March 17, 2022

# C3: Staff Report

## Technical Criteria

## Final Proposed Approach and Format

## Pre-consultation and Complete Applications

### INTRODUCTION

#### BASIS FOR DEVELOPMENT OF TECHNICAL CRITERIA

Staff of the Niagara Escarpment Commission (NEC) receive applications for Amendments to the Niagara Escarpment Plan (NEP) and Development Permits. Many applications lack basic information such as a site plan drawn to scale or an application form with all the questions properly answered. Staff are also often challenged by applicants as to why they need to submit certain drawings or studies in support of their application. Lacking Technical Criteria to provide to an applicant that set out our application requirements, other than the application forms themselves, staff often have limited information to evaluate an application with respect to NEP policy. Incomplete applications either languish in the NEC data bases as incomplete applications that are awaiting the receipt of requested information or necessitate protracted dialogue between staff and applicants to clarify the application and determine whether it complies with NEP policy and Development Criteria.

Although all applicants are encouraged by staff to contact us prior to applying, many do not. The NEC does not have a formal or established pre-consultation process, to explain our processes and application requirements.

Technical Criteria which set out a desired pre-consultation process and guides applicants on the types of drawings and technical reports required to support an application is an important component of an efficient or effective application process.

Technical criteria are standard practice for applications under the *Planning Act, Building Code and Heritage Act* so the NEC would not be creating an application review system that is more onerous than what other approval authorities can require.

#### Previous Staff Reports

NEC staff has written three previous reports on this topic. The first, in October 2018, identified the challenges that incomplete applications presented for both applicants and NEC staff. The NEC endorsed the report and directed staff to develop a process that would bring greater clarity to the application process for Plan Amendment and Development Permit applications.

The second staff report in November 2020 expanded the scope of the proposed Technical Criteria by identifying the need to include a review of the merits of instituting a pre-consultation process whereby applicants would meet with NEC staff prior to submitting a Plan Amendment or complex Development Permit application. Recognizing that pre-consultation would not be mandatory, staff proposed:

* an examination of the types of applications that would benefit from it and,
* consideration of how it could be aligned with municipal planning processes that involve pre-consultation for related *Planning Act* applications.

The third report in June 2021 confirmed the need for the Technical Criteria and recommended additional consultation with NEC and Ministry staff. The report included the draft format for a complete application checklist.

#### Scope of NEC Technical Criteria

Section 6.1(2.1) of the NEPDA contains a general description of the requirements for a Plan Amendment application but does not establish comprehensive application requirements.[[1]](#footnote-1)

Similarly, NEC staff cannot recommend any policy changes to the NEP through this process to enhance what exists in Parts 1.2.1 or 1.2.2 which set out, generally, the application requirements for a Plan Amendment. This is also out of scope until the next Co-ordinated Plan Review when this topic or issue could be recommended to be included in the Terms of Reference for the Review.

Finally, it would also be out of scope for the development of Technical Criteria to recommend changes to the Development Permit application form to include requirements for additional information, as the form was recently updated and simplified as part of a “burden reduction” exercise undertaken by the Provincial government. However, the application form could be revisited in the future should that be determined to be necessary.

## 2.  BACKGROUND

### Niagara Escarpment Plan 2017

The 2017 NEP introduced new language relating to the development of guidance material, stating:

* “The Niagara Escarpment Commission, in consultation with the Ministry of Natural Resources and Forestry, may from time-to-time issue guidance material and technical criteria to assist the implementing authority with the policies of this Plan.
* Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of this Plan.”

Therefore, there is a foundation to bring greater clarity to the NEC application processes for both Development Permit and Plan Amendment applications through the preparation of Technical Criteria.

## 3.  INFORMATION SUMMARY

NEP Implementation

Under the current review processes for Plan Amendment and Development Permit applications, the approach to pre-consultation and application requirements is not formal. All applicants are encouraged to discuss their applications with staff before they apply. Some limited information is available to the public from the NEC website, but there is no established pre-consultation process. Determining which applications will be the subject of pre-consultation is left to the discretion of NEC staff, (usually the Senior Planner or Strategic Advisor).

Staff are often asked by prospective applicants to provide some guidance about the application process and what documents (plans, studies) are required to be submitted with the application form. This can result in a lengthy dialogue or series of email exchanges as staff describe what is needed for a “complete” application. NEC staff invite other agency or municipal staff to participate in pre-consultation on occasion and similarly, NEC staff may also be invited to attend municipal pre-consultation meetings where applications are required under both the NEPDA and the *Planning Act.*

Having a clear process with specific requirements for technical studies and drawings would be consistent with overall government goals to provide clarity to planning review processes and support efforts to streamline those processes to reduce the burden for applicants and to obtain timely decisions on their applications. Pre-consultation may also facilitate identification of necessary supporting reports and plans and potential policy issues earlier in the process.

### Jurisdictional Scan and Best Practices

NEC staff considered planning application requirements for select municipalities[[2]](#footnote-2) and the Ministry of Municipal Affairs and Housing. Common elements to the pre-consultation and application process include the following:

* An application form to request a pre-consultation meeting;
* A regular schedule of pre-consultation meetings;
* Invitations to relevant municipal staff and staff of other agencies to attend the pre-consultation so the applicant gets feedback on application requirements from all agencies at once;
* A checklist of required studies and the format that the information must be submitted in (e.g. drawing sizes, what must be shown on drawings, property location and legal description including roll number, number of copies of reports);
* Time limit on the pre-consultation (i.e. if an application is not submitted within a certain period after the meeting, another pre-consultation is required);
* Confirmation of specified application requirements sent after the pre-consultation to ensure that the applicants cannot suggest that they were not made aware of the need for certain plans or studies;
* General outline of the steps in the planning process for the planning approval being sought;
* Explanation that meeting the municipal requirements will assist staff in providing a timely review of their application.

### Commission Input

At the Commission meetings where this topic was presented previously, feedback from the members included the following:

* The new process in the technical criteria should be simple to follow and include graphics such as a flow chart of the application process;
* A checklist of application requirements would be helpful;
* Standards for drawings and plans and the terms of reference for studies should mirror those of other regulatory bodies;
* The application and pre-consultation process should be scaled to the type of application, and both should be simpler for certain types of Development Permit applications;
* Enough information should be required of an applicant to enable staff to determine if it conforms to the NEP;
* Application requirements should include a detailed site plan, a Visual Impact Assessment (VIA), an environmental impact assessment, traffic study, where applicable;
* Ability of an applicant to prepare the required information should be taken into consideration.

Ministry Input

The Ministry has advised that NEC staff have done commendable work developing a Technical Criteria document that is relevant to the NEC Development Permit and NEP Amendment process, comprehensive with supporting direction to the NEP and NEPDA, and easy to understand in its application.

The Technical Criteria supports a streamlined and more efficient NEC Development Permit and NEP Amendment process by encouraging pre-consultation and providing technical direction for complete and comprehensive applications.

### NEC Staff Input

NEC staff discussed the proposed technical criteria for complete applications and pre-consultation with all three of the Integrated staff teams (North, Central and South teams) in February 2022. We discussed the proposed, more structured approach to pre-consultation and the creation of a complete application checklist as a means of improving the quality of application submissions. Their feedback included the following comments:

* All teams agreed with the need for the Technical Criteria and supported the pre-consultation process as a means of elevating the quality of submitted applications;
* Staff noted that the reputation of the NEC suffers because other agencies comment on the poor quality of the applications that we circulate to them for comment and those agencies sometimes indicate that they cannot provide comments until better plans or more information is provided so they can undertake their review of the application;
* In the current application process, staff mentioned that other agencies may request additional studies from an applicant to meet their policy requirements;
* It was noted that “consultation” regarding an application can take place before application submission, as part of the review of an application already submitted and in response to comments received and that may result in the applicant needing to provide more information;
* Staff commented that some simple applications may not require any pre-consultation;
* An application that may have been identified as straight forward at the outset, may shift to being complex during the review process as policy or environmental issues are identified by staff or commenting agencies;
* Additional types of reports were suggested by staff to add to the checklist;
* Overall, staff shared frustration in the delays caused by incomplete or insufficient application submissions and stated that the proposed Technical Criteria are a good approach to raising NEC application standards.

#### Pre-consultation

As set out in previous staff reports on this topic, NEC currently hold some pre-consultation discussions with potential applicants. The proposed Technical Criteria would support more such meetings. For standard applications, pre-consultation could simply be a phone call or a virtual meeting with NEC staff to understand the proposed Plan Amendment for a policy or designation change or development proposal, discuss application requirements, and share the technical criteria to explain the need for a complete application.

The proposed Technical Criteria document in Appendix 1 to this report contains a Question and Answer (Q&A) document which explains in simple terms the pre-consultation process.

For Plan Amendment applications where justification of the proposed amendment is required by NEP policy and for more complex Development Permit applications, pre-consultation is essential and could be held in concert with other municipal or agency staff, where necessary. Pre-consultation cannot be mandatory, and applications will still be accepted if it has not taken place. It will be encouraged by NEC staff for the purpose of supporting an efficient and effective application process.

#### Complete Applications

Minimum requirement should include:

* drawing to scale (which would be needed for municipal approvals anyway); building dimensions and setbacks, location of existing and proposed development;
* Proposal description listing all proposed development[[3]](#footnote-3), including a change of use;
* Completion of construction detail section of the application form;
* Restoration plan/landscaping plan;
* Information about related planning or environmental approvals the applicant is seeking, even if not yet submitted.

The Appendix to this report contains the two types of checklists that would be completed during a pre-consultation to confirm the discussion and identify the information requested to support a Plan Amendment or Development Permit application.

As such, the proposed Technical Criteria represent a desired, but non-mandatory best practice part of the application process which would assist applicants, NEC staff and the Commission to achieve a more efficient and timely application review and decision-making process.

## 4.  ANALYSIS AND CONCLUSIONS

As directed in response to the last report on this topic, staff has:

* shared the technical criteria with NEC and NDMNRF staff;
* revised the complete application checklist to create one for standard or routine applications and one for more complex applications;
* created a simple outline of the voluntary pre-consultation process and combined it with the application checklists (see Appendix to this report).

Staff notes that at a presentation at the February 2022 NEC meeting, it was recommended by the presenters that pre-submission consultation would be valuable to applicants in the agricultural sector in helping them to understand the planning approval process. Staff are of the opinion that all applicants will appreciate more information on how to apply to the NEC for planning approvals.

Staff also note that on a regular basis, applicants contact us wondering why their applications are not moving forward. Although staff regularly undertake pre-consultation discussions with applicants or potential applicants, lacking the pre-consultation checklist, the result is sometimes poor recollection or record of that discussion. Staff must repeat the advice that was given about the studies and application requirements that staff need to review, and other agencies to comment meaningfully on, an application.

Staff now recommends that the proposed pre-consultation process and checklist for complete applications be endorsed. The NEC has supported the need for the Technical Criteria at previous meetings and staff can easily implement the process and adjust it over time based on feedback from applicants, staff, and partner agencies. All the information, including how to confirm if your property is in the Plan Area and how to contact our staff, is contained in one document.

## 5.  NEXT STEPS

If endorsed by the Commission,

* Staff could implement the Technical Criteria in April 2022 for new applications.

* Staff could monitor the implementation of the Technical Criteria. Staff can return to the Commission at a future meeting to report on the success of the Technical Criteria in raising application standards and creating a more efficient and effective application process for applicants and to identify further process improvements, as necessary.

## 6.  RECOMMENDATION

That the Niagara Escarpment Commission:

1. Endorse this report and the Technical Criteria in the Appendix;
2. Direct staff to post the Technical Criteria on the NEC website; and,
3. Implement the new pre-consultation process and complete application requirements with new applications commencing in April 2022.

**Prepared by:**

Original signed by:

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Nancy Mott, MCIP, RPP

Senior Strategic Advisor

**Approved by:**

Original signed by:

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Debbie Ramsay, MCIP, RPP

Director

Appendix 1 – Pre-consultation/Complete application Technical Criteria document

# APPENDIX 1

**TECHNICAL CRITERIA FOR PRE-CONSULTATION AND COMPLETE APPLICATIONS**

**Niagara Escarpment Plan Amendment and Development Permit Applications**

**March 2022**

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1. **INTRODUCTION**

In accordance with the Niagara Escarpment Plan, 2017 (NEP), as amended, the Niagara Escarpment Commission (NEC), in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry, can issue technical criteria to assist the implementing authority[[4]](#footnote-4) with applying and interpreting the policies of the Plan in the review of applications submitted under the *Niagara Escarpment Planning and Development Act* (NEPDA).

The policies of the NEP require the submission of technical reports for certain types of development (as identified on the checklists in Part 4). For example, a natural heritage evaluation is required if the proposal has the potential to have a *negative impact* on a key natural heritage feature (NEP Part 2.7.6).

The Technical Criteria for Pre-consultation and Complete Applications have been developed to help applicants for Niagara Escarpment Plan Amendment and Development Permits in understanding the planning process for NEC applications and knowing how to submit an application that provides enough information to evaluate the development proposal or policy change.

These Technical Criteria contain two parts. Part 1 explains the Pre-consultation process and Part 2 contains a checklist for standard and complex applications. The checklist will be completed by NEC staff and provided to the applicant following a pre-consultation meeting.

**NOTE:** Pre-consultation is not mandatory and an application lacking complete information will still be processed by NEC staff, at the request of the applicant. However, application processing times may be longer as a result because staff may be unable to evaluate whether the proposed development meets NEP policy. The information requested as part of the NEC process will also likely be required for any subsequent planning or environmental approvals (municipal/conservation authority), so it is in the best interest of the applicant to provide the requested information at the earliest opportunity.

1. **INITIAL ASSESSMENT AND CONTACT INFORMATION**

**Step 1**. Is my property subject to the policies of the Niagara Escarpment Plan, a provincial land use plan? Is my property in the Area of Development Control? Do I need a permit or planning approval from the Niagara Escarpment Commission?

Check the Interactive Map on the website of the Niagara Escarpment Commission before you contact our offices. It will show you if your property is in the Niagara Escarpment Plan Area or Area of Development Control (where municipal zoning is not in effect).

[Interactive Map - Niagara Escarpment Commission](https://escarpment.org/development-permits/interactivemap/)

If you are outside the Niagara Escarpment Plan Area, contact your local municipality for planning/building approvals.

If you are *in* the Niagara Escarpment Plan Area and Area of Development Control, go to Step 2.

**Step 2**. For more information about the Niagara Escarpment Plan Amendment and Development Permit application processes or to talk to staff of the Niagara Escarpment Commission about setting up a pre-consultation, please contact our offices at:

Georgetown Office

necgeorgetown@ontario.ca

905-877-5191

(For applications in Niagara, Hamilton, Halton, or Peel)

Owen Sound Office

necowensound@ontario.ca

519-371-1001

(For applications in Dufferin, Bruce, Simcoe, or Grey)

1. **PRE-CONSULTATION**

**Niagara Escarpment Plan Amendment and Development Permit Applications**

Pre-consultation is a process that may be undertaken by staff of the Niagara Escarpment Commission (NEC) to assist you in understanding the process that will be followed to review your application. It is also an opportunity for staff to:

* confirm their understanding of your proposal;
* let you know if additional information is required to help us process your application; or,
* identify any components of the proposal that conflict with the Niagara Escarpment Plan (NEP).

Pre-consultation can occur before an application is submitted, but consultation can also take place after it has been submitted but before it is circulated, and during the application review process if NEC staff or an external agency identifies the need for more information to assist in assessing whether the application complies with the Niagara Escarpment Plan, a municipal Official Plan, or a Conservation Authority regulation.

Frequently Asked Questions

1. Is pre-consultation required before applying to the Niagara Escarpment Commission (NEC) for a planning approval?
* Pre-consultation is not mandatory but highly recommended to ensure the efficient and timely processing of your complete application;
* Pre-consultation about NEC applications may take place together with another agency or municipality if other planning or environmental approvals are required. (e.g., municipal, conservation authority)
1. Is there a fee for pre-consultation?
* There is no fee to have a pre-consultation meeting with NEC staff.
1. How do I set up a pre-consultation?
* Please email or call one of our offices to arrange a meeting
	+ Georgetown: 905-877-5191 or necgeorgetown@ontario.ca
	+ Owen Sound: 519-371-1001 or necowensound@ontario.ca
* The meeting can be held over the phone or through a video call, or in person when possible.
1. What happens if I have already applied and did not have a pre-consultation meeting?
* The NEC planner who has been assigned to your application will contact you to discuss your application and any additional information required to process your file.
1. I am the property owner. If pre-consultation is scheduled for my application, do I have to attend?
* Your attendance at the meeting will help you to understand the application process and the NEC requirements. Someone else that you name could attend in your place if you give them permission and provide a copy of that authorization to NEC staff.
* If you have a professional representing you in the application process, they are encouraged to attend the pre-consultation with you or on your behalf. Your agent could be a planning consultant, architect, engineer, landscape architect, or real estate agent, for example.
1. What information should I bring to a pre-consultation?
	* Please bring a complete description of your proposal for the site, including any proposed construction, site alteration or land use changes to ensure that we can advise you on what types of development, uses or activities do or do not require a permit or planning approval;
	* A site plan, air photo, building plans, legal description, or assessment roll number for your property or a survey could be shared with NEC staff before the pre-consultation meeting or phone call; you can also provide a list of any studies or other technical reports that have been or may be prepared to support your application.
	* Scaled plans and drawings that show existing and proposed development (e.g., houses, sheds, garages, barns, storage containers, pools, patios) and environmental features on the property (e.g., ponds, streams, woodlots, wetlands) will allow NEC staff to better guide you on what detailed studies may be needed;
	* If you do not have any details about your project, you may not be ready for pre-consultation. Consider an email to the NEC general inquiry mailbox or a phone call to the appropriate NEC staff person, if you are just gathering information for a future application.
2. What will I learn at a pre-consultation meeting?
* NEC staff will advise you if your application has all the information that is required by the policies of the NEP (e.g., the application form has been fully completed, you have provided an accurate site plan, the proposed development is identified as a Permitted Use, additional information or studies are needed to support your application) as required by the NEP;
* If the pre-consultation is held jointly with a municipality or conservation authority, their staff will tell you if they have other application requirements (under the *Planning* Act or other legislation) and will explain how their planning or environmental approval process works;
* NEC staff may provide information about applicable policy and whether there are any policy considerations that would impact your ability to undertake your development or bring a new use to your property;
* That approvals from the NEC must precede any other planning or development approvals and any development on your property (NEPDA S. 24(3)).
1. What happens after pre-consultation?
* After pre-consultation on a standard application, staff will confirm the discussion by completing a checklist describing what you need to submit. Once you provide the information requested, then staff can start to process the application; the process will include consultation with other agencies, a site visit to the property and the review of the plans and other information provided in support of the application and concludes with a staff report with a recommended decision on the application.
* After a formal pre-consultation involving other agencies on a complex application, you will receive a checklist of application requirements to confirm what was discussed. Once the requested information has been received, staff will commence processing the application, including the steps noted above.
1. What happens if I cannot or do not wish to provide requested information to support my application?
* It is in an applicant’s best interest to provide all requested information to assist in assessing your application against the NEP and other relevant policies;
* If an applicant advises NEC staff that they will not provide the requested information and that nevertheless they would like their application to proceed to a final decision, other agencies may not be able to provide comments which could delay a decision on your application, and/or
* NEC staff may take a report to the NEC with a recommendation to refuse the application as it has not been justified or there is insufficient information to demonstrate that the policies of the NEP have been met.
1. **COMPLETE APPLICATION CHECKLIST**

**Part A – Standard Applications**

As review of the application gets under way, additional planning issues may arise, and this may result in the need for additional plans or studies to be submitted.

This checklist is to be used for routine Development Permit applications. Examples of such applications *may* include:

* accessory buildings
* agricultural buildings
* single dwellings
* additions to existing buildings
* lot creation

Checklist (minimum required information):

* application form with all applicable questions answered
* application form signed by the applicant and the property owner
* an accurate, detailed site plan drawn to scale showing all existing and proposed development and distances to property lines

Date:

Name of applicant/agent:

Name of NEC staff person:

**NOTE: Participation in the pre-consultation process does not authorize any construction or preparatory work on site, including the clearing of trees or vegetation, placement or removal of fill or other site alteration.**

**Part B – Complex Applications**

This checklist is to be used in pre-consultation for Niagara Escarpment Plan Amendment and complex Development Permit applications[[5]](#footnote-5). Examples of such applications *may* include:

* Proposed changes in NEP policy, land use designation, or new site-specific policy
* Mineral Aggregate Resources – proposed pit or quarry or expansion of same
* Urban uses such as commercial or industrial land uses in Urban Areas or Minor Urban Centres or Escarpment Recreation Areas
* Development impacting key natural heritage features or key hydrologic features
* Development impacting cultural heritage, scenic resources
* Depositing fill
* Proposals for new Infrastructure – roads, water and sewer, hydro lines
* Development that involves additional uses and development which tends to be more complex by its nature (e.g., expansion or alteration to existing uses, institutional uses, on-farm diversified uses, home occupations or home industries, second dwellings)

Complete Application Checklist (to be completed by NEC staff following pre- consultation)[1](#_bookmark0)

1. Application forms/Plan/drawings

Application forms (Plan Amendment and/or DPA) Application fee [n/a][2](#_bookmark1)

Record of Pre-consultation

Location map, site photos or aerial photography

Site plan or subdivision plan (must be to scale and include setbacks from property lines for all buildings and structures)

Building plans (to scale)

Elevation drawings, building renderings drawn to scale

Fill management plan (NEP Part 2.13.9)

Landscape plans/vegetation protection plans

Lighting plan

Copies of related applications (e.g. ARA licence application, official plan amendment, zoning by-law amendment, site plan) or list of other applications or processes to be undertaken subsequently or concurrently (e.g. Certificate of Approval, PTTW, CA Permit, Record of Site Condition)

1. Required studies (check all that apply)[3](#_bookmark2):

Agricultural impact assessment/agrologist report: (NEP Part 2.8.3, 2.9.3 f, 2.12.6)

Air quality impact assessment

Archaeological assessment/cultural heritage impact assessment or screening checklists: (NEP Part 2.10.2)

Blasting study

Climate impact assessment (LID, green infrastructure): (NEP Part 1.6.8.5, 1.6.8.9 e, 1.7.5, 1.8.5.2, 2.2.6, 2.12)

Environmental Impact Study (Natural Heritage Evaluation), impact within or adjacent to natural heritage features, Species at Risk, tree inventory/protection plans required: (NEP Part 2.7.6)

Environmental Site Assessment (site contamination)

 Fill management plan: (NEP Part 2.8.3, 2.13.9)

Geotechnical study/engineering report: (NEP Part 2.2.2, 2.5.4)

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3 Other NEC guidance material or technical criteria may also apply and will be referenced by NEC staff, as necessary.

Grading and drainage Plan: (NEP Part 2.13.9)

Hydrological evaluation: (NEP Part 2.6.3) Hydrogeological assessment

Karst assessment

Lighting plan/study: (NEP Part 2.13.4)

Minimum Distance Separation calculation: (NEP Part 2.8.2) NEPOSS Master/Management plan: (NEP Parts 3.1.2.2, 3.1.5.1)

Noise impact assessment: (NEP Part 2.2)

Odour, dust emission study

Planning justification: (NEP Parts 1.2.1, 2.1)

Rehabilitation Plan/Aggregate Site Plan: (NEP Parts 1.2.2.4, 2.9.11, 2.9.13

Servicing study

Traffic study

Visual Impact Assessment: NEP Part 2.13.3 Wildland fire assessment

Other – detailed list

1. Further consultation (check all that apply)

Will Indigenous consultation be undertaken?

Does the application require *Planning Act* or Building Code Approvals? Does the application require a permit from a Conservation Authority?

Has the applicant consulted the Ministry of Environment, Conservation and Parks to determine if application require authorization under the *Endangered Species Act*?

Does the application require an Environmental Compliance Approval or Permit to Take Water?

Does the application relate to an application for a licence under the *Aggregate Resources Act*?

Does the application require any approvals under federal jurisdiction (e.g. railways, pipelines, airports, canals, telecommunications equipment, cannabis cultivation or processing, impacts to fish habitat)?

Is the property subject to any other related applications or site-specific policies or plans? Examples:

* + Infrastructure Master Plan (water, sewer, stormwater),
	+ Transportation Master Plan,
	+ Watershed/Sub-watershed Plan,
	+ Secondary Plan,
	+ Holding provision or Interim Control By-law,
	+ Official Plan amendment,
	+ Plan of Subdivision or condominium,
	+ Consent (severance) application,
	+ Municipal or Provincial Class Environmental Assessment
	+ Source Protection Area: (NEP Part 2.6.12)
	+ Heritage Conservation District, heritage designation or conservation easement
	+ Hazardous land (unstable slopes, flood zones, contaminated site)

**NOTE: Participation in the pre-consultation process does not authorize any construction or preparatory work on site, including the clearing of trees or vegetation, placement or removal of fill or other site alteration.**

Date:

Name of applicant/agent:

Name of NEC staff:

1. The NEPDA sets out that a Plan Amendment application should include “research material, reports, plans and the like that were used in the preparation of the amendment”. [↑](#footnote-ref-1)
2. City of Burlington, Town of Caledon, Niagara Region, City of Owen Sound, Township of Clearview [↑](#footnote-ref-2)
3. In the NEPDA, development may include a change of use of any land, building or structure. [↑](#footnote-ref-3)
4. The implementing authority may be the Niagara Escarpment Commission or a municipality, depending on the designation in the NEP. [↑](#footnote-ref-4)
5. 1 For simpler applications, the checklist may be provided at the end of the meeting.

2 Some agencies and municipalities charge a fee to comment on a Plan Amendment or Development Permit application, but the NEC has no fee. [↑](#footnote-ref-5)