



TOWN OF ERIN  
Regular Council Meeting  
AGENDA

March 24, 2022

3:00 PM

Municipal Council Chamber

Pages

1. Call to Order
2. Approval of Agenda
3. Declaration Pecuniary Interest
4. Public Meetings
5. Community Announcements
6. Adoption of Minutes 1 - 9  
March 10 Regular Council
7. Business Arising from the Minutes
8. Delegations/Petitions/Presentations
9. Reports
  - 9.1. Corporate Services
    - 9.1.1. Legislative Services
      - 9.1.1.1. Angelstone Farms Special Occasion Permit (Public Event) 10 - 13
  - 9.2. Infrastructure Services
    - 9.2.1. Wastewater
      - 9.2.1.1. RFT 2021-07W – Water Resource Recovery Facility 14 - 19
  - 9.3. Community Services
    - 9.3.1. Planning & Development
      - 9.3.1.1. Implementation of Subdivision Agreements with Developers 20 - 25
  - 9.4. Mayor

**10. New Business**

**11. Correspondence**

11.1. Letter from the Hon. Caroline Mulroney, Minister of Transportation 27 - 28

**12. By-Laws**

29

Confirming

**13. Notice of Motion**

**14. Adjournment**



## Minutes of the Regular Town of Erin Council Meeting

March 10, 2022

3:00 PM

Municipal Council Chamber

<b>Present:</b>	<b>Allan Alls</b>	<b>Mayor</b>
	<b>John Brennan</b>	<b>Councillor</b>
	<b>Rob Smith</b>	<b>Councillor</b>
	<b>Jamie Cheyne</b>	<b>Councillor</b>
	<b>Michael Robins</b>	<b>Councillor</b>
<b>Staff Present:</b>	<b>Nathan Hyde</b>	<b>Chief Administrative Officer</b>
	<b>Lisa Campion</b>	<b>Director of Legislative Services &amp; Clerk</b>
	<b>Jim Sawkins</b>	<b>Director of Fire &amp; Emergency Services/Fire Chief</b>
	<b>Nick Colucci</b>	<b>Director of Infrastructure Services &amp; Engineer</b>
	<b>Oliver Gob</b>	<b>Director of Finance &amp; Treasurer</b>
	<b>Jack Krubnik</b>	<b>Director of Planning &amp; Development</b>

### 1. Call to Order

Mayor Alls called the meeting to order.

### 2. Approval of Agenda

#### Resolution # 22-54

**Moved By** Councillor Brennan

**Seconded By** Councillor Cheyne

**Be it resolved that** the agenda be approved as circulated.

**Carried**

### 3. Declaration Pecuniary Interest

*Mayor Alls announced he will be declaring in closed session.*

#### 4. Closed Session

##### Resolution # 22-55

**Moved By** Councillor Robins

**Seconded By** Councillor Brennan

**Be it resolved that** Council adjourns the meeting to proceed into a closed session at the hour of 3:01 PM to discuss the matter(s) under the following exemptions in the Municipal Act S. 239 (2) pertaining to:

(b) personal matters about an identifiable individual, including municipal or local board employees;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

**Carried**

#### 5. Return from Closed Session

##### 5.1 Motion to Reconvene

##### Resolution # 22-56

**Moved By** Councillor Brennan

**Seconded By** Councillor Cheyne

**Be it resolved that** the meeting be reconvened at the hour of 3:25 PM.

**Carried**

*Councillor Smith assumed the Chair*

##### 5.2 Report Out

##### Resolution # 22-57

**Moved By** Councillor Robins

**Seconded By** Councillor Brennan

**Be it resolved that** the following individuals be appointed to the following committees:

Jennifer Edwards, ESAC

Jenna Livingston, ESAC

Kathryn Victoria Billingsley, ESAC

**Carried**

**Moved By** Councillor Robins  
**Seconded By** Councillor Brennan

**Resolution # 22-58**

**Be it resolved that** Council approve the recommendations contained in the solicitors confidential report dated February 14th, 2022

**Carried**

**6. Public Meetings**

None.

**7. Community Announcements**

- EWFH Team continues its series of virtual workshops on a variety of topics. They will also hold a Covid vaccination clinics March 15<sup>th</sup> for children 5-11 years old. You must book an appointment.
- The Erin Entrepreneurial Hub continues a series of workshops for artists entitled Grow Your Creative Career, including marketing your art, tax filing, etc., every 2<sup>nd</sup> Monday from Feb 28<sup>th</sup> to May 16<sup>th</sup>. Participation is free of charge. For information check the Entrepreneurial Hub page on the town website under Doing Business Here.
- Erin's 2022 Seedy Saturday takes place Saturday March 12<sup>th</sup> from 10am-3pm at Erin United Church. There will be a number of vendors on hand.
- EWCS is holding a St Practiced Day fundraiser dance at the Erin Legion on Saturday March 19<sup>th</sup> at 7:30pm.
- Also on Saturday March 19<sup>th</sup>, join the County of Wellington Economic Development Division and Settlement Services for an informative webinar on settling in and succeeding in Wellington County. Register on the Wellington County web site.

Details on these and more at [www.erin.ca/whats-on/](http://www.erin.ca/whats-on/)

**8. Adoption of Minutes**

**Resolution # 22-59**

**Moved By** Councillor Robins  
**Seconded By** Councillor Brennan

**Be it resolved that** Council hereby adopts the following meeting minutes as circulated;  
February 24, 2022 Regular Council

**Carried**

**9. Business Arising from the Minutes**

None.

**10. Delegations/Petitions/Presentations**

**10.1 Request to apply for a Minor Variance - 12 Orangeville St**

**Resolution # 22-60**

**Moved By** Councillor Brennan

**Seconded By** Councillor Smith

**Be it resolved that** the delegation with respect to 12 Orangeville street be received for information and referred back to staff.

**Carried**

**11. Reports**

**11.1 Corporate Services**

**11.1.1 Legal**

**11.1.1.1 Encroachment Agreement - 2 Ross Street**

**Resolution # 22-61**

**Moved By** Councillor Robins

**Seconded By** Councillor Cheyne

**Be it resolved that** Council authorize the Mayor and Clerk to execute the agreement attached hereto as Attachment 2 on behalf of the Town and that the Town Solicitor be authorized to register the agreement on title to the Subject Property.

**Carried**

## **11.1.2 Finance**

### **11.1.2.1 Enbridge Gas Franchise Agreement - Renewal**

#### **Resolution # 22-62**

**Moved By** Councillor Cheyne

**Seconded By** Councillor Robins

**Be it resolved that** Council hereby receive report number F2022-03 *“Enbridge Gas Franchise Agreement – Renewal”* for information.

**And that** Council approve the Resolution (Appendix A) attached to this report endorsing a draft by-law and gas distribution franchise agreement between the Town and Enbridge Gas Distribution Inc. (“Enbridge”) with respect to the distribution, storage and transmission of gas in the Town (Gas Franchise Agreement), which will be put before the Ontario Energy Board (OEB) for approval pursuant of Section 9 of the Municipal Franchises Act.

**And that** the Mayor and Town Clerk be authorized to sign such documents or applications as are necessary to facilitate Enbridge’s application to the OEB in a form satisfactory to the CAO, Director of Infrastructure Services and the Town Solicitor.

**And that** once OEB approval is received, the by-law be placed on a Council Agenda for enactment.

**Carried**

### **11.1.2.2 Temporary Borrowing By-law 2022**

#### **Resolution # 22-63**

**Moved By** Councillor Cheyne

**Seconded By** Councillor Robins

**Be it resolved that** Council hereby receive report number F2022-04 “Temporary Borrowing By-law 2022” for information;

**And that** Council approve the Temporary Borrowing By-law for \$3.0m effective until December 31, 2022.

**Carried**

## **11.2 Community Services**

### **11.2.1 Fire Services**

#### **11.2.1.1 4th Quarter Town of Erin Fire & Emergency Services Report**

**Resolution # 22-64**

**Moved By** Councillor Brennan

**Seconded By** Councillor Cheyne

***Be it resolved that** Council hereby receive report number FD2022-01 "4<sup>th</sup> Quarter 2021 Town of Erin Fire & Emergency Services Report" for information.*

**Carried**

## **11.3 Infrastructure Services**

### **11.3.1 Water**

#### **11.3.1.1 2021 MECP Schedule 22 Summary Reports**

**Resolution # 22-65**

**Moved By** Councillor Robins

**Seconded By** Councillor Smith

**Be it resolved that** Council hereby receive report number W2022-01 “2021 MECP Schedule 22 Summary Reports” for information.

**Carried**

## **12. New Business**



## 12.1 Notice of Motion- Councillor Robins

### Resolution # 22-66

**Moved By** Councillor Robins

**Seconded By** Councillor Brennan

**Be it resolved that** Staff shall prepare a report to Council summarizing the process to implement subdivision agreements with identified developers, including the existing agreements with Solmar Development Corp. The report is expected to cover timelines, role of Council, community involvement and how the Community and Architectural Design Guidelines "look and feel" standards approved by Council in 2021 will be applied.

**Carried**

## 13. Correspondence

### 13.1 Request for Concurrence - ON7556 Telecommunications tower located at 5562 Trafalgar Road

#### Resolution # 22-67

**Moved By** Councillor Smith

**Seconded By** Councillor Cheyne

**Be it resolved that** the Town of Erin concur that the proposal by Xplornet Communications ("Xplornet") to erect a wireless communication installation on lands known as 5562 Trafalgar Road, Erin, Ontario, is fully compliant, in the Township's opinion, with the requirements of ISED Canada's default protocol CPC-2-0-03 Issue 5 (July 2014) "Radiocommunication and Broadcasting Antenna Systems", and all obligations for the municipal and public consultation requirements have been satisfactorily met.

**Carried**

## 14. By-Laws

### Resolution # 22-68

**Moved By** Councillor Robins

**Seconded By** Councillor Cheyne

**Be it resolved that** By-law 22-15 is hereby passed:

**22-15**

Being a By-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2022.

**Carried**

**Resolution # 22-69**

**Moved By** Councillor Brennan

**Seconded By** Councillor Smith

**Be it resolved that** the Council of the Corporation of the Town of Erin having given due consideration to the following By-law 22-16 as reproduced in this days Council agenda be passed and authorize the Mayor and Clerk to sign and seal same.

**22-16**

A By-law to adopt ratify and confirm the proceedings for the Council for the Corporation of the Town of Erin at its Regular Council Meeting held on March 10, 2022.

**Carried**

**15. Notice of Motion**

None.

**16. Adjournment**

**Resolution # 22-70**

**Moved By** Councillor Robins

**Seconded By** Mayor Alls

**Be it resolved that** the meeting be adjourned at the hour of 4:13 PM.

**Carried**

---

Mayor Allan Alls

---

Clerk Lisa Campion



# Town of Erin

## Corporate Report

<b>Department:</b>	Corporate Services	<b>Report Number:</b>	C2022-06
<b>Business Unit:</b>	Legislative Services	<b>Meeting Date:</b>	3/24/2022
<b>Presented/ Prepared By:</b>	Lisa Campion, Director of Legislative Services & Clerk		

### Subject

#### Angelstone Farms Special Occasion Permit (Public Event)

### Recommendation

**Be it resolved that** Council hereby receives report number C2022-06 “Angelstone Farms Special Occasion Permit (Public Event)” for information;

**And that** Council hereby deems the Angelstone Farms events as municipally significant;

**And that** Council hereby supports the issuance of an AGCO Special Occasion Permit for Angelstone Farms, 8720 Wellington Rd 50, Erin for the dates provided in Appendix A.

### Background

The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for administering the Liquor License Act. Among its responsibilities in the alcohol sector, the AGCO oversees the administration of the Special Occasion Permit Program (SOP) which allows for the sale and service of alcohol on special occasions. An SOP is required any time alcohol is offered for sale anywhere other than a licensed establishment and may be issued for public events. In order for the AGCO to issue a public event SOP it must be for a charitable/non-for-profit organization, must be deemed municipally, provincially, nationally, internationally significant, or must be for a tailgate event. An event of municipal significance requires a municipal resolution designating the event as “municipally significant”.

Angelstone Farms, 8720 Wellington Rd, 50, Erin has begun the application process with the AGCO for a public event SOP by means of a municipal significance designation. The dates requested for the Angelstone SOP (Public Event) are listed in Appendix A.

Angelstone wishes to serve alcohol in designated areas between the hours of 11:00 am and 12:00 am.

Per the AGCO, there is no specific criteria that deems an event municipally significant. If Council believes that the event would benefit the Town in some way, providing a social

event for residents, bringing people into Town etc, then it can be constituted as a municipally significant event.

### **Comments**

If temporary tents are being proposed, building permits must be obtained from the Building Department where required by the Ontario Building Code, Division C, Sentence 1.3.1.1(5).

Staff have reviewed the application and have no objections to the application for the AGCO Special Occasion Liquor License.

### **Strategic Pillar**

Service Excellence & Good Governance

### **Financial Impact**

There are no financial implications associated with the proposed recommendation.

### **Conclusion**

That Council hereby deems the Angelstone Farms events as municipally significant; And that Council hereby supports the issuance of an AGCO Special Occasion Permit for Angelstone Farms, 8720 Wellington Rd 50, Erin for the dates provided in Appendix A.

### **Attachments**

Appendix A – Letter from Angelstone Farms

Lisa Campion

Director of Legislative Services & Clerk

Nathan Hyde

Chief Administrative Officer



March 6<sup>th</sup>, 2022

To Whom It May Concern:

I am pleased to announce that Angelstone Tournaments will be running for a total of 13 weeks in the 2022 year. Dates include:

- Silver Show 1 ( May 14,15)
- Silver Show 2 (May 21,22)
- The Erin Welcome (June 3-5)
- The Champions ( June 10-12)
- Silver Show 3 (July 2,3)
- Silver Wild Card (July 9)
- Silver Show 4 (July 30,31)
- MLSJ Opener CSI5\* (August 12-14)
- Major League CSI5\* (August 18-20)
- Labour Day Classic (Sept 2-4)
- Hunter Spectacular (Sept 10,11)
- Silver Show 5 (Sept 17)
- Silver Playoffs ( Oct 1,2)

As our 2022 summer circuit is approaching, a liuor permit will be needed for each week of the Tournament. During the dates listed above, our show will include food stands, vendors and VIP areas with alcohol being served each day listed above in the designated tent areas between the hours of 11am and 12am. The Tournament will be contained completely on the Angelstone Farms property, located at 8720 Wellington Rd 50, Erin, Ontario.

We look forward to working with you to make this event memorable.

Best Regards,

Kelly Clermont,

Angelstone Tournaments

Hospitality Manager

Kelly@angelstone.ca





# Town of Erin

## Corporate Report

<b>Department:</b> Infrastructure Services	<b>Report Number:</b> WW2022-01
<b>Business Unit:</b> Wastewater	<b>Meeting Date:</b> 3/24/2022
<b>Presented/ Prepared By:</b> Nick Colucci, Director of Infrastructure Services Engineer	

### Subject

**RFT 2021-07W – Water Resource Recovery Facility**

### Recommendation

**Be it resolved that** Council hereby receive report number WW0222-01 “RFT 2021-07W – Water Resource Recovery Facility” for information;

**And that** Council direct staff to proceed with entering into a contract with North America Construction (1993) Ltd. in the amount of \$114,462,461.

### Background

At the December 7, 2021 Council Meeting Council approved the following resolution “That Council proceed with the list of prequalified contractors including Bennet Mechanical Installations (2001) Ltd., Graham Construction and Engineering LP, Maple Reinders Constructors Ltd., North America Construction (1993) Ltd., and ASCO Construction (Toronto) Ltd.” as noted in the list below

<b>Contractor Name</b>
Maple Reinders Construction Ltd.
North America Construction (1993) Ltd.
Graham Construction and Engineering LP
Bennett Mechanical Installations (2001) Ltd.
ASCO Construction (Toronto) Ltd.

An updated tender for the WRRF was issued shortly after the Council meeting and posted electronically on Bids and Tenders to the above 5 contractors.

### Strategic Pillar

Investment in Community Assets



## Financial Impact

There are no financial implications as the amount is included in the Capital Budget and fully funded by developers as part of the agreements signed with developers.

## Conclusion

The tender closed on March 18, 2022 at 2:00 pm. The following table summarizes the bids received.

<u>Contractor Name</u>	<u>Bid Status</u>	<u>Bid Amount (excluding HST)</u>
North America Construction (1993) Ltd.	Meets tender requirements	\$114,462,461
Bennett Mechanical Installations (2001) Ltd.	Meets tender requirements	\$118,589,800

Each bid submission was reviewed by our consultant, WSP and by staff. Based on the pre-qualification submissions of both contractors we are satisfied that both contractors are fully capable to complete the project within the timelines and pricing provided.

Based on the attached recommendation letter from our consultant WSP we are prepared to recommend the award of the project to North American Construction (1993) for the submitted bid amount of \$114,462,461.

That Council receive report number WW0222-01 "RFT 2021-07W – Water Resource Recovery Facility" for information and direct staff to proceed with entering into a contract with North America Construction (1993) Ltd. in the amount of \$114,462,461 excluding HST.

## Attachments

Appendix A – WSP Analysis and Recommendation Memo dated March 18, 2022

Nick Colucci

Director

Nathan Hyde

Chief Administrative Officer



## MEMO

**TO:** Nick Colucci (Town of Erin)

**FROM:** Michelle Albert, Gary Thorne, Yifan Li (WSP)

**SUBJECT:** Selection of Contractor for The Town of Erin WRRF – Analysis of Bids

**RFP NO.:** RFT 2021-07W

**DATE:** March 18, 2022

---

Dear Mr. Colucci:

WSP is pleased to submit herein, our analysis of the tender bids received in response to RFT 2021-07W tender for selection of contractor (the Respondent) for the Town of Erin’s (the Town) Water Resource Recovery Facility (WRRF).

## TENDERING DETAILS

The bid was issued on December 10, 2021 with an original closing date of February 18, 2022. The closing date was extended twice at the request of the contractors; the first closing date extensions was to March 4, and the second extension was to March 18, 2022. The bid officially closed on March 18, 2022.

Over the course of the tender phase, a total of 18 addenda were issued. Our strategy was to issue addenda frequently to provide responses to contractor questions as quickly as possible.

## PRE-QUALIFIED CONTRACTORS

On December 7, 2021 the Town of Erin invited the following pre-qualified contractors to complete a bid on the project:

- Maple Reinders Constructors Ltd.,
- North America Construction (1993) Ltd.,
- Bennett Mechanical Installations (2001) Ltd.,
- ASCO Construction (Toronto) Ltd., and
- Graham Construction and Engineering LP

## BIDS RECEIVED

On March 18, 2022, the Town of Erin received bids from the following contractors:

- North America Construction (1993) Ltd., and
- Bennett Mechanical Installations (2001) Ltd.

Both candidates are highly qualified and experienced local contractors. By submitting their bids for this project, they are committing to delivering quality to a highly technical construction project and investing in the local community as both contractors are headquartered less than 50km from the project site. Both firms are highly capable and there are no doubts that they can complete the work to a high degree of quality and professionalism.



The Town did not receive bids from the following pre-qualified contractors:

- Maple Reinders Constructors Ltd.,
- ASCO Construction (Toronto) Ltd., and
- Graham Construction and Engineering LP

Table 1 discusses the three pre-qualified contractors and the reasoning they provided for not submitting a bid.

*Table 1 - Analysis of withdrawals from bidding process by pre-qualified contractors*

CONTRACTOR	REASON FOR WITHDRAWAL FROM BIDDING
<p>ASCO Construction (Toronto) Ltd.</p>	<p>The Town of Erin did not receive formal notice from ASCO Construction indicating that they will not be submitting a bid.</p> <p>The last question submitted by ASCO Construction through the Bids &amp; Tenders system was on January 31, 2022 regarding concerns with contract clauses which were brought up in the letter that the Town received from the Ontario General Contractors Association (OGCA). The Town released Addendum 11 on February 7 to address the contract concerns.</p>
<p>Graham Construction and Engineering LP</p>	<p>Graham Construction and Engineering did not attend the mandatory site meeting, citing staff shortages due to COVID-19 as the reason. Shortly after, WSP reached out to discuss the possibility of setting up a second site visit.</p> <p>Graham responded to WSP and indicated that there were several high priority bids they were working on concurrently and will have required a significant extension from the Town to continue in the bidding process. As maintaining the project timeline was critical to the Town and the project, the contractor was uncertain that they would be able to submit by the given deadline and elected to withdraw.</p> <p>On February 1, 2022, the Town of Erin received a Notice of No Bid from Graham through the Bids &amp; Tenders system.</p> <p>In the notice, the contractor specified “cannot handle due to present plant/workload” as the reason.</p>
<p>Maple Reinders Constructors Ltd.</p>	<p>On January 26, 2022, the Town of Erin received correspondence from Maple Reinders that they will not be submitting a bid.</p> <p>Maple Reinders noted the reason for withdrawing as “there were unpalatable risk transfers in the contract documents coupled with a significant number of scope issues that will be amplified by the previously mentioned risk transfers.”</p> <p>Concerns regarding the contract were later addressed once the Town had consulted with their legal counsel.</p>



## PRICE COMPARISON OF BIDS

Table 2 shows the total lump sum price of the bids received on March 18, 2022.

*Table 2 - Price comparison of bid submissions*

CONTRACTOR	North America Construction (1993) Ltd.	Bennett Mechanical Installations (2001) Ltd.
PRICE	\$114,462,461.00	\$118,589,800.00

## BID ESTIMATE

From the Environmental Study Report conducted by Ainley Group in 2019, the original cost estimate for construction of the Water Resource Recovery Facility was \$62,988,260. This is the estimate that is most consistently used when referring to the plant.

## BID ANALYSIS

Comparing the consumers price index (CPI) against the industrial product price interest (IPPI) the average inflation in 2019 and 2020 was 3.0% and from 2021 to February 2022 was 5%. Currently the February 2022 inflation is running at 5.7%.

Applying the values noted above as compound interest to the original estimate, the value today would be around \$73,673,730.

According to Statistics Canada, in Q4 of 2021, the IPPI was running at annual percentage change of 13.9% and early indications for 2022 has seen a 32.5% surge in fuel costs at the pump due to global risks and logistic issues caused by the COVID-19 pandemic. This is also seen in the construction and manufacturing sectors as recently, supplier costs have escalated between 25 to 30% with only 15 days (or less) validity.

Applying the 30% cost escalation to the adjusted for inflation price of \$73,673,730 would increase the project value to \$95,775,849.

*Table 3 - Comparison of total lump sum bid prices against the adjusted cost estimate from 2019*

CONTRACTOR	North America Construction (1993) Ltd.	Bennett Mechanical Installations (2001) Ltd.
PRICE	\$114,462,461.00	\$118,589,800.00
Estimate	\$95,775,849	\$95,775,849
Difference	\$18,686,611	\$22,813,950
% Difference to Estimate	20%	24%

It is important to note when reviewing tender prices, the proximity of the tender prices received. The received bid prices have a difference of only 3.6% indicating that this is an accurate value of the work being requested.



## RECOMMENDATION

Bids were received from Bennett and North American Construction. Both of these contractors have extensive experience in the wastewater field and are also local firms with their head offices less than 50 km from the Town. Either of these contractors have the capability to complete the project.

Based on our review of the bid submissions, North America Construction is considered as the Respondent with the lowest pricing and therefore, the recommended contractor.

Regards,

Gary Thorne  
Project Manager



# Town of Erin

## Corporate Report

<b>Department:</b> Community Services	<b>Report Number:</b> PD2022-07
<b>Business Unit:</b> Planning & Development	<b>Meeting Date:</b> 3/24/2022
<b>Presented/ Prepared By:</b> Jack Krubnik, Director of Planning & Development	

### Subject

#### Implementation of Subdivision Agreements with Developers

### Recommendation

**Be it resolved that** Council hereby receive report number PD2022-07 *“Process to Implement Subdivision Agreements with Developers”* for information.

### Background

On February 24, 2022, Council passed the following Motion requesting Staff to prepare a report to Council summarizing the process to implement subdivision agreements.

“Be it resolved that Staff shall prepare a report to Council summarizing the process to implement subdivision agreements with identified developers, including the existing agreements with Solmar Development Corp. The report is expected to cover timelines, role of Council, community involvement and how the Community and Architectural Design Guidelines, “look and feel” standards approved by Council in 2021 will be applied.”

### About Plans of Subdivision

A registered plan of subdivision (M-Plan) creates new, separate parcels of land and can be legally used for the sale of lots. It is a legal document that identifies:

- the exact surveyed boundaries and dimensions of lots on which houses or buildings are to be built;
- the location and width of streets; and,
- the sites of any schools or parks.

The plan of subdivision must be:

- surveyed by an Ontario Land Surveyor;
- in conformity with the official plan and with any county, regional or district plan as well as provincial policies;
- approved by the proper authority; and,

- registered by the Land Registry Office.

### How Plans of Subdivision are Evaluated

The *Planning Act*, R.S.O. 1990, c. P. 13 requires developers to go through the approval of a plan of subdivision in order to subdivide any land into more than two lots. It can be used for residential, commercial or industrial purposes. The subdivision approval process ensures that:

- the land is suitable for the proposed use;
- the proposal conforms to provincial legislation and policies, Upper-tier (County) and Lower-tier (Town) Official Plan policies and zoning provisions; and
- that the public is not negatively impacted by the proposed development.

With respect to the Town of Erin, the County of Wellington is the approval authority for plans of subdivision. Wellington County Council passed By-law 4101-96, as amended by By-law 4318-99, to delegate approval authority to the Director of Planning & Development with respect to Draft Plans of Subdivision, Draft Plans of Condominium and Part Lot Control By-laws pursuant to the Planning Act.

In considering a plan of subdivision, the approval authority (Wellington County Director of Planning & Development) evaluates the merits of the proposal against criteria such as:

- conformity and consistency with Provincial policies
- conformity with the official plan and compatibility with neighbouring uses of land;
- suitability of proposal for affordable housing;
- suitability of the land for the proposed purpose, including the size and shape of the lot(s) being created;
- adequacy of vehicular access, water supply, sewage disposal, school sites; and,
- the need to ensure protection from potential flooding.

### The Plan of Subdivision Application Process

1. Prior to the submission of an application, the Town, on behalf of the County, will host a Pre-consultation Meeting between the applicant and all commenting agencies, to discuss requirements for a complete application.
2. Following the pre-consultation, a complete application, as per the *Planning Act*, for draft plan of subdivision is submitted to the County of Wellington.
3. Notice of a Complete Application is circulated to every landowner within 120 metres of the subject land.
4. The application is circulated to all internal County and Town departments and commenting agencies for technical review.
5. Before a decision is made by the County, a Statutory Public Meeting must be held to provide an opportunity for the public to make representations with respect to the proposed subdivision (subsection 51(20) of the *Planning Act*). In many instances, the proposed draft plan of subdivision will be submitted with other

planning act applications (i.e. Official Plan Amendment and/or Zoning By-law Amendment). The County generally requests the Town to host a joint public meeting on their behalf. In order to avoid unnecessary duplication, one public meeting will usually be held to deal with all applicable development applications.

6. The public meeting presents an opportunity for the public to make representations before the local municipal Council; and, for Council to ask questions of, or provide comments to, the applicant and Staff.
7. Following the public meeting, and upon receipt of the departmental and agency comments, the Town provides a letter to the applicant, with all circulation comments and outlining any concerns or comments raised by Town Council and the public.
8. The applicant is required to resubmit the required plans and documents in order to address all requirements. This process is repeated until such time as all outstanding matters have been addressed to the County, Town and other agencies satisfaction.
9. Once all outstanding issues and concerns have been resolved, Town Staff prepare a recommendation report for Council's consideration, which includes Town conditions of draft approval. These are conditions that must be satisfied to the Town's satisfaction prior to final approval and registration of the subdivision. Conditions may include such things as conveyance of road widenings, parkland requirements, finalization of reports, detailed drawings; and, the requirement of municipal servicing prior to construction. Some conditions are standard for all draft plans, others may be site-specific. For example, a standard Council condition for all plans of subdivision, is the provision of an Urban Design Brief demonstrating how the proposal complies with the Council endorsed Urban Design Guidelines for the Hillsburgh and Erin Urban Areas, (April 2021).
10. Some conditions are to be cleared prior to registration, others which cannot be cleared until after registration, are required to be included within a Subdivision Agreement.
11. Upon approval by Town Council, the conditions of draft approval along with Council's resolution is forwarded to the County for their information and inclusion within the final set of Conditions of Draft Approval issued by the County.
12. As the approval authority, the County will make the final decision to either approve the draft plan of subdivision with conditions or refuse it.
13. The Town will require the developer to enter into a subdivision agreement with the municipality. The agreement is registered on title to ensure certain conditions and works, such as sidewalks and roads, are constructed and conveyed to the satisfaction of the County or Town. Through this agreement, the Town will also request securities, which are held until such time as all works have been completed to the satisfaction of the County or Town.
14. Notice of decision is sent to the applicant and those requesting notification.
15. Within 20 days of the notice of decision, those eligible may appeal the decision to the Ontario Land Tribunal (OLT), as per subsection 50.1 (39) of the *Planning Act*.
16. Certain persons or public bodies may appeal to the Ontario Land Tribunal (OLT).
17. If an appeal is made, the OLT may dismiss the appeal without holding a hearing, or the OLT will hold a hearing and make a decision.



18. If no appeal is made and the applicant fulfills all conditions of draft approval prior to a lapsing date provided by the County, the plan of subdivision receives final approval and may be registered.

The *Planning Act* requires the approval authority (County) to make a decision to approve or refuse a draft plan of subdivision application within 120 days of receiving a complete application. In practice, this timeline may be extended as a result of the applicant addressing outstanding issues and concerns with the application. However, after the statutory timeline, an application may be appealed to the Ontario Land Tribunal (OLT). Appealing a decision to the OLT is a serious matter. It can take time, effort and in some cases, money, for everyone involved.

More information pertaining to the subdivision process can be located here:

<https://www.ontario.ca/document/citizens-guide-land-use-planning/subdivisions>

### Solmar Development Corp.

In October 12, 2012, Solmar Development Corp. submitted applications to the County of Wellington and Town of Erin for County Official Plan Amendments, Zoning By-law Amendment, and Draft Plan of Subdivision. On November 30, 2012, Council passed a resolution that the application for Zoning By-law Amendment be deemed complete. Town staff brought forward an information report to Town Council, indicating that the application was pre-mature until issues related to servicing can be resolved. In 2017, Solmar Development Corp. appealed all applications for failure to make a decision within the prescribed *Planning Act* application review timelines. A settlement was reached, and Solmar Development Corp. was granted draft approval by the Local Planning and Appeal Tribunal on January 5, 2021. Solmar is presently working towards clearing the Conditions of Draft Approval.

The Town posts all current development applications on its website and encourages the public to submit all comments and/or concerns to the planning department.

## **Strategic Pillar**

Growth Management

## **Financial Impact**

There is no financial impact associated with the proposed recommendation.

## **Conclusion**

That this report be received for information.

## **Attachments**

Appendix A: Draft Plan of Subdivision Process

Jack Krubnik

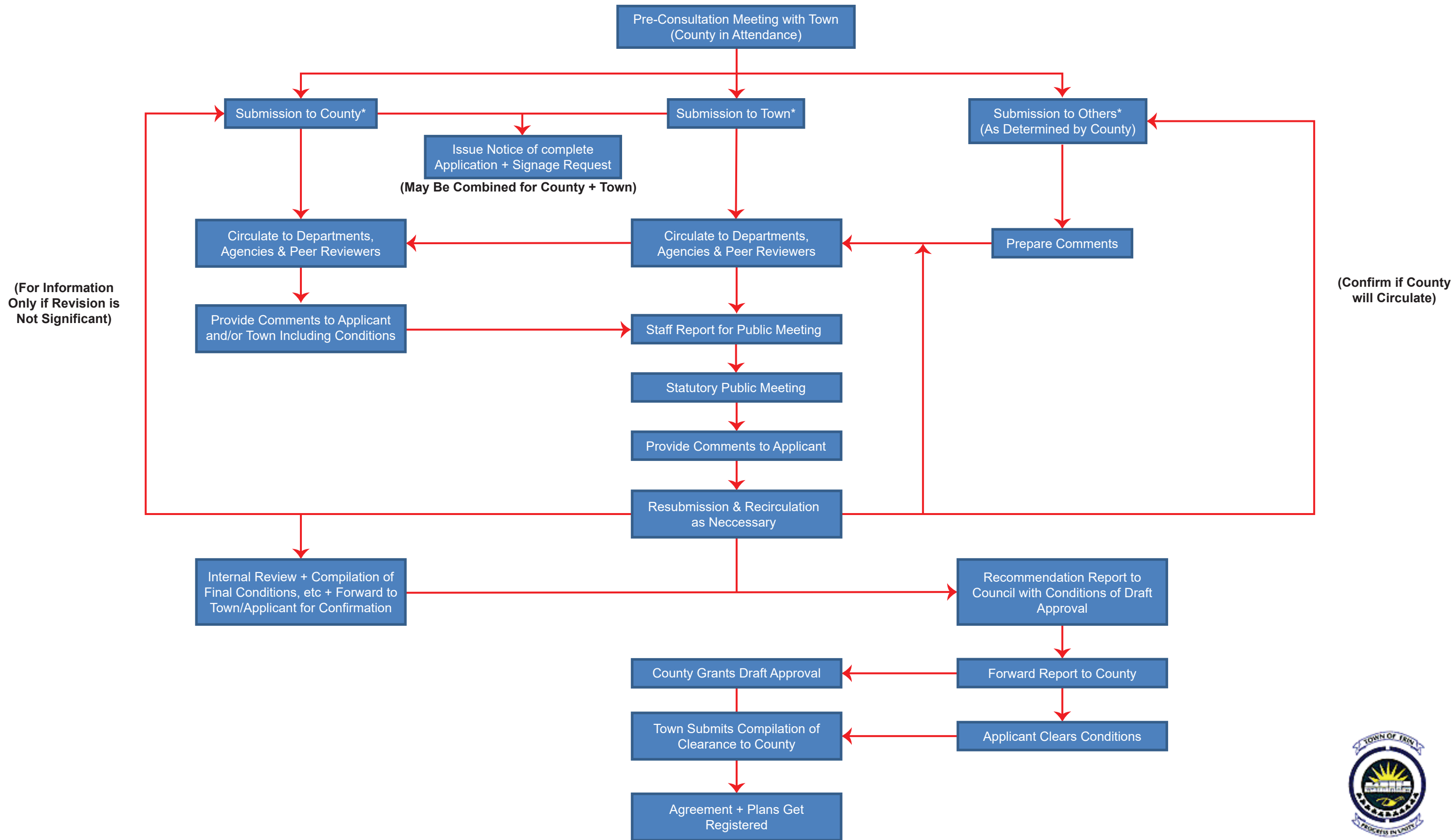
Director of Planning & Development

Nathan Hyde

Chief Administrative Officer



# TOWN OF ERIN DRAFT PLAN OF SUBDIVISION PROCESS



\*Applicable fees

\*\*Town hosts Public Meeting, County in attendance to observe/answer questions





# **Mayor's Report**

**March 24, 2022**

**Mayor Alls to present a verbal report.**

**Ministry of  
Transportation**

Office of the Minister

777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON M7A 1Z8  
416 327-9200

[www.ontario.ca/transportation](http://www.ontario.ca/transportation)

**Ministère des  
Transports**

Bureau de la ministre

777, rue Bay, 5<sup>e</sup> étage  
Toronto ON M7A 1Z8  
416 327-9200

[www.ontario.ca/transports](http://www.ontario.ca/transports)



March 10, 2022

107-2022-457

His Worship Allan Alls  
Mayor  
Town of Erin  
[allan.alls@erin.ca](mailto:allan.alls@erin.ca)

Dear Mayor Alls:

I am pleased to announce that the province has released its plan to build a better transportation system in the Greater Golden Horseshoe to meet forecasted population growth and future needs of the region. *Connecting the GGH: A Transportation Plan for the Greater Golden Horseshoe* is a 30-year plan that will support population and employment growth, reduce gridlock, connect communities and improve people's access to jobs, housing, health care and education.

The Greater Golden Horseshoe is a dynamic, integrated economic region with diverse communities requiring different transportation needs. Ontario's plan considers many new challenges to prepare for the future including impacts of climate change, new technologies such as automated and connected vehicles, and shifting demographics that will change the way people travel.

The 2051 vision includes proposed infrastructure improvements, service improvements and policies organized under four inter-related themes:

- Fighting gridlock and improving road performance;
- Getting people moving on a connected transit system;
- Supporting a more sustainable and resilient region;
- Efficiently moving goods.

Progress is already being made towards this vision, with many actions underway. The plan also sets out more than 100 immediate and near-term actions that the province and its partners are taking, and will take, to make substantial progress towards our 2051 vision for mobility.

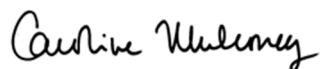
.../2

-2-

Municipalities have been important partners at every stage of the planning process, and will be essential to support implementation of our plan. We are committed to working closely with municipalities, the public, transportation agencies, Indigenous communities and organizations, industry, and businesses as we consider implementation of the individual elements of the vision.

If you have any questions or comments, or require additional information, please do not hesitate to email [GGHTransportationPlan@ontario.ca](mailto:GGHTransportationPlan@ontario.ca).

Sincerely,



Caroline Mulroney  
Minister of Transportation



## THE CORPORATION OF THE TOWN OF ERIN

### By-Law # 22-17

#### A By-law to confirm the proceedings of Council at its Regular Meeting held March 24, 2022

**Whereas**, Section 5, Subsection 1 of the *Municipal Act*, being Chapter 25 of the Statutes of Ontario, 2001, the powers of a municipal corporation are to be exercised by its Council;

**And Whereas**, Section 5, and Subsection 3 of the *Municipal Act* the powers of every Council are to be exercised by By-Law;

**And Whereas**, it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Erin at its meeting held **March 24, 2022** be confirmed and adopted by By-Law;

#### The Council of the Corporation of the Town of Erin Enacts as Follows:

1. That the action of the Council at its Regular Meeting held on **March 24, 2022** in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Town to all such documents.
3. That this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter of thing referred to in subsection 65 (1) of the **Ontario Municipal Board Act**, R.S.O. 1990, Chapter 0.28, shall not take effect until the approval of the Ontario Municipal Board with respect thereto, required under such subsection, has been obtained.
4. That any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with **Environmental Assessment Act**, R.S.O. 1990, Chapter E.18.

**Passed in open Council on March 24, 2022.**

---

**Mayor, Allan Ails**

---

**Clerk, Lisa Campion**