

GEORGIAN BAY ASSOCIATION

Planning Regulations Guide





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Introduction

The purpose of the Georgian Bay Association: Guide to Planning is to provide an overview of the planning framework and process for Ontario, and particularly for those five coastal municipalities along the east and north shores of Georgian Bay, where the members of the Georgian Bay Association reside.

This guide is broken into two parts. Part I provides an explanation of land use planning in our province, highlights key local trends in planning, explains the key policy documents that guide planning decisions in Ontario, and explains the development applications process (including a breakdown of development application types). This section also provides general information on the consultation and engagement process, how appeals are made and managed, and provides information on permitting and enforcement.

Part II of the guide provides more specific planning information for the five coastal municipalities most relevant to Georgian Bay Association members: Township of Georgian Bay, Township of the Archipelago, Township of Carling, Municipality of Killarney and the Town of Northeastern Manitoulin and the Islands. This section provides an overview of governing structures and highlights the existing strategic direction and official plan framework in place and is intended to help those connected with the Georgian Bay Association to become more involved and effective in responding to development applications that have the potential to threaten the Georgian Bay coastal natural landscape and environment.

The intent of the planning guide is to make it easier for members of the Georgian Bay Association to better understand and engage with the planning process, so that we can be more effective in helping to shape municipal decisions related to planning in a way that prioritizes preserving our local natural land, waterscape, ecology and environment.

TERM	ACRONYM
Georgian Bay Association	GBA
Township of Georgian Bay	TGB
Township of the Archipelago	TOA
Township of Carling	TOC
Municipality of Killarney	MOK
Town of Northeastern Manitoulin and the Islands	NEMI
The five coastal municipalities along the east and north shores of Georgian Bay	GBA Coastal Area
Ontario Land Tribunal	OLT
Greater Toronto Area	GTA
Minister's Zoning Orders	MZO
Provincial Policy Statement	PPS
Official plan amendment	OPA
Ministry of Northern Development, Mines, Natural Resources and Forestry	MNR
Local Appeal Body	LAB
Environmental Protection	EP
Open Space	OS





Background

On a very basic level, land use planning is the way in which we manage our land and our natural resources. There are policies, standards and regulations that are put in place at different governmental levels, which planners and developers in Ontario and in the coastal municipalities along the east and north shores of Georgian Bay must follow to ensure new developments are safe, context sensitive and do not negatively impact people and the surrounding area, as well as the local services that are provided (such as transportation).

At the same time, land use planning is much more than that – it is one of the key tools we have for building integrated, sustainable, and successful communities that can also create and protect jobs. Land use planning is additionally a key tool for protecting what we love most about the places we inhabit – like the natural land, waterscape, ecology, and environment of the five coastal municipalities along the east and north shores of Georgian Bay, where GBA members reside. The east coast is within the Georgian Bay Biosphere, a UNESCO recognized world-class biosphere.

While following regulations and policies, planners – in combination with decision-making authorities – attempt to make context-specific decisions based on good planning principles and informed consultation so that the developments that are approved are the right ones for a community and the environment.

New developments can impact the communities and environment that we live in, therefore public consultation is an essential part of the planning process. By knowing how to respond both to development applications and those policy frameworks that guide the planning process,

we are better able to become a part of the process and ultimately better able to protect the natural landscape and environment of the Georgian Bay coast. This guide to planning is intended to make it easier for anyone to engage with planning, to be a part of the process, and to help meaningfully shape the way land and resources are managed at a local level.

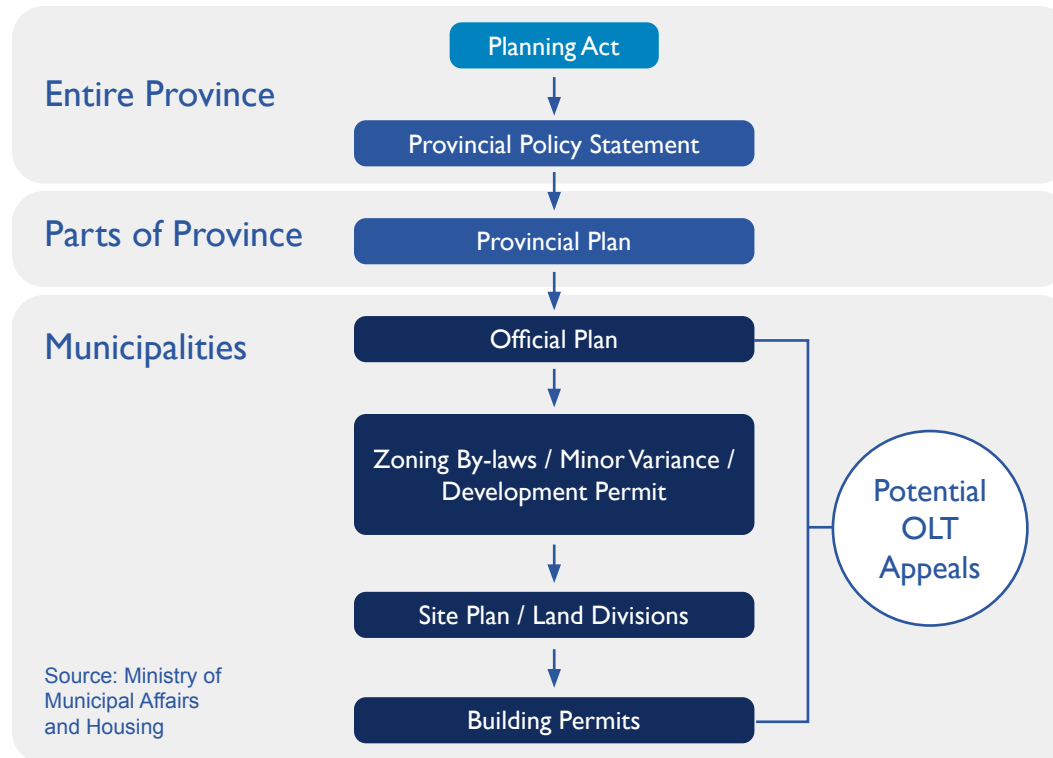
WHAT IS LAND USE PLANNING?

Land use or community planning is the process through which a community shapes its future. We use the planning process to organize and manage land, the “built” environment, natural resources and community character, based on shared goals and a long-term vision.

WHY IS PLANNING IMPORTANT?

Planning plays a foundational role within a municipal context because land use planning affects many other municipal activities and touches most residents in one way or another. It ensures different land uses are assigned the right type and amount of land in the appropriate location; it co-ordinates orderly development with the availability of infrastructure (both private and municipally owned), services, and facilities; it prevents conflicts between land uses; it protects natural resources; and it enhances the community’s cultural assets.

Planning priorities for municipalities across Ontario vary, in part depending on their geographic makeup, their size and location, and their local economic structure. While the GBA Coastal Area municipalities do have small built-up areas, land uses in these communities are limited, as are existing services, infrastructure, and buildings. Most structures are residential and tend to be seasonal, and most commercial businesses are tied to the coastal



current and emerging community needs, engage with the voices of residents, businesses and community partners, and balance the interests and rights of individual property owners with the broader public interest. As planning is a key tool to help us achieve our social, environmental, and economic objectives, it is important to have a clear community vision so that decisions can be made that lead to that vision becoming reality.

Land Use Planning in Ontario

Planning in Ontario takes place within a multi-level policy hierarchy. The [Province of Ontario](#) sets the framework for how municipalities in Ontario can undertake land use planning. Provincial plans and policies guide municipal policy development, as well as decisions made. Planning decisions made at the local level are meant to reflect and respond to each community’s unique situation and context. That said, local planning policy and decisions must conform to provincial policy. This requirement can present challenges, particularly in the face of competing interests and development pressures.

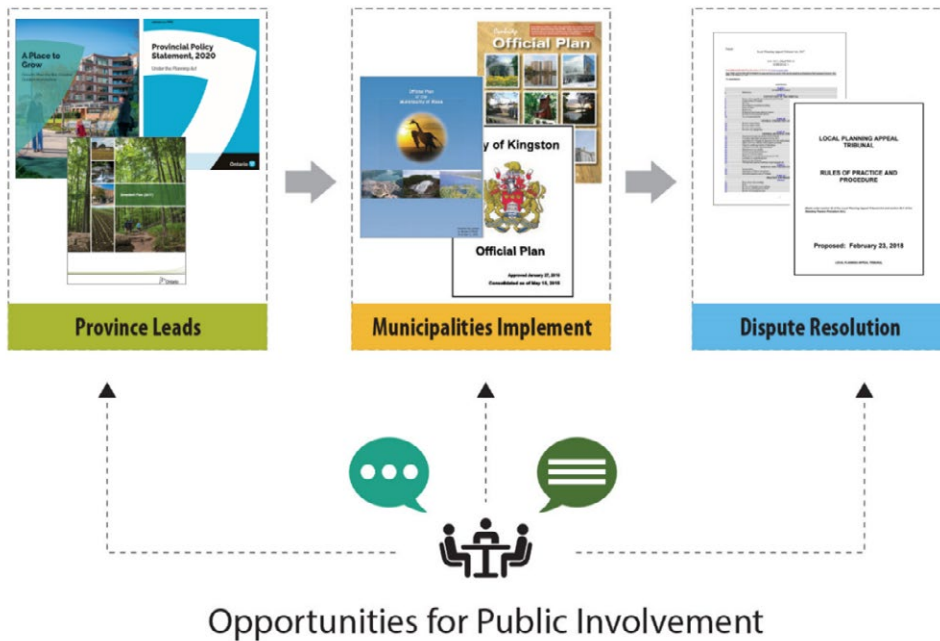
For instance, the More Homes, More Choice Act (2019) requires that municipalities permit any single, semi-detached or row home to add a second unit (second suite) within the home as well as a detached unit (such as a laneway suite, granny flat or coach house). This provincial policy continues to have a profound impact on many southern Ontario communities. Given the increased housing affordability pressure in cottage country, these impacts may become more visible in the future for the GBA Coastal Area.

Public consultation is also a critical part of the planning process and is enshrined in the Provincial framework for planning. Planners must engage the public on both

economy (e.g. marinas). For those reasons, GBA’s position on planning and development is focussed on the protection of the coastal natural landscape and environment

Meaningful planning policy frames goals for a community’s future and sets the proper framework for considering development applications before the development process actually begins. By doing this, good land use planning helps to anticipate future needs, promotes conservation of resources, a positive economy and minimizes public health and safety issues. Planning can help to combat climate change and prevent developments that pose a high risk to the environment.

As part of the planning process, planners respond to



The above diagram, from the Ontario Municipal Councillor’s Guide, highlights the land use planning system and its components.

policy matters and individual development applications.

Most planning decisions are long-term in nature. However, it can be difficult for residents, stakeholders and municipal councils to weigh the long-term impacts of policy direction and new developments, and to balance the long-term against more immediate concerns. At times, not everyone will agree on a planning decision that has been made. For this reason, the Province of Ontario also recognizes a mechanism for dispute resolution and appeals. The OLT (formerly known as the **Ontario Municipal Board**) is an independent body for adjudicating land use planning conflicts.

PLANNING TRENDS

Since planning is rooted in community development, planning trends evolve as community concerns and priorities evolve. The following are trends that are having, and will have, a significant impact on the traditional cottage areas in Ontario, including the GBA Coastal Area municipalities.

Access to Space and the Great Outdoors

Outside of the major urban centres in southern Ontario, where significant growth management pressures have been the catalyst for changes, land use and build form has been predictable for quite a long time. However, pressures are slowly increasing in traditional cottage areas north of Toronto. Most recently, as a result of COVID-19, there has been increased attention on this area as more and more people reconsider opportunities to work from home, move out of the city, or simply choose a different lifestyle.

These traditional cottage areas offer high quality natural environment and outdoor amenities. Conserving and preserving these natural heritage features and their connecting linkages — including granite outcrops, forested areas, wetlands, valley and stream corridors, air quality and water resources — is an important consideration in maintaining and enhancing both human and ecosystem health in the face of evolving land use.

Cost of Housing

The high cost of housing, particularly in the GTA, is forcing many people to move outside of the GTA to find affordable accommodation. This movement north to cottage country is putting pressure on a full range of municipal infrastructure (water, sewer, parks, recreation,



such as multiple units on one lot and small apartment buildings. Opposition to this type of development creates challenges for planners and politicians, particularly if development has a negative impact on the natural beauty and environment of the area. How to meet planning policy goals while at the same time meeting the wishes of the local residents? If more housing is built, the impact of these developments on the character of an existing community must be addressed. More importantly, in the GBA Coastal Area, addressing the potential impact on the sensitive coastal environment is critical.

Focus on Green

New development can exacerbate the impact on the natural and built environments of floods, wildfires,

social services) and introducing new land use and community expectation challenges, in addition to driving up prices. While many existing residents are opposed to new housing development, new residents can add to available workforce talent and contribute positively to the local economy and cultural fabric.

Planners tend to address housing affordability by approving more housing, and through policies on built form and the density of development. More and more cottage and rural municipalities are faced with applications for housing types that may be new to them,

significant wind events (tornados and severe storms), shoreline erosion and other natural hazards. The more agricultural or natural land that gets developed, the less resilient our land use system is to the effects of climate change. Protecting all aspects of the environment, including water quality, natural habitat, and wildlife (particularly species-at-risk), has never been more important.



There are actions municipalities can take in this respect, such as:

- Declaring climate change emergencies and developing climate change action plans to complement the municipal energy plans they are required to complete;
- Investing heavily in core infrastructure services to mitigate the effects of climate change, for instance, investment in sewer systems (or oversight of private systems) ensures their integrity during storms, safeguards the environmental quality of water bodies and protects residents' properties from adverse impacts;
- Prioritizing pervious over impervious surfaces within new developments;
- Prioritizing a circular economy approach to municipal planning – with its renewed emphasis on sustainable production and consumption, and the reduction of waste; and
- Placing greater emphasis on using planning tools to decrease the impacts of climate change and mitigate/adapt to unavoidable impacts.

Some of these adaptive steps can be costly, and smaller municipalities often cannot afford the investment without financial support from other levels of government.

Minister's Zoning Orders

A MZO enables the Government of Ontario to override municipal council decisions on development. Its use has been significantly expanded in recent years. This tool and other similar political interventions disrupt the planning process, raise questions about fairness and take local

control away from municipal councils. MZOs no longer have to be consistent with the PPS, one of the province's key documents giving direction on land use planning, which brings into question the integrity of good planning principles and paves the way for land use and natural environmental impacts that may not easily be undone.

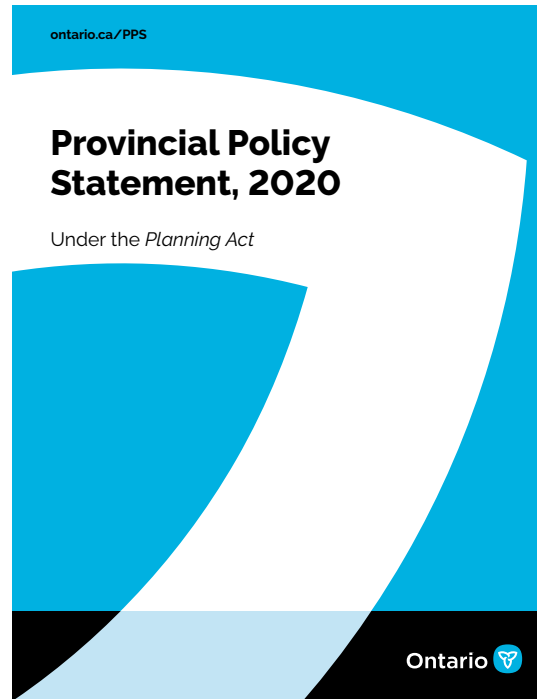
Key directions for the Georgian Bay Association:

In response to planning trends, the following should be prioritized by local associations, individual members of the public and the GBA:

- Maintaining and defending good planning principles
- Promoting standards that ensure compatibility with the surrounding context (e.g., limiting density in areas that may not support that scale of development)
- Avoiding overdevelopment, particularly of undersized lots or islands
- Protecting the natural environment/lake and character of the area
- Advocating for a consistent planning policy framework that ensures effective protection of the sensitive natural land and waterscapes, ecology, and environment along the east and north shores of Georgian Bay



Part I: The Planning Process



Planning Policy Framework

PROVINCIAL POLICY

There are two main provincial documents that provide land use policy direction in the GBA Coastal Area, but many other plans and regulations also affect the planning process at a local level. The main tools are highlighted below. **All municipal decisions must “conform” or “not conflict” with provincial policies and these other plans and regulations.**

The Planning Act

The Planning Act is the core legislation governing land use planning in Ontario. It provides the legal foundation for professional recommendations by planners and for municipal councils to make decisions on planning matters. In addition, the Municipal Act and the [Ontario Heritage Act](#) guide local planning decisions.

The Provincial Policy Statement

The [PPS](#) is issued under Section 3 of the Planning Act. The PPS sets out policies on matters of provincial interest (such as managing natural resources, safeguarding public health, providing efficient infrastructure) and is meant to provide the framework for local planning policy. The PPS is intended to guide long-term planning and development while keeping all matters of provincial interest in mind. Local municipal decisions must be consistent with the PPS. The PPS requires local decision makers to consider all matters of provincial interest, not just one specific matter such as the environment.

Other Provincial Frameworks

In the urban and urbanizing areas of the Greater Golden Horseshoe, the Province has additional policy direction to meet specific objectives, such as managing growth or protecting agricultural lands and the natural environment. (See [A Place to Grow: Growth Plan for the Greater Golden Horseshoe](#), [Oak Ridges Moraine Conservation Plan](#), [Greenbelt Plan](#)). These provincial plans do not apply to municipalities in the GBA Coastal Area, but they offer insight into important planning issues, particularly those related to the impact of development.

The [Growth Plan for Northern Ontario](#) is an example of a geography-specific regional plan providing insight



into planning issues that may affect areas that the GBA aims to preserve. All additional provincial plans work together with the PPS, but generally take precedence over the PPS if they are specific to a region.

Examples of when other provincial documents need to be consulted:

- Water-taking: [Ontario Water Resources Act](#)
- Tree-cutting and grading of land: [Municipal Act](#)
- Removing or damaging certain plants or habitat of certain animals: [Endangered Species Act](#)
- Dumping of toxic waste: [Environmental Protection Act](#)
- Aggregate extraction: [Aggregate Resources Act](#)
- Development and activities in regulated areas including hazardous lands (floodplains, shorelines, valleylands, wetlands, etc.): [Conservation Authorities Act](#)

MUNICIPAL POLICY AND TOOLS

Following the direction set by the Province of Ontario, municipalities and regions are required to implement policies and standards to govern planning and development applications. The following provides an overview of key municipal policy tools.

Official Plan

What Is it?

An official plan provides a vision for the future and a policy framework to realize that vision through land use planning direction. It sets the direction for a municipality's

other planning strategies and for infrastructure master plans. An official plan must be consistent with the [PPS](#) and must conform/not conflict with any applicable provincial plans.

Policies in an official plan provide direction on:

- Where housing, business and employment lands should be located
- What natural environment and cultural heritage features need to be protected
- Where and when the municipality should grow
- How to achieve affordable housing
- What municipal services are needed and the financial impact of maintaining these services
- How to obtain community input on planning matters

New Official Plans

When preparing an official plan or amending an existing one, municipalities must inform the public and give people an opportunity to voice their concerns and opinions. At least one public meeting must be held. When the time comes for the municipality to undertake a new official plan (every 10 years) or update an existing one (every 5 years), a special meeting of council must be held at the beginning of the process to discuss any required changes. Then, a public open house must be held prior to the public meeting. Official plans are generally prepared with extensive community engagement to capture the needs and desires of residents, businesses, community stakeholders, Indigenous communities, and other stakeholders.



Once an official plan has been prepared, the elected municipal council adopts the document. There are requirements to provide notice of adoption to anyone who has been involved/asks to be notified. The adopted official plan is then sent to the approval authority for approval. In most cases, the province is the approval authority; an exception being that upper tier municipalities are the approval authority for lower tier official plans and amendments. If, within 20 days of the notice of approval, part of the plan is appealed, or if there is an appeal of the approval authority's failure to make a decision within the legislated timeframe, the [OLT](#) deals with the appeal. There is no appeal allowed for a minister's decision on a new official plan or official plan update.

If residents or stakeholders want to maintain the right to appeal all or part of a council's decision, they must participate in the public consultation process either verbally at the public meeting or through written submissions before the official plan is passed. Monitoring for both policy work and development applications is a very important part of ensuring association and individual priorities are addressed before decisions are made.

Once the official plan is in effect, applications for OPA may be considered by council. More information on the OPA process is provided in the Development Applications Process section below (see: Types of Development Applications).

Zoning By-law

What Is It?

A zoning by-law is a municipality's primary tool for implementing the vision of its official plan. A zoning by-law establishes specific land use designations prescribing how properties may be used and sets out

standards for the physical form and organization of buildings on those properties. It addresses details such as lot dimensions and coverage, building height and setbacks, parking requirements, and amenity space.

Residents may need to refer to the zoning by-law from time to time. People considering the sale or purchase of a property should also refer to the by-law to ensure that the intended use of the property is permitted in that zone. The zoning by-law is critical for anyone considering development or redevelopment (e.g., building a cottage, modifying a dock, renovating a building or any other work on a property), because the zoning provisions will dictate the look and feel of the project.

Common provisions found in a zoning by-law include:

- What land uses may be permitted (for example, residential or commercial)
- Where buildings and other structures can be located, including proximity to the shoreline
- Which types of buildings are permitted (for example, detached houses, semi-detached houses, duplexes, apartment buildings, office buildings, boathouses, sheds, accessory buildings etc.) and how they may be used
- Lot sizes and dimensions, parking requirements, building heights and densities, and setbacks from a street or lot boundary
- Provisions for accessory structures such as boathouses and docks
- Setbacks from high-water level (where applicable) and other buildings



New Zoning By-laws

A municipality must update its zoning by-law to conform with its official plan within three years of the adoption of a new official plan, or following an official plan's five or 10-year update. A municipality is required to hold an open house to give the public an opportunity to review and ask questions about the proposed by-law at least seven days before the public meeting.

When preparing a new zoning by-law or replacing one, a municipality must carry out public consultations. A public meeting must be held before the by-law is passed, and a municipality is required to hold an open house to give the public an opportunity to review and ask questions about the proposed by-law at least seven days before the public meeting. A notice of the public meeting must also be circulated 20 days in advance, and information about the proposed by-law must be provided. After all concerns have been considered, council has the authority to pass or reject the zoning by-law.

If residents or stakeholders want to maintain the right to appeal all or part of a council's decision, they must participate in the public consultation process either verbally at the public meeting or through written submissions before the by-law is passed. Note that not all zoning matters are appealable. If no appeal is filed within the appeal period, the by-law is considered to have taken effect on the day it was passed by council. Monitoring for both policy work and development applications is a very important part of ensuring association and individual priorities are addressed before decisions are made.

Once the zoning by-law is in effect, applications for zoning by-law amendments may be considered

by council. More information on the zoning by-law amendment process is provided in the Development Applications Process section below (see: Types of Development Applications).

Zoning By-law Decisions

The municipality must ensure that all zoning decisions are consistent with the [PPS](#) and conform or do not conflict with any applicable provincial plan. Zoning decisions must also conform with all applicable official plans. Appeals of a zoning decision (including amendment decisions) can be made to the [OLT](#) within 20 days of the date when the notice of the by-law passage is given.

Special Studies

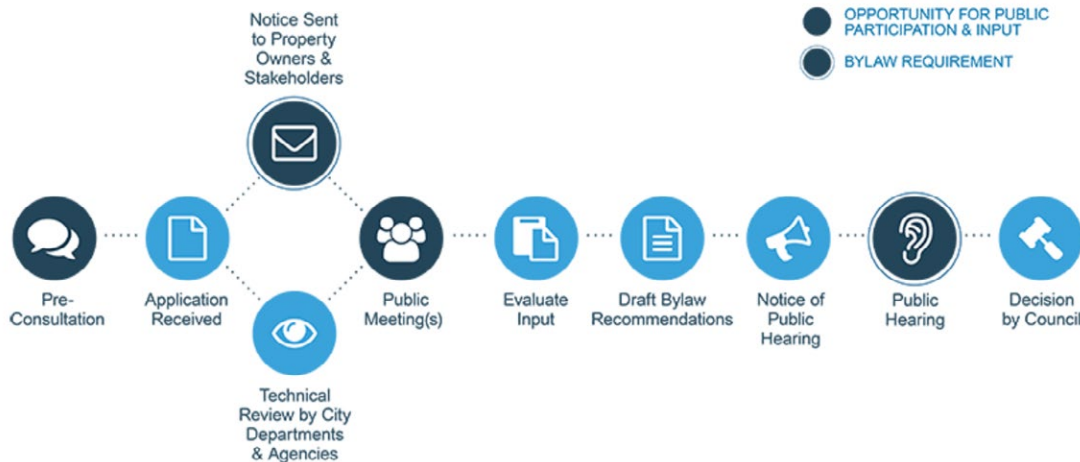
A municipality may undertake background studies on specific planning-related topics to ensure that existing policies respond appropriately to current and emerging challenges and opportunities. These studies can also provide important background information for updates to the official plan and the zoning by-law when they are completed/updated as required by the province.

Major planning studies can relate to matters such as affordable housing, environmental protection, revitalization, heritage conservation and economic development. These studies also involve public consultation and engagement, and residents are encouraged to get involved as these studies establish the foundation for future policy and decision-making.



Site Plan Control

Site plan control gives municipalities detailed control of how a particular property is developed and allows municipalities to regulate the various features on the site. Council can designate areas of a municipality for site plan control, in which case property owners and developers must submit plans and drawings for approval before undertaking development. Site plan control can regulate certain external building, site, and boulevard/waterfront design matters (for example, character, scale, appearance and streetscape/waterfront design).



kalebkroetschphoto via Canva.com

Development Applications Process

THE DECISION-MAKING PROCESS

Every municipal development approval process follows a similar path. The [Planning Act](#) recognizes the decision-making authority of a municipal council or planning board on local planning matters. The province maintains decision-making authority on matters of provincial interest. If an appeal is made on a municipal decision, the application approval is dealt with by the [OLT](#).

Smaller projects are dealt with through the Committee of Adjustment, which is a local decision-making body that operates under the Planning Act. Members of the committee are appointed by municipal council and operate at arm's length from municipal staff and council. Minor variances, consents (also known as land severances) and enlargement/extensions of buildings are the most common types of Committee of Adjustment applications, and information on these types of applications is found in the "Types of Development Applications" section below.

Larger projects go before council. Municipal councils have the power to approve, conditionally approve or reject development applications submitted for consideration. A development application must be deemed complete before going to council; that is, it must provide all of the prescribed and additional information needed for review. Larger development applications include plans of subdivision or condominium, OPA and zoning by-law amendments. Details on these are covered below.



FACTORS THAT INFLUENCE A DECISION

Municipal councils are required to make planning decisions that are consistent with the [PPS](#), any applicable provincial plan, and all local plans including the official plan and zoning by-law. In making any planning decision, the primary decision-making body should also fully consider all the applicable technical information, as well as input from the community and stakeholders. The primary decision-making body is either the local council or the provincially appointed planning board. More information about planning boards is provided in Part II of this Guide.

Municipal planning policies and decisions require a balance among supporting the economy, meeting social needs, and respecting the environment, as required by the PPS.

- Environmental considerations may include the effects of development on land, air, and water
- Social considerations may include the need for affordable housing and employment opportunities, as well as the need for recreation, education, schools, long-term care homes, parks and other social support facilities. This applies even in non-built-up areas
- Financial considerations may include the capital costs and ongoing operating cost of hard and soft services that will be required by the development. The need for, and cost of, asset renewal should be considered

PLAN OF SUBDIVISION OR CONDOMINIUM

A subdivision is a parcel of land that has been divided into several blocks or building lots. It identifies the exact surveyed boundaries and dimensions of lots and blocks on which houses or buildings are to be built, the location and width of the lots/blocks, the names of streets, location of parks and more. If an applicant wants to create new, separate parcels of land that can be legally used for the sale of lots, they must apply for a plan of subdivision. Similarly, a plan of condominium sets out the dividing of property.

TYPES OF DEVELOPMENT APPLICATIONS

Pre-Consultation or Pre-Application

Applying for a pre-application meeting before submitting an application allows the applicant to work with municipal staff to determine exactly what would be required as part of a formal application.

Site Plan Application

A site plan agreement may be required as a tool to ensure compliance with the agreed upon site design details. Details set out in a site plan agreement may include elevations and grades, landscaping, building plans, parking, and other services. The agreement can be registered on title and must be complied with by the owner and all subsequent owners.



Plan of Subdivision or Condominium

A subdivision is a parcel of land that has been divided into several blocks or building lots. It identifies the exact surveyed boundaries and dimensions of lots and blocks on which houses or buildings are to be built, the location and width of the lots/blocks, the names of streets, location of parks and more. If an applicant wants to create new, separate parcels of land that can be legally used for the sale of lots, they must apply for a plan of subdivision. Similarly, a plan of condominium sets out the dividing of property.

Official Plan Amendment

The official plan sets a vision for the future of a community and a policy framework to guide its organization and physical development. Council may choose to make changes to an official plan. These changes may be made through an OPA initiated by either a property owner or the municipality. An applicant may apply for an OPA to change policy that affects the entire municipality, or they may apply for an OPA to allow for a change that applies only to a specific site.

Regardless of intent, OPAs are major planning applications and require appropriate planning justification and supporting technical studies. The municipal council or planning board makes decisions on amendments after the required public meeting and staff recommendation. Applications to amend a new comprehensive official plan are not permitted for two years after the new official plan comes into effect unless the local council passes a resolution to allow these applications to proceed.



Steps for an official plan amendment:

1. Council initiates the process for an OPA
2. The proposed amendment is prepared, and then notice and information is provided to the public and the approval authority is consulted. Other agencies may also be consulted
3. If the amendment is an official plan update under Section 26 of the Planning Act, such as a statutory official plan review, an open house must be held prior to council holding a public meeting. This step is not required for all other OPA
4. A public meeting is held
5. Council adopts the OPA
6. Council gives notice of adoption and sends the amendment to the approval authority
7. The approval authority may consult (as needed), makes a decision on the amendment, and gives notice of its decision. The OPA comes into effect if there are no appeals within the 20-day appeal period
8. Possible appeal to the OLT: With some restrictions, any qualifying person or public body may appeal the approval authority's decision to the OLT. However, where the minister is the approval authority (for matters under Section 26 of the Planning Act), appeals are not permitted

Zoning By-law Amendment

The zoning by-law is the primary tool that a municipality uses to implement the vision set out in its official plan. The zoning by-law establishes specific land use designations prescribing how properties may be used and sets out standards for the physical form and organization of buildings on those properties. Council may choose to amend a zoning by-law to allow specific aspects of a development to proceed if the intent of the zoning remains and the development proposal conforms with the official plan. Zoning by-law amendments require appropriate technical studies and the decision is made by municipal council or planning board after the required public meeting and staff recommendation. As with a new official plan, amendments to a new zoning by-law are not permitted for two years after the by-law comes into effect unless the local council passes a resolution.

Steps for a zoning by-law amendment

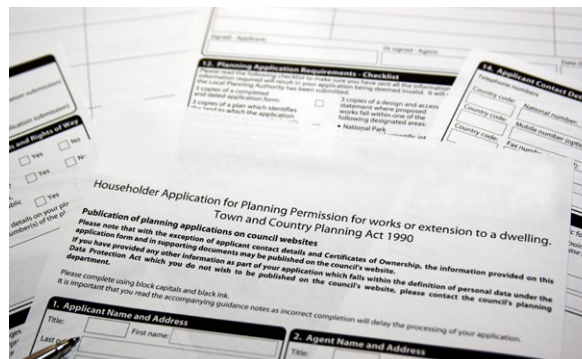
1. Council initiates the process for the zoning by-law
2. The by-law is prepared. Following this, notice and information is provided to the public. Other agencies may also be consulted
3. A public meeting is held
4. Council makes a decision to pass the by-law
5. Council gives notice of its decision
6. Possible appeal to the OLT: With some restrictions, any qualifying person or public body may appeal the decision to the OLT
7. If there are no appeals, the zoning by-law is effective on the date council passes it



Minor Variance

It may be appropriate to permit slight deviations from zoning standards for a particular property. An application for a minor variance goes before the Committee of Adjustment for consideration. The Committee of Adjustment’s decision on a minor variance is based on the following criteria set out in the Planning Act (often referred to as “the four tests”):

1. Does the variance maintain the general intent and purpose of the official plan?
2. Does the variance maintain the general intent and purpose of the zoning by-law?
3. Is the variance in fact minor? “Minor” in this case refers to both the size and the impact of the variance; there is no specific numerical benchmark regarding what counts as “minor.”
4. Is the variance desirable for the appropriate development or use of the land or the building? Determining whether a variance is desirable involves considering not just what is appropriate for the specific property in question, but also factors that could affect the broader public interest.



Consent or Land Severance

The Committee of Adjustment also has authority to create new lots from an existing lot. The committee can only make a severance decision if the lot creation is of a size and scale so as not to require a plan of subdivision.

Enlargement or Extension of Buildings/ Structures

The Committee of Adjustment can allow additions to a legal non-conforming building or structure and it can allow other uses that are similar to a legal non-conforming use provided the other use is more in line with the uses permitted by the current zoning by-law.

EXTRA-MUNICIPAL OVERSIGHT

Municipal planning also involves obtaining various site-specific approvals of a technical nature before a development project can proceed. These approvals typically involve other provincial ministries, and where applicable, a local conservation authority (if one has been established). In most cases, these other ministries and parties should be part of the planning approval review process to identify their interests so they can be built in and/or designed for from the outset. This allows for technical permits further in the development process.

Where a conservation authority has not been established, the MNR requires municipalities to address issues related to natural hazard management including flooding and erosion, natural heritage protection, species-at-risk and climate change adaptation.



The following types of work may require approvals from extra-municipal parties in a regulated area:

- The construction, reconstruction, erection or placing of a building or structure of any kind
- Changes that would alter the use, or potential use, of a building or structure
- Increasing the size of a building or structure, or increasing the number of dwelling units in the building or structure site grading
- The temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere; the straightening, changing, diverting, or interfering with the existing channel of a river, creek, stream, or watercourse; or the changing or interfering with a wetland
- The straightening, changing, diverting, or interfering with the existing channel of a river, creek, stream, or watercourse; or the changing or interfering in any way with a wetland

COMPLETE APPLICATIONS

Development applications are required to be deemed complete before the review and decision-making process begins. The [Planning Act](#) provides direction on three aspects of complete applications:

1. The requirements for a complete application
2. The consequences of not submitting a complete application
3. A dispute resolution for determining whether an application is complete

Until the municipality has received both the prescribed information and any additional required information as

part of a complete application, it may refuse to consider the application and the time period for an appeal to the [OLT](#) (a “private appeal”) does not begin. Municipalities have 30 days after the payment of the required fee for an application to advise the applicant whether or not the application is complete.

Local official plan policies must specify the types of information that are required in development applications, while preserving some flexibility to address the scale and context of development proposals. Not every application requires every study, and the level of detail in a study may differ depending on the nature of the proposal.



Generally, a local planning framework should provide a list of studies, sorted by land use, required for typical and more complex applications, while also allowing a designated planning staff member to exempt an application from certain requirements based on the nature, scale, and location of the proposed development. The list of possible required studies has grown in recent years as development and the impact of development has become more complex. The study requirements need to be confirmed during pre-application discussions.



In waterfront and seasonal areas many of the items above may be required, but also other matters such as lake-carrying capacity and broader watershed planning matters. The nature of development on islands often necessitates minor variance to zoning standards. While these variations may seem small, their impact can be significant on both the landscape and the environment. As such, best practice would be to review appropriate technical material, sometimes only associated with more substantial applications, in order to ensure that the minor variance is in fact, minor.

The standard list of study requirements include:

- Planning justification report (if there is one report, it should be the Planning justification report)
- Environmental matters (natural features, contamination, noise, etc.)
- Transportation and parking
- Retail market impacts
- Industrial land supply
- Urban design (massing, sun/shadow and height analysis, streetscape/waterscape)
- Archaeology and built heritage
- Water resources and drainage
- Water and sewer services (private or municipal)

The key to a successful application process relies not just on listing and completing the required studies, but ensuring that all parties agree at the outset on “terms of reference”, a document that provides detail on how each required study is to be approached. Obtaining this agreement early in the process avoids receiving comments a couple months after the study was

submitted requesting that a different approach be taken, or that some additional matter be considered.



Consultation and Public Engagement

THE RIGHT TO PARTICIPATE

Planning policy and planning decisions can often have a direct impact on daily life. As such, the planning process is designed to give local residents the opportunity to share views on their community’s planning policies, to examine planning proposals, to register concerns and ideas before decisions are made, and to appeal decisions.



The [Planning Act](#) sets out requirements for public consultation in advance of decisions on land use planning matters. The [PPS](#) also provides direction for public consultation and requires that Indigenous peoples be consulted on matters of land use planning. Municipalities have an obligation to provide notice and offer opportunities to provide input. As these regulations are minimum requirements, a municipality can also allow increased public involvement.

If residents or stakeholders want to maintain the right to appeal all or part of a planning decision, they must participate in the public consultation process either verbally at the public meeting or through written submissions before the decision is made. Monitoring for both policy work and development applications is a very important part of ensuring association and individual priorities are recognized.

MUNICIPAL FORMS OF ENGAGEMENT

The Planning Act provides flexibility for a municipality to tailor their notice procedures (for example, who receives notice and how it is given) through the use of alternative notice procedures for a broad range of planning matters including OPA, zoning by-laws and amendments, and plans of subdivision and land severances. Council can determine whether a departure from provincial notice requirements is appropriate through an official plan public engagement process.

Council can also consider how to meet the Planning Act's requirements using electronic and virtual channels to engage and solicit feedback from the public on land use planning matters. This may include

a mixture of technologies to meet local public needs (for example, webinars, video conferencing, moderated teleconference). These considerations are very important in communities with a highly seasonal population.

TIPS FOR BECOMING ENGAGED

Residents and stakeholders, including local associations and GBA, have an obligation to stay informed about what is going on in the community and to actively participate in public meetings and other engagement opportunities. This is particularly important outside of the development application process. The local planning policy framework sets the foundation for planning decision-making. Public engagement at the policy development stage has the greatest impact on setting and achieving a community vision.

Prepare for your participation in planning matters such as development proposals or policy changes by:

- Finding out as much as you can about the proposal/policy change
- Thinking about how it will affect you and identifying a few key points
- Talking to your neighbours or other interested stakeholders
- Going to public meetings, open houses and information sessions and letting council know what you think
- Writing to your council member or the municipal officials about your views
- Working with council and municipal staff to resolve your concerns



PROTECTING YOUR RIGHT TO APPEAL

If you are not happy with council's decisions on planning issues, in some instances you may appeal to the OLT for a public hearing. To ensure that appeal rights are protected, it is important to make your views known in written or verbal form during the municipal decision-making process

Appeals

Decisions made by municipal councils and planning boards are not always popular. Sometimes residents don't agree with council and other times the applicant of a development application doesn't agree with council.

HOW PLANNING APPEALS WORK

The [OLT](#) is an independent body in the province to hear appeals and make decisions on a variety of municipal land use planning matters. If/when a planning authority fails to make a decision on a planning application within a specified time period, and an applicant appeals this failure, the OLT also has the power to make a decision on the matter.

In the case of a minor variance, consent or site plan application decision, an appeal can, alternatively, be made to the LAB if one exists. Any municipality may establish a LAB if they meet the conditions, but very few municipalities outside of Toronto have established one. No LABs currently exist in the GBA Coastal Area.

Any person or public body, subject to meeting certain requirements, can appeal a planning decision with reasons to the OLT. In most appeal cases, the OLT can supersede

the decision of the local planning authority. The tribunal is required to have regard to the prior local decision made on the matter and to consider any information the municipality considered when making its decision.

REQUIREMENTS OF THE ONTARIO LAND TRIBUNAL

When parts of an official plan or OPA are appealed, the tribunal must ensure its decision is consistent with the [PPS](#) and that the decision conforms with any applicable provincial plans and municipal plans. When a zoning by-law is appealed, there are requirements that must be met and the municipal clerk is responsible for receiving and processing the appeal. A public hearing must also be held. Ultimately, in each case, the tribunal can either approve, repeal, or amend the decision previously made.

The OLT's decisions on all matters appealed to it under the [Planning Act](#) are final, with the following exceptions:

- When the Minister of Municipal Affairs and Housing has declared a matter to adversely affect a provincial interest
- When a request is made to the tribunal for a review of its decision
- When the court gives permission to appeal the tribunal's decision to Divisional Court

There are a few planning decisions regarding policies and applications relating to settlement area boundaries or new areas of settlement, employment areas and second residential dwelling units (e.g., basement apartments, granny flats, or coach houses) that cannot be appealed. Other matters that cannot be appealed include official plans in their entirety, and certain other provincial approvals.



In order to participate in an appeal process, it is important to fully participate in the municipal planning process prior to a decision being made by the local municipality. For more information about your rights to appeal, see [Section 6 of the Citizen's Guide to Land Use Planning](#) for details on the OLT, as well as the sections that deal with specific types of planning documents.

Permits and Enforcement

BUILDING PERMITS

Why are Building Permits Important?

A building permit is necessary anytime there is construction, renovation, demolition, or a change to the use of a building. Building permits allow a municipality to protect the interests of both individuals and the community as a whole. By reviewing and approving building permit applications before any work is done, the municipality ensures that buildings comply with:

- The [Building Code](#), which sets standards for the design and construction of buildings to meet objectives such as health, safety, fire protection, accessibility, and resource conservation
- The local zoning by-law and other planning controls on buildings
- Other applicable legislation, including conservation authority approvals and certain requirements under the [Environmental Protection Act](#) and [Ontario Heritage Act](#)

Building permits are needed to:

- Construct any new building over ten square metres in area, or place another structure, such as a mobile home, on your property
- Do renovations or repairs, or add on to an existing building
- Change the use of a building
- Excavate or construct a foundation
- Construct a seasonal building
- Undertake work regarding the installation, alteration, extension or repair of an on-site sewage system



Issuance and Inspection

Building Code enforcement, including the issuing of building permits, is generally carried out by municipal building departments, although in the case of on-site sewage systems, enforcement in some areas is conducted by boards of health and conservation authorities.

Once a building permit is issued, mandatory inspections are required, depending on the type of construction. During the inspection, an inspector will inspect the work



to determine if it is carried out in accordance with the Building Code, your permit, and the approved plans. It is the responsibility of the permit holder to contact the municipality for an inspection when the project is at the stage of construction set out in the Building Code. The municipal building official is required to carry out the inspection within two working days of being notified. For construction of a sewage system, the inspector has five working days to conduct the inspection.

Failure to Comply

The applicable laws which are set out in the Building Code must be complied with prior to a building permit being issued. For example, zoning is one applicable law within the Building Code. If a site is not zoned for the use that the building permit allows for, the permit cannot be issued until the appropriate zoning change is in effect.

Once work begins, it must conform to the building permit. If inspections are not requested before work begins, the municipality has the right to issue a stop order and request that the builder undo any work so that inspections can happen. Work undertaken that is different from the work that was approved in the permit is subject to enforcement action unless permission is granted and revised plans issued.

An individual who is charged and found guilty of an offence under the [Building Code Act](#) such as building without a permit, can be fined up to \$50,000 for a first offence and up to \$100,000 for subsequent offences. Significantly higher fines apply to a corporation that fails to obtain the necessary building permit. Failure to comply with an order from the municipal building department is also an offence under the Building Code Act.

SITE ALTERATION PERMITS

Site alteration involves the removal or dumping of large quantities of soil, rock, or other materials that would alter drainage conditions. The following are some key examples of site alteration:

- Excavating, depositing, or stockpiling fill or topsoil
- Removing topsoil
- Altering the grade of land



If a municipality has enacted a site-alteration by-law, it is best to check the by-law directly, as site alteration permissions can vary from municipality to municipality. The TGB’s site alteration by-law (By-law No. 2014-72), for instance, focuses mainly on prohibiting and regulating the placement or dumping of fill specifically for shoreline areas and lands zoned EP and OS. While those with waterfront properties are allowed to conduct minor landscaping work, any work that could significantly alter the grade or topography in a way that increases the flow of surface water is prohibited.

To protect against the negative impact of site alteration, municipal by-laws generally state that no person shall undertake site alteration or cause site alteration to be undertaken unless a site alteration permit has been issued. Small home projects are often exempt from the provision, however in sensitive areas like the waterfront or near natural heritage features, site alternation by-laws are important.

Dock Permits

SUMMARY TABLE

BUILDING A NEW DOCK

When building a new dock there are a couple things to consider. A permit is required from the MNR “if the structure, or combination of structures, is in physical contact with more than 15 square metres (161 sq. ft.) of shore lands (e.g. new crib docks with large cribs)”. The Public Lands Act defines “shore lands” as lands covered or seasonally inundated by the water of a lake, river, stream, or pond and may include private, municipal or Crown lands. This would include the area on shore where a dock is connected and the lake bottom area occupied by a crib dock but would not include the area under a floating dock or a ramp over water. The details on obtaining a permit can be found on the [MNR website](#)

under their crown land work permits section. If the new dock is smaller than the previously stated requirement it may not be necessary to obtain a permit from MNR. New floating docks do not require an MNR permit unless there is a Shoreline Road Allowance in place.

Some municipalities may require you to obtain a permit and/or register with the planning department, in addition to any MNR permit required. You are required to apply for the MNR permit before submitting your application to your municipality.

	Crib Docks	Floating Docks	Shoreline Structures
Regulatory Authority	MNR	Municipality	Municipality
Relocation along shore	Approval	Dock Permit	Building Permit Planning Permission
Relocation up/down shore	N/A	None	Building Permit Planning Permission
Expansion	Approval	Dock Permit	Building Permit Planning Permission
Removal	Approval	None Safe disposal important	Demolition Permit
Reconfiguration Raising	Approval	None	Building Permit

*There may be variations depending on municipality regulations



It is important to look at your municipality's official plan, comprehensive zoning by-laws and planning department website (or contact with your planning department) to determine the requirements. All the municipalities listed below provide information on zone types, size, number of docks, restrictions, etc. in their official plans and comprehensive zoning by-laws. To find information on your municipality's official plan and comprehensive zoning by-laws refer to the reference section "local planning resources" of this planning guide.

In ToA and ToC a building permit is required for any new dock construction. In TGB a building permit is required if the dock is larger than 10 m². In MoK and NEMI you may not be required to obtain a building permit for a new dock if an MNR permit is not required, but you should check with your respective planning department before

construction. To find information on your municipality's building permit and regulations for docks refer to the reference section "dock permits".

MOVING AND/OR MODIFYING AN EXISTING DOCK

Crib Docks Only

You do not need a permit from MNR to replace an existing dock of the same configuration, size, and location that you got an MNR permit for previously unless the replacement involves dredging or replacing structures. You may need a building permit from your municipality.

To move an existing dock does not require a permit from the MNR if you got a permit previously and the existing dock conforms to the criteria in that permit. If moving the dock requires dredging, then a permit from the MNR is required. If it is possible to move the dock without dredging (leaving the bottom later of the crib untouched) no MNR permit is required.

Floating and Crib Docks

In ToA when replacing a dock of the same size, location, and configuration a permit is not required. Due to the changing water levels of Georgian Bay, you are permitted to raise your existing dock without obtaining a permit, but it is suggested that you inform the township of any repairs and replacements occurring on your existing docks (a form is provided on their website [Building Departments website](#)). When moving an existing dock to a new location it is required to obtain a permit.

In TGB when extending, altering or repairing a "building", including a dock, you must obtain a building permit. In



TGB you may also need building permits from the [Trent-Severn Waterway](#) and the [Department of Fisheries and Oceans](#), depending on your location. In ToC you must obtain a building permit when replacing an existing dock (same size, location, and configuration), increasing the size, changing the configuration, or moving it. In MoK and NEMI you may not be required to obtain a permit when replacing an existing dock, changing the size and/or configuration or moving it, but it is suggested you check with your planning department before construction.

Shore road allowances

If the property owner does not own the land right to the water's edge because of an intervening shore road allowance, then you need to apply for a Land Use Permit from the MNR to allow for the construction of a dock. The property owner can enquire about purchasing the shore road allowance from the municipality (organized township) or the MNR (unorganized township).



Non-Compliance/Enforcement

The planning policies of a municipality are in place to guide land use and achieve broad community goals. When the policies are ignored, community standards are put in jeopardy.

Enforcement of planning and building standards for non-compliant properties is generally the responsibility of zoning by-law officers or building inspectors. Bringing a property into compliance is the best approach to take and it often takes a reasonable period of time to do so. It is also the responsibility of council to ensure compliance and provide strong leadership on enforcement. Where compliance is not possible, or the property owner is not willing, legal action may be required. If a resident believes a municipality has failed to act on a complaint or compliance issue, the resident may resort to legal action.

A property owner has the right to appeal any compliance notice or enforcement action issued by the municipality - please refer to the OLT section of this guide.

Water-access communities present logistical challenges to enforcing planning regulations and by-laws. Approximately 93% of GBA members reside in water-access only residences. By-law enforcement staff do not usually have sufficient resources and time to regularly police water-access communities to identify compliance issues, and building inspectors usually only visit active construction sites. As a result, enforcement relies heavily on public participation and filing complaints to your municipality on compliance issues. If you identify an infringement of a by-law and do not to raise the issue directly with the property owner, you should inform the municipality. Community action is integral to ensuring the integrity of planning regulations is maintained.



All municipalities have a complaint process – see links to this information at the end of this Guide. Information on each municipality’s by-law enforcement officers is also provided there. When reporting a complaint or compliance issue, confidentiality and anonymity is important. Each municipality has a code of conduct for council members and staff. Your name and information may be taken for follow up contact purposes but should

be kept strictly confidential by municipal staff. For information on the code of conduct, see the references at the end of this guide.

Proper oversight by municipal council, strict adherence to prescribed procedures by municipal staff, and strong public engagement are all key to ensuring effective enforcement. Here are some best practices:

1. Council should ensure that:
 - ▶ sufficient resources (including budget) are in place, such as by-law enforcement officers
 - ▶ the relevant staff are fully trained on complaints and by-law enforcement/reporting procedures, and
 - ▶ staff follow all prescribed procedures
2. Staff should follow up on all complaints and reports of non-compliance
3. Staff should ensure that strict confidentiality of persons filing a complaint or non-compliance report is maintained. Failure to maintain confidentiality should be treated as a very serious breach of staff’s code of conduct and job requirements
4. Enforcement of any by-law breach by a municipality should focus on remediation (corrective action) rather than fines, and every attempt should be made to reach agreement with the offending party to resolve the issue before resorting to legal action

Please note that this guide does not provide legal advice or commentary on these topics and it is recommended that you seek legal counsel if you believe you need it.





Part II: Planning in the GBA Coastal Area

Overview

GBA represents many communities in the GBA Coastal Area and advocates on their behalf at various levels of government. To best advocate on land use planning matters, it is important to understand the strategic direction of local townships and municipalities, the policy frameworks in place, and the structure of the decision-making authorities.

In some cases, such as for the TGB and the Town of NEMI, council makes the planning decisions and development applications are processed by the municipality. For other townships in the area, however, a planning board is the delegated authority providing planning services.

LOCAL GOVERNANCE: WHO MAKES PLANNING DECISIONS?

THE FUNCTION OF PLANNING

	Township of Georgian Bay	Township of the Archipelago	Township of Carling	Municipality of Killarney	Northeastern Manitoulin and the Islands
Primary Decision Makers	Council	Council/ Planning Board	Council/Planning Board	Planning Board	Council

BOARDS

Planning boards present an opportunity for municipalities in northern Ontario to share planning services and co-ordinate development across municipal boundaries. Members of planning boards representing municipalities are appointed by the municipal councils. Members from areas without municipal organization are appointed by the Minister of Municipal Affairs and Housing and responsibilities are shared by planning boards and the minister.

Most planning boards have been delegated a range of land use planning responsibilities from the Minister of Municipal Affairs and Housing, such as the power to grant consents, approve subdivision applications and administer MZO. A planning board may also be authorized to prepare an official plan for a planning area. In areas without municipal organization, it also has the power to pass zoning by-laws.

Local Planning Approaches

This section provides an overview of existing strategic directions and official plan policy set by the five municipalities in the GBA Coastal Area. These policies set the foundation for decision-making by the local council or planning board. These plans and frameworks are regularly updated, so it is important to regularly check the current status in each municipality. By becoming engaged in the process for updating an official plan and zoning by-laws, residents, and stakeholders such as GBA members associations can help to shape municipal policy.



TOWNSHIP OF GEORGIAN BAY

Governance Structure

The [TGB](#) is a lower-tier municipality within the District of Muskoka, and is governed by the mayor, two district councillors and four ward councillors. While the township's council is the primary decision maker, the district oversees approvals. The township is responsible for the review, development, and implementation of land use policies, as well as the processing of, and decisions on, planning applications.

Strategic Direction

The TGB's [strategic plan](#) is focused on fiscal responsibility, community cohesion, protecting the natural environment, encouraging sustainable economic development, effective asset management, and, above all, ensuring transparent and representative local governance. These core goals set the foundation for the direction for the township and drive decision-making priorities, including in relation to land use planning matters.

Key Themes

- Protecting, preserving, and enhancing the natural environment
- Controlling and effectively planning growth and development
- Capitalizing on seasonal and tourism opportunities
- Improving the relationship between seasonal and permanent populations
- Efficient and equitable service delivery and resource distribution across the township

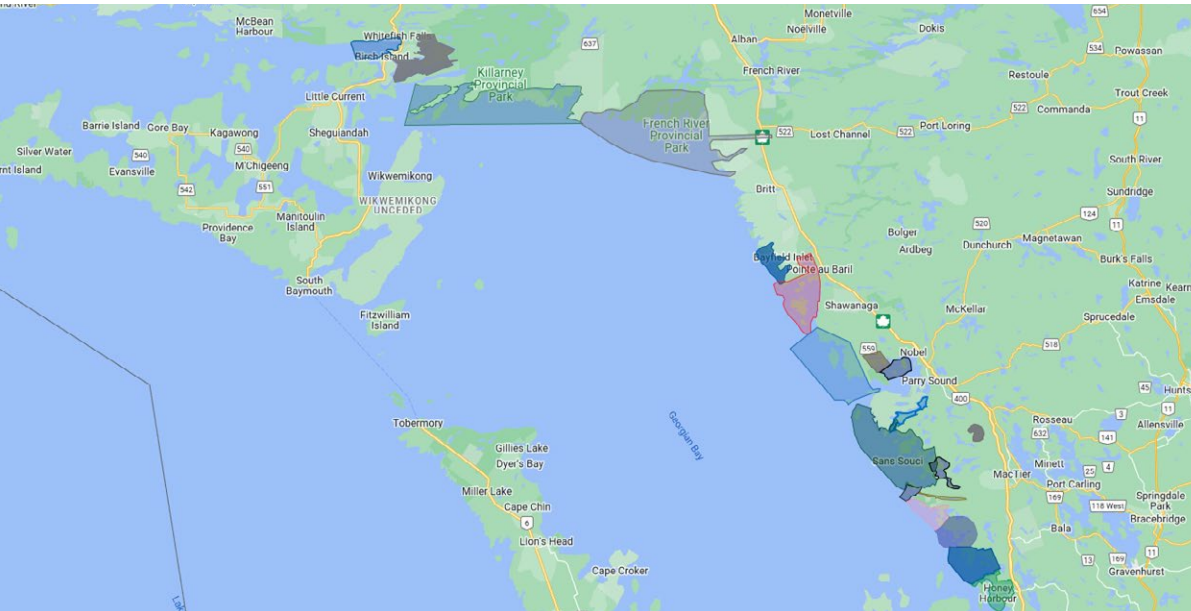
Guiding Principles

- Respect and care for the environment
- Strong governance focused on transparency, accountability, and honesty
- Respect and openness between each other and each community
- Citizen-centred focus and a commitment to quality service

Official Plan and Zoning By-law

The TGB's [official plan](#) was approved on March 17, 2014 and consolidated on March 2, 2021. There has been discussion to begin the review process in 2024, although no confirmed date has been set. The plan sets out overarching land use planning goals and objectives for the township, as well as a strategy for sustainable growth.





Official Plan Goals

- **Environment:** To protect, support, and enhance natural heritage and natural environmental assets
- **Economy:** To focus on economic prosperity, responsibly develop the economy, and build on environmental assets
- **Society and Culture:** To celebrate the township's heritage and focus on cultural and community assets; and to provide for a policy framework that recognizes the distinct and varied nature of the township in the coastal areas, inland areas, and settlement areas

The official plan also provides policies specific to communities within the township. These policies are specific to Go Home Bay, Honey Harbour Waterfront, Six Mile Lake, Cognashene, Wah Wah Taysee and Palisade Bay/East Bone Island. Many of these policies are intended to protect the local natural environment, including shoreline elements, landscape elements and water quality. These community policies do this by providing direction for aspects such as lot creation and requirements, development of existing vacant lots, built form, land uses and more.

Finally, section I of the official plan provides details on implementation of planning processes and highlights the steps the township undertakes for different types of planning application. It covers the types of materials that may be required to be submitted as part of a complete development application (more than 30 studies are listed) and the technical reports that may be required. The [zoning by-law](#) was published on November 10, 2014 and last consolidated on March 8, 2021.



Source: Shannon Farquharson



TOWNSHIP OF THE ARCHIPELAGO

Governing Structure

The [TOA](#) is a single-tier municipality in the District of Parry Sound and consists of two large coastal areas and nearby inland areas. Council consists of a reeve and 10 councillors. Land use planning services are in part provided for by the Archipelago Area Planning Board, and in part by the municipality.

The Archipelago Area Planning Board

The Archipelago Area Planning Board has jurisdiction over lands within ToA, the unincorporated Townships of Wallbridge, Brown, Blair, Mowat and Henvey and that portion of Harrison Township that is not in ToA. The planning board consists of eight members: six ToA councillors appointed by council and two provincial delegates chosen by the province to represent the unincorporated areas.

The province has delegated authority under the [Planning Act](#) to the Archipelago Area Planning Board to make decisions on consent applications, plans of subdivision, and on condominium developments within ToA. The planning board has the authority to grant consents only in the unincorporated townships.

Strategic Direction

The ToA [strategic plan](#) is guided by core values such as environmental guardianship, advocacy in relation to environmental protection and sustainability, governance and leadership that prioritizes transparency and accountability, equitability and respect, and upholding and enhancing both community and heritage.

These values are supported by a mission statement

focused on preserving the unique and high quality of the natural environment, leading to an experience that is both relaxing and aesthetically appealing to all.

Strategic Priorities

- Protect & Preserve
- Sustainable & Cost-Effective Services
- Effective Relationships & Partnerships
- Leadership & Communications

Official Plan and Zoning By-law

The ToA [official plan](#) was consolidated on January 1, 2019, and it guides land use planning via a goal very much aligned with the mission statement of the township, as well as a key primary objective and secondary objectives. There has been discussion to begin the legislated review process in 2024, although no confirmed date as been set.

The primary objective of the official plan is to respect, maintain and improve the natural environment of the region, including the UNESCO Georgian Bay Biosphere, of which the township is a part.



Source: Gerry Shipman



Other Official Plan Key Objectives

- Responding to economic and social changes
- Conserving non-renewable energy
- Protecting and preserving water quality
- Supplying renewable energy
- Compatibility between land and water use
- Meeting specific water-based needs
- Supporting economic pursuits
- Preserving natural landscapes
- Recognizing mainland needs (private roads, etc.)
- Avoiding land use that can harm human or environmental health and recognizing the impacts of climate change

The official plan provides direction for large parts of the Eastern Georgian Bay Coast. Policies focus on preserving, protecting, and enhancing the natural environment. Section 14 of the official plan provides information on development procedures and standards for the township. It covers specific standards for sleeping cabins and minimum lot sizes, built form guidance, guidelines for any shoreline structures and technical reports that may be required. It also lists the requirements for a complete application and more than 25 studies that may be required. The [zoning by-law](#) was originally passed on June 22, 2007 and last consolidated on December 31, 2020.



Source: Margaret Andras





TOWNSHIP OF CARLING

Governance Structure

The [TOC](#) is a single-tier municipality located in the District of Parry Sound. Carling council is made up of a mayor and four councillors. Council may meet prior to council meetings as Committee of Adjustment to provide decisions on some planning matters, such as zoning by-law amendments. The Parry Sound Area Planning Board provides planning support to the township by processing consents (severances) and plans of subdivision/condominium applications.



Strategic Direction

The township has set its mission, vision, and values, and is committed to the following:

- Being a welcome and progressive community that celebrates and preserves both the history and the ecological system of the Georgian Bay area while working to create a local economy that embraces new ideas and entrepreneurs
- Being a sustainable community, which will be reflected in the range of employment opportunities, services and amenities that are based on the talents, interests, and desires of residents

Official Plan and Zoning By-law

The [official plan](#) was approved on January 11, 2011, however an official plan review was underway as of 2022, with draft documents on the township's [Planning and Zoning webpage](#).





The official plan recognizes the township's location within the UNESCO Georgian Bay Biosphere and prioritizes the need to promote and protect the area as a recreational and eco-tourism resource. Given this, the prioritization is on sustainability and minimizing interference with the natural world, while also recognizing the interrelationship in the area between ecological, biological, economic, and social systems.

As part of this focus on sustainability, the plan recognizes preserving the water quality of the municipality's recreational waterbodies as the single highest priority for TOC in relation to waterfront development. The current official plan also supports the coordination of relevant governments and agencies to protect and enhance the natural beauty, wilderness landscapes, sensitive ecosystems, important heritage, and cultural resources of the township, while recognizing the potential for new sustainable development, business opportunities, facilities, and programs.

Part E of the official plan provides information on implementation processes and administration, including accessory uses, boundaries, site plan control and requirements for a complete application. It provides a list of studies that may be required as part of a rezoning, consent, or subdivision application. These studies include: servicing options, hydrogeological report, storm water, lake impact, environmental, traffic impact, noise/vibration, land use justification and archaeological.

The [zoning by-law](#) was published in 2011.





MUNICIPALITY OF KILLARNEY

Governance Structure

The [MOK](#) is a single-tier municipality. Due to the extensive area, it covers it is divided into three districts - Manitoulin, Sudbury, and Parry Sound. Council is comprised of a mayor and five councillors who together represent the two wards of the municipality (the Mayor is elected at large, with 3 Councillors elected in Ward 1, and 2 Councillors elected in Ward 2). The Sudbury East Planning Board provides planning services to the municipality and its surrounding area. These services include but are not limited to the processing of minor variances, consent (severance) applications, zoning by-law amendments, OPA, and plans of subdivision or condominium.



Strategic Direction

The municipality undertook a [Strategic Plan](#) in October 2014, which-included establishing a vision and mission statement. A review of the Plan was slated for this year but has since been deferred to 2023.

Plan Priorities

- Commitment to sustainability reflected in a cohesive, thriving municipality with reasonable and cost-effective community services
- The maximization of opportunities for community economic, cultural, and social development by building partnerships and plans that address residents' long-term needs

Key Implementation Tools

- The collaboration and cooperation between the Killarney townsite and other areas of the municipality, and between permanent and seasonal residents
- Economic diversification, population growth and employment
- The protection of Killarney's environment and heritage
- The maintenance of a diverse economic base that can withstand boom-and-bust cycles
- Providing residents with the services they need to enjoy an excellent quality of life

Official Plan and Zoning By-Law

The [official plan](#) for the Sudbury East Planning area was approved on September 28, 2010, and an official plan review process is currently underway. The plan focuses on ensuring growth is accommodated in areas that are most appropriate for the type of development while



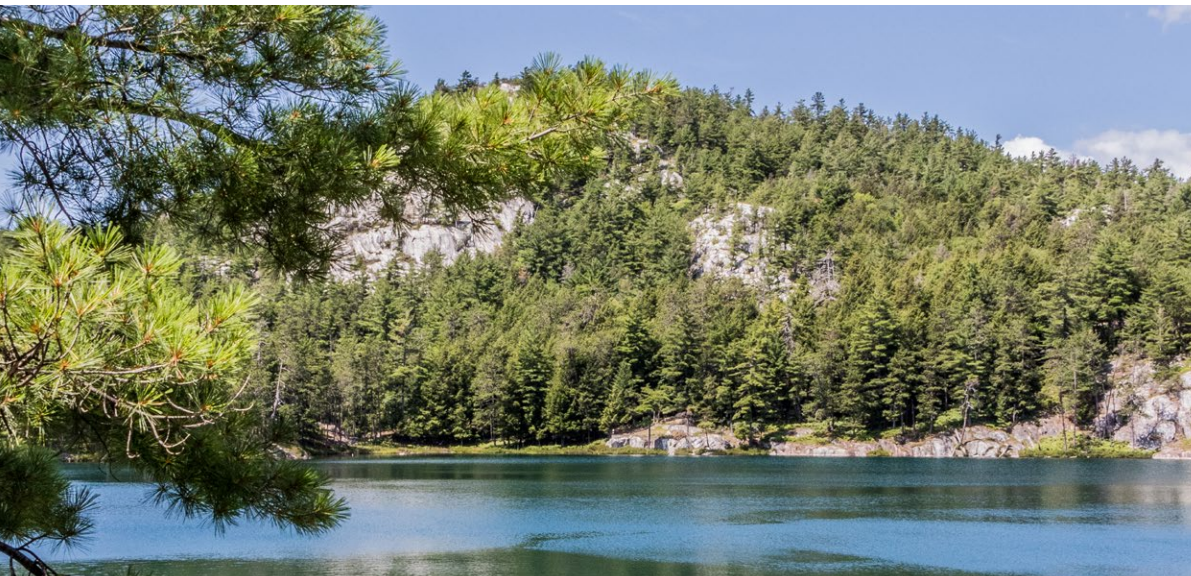
Source: Municipality of Killarney

protecting and adhering to the character of the Sudbury East Planning Area.

The plan in further detail identifies:

- Where new development can locate
- How existing urban centres and settlement clusters will be strengthened
- How the natural environment will be protected
- What services, such as roads, watermains, sewers and parks, will be planned for

Section 4 of the official plan provides information on implementation, including zoning amendments, plans of subdivision, plans of condominium, minor variance, and consent applications. It covers site plan control, and what the planning board must consider in its approval process. The [zoning by-law](#) was published on June 17, 2014.





THE TOWN OF NORTHEASTERN MANITOULIN AND THE ISLANDS

Governance Structure

[NEMI](#) is a single-tier municipality in the Manitoulin District, and its council is comprised of a mayor, deputy mayor, and eight councillors. The town more recently received approval from the Ministry of Municipal Affairs to be its own planning authority, formerly planning matters were the responsibility of the Manitoulin Planning Board.

Strategic Direction

NEMI's [strategic plan](#) provides a mission statement for the town focused on enhancing, diversifying and expanding its economic base and entrepreneurial spirit; strengthening the health and well-being of all ages; and honouring its past and welcoming its future, while maintaining its unique quality of life.

Strategic Directions Given

- Enhancing community infrastructure
- Creating an age-friendly community
- Strengthening the local economy
- Improving tourism promotion
- Ensuring a liveable, healthy, sustainable community



Source: Town of Manitoulin and the Islands



Source: Town of Manitoulin and the Islands



Source: Town of Manitoulin and the Islands



Official Plan and Zoning By-law

The town's [official plan](#) was approved on November 3, 2016. In many ways the larger goals and objectives of the official plan build off of the strategic plan, and the strategic directions highlighted above are largely carried forward in the official plan. The official plan also builds from NEMI's 2011 sustainable community plan, and puts forward the following as additional key goals and objectives:

- Promoting heritage and cultural vibrancy
- Supporting local agricultural operations
- Ensuring effective planning for future development
- Recognizing natural environments

Section F of the official plan covers implementation, providing information on the process for land division (including for draft plan approvals, consents, and parkland dedications), as well as information on complete applications, any technical reports that may be required, site plan control, property standards and the zoning by-law. It lists the supporting studies and other information that may be required as part of a development application (more than 15 studies are listed). The [zoning by-law](#) was published on November 6, 2018.



Source: Town of Manitoulin and the Islands



Source: Town of Manitoulin and the Islands



Resources and Links

Responding to Local Development Applications

GETTING INVOLVED

Planning is fundamentally a public process. To ensure that the best path forward for a community is achieved, it is important to be involved at all stages of the planning process – including the development of a strategic vision, official plan policy and zoning standards, and as development applications are considered.

PRIORITIES FOR GETTING INVOLVED

Wherever possible, members of the GBA, local associations, and residents should provide input on any applications related to the following matters. Questions to consider and reflect in any input are provided as examples:

- Overdevelopment of undersized islands
 - ▶ How does the density calculation compare to density permitted in low density areas of the municipality?
 - ▶ Is there enough pervious area remaining to allow for ground water infiltration as well as septic systems without negatively impacting the lake?
 - ▶ Will the majority of trees and ground cover be removed?

- Use of mooring buoys to accommodate more activity on a property
 - ▶ Will the number of mooring points create a development density on the island that exceeds the permitted density?
 - ▶ Will the number of mooring points create pressure on the island's septic system beyond the approval capacity?
- Maintaining and defending good planning principles to ensure compatibility of developments and that they respect the character of the surrounding community
 - ▶ Where are buildings located on a site?
 - ▶ Are appropriate transitions provided to neighbouring sites?
 - ▶ Is a screen of trees being preserved to respect access to natural landscapes for adjacent properties?
 - ▶ Does the density, height, and design of the development respect the local context?
 - ▶ Have the setbacks from water been appropriately respected?
 - ▶ Is there conformity with applicable Provincial and municipal plans and frameworks?
 - ▶ Does the project align with priorities highlighted in those plans, regarding, for instance, appropriate preservation of the environment?
 - ▶ Is the development out of scale for the area?



- Impact of docks and boathouses
 - ▶ Is the location appropriate on the property?
 - ▶ Does the location have an impact on the shoreline, vegetation, or wildlife at the shoreline?
 - ▶ Is there a need for tree or shrub removal? Is there any removal of grassed or vegetated lawn areas?
 - ▶ Can natural landscapes be maintained to provide a visual screening?

- Quality of septic for new construction
 - ▶ What is the rated capacity of the proposed septic system?
 - ▶ Is the system advanced enough to protect the quality of the lake?
 - ▶ What is the back up plan if the septic system fails?

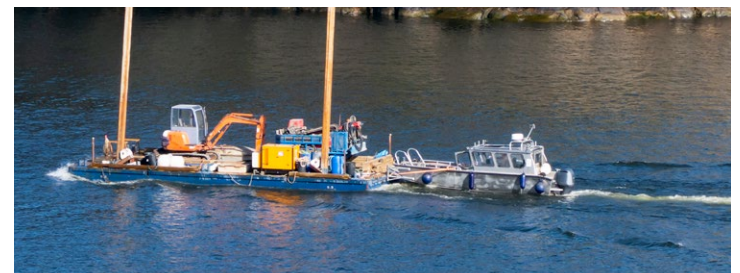
Resident and community associations can play an especially important role in the public process, not only because they collectively bring together and unify residents' voices, but because they are more often in a position to dedicate the resources needed to ensure their engagement is as effective as possible. (See the "How to Proceed" section below.)

HOW TO PROCEED

The following provides a general approach for monitoring development applications and commenting on applications of interest. The same approach can be used for non-development initiatives like policy updates and special studies, however these projects are less time-sensitive.

Residents

- Keep informed of what is going on by watching for activity on properties, public-notice signs posted, and notices on websites, or in newspapers/news channels
- Scan the council and committee agendas that are published by the municipality (this will depend on the timing of meetings, but agendas will always be posted several days in advance of a meeting date). Look for applications, staff reports, and delegations on topics related to development or change
- Listen to what people are talking about around town. If something new is mentioned, take a minute to call the township and get an update. Staff can discuss projects that have a submitted application. Projects that are preliminary in nature can't be discussed in detail
- Ask to be put on a notice list for any development proposals related to a specific topic or property.
- Regularly check in for a short conversation (10 mins) with the planning department
- Get involved early in consultations/meetings when they are offered by the municipality or an applicant
- Provide formal input. (For example, attend public meetings and express views in writing or verbally on development proposals. Speak out in favour when you can and in opposition when needed.)





Local Community Associations

- Establish and maintain solid and regular relationships with staff, council, and other stakeholders, including the development players
- Ask to be put on a notice list for any development proposals related to a specific topic or property
- Watch for notices of development activity, which may be posted on the website, posted on a property, or listed on council and committee agendas. This is a good monitoring task for a committee of the association. It can be helpful to create a list of keywords to aid in the search (e.g., zoning by-law amendment, OPA, subdivision, condominium, lake, waterfront, conservation, natural heritage system, island)
- Follow/participate in the public input process on development applications by attending meetings and providing comments (both in support of good things that are happening and in opposition to concerning applications)
- Prioritize education and awareness related to issues of concern. This can be done through sessions with municipal staff, councillors, and the community
- Secure technical support from professionals on aspects of development applications that are concerning
- Provide support and consistent messaging to individuals interested in participating in the planning process

Proponents/Applicants (Especially if a Member of the Local Association)

- Lead by example and follow the rules
- Begin consultation with the municipality/approval authority early to understand expectations
- Submit a complete application
- Meet the provincial policy, official plan, and zoning requirements
- For community consultation, go beyond formal requirements for anything that may elicit concerns. Always provide as much information as possible and engage with the local associations and residents





LOCAL PLANNING RESOURCES

[Archipelago Area Planning Board](#)
[Manitoulin Planning Board](#)
[Municipality of Killarney \(Official Plan for the Sudbury East Planning Area\)](#)

[Parry Sound Area Planning Board](#)
[Township of Archipelago Official Plan](#)

[Township of Carling Official Plan](#)
[Township of Georgian Bay Official Plan](#)

[Town of Northeastern Manitoulin and the Islands: Official Plan](#)

[Sudbury East Planning Board](#)

LODGING A COMPLAINT

[The Municipality of Killarney](#)
 Phone: 705-287-2424
 Email: inquiries@municipalityofkillarney.ca
[By-law enforcement](#)

[The Township of Archipelago](#)
 Phone: 705-746-7301
 Email: info@thearchipelago.on.ca
[By-law enforcement](#)

[The Township of Carling](#)
 Phone: 705-342-5856
 Email: info@carling.ca
[By-law enforcement](#)

[The Township of Georgian Bay](#)
 Phone: 705-538-2337

[Municipal Directory \(includes information for the by-law officer\)](#)

[The Town of Northeastern Manitoulin and the Islands](#)
 Phone: 705-368-3500
 Email: info@townofnemi.on.ca

[Municipal Directory \(includes information for by-law enforcement\)](#)

PROVINCE OF ONTARIO PLANNING RESOURCES

[Apply for Changes to Land Use](#)
<https://www.ontario.ca/page/applying-changes-land-use>

[Citizen's Guide to Land Use Planning](#)
<https://www.ontario.ca/document/citizens-guide-land-use-planning#section-1>

[Land Use Planning in the Greater Golden Horseshoe – Auditor General](#)

[Planning Act](#)

[Planning Boards \(Northern Ontario\)](#)
<https://www.ontario.ca/document/citizens-guide-land-use-planning/northern-ontario>

[Provincial Policy Statement \(PPS\)](#)

[The Ontario Municipal Councillor's Guide: Land Use Planning](#)



ASSOCIATION OF MUNICIPALITIES ONTARIO RESOURCES

[Building Retrofits and Deeper Energy Savings \(April 2021\)](#)

[Flooding, Climate Change and Municipal Response \(October 2020\)](#)

[Municipal Role in Environment Protection \(January 2022\)](#)

[Recommendations for the Diversion of Food and Organic Waste in Ontario \(August 2021\)](#)

[The Environmental Footprint of Telecommunications \(February 2021\)](#)

[Using DERs to Fight Climate Change \(September 2021\)](#)

PERMIT RESOURCES

[Township of the Archipelago Building Department](#)

[Township of the Archipelago Planning Handbook](#)

[Township of Georgian Bay Building Permits](#)

[Township of Georgian Bay Building Guide](#)

[Township of Carling Building Services](#)

[Municipality of Killarney Building Department](#)

[The Town of Northeastern Manitoulin and the Islands Planning and Building](#)

[Ministry of Northern Development, Mines, Natural Resources and Forestry Crown Land Work Permits](#)

[Trent-Severn Waterway Docks and Boatlifts](#)

[Department of Fisheries and Oceans Canada](#)

MUNICIPALITY CODE OF CONDUCT

[Township of the Archipelago Code of Conduct](#)

[Township of Georgian Bay Code of Conduct](#)

[Township of Carling Code of Conduct](#)

[Township of Carling Integrity Commissioner](#)

[Municipality of Killarney Code of Conduct for Employees](#)

[Municipality of Killarney Code of Conduct for Council](#)

[Municipality of Killarney Accountability and Transparency](#)

[The Town of Northeastern Manitoulin and the Islands Code of Conduct](#)

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