

The Corporation of the City of North Bay

By-Law No. 2023-51

Being A By-Law to Require Applicants to Consult with the Corporation of the City of North Bay Prior to the Submission of a Development Application (Consultation By-Law)

Whereas Subsection 22(3.1)(b), of the Planning Act R.S.O. 1990, c.P.13, as amended, allows City Council to require applicants to consult with the City of North Bay (hereafter "Consultation") prior to submitting an application under the aforementioned Subsection of the Planning Act prior to submitting an application to amend the City of North Bay's Official Plan;

And Whereas Subsection 34 (10.0.1)(b), of the Planning Act R.S.O. 1990, c.P.13, as amended, allows City Council to require applicants to consult with the City of North Bay prior to submitting an application under the aforementioned Subsection of the Planning Act prior to submitting an application to amend the City of North Bay's Zoning By-law;

And Whereas Subsection 41(3.1)(b) of the Planning Act R.S.O. 1990, c.P.13, as amended, allows City Council to require applicants to consult with the City of North Bay prior to submitting an application under the aforementioned Subsections of the Planning Act prior to submitting an application for a Site Plan Control Agreement;

And Whereas Subsection 51(16.1)(b) of the Planning Act R.S.O. 1990, c.P.13, as amended, allows City Council to require applicants to consult with the City of North Bay prior to submitting an application for a Draft Plan of Subdivision or a Draft Plan of Condominium under the aforementioned Subsections of the Planning Act prior to submitting an application for a Draft Plan of Subdivision or Draft Plan of Condominium;

And Whereas Section 5.1.13 of the City of North Bay's Official Plan permits City Council to enact a by-law to require consultation prior to filing a planning application;

And Whereas Council passed Resolution No. 2023-106 on February 28, 2023 supporting the requirement for mandatory consultation;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

1. Applicants interested in making an application to the City of North Bay pursuant to Sections 22, 34, 41 and 51 of the Planning Act shall contact the Manager of Planning and Building Services and/or their designate prior to making an application to determine the need for Consultation.
2. Where the Manager of Planning and Building Services and/or their designate has determined the need for Consultation, the applicant shall consult with the City prior to making an application.
3. The Manager of Planning and Building Services may consult with applicants to identify the additional information and material required to constitute a complete application under the Planning Act and the Official Plan.

4. That should a person or public body fail to enter into consultation with the City or fail to provide the information identified during the consultation prior to the submission of an application under the Planning Act, the City may deem said application as incomplete under the provisions of the Planning Act, R.S.O. 1990, c.P.13.
5. That despite the provisions of paragraphs 3 and 4, the Manager of Planning and Building Services or their designate shall have the discretion to waive the requirement for consultation when, in their opinion, it has been deemed as unnecessary for a complete review of an application made under the Planning Act.
6. This By-law shall come into force and effect on July 1, 2023.

Read a First Time in Open Council the 23rd Day of May 2023.

Read a Second Time in Open Council the 23rd Day of May 2023.

Read a Third Time in Open Council and Passed this 23rd Day of May 2023.

Mayor Peter Chirico

City Clerk Karen McIsaac