



PLANNING RECOMMENDATION REPORT

Meeting Date: December 12, 2022
Submitted by: Abby Heddle-Jacobs, Planner I (Policy and Special Projects)
Subject: **Municipally-Initiated Official Plan Housekeeping Amendment
OPA15-2022**

PURPOSE

The purpose of this housekeeping amendment is to update the Township's Official Plan to implement up-to-date policies as a result of recent legislative changes. The effect of this housekeeping amendment is to implement and update complete application requirements for Official Plan amendments, Zoning By-law amendments, site plan approval, approval of plans of subdivision (including condominiums), and consents. This amendment is a result of recent updates to the Planning Act through Bill 109 – More Homes for Everyone Act, 2022.

BACKGROUND

Bill 109 - More Homes for Everyone Act, 2022, made several legislative changes to the Planning Act, which focus on streamlining the municipal decision-making process, including imposing the requirement, starting January 1, 2023, to refund certain planning application fees where decision timelines are not achieved. Additionally, several changes were made that would allow the Province in the future to prescribe details on other matters.

A significant change within Bill 109 is how site plan control is implemented. Municipal Councils were required to delegate site plan control decisions to staff for all applications received on or after July 1, 2022. The site plan application decision-making timeline, as of January 1, 2023, will be extended from 30 days to 60 days. An applicant can appeal a municipality's failure to approve their site plan application to the Ontario Land Tribunal beginning 60 days after the application was deemed complete.

The Act now provides for the inclusion of complete application requirements within official plans for site plan applications, similar to current complete application requirements for other types of applications under the Planning Act. An owner has recourse if the municipality fails to deem an application for site plan complete within thirty (30) days of it being submitted, unless the official plan contains prescribed information and material that could be required as part of a complete application, providing the Township the opportunity to "pause the clock" in the absence of required materials.

The basic provisions of complete application requirements for site plans are included in section 41 of the Planning Act. These provisions include: plans showing the location of all buildings, elevations, cross sections, public spaces, exterior design and features of the buildings, landscaping, and some other design elements. For the majority of site plan applications, municipalities will require additional information and reports/studies that address matters including but not limited to grading, traffic, noise and vibration and servicing.

Staff are therefore recommending the addition of a new Section in the Township's official plan containing complete application requirements that address the following: planning matters, environmental and natural matters, transportation matters, servicing and infrastructure matters,



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financial and market impact assessment matters, nuisance and hazard matters as well as the requirement for peer review, at the applicant's expense, where applicable.

As such, the purpose of this Amendment is to implement the provisions of the Planning Act associated with Bill 109 within the Township of Adelaide Metcalfe Official Plan. The proposed amendment includes policy direction as it relates to complete application requirements for site plan approval applications and updates the submission requirements for other types of planning applications including official plan amendments, zoning by-law amendments, plans of subdivision/condominium and applications for consent.

Overall, this amendment will conform to recent changes to the Planning Act and provide clarity on complete application requirements for certain applications made under the Planning Act, which will ultimately improve the development application processes within the Township.

CONSULTATION

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements to the Planning Act. Any comments received from the public have been forwarded to Council in advance of the meeting and are uploaded as an attachment to the report.

Public Comments:

At the time of writing this report, the Township has not received any comments from members of the public.

Agency Comments

At the time of writing of this report, no agency comments have been received.

RECOMMENDATION

THAT Official Plan Amendment No. 15 to implement policies as a result of legislative changes through Bill 109 be adopted, and forwarded to the County of Middlesex for consideration of approval.

Attachments:

1: Official Plan Amendment & By-law
