

Document 10 – Administrative matters and direction to staff

This document provides administrative details and offers direction to staff in Planning Services, Building Code Services and By-law Enforcement for the following phases of the new Zoning By-law project:

- during public consultations in 2025 up to the day before enactment of the new Zoning By-law,
- the date of enactment up to the date all appeals of the Zoning By-law (if any) are fully resolved;
- after the date that all appeals of the Zoning By-law (if any) are fully resolved

The date of approval is the date that the report recommending approval of the new Zoning By-law is considered by Council. The **date of enactment** will follow that meeting and is the date the by-law appears in the Council agenda in the “list of by-laws to be read and passed”. The date of enactment is the date that the new Zoning By-law is considered to come into effect, once all appeals are resolved.

It is anticipated the new Zoning By-law will be enacted four to six weeks after the date of the meeting where the new Zoning By-law is approved by Council. As Council will likely approve motions to modify the draft Zoning By-law, additional time is needed before enactment to incorporate the directions in the motions in the text and Zoning Map of the new Zoning By-law.

Information concerning the continuation and transition provisions in Sections 109 and 110 of the new Zoning By-law is also included below. These provisions allow in-process applications and approvals obtained under the *Planning Act* prior to enactment of the new Zoning By-law to proceed under Zoning By-law 2008-250.

| During 2025 up to the day before enactment of the new Zoning By-law |
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| Complete applications under the <i>Planning Act</i> and <i>Building Code Act</i> received prior to the date of enactment of the new Zoning By-law will be processed under Zoning By-law 2008-250. |
| Zoning by-law amendment reports should include a recommendation concerning an amendment to the current Zoning By-law, and a direction to staff to modify the draft Zoning By-law and Zoning Map. |
| Minor variance applications should request relief from Zoning By-law 2008-250. |

Date of enactment until the date on which all appeals are resolved

The new Zoning By-law does not legally come into force, in full, until all appeals are resolved.

When all appeals are resolved, the new Zoning By-law comes into force (as amended, if applicable, by the Tribunal) retroactive to the date of enactment.

A document that summarizes the sections in effect and under appeal will be made available to staff as soon as possible. The document will track the status of the appeals and will be updated as the appeals are resolved through mediation and hearings at the Ontario Land Tribunal. It will identify which provisions **are** and **are not** subject to appeal, which will guide the processing of *Planning Act* applications received during the period when appeals are pending.

For complete Zoning by-law amendment applications received after enactment of the new Zoning By-law and before resolution of all appeals, which are:

- a. **proposing amendments to provisions that are not subject to appeal**, staff should ensure compliance with the new Zoning By-law.
- b. **proposing amendments to provisions that are subject to appeal**, staff should ensure compliance with the most restrictive provisions in Zoning By-law 2008-250 and the new Zoning By-law.

Where there are a mix of amendments described in (a) and (b) above in a single application, the applicable by-law version described in (a) or (b) should be applied on an amendment-by-amendment basis.

For complete Minor Variance applications received after enactment of the new Zoning By-law, and before resolution of all appeals, which are:

- a. **proposing variances to provisions that are not subject to appeal** (as per the above-mentioned document) applicants must request relief from the new Zoning by-law.
- b. **proposing variances to provisions that are subject to appeal**, applicants must request relief from the most restrictive provisions in Zoning By-law 2008-250 and the new Zoning By-law.

Where there are a mix of variances described in (a) and (b) above sought in a single application, the applicable by-law version described in (a) or (b) should be applied on an variance by variance basis.

After all appeals are resolved

Staff will be notified when all appeals are resolved.

Once all appeals are resolved, and subject to the transition provisions below, all complete zoning by-law amendment applications received after enactment of the new Zoning By-law will be subject only to the provisions of the new Zoning By-law.

For minor variance applications received after all appeals of the new Zoning By-law are resolved, and subject to the transition provisions discussed below, applicants must request relief from the new Zoning By-law.

Continuation and Transition Provisions in Sections 109 and 110 of the new Zoning By-law

The transition and continuation provisions in Section 109 and 110 of the new Zoning By-law allow complete *Planning Act* applications and approvals obtained in relation to the current Zoning By-law 2008-250 to proceed, despite the current Zoning By-law 2008-250 being replaced as the new Zoning By-law comes into effect.

Section 109 – Transition for Complete Applications

For **complete applications** received prior to the date of enactment of the new Zoning By-law, applicants will have five years to obtain a building permit. The transition provisions in Section 109 apply to complete applications,* made before the new Zoning By-law comes into effect, for:

- Building permits
- Minor variances or permissions (section 45 of the *Planning Act*)
- Site Plan Control (section 41 of the *Planning Act*)
- Zoning By-law Amendment (section 34 of the *Planning Act*)
- Consent to sever (section 53 of the *Planning Act*)
- Draft Plan of Subdivision (section 51 of the *Planning Act*)
- Description under the *Condominium Act*

*A “complete application” is defined in the new Zoning By-law as an application that could have been approved if processed on that day; it does not include applications in the pre-consultation stage.

Section 110 – Continuation of Approved Applications

For **approvals obtained prior to the date of enactment** of the new Zoning By-law, applicants will have three years to obtain a building permit.

The continuation provisions in Section 110 apply to approved applications, obtained before the new Zoning By-law comes into effect, for:

- Minor Variances or permissions (section 45 of the *Planning Act*)
- Site Plan Control (section 41 of the *Planning Act*)
- Zoning By-law amendments (section 34 of the *Planning Act*)
- Consent to sever (section 53 of the *Planning Act*)
- Draft Plan of Subdivision (section 51 of the *Planning Act*)
- Description under the *Condominium Act*