

**The Corporation of the Township of
Cavan Monaghan**

By-law No. 2023-XX

Being a By-law to Amend the Township of Cavan Monaghan Pre-Consultation By-law No. 2013-53.

Whereas Sections 22(3.1), 34(10.0.1), 41(3.1), and 51(16.1) of the Planning Act R.S.O 1990 c. P.13, as amended, allow municipalities to pass by-laws to require applicants to consult with the Municipality prior to the submission of an application made under the Act for an amendment to the Official Plan or Zoning By-law, plans of subdivision, plans of condominium, site plan control or consent;

And Whereas Section 8.5 of the Cavan Monaghan Township Official Plan requires applicants to consult with the Township prior to the submission of any development application;

And Whereas the Council of the Township of Cavan Monaghan wishes to require consultation with the Township prior to the submission of applications made to the Township under the Planning Act;

Now Therefore the Council of the Township of Cavan Monaghan hereby enact as follows:

1. In this By-law the following amendments shall be made:
 - a) Section 2; that the following word “are encouraged to” be removed and the word “must” be added as well as the sentence “At this time the Executive Director, Planning & Development can determine if the application is minor in nature resulting in the pre-consultation fee being waived or major in nature which will result in a pre-consultation fee being assessed.” Subsection i), and ii) will include the following sentences, “i) Minor Applications includes minor variances, rezoning as part of an approved plan of subdivision and consent applications; and ii) Major Applications included any item not outlined as a Minor Application.” as shown in the following section:

That persons intending to make application to the County of Peterborough for an amendment to the County of Peterborough Official Plan, a plan of subdivision, plan of condominium or consent must consult with Peterborough County Planning Staff and Township Staff prior to the submission of the application(s). At this time the Executive Director, Planning & Development can determine if the application is minor in nature resulting in the pre-consultation fee being waived or major in nature which will result in a pre-consultation fee being assessed.

- i) Minor Applications include minor variances, rezoning as part of an approved plan of subdivision and consent applications; and
- ii) Major Applications included any item not outlined as a Minor Application.

b) Section 5 be renamed as Section 3.

c) Section 3 (see below)

d) Section 6 be removed.

e) Section 7 be renamed as Section 6.

2. In this By-law the following additions shall be made:

a) Section 3; be renamed as Section 5 keep the current wording and add the following sentence and subsequent points at the end of the section:
“and determine if a pre-application process is required or if the applicant can submit a formal application to the Township:

i) Pre-Application Process:

- a. A pre-consultation checklist or letter will be provided by the Township Executive Director, Planning & Development or designate and forwarded to the applicant and other affected agencies after the Pre-Consultation meeting is held. This checklist or letter will clearly identify that the applicant must compile the materials requested on the list and provide to the Township and go through the Pre-Application process.
- b. A pre-application fee must be paid as part of the pre-application submission, this fee will be deducted from the total application fee if submitted within a year of the pre-application being paid;
- c. The applicant will host a public information meeting to provide information to the public, collect feedback on the application and address any concerns;
- d. The applicant will submit a formal pre-application to the Township at which time materials will be circulated to appropriate departments and agencies. The Township will provide comments to the applicant and their consultants, and the applicant will be required to revise and update the required materials based on the comments until the application has been given a letter of clearance by the Township stating that the application has cleared the pre-application process; and
- e. After the letter of clearance is provided by the, the applicant can submit the formal application.

- ii) Formal Application Submission: A pre-consultation checklist or letter will be provided by the Township Executive Director, Planning & Development or designate and forwarded to the applicant and other affected agencies after the Pre-Consultation meeting is held. This checklist or letter will clearly identify that the applicant can proceed directly to a formal application. The formal application process will include the following steps:
 - a. Once the formal application has been submitted it will be reviewed within the 30-day period provided by the Planning Act;
 - b. If further information is required for the application and is not provided by the applicant to the Township within the 30-day period, the application will be deemed incomplete.”
 - c. A pre-consultation fee must be paid as part of the pre-consultation submission, this fee will be deducted from the total application fee if submitted within a year of the pre-consultation being provided;

This By-law comes into force and effect on the date it is enacted by Council.

Read a first, second and third time and passed this _____ day of _____, 2023.

Matthew Graham, Mayor

Cindy Page, Clerk