



Corporation of the Town of Newmarket

By-law 2023-49

A By-law to repeal and replace the Town's Pre-Consultation By-law 2007-46 with a by-law that requires development applications to be reviewed in detail to ensure quality submissions prior to a formal application (Pre-Application Submission By-law).

Whereas Bill 109, More Homes for Everyone Act, 2022, amended Sections 17, 34 and 41 of the Planning Act, R.S.O. 1990 c. P. 13, to expedite municipal approvals and streamline the development review process; and,

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, provides that a municipality may, by by-law, require applicants to consult with the municipality prior to submission of applications under the Planning Act; and,

Whereas the policies of the Town's Official Plan, as amended, require pre-consultation with the Town prior to the submission of certain applications under the *Planning Act* and sets out Complete Application requirements; and,

Whereas the Council of the Corporation of the Town of Newmarket deems it necessary to introduce a new process to replace the Town's current Pre-Consultation process to respond to the amendments to the *Planning Act*;

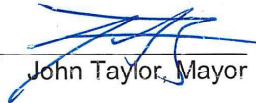
Whereas on June 19, 2023 the Council of the Corporation of the Town of Newmarket endorsed the use of the Collaborative Application Preparation Process in response to the new application processing timelines from Bill 109 (Staff Report 2023-38);

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That By-law 2007-46 be repealed.
2. That this By-law may be referred to as the 'Pre-Application Submission By-law' or 'PAS By-law'.
3. That as part of the Council endorsed Collaborative Application Preparation process, pre-application submissions and detailed reviews shall be undertaken prior to the Town's final acceptance of applications, information, and materials provided by the applicant for including (but not limited to) the following applications:
 - a. Official Plan Amendments,
 - b. Zoning By-law Amendments,
 - c. Draft Plans of Subdivision,
 - d. Draft Plans of Condominium, and
 - e. Site Plan Approvals.

4. That Pre-Application Submissions may be undertaken prior to the Town's final acceptance of applications, information, and materials provided by the applicant for the following applications:
 - a. Minor Variance,
 - b. Consents,
 - c. Condominium Exemptions
 - d. Removal of Part Lot Control, and
 - e. Removal of Holding Provisions.
5. That the review and acceptance of Pre-Application Submissions shall be structured as a 3-stage iterative process as outlined in Appendix 'A' to this By-law. Appendix 'A' may be updated from time to time without amendment to this By-law.
6. That the Director of Planning & Building Services, and their designate(s) are authorized to:
 - a. conduct Pre-Application Submission reviews, as part of the Collaborative Application Preparation process, and
 - b. identify the information and materials necessary for each stage in the process, and necessary for processing each application, including but not limited to appropriate Official Plan designations and policies, zoning and zone standards, studies, technical reports, plans, and drawings.
7. The provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 18th day of September 2023.


John Taylor, Mayor


Lisa Lyons, Town Clerk



**Appendix A
Pre-Application Submissions of the Collaborative Application Preparation Process**

	Stage 1 <i>Mandatory Consultation</i>	Stage 2 <i>Pre-Application Submission (PAS)</i>	Stage 3 <i>Complete Submission</i>
Summary	<p>Stage 1 is an initial mandatory consultation between the proponent and the Town.</p>	<p>Stage 2 provides an opportunity for the refinement of the development proposal and an initial review of technical supporting materials.</p>	<p>Stage 3 is the formal "sign off" by the Town to confirm that the proposal has sufficiently advanced to be considered a Complete Application and that the legislated timeframes under the <i>Planning Act</i> can commence. After Stage 3, the application is deemed complete and the application is processed in accordance with the <i>Planning Act</i>, including the Statutory Public Meeting for OPA and rezonings, etc.</p>
Proponent Responsibilities	<p>The proponent is to provide:</p> <ul style="list-style-type: none"> • a description of the project, and • concept plans. 	<p>The proponent is to provide:</p> <ul style="list-style-type: none"> • All technical materials as identified in the Town's Stage 1 checklist to the standards required by the York Region standardized Terms of Reference. • Adherence to targeted timelines agreed to in Stage 1. 	<p>The proponent provides:</p> <ul style="list-style-type: none"> • Final technical materials, • Completed application form, and • Application fees.
Town Responsibilities	<p>The Town is to provide:</p> <ul style="list-style-type: none"> • the list of requirements and targeted timelines in order to complete Stage 2 and move to Stage 3, and 	<p>The Town is to provide:</p> <ul style="list-style-type: none"> • Comments from departments and agencies reviewing the technical materials in a timely manner. • Adherence to targeted timelines agreed to in Stage 1. 	<p>The Town provides:</p> <ul style="list-style-type: none"> • Conditions/requirements from departments and agencies to proceed. • Any final technical comments or a memorandum of understanding (MOU) that the application can proceed.

	Stage 1 <i>Mandatory Consultation</i>	Stage 2 <i>Pre-Application Submission (PAS)</i>	Stage 3 <i>Complete Submission</i>
	<ul style="list-style-type: none"> York Region standardized Terms of Reference for technical studies. 	<ul style="list-style-type: none"> Sign-off from departments and agencies that the proponent can proceed to Stage 3. 	
Additional Aspects	Stage 1 may include: <ul style="list-style-type: none"> Site visits, Participation from multiple departments and agencies, and Multiple meetings to ensure all parties understand the proposal and how to complete Stage 2. 	Stage 2 may include: <ul style="list-style-type: none"> Multiple submissions to address technical revisions. Additional meetings between the proponent and Town. Public consultation led by the proponent on the proposal. 	Stage 3 may include: <ul style="list-style-type: none"> Additional meetings between the proponent and the Town.