



## Minutes of the Regular Town of Erin Council Meeting

May 26, 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 # 22-125

**Moved By** Councillor Brennan

**Seconded By** Councillor Smith

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

**Carried**

### 3. Declaration Pecuniary Interest

None.

**4. Closed Session**

**Resolution # 22-126**

**Moved By** Councillor Smith

**Seconded By** Councillor Brennan

**Be it resolved that** Council adjourns the meeting to proceed into a closed session at the hour of 3:00 PM to discuss the matter(s) under the following exemptions in the Municipal Act S. 239 (2) pertaining to:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

**Carried**

**5. Return from Closed Session**

**5.1 Motion to Reconvene**

**Resolution # 22-127**

**Moved By** Councillor Cheyne

**Seconded By** Councillor Smith

**Be it resolved that** the meeting be reconvened at the hour of 3:39 PM.

**Carried**

**5.2 Report Out**

**Resolution # 22-128**

**Moved By** Councillor Brennan

**Seconded By** Councillor Smith

**Be it resolved that** staff proceed as discussed.

**Carried**

**6. Public Meetings**

**6.1 Town Initiated Official Plan Amendment (OPA-14)**

Mayor Alls read the following:

The purpose of this Public Meeting is to inform and provide the public with the opportunity to ask questions, or to express views with respect to this proposal. Members of Council are here to observe and listen to public comments, they will not take a position on the matter. Council's decision will come after full consideration of input from the meeting, submissions from the public and comments from agencies.

When Council makes a decision, should you disagree with that decision, the Planning Act provides you with an opportunity to appeal this application to the Ontario Land Tribunal. Please note that if a person or public body does not make oral submissions at a public meeting or written submissions to the Town of Erin before the decision is made, the person or public body is not entitled to appeal the decision of the Town to the Ontario Land Tribunal. In addition, if a person or public body does not make an oral submission at a public meeting, or make written comments to the Town of Erin before the decision is made, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

Jack Krubnik – Director of Planning & Development

Provided an overview of Town initiated Official Plan Amendment No.14.

Advised that the purpose and effect of the proposed Town-Initiated amendment is to amend the Town of Erin's Official Plan 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.

Advised the goal of this amendment is to improve the quality of planning application submissions and to assist the Town in its ability to process planning applications in a timely manner.

Advised Staff are proposing to amend the Town of Erin Official Plan in response to the More Homes for Everyone Act, 2022, S.O. 2022, c.12 – Bill 109. This More Homes for Everyone Act, 2022 amends the various statutes with respect to housing, development and various other matters. The More Homes for Everyone Act, 2022 received Royal Assent on April 14, 2022.

Advised the proposed Official Plan Amendment No.14 addresses a number of specific components of The More Homes for Everyone Act, 2022 as they relate to refund of application fees and, the timing for review, and the processing of development applications.

Advised the proposed amendment aims to ensure a comprehensive initial planning application submission, assist Staff in their ability to process planning applications in a timely fashion, and to enable Council to provide a decision within the new statutory timelines.

Advised the proposed Official Plan Amendment No.14 policies will also assist in reducing the occurrence of application fee refunds, which are now tied to the statutory timelines for application decisions.

Advised that through staff's review of the 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.

Advised that 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.

Advised that Official Plan Amendment No.14 therefore proposes to do the following:

- All 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.

- 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
- 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 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.
- 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:
  - The Town is satisfied that the prescribed information and material as required under the Planning Act has been submitted; and,
  - 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.

Advised that 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.

Advised The *More Homes for Everyone Act, 2022* introduces legislation which contains new provisions requiring municipalities to refund, in part or in their entirety, fees for rezoning applications if a decision by the municipality is not made within the timelines prescribed in the *Planning Act*. Similarly, with regard to site plan applications, if the municipality has not approved plans within the timelines prescribed in the *Planning Act*, the

legislation requires municipalities to refund all or part of the application fees. Advised these changes also come into effect on January 1, 2023. The refund schedule is outlined here.

Advised that following the review of the application and any Public and Council comments, staff will provide a recommendation report to Council.

Councillor Brennan

Asked what impact the peer review process will have with regard for the timeline of applications.

Jack Krubnik – Director of Planning & Development

Advised the intent of the peer review process is to allow peer review of submission material prior to it being deemed complete.

Councillor Brennan

Asked how planning processes involving the County of Wellington and conservation authorities factor into the review process.

Jack Krubnik – Director of Planning & Development

Advised that presently those agencies are part of the Town's pre-consultation process but that the pre-consultation is not mandatory. Advised that going forward they will continue to be part of that process, and further that agencies will have to abide by provincial timelines to process applications.

Councillor Brennan

Advised that provincial regulatory changes may impact the Planning department's budgeting process and that future planning may be required.

Councillor Smith

Advised the relevant provincial legislation received Royal Assent prior to the consultation period's completion. Advised municipalities faced pressure to provide consultation within provincial timelines.

Councillor Robins

Asked how provincial legislation affects Council's role in the site plan control process.

Jack Krubnik – Director of Planning & Development

Advised that site plan approvals which typically come before Council will be delegated to staff. Advised that Council needs to respond to provincial requirements regarding delegated authority for site plan control prior to July 1<sup>st</sup>, 2022.

Councillor Robins

Asked whether variances from the standardized subdivision agreement will come back to Council for approval and what role Council plays in deviations from standards.

Jack Krubnik – Director of Planning & Development

Advised questions relating to the subdivision agreement will be addressed when that report is presented to Council.

Councillor Cheyne

Asked whether adequate resources are currently in place to comply with provincial guidelines given expected future developments.

Jack Krubnik – Director of Planning & Development

Advised the legislation fails to recognize there are periods when municipal councils do not meet, such as during election years. Advised that receiving commentary from partner agencies within the required timeline is outside of the Town's control.

Councillor Robins

Asked whether the pre-consultation process mitigates the risk associated with receiving commentary from partner agencies.

Jack Krubnik – Director of Planning & Development

Advised pre-consultation, terms of reference, and peer review processes will mitigate risks associated with provincial timelines.

Mayor Alls

Thanked all the participants for attending the meeting and advised that Council will consider input prior to making a decision on the matter. Upon a decision by Council, notice will be provided to all persons who requested notice in writing.

Declared the public meeting adjourned.

**Resolution # 22-129**

**Moved By** Councillor Cheyne  
**Seconded By** Councillor Brennan

**Be it resolved that** Council hereby receive report number PD2022-13 "*Town Initiated Official Plan Amendment to establish a mandatory pre-consultation process and submission requirements for Planning Act applications, and have each Planning Act application submitted and processed individually, and to not combine them or process them concurrently, Public Meeting*" for information.

**Carried**

## **7. Community Announcements**

- EWFH Team continues its series of virtual workshops on a variety of topics. Please consult their website for more information.
- On Sunday May 29th the Lions Club Annual Guide Dog Walk takes place at Centre 2000.
- On Sunday June 5th the Environment & Sustainability Advisory Committee will hold a World Environment Day event from 10:00AM to 3:00PM on the Town Hall grounds.
- Tuesday June 7th will see the Ross Ferguson Air Cadets annual review taking place at McMillan Park at 6:30PM. Please bring your own chairs.
- On Saturday June 11th the Erin Garden Club will hold its annual plant sale from 9:00AM to 1:00PM at McMillan Park.
- On the June 11th and 12th weekend our Hillsburgh Firefighters will hold their annual garage sale at the Hillsburgh Community Centre.
- On Sunday June 12th the Erin Firefighters will hold a car wash between 10:00AM and 2:00PM at the Erin Station. As always, both events put on by our firefighters raise funds to support wonderful causes.
- On Saturday June 25th there will be a PRIDE Celebration taking place at McMillan Park between 11:00AM and 4:00PM.

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

## **8. Adoption of Minutes**

**Resolution # 22-130**



**Moved By** Councillor Smith  
**Seconded By** Councillor Cheyne

**Be it resolved that** Council hereby adopts the following meeting minutes as circulated;  
May 12 Regular Council

**Carried**

**9. Business Arising from the Minutes**

None.

**10. Delegations/Petitions/Presentations**

None.

**11. Reports**

**11.1 Corporate Services**

**11.1.1 Finance**

**11.1.1.1 2021 Development Charges – Statement of Treasurer**

**Resolution # 22-131**

**Moved By** Councillor Cheyne  
**Seconded By** Councillor Smith

**Be it resolved that** Council hereby receive report number F2022-11 "2021 Development Charges – Statement of Treasurer" for information.

**Carried**

**11.1.1.2 Water Department Financial Reporting Process**

**Resolution # 22-132**

**Moved By** Councillor Cheyne  
**Seconded By** Councillor Smith

**Be it resolved that** Council hereby receive report number F2022-12 "*Water Department Financial Reporting Process*" for information;

**And that** the Water Department contribution to water reserves be reduced by \$182,163;

**And that** \$182,163 be transferred to the Tax Rate Stabilization Reserve.

**Carried**

**11.1.1.3 2022 Tax Levy Report**

**Resolution # 22-133**

**Moved By** Councillor Brennan

**Seconded By** Councillor Cheyne

**Be it resolved that** Council hereby receive report number F2022-13 "*2022 Tax Levy Report*" for information;

**And that** Council hereby approve the amended Schedule A of Appendix D to reflect 2022 rates;

**And that** By-law 22-22 be amended to reflect the amended Schedule.

**Carried**

**11.1.2 Legal Services**

**11.1.2.1 Winding up of Hillsburgh Community Medical Centre and Transitioning Ownership of 11 Mill Street, Hillsburgh**

**Resolution # 22-134**

**Moved By** Councillor Cheyne

**Seconded By** Councillor Brennan

**Be it resolved that** the Town Solicitor and Town staff be directed to take such steps as necessary to wind

up Hillsburgh Community Medical Centre and terminate all activities of Hillsburgh Community Medical Centre being operated at 11 Mill Street, Hillsburgh, ON N0B 1Z0, and to acquire for the Town legal title to the premises located therein;

**And that** the Mayor and the CAO are authorized to do such things, take such actions, and execute such documents as may be necessary to give effect there to.

**Carried**

## **11.2 Community Services**

### **11.2.1 Planning & Development**

#### **11.2.1.2 Template Subdivision Agreement**

##### **Resolution # 22-135**

**Moved By** Councillor Smith

**Seconded By** Councillor Cheyne

**Be it resolved that** Council receive the within report for information;

**And that** Council adopt, by by-law, a standard template Subdivision Agreement in the form attached to this Report as Attachment "1".

**Carried**

#### **11.2.1.1 Final Recommendation Report - Z19-04 5414 Second Line (Terrell Heard)**

##### **Resolution # 22-136**

**Moved By** Councillor Smith

**Seconded By** Councillor Cheyne

**Be it resolved that** Council hereby receive report number PD2022-14 "*Zoning By-law Amendment*

*Application Z19-04 and Draft Plan of Subdivision Application 23T-19001”;*

**And that** Council approve the site-specific Zoning By-law Amendment Application by Spirit of Pentecost, 5414 Second Line, Town of Erin, and adopt the implementing Zoning By-law Amendment;

**And that** Council requests Wellington County Council approve the Draft Plan of Subdivision Application by Spirit of Pentecost, 5414 Second Line, Town of Erin, subject to the Town’s Draft Conditions of Approval as generally outlined in Appendix C to Report PD2022-14.

**Carried**

### **11.3 Committees**

#### **11.3.1 TEHC - Minutes of March 21, 2022**

##### **Resolution # 22-137**

**Moved By** Councillor Cheyne

**Seconded By** Councillor Brennan

**Be it resolved that** Council hereby receive the Town of Erin Heritage Committee minutes of March 21st, 2022.

**Carried**

### **11.4 Mayor**

#### **11.4.1 Mayor's Report**

- May 2nd, Attended a meeting with the CAO and Upper Grand Humane Society
- May 3rd, Attended a meeting with Parks and Recreation and leadership of Soccer
- May 4th, Attended annual meeting of Erin Legion
- May 10th, Roads Committee at County

- May 10th, Meeting with Angelstone who provided an update on their future plans
- May 11th, Board of Health Meeting
- May 12th, Planning and Land Division at County
- May 13th, Attended Ribbon Cutting at Flowershed Farms on first line followed by our own Touch a Truck event
- May 16th, Meeting with Ballantry Homes along with CAO, Director of Planning, and Director of Infrastructure
- May 24th and 25th, Wastewater PICs
- May 26th, County Council

**Resolution # 22-138**

**Moved By** Councillor Robins

**Seconded By** Councillor Smith

**Be it resolved that** the Mayor's Report of May 26, 2022 be received for information.

**Carried**

**12. New Business**

**Resolution # 22-139**

Motion to Call the Question

**Moved By** Councillor Smith

**Seconded By** Councillor Brennan

**Carried**

**12.1 Notice of Motion - Councillor Smith**

**Resolution # 22-140**

**Moved By** Councillor Smith

**Seconded By** Councillor Robins

**Be it resolved that** Council take the formal position that property owners in the existing urban areas not be required to connect to the wastewater

treatment plant until such time as significant estimated total of indirect costs are secured by higher orders of government.

**Carried**

**13. Correspondence**

**Resolution # 22-141**

**Moved By** Councillor Smith

**Seconded By** Councillor Robins

**Be it resolved that** Council receives correspondence item 13.1 for information.

**Carried**

**13.1 Decision Notice - Proposed Regulation Changes under the Aggregate Resources Act**

**14. By-Laws**

**Resolution # 22-142**

**Moved By** Councillor Brennan

**Seconded By** Councillor Robins

**Be it resolved that** By-Law number 22-24 is hereby passed.

**22-24**

Being a By-law to Amend By-law number 22-22.

**Carried**

**Resolution # 22-143**

**Moved By** Councillor Robins

**Seconded By** Councillor Smith

**Be it resolved that** By-law number 22-25 is hereby passed.

**22-25**

Being a By-law to authorize the acquisition of property.

**Carried**

**Resolution # 22-144**

**Moved By** Councillor Robins  
**Seconded By** Councillor Smith

**Be it resolved that** By-law number 22-26 is hereby passed.

**22-26**

Being a By-law to amend By-law 07-67, as amended, being the Zoning By-law for the Corporation of the Town of Erin for lands known as Part Lot 13, Concession 2, Except Part 1 on RP 61R-6497.

**Carried**

**Resolution # 22-145**

**Moved By** Councillor Robins  
**Seconded By** Councillor Smith

**Be it resolved that** By-law number 22-27 is hereby passed.

**22-27**

Being a By-law to adopt a template Subdivision Agreement.

**Carried**

**Resolution # 22-146**

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

**Be it resolved that** the Council of the Corporation of the Town of Erin having given due consideration to the following By-law 22-28 as reproduced in this days Council agenda be passed and authorize the Mayor and Clerk to sign and seal the same.

**22-28**

A By-law to adopt ratify and confirm the proceedings for the Council for the Corporation of the Town of Erin at its Regular Meeting held on May 26, 2022.

**Carried**

**15. Notice of Motion**

*Councillor Cheyne presented the following Notice of Motion:*

**Whereas** Council passed a motion June 6th, 2021 directing Staff conduct a complete review of repairs and renovations of Town cemeteries and report to Council their findings as well as a yearly plan to address issues;

**And Whereas** Infrastructure Services has not yet reported to Council their findings and recommendations;

**Therefore be it resolved that** Staff report back on this item at the July 7th Council meeting.

*Mayor Alls presented the following Notice of Motion:*

**Be it resolved that** Council authorize providing \$1,000 to the Erin Agricultural Society to go towards the dog show at the RCMP Musical Ride and that the \$1,000 be funded from the Celebrate Erin Reserve Fund.

**16. Adjournment**

**Resolution # 22-147**

**Moved By** Councillor Smith

**Seconded By** Councillor Robins

**Be it resolved that** the meeting be adjourned at the hour of 5:25 PM.

**Carried**

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Mayor Allan Alls

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Clerk Lisa Campion