

CITY OF NIAGARA FALLS

By-law No. 2009 - 170

A by-law to require pre-consultation on certain Planning Act applications in the City of Niagara Falls.

WHEREAS Sections 22(3.1), 34(10.01), 41(3.1) and 51(16.1) of the *Planning Act*, R.S.O. 1990, Part 3, 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, consent or site plan control;

WHEREAS the Official Plan allows for such consultation meetings as a provision of the submission of a complete application;

WHEREAS the Council of the City of Niagara Falls wishes to require consultation with the City prior to the submission of certain applications made under the *Planning Act*; and

WHEREAS the Council of the City of Niagara Falls wishes to require open houses to be held for applications to amend the Official Plan and Zoning By-law prior to the Public Meeting required by the *Planning Act*.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. That persons intending to make application to the City of Niagara Falls for an amendment to the Official Plan or Zoning By-law, draft plan of subdivision, consent or site plan control, be required to consult with City staff prior to the submission of the application.
2. That the purpose of such consultation meetings will be to review a draft development proposal for the lands affected by the proposed applications and to identify the scope of additional supporting information or material required by the City of Niagara Falls and/or other affected agencies to allow full consideration of the development application.
3. That in the absence of consultation prior to the submission of an application and the submission of all required supporting information or material, the City of Niagara Falls may deem an application as incomplete under the provisions of the *Planning Act*.
4. The Director of Planning or his designate shall have the discretion to waive the requirement for a formal consultation meeting when, in his/her opinion, it has been deemed to be unnecessary for a complete review of the application.
5. Where a consultation meeting is deemed to be necessary, a consultation checklist or agreement shall be completed and signed by all parties present.
6. That persons who have filed an application to the City of Niagara Falls for an amendment to the Official Plan or Zoning By-law be required to attend an Open House hosted by the City prior to the giving of notice regarding the Public Meeting required by the *Planning Act*.
7. That By-law No. 2008-189 be repealed.

Passed this second day of November, 2009.

.....
DEAN IORFIDA, CITY CLERK

.....
R. T. (TED) SALCI, MAYOR

First Reading: November 2, 2009
Second Reading: November 2, 2009
Third Reading: November 2, 2009