



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 000 -2022

BEING A BY-LAW TO REQUIRE PRE-CONSULTATION PRIOR TO SUBMISSION OF PLANNING APPLICATIONS IN THE TOWN OF COBOURG.

WHEREAS Sections 22(3.1), 34(10.0.1), 41(3.1) and 51(16.1) of the Planning Act R.S.O. 1990, as amended, allow municipalities to pass by-laws to require applicants to consult with the municipality prior to the submission of planning applications;

AND WHEREAS Sections 8.2 of the Town of Cobourg Official Plan provides policy direction on the pre-consultation process and the required information and materials for Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Plans of Condominium and Site Plans;

AND WHEREAS the Council of the Corporation of the Town of Cobourg deems it necessary to require pre-consultation with Owners and/or Applicants submitting planning applications to amend the Official Plan and Zoning By-law, to create a Plan of Subdivision and/or Condominium and for Site Plan Approval;

NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

1. Definitions

In this By-law:

“**Act**” means the *Planning Act, R.S.O. 1990* as amended from time to time;

“**Applicant**” means the Owner of the property that is the subject of Planning Act Application or the person who is authorized in writing by the Owner to make a Planning Act. Authorization is provided through declaration on the application form, which has been provided by the Town;

“**Council**” means the Council of the Town of Cobourg;

“**Town**” means the Corporation of the Town of Cobourg;

“**County**” means the Corporation of the County of Northumberland;

“**Owner**” means a person(s), corporation(s) or partnership who is the registered Owner of the relevant property, as recorded in the local registry office;

“**Director**” means the Director of the Planning and Development Division for the Town of Cobourg and any successors thereto;

“**Planning Application**” means privately initiated Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Plans of Condominium and Site Plans, pursuant to the Planning Act; and any other planning and development matters proposed under the Planning Act at the discretion of the Director;

“Pre-consultation” means the process for fulfilling the requirements set out in the Act and this By-law; and

“Province” means the Government of the Province of Ontario.

2. Pre-consultation Requirements

- 2.1. That the Owner or Applicant intending to make application to the Town of Cobourg for a Planning Application be required to submit a pre-application consultation request to Director, prior to submitting a Planning Application.
- 2.2. That the Director, or their designate, be authorized to identify the information and material necessary to process the Planning Application, prior to formal submission and deeming the Planning Application complete.
- 2.3. The Director, or their designate, shall prepare a Record of Consultation and deliver it to the Applicant within the prescribed period set out in the Act of the date of the last consultation meeting.

3. Complete Planning Application Requirements

- 3.1. That the Owner or Applicant, with the Planning Application, shall submit the following:
 - 3.1.1. Planning Application;
 - 3.1.2. Required fees pursuant to the Town’s Fees By-law pursuant to Section 69 of the Act;
 - 3.1.3. Record of Consultation; and
 - 3.1.4. Reports, Studies, Drawings and any information required in the Record of Consultation.
 - 3.1.5. Failure to fulfil the requirement to attend a pre-consultation meeting shall result in the municipality refusing to accept the application

4. Exemptions

- 4.1. Despite, Section 2.1 the Director of Planning and Development can waive the requirements for pre-consultation should the proposed Planning Application be minor in nature.

5. Administration

5.1. Abandoned Files

- 5.1.1. Any pre-consultation on a Planning Application shall submit the Planning Application, within one (1) year of the date the Record of Consultation has occurred, otherwise will be considered to be abandoned and subsequently closed by the Town.
- 5.1.2. The Record of Consultation shall be considered to be abandoned and subsequently closed by the Town, if:
 - 5.1.2.1. The Province has enacted legislative changes to the Act, that established new provisions;
 - 5.1.2.2. The Province has issued a new Provincial Policy Statement, that established new provincial policy direction;

- 5.1.2.3. The County has adopted a County Official Plan, that establishes new land use policy direction;
- 5.1.2.4. The Town has adopted an Official Plan or Official Plan Amendment, that established new land use policy directions; and
- 5.1.2.5. The Town has enacted a Zoning By-law or Zoning By-law Amendment, that established changes to land use regulation.

5.2. Fees

- 5.2.1. Pre-consultation may be subject to a fee as set out in the Town of Cobourg Fee By-law, as amended time to time.

6. Enactment

- 6.1. This by-law shall come into force and take effect upon the final passing thereof.

Read and finally passed this xx day of September, 2022.

MAYOR

MUNICIPAL CLERK