

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2022-XX

A by-law to require applicants consult with the Town of Caledon prior to the submission of certain types of planning applications.

WHEREAS the *Planning Act*, R.S.O. 1990, c.P.13, as amended, permits the Council of a municipality to require applicants to consult with the Town prior to submission of certain types of planning applications;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it expedient to pass a By-law to require applicants to consult with the Town prior to the submission of specified planning applications;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

Short Title

This by-law shall be known as the Town of Caledon Pre-Consultation By-law.

General

1. For the purposes of this By-law:

"Applicant" includes a property owner, applicant or authorized agent, but shall exclude the Town;

"Application" means a proposal to amend either or both the Official Plan or Zoning By-law, divide land, either by way of a plan of subdivision, or plan of condominium, or to develop lands which are subject to site plan control, in the Town;

"Director" means the Chief Planner/Director of Planning and his or her designate;

"Owner" means any owner of land as identified in the records of the applicable Land Registry Office or Land Titles Office and includes a purchaser under an Agreement of Purchase and Sale;

"Mandatory Pre-Consultation" means a meeting(s) or documented process held prior to the submission of an Application to the Planning Department of the Town; and,

"Town" means The Corporation of the Town of Caledon.

2. An Applicant is required to complete Mandatory Pre-Consultation with the Town, prior to submission of the following Applications to the Town:
 - a. Official Plan Amendment
 - b. Zoning By-law Amendment
 - c. Draft Plan of Subdivision
 - d. Draft Plan of Condominium, and,
 - e. Site Plan.
3. The Director is hereby delegated the authority to:
 - a. Determine and direct the appropriate action to be taken in the administration of this By-law, including but not limited to the creation of a documented process, application forms, checklists and procedures;
 - b. Require material to be submitted by the Applicant prior to the Mandatory Pre-Consultation;
 - c. Determine the specifics of Mandatory Pre-Consultation including any meeting dates, times, locations and attendees;
 - d. Conduct the Mandatory Pre-Consultation;
 - e. Identify and advise the Applicant during the Mandatory Pre-Consultation, in writing or otherwise, of the information and material required and necessary to deem the Application complete;

- f. Determine the time-frame following the Mandatory Pre-Consultation within which a complete Application can be submitted;
 - g. Determine the time-frame in which Mandatory Pre-Consultation may be incomplete or inactive before the Mandatory Pre-Consultation is closed and the Applicant be required to attend a new Mandatory Pre-Consultation before submitting an Application; and,
 - h. Determine whether further consultation is required prior to the Applicant submitting a complete Application.
4. Following the Mandatory Pre-Consultation, if the Application which was the subject of the Mandatory Pre-Consultation has not been submitted and deemed complete within the time-frame determined by the Director, the Applicant is required to attend a new Mandatory Pre-Consultation before submitting an Application.
5. If an Applicant refuses to attend a Mandatory Pre-Consultation and submits an Application listed in Section 2, the Town may either determine the Application to be incomplete or may refuse the Application, pursuant to the *Planning Act*.
6. The Director may determine an Application to be incomplete pursuant to the *Planning Act* where:
 - a. A Regional Official Plan Amendment is required;
 - b. A Secondary Plan is required;
 - c. A Block Plan is required;
 - d. Approval from the Niagara Escarpment Commission is required;
 - e. The Applicant is proposing public infrastructure through a Zoning By-law Amendment application or Site Plan application;
 - f. In the case of a Zoning By-law Amendment application, an Official Plan Amendment application, a Draft Plan of Subdivision application and/or a Draft Plan of Condominium application is required and is not yet approved and in full force and effect;
 - g. In the case of a Site Plan application, an Official Plan Amendment application, a Zoning By-law Amendment application, a Draft Plan of Subdivision application and/or a Draft Plan of Condominium application is required and is not yet approved and in full force and effect;
 - h. In the case of an Official Plan Amendment application, a Zoning By-law Amendment application, a Draft Plan of Subdivision application and/or a Draft Plan of Condominium application, at least one public engagement session has not been held in accordance with Town requirements;
 - i. Indigenous communities have not been consulted;
 - j. Required Peer Reviews have not been completed and found to be satisfactory at the discretion of the Town; and,
 - k. All confirmations, clearances, permits, material and information required at the Mandatory Pre-Consultation are not submitted in accordance with Town requirements and in accordance with Terms of References, Standards, and Guidelines.

Transition

By-law 2008-118 shall be repealed upon this By-law coming into effect.

Enactment

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 28th day of June, 2022.

Allan Thompson, Mayor

Laura Hall, Town Clerk