



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 No. 22-XX

A By-law to adopt an amendment to the Official Plan 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

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 June 30, 2022.

Mayor, Allan Alls

Clerk, Lisa Campion

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

INDEX

STATEMENT OF COMPONENTS	i
PART ONE - INTRODUCTION	1
1.0 Purpose	1
2.0 Location	1
3.0 Basis	1
PART TWO - THE AMENDMENT	3
1.0 Purpose	3
2.0 The Amendment	3
3.0 Implementation and Interpretation	5

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 in response to the More Homes for Everyone Act, 2022, S.O. 2022, c.12.

2. LOCATION

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

3. BASIS

More Homes for Everyone Act, 2022 (the Act) amended the various statutes with respect to housing, development and various other matters. The Act received Royal Assent on April 14, 2022. It 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 a zoning by-law amendment, including when such an amendment is combined with an official plan amendment, and a site plan control application. Another requirement pertains to application fee refunds as they pertain to Planning Act applications for a zoning by-law amendment, including when such an amendment is combined with an official plan amendment, and a site plan control application when no decision is made on the 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 an enhanced 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 official plan, zoning and site plan application should be processed individually, and will not be deemed complete if submitted together with other planning applications,

An Official Plan Amendment is therefore required to:

- make the pre-consultation process a mandatory component of a Town 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 Town Official Plan Amendment application, a Zoning By-law Amendment application, and a Site Plan Control application cannot be deemed complete if applications are submitted simultaneously and proposed to be processed concurrently.

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 planning application submissions, and assist the Town in its ability to process planning applications in a timely fashion in response to More Homes for Everyone Act, 2022, S.O. 2022, c.12.

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:

“A Town 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. In addition, Plan of Condominium, Part Lot Exemption, and Consent applications are also required to be submitted to the County for review and approval. The Town strongly encourages pre-consultation regarding these types of lot creation applications. The Town will participate in the County’s pre-consultation process, in accordance with Section 5.16 Pre-Consultation of this Plan, as applicable. The Town will encourage the County to require mandatory pre-consultation prior to submitting a Plan of Subdivision or Plan of Condominium application in accordance with the policies of Section 5.16 of this Plan.”

- 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 Town 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 minor variance applications. Further, the Town strongly encourages pre-consultation prior to submission of an application for plan of subdivision, plan of condominium, part lot exemption, or consent application to the County of Wellington. The Town will participate with the County in the pre-consultation process, to review the proposal submission, assess study requirements, discuss the need for peer review, and other matters in an effort to address complete application requirements.
- b) Where an application for a Zoning By-law Amendment application, or an application for Site Plan Control are submitted in combination with other applications, including a Plan of Subdivision, Plan of Condominium and Official Plan Amendment, only one application at a time shall be deemed complete. A Town Official Plan Amendment application, Zoning By-law Amendment application or Site Plan Control application will only be processed in sequential order to allow the Town sufficient time to review the individual application, given the differing statutory review timelines, unless determined otherwise at the Town's sole discretion.
- 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. In addition, the Town may prepare, or may require preparation by the applicant, and approval by the Town of Erin, terms of reference or other requirements for such studies as part of the pre-consultation process. 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 an Official Plan Amendment application and/or Zoning By-law Amendment application, or the Town is required to approve a Site Plan Control 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 approved 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. 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.