

The Corporation of the Township of North Kawartha

By-law 2017-049

Being a by-law of the Corporation of the Township of North Kawartha to impose mandatory consultation with the Township's Planning Department prior to formal submission of any planning application for which the Corporation of the Township of North Kawartha is the Approval Authority.

Whereas Section 22(3.1)(b) of the Planning Act R.S.O. 1990 c.P.13, as amended by the Planning and Conservation Land Statute Law Amendment Act 2006 provides that the Township, by by-law, may require applicants to consult with the municipality before submitting requests to amend the Zoning By-law(s) of the Township of North Kawartha;

And Whereas Section 41(3.1) of the Planning Act, R.S.O. 1990, c.P.13, as amended by the Planning and Conservation Land Statute Law Amendment Act 2006 provides that the Township, by by-law, may require applicants to consult with the municipality before submitting an application for Site Plan Approval;

And Whereas the purpose of a pre-consultation meeting prior to making a formal application is to clarify the level of detail of information and material that the applicant may be required to submit concurrently with the application(s);

And Whereas the Council of the Corporation of the Township of North Kawartha deems it necessary to require applicants to consult with the municipality before submitting certain planning applications;

Now Therefore the Council of the Corporation of the Township of North Kawartha hereby enacts as follows:

1. Definitions

"Act" shall mean the Planning Act, R.S.O., C.P.13, as amended.

"Applicant" shall mean:

- i) A person or public body requesting an amendment to the Zoning By-law(s) of the Corporation of the Township of North Kawartha under Section 34 of the Act.
- ii) A person or public body requesting approval of plans and drawings under Section 41 of the Act.

"Building and Planning Department" shall mean the employees of the Building and Planning Department for the Corporation of the Township of North Kawartha.

"Council" shall mean the Municipal Council of the Corporation of the Township of North Kawartha.

"Pre-Consultation" shall mean the period of time before a complete application is submitted to the municipality where discussions occur between municipal staff and the applicant, including the pre-consultation meeting.

"Pre-Consultation Meeting" shall mean a meeting with the Building and Planning Department, or outside individuals or agencies that may be appropriate, to be held before the submission of a planning application as permitted in subsections 34(10.0.1) and 41(3.1) of the Act.

"Record of Pre-Consultation" shall mean a written document completed by

the Building and Planning Department that includes the following information:

- i) the date(s) that the Pre-Consultation Meeting or any further Pre-Consultation Meeting is held; and
- ii) a copy of any written minutes/comments of the Pre-Consultation Meeting.

“Township” shall mean the Corporation of the Township of North Kawartha.

2. That any person or public body intending to file an application to amend the Zoning By-law(s) of the Township, is hereby required to consult with the municipality before submitting such an application.
3. That any person or public body intending to file an application for Site Plan Approval is hereby required to consult with the Township before submitting such an application.
4. That the Township shall not accept any application as complete for which a person or public body has not consulted with the Township as required under paragraphs 2 and 3 above.
5. That despite the provisions of paragraphs 2 and 3 above, the Building and Planning Department is hereby delegated the authority to waive the requirement for persons or public bodies to consult with the municipality if:
 - i) The Building and Planning Department determines that the application will conform with the County of Peterborough Official Plan and other Provincial land use policies; and
 - ii) The proposal has been previously subject to pre-consultation or subject of another application under the Planning Act; and
 - iii) The proposal remains substantially similar; and the developer / applicant and their agent remains the same.
6. That any person or public body intending to file an application to amend the Zoning By-law or to seek Site Plan Approval shall consult with the Building and Planning Department. The Building and Planning Department, or other municipal staff, at their discretion, may also request the attendance of additional municipal staff and other individuals or outside agencies that may be appropriate, at the pre-consultation meeting.
7. That the applicant shall:
 - i) Deliver to the municipality a written summary of the applicant’s proposal, prior to the date of the Pre-Consultation Meeting; and
 - ii) Include a brief description of the site and proposed development, the site details, the owners and applicant’s name and contact information, along with a site or concept plan of the proposal, and if available, elevation drawings.
8. That the Township shall:
 - i) Determine whether more information or material is required from the applicant before submission of a planning application, other than the information contained in the written summary required by paragraph 7 above;
 - ii) Determine whether more than one Pre-Consultation Meeting is

required and, if more than one meeting is determined to be required, shall make all necessary arrangements with the application;

- iii) Prepare the Record of Pre-Consultation; and
- iv) Deliver a copy of the Record of Pre-Consultation to the applicant within thirty (30) days of the date of the last Pre-Consultation meeting. Delivery may be via personal delivery, email or by regular letter mail, at the discretion of the Township.

9. That the Township shall require legal and engineering fees incurred by the Township as a result of the Pre-Consultation Meeting be reimbursed by the applicant whether or not the applicant submits an application under Sections 34 or 41 of the Act.

10. This By-law shall come into force and effect on the date of final passing.

Read a first, second and third time and passed in open Council on the 16th day of May, 2017.

Richard B. Woodcock, Mayor

Connie Parent, Clerk

Pre-Consultation Proposal Chart

Please fill out the chart below. Indicate whether measurements are in feet or metres.
Should your application include more than one structure, fill out one chart per structure.

Criteria	Existing	Proposed
Lot area		
Lot frontage		
Lot coverage		
High water mark setback to deck (if applicable)		
High water mark setback to building (if applicable)		
Depth of deck from building (if applicable)		
Building height		
Front yard setback (if different than high water mark setback)		
Interior yard setback		
Exterior yard setback		
Rear yard setback		
Lateral width (feet or metres) (if applicable)		
Lateral width % of frontage (if applicable)		
Area of building – footprint		
Area of building – gross floor area		
Area of deck (if applicable)		
Distance between buildings (if applicable)		
Parking spaces		
Is this a permanent residence?		
Other information:		