

November 14, 2023

Planning Committee
Township of Muskoka Lakes
1 Bailey Street
Port Carling ON P0B 1J0

BY EMAIL

Dear Chair Bosomworth and Members of Planning Committee,

Re: Staff Report PLAN-2023-131, from Bryce Sharpe, Manager of Planning
Subject: Comprehensive Zoning By-law Update – Terms of Reference

The Muskoka Lakes Association (MLA) and Friends of Muskoka (FOM) have reviewed Manager Sharpe's Staff Report regarding the terms of reference to obtain consulting services to complete a Community Planning Permit By-law. There are several reasons why the MLA and FOM feel it would be preferable to approve staff's **Alternative Recommendation** and defer for consideration specifically because of staff's recognition that the current recommendation involves a "potentially significant change to the Township's land use planning regime."

There are several reasons why the MLA and FOM do not support proceeding with a Community Planning Permit System (CPPS) at this time.

- CPPS shortens the amount of time for the Township to deliver a decision from 90 days for a Zoning By-law Amendment to 45 days. For Site Plan Approval the timeframe decreases from 60 days to 45 days. After 45 days an applicant can appeal to the OLT. It is our opinion that this will significantly increase staff workload, as staff (rather than committee and council) issue the permits.
- A Comprehensive Zoning By-law is the predominant mechanism still used by most municipalities in Ontario despite CPPS precursors having been available since 2007. There has not been a great uptake for CPPS in the province. Most of the CPPSs have been initiated in small, urban areas where there is a commonly held view of what constitutes appropriate development.
- An Official Plan Amendment would have to be considered at the same time as a CPPS and Muskoka Lakes' Official Plan has not yet been approved, nor its impacts appreciated. We believe it would be preferable to see the effect of the Official Plan policies in place in advance of considering added flexibility provided by a CPPS.
- A significant amount of consultation would need to be undertaken to establish a by-law so that it would reflect a community-held vision and consistent "buy-in." This would be particularly challenging in the Township, where there is such a diverse range and scale of development.
- CPPS does not deal with severance or subdivision applications, even when submitted concurrently with a zoning by-law amendment. These processes would still need to

proceed separately, potentially negating any time savings from combining elements in a CPPS.

- There is no requirement for public notice, eliminating public input from the process, nor does the public have any rights to third-party appeal. Only the applicant may appeal if no decision is made within 45 days. There have been many instances of good compromises being made with public involvement, compromises that are in the best interests of the community as a whole and have resulted in more sustainable development. These would not have been accomplished under a CPPS planning regime as there is no public notice or input.
- There could be significant costs to develop this type of system, including crafting the by-law, training staff and decision-makers, as well as consulting with and later educating the public about this new planning regime.
- Site Plan Control has been reinstated for the waterfront area and it has been proven to be an important and effective tool for preservation of Lake System Health and character of waterfront properties, without needing a CPPS. Our Site Alteration and Tree Preservation by-laws are also available and effective.

Each lakefront property in the Township is unique. This is very different from areas of the province with subdivisions of cookie cutter homes, areas with homogeneous land, or areas with less development pressure, where CPPS can be beneficial. We value and benefit from public input from neighbours and lake associations.

We urge Committee to proceed by instructing staff to prepare terms of reference for an update to the Township's Comprehensive Zoning By-law.

Thank you for considering our input.

Sincerely,



Susan Eplett
President
Muskoka Lakes Association



Laurie Thomson
President
Friends of Muskoka

Cc: Bryce Sharpe, Manager of Planning
David Pink, Director of Development Services and Environmental Sustainability
Derrick Hammond, Chief Administrative Officer