

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO. 2022-054

Being a By-law to require mandatory Pre-Consultation for Planning Applications pursuant to Sections 22, 34, 41 and 51 of the Planning Act, R.S.O. 1990 c.P13, as amended, and to delegate authority to waive the requirement for Pre-Consultation for certain Planning Act applications. [Amended by Section 1 of By-law 2024-029 on March 20, 2024]

Last consolidated on March 20, 2024. The Township of Puslinch By-laws are provided online for public reference. By-laws are consolidated on an ongoing basis, but recent amendments may not be reflected in the latest consolidated version. Check the Amended History to get a complete listing of all pertinent regulations. For further information contact the Township's Clerk Office.

WHEREAS the Council of the Township of Puslinch has deemed it necessary to develop a mandatory Pre-Consultation By-law for certain planning applications pursuant to Section 34 and 41 of the *Planning Act*, R.S.O. 1990 c.P13, as amended, and to delegate authority to staff to waive the requirement for Pre-Consultation for certain Planning Act applications;

AND WHEREAS the Mandatory Pre-Consultation By-law for Planning Applications is intended to streamline processes by assisting applicants in determining submission requirements early in the process thereby reducing the number of incomplete and premature applications;

AND WHEREAS Subsection 41(3.1) of the Planning Act provides that the Council of a local municipality may, by By-law, require applicants to consult with the municipality before submitting plans and drawings under Subsection 41(4);

AND WHEREAS Subsection 34(10.0.1)(b) of the Planning Act provides that the Council of a municipality may, by By-law, require applicants to consult with the municipality before submitting applications to amend by-laws passes under Subsection 34;

AND WHEREAS Subsection 22 (3.1) of the Planning Act provides that the Council of a municipality may, by By-law, require applicants to consult with the municipality before submitting applications under subsection 22; [Amended by Section 2 of By-law 2024-029 on March 20, 2024]

AND WHEREAS Subsection 51 (16.1) of the Planning Act provides that the Council of a municipality may, by By-law, require applicants to consult with the municipality before submitting applications under subsection 51; [Amended by Section 2 of By-law 2024-029 on March 20, 2024]

NOW THEREFORE the Council of The Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

1. This By-law shall apply to All Lands within the corporate limits of the Township of Puslinch (hereinafter the "Township").
2. For the purpose of this By-law, Pre-Consultation shall mean:
 - a. An initial meeting with the applicant and all required Township staff, regulatory agencies, Township Consultants and any other person or agency the Township deems necessary to determine a list of required supporting documents for the proposal.
 - b. Following the initial meeting, the applicant shall submit the required list of documents for circulation to Township staff, regulatory agencies, Township

Consultants and any other person or agency the Township deems necessary for the review and preparation of formal written comments to be provided to the applicant.

- c. Subsequent submission by the applicant may be required as determined through the Pre-Consultation process.
3. A Pre-Consultation application, any required documents and the prescribed fee(s) are required to be submitted to the Township in advance of the Pre-Consultation.
4. Any applicant intending to file an application under Subsection 22, 34, 41, 51 or other applications referenced by the Planning Act R.S.O. 1990 c.P13, as amended as may be determined by the Township based on the application's complexity or relationship to other application types for which a mandatory pre-consultation applies is hereby required to pre-consult with the Township in accordance with Section 2 above and the Township Pre-Consultation processes prior to submitting an application. [Amended by Section 3 of By-law 2024-029 on March 20, 2024]
5. Any applicant intending to file an application under Subsection 45 of the *Planning Act*, R.S.O. 1990 c.P13, as amended, shall be encouraged to pre-consult with the Township in accordance with Section 2 above and the Township Pre-Consultation processes prior to submitting an application.
6. The Township shall not accept any application pursuant to Subsection 34 and 41 of the *Planning Act*, R.S.O. 1990 c.P13, as amended, for which the applicant has not pre-consulted with the Township in accordance with this By-law and in accordance with the Township's Pre-Consultation processes.
7. Notwithstanding Section 6 above, the Clerk or designate, is hereby delegated the authority to waive the requirement for pre-consultation with the Township where the Clerk or designate determines that pre-consultation is not required prior to submitting an application.
8. The Clerk or designate is hereby delegated authority to close a Pre-Consultation file following a period of inactivity of one (1) year. For the purpose of this By-law, inactivity shall mean no additional submission material has been provided in respect to the Pre-Consultation by the applicant.
9. Where a Pre-Consultation file has been closed and a Planning Act application has not been submitted within one (1) year of file closure date, the applicant shall be required to submit a new Pre-Consultation request to the satisfaction of the Township.
10. Pre-Consultation files that were initiated prior to the passage of this by-law and where no Planning Act application has been submitted, and where no additional submission material has been provided, shall be deemed inactive and closed effective January 1, 2024.
11. This By-law shall come into force on January 1, 2023.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 21 DAY OF DECEMBER 2022.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

AMENDMENT HISTORY

MANDATORY PLANNING PRE-CONSULTATION BY-LAW

DATE (Y/M/D)	BY-LAW	AUTHORITY	CONSOLIDATED
2024/03/20	2024-029	Item 12.1.15 BL2024-029 By-law to Amendment to Mandatory Planning Pre-Consultation By-law	✓