

Authority: Planning and Housing Committee Item PH6.2, adopted as amended, by City of Toronto Council on October 11 and 12, 2023
City Council voted in favour of this by-law on October 12, 2023
Written approval of this by-law was given by Mayoral Decision 19-2023 dated October 12, 2023

CITY OF TORONTO

BY-LAW 965-2023

To amend City of Toronto Municipal Code Chapter 415, Development of Land, respecting Mandatory Pre-Application Consultation.

Whereas Council through By-law 46-2022 enacted on February 3, 2022 established Section 415-19.2 of Chapter 415 of the Municipal Code to require Mandatory Pre-Application Consultation; and

Whereas Council through By-law 46-2022 originally established a transition period and effective date of Mandatory Pre-Application Consultation to be November 1, 2022; and

Whereas Council through By-law 401-2022 amended the effective date from November 1, 2022 to April 3, 2023 thereby extending the transition period for Mandatory Pre-Application Consultation to be effective for the specified application types; and

Whereas Council is aware that voluntary pre-application consultation meetings took place prior to the April 3, 2023 effective date; and

Whereas Council deems it appropriate to establish consistent application of the Mandatory Pre-Application Consultation requirements across the City and to ensure effective engagement between the City and applicant has occurred in a reasonable period of time before and after a pre-application consultation meeting to ensure effective and efficient decision making respecting the prescribed application types; and

Whereas Council also deems it appropriate to amend Section 415-19.2 in Chapter 415 of the Municipal Code to not permit concurrent Mandatory Pre-Application Consultation meetings for Site Plan Control Approval applications with any other application types prescribed consistent with the report from the Interim Deputy City Manager, Infrastructure and Development Services, dated November 22, 2022, adopted by Council through Council Decision Item EX1.4 on December 14 and 15 2022;

The Council of the City of Toronto enacts:

- 1.** Section 415-19.2. Mandatory Pre-Application Consultation of Municipal Code Chapter 415, Development of Land, is amended to add new Subsections E, F and G as follows:

- "E. Where an applicant may have had a voluntary pre-application consultation with the City before April 3, 2023, the Chief Planner and Executive Director, City Planning or their designate may deem the requirements of Section 415-19.2 to have been met, if all the following criteria have been satisfied:
- (1) the voluntary pre-application consultation meeting occurred 12 months or less before the application is proposed to be submitted to the City;
 - (2) the applicant received a checklist from the City relevant to the application type(s) proposed to be submitted to the City;
 - (3) the application proposed to be submitted is substantively similar, including the same municipal address(es), but for any revisions made to address comments provided by the City as part of the voluntary meeting; and
 - (4) there have been no changes to policy, regulation or legislation since the voluntary pre-application consultation meeting which would have an impact on the relevance of the comments provided by the City or discussions respecting a proposed development that occurred at the prior voluntary pre-application consultation meeting, as determined by the Chief Planner and Executive Director, City Planning or designate.
- F. Where an applicant has had a Mandatory Pre-application Consultation with the City on or after April 3, 2023, the Chief Planner and Executive Director, City Planning or their designate may deem the requirements of Section 415-19.2 to have been met, if all the following criteria have been satisfied:
- (1) the Mandatory Pre-Application Consultation meeting occurred 24 months or less before the application is proposed to be submitted to the City;
 - (2) the applicant received a Mandatory Pre-Application Consultation Checklist from the City relevant to the application type(s) proposed to be submitted to the City;
 - (3) the application(s) proposed to be submitted are substantively similar, including the same municipal address(es), but for any revisions made to address comments provided by the City as part of the Mandatory Pre-Application Consultation meeting; and
 - (4) there have been no changes to policy, regulation or legislation since the Mandatory Pre-Application Consultation meeting which would have an impact on the relevance of the comments provided by the City or discussions respecting a proposed development that occurred at the prior Mandatory Pre-Application Consultation meeting, as determined by the Chief Planner and Executive Director, City Planning or designate.
- G. Despite Subsections E and F above, a Mandatory Pre-Application Consultation meeting required by this Section will deemed to not be satisfied, whether before

or after April 3, 2023, where:

- (1) a time period of 12 months or greater has lapsed from the date of the Pre-Application Checklist has been issued for a voluntary pre-application consultation meeting; or
 - (2) a time period of 24 months or greater has lapsed from the date of the Pre-Application Checklist has been issued for a Mandatory Pre-Application Consultation meeting required by this Section.
 - (3) For greater certainty, if Subsections G(1) or (2) applies, a new Mandatory Pre-Application Consultation Meeting for the requisite application type(s) will be required to be held by the Chief Planner and Executive Director, City Planning or designate in accordance with this Section."
2. Section 415-19.2. Mandatory Pre-Application Consultation of Municipal Code Chapter 415, Development of Land, is amended to add new subsection D(8) as follows:
- "(8) Despite Subsection D(5) above, a Mandatory Pre-Application Consultation for any Site Plan Control application will not be permitted to occur concurrently with any other application identified in Subsection B above."
3. This By-law shall come into effect on the date it is enacted and passed.

Enacted and passed on October 12, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)