

**AMENDMENT NO. 60
TO THE MUNICIPALITY OF TRENT LAKES
OFFICIAL PLAN**

**This Amendment applies to:
all lands within the Municipality of Trent Lakes**

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**This amendment is reference to: Bill 109 – Addition of Complete Application
Policies**

**CERTIFICATE
OFFICIAL PLAN
OF THE
MUNICIPALITY OF TRENT LAKES
AMENDMENT NO. 60**

The explanatory text and attached schedule, constituting Amendment No. 60 to the Official Plan of the Municipality of Trent Lakes was initiated by the Municipality of Trent Lakes, and was adopted by the Corporation of the Municipality of Trent Lakes by By-law No. **B2022-XXX** in accordance with the provisions of Section 22 of The Planning Act, R.S.O. 1990 on the 8th day of November 8, 2022.

MAYOR

CORPORATE SEAL
OF MUNICIPALITY

CLERK

This Amendment to the Official Plan of the Municipality of Trent Lakes which has been prepared and adopted by the Council of the Municipality of Trent Lakes is hereby approved in accordance with the provisions of Section 22 of The Planning Act, R.S.O. 1990 as Amendment No. 60 to the Official Plan of the Municipality of Trent Lakes.

DATE

BRYAN WEIR,
DIRECTOR OF PLANNING
COUNTY OF PETERBOROUGH

BY-LAW B2022-XXX
A BY-LAW TO ADOPT
OFFICIAL PLAN AMENDMENT NO. 60
MUNICIPALITY OF TRENT LAKES

The Council of the Corporation of the Municipality of Trent Lakes in accordance with the provisions of Sections 22 of The Planning Act R.S.O. 1990 hereby enacts as follows:

1. Amendment No. 60 to the Official Plan of the Municipality of Trent Lakes consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Peterborough for approval of Amendment No. 60 to the Official Plan of the Municipality of Trent Lakes.
3. The Clerk is hereby authorized and directed to proceed with the giving notice under Section 22 of The Planning Act.
4. This By-law shall come into force and take effect on the day of the final passing thereof subject to the approval of the County of Peterborough.

Read a FIRST, SECOND, and THIRD TIME and FINALLY passed this 8th day of November 2022 and given By-law No. B2022-XXX.

MAYOR

CLERK

CORPORATE SEAL
OF MUNICIPALITY

I, Jessie Clark, Clerk of the Municipality of Trent Lakes do hereby certify that the above is a true copy of By-law No. B2022-XXX as enacted and passed by the Council of the Municipality of Trent Lakes on the 8th day of November 2022.

CLERK

CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan of the Municipality of Trent Lake consists of three parts.

Part A - The Preamble, consisting of the purpose, location, and basis of the Amendment, does not constitute part of this Amendment.

Part B - The Amendment consisting of the noted text and constitutes Amendment No. 60 to the Official Plan for the Municipality of Trent Lakes.

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 a copy of the Minutes of the Public Meeting associated with the amendment.

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PART A - THE PREAMBLE

PURPOSE

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

LOCATION

The amendment applies to all lands within the Municipality of Trent Lakes.

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 were immediately in force, while others waited for a later proclamation or came 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 applications 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 including 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 Municipality of Trent Lakes Official Plan seeks to ensure the Municipality has 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 County is currently updating their Official Plan to include required peer reviews as part of a complete application.

The proposed County 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.

Official Plan Amendment No. 60 appears to conform to the proposed County Official Plan Amendment.

In summary, the Municipality of Trent Lakes maintains the ability to prescribe complete application requirements and that complete applications include the peer review of supporting studies. A policy in this regard 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 of the County Official Plan 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 County Amendment and Trent Lakes

Official Plan Amendment No. 60 are housekeeping in nature and are 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 do not appear to conflict with the proposed County Official Plan and its' amendment.

No related Zoning By-Law Amendments are necessary at this time to further implement the policies added through this Official Plan Amendment.

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

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PART B – THE AMENDMENT

The Amendment consists of the following text and constitutes Amendment No. 60 to the Trent Lakes Official Plan.

Details of the Amendment

The Official Plan of the Municipality of Trent Lakes is hereby amended as follows:

1. Adding the following new Section 8.9A, after 8.9, as follows:

8.9A COMPLETE APPLICATION REQUIREMENTS

Council and/or its delegate shall not declare any application made under the *Planning Act* to be complete until Council is provided with information, studies or drawings specified in this Plan that are necessary to inform the public and make a decision on the application. Until an application is submitted that addresses pre-consultation and complete application requirements as specified below, Council will deem such applications to be incomplete.

8.9A.1 Pre-Consultation and Complete Applications

The Municipality of Trent Lakes has implemented a Mandatory Pre-Consultation By-Law for certain Planning Act Applications. In accordance with regulations made under the *Planning Act* for the purpose of deeming a `complete application`, the Municipality of Trent Lakes may request additional information that it considers it may need when considering development proposals or Planning Act applications.

The Municipality will review these studies and may required the use of peer reviewers with the cost of such a review to be at the proponent's expense. Where appropriate the Municipality may also consult with the Ministry of Municipal Affairs and Housing, the Ministry of Natural Resources and Forestry, Trent Severn Waterways, Kawartha Conservation Authority or any other authority having jurisdiction or expertise.

The applicant will be required to pay for the peer review of such studies where applicable. Such information may include, but not limited to, any of the following:

Servicing Options Report

Hydrogeological Studies to determine water quality and quantity and sewage servicing capacities (in accordance with MOE Guidelines)

Engineered Drainage Plan/Storm Water Management Plan

Market Analysis/Justification Study

Traffic Study

Environmental Impact Analysis (lakes, rivers, wetlands, fish habitat, wildlife, ANSIs etc.)

Archaeological Study
Planning Study/Analysis
Natural Resource Analysis Noise Impact Study (aggregates, mineral non-aggregates, forests, etc.)
Noise Impact Study
Agricultural Land Use Justification
Impact on Municipal/Other Services (fire, waste disposal, school busing, road conditions, etc.)

8.9A 1a) Trent Lakes maintains 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.

8.9A.1b) 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. By adding in Section 8.6 Site Plan Control the following new subsections following 8.6.1:

8.6.1.1 – Submission of Plans and Agreement

Prior to any development within an area designated as a Site Plan Control

Municipal 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, Municipal 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, Municipal Council may require the execution of an agreement between the landowner and the Municipality 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 No. 60 but are included as information supporting the Amendment.

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

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Appendix No. 1 – Correspondence

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Appendix No. 2 – Public Meeting Notice and Minutes

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Appendix No. 3 - Public Comments

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Appendix No. 4 – Agency Comments

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