



BEST PRACTICES GUIDE FOR PRE-CONSULTATION

For

**Official Plan Amendment Applications
Zoning By-law Amendment Applications
Draft Plan of Subdivision Applications
Draft Plan of Condominium Applications
Site Plan Approval Applications
Consent Applications**

Last Revision: April 2017

1. Purpose

The purpose of pre-consultation is two-fold:

(a) For The Applicant

Pre-consultation saves time, money and resources for the applicant wanting to develop land since *all* of the information required to make intelligent investment decisions is provided up front, before significant dollars are spent on plans, studies and various supporting documentation required to submit a complete application. After pre-consultation the applicant should have a very clear understanding of the documentation required to submit an application, the approval process and the anticipated time line, the potential obstacles that may arise, the public participation process, (if any), the variables that may impact the information provided to the applicant, the application fees and related review fees, development charges, building permit fees and any financial incentives that the project may be eligible for.

The applicant should have enough information to make a sound judgment regarding the proposal to proceed, to revise it in accordance with the information provided, or to abandon the project altogether. As long as these decisions are based on complete, sound and accurate information and advice, provided by the Town, Region and Agencies involved, the applicant will have benefitted from the pre-consultation process.

(b) For The Town, Region and Agencies

The wise use of taxpayer dollars is always a high priority. Pre-consultation offers the Town, the Region and relevant agencies the opportunity to provide input on a development proposal early in the process before the applicant starts to spend significant dollars on a project. It is the opportunity for a partnership with the applicant to collaborate, to discuss, to resolve issues, to compromise where warranted, and to result in the best possible outcome for all parties. The applicant has to be confident in the viability of a project. The Town and Region have to be confident that public interests are at the forefront. Agencies have various mandates and those too must be met. Only by early discussion and openness can all parties benefit from savings in time, money and resources.

2. Pre-consultation versus Preliminary Conversation

A pre-consultation meeting is not intended to replace preliminary conversations at the planning counter, a phone inquiry or a meeting with Town, Regional or Agency staff. Information gathering is a necessary due diligence step to get started. Most development proposals start with a conversation and, if they proceed, lead to a pre-consultation meeting.

3. How Does the Applicant start the Pre-consultation Process?

The applicant should begin the pre-consultation process at the earliest possible time. It is appropriate to contact the Town to discuss the development proposal as soon as the specifics of the proposal are known to the applicant.

4. Planning Review

The applicant should contact Planning Staff and advise them of their desire to begin the pre-consultation process. Staff will ask the applicant a number of questions about the proposal to determine the extent of pre-consultation that will be required and what Town Departments, Regional Staff or Agencies need to be in attendance. The Town as a best practice will provide the applicant with a pre-consultation Request Form (**Appendix 2**) and advise of the required fee (if applicable) and the submission requirements (**Appendix 1**).

5. Pre-consultation Request Forms

The pre-consultation request form (**Appendix 2**) ensures that consistent information is provided across all municipalities in the Region and provides standardization for the applicant across all municipal jurisdictions. This form is not complicated and offers enough information to establish the proposal details for Town, Regional and Agency assessment.

6. What is required for Pre-Consultation?

The applicant must submit the following information:

- The submission information (**Appendix 1**);
- The application form for pre-consultation (**Appendix 2**);
- A fee, if applicable; and
- A conceptual layout of the proposal based on accurate lot boundaries. The Town may accept an air photo with an overlay of the proposed development, but be aware that the information provided by the pre-consultation process is only as good as the information provided. Ideally, a legal survey if available should be provided, as the base for the proposed development to clearly establish the subject property.

If insufficient information is provided, then the pre-consultation meeting may be cancelled as the benefit of a full discussion at a pre-consultation meeting will not be fully realized. As an alternative, the applicant may choose to discuss this further with Town Planning Staff who can provide clarification and explanation of why the additional information is necessary and how that benefits the applicant in the long run.

7. Who is the Town point person for Pre-Consultation?

The timing of the pre-consultation meeting and agendas will be coordinated by one person to ensure that any questions with the meeting agenda can flow through one person. On the agenda the Town may identify the point person (planner) for each item to ensure that the questions of the Region, Agencies or the applicant are directed to the key planning contact.

The development community has stated on numerous occasions that a "point person" or "go to" person is preferable, rather than a multitude of contacts depending on what information is required. A point person is not only beneficial to the applicant, but it also permits the Town to better coordinate the details of the proposal with each of its Departments, the Region and Agencies. This function will be assigned to the applicable planner in the Town, depending on the type of planning application required. The point person for each submission will take responsibility for ensuring appropriate information is submitted, who needs to review the plans, how much time is required to review the plans, who needs to attend the pre-consultation meeting and any follow up required from the pre-consultation meeting. The Town's contact planner will be identified, however due to the need to ensure equitable distribution of work load; applications may be assigned to a different planner at time of submission of the formal application.

8. Adequate time to Comment

In order to allow adequate time for review, it is recommended internal departments and external agencies reviewing the submission be given a minimum of 1 week to review the proposal prior to the pre-consultation meeting date.

9. Number and Timing of Agenda Items

The number of agenda items will normally range between 2 to 5. The Town will use its best judgement in scheduling the number and timing of agenda items which will vary depending on the complexity of the application. It is always a good business practice to be respectful of everyone's time by minimizing wait times and to come to pre-consultation meetings prepared and on time to discuss the proposals.

10. Cancellation Policies

Every effort should be made to attend the scheduled pre-consultation date and time. Should unforeseen circumstances prevent attendance, the earliest notification of that circumstance should be provided to all participants and a determination made regarding whether to reschedule the meeting, use an alternative format or proceed in the absence of all participants.

11. Emergency Agenda Items

Emergency agenda items are sometimes added at the last minute to a meeting agenda. If the development timeline is crucial, alternative dates can be considered by contacting internal departments, the Region and Agencies to discuss alternative options. For example, time sensitive proposals could be discussed through a conference call.

12. Advance Pre-Consultation Meeting Information

Town Staff will fill out in advance, the pre-consultation meeting information form (up to the end of question 7 on **Appendix 3**) and circulate this information with the agenda to ensure that everyone has adequate information to come prepared to address the agenda items.

13. Pre-Meeting Discussion

The Town contact will consider whether a discussion/meeting with internal Department Staff, the Region or an Agency is warranted to resolve any issues, prior to the proponents arriving to the pre-consultation meeting. These issues should be resolved prior to the pre-consultation meeting so the proponent knows clearly how to proceed.

14. Preparation for Meeting

All Town, Regional and Agency Staff are expected to provide accurate advice and guidance to the proponent based on the information provided with the submission, including but not limited to the following:

- What planning applications are required to proceed (Regional Official Plan Amendment, Official Plan Amendment, Zoning By-law Amendment, Subdivision/Condominium, Site Plan, Consent, Minor Variance etc.);
- What studies and documentation will be required in support of the required applications and the scope of those studies;
- Potential obstacles, challenges, or road blocks that may impact the approval process;
- The public participation process, if any;
- The estimated timeframe to process the application once a complete application is received;
- All application and review fees associated with the development proposal;
- Applicable development charges, building permit fees; and
- Any financial incentives that the project may be eligible for.

The objective of pre-consultation is to provide the proponent with a full and accurate picture of how to proceed. The more information and insight the Town can provide the better.

15. Meeting Etiquette

As in all meetings, it is common courtesy to introduce the participants, the format of the meeting, what is to be accomplished from the discussion and what will result from this meeting.

16. Preparation of the Pre-Consultation Meeting Form

The Pre-consultation meeting form (**Appendix 3**) shall be filled out in draft prior to the pre-consultation meeting to save time in preparing the entire form later. As outlined in

Section 12, Questions 1 to 7 of **Appendix 3** is to be pre-circulated with the agenda. At the pre-consultation meeting, the Town contact can fill out the remaining information from the Town Departments, Regional Staff and Agencies, including fees and return the completed form within 1 week of the pre-consultation meeting. **In no case should the applicant/owner wait beyond a 1 week time frame for the pre-consultation form detailing what was discussed at the meeting.**

In addition to the pre-consultation form, the Town will prepare more detailed comments for complex applications within 1 week of the pre-consultation meeting.

**APPENDIX 1
PRE-CONSULTATION SUBMISSION AND FEE
REQUIREMENTS**

For applications for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivision/Condominium and Site Plan Approval the following information must be submitted:

Required Information	Number of Copies
Preliminary Plan showing the following: <ul style="list-style-type: none"> • Location of existing and proposed land uses; • Location of existing and proposed buildings and structures; • Location of any significant features on the site or adjacent to the site (i.e. wetlands, hazard lands, watercourses, drainage ditches, woodlands, wells, septic tanks, etc.); • Location of proposed buildings and structures on lands without environmental constraints; • Existing and proposed lot fabric (as appropriate) on lands without environmental constraints; and • Proposed development concept, including setbacks from lot lines and significant features. 	1 hard copy and 1 digital (pdf)
Pre-Consultation Request Form	1 copy

For Applications for Consent, the following information is required:

Required Information	Number of Copies
Preliminary Plan showing the following: <ul style="list-style-type: none"> • Location of existing and proposed land uses; • Location of existing and proposed buildings and structures; and • Existing and proposed lot fabric 	1 copy and 1 digital copy (pdf)
Pre-Consultation Request Form	1 copy

Pre-Consultation Fee (If Applicable)

Note: The first pre-consultation fee will be discounted from the full application fee provided the applicant submits the application within one year of the pre-consultation meeting.

TYPE OF APPLICATION

<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Plan of Subdivision	<input type="checkbox"/> Site Plan Approval
<input type="checkbox"/> Zoning By-law Amendment	<input type="checkbox"/> Plan of Condominium	<input type="checkbox"/> Consent

1. Contact Information

Owner: _____

Phone No: _____ Email: _____

Authorized Agent: _____

Phone No: _____ Email: _____

Who is the Principal Contact: _____ ?

2. Site Address/Legal Description

3. Approximate Land Area in hectares/square metres

4. Existing Regional Official Plan Designation

5. Existing Town Official Plan Designation

6. Existing Zoning

7. Are there any encumbrances on the property? (e.g. easements)

Yes No

If yes, please list encumbrances:

8. What is the current use of the subject property?

9. If known what were the previous uses of the subject property?

10. Proposed Servicing

Town Private

11. Are there any significant environmental features on, or in close proximity to the Site?

Yes No

If yes, please check all that apply:

<input type="checkbox"/>	Provincially Significant Wetland	<input type="checkbox"/>	Regulated Floodplain
<input type="checkbox"/>	Locally Significant Wetland	<input type="checkbox"/>	Regulated Shoreline
<input type="checkbox"/>	Woodland Over 2 Hectares	<input type="checkbox"/>	Watercourse, including Town Drains
<input type="checkbox"/>	Other. Please specify.		

12. Details of proposal



Pre-Consultation Meeting Form

Persons intending to make an application for a proposed development are required to consult with planning staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- The nature of the application;
- Development and planning issues;
- Fees;
- The need for information and/or reports to be submitted with the application;
- The planning approval process; and
- Other matters, as determined.

Pre-Consultation Meeting Date: _____

Site Address: _____ **Approximate Land Area (metric):** _____

Site Legal Description: _____

Owner Contact Information:

Name of Owner: _____

Phone Number: _____ Email: _____

Principal Contact: _____

Phone Number: _____ Email: _____

Application Type:

- | | | |
|---|---|--|
| <input type="checkbox"/> Regional Official Plan Amendment | <input type="checkbox"/> Draft Plan of Condominium | <input type="checkbox"/> Zoning By-law Amendment |
| <input type="checkbox"/> Local Official Plan Amendment | <input type="checkbox"/> Vacant Land & Common Element | <input type="checkbox"/> NEC Application |
| <input type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Conversion | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Consent (Land Severance) | <input type="checkbox"/> Other | <input type="checkbox"/> Dev't Permit |
| <input type="checkbox"/> Site Plan Approval | | <input type="checkbox"/> Other |

Local Town Contact: _____ **Phone:** _____

Email _____

1. Brief description of proposed development:

2. Type of road access, (Check applicable field):
 Regional Town

3. Check all applicable fields:
 Brownfield Built Boundary Greenfield Greenbelt CIP Area

4. Existing Regional Policy Plan Designations: _____
 Conformity with Regional Policy Plan land use designation and policies?
 Yes No Unknown

If 'No', what is the nature of the amendment needed? _____

5. Existing Town of Lincoln Official Plan Designation: _____

Conformity with Official Plan land use designations and policies?

Yes No Unknown

If 'No', what is the nature of the amendment needed? _____

6. Existing Zoning: _____

Conformity with existing zoning? Yes No Unknown

If 'No', what is the proposed zoning? _____

7. Is Site Plan approval required? Yes No

8. Fees Required at time of Submission of the Application

Application	Town of Lincoln	Region of Niagara	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment				
Zoning By-law Amendment				
Plan of subdivision				
Plan of Condominium				
Consent				
Site Plan Approval or Amendment				
Other				
Total				

Building Permit Fees: Yes No

Development Charges: Yes No

Notes:

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Further fees may be required at a later date as per the fee schedule by-law.
- Separate cheques shall be made payable to the appropriate agency.

9. **Additional Agencies to be contacted:**

Hydro Pipelines NEC Other _____

10. **Required Information and Studies to be submitted with the Application(s).**

Required by			Reports, Studies, Plans <i>(See Notes for additional details)</i>	No. of Copies		Applicable Application
T	R	CA		Elect CD	Paper	
			Planning Justification Report			ZBA
			Conceptual Site Plan			ZBA
			Draft Regional Policy Plan Amendment			
			Draft Local Official Plan Amendment			
			Land Use/Market Needs			

Required by			Reports, Studies, Plans <i>(See Notes for additional details)</i>	No. of Copies		Applicable Application
T	R	CA		Elect CD	Paper	
			Urban Design/Landscape Plans			SPA
			Archaeology Assessment			
			Cultural Heritage Impact Analysis			
			Environmental Impact Study			
			Environmental Planning Study/ Sub-Watershed Study			
			Tree Inventory Preservation Plan			
			Floodplain and Hazard Lands Boundary Plan			
			Geotechnical			
			Environmental Site Assessment			
			Air Quality/Noise & Vibration Study			
			Agricultural Impact Assessment & Alternative Sites for Non-Agricultural Uses			
			Farm Operation and Ownership			
			Minimum Distance Separation I & II			
			Mineral Aggregate Resources			
			Town Servicing Study			
			Phasing Plan			
			Sensitive Land Use Report			
			Slope Stability Report			
			Stormwater Management Plan			
			Traffic/Parking Impact Analysis			
			Hydrogeological Study and Private Servicing Plans			
			Soil report			
			Financial Impact Assessment			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Risk Management Study			
			Gas Well Study/Gas Migration Study			
			Wind Study			
			Other			

11. Additional Comments:

12. Site Visit: _____

13. Incentive Programs:

Notes:

1. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act and the Town's Official Plan. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the Town to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Town, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the Town the directives of the original pre-consultation meeting.
4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Town and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Town and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Town or Region does not have sufficient expertise to review and determine that a study is acceptable, the Town may require a peer review. The Terms of Reference for a peer review is determined by the Town or Region and paid for by the applicant.
8. Some studies may require NPCA review and clearance/approval. In this instance the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

Signatures:

_____ Planning Staff	_____ Planning Staff (signature)	_____ Date
_____ Planning Staff	_____ Planning Staff (signature)	_____ Date
_____ Public Works Staff	_____ Public Works (signature)	_____ Date
_____ Regional Staff	_____ Regional Staff (signature)	_____ Date
_____ Regional Staff	_____ Regional Staff (signature)	_____ Date
_____ NPCA Staff	_____ Conservation Staff (signature)	_____ Date
_____ Agent	_____ Agent (signature)	_____ Date
_____ Owner	_____ Owner (signature)	_____ Date
_____ Other	_____ Other (signature)	_____ Date
_____ Other	_____ Other (signature)	_____ Date