

The Corporation of the City of Owen Sound

By-law No. 2022-073

A By-law to require pre-consultation with the City of Owen Sound before submission of applications for Official Plan amendment, Zoning By-law amendment, Site Plan approval or Plan of Subdivision approval and to repeal By-law No. 2007-063

WHEREAS subsection 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 requires that the powers of a municipality be exercised by its Council and subsection 5(3) requires that such powers be exercised by by-law including a capacity, right, power and privilege under section 9 unless specifically authorized to do otherwise; and

WHEREAS the *Planning Act*, R.S.O. 1990, c.P.13 (the "Planning Act") provides that municipalities may by by-law require applicants to consult with the municipality before submitting a request or application for official plan amendment, zoning bylaw amendment, site plan approval and plan of subdivision; and

WHEREAS on April 16, 2007, the Council of The Corporation of the City of Owen Sound (the "City") passed Pre-consultation By-law No. 2007-063; and

WHEREAS on June 27, 2022, City Council passed a resolution directing staff to bring forward a by-law to amend Pre-consultation By-law No. 2007-063 to include a blanket statement that applicable pre-consultation exemptions, if any, shall be set out in the City's Site Plan Control By-law, in consideration of staff report CS-22-084 presented to the Community Services Committee on June 15, 2022; and

WHEREAS for ease of reference, it is deemed expedient to repeal By-law No. 2007-063 and replace it with the subject by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

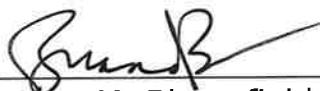
1. The short title of this by-law shall be the "Pre-consultation By-law".
2. Pursuant to subsection 22(3.1) of the Planning Act, applicants are required to consult with the City prior to the submission of an application for official plan amendment under subsection 21(1) of the Planning Act;
3. Pursuant to subsection 34(10.0.1) of the Planning Act, applicants are required to consult with the City prior to the submission of an application for zoning by-law amendment under section 34 of the Planning Act;
4. Pursuant to subsection 41(3.1) of the Planning Act, applicants are required to consult with the City prior to the submission of an application for site plan control approval under subsection 41(4) of the Planning Act;
5. Notwithstanding section 4 of this by-law above, there shall be no requirement to consult with the City prior to the submission of an application for site plan control approval under subsection 41(4) of the Planning Act for the classes of development, if any, expressly listed in the City's Site Plan Control By-law, in effect at the time of the application.

6. Pursuant to subsection 51(16.1) of the Planning Act, applicants are required to consult with the City prior to the submission of an application for plan of subdivision approval under subsection 51(16) of the Planning Act;
7. By-law No. 2007-063 is repealed.
8. This by-law shall come into full force and effect upon the final passing thereof at which time all by-laws, policies and resolutions that are inconsistent with the provisions of this by-law are amended or repealed insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 27th day of June 2022.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk