

**The Corporation of the Town of Ajax
By-law Number 72-2024**

A By-law to permit development proponents to consult with the Town of Ajax prior to submission of a complete planning application titled “Pre-Consultation By-law”.

Whereas, authority is granted under 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, for Council to pass this By-law permitting applicants to consult with the Town of Ajax prior to the submission of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium, Site Plan, and/or Site Plan Amendment application.

And whereas, the Town of Ajax has a long-established pre-consultation process for all types of planning applications intended to benefit applicants in determining and fulfilling complete planning application submission requirements.

And whereas, pre-consultation is an important component of the application review and approvals process.

And whereas, the Town of Ajax discerns that the pre-consultation process will expedite the review of complete planning applications.

Now therefore, the Council of the Corporation of the Town of Ajax enacts as follows:

Short Title

1. This By-law may be cited as the Pre-Consultation By-law.

Repeal of Previous By-law

2. By-law 82-2022 is hereby repealed.

Definitions

3. In this By-law,
 - (a) “Applicant” means any person who intends to submit a pre-consultation or planning application.
 - (b) “Director” means Director of Planning & Development Services.
 - (c) “Town” means The Corporation of the Town of Ajax.

Application for Pre-Consultation

4. Every Applicant is permitted and encouraged to pre-consult with the Town prior to the formal submission of any of the following planning applications:
 - (a) Official Plan Amendment
 - (b) Zoning By-law Amendment
 - (c) Draft Plan of Subdivision
 - (d) Draft Plan of Condominium
 - (e) Site Plan
 - (f) Site Plan Amendment
 - (g) Telecommunication Facilities

(h) Consent

(i) Minor Variance

Submission of a Pre-Consultation Application

5. A Pre-Consultation application shall be submitted digitally, in accordance with the method(s) and format(s) determined by the Director or their designate.
6. The Director or their designate may request hard copies of pre-consultation materials where:
 - a) a request for pre-consultation is circulated to an external agency and the circulated agency requests hard copy materials; or
 - b) the Director or their designate deems it appropriate to request hard copy materials.
7. A Pre-Consultation application shall include payment of the fee as specified in the Town of Ajax Fees and Charges By-Law, as amended.
8. A Pre-Consultation application shall include all the information and submission materials identified on the application form, as determined by the Director or their designate.
9. The Town may refuse to process a Pre-Consultation application if the application fee is not received and/or if the submission materials, as determined by the Director or their designate, listed in the Pre-Consultation application form are not submitted.
10. Should a development proponent choose to participate in Pre-Consultation, the full Pre-Consultation fee shall be credited against the subsequent planning application fee. This credit will be valid for 24 months from the date of the Pre-Consultation meeting and will be applied to one planning application only. The fee credit will not apply to the planning application where:
 - a) the development proposal has changed (e.g. the introduction of new height or density, site layout modifications not requested by the Town, and/or use not previously reviewed by the Town), at the discretion of the Director or their designate; or
 - b) the planning application is submitted by a property owner that was not the property owner at the time of the Pre-Consultation meeting; or
 - c) the application is a Minor Variance or Consent.

Pre-Consultation Meeting

11. The submission of a complete Pre-Consultation application form, as outlined in Sections 5 to 10 of this By-law is required in order to be scheduled for a Pre-Consultation meeting.
12. One Pre-Consultation meeting will be held with Town staff in conjunction with any other government body, public authority and/or external agency deemed appropriate by the Town. After a Pre-Consultation meeting, applicants will be provided with:
 - a) detailed comments that include identification of issues and recommendations for revisions to the proposal;
 - b) a list of requirements for the submission of a complete planning application, including identification of which studies in Schedule 'A' to this By-law are required and which are not;

- c) Terms of Reference and/or Guidelines for any reports, studies or plans required for the complete planning application. In cases where the Town does not provide Terms of Reference and/or Guidelines for any reports, studies or plans required for the complete planning application, Applicants shall prepare Terms of Reference, in consultation with the Town and relevant external agencies, and obtain approval of those Terms of Reference, prior to undertaking the report, study or plan; and
 - d) confirmation of which studies, reports and/or plans will require external peer review.
13. For any Pre-Consultation meeting(s) in excess of the one meeting identified in Section 12 of this By-law, the following shall apply:
- a) Applicants shall pay the prescribed fee in accordance with the Town of Ajax User Fees and Charges By-law, as amended; and
 - b) Payment in full shall be submitted to the Town prior to scheduling the meeting.

Submission of a Planning Application without Pre-Consultation

14. Schedule 'A' is attached to and forms part of this By-law. Schedule 'A' sets out, for each category of application, a full range of studies which could be required. In the absence of any information arising from a Pre-Consultation meeting to allow the Town to dispense with one or more of these studies, the Town may require the full range of studies in the pertinent application column in Schedule 'A' in order to be satisfied the application is complete. The Pre-Consultation process will identify which studies in Schedule 'A' are not required for the particular application proposed.

Pre-Consultation Prior to This By-law

15. If an Applicant submitted a Pre-Consultation Phase 2 application and did not submit a complete planning application prior to the coming into force of this By-law, the full Pre-Consultation Phase 2 fee shall be credited against the subsequent planning application fee. The fee credit will be valid for 12 months from the day this By-law is passed and will be applied to one planning application only. The fee credit will not apply to the planning application where:
- a) the development proposal has changed (e.g. the introduction of new height or density, site layout modifications not requested by the Town, and/or use not previously reviewed by the Town), at the discretion of the Director or their designate; or
 - b) the planning application is submitted by a property owner that was not the property owner at the time of the Pre-Consultation meeting.

Coming Into Force

16. This By-law comes into force on the day it is passed.

READ a first and second time this Twenty-first day of October, 2024.

READ a third time and passed this Twenty-first day of October, 2024.

Shaun Collier, Mayor and CEO

Jaclyn Grossi, Clerk

Schedule 'A' to By-law 72-2024

	Simple OPA	Complex OPA	Temp Use ZBA	Simple ZBA	Complex ZBA	Subdivision	Condominium	Site Plan	SPA Minor A	SPA Minor B	SPA Minor C	SPA Minor D	SPA Major
DRAWINGS													
Concept / Site Plan <ul style="list-style-type: none"> All buildings, drive aisles, parking areas and spaces, loading and queuing spaces, etc. Measured setbacks, lot area(s), building height(s) and density, site considerations, etc. Lot/blocks, adjacent lands, street pattern, open space, landscape buffers, stormwater ponds, etc. 	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Building Elevation Drawings <ul style="list-style-type: none"> Building Height(s), setbacks, separations, angular planes 	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Zoning Compliance / Site Statistics Table <ul style="list-style-type: none"> to be included in site plan/concept plan / full drawing set 	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Full Drawing Set <ul style="list-style-type: none"> Architectural, Engineering, Transportation, and Landscape drawings as determined by Pre-Consultation Phase 1 comments 	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
PLANNING													
Planning Rationale Report	✓	✓	✓	✓	✓								
Land Use Compatibility Report	✓	✓		✓	✓			✓				✓	✓
Development Compatibility Report			✓	✓	✓	✓		✓				✓	✓
Public Consultation Strategy Report	✓	✓		✓	✓								
Ajax Green Standard Checklist and Energy Modelling Report						✓		✓					✓
TRANSPORTATION													
Traffic Impact Study and/or Transit Impact Study	✓	✓	✓	✓	✓	✓		✓			✓	✓	✓
Parking Utilization Study	✓	✓	✓	✓	✓			✓			✓	✓	✓
Traffic Management Implementation Plan						✓		✓				✓	✓

The studies listed in this Schedule represent the full range of studies which could be required for each of the application categories. However, in particular circumstances, there may be additional studies beyond this list that could be required to address uncommon or unusual aspects of a proposal. Such additional studies will be identified either during the Pre-Consultation process or arising from the other studies undertaken in respect of the project. Applicants may apply for Pre-Consultation to confirm which of the materials indicated on this chart are required based on the application type, proposal, location, site attributes, and whether a technical peer review is required.

Schedule 'A' to By-law 72-2024

	Simple OPA	Complex OPA	Temp Use ZBA	Simple ZBA	Complex ZBA	Subdivision	Condominium	Site Plan	SPA Minor A	SPA Minor B	SPA Minor C	SPA Minor D	SPA Major
HERITAGE/CULTURAL													
Cultural Heritage Evaluation Report	✓	✓		✓	✓			✓		✓	✓	✓	✓
Heritage Impact Statement	✓	✓		✓	✓	✓		✓		✓	✓	✓	✓
Heritage Conservation Plan	✓	✓		✓	✓	✓		✓		✓	✓	✓	✓
Archaeological Assessment	✓	✓		✓	✓	✓		✓				✓	✓
ENGINEERING													
Noise and Vibration Study	✓	✓		✓	✓	✓		✓			✓	✓	✓
Grading, Drainage and Stormwater Management Plan / Report	✓	✓		✓	✓	✓		✓	✓		✓	✓	✓
Functional Servicing Report	✓	✓		✓	✓	✓		✓	✓		✓	✓	✓
Hydrogeological Report and Servicing Options Report	✓	✓		✓	✓	✓		✓				✓	✓
Civil Drawings (Site Servicing, Site Grading, SEC, Details, etc.)								✓	✓		✓	✓	✓
Geotechnical Report	✓	✓		✓	✓	✓		✓				✓	✓
Slope Stability Report	✓	✓		✓	✓	✓		✓			✓	✓	✓
Master Environmental Servicing Plan	✓	✓		✓	✓	✓							✓
Flood Plain Management Report	✓	✓		✓	✓	✓		✓					✓
Waste Management Report						✓		✓			✓	✓	✓
Construction Management Plan and/or Report						✓		✓			✓	✓	✓
ENVIRONMENTAL													
Environmental Impact Study	✓	✓		✓	✓	✓		✓			✓	✓	✓
Phase One Environmental Site Assessment and Reliance Letter or Site Screening Questionnaire	✓	✓	✓	✓	✓	✓		✓			✓	✓	✓
Phase Two Environmental Site Assessment and Reliance Letter	✓	✓	✓	✓	✓	✓		✓			✓	✓	✓

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Schedule 'A' to By-law 72-2024

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Statement of Conformity with Minimum Distance Separation (MDS) Formulae and/or Agricultural (Impact) Assessment	✓	✓				✓		✓					
Air Quality Study	✓	✓		✓	✓	✓		✓				✓	✓
Contamination Management Plan	✓	✓	✓	✓	✓			✓				✓	✓
URBAN DESIGN													
Lighting/Photometric Plan						✓		✓			✓	✓	✓
Tree Inventory and Preservation Plan / Arborist Report	✓	✓		✓	✓	✓		✓			✓	✓	✓
Urban Design Guidelines	✓	✓		✓	✓	✓		✓				✓	✓
Sun/Shadow Study	✓	✓		✓	✓			✓				✓	✓
Master Block Plan		✓			✓	✓		✓				✓	✓
Cross-Section Drawings/Profiles	✓	✓		✓	✓			✓				✓	✓
View and Vista Renderings	✓	✓		✓	✓			✓				✓	✓
Park Facility Fit Plan						✓		✓					
Architectural Design Guidelines	✓	✓		✓	✓	✓		✓				✓	✓
Pedestrian Level Wind Study	✓	✓		✓	✓			✓				✓	✓
ECONOMIC													
Rental Housing Conversion Study							✓	✓					✓
Retail Impact Study								✓				✓	✓
Market Impact Study	✓	✓		✓	✓								
Financial Impact Study	✓	✓		✓	✓								

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