The MU1 Zone is located within the Huntsville Urban Area on lands designated Mixed Use, specifically within the area bordering Main Street West. The zone is well structured to support the permissions of this designation as it allows medium and high density residential, commercial, retail and service uses, offices, entertainment and recreation commercial uses and hotels, among other mixed uses.

Muskoka Road 3 (MU2)

The MU2 permits the same uses as the MU1 Zone with the exclusion of multiple dwellings, marinas, recreational and tourist establishments and homes and seniors and nursing homes.

This zone is located in one small cluster of the Mixed Use designation just north of Highway 60 along Muskoka Road 3. It serves a similar purpose to the MU1 Zone and aligns with the intent of the designation.

Highway 60 (MU3)

The MU3 Zone permits the exact same uses as the MU1 Zone, with the exclusion of offices.

This zone is found within one area of the Mixed Use designation along Highway 60, and while it does not provide office uses, it aligns with the other permissions of the designation.

Centre Street (MU4)

The MU4 Zone permits the same non-residential uses as the other mixed use zones, however, only permits higher density housing including street townhouses and multiple dwellings. The only accessory uses permitted include a day nursery within a dwelling.

This zone is located within one area of the Mixed Use designation, north of the Muskoka River along Centre Street. Its permissions align with the designation.

Muskoka Rd. 3 North (MU5)

The MU5 Zone only permits street townhouses and multiple dwellings, and a more limited list of non-residential uses including only nursing and seniors' homes, private parks, restaurants, variety and convenience stores and special trade contractors.

This zone is located in one small area on the south west side of the Muskoka Road 3 North and Earls Road intersection within the Mixed Use designation. While it does not provide a large range of non-residential uses, it does permit medium and high density

uses in alignment within the designation. Additionally, permissions of the designation specifically only permit contractors establishments in the Muskoka Road 3 North and Eagle Ridge areas.

5.1.7. Miscellaneous Zones

The Town has seven other miscellaneous zones as identified within Section 5.8 of the zoning by-law and described below.

Rural One (RU1)

The RU1 Zone accommodates general rural uses including cemeteries, equestrian establishments, farms, forestry operations, residential group homes, hobby farms, kennels and veterinary clinics, private parks, single detached dwellings and woodland retreats. Accessory uses include artist studios, home occupations, secondary suites, small wind turbines (maximum two per property), tourist homes, home industries and within single detached dwellings, bed and breakfasts, boarding houses and day nurseries.

This zone occupies the majority of lands within the Town, mostly throughout the Rural designation. It is clear that the intent and permitted uses of this zone align with the Rural designation.

The RU1 Zone is also found within a range of different land designations of the Huntsville Urban Area, Hidden Valley Resort Area and the three Community Areas. This includes the Urban Residential, Business Employment, Institutional, Mixed Use, Community Residential, Community Commercial and Open Space designations. The permissions of the RU1 Zone clearly do not align with the intent of all of these designations. As the Town continues to develop and implement the policies of its Official Plan, the intention would be to rezone lands from RU1 to the applicable zone, at the time of development. Pre-zoning or not pre-zoning these areas is something to consider in the development of the CPP By-law.

Rural Two (RU2)

The RU2 zone is labeled as “backlot rural” within the zoning by-law. It permits almost identical uses to the RU1 zone with the exclusion of forestry operations, kennels, and veterinary clinics, as well as boarding houses as accessory uses.

Similar to the RU1 Zone, this zone is located on lands designated Rural. The RU2 Zone meets the intent of the policies of the designation. The RU2 Zone also similarly overlaps some land use designations found within the Huntsville Urban Area, Hidden Valley Resort Area and Port Sydney, including Urban Residential, Business Employment, Community Residential and Resort Commercial designations, among others. The CPP By-law will need to consider how to address these situations where rural zones do not currently align with the intended land use designations.

Institutional (IN)

The IN Zone permits a range of different institutional uses including arenas/curling rinks, cemeteries, private clubs, education institutions, group and nursing and seniors' homes, care facilities, health services, parks, assembly places and residential care facilities, Accessory uses include dwelling units, day nurseries and boarding houses within a single detached dwelling.

For the most part, the IN Zone is located in areas designated Institutional within the Town. However, there are other small areas zoned IN that are located within different residential and commercial land use designations, as well as throughout the Rural designation. According to the Official Plan, institutional uses are permitted in all designations, however some lands within Port Sydney, the Huntsville Urban Area as well as throughout the Rural Area are designated Institutional, particularly larger properties. Part D Policy 5.1.2 states that, as additional lands are zoned institutional, the schedules of the Official Plan will be consolidated without the requirement of an amendment.

Open Space Water (O1)

The O1 Zone applies to lands covered by water. Public parks and water conservation are permitted, as well as boathouses and docks subject to the requirements of the abutting zone.

Open Space (O2)

The O2 Zone permits both public and private open space uses including arenas/curling clubs, cemeteries, education institutions, and parks. This zone is located throughout the Rural designation, and some areas designated as Open Space within the Huntsville Urban Area and Port Sydney. The O2 Zone meets the intent of both of these designations as they permit open space and recreational uses.

There are also areas zoned O2 located within different land use designations such as Urban Residential, Institutional and Community Residential. According to Part D Policy 4.3.1, open space uses are permitted in any land use designation. These designations specifically are structured to permit open space uses to complement built form and development.

Open Space – Golf Course (O3)

The O3 Zone permits golf courses, private clubs and associated uses. This zone is located within areas designated Open Space, and according to Part D Policy 4.3.2, golf courses are considered open space uses. The establishment of a new golf course will require an Official Plan Amendment, unless developed as an integral component of an existing tourist commercial facility.

Tent & Trailer Park (O4)

The O4 Zone permits tourist camping establishments, which are specifically permitted by the Rural designation in which this zone is located within.

5.1.8. Conservation and Natural Resource Zones

Section 5.9 of the zoning by-law identifies four different Conservation and Natural Resource Zones, as described below.

Conservation (C)

The principal uses of the Conservation Zone include flood or erosion control facilities, existing single detached dwellings, as well as outdoor recreational uses and public and private parks provided there are no buildings or structures.

The C Zone is generally located throughout Huntsville within the Rural and Waterfront designations, which both permit and encourage conservation efforts. This zone is also found within various different sections of the Huntsville Urban Area designated Urban Residential, Residential Lookout and Open Space. A portion of the Open Space designation within Port Sydney is zoned Conservation as well.

Natural Resource (NR)

The NR Zone permits the same principal uses as the C Zone, with the addition of accessory boathouses and docks located on the same property of an abutting zone (subject to the requirements of the abutting zone). This zone is generally located along lakes as well as stream and river corridors throughout the Rural, Waterfront and Open Space designations of the Official Plan. Each of these designations outline the intent of conservation of the zone.

It is relevant to note that the new Official Plan provides direction that a one-zone approach to flooding will be applied everywhere in the Town, except for the Big East River. While the current zoning by-law contains exception zones in some locations that allow development within the floodplain, subject to floodproofing. It is important to note that this approach does not conform to the Official Plan, and this will be examined in the creation of the CPP By-law.

Natural Resource Floodway (NR1) and Natural Resource Flood fringe (NR2)

For some rivers in Huntsville where a two-zone approach to flooding has been applied (i.e. the Big East River), the NR zone has been divided into two zones, NR1 and NR2, to reflect the floodway and flood fringe areas within the floodplain. The floodway is where the majority of flood flow is concentrated, and depths and velocities are greatest, and the flood fringe is that portion of the floodplain on either side of the floodway.

The NR1 Zone generally permits the same uses as the C and NR Zones, with the exclusion of outdoor recreational uses.

The NR2 Zone permits the same uses as the NR1 Zone, as long as buildings and structures are floodproofed. It also permits accessory boathouses, docks, home occupation and home industries that are floodproofed.

Both of the zones are located throughout the Town's Rural and Waterfront designations along rivers which both encourage and permit conservation and open space uses.

5.2. Definitions

There are a few instances where definitions and terms do not align between the Town's Official Plan and Zoning By-law. In the development of a CPP By-law, the following should be considered for consolidation or potential updates:

- the Official Plan provides provisions for home-based businesses and home occupations with set criteria, however, it does not define these terms, while the zoning by-law sets out home occupations and home industries as specific uses and defines these terms as well as sets out general provisions. These definitions should be reviewed to ensure that they capture the intent of the Official Plan and included in the CPP by-law;
- the Town has recently implemented a Zoning By-law Amendment related to secondary residential dwelling units, reflecting the terminology used within the Official Plan. The Amendment also incorporated a set of standards for secondary residential dwelling units. The CPP By-law will examine whether these standards should be augmented to reflect and fully implement the Official Plan policies for such units; and
- As previously mentioned, the policies of the Official Plan reference low, medium and high density residential uses and typically provide examples of dwelling types for each where applicable in different designations. For high density, low and mid-rise apartments are mentioned. However, the zoning by-law does not reference these densities or development forms, and the densest form permitted within the Town is a multiple dwelling (defined as a dwelling containing three or more dwelling units, but not including a street townhouse dwelling). The CPP By-law will need to include standards to permit and recognize higher density housing forms in alignment with the applicable OP designations.

5.3. Parking and Loading Requirements

According to the Official Plan, adequate parking facilities are required to meet the demands of various land uses and applicable requirements will be set out within the CPP By-law. Higher standards for the design and function of parking areas are set out within the Official Plan, specifically for destination and high activity areas such as the Mixed Use, Central Business District and Community Commercial designations. This includes encouraging parking to be located behind buildings in order to reduce its presence along the street and within the public realm and locating parking in strategic

locations where multiple destinations are accessible at once. The Official Plan also requires that off-street parking areas be consolidated within the Mixed Use designation.

Both the Hidden Valley Recreational Resort and Lifestyle Area and Highway 60 Transportation Corridor designations outline the following policy:

“Adequate off-street vehicular parking will be provided for all development. To promote low-impact development techniques, a series of smaller parking lots, rather than a single large parking lot, will be developed. To mitigate the visual impact of these parking lots, landscaped strips will be required between any road and the parking lot as well as between parking aisles” (Part C Policy 5.2.10 and 6.2.9).

Policies of the Hidden Valley Resort Area additionally encourage the landscaping of parking areas and the avoidance of large parking lots. Policies of the Town’s Shoreline designations emphasize appropriate setbacks for parking areas.

Part D Section 3, which discusses active transportation, outlines within Policy 3.15 that the parking requirements of the CPP By-law should be regularly updated to reflect current best practices in order to mitigate the effects of ineffective parking requirements. Up to date parking requirements will assist the Town in efficiently managing land, improving built form quality, improving active transportation and providing more opportunities for local business expansion and infill development. Updates to parking requirements within the CPP By-law should include:

- an overall “park once” strategy for business areas;
- bicycle parking requirements;
- reduced vehicle parking requirements; and
- contemporary parking requirement calculations.

The parking and loading standards in the Town’s existing by-law do not reflect these policies. The CPP By-law will need to reflect these policy directions in the form of standards specific to the various Community Planning Permit Areas.

5.4. Summary of Implications for the CPP By-law

The analysis and discussion within this section identifies and sets out key implications for the Town’s CPP By-law, based on our review of the Town’s existing Zoning By-law. As made evident by our review, the Town’s existing Zoning By-law can not simply be turned into a CPP By-law. The Official Plan sets the policy direction to be followed within the Town, and the CPP By-law will have to address and implement the policies of the Official Plan. While the existing Zoning By-law will be used as a starting point for standards to be applied, our review has identified key implications for the Town’s CPP.

- **Precinct Boundaries:** As identified previously, the CPP By-law will identify a number of Community Planning Permit Precincts, to which standards of the By-law will be applied. These Precinct boundaries will be based on the boundaries of the land use designations from the Town's Official Plan. As such, the existing zone boundaries and zone categories within the existing By-law, and accompanying standards within each zone, must be collapsed into fewer categories to form the Precinct boundaries;
- **Precincts:** Our review of the Zoning By-law has identified gaps between existing zone provisions and the policies of the various land use designations in the Official Plan. For example, there are no existing zones that permit medium and high density residential development, which is permitted within certain land use designations in the Official Plan. As such, the CPP Precincts and associated standards must align with the land use designations;
- **Definitions:** The existing definitions in the Zoning By-law pre-date some of the definitions in the Town's Official Plan that must be carried over into the CPP By-law. As such, the CPP By-law must appropriately reflect definitions and accompanying standards to implement the intent and direction of the Official Plan.
- **General Standards:** The General Standards in the Town's existing Zoning By-law do not always reflect the intent and policy direction of the Official Plan. For example, the Official Plan includes policies and guidance with respect to parking area size and landscaping requirements. The existing Zoning By-law does not reflect this intent and direction, and as such, the CPP By-law must address these additional matters.

A detailed list of key directions stemming from these implications is included within Section 7.2.3 of this report.

6. Site Specific Amendment and Minor Variance Review

This section of the report provides an analysis of the Town's past approved minor variances and zoning by-law amendment applications. This review of minor variances and zoning amendment applications was undertaken to identify trends in recent applications to assess whether any provisions of the existing by-law should be updated or changed when creating the CPP By-law. This section provides a high-level summary of the types of applications approved and the frequency of such applications.

6.1. Minor Variance Review

The review of minor variance applications analyzed approximately 200 approved applications within the Town. The minor variances were categorized by type and analyzed based on like criteria.

6.1.1. Setbacks

The most common variances observed were for setbacks with a total of forty-four (44) requested variances for side yard setbacks, thirty-nine (39) for front yard setbacks, and eighteen (18) for rear yard setbacks. In addition, the data identified an additional twenty-two (22) instances of an approved reduction in minimum required setback for an unspecified yard.

For front yard setbacks, the most common occurrence was for a reduction from a minimum of 30 metres or 20 metres within rural zones to accommodate a garage or Muskoka room. The average reductions that were granted range between 30% and 40% (reduction from the minimum required front yard setback).

For side yard setbacks, the majority of approved variances were for a reduction in side yard setback to a garage or dwelling from a minimum of 10 metres or 6 metres. The average reductions that were granted range between 38% and 52% (reduction from the minimum required side yard setback).

For rear yard setbacks, a wide range of reductions were granted, likely related to site specific conditions with respect to locations of existing buildings or new decks or accessory structures in relation to the lot line. No clear trend in requested variances were observed.

6.1.2. Lot Coverage

There are a total of twenty-five (25) minor variances that were approved for an increase in maximum lot coverage, ten (10) of which were for accessory structures. Amongst the lot coverages approved for an increase to the size of accessory structures, the average requested increase was quite modest. For principal dwellings or buildings, the average

approved increase in maximum lot coverage ranged from approximately 25% to 60% over the maximum permitted lot coverage in the zoning by-law.

6.1.3. Garage Placement

There were seven (7) variances for garage placement which permit the detached garage to be placed closer to the front lot line than the existing dwelling.

6.1.4. Garage Size

A total of 6 minor variances related to an increase in garage size. The variances specified an increase in total building area of a 2-storey garage from the requirement of 60m² to an average seeking of 120m² (approximately double in size).

6.1.5. Other

Of the remaining approved variances reviewed, there are no notable trends to report. These remaining approved variances are summarized here:

- 5 variances for a decrease in minimum lot frontage;
- 3 variances for a reduction in minimum amount of parking spaces;
- 3 variances for an increase to maximum height;
- 6 variances for an increase in maximum permitted building footprint;
- 2 variances for an increase in maximum permitted gross floor area;
- 12 variances related to changes in permitted uses/construction of structures;
- 2 variances allowing the addition of a home occupation;
- 4 variances regarding the placement and size of a deck;
- 2 variances regarding encroachments; and
- 1 variance for a reduction in minimum landscape buffer.

6.2. Zoning Application Review

The review analyzed approximately 460 approved zoning amendment applications. For the purposes of this review, the approved amendments were categorized by Official Plan designation and analyzed based on uses and like criteria.

6.2.1. Central Business District

Two zoning amendments were made to permit a day nursery. Other amendments included permission to sever a lot, a temporary use and a decrease in minimum required setback.

6.2.2. Highway 60

Within the Highway 60 designation, there were a total of 6 zoning amendments that allowed an exception to permit retail uses. Another amendment permitted a retirement home and an associated reduction in parking for that retirement home.

6.2.3. Residential

Within the residential designation, several (18) zoning amendments were approved. The majority of these amendments rezoned specific properties from one residential zone to another in order to recognize an existing dwelling or to permit a specific use. There were two amendments that allowed for the addition of commercial uses as a permitted use. In addition, 2 amendments were approved to permit semi-detached dwellings, 2 amendments were approved to permit townhouse dwellings, 1 amendment was approved to permit a triplex, 2 amendments were approved to permit a fourplex and 3 amendments were approved to permit a six plex within various residential zones.

Although the details have not been specified, there were 7 amendments to recognize lot frontage requirements (without the detail of what the reduction in minimum lot frontage sought), 2 amendments permitted an increase in lot coverage, and 3 amendments permitted a decrease in front yard setback. The residential designation also includes 4 amendments for lot creation/addition and 2 amendments facilitating the creation of 3 lots.

6.2.4. Rural

Within the Rural designation, there were a total of 48 applications for zoning amendments. Most of these involved the rezoning of a property from one rural zone to another, or to permit a site specific exception allowing for a reduced lot frontage or a secondary suite within a detached garage.

Other amendments included;

- 15 amendments allowing for the creation of or addition to a lot;
- 8 amendments for a reduction in lot frontage;
- 2 amendments for reduced vegetative buffers;
- 2 amendments related to permitted setbacks; and
- 2 amendments to allow for an increase in building size.

6.2.5. Industrial

The zoning amendments that have occurred within the Industrial designation include 2 amendments for reducing lot frontage and 1 amendment for reducing a side yard setback.

6.2.6. Hidden Valley SPA1

There were two zoning amendment applications that affected over 150 condominium units within Hidden Valley. The effect of both amendments enables condo owners to live in or rent their units.

6.2.7. Waterfront

Within the Waterfront designation, there were 42 zoning by-law amendment applications.

14 of these applications were for zoning amendments for a reduction in a required setback from a Fish Habitat and/or environmental feature.

Other approved amendments related to increasing maximum permitted lot coverage, increasing maximum height, permitting an addition, and allowing the relocation of cottages.

6.3. Summary of Implications for the CPP By-law

The following are key implications for the CPP By-law arising from our analysis and discussion on previously approved minor variance and zoning by-law amendment applications:

- The summary has identified ranges of approved variances for specific standards, including for lot coverage and front yard setbacks. These ranges will inform the identification of appropriate tolerances to be considered in the CPP By-law to differentiate between when staff and Council are able to approve variances to Community Planning Permit applications; and
- There have been a significant number of amendments made related to the occupancy permissions for dwellings within Hidden Valley (seasonal vs. permanent). The CPP By-law should reflect the reality of occupancy within Hidden Valley where existing occupancy restrictions are in place, in light of Official Plan policies for the area.

7. Key Directions to Carry Forward into CPP By-law

7.1. Overview of What to Include in a CPP By-law

In 2019, the Town of Huntsville introduced the enabling Official Plan policies for the creation of a Town-wide CPP By-law. As per *O. Reg. 173/16*, these policies are considered the first stage of implementing a CPP By-law.

The second stage involves establishing the implementation framework for the CPP By-law, which is done through a CPP By-law. Based on the best practices review, the Town may also want to consider the inclusion of community benefits and design guidelines. A key part of this first stage is creating a vision and framework for the CPP By-law based on public and stakeholder input.

In addition to the mandatory requirements listed in Section 2.2, under *O. Reg. 173/16*, Section 4(3) the CPP By-law may also include the following:

- Prohibit any development or land use changes unless a CPP is obtained;
- Identify classes of development that outline the CPP approval requirements;
- Define discretionary uses, which means identifying a list of classes or uses that may be permitted if criteria in the Official Plan and CPP By-law are met;
- Define a range of variations from development standards;
- Identify development exemptions that do not require a CPP; and
- Set out criteria that shall be used in making decisions regarding planning permits.

Community involvement plays an important part in the creation of the CPP By-law. While the process of passing a CPP By-law is similar to that of a Zoning By-law, the former requires a public open house to be held. This is of particular importance since this is the only time the By-law can be appealed to the LPAT. Once in force, the CPP By-law cannot be amended within the first five-years of the day the By-law is passed (*O. Reg. 173/16*, Section 17(1)). **Figure 12** below provides an overview of the legal requirements for implementing a CPP By-law.

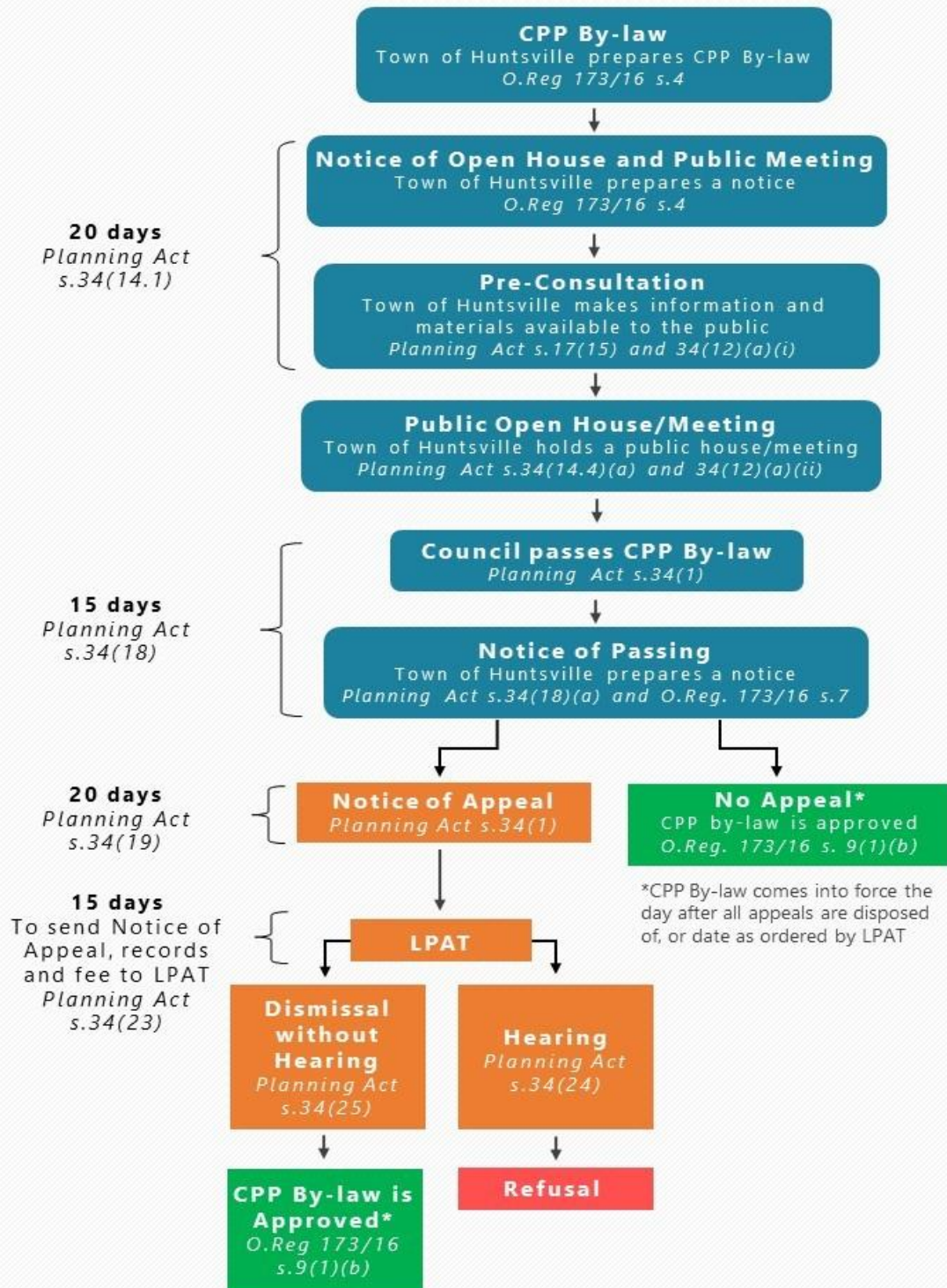
COMMUNITY PLANNING PERMIT BY-LAW: LEGAL REQUIREMENTS

Figure 12. Legislative Requirements

7.2. Key Directions for Huntsville

This section of the report summarizes key directions discussed throughout this report. The directions below are categorized as follows:

- Structural directions, relating to the key components that make up a by-law;
- Directions arising from our review of the Town's Official Plan; and
- Directions arising from our review of the Town's Zoning By-law.

7.2.1. Structure of By-law

The review of best practices for the creation of community planning permit and development permit system by-laws has revealed many important lessons with respect to the structural elements of the various by-laws reviewed, and description of planning processes therein. These lessons should be viewed as key directions for Huntsville in creating the CPP By-law.

A Draft Table of Contents for the Town's new CPP By-law has been prepared and is included within **Appendix B** of this report for comment and discussion. The following represents key directions to be carried forward in the development of the CPP By-law, with respect to by-law structure:

- ⇒ In developing the CPP By-law, outline clear expectations for the public through the development of goals and objectives for the Town;
- ⇒ Ensure that the CPP By-law is easy to understand yet contains sufficient detail to accomplish the set goals and objectives of the by-law;
- ⇒ Make use of graphics, including figures and diagrams to visually represent concepts and standards of the By-law;
- ⇒ Align the CPP By-law with applicable plans, such as the Town's Official Plan;
- ⇒ Provide clarity of interpretation with respect to planning permit requirements;
- ⇒ Establish how the Town wishes to address variances to the by-law, and identify when and how decisions are delegated to staff vs. Council;
- ⇒ Clarify and identify under which circumstances a permit is not required (for example, if a proposal is compliant with applicable standards, does not result in extensive removal of vegetation, does not involve extensive re-grading, is not along the Waterfront, etc.);
- ⇒ Identify if there are any exemptions from obtaining a CPP (for example, properties that are subject to an existing site plan agreement, applications related to the maintenance and repair of buildings or structures, seasonal structures, etc.);
- ⇒ Ensure that the CPP By-law requires pre-application consultation meetings for applications;
- ⇒ Identify application requirements within the CPP By-law for CPP applications;
- ⇒ Set out list of potential conditions to be met prior to CPP approval (for example, the requirement for studies to be completed with a year);

- ⇒ Specify notice requirements for applications (requirements for circulation of application details to neighbours);
- ⇒ Consider the establishment of standards related to height and density increases in exchange for community benefits; and
- ⇒ Ensure that there are monitoring provisions in place to allow for refinements based on community and stakeholder needs.

7.2.2. Key Directions Arising from Review of the Official Plan

The following key directions are noted from our review of the Official Plan. The Official outlines key directions throughout all chapters to be implemented through a CPP By-law. As summarized in Section 4 of this report, these key directions cover many topics.

Natural Heritage

- ⇒ Ensure that wetlands are protected from development;
- ⇒ Consider increased lot frontage, minimum building setbacks and specific siting requirements for buildings, driveways, pathways and structures to protect significant wildlife habitat;
- ⇒ Consider a threshold of allowable setback reductions for shoreline development where appropriate (per Part B policy 3.1.4);
- ⇒ Require a CPP for any proposed alteration of any shoreline;
- ⇒ Identify maximum limits that boathouses and boatports can extend into the water (as well as tolerable increases to these limits);
- ⇒ Identify high water mark and flood plain limits;
- ⇒ Require a CPP for vegetation and tree removal, as well as site alteration within certain Precincts (based on a percentage or amount of land cleared, altered or filled); and
- ⇒ Require a CPP for development within areas at risk for wildland fires.

Land Use Designations

- ⇒ Huntsville Urban Settlement Area
 - Ensure that CPP By-law addresses minimum off-street parking requirements;
 - Urban Residential:
 - Include definitions for various residential densities (low, medium and high);
 - Include standards for the location and built form of convenience commercial uses;
 - Include standards to address the location and built form of medium and high density residential developments;
 - Urban Shoreline Residential:

- Include standards for minimum shoreline frontage for new lots with multiple unit residential development;
- Mixed Use:
 - Include standards for minimum and maximum densities for multiple unit residential development;
- Regional Commercial Designation:
 - Identify additional limited commercial uses to be permitted; and
- Business Employment:
 - Require a CPP for development within this designation, to ensure high level of urban design and landscaping.
- ⇒ Hidden Valley Recreational Resort and Lifestyle Area:
 - Resort Commercial:
 - Require a concept plan for any development within the Resort Commercial designation; and
 - Include specific provisions for setbacks, separation distances, parking requirements and other applicable regulations.
- ⇒ Waterfront:
 - Identify appropriate standards to protect the character of the waterfront, including protecting habitats, preventing erosion, minimizing the visual impact of development and requiring alternate means of access to docks and boathouses; and
 - Identify parking standards for waterfront landings and individual access points.
- ⇒ Rural:
 - Include standards to permit private roads or other unencumbered accesses to tourist commercial, institutional accommodation and recreation facilities, subject to limitations related to uses that can be serviced by the road; and
 - Address permitted uses, including when and where rural businesses may be permitted.

Other CPP By-law Standards:

- ⇒ Provide an appropriate range of uses and regulations for home based businesses;
- ⇒ Include provisions for secondary residential dwelling units, including parking, setbacks, location of entrances, outdoor amenity areas, and others;
- ⇒ Address updated parking and active transportation standards to reflect bicycle parking and parking rate reductions, among other matters;
- ⇒ Include provisions to improve stormwater management and reduce impacts of runoff, including minimizing extent of grading and site alteration, minimizing extent of paved areas, and requiring permeable paving, among other measures;

- ⇒ Including provisions that speak to the provision of water and sanitary sewer services, and prohibiting development where servicing is not available or planned;
- ⇒ Requiring development along or adjacent to a Provincial or District road to be subject to a Community Planning Permit to address potential site-specific conditions where a greater setback or greater lot frontage may be required;
- ⇒ Including standards for non-complying buildings, structures and lots; and
- ⇒ Recognizing the legal status of existing lots that do not meet minimum frontage and area requirements, provided the lot can be serviced and that it fits in with the character of other lots, among other matters.

7.2.3. Key Directions Arising from Review of the Zoning By-law

The following key directions are noted from our review of the Zoning By-law. In addition to the key directions arising from our review of the Official Plan, our review of the Zoning By-law has shown that key directions will be required to be implemented within the CPP By-law, including ensuring that the Community Planning Permit Precinct boundaries align with the land use designation boundaries of the new Official Plan.

CPP Precinct Boundaries:

- ⇒ As discussed in detail within Section 4 of this report, the existing zones within the Town's Zoning By-law should be collapsed into distinct CPP Precincts to form the basis for the Town's CPP By-law. This will make the By-law more readable and easier to understand and interpret.

CPP Precincts:

- ⇒ Residential
 - The existing zone boundaries of the R2 and R3 zones in the Huntsville Urban Area should exclude areas within the Central Business District and Mixed Use Area designation, as these areas should be subject to CPP By-law provisions that align with the Central Business District and Mixed Use designations;
 - The CPP By-law should consider establishing a Community Planning Permit Area to permit higher density residential uses than permitted in the existing R4 zone category, including identifying maximum permitted heights, in order to implement the range of densities permitted within the OP;
- ⇒ Shoreline Residential
 - The CPP By-law should look at aligning the boundaries of some of the existing Shoreline Residential zones that fall within the existing Hidden Valley Resort Area designations, to ensure that those areas are appropriately captured within the correct Community Planning Permit Area;

⇒ Commercial

- The CPP By-law should look at commercial zoned lands within the Rural Area and identify a Commercial Precinct for the Rural Areas;
- The existing Gateway Commercial Campus Zone, located within the Regional Commercial designation, should be captured within the CPP By-law to reflect the OP policies requiring a high level of urban design. The CPP By-law could establish standards for this area, to be known as the Regional Commercial Precinct;

⇒ Rural

- There are many pockets of land that are currently zoned RU1 and RU2 within the Huntsville Urban Area, Hidden Valley Resort Area and three Community Areas that should be updated within the CPP By-law to reflect current Official Plan land use designations.

⇒ All Zones

- There are many examples of properties zoned to permit specific uses that are not permitted in the corresponding Official Plan designation. The CPP By-law cannot establish separate Precincts for these properties to allow the existing uses, since that would not conform to the Official Plan. Rather, the CPP By-law must include standards to speak to recognizing existing uses. For those properties where a use is permitted in the existing zone, but that use does not exist and does not conform to the OP, the existing zoning would not be carried over into the CPP By-law.

Definitions:

- ⇒ Review the definitions for home-based business and home occupation to ensure they align with the intent of the Official Plan and the policies that permit these uses; and
- ⇒ Review all definitions related to density and housing form to ensure consistency.

General Provisions:

- ⇒ Include parking and loading standards to reflect Official Plan policies specific to land use designations to address matters such as size of parking lots, landscaping requirements, low-impact development techniques, requirements for active transportation infrastructure, and reduced parking rates.

8. Next Steps

8.1. Summary of Next Steps

In early December, the consulting team will be conducting interviews with individuals from other municipalities where a CPP By-law has been implemented. The purpose of these interviews is to inquire about their experiences implementing and using a CPP By-law, to further inform the Best Practices Review described in this report. The interviews will focus on lessons learned, and may result in additional key directions to be incorporated into this report and ultimately used for the creation of the Town's CPP By-law.

Following the interviews, the Draft report will be finalized into a Final Background and Directions Report, and will also incorporate feedback received from engagement opportunities through January and February 2021, as detailed below. It is anticipated that the Final Report will be finalized and presented to Planning Committee in February 2021.

One of the benefits of a CPP By-law is that it creates more certainty in outcomes. The community and developers have more direction on what can be built and the rules are clear. This is possible because a CPP By-law relies on upfront public and stakeholder consultation to help establish the community's vision, how development will occur, and the parameters and rules of the CPP By-law. As a result, the CPP By-law is shaped by the community's input and vision, and this guides and informs Staff and Council's decision-making and approval authority. Critical to the successful application of the CPP By-law in Huntsville, therefore, will be the ability to effectively engage with the public and stakeholders.

In January and February of 2021, the consulting team and Town will launch their public engagement strategy. Informed by the input received, a Draft CPP By-law will be developed and brought back to the Town and public for further comment. The following provides a summary of upcoming public and stakeholder engagement.

Due to the Covid-19 pandemic, the Engagement Plan for Huntsville's CPP By-law Study will utilize a variety of online engagement tools, with additional opportunities for community input for those who might not have access to internet (such as calling the project hotline). The Plan takes a three-pronged approach to engagement involving: stakeholder consultation, public education, and public consultation.

Stakeholders have been identified for this project consisting of internal and external organizations that reflect diverse interests and a variety of perspectives and geographies. These stakeholders include lake associations, developers, and Provincial Ministries, among others. Stakeholders will be involved in workshops and will be

engaged with throughout the development of the CPP By-law to ensure that their interests, expertise and perspectives are guiding the development of the CPP By-law.

The CPPS is a complex subject that addresses a range of development issues. The Engagement Plan includes public education in order to help the public better understand the CPPS and to increase awareness around what it is, why Huntsville is using it, and the benefits that it will bring to the Town and community. This approach will enhance public education by providing the community with the knowledge needed to make informed decisions and participate in meaningful engagement.

There will be multiple opportunities for the public to engage and provide feedback on Huntsville's CPP By-law Study, including an engagement page on myhuntsville.ca that will serve as the main hub for the project and the public's source for materials, engagement opportunities and project updates.

With the project launch in late 2020, the public will have opportunities to review the educational materials and background documents for the CPP By-law Study on the project website. The website update will be followed by an online survey and mapping tool in early 2021 that will be focused on the identification of issues and opportunities. The first step in engaging the public is understanding what is important to the public as the CPP By-law is being developed and understanding their vision for the CPP By-law and Huntsville at large. Part of this understanding will involve capturing the community's values, uncovering their issues and opportunities related to the current development approvals process, and identifying what they would like to see improved. **Figure 13** presents an overview of the project components with the key community and stakeholder engagement activities highlighted.



Figure 13. Overview of Project Components

Appendix A: List of Potential CPP By-law Precincts Showing Existing Zone Categories to be Consolidated within Each Precinct



Huntsville Urban Settlement Area

Urban Residential Designation

- R1
- R2
- R3
- R4
- C2
- M1
- O2
- C
- RU1
- RU2

Urban Shoreline Residential Designation

- R1
- R2
- R3
- R4
- C2
- M1

Lookout Residential Designation

- R3
- C

Mixed Use Designation

- R2
- R3
- R4
- C2
- C4
- MU1
- MU2
- MU3
- MU4
- MU5
- RU1

Central Business District Designation

- R2
- R3
- C5
- C7

Regional Commercial Designation

- C2
- C5
- C6

Business Employment Designation

- C2
- C3
- M1
- M2
- RU1
- RU2

Huntsville Highlands Secondary Plan Designation

- R1
- R2
- R4
- C
- OS
- RU1
- O3

Community Settlement Areas**Community Residential Designation**

- R1
- R3
- RR
- RU1
- RU2
- O2
- SR1

Community Commercial Designation

- C1
- C2
- C3
- C4
- RU1

Community Business Designation

- C2

Restricted Rural Designation

- RU1
- M5
- M6

Hidden Valley Recreational Resort and Lifestyle Area**Resort Commercial Designation**

- C4
- RU2
- SR1

Recreational Resort Residential Designation

- R1
- SR3
- SR1

Deerhurst Village Centre Designation

- O3

Highway 60 Transition Corridor Designation

- RU2
- R1
- SR1
- C3

Waterfront Designation

- SR1
- SR2
- SR3
- SR4
- SR5
- CS1
- CS2
- CS3
- CS4
- C
- NR
- NR1
- NR2

Rural Designation

- RR
- RM
- C1
- C2
- C3
- C4
- M1
- M3
- M4
- M5
- M6
- RU1
- RU2
- IN
- O2
- O4
- C
- NR
- NR1
- NR2

Open Space Designation

- M1

- RU1
- O2
- O3
- C
- NR

Institutional Designation

- RU1
- IN
- O2

Appendix B: Draft Table of Contents for the CPP By-law

DRAFT TABLE OF CONTENTS – Huntsville CPP By-law

1.0 Explanatory Notes and Context *(setting the tone, establishing the role of the By-law)*

- What is a CPP By-law?
- Goals and Objectives
 - Building on the direction of the Town's Official Plan
 - Directly incorporating feedback from the public and stakeholders

2.0 Administration *(addressing legislative requirements, including information on how and when the By-law is used and when a permit is required)*

- Permit Requirements
 - Establishing under what circumstances a permit is required
- Exemptions
 - Identifying circumstances when the by-law would not apply (i.e. seasonal, repair, etc...)
- Approval Authority
 - Establishing who has authority to approve (i.e. staff)
 - Establishing when matters are referred to Council for approval
- Permit Issuance
 - Identifying how a permit is issued
 - Setting out the process
- Requirements for Complete Applications
 - List of requirements for the submission of permit applications
- Notification
 - Outlining how and when the public is notified of an application and a decision on an application
- Variations
 - Identification of process to consider variations to the By-law
- Criteria for Considering Variations
 - Establishment of criteria on how the municipality will assess and evaluate variations
- Conditions
 - Identification of possible conditions of approval that could be tied to a decision (i.e. timeframe for the submission of additional studies, etc...)
 - Specifying when and how extensions can be granted
- Community Benefits
 - Setting out circumstances for when and how the Town may ask for community benefits in exchange for height and density
- Monitoring
 - Setting out a plan for the Town to monitor the implementation and application of the CPP By-law to ensure its success

- Other Administrative Matters
 - Addressing matters of non-compliance
 - Addressing potential penalties
 - Addressing matters related to expropriations

3.0 Definitions *(including important terms to provide clarity in interpretation)*

- This section will include existing definitions from the by-law, updated as required to incorporate relevant definitions from the Official Plan

4.0 General Provisions *(including standards/provisions applicable to many or all Precincts within the CPP By-law)*

- Including sections containing general provisions such as parking requirements, requirements for home occupations, waste collection standards, temporary uses, etc...
- Based on existing provisions within the Town's existing Zoning By-law, augmented with best practices and as required to conform to the Official Plan

5.0 Community Planning Permit Precincts *(including standards/provisions applicable to each individual Precinct within the CPP By-law)*

- Series of standards and provisions for development within Precincts
- Addressing requirements such as setbacks, height, density, driveway width, landscaping, etc...
- Presented in a tabular format for ease of understanding and reading

Schedules

- **Schedule A – CPP Precinct Boundaries**
 - This would be a map showing the entire Town, identifying at a high-level the boundaries of each Precinct
- **Schedule B – Precinct Maps**
 - This would be a series of schedules, focusing on the various Precincts within the By-law
- **Schedule C – Natural Heritage**
 - This would be an overlay map similar to Schedule C of the Official Plan