



**THE CORPORATION OF THE TOWN OF ERIN**

**OFFICIAL PLAN AMENDMENT NO. 14**

(Official Plan Amendment to introduce a mandatory pre-consultation process and study requirements for Planning Act applications, Town of Erin, County of Wellington)

\_\_\_\_\_ **2022**



## THE CORPORATION OF THE TOWN OF ERIN

### BY-LAW # 22-XX

**A By-law to adopt an amendment to the Official Plan of the Town of Erin – Official Plan Amendment No. 14 –to introduce a mandatory pre-consultation process and study requirements for Planning Act applications to the Town of Erin**

The Official Plan for the Corporation of the Town of Erin is amended as follows:

1. The text attached hereto as Part Two is adopted as an amendment to the Official Plan for the Corporation of the Town of Erin;

**Passed in Open Council on XXXX XX, 2022.**

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**Mayor, Allan Ails**

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**Clerk, Lisa Campion**

**AMENDMENT NO. 14  
TO THE OFFICIAL PLAN OF THE TOWN OF ERIN**

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**THE APPENDICES**

Bill 109 (Chapter 12 of the Statutes of Ontario, 2022) An Act to amend the various statutes with respect to housing, development and various other matters.

## **STATEMENT OF COMPONENTS**

PART ONE - INTRODUCTION is included for information purposes and is not an operative part of this Official Plan Amendment.

PART TWO - THE AMENDMENT, consisting of the text attached hereto, is an operative part of this Official Plan Amendment.

THE APPENDICES are not an operative part of this Official Plan Amendment.

## **PART ONE - INTRODUCTION**

### **1. PURPOSE**

To amend the Official Plan to improve the quality of planning application submissions, and assist the Town in its ability to process planning applications in a timely fashion to enable Council to provide a decision within the statutory timelines in response to More Homes for Everyone Act, 2022, S.O. 2022, c.12 – Bill 109.

### **2. LOCATION**

This Amendment applies to all lands in the Town of Erin, County of Wellington.

### **3. BASIS**

More Homes for Everyone Act, 2022 is an Act to amend the various statutes with respect to housing, development and various other matters. Bill 109 received Royal Assent on April 14, 2022. Bill 109 has introduced a number of new requirements within the planning process. One of these requirements pertains to decision timelines from the date of a complete application for an official plan amendment, a zoning by-law amendment, and site plan control applications. Another requirement pertains to application fee refunds as they pertain to Planning Act applications for an official plan amendment, a zoning by-law amendment, and a site plan control applications when no decision is made on that application within the statutory timelines.

Through a review of More Homes for Everyone Act, 2022 it was determined that introducing a mandatory pre-consultation meeting with staff and agencies, and a complete application process and associated study requirements, will better enable the Town to process applications expeditiously.

Furthermore, due to the complexity of Planning Act applications, it is necessary to allow time for sufficient consideration of each individual application type by Council, staff, agencies, and the public. For this reason, each *Planning Act* application is to be submitted and processed individually, and will not be combined or processed concurrently,

An Official Plan Amendment is therefore required to:

- make the pre-consultation process a mandatory component of a Plan of Subdivision application, a Plan of Condominium application, an Official Plan Amendment application, a Zoning By-law Amendment application and a Site Plan Control application;
- establish a mandatory pre-consultation process and study requirements;

- establish that a Plan of Subdivision application, a Plan of Condominium application, an Official Plan Amendment application, a Zoning By-law Amendment application, and a Site Plan Control application cannot be combined and/or processed concurrently, and that each application type may only be made in sequential order.

The Official Plan Amendment will improve the Town's ability for thorough review and input into any planning application in an expeditious manner, and will offer greater clarity to applicants related to application requirements within the planning process.

## **PART TWO - THE AMENDMENT**

### **1. PURPOSE**

To amend the Official Plan to improve the quality of a planning application submissions, and assist the Town in its ability to process planning applications in a timely fashion to enable Council to provide a decision within the statutory timelines in response to Bill 109 (Chapter 12 of the Statutes of Ontario, 2022) to Bill 109 (Chapter 12 of the Statutes of Ontario, 2022).

### **2. THE AMENDMENT**

The Official Plan of the Town of Erin is hereby amended as follows:

- 2.1 By deleting the second paragraph of Section 5.3 Official Plan Amendments: and replacing it with the following:

“An Official Plan Amendment application will require a mandatory pre-consultation prior to submitting an application in accordance with the policies of Section 5.16 of this Plan.”

- 2.2 By deleting Section 5.5 Public Consultation policy b) and relettering the subsequent sections accordingly.

- 2.3 By deleting Section 5.15.4 Supporting Studies and replacing it with the following:

“In considering the creation of new lots and in particular lots created by plan of subdivision, where a plan of subdivision is required, a Plan of Subdivision application must be submitted to the County. The Town, in consultation with the County, requires a mandatory pre-consultation prior to submitting a Plan of Subdivision Application in accordance with the policies of Section 5.16 of this Plan. Creation of new lots through the consent process may also require pre-consultation in accordance with Section 5.16.”

- 2.4 By deleting the title of Section 5.16 and replacing it with the title “**Pre-Application Consultation and Complete Application Requirements**”

- 2.5 By deleting Section 5.16.1 and replacing it with the following:

**“5.16.1 Pre-Consultation:**

- a) Those submitting applications for development approval are required to engage in mandatory pre-consultation with the Town, prior to submitting a Plan of Subdivision application, a Plan of Condominium application, an Official Plan Amendment application, a Zoning By-law Amendment application and a Site Plan Control application. In addition, the Town may require pre-consultation for other development applications such as variances and consents.
- b) Applications for a Plan of Subdivision, a Plan of Condominium, an Official Plan Amendment, a Zoning By-law Amendment, and Site Plan Control cannot be combined and/or processed concurrently. Each application type may only be made in sequential order to provide the Town with sufficient time to review each individual application
- c) Through the pre-consultation, the Town in consultation with the County, the Conservation Authority and other agencies, will determine which plans, reports, studies, and impact assessments or other information, if any, will be required to be submitted for an application. This may include any impact assessments required under Section 5.16.2-5.16.6 inclusive of this Plan and any servicing studies or other studies such as heritage or archaeological impact or agricultural impact assessments. Applicants are to submit all required plans, reports, studies, and impact assessments or other information, with their planning application.
- d) A development application shall not be deemed complete by the Town, and the time period in which Town Council is required to make a decision or recommendation with respect to a Plan of Subdivision, or the Town is required to approve a Site Plan application, shall not commence, until:
  - i) The Town is satisfied that the prescribed information and material as required under the Planning Act has been submitted; and,
  - ii) All the other plans, reports, studies, impact assessments or other information identified through the pre-consultation process by the Town have been submitted and the Town has satisfied itself that those materials have been prepared in accordance with terms of reference or other requirements identified by the Town through the pre-consultation process.”

2.6 By deleting the text in Section 5.16.6 Peer Review and replacing it with the following:

Where the Town requires a plan, study, report or impact assessment or other information to be submitted by an applicant in support of a development application, the Town may also commission a peer review of any plan, study, report, impact assessment or other information. A peer review may also be



commissioned to assist staff to deem an application complete. Normally the cost of the peer review will be borne by the applicant.

### **3. IMPLEMENTATION AND INTERPRETATION**

This Official Plan Amendment shall be implemented and interpreted in accordance with the implementation and interpretation provisions set out in the Amendment and the relevant sections of the Official Plan.