

Guide to the Rezoning Process

How Does Zoning Work?

The Huntsville Zoning By-law established and regulates the use of land by implementing the policies of the Town's Official Plan. The Zoning By-law provides the Town with a way to co-ordinate land uses, protect areas by preventing incompatible uses, and establish appropriate standards for development.

The Zoning By-law contains specific legal regulations - for example, what uses are permitted, how high buildings can be built, the maximum number of residential units allowed, setbacks from a watercourse and the amount of parking required.

The Zoning By-law divides the Town of Huntsville into "zones", where different land uses are permitted. There are zones, for example, which permit single detached dwellings, apartment buildings, retail uses, industrial uses, parks and agricultural activities.

What Is The Role Of The Official Plan?

All amendments to the Zoning By-law must conform with the Town of Huntsville Official Plan and the Official Plan of the District of Muskoka. If not, an application to amend one, or both of these Official Plans will also be needed. The Planning Department can advise if your proposal conforms with these documents.

Why Change The Zoning By-law?

A common reason for amending the Zoning By-law is that the existing zone does not permit the full development potential of a property or new lands are required for growth of the town. Where minor changes to zoning regulations are proposed, applying to the Committee of Adjustment for a Minor Variance may be more appropriate.

What If Other Planning Approvals Are Also Needed?

If a development proposal involves the creation of new lots, the required applications for a consent or plan of subdivision may be able to be processed concurrently with the application to amend the Zoning By-law. If the proposed development required Site Plan approval, these processes may be undertaken concurrently.

Who Approves Amendment To The Zoning By-law?

The decision to approve or reject an application is made by Town Council. The public are notified and may provide input at a public meeting prior to council's decision.

How Is The Zoning By-law Amended?

Step 1 **Consult with the Planning Department:** Before you fill out an application, it is helpful to discuss your plans and ideas with the Planning Department to confirm whether a Zoning By-law amendment and/or other planning approvals are necessary and to determine the

type of rezoning that maybe required. Planning issues and any additional information that may be required to support the zoning change may also be identified.

- Step 2 **Complete the Application:** To avoid delays, please ensure that your application is complete, that all drawings are neat and legible and that all dimensions are accurate.
- Step 3 **Circulation of Application:** After your application has been received and deemed complete for circulation, and at least 20 days prior to the public meeting, the Planning Department will send notice of the application to those persons and public bodies as required by legislation. Anyone wanting to be notified of the decision must make a written request. Your application will also be circulated to prescribed agencies and to Town Departments for the purpose of obtaining written comments and/or advice for consideration when making the decision on the application.
- Step 4 **Public Meeting:** Town Council holds a public meeting and anyone may appear before the Council to comment on the application. Council may approve the proposed zoning by-law amendment by passing an amending by-law. Council may also amend the proposed zoning by-law amendment, refuse it, or refer it back to staff for clarification or revision.
- Step 5 **Notice of Decision:** Within 15 days of the date on which the Town Council makes a decision, one copy of it will be mailed to you, to anyone who filed a written request for notice of the decision, to everyone who provided written comments or written submissions, and to anyone else prescribed by regulation.
- Step 6 **A Final and Binding Decision:** If no appeal is made by the end of the 20 day appeal period, the decision is final and binding.

How Long Does It Take?

The process usually takes between six to eight weeks from submission of the application to consideration by Town Council. If no objections are submitted, the Zoning By-law amendment comes into effect 20 days after notice of the decision has been given. Complex rezoning applications and those that may involve an Official Plan amendment can take longer.

To avoid delays, remember to:

- Consult with the Planning Department before submitting an application. Staff is available to explain the process, indicate the feasibility of the requested change and identify any problems which may be encountered.
- Provide sufficient and accurate information with all applications.

Can Anyone Appeal The Decision?

Anyone may appeal a decision by Town Council to amend the Zoning By-law to the Ontario Municipal Board (OMB) within 20 days of the date of the Notice of the Decision by personally delivering or sending a Notice of Appeal to the Town Clerk. The appeal must set out the reasons for objecting to the decision and must include the OMB's prescribed appeal fee. The Planning Department will then prepare an appeal package and forward it to the OMB. The OMB will schedule a hearing and give written notice of the time and date in advance of the hearing.

Change in Use of a Building?

It should be noted that a change in zoning or use of a building may also require approvals from the Building and Fire Departments. These departments should be contacted prior to any **new** construction or use of a property.

Need more information or have any questions?

Contact:

Planning Department, Town of Huntsville
37 Main Street East
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District Municipality of Muskoka
70 Pine Street
Bracebridge, Ontario, P1L 1N3
(705) 645-2231
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Fax (705) 645-5319

Ministry of Transportation
207 Main Street West
Huntsville, Ontario, P1H 1Z9
(705) 789-2391
Fax (705) 789-3606

Fire Department, Town of Huntsville
37 Main Street East
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(705) 789-5201
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