

BY-LAW NO. 5528

OF

THE CORPORATION OF THE COUNTY OF SIMCOE

A By-law to require consultation with the County Planning Department prior to formal submission of a County Official Plan Amendment and/or a Plan of Subdivision/Condominium application for which the Corporation of the County of Simcoe is the Approval Authority.

WHEREAS Section 22 (3.1) (b) of the Planning Act R.S.O. 1990 c.P. 13, as amended by the Planning and Conservation Land Statute Law Amendment Act 2006 provides that County Council by by-law, may require applicants or municipalities to consult with the municipality before submitting requests to amend the County of Simcoe Official Plan;

AND WHEREAS Section 51 (16.1) (b) of the Planning Act R.S.O. 1990 c.P. 13, as amended by the Planning and Conservation Land Statute Law Amendment Act 2006, provides that County Council by by-law, may require applicants to consult with the County Planning Department before submitting requests for Plan of Subdivision/Condominium approval;

AND WHEREAS by the adoption of Recommendation CS-158-07 of the Corporate Services Committee, County Council deems it expedient to require and establish a format for consultation with the County Planning Department before a person or public body requests County Council to amend its official plan and/or approve a Plan of Subdivision/Condominium.

NOW THEREFORE the Council of the Corporation of the County of Simcoe enacts as follows:

1. THAT applicants or municipalities be required to consult with the County Planning Department before submitting requests to amend the County of Simcoe Official Plan.
2. THAT applicants be required to consult the County Planning Department before submitting an application for Plan of Subdivision/Condominium approval.

3. THAT applicants be encouraged to consult with the County Planning Department before submitting an application with the local Municipality for Official Plan Amendments, Zoning By-law Amendments, Subdivision/Condominium approvals, Site Plan approvals and Development Permits, for which the local Municipality is the approval authority, when the subject lands: front on a County Road, are generally within 500 metres of a County Waste Disposal site, abuts a County Forest and when interpretation is necessary of the County of Simcoe Official Plan or relevant Provincial Policy or Plan with respect to the development or related matters.
4. THAT the County shall not be required to accept any application in which the applicant or municipality, as the case may be, has not consulted as required under paragraphs one and two above.
5. THAT notwithstanding this By-law, the Director of Planning is hereby delegated the authority to waive the requirement for applicants to consult with the County Planning Department before submitting requests to amend the County of Simcoe Official Plan where it is determined the amendment will not impact the intent and policies of the County of Simcoe Official Plan and/or Provincial land use policy.
6. THAT notwithstanding this By-law, the Director of Planning is hereby delegated the authority to waive the requirement for applicants to consult with the County Planning Department before submitting requests for Plan of Subdivision/Condominium approval where it is determined the proposal will not impact the intent and policies of the County of Simcoe Official Plan and/or Provincial land use policy.
7. THAT this By-law shall come into force and take effect immediately upon approval of County Council.

By-law read a first, second and third time and finally enacted this 28th day of August, A.D., 2007.



Warden, County of Simcoe



Clerk, County of Simcoe