

**Amendment No. 74**  
**to the**  
**Official Plan of the**  
**County of Peterborough**

**Townships of Asphodel-Norwood, Douro-Dummer,  
North Kawartha and Selwyn**

Addition of Complete Application Policies to Local Component

## **Official Plan Amendment No. 74**

**Part “A” - The Preamble** does not constitute part of this Amendment.

**Part “B” - The Amendment** consisting of the following text and schedules constitutes Amendment No. 74 to the Official Plan for the County of Peterborough.

Also attached is **Part “C” - The Appendices** which does not form part of this amendment. The appendices contain copies of correspondence that have been received relating to the amendment and also a copy of the Minutes of the public meeting associated with the amendment.

## **Part A - The Preamble**

### **Purpose**

The purpose of the Official Plan Amendment is to add policies to the Local Component that address 'complete application' requirements. More specifically, text in the Official Plan is being modified to implement changes that have been made to the Planning Act resulting from Bill 109, More Homes for Everyone Act, 2022.

The amendment applies to all Townships currently forming part of the Local Component of the County Official Plan.

### **Basis**

Bill 109 is a first-step response to the Ontario Housing Affordability Task Force Report's 55 recommendations released on February 8, 2022.

Introduced on March 30, 2022, Ontario's More Homes for Everyone Act, 2022 ("Bill 109") received Royal Assent on April 14, 2022. Some provisions are immediately in force, while others will wait for a later proclamation or come into force as of July 1, 2022, or January 1, 2023. This Official Plan Amendment (OPA) addresses those changes coming into effect January 1, 2023.

Bill 109 made changes to the Planning Act regarding Site Plan Control, Zoning By-Law Amendments, and Combined Zoning By-Law/Official Plan Amendments. These changes include new rules about consultations with municipalities before plans and drawings for site plan are submitted for approval and respecting completeness of site plan applications and application fee refunds if a decision is not made by Council within the specified timeframes.

The proposed OPA responds to these changes by updating the Local Component policies regarding pre-consultation and complete application submission requirements. The amended policies will ensure the pre-consultation and complete application process will be determined by the approval authority, and that a complete application may include peer review of supporting studies. This approach will assist in ensuring applications are processed within the regulated timeframes and reduce delays once an application has been deemed complete, thus reducing the likelihood of application fee refunds.

### **Provincial Policy Framework**

The Provincial Planning Policy framework is established through Section 3 of the Planning Act and the Provincial Policy Statement (PPS), whereas the Growth Plan

for the Greater Golden Horseshoe derives its authority from Section 7 of the Places to Grow Act.

The Planning Act provides municipal governments with the direction and authority to guide development and land use planning through official plans, secondary plans and zoning by-laws. The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with policy statements and plans issued by the Province. Bill 109 has made amendments to Planning Act application processes which requires municipalities to respond to these changes.

The proposed amendment to the Local Component of the County Official Plan seeks to ensure Local Municipalities have sufficient authority to determine their own submission requirements and what constitutes a complete/incomplete application. The Amendment provides further clarity that peer review of supporting studies may be required prior to an application being deemed complete.

#### **County of Peterborough Official Plan**

Section 2.6 of the County Official Plan provides the County and Townships the authority to request additional information that it considers it may need when considering development proposals or Planning Act applications. This section further states that the County may peer review studies internally or through the use of peer review consultants but does not specify the requirements of a complete application.

The proposed Amendment provides clarity by allowing the Local Municipalities to determine complete application requirements for applications for which they are the approval authority. Internal process at each Municipality may then be developed or modified to further determine the requirements for a complete application.

The Amendment appears to conform to the County Official Plan.

#### **County of Peterborough Official Plan – Local Component**

The Local Component of the County Official Plan contains a similar policy to the broader County component of the OP, but does not specify that Local Municipalities maintain the ability to prescribe complete application requirements or that complete applications could include peer review of supporting studies. For absolute clarity and to recognize current practice and provide Township's the appropriate authority, this policy is proposed to be added. Allowing peer review to form part of a complete application will assist in streamlining applications once deemed complete, and will reduce the need for application fee refunds.

Section 7.9 outlines a list of criteria that should be considered when undertaking an amendment to the Local Component of the County Official Plan. However, the proposed Amendment is housekeeping in nature and is being undertaken in advance of legislative changes taking effect in January 2023. Since no changes are proposed to any land use schedules or land use policies, the Amendment does not appear to conflict with Section 7.9 of the Local Component.

### **Local Zoning By-Laws**

Each Township has a Zoning By-Law that implements the Official Plan. No related Zoning Amendments are necessary at this time to further implement the policies added through this OPA.

### **Conclusion**

The Townships of Asphodel-Norwood, Douro-Dummer, North Kawartha and Selwyn are amending the Local Component of the County Official Plan to include language that ensures there is sufficient authority for each Local Municipality to determine what constitutes a 'complete application' through their own local processes.

The amendment is deemed to be in general conformity with the County Official Plan, the local component of the County Plan, the Provincial Policy Statement, and the Growth Plan.

## **Part B - The Amendment**

All of this Part of the document entitled Part B - The Amendment consisting of the following text and schedule constitutes Amendment No. "74" to the Official Plan of the County of Peterborough.

### **Details of the Amendment**

The Official Plan of the County of Peterborough is hereby amended as follows:

1. Two new subsections, 7.2.8 and 7.2.9, are to be added to Section 7.2 – General Policies, immediately following subsection 7.2.7. The new subsections will read as follows:

**7.2.8 Local Municipalities maintain the ability to prescribe complete application requirements for Planning Act applications for which they are the approval authority. Complete application requirements may include peer review of any studies or plans submitted in support of the application.**

**7.2.9 In an effort to streamline planning decisions and in accordance with Section 39.2 of the Planning Act, the Council of a local Municipality may, by by-law, delegate decisions dealing with minor amendments to Zoning By-Laws to a committee of Council or to an individual who is an officer, employee or agent of the Municipality.**

**For clarity, By-Laws that are minor in nature may include, but are not necessarily limited to:**

- the removal of a holding symbol.
- the authorization of a Temporary Use By-Law applicable to land, buildings or structures.
- other minor Zoning By-Law Amendments as may be deemed appropriate by the Municipality.

**A delegation of authority made by Council may be subject to conditions and may be withdrawn in respect of one or more of the By-Laws described above, as outlined in the Delegation of Authority By-Law.**

2. Section 7.17.2.4 – Site Plan Control, Submission of Plans and Agreement – is amended by deleting the section in its entirety and replacing it with the following:

#### **7.17.2.4 – Submission of Plans and Agreement**

**Prior to any development within an area designated as a Site Plan Control Area Council may require one or more of the following:**

- i) Require applicants to consult with the Municipality before submitting plans and drawings for approval.**
- ii) Require an applicant to provide the prescribed information and material to the municipality.**
- iii) Require that an applicant provide any other information or material that the Municipality considers it may need.**
- iv) Plans certified by an Ontario Land Surveyor showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 41(7)(a) of the Planning Act, including facilities designed to have regard for accessibility for persons with disabilities.**
- v) Drawings certified by an engineer and/or architect showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units, which drawings are sufficient to display:**
  - Massing and conceptual design.**
  - Relationship of the buildings to adjacent buildings, streets and exterior public areas.**
  - Provision of interior walkways, stairs and elevators, to which the public has access.**
  - Matters relating to exterior design, including character, scale, appearance and design features of buildings, and their sustainable design, if required by the Site Plan Control By-Law.**
  - sustainable design elements on any adjoining roadway under a municipality's jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, if required by the Site Plan Control By-Law.**
  - Facilities designed to have regard for accessibility for persons with disabilities.**

**Despite the exception provided, drawings for residential buildings containing fewer than 25 dwelling units may be**

**required if they are located in a site plan control area where such drawings may be required.**

- vi) Where a Site Plan Control By-Law has been passed, Township Council shall appoint an officer, employee or agent of the Municipality as an authorized person for the purposes of reviewing plans and drawings as described in subsections (iv) and (v) above.**
- vii) As a condition of Site Plan approval, Township Council may require the execution of an agreement between the landowner and the Township to ensure that all buildings, structures, works or matters described above, are constructed and maintained.**



### **Part C - The Appendices**

The following appendices do not constitute part of Official Plan Amendment No. 74, but are included as information supporting the Amendment.

- Appendix No. 1      Correspondence
- Appendix No. 2      Public Meeting Notices and Minutes
- Appendix No. 3      Public Comments
- Appendix No. 4      Agency Comments

## **Appendix No. 1 – Correspondence**

**Appendix No. 2 – Public Meeting Notices and Minutes**

### **Appendix No. 3 – Public Comments**

#### **Appendix No. 4 – Agency Comments**