



**Town of Midland
Planning Services
575 Dominion Avenue
Midland, ON L4R 1R2**

**Office Hours:
Monday to Friday
8:30 a.m. to 4:30 p.m.**



Zoning By-law Amendment

How do I get started?

The Applicant is required to complete the Pre-Consultation process prior to submitting a formal application. The Pre-Consultation process outlines the proposal and gives Staff and external agencies the opportunity to provide comments and outlines the requirements for a complete application.

How much will it cost?

The fees associated are noted in the Town's Composite Fees By-law and identified through Pre-Consultation. Additionally, you may need the services of planning consultant(s), engineering consultant(s), environmental consultant(s), and surveyor(s). It is recommended that you retain these services for the Pre-Consultation process.

How long will it take?

Upon completion of the Pre-Consultation stage, the average time to process an Application depends on a number of factors including the complexity of the application and the quality of the submission. It generally takes 2 to 3 months to process the formal application.

What is a Zoning By-law?

A Zoning By-law is a document that describes the permitted use of land (i.e. residential, commercial, industrial, etc.), as well as the location, size and height of buildings or structures, landscaping, parking requirements and other site-specific requirements. Zoning maps are used to identify the specific zone(s) that apply to each parcel of land. The zoning of a property can be verified by using the online zoning tool or by contacting the Planning Services Department.

Required Criteria for Zoning By-law Applications

A Zoning By-law Amendment (ZBA) or Rezoning is the process through which the Town guides and reviews changes to how lands are used for specific purposes. If a property owner wants to develop a property in a way that is not permitted in the Zoning By-law, they must apply for a Zoning By-law Amendment. For example, a change of use from residential to commercial would require a Zoning By-law Amendment, which is decided on by Town Council. An Official Plan Amendment may be required if the zoning change does not comply with the Town's Official Plan. A Minor Variance may be more appropriate if the Owner wishes to make only a minor change to the Zoning By-law standards of a particular zone, such as setbacks or lot coverage. If an application is deemed as inappropriate by Town Staff and/or Council it can be refused.

Need More Information?

Contact the Planning Services Department for more information:

Phone: 705-526-4275

Email: planning@midland.ca

Online Resources: [Pre-Consultation webpage](#)
[Zoning webpage](#)

Zoning By-law Amendment Application Process

1. Pre-Consultation Stage

Prior to submitting a Zoning By-law Amendment Application, you must complete the Pre-Consultation process. This may involve multiple meetings with Town Staff and external agencies as required. The purpose of Pre-Consultation is to:

- Confirm whether a Zoning By-law Amendment is necessary and whether it may be supportable by Staff
- Provide feedback on the proposed amendment
- Confirm whether other approvals will be required (e.g. Site Plan, Official Plan Amendment, etc.)
- Outline the plans and studies that may be required to be submitted as part of a complete application

Upon review of the Pre-Consultation request, a Record of Consultation will be provided to the Applicant outlining application submission requirements.

2. Application Submission

The Record of Consultation notes provided will outline the requirements for submitting a complete application. The Record of Consultation will outline the fees, other requirements, and materials required to be submitted. All submissions are to be submitted electronic through the Town's electronic submission platform. After receipt of the application, Staff will review the application for completeness. Applications that are deficient of the required materials or fee(s) have no status and may be returned to the Applicant with additional information or fees being required. The application will not proceed to any further Steps until all outstanding information is received.

3. Circulation of Application

After the application is deemed complete, a combined Notice of Complete Application and Notice Public Meeting is circulated to the applicant, internal departments, external agencies, and public bodies for comment. It is also circulated to landowners within 120 metres of the property. Public input is requested and only correspondence received prior to preparation of the Public Meeting Report will be published in the Staff Report.

4. Posting of Public Notice Sign(s)

The Applicant is required to post a Public Notice sign(s) with application information on the subject lands. The *Planning Act* requires the sign(s) to be posted a minimum of 20 days prior to the Public Meeting. The Town will provide the Applicant with the Notice Sign template and it is their responsibility to have the sign printed and posted.

5. Public Notice

Notice of Complete Application and Notice of Public Meeting are circulated to landowners within 120 metres of the subject property at least 20 days prior to the meeting date. The Notices are also posted on the Town's website.

6. Review of Application and Planning Considerations

After the circulation, Staff receives comments from internal departments and external agencies. Comments that require clarification, changes, or modifications are provided back to the Applicant

and are to be addressed in a subsequent submission. Depending on the quality of the first submission, additional submissions may be required to satisfy concerns raised by Staff and external agencies.

Planning Staff review the merits of the application based on the following, but not limited to, considerations:

- Proposed use of land
- Municipal servicing availability
- Conformity with all other local planning documents and Provincial Plans and legislation
- Compatibility and suitability with the surrounding neighbourhood
- Location of buildings and structures
- Proposed Density and impact on the existing built form
- Environmental, traffic and neighbourhood impacts
- Grading and drainage
- Safe and adequate parking and loading facilities
- Building floor area
- Lot size and dimensions
- Building height and setbacks
- Access to the site and internal movements
- Urban design guidelines and policy
- Buffering and landscape screening
- Screening and fencing
- Public input

7. Public Meeting

The assigned File Manager gives an overview to Council relating to the proposed amendment. As part of the statutory Public Meeting, the Applicant is also given the opportunity to present the proposed amendment and members of the public are then given the opportunity to provide their comments.

8. Planning Recommendation Report

The recommendation report from the Planning Services Department is submitted to Council for a decision and is only prepared once the Applicant has responded to all comments. Council may approve, deny, or amend the recommendation. If the Zoning By-law Amendment is approved, a Notice of Passing of the By-law is provided within 15 days of the decision to the Applicant, the specified persons or public bodies and to any persons who made written request for notification. If the Zoning By-law Amendment is refused a Notice of Refusal is administered in the same manner.

9. Approvals

If approved and no appeals to the Zoning By-law Amendment are received within 20 days of the Notice, the Zoning By-law Amendment will come into effect. If there is an appeal, the appeal and relevant information will be forwarded to the Ontario Land Tribunal (OLT).

10. Ontario Land Tribunal (OLT) Appeals

Appeals must be filed with the Town by the date indicated on the Notice. The OLT may refuse an appeal by an individual or public body who did not initially object to the proposal. Additional information regarding appeal rights can be directed to the [OLT](#).