

**CORPORATION OF THE COUNTY OF DUFFERIN**

**BY-LAW NUMBER 2022-44**

**A BY-LAW TO APPROVE OFFICIAL PLAN AMENDMENT NO. 9  
TO THE TOWNSHIP OF EAST GARAFRAXA OFFICIAL PLAN.**


WHEREAS the Planning Act, R.S.O. 1990, c.P.13, as amended, permits the County of Dufferin to approve an Official Plan or amendments thereto;

AND WHEREAS County Council at its meeting on October 13, 2022, decided to approve Official Plan Amendment No. 9 to the Township of East Garafraxa Official Plan;

BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS:

1. Official Plan Amendment No. 9 to the Township of East Garafraxa Official Plan, as adopted by By-Law 40-2022 by the Township of East Garafraxa is hereby approved.

READ a first, second and third time and finally passed this 13<sup>th</sup> day of October, 2022.

  
Wade Mills, Warden

  
Michelle Dunne, Clerk





**TOWNSHIP OF EAST GARAFRAXA**  
065371 DUFFERIN COUNTY ROAD 3 • UNIT 2  
EAST GARAFRAXA • ON • L9W 7J8  
T: 226-259-9400 • TOLL FREE: 877-868-5967 • F: 1-226-212-9812  
[www.eastgarafraxa.ca](http://www.eastgarafraxa.ca)

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August 2, 2022

County of Dufferin  
Development and Tourism Department  
30 Centre Street  
Orangeville, ON L9W 2X1  
Email: [planner@dufferincounty.ca](mailto:planner@dufferincounty.ca)

**RE: Township of East Garafraxa Official Plan Amendment No. 9 (OPA 9)  
Township Wide Official Plan Amendment  
Submission under O.REG 543/06 of the Planning Act, R.S.O. 1990, c. P.13**

Pursuant to O.REG 543/06 of the Planning Act, R.S.O. 1990, c. P.13, please find enclosed the following documents for consideration with respect to the Township of East Garafraxa Official Plan Amendment No. 9 (OPA 9) as the Township's record for the County as the approval authority:

1. A certified copy of By-Law 40-2022 being a by-law for the adoption of Official Plan Amendment No.9.
2. A certified copy of Official Plan Amendment No.9.
3. Copy of all written submissions and comments and the dates they were received:
  - a. County of Dufferin Planning Department – June 9, 2022
  - b. Grand River Conservation Authority – June 20, 2022
4. Affidavit Number 1 in accordance with subsection 14 (1).
  - a. Exhibit "1" By-Law 40-2022 Notice of Adoption of Official Plan Amendment No. 9 dated July 25, 2022
5. Affidavit Number 2 in accordance with subsection 14 (2).
6. Statement from Township of East Garafraxa CAO/Clerk.
7. Statutory Public Meeting Minutes dated June 28, 2022.
8. Macaulay Shiomi Howson Ltd. Planning Report dated May 20, 2022.
9. Macaulay Shiomi Howson Ltd. Planning Report dated July 19, 2022.
10. Notice of Statutory Public Meeting dated May 31, 2022. A copy was circulated to the County of Dufferin being the approval authority and the prescribed agencies and was published in local newspapers.



**TOWNSHIP OF EAST GARAFRAXA**

065371 DUFFERIN COUNTY ROAD 3 • UNIT 2

EAST GARAFRAXA • ON • L9W 7J8

T: 226-259-9400 • TOLL FREE: 877-868-5967 • F: 1-226-212-9812

[www.eastgarafraxa.ca](http://www.eastgarafraxa.ca)

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Official Plan Amendment No. 9 is an amendment to the existing plan and amends but does not replace the existing Township of East Garafraxa Official Plan. The purpose of the Amendment is to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

Trusting you find this satisfactory.

Regards,

A handwritten signature in cursive script that reads "Susan M. Stone".

Susan M. Stone, AMCT  
CAO/Clerk  
Corporation of the  
Township of East Garafraxa

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 40-2022

ADOPTION BY-LAW FOR AN AMENDMENT TO THE OFFICIAL PLAN

THE Council of the Corporation of the Township of East Garafraxa in accordance with the provisions of Sections 17 and 21 of the Planning Act, P.S.O. 1990 as amended hereby enact as follows:

1. THAT Official Plan Amendment Number 9 to the Official Plan of the Corporation of the Township of East Garafraxa being the attached text is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the County of Dufferin for approval of the aforementioned Official Plan Amendment Number 9 to the Official Plan of the Corporation of Township of East Garafraxa and to provide such information as required by section 17 of the Planning Act, R.S.O. 1990, cP.13 as amended.

ENACTED and PASSED THIS 19<sup>th</sup> DAY of July 2022

  
CLERK

  
HEAD OF COUNCIL

I HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE COPY OF THE ORIGINAL DOCUMENT

  
DATE: July 25, 2022 DEPUTY CLERK

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA**

**OFFICIAL PLAN  
AMENDMENT 9**

**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

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## **THE CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE:** The Preamble provides an explanation of Amendment No. 9 to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

**PART B – THE AMENDMENT:** The Amendment, consisting of text, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. 9.

**PART C – THE APPENDICES:** The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.

**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

**PART A – THE PREAMBLE**

**1.0 LOCATION**

This Amendment applies to the lands of the Township of East Garafraxa in their entirety.

**1.1 PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**1.2 BASIS OF THE AMENDMENT**

The More Homes for Everyone Act, 2022 is an Act to amend various statutes with respect to housing, development and related matters. The Act has introduced a number of new planning process requirements in the Planning Act. These include application fee refunds for zoning and site plan applications when no decision is made on such applications within the statutory timelines.

Through a review of the requirements of the Act, it was determined that to implement the directions it is necessary to improve the quality of planning applications and enable the Township to process applications in a more timely manner.

Changes to the Township’s policies with respect to pre-application consultation and complete application requirements in Section 9.8 of the Official Plan to reinforce the need for mandatory pre-consultation and establish a more detailed complete application review process will assist in achieving these objectives. 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, applications should generally not be combined or processed concurrently.



**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

**PART B – THE AMENDMENT**

**2.0 INTRODUCTION TO THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**2.1 DETAILS OF THE AMENDMENT**

The Official Plan of the Township of East Garafraxa is hereby amended as follows:

**2.1.1 By amending Section 9.8.1 Pre-Application Consultation as follows:**

- i) Adding the word “Mandatory” prior to the title of subsection 9.8.1;**
- ii) Deleting the word “are” in Section 9.8.1 a) and replacing it with the phrase “shall be” and adding the following new sentence at the end of the Section:**

“Pre-application consultation with the Township, in consultation with the County, appropriate Conservation Authority and other agencies, shall be mandatory, but may be scoped at the Township’s sole discretion.”;

- iii) Re-lettering Subsection 9.8.1 d) as 9.8.1 e) and adding the following as new Subsection 9.8.1 d):**

“d) Terms of reference or other criteria shall be established for specific studies or other information or material which have been identified as required for a complete application by the Township in consultation with the County, appropriate Conservation Authority or other agencies. The studies or other information or material will be reviewed and evaluated by the Township, in consultation with the County, appropriate Conservation Authority or other agencies, to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that the application is deemed complete.”;

iv) Deleting Subsection d) ii) and replacing it with the following:

“ii) all other plans, reports, studies, impact assessments or other information identified through the mandatory pre-consultation process by the Township in consultation with the County, appropriate Conservation Authority and other agencies, and the Township has satisfied itself that these materials have been prepared in accordance with terms of reference or other criteria identified by the Town through the pre-consultation process.”

v) Adding a new subsection f) to Section 9.8.1 as follows:

“f) Only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium, or site plan control shall be deemed complete if applications are submitted concurrently. Each application type will only be processed in sequential order by the Township to provide sufficient time to review the individual application, unless determined otherwise at the Township’s sole discretion.”

2.1.2 By amending Section 9.8.2 Complete Application Requirements by:

i) Adding the following new sentence after the first sentence in subsection g):

“Fees required by the Township and other agencies shall include fees for mandatory pre-application consultation. Such fees shall include any costs for outside consultants retained by the Township to review the information and materials submitted to establish that the information and materials have been prepared in accordance with terms of reference or other criteria identified by the Township in consultation with the County, appropriate Conservation Authority and other agencies through the pre-consultation process.”

## 2.2 IMPLEMENTATION

Section 9 “Implementation” of the Official Plan Shall apply to the implementation of this Amendment.

## 2.3 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply with respect to this Amendment.

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA**

**OFFICIAL PLAN  
AMENDMENT 9**

I HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE COPY OF THE ORIGINAL DOCUMENT

July 25, 2022 Jessica Kennedy  
DATE DEPUTY CLERK

**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

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## **THE CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE:** The Preamble provides an explanation of Amendment No. 9 to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

**PART B – THE AMENDMENT:** The Amendment, consisting of text, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. 9.

**PART C – THE APPENDICES:** The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.

**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART A – THE PREAMBLE**

**1.0 LOCATION**

This Amendment applies to the lands of the Township of East Garafraxa in their entirety.

**1.1 PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**1.2 BASIS OF THE AMENDMENT**

The More Homes for Everyone Act, 2022 is an Act to amend various statutes with respect to housing, development and related matters. The Act has introduced a number of new planning process requirements in the Planning Act. These include application fee refunds for zoning and site plan applications when no decision is made on such applications within the statutory timelines.

Through a review of the requirements of the Act, it was determined that to implement the directions it is necessary to improve the quality of planning applications and enable the Township to process applications in a more timely manner.

Changes to the Township's policies with respect to pre-application consultation and complete application requirements in Section 9.8 of the Official Plan to reinforce the need for mandatory pre-consultation and establish a more detailed complete application review process will assist in achieving these objectives. 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, applications should generally not be combined or processed concurrently.

**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART B – THE AMENDMENT**

**2.0 INTRODUCTION TO THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**2.1 DETAILS OF THE AMENDMENT**

The Official Plan of the Township of East Garafraxa is hereby amended as follows:

2.1.1 By amending Section 9.8.1 Pre-Application Consultation as follows:

- i) Adding the word “Mandatory” prior to the title of subsection 9.8.1;
- ii) Deleting the word “are” in Section 9.8.1 a) and replacing it with the phrase “shall be” and adding the following new sentence at the end of the Section:

“Pre-application consultation with the Township, in consultation with the County, appropriate Conservation Authority and other agencies, shall be mandatory, but may be scoped at the Township’s sole discretion.”;

- iii) Re-lettering Subsection 9.8.1 d) as 9.8.1 e) and adding the following as new Subsection 9.8.1 d):

“d) Terms of reference or other criteria shall be established for specific studies or other information or material which have been identified as required for a complete application by the Township in consultation with the County, appropriate Conservation Authority or other agencies. The studies or other information or material will be reviewed and evaluated by the Township, in consultation with the County, appropriate Conservation Authority or other agencies, to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that the application is deemed complete.”;



- iv) Deleting Subsection d) ii) and replacing it with the following:
  - “ii) all other plans, reports, studies, impact assessments or other information identified through the mandatory pre-consultation process by the Township in consultation with the County, appropriate Conservation Authority and other agencies, and the Township has satisfied itself that these materials have been prepared in accordance with terms of reference or other criteria identified by the Town through the pre-consultation process.”
  
- v) Adding a new subsection f) to Section 9.8.1 as follows:
  - “f) Only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium, or site plan control shall be deemed complete if applications are submitted concurrently. Each application type will only be processed in sequential order by the Township to provide sufficient time to review the individual application, unless determined otherwise at the Township’s sole discretion.”

2.1.2 By amending Section 9.8.2 Complete Application Requirements by:

- i) Adding the following new sentence after the first sentence in subsection g):

“Fees required by the Township and other agencies shall include fees for mandatory pre-application consultation. Such fees shall include any costs for outside consultants retained by the Township to review the information and materials submitted to establish that the information and materials have been prepared in accordance with terms of reference or other criteria identified by the Township in consultation with the County, appropriate Conservation Authority and other agencies through the pre-consultation process.”

2.2 IMPLEMENTATION

Section 9 “Implementation” of the Official Plan Shall apply to the implementation of this Amendment.

2.3 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply with respect to this Amendment.



**County of Dufferin**

W. & M. Edelbrock Centre, 30 Centre Street,  
Orangeville, ON L9W 2X1  
519.941.2816

**Date:** June 9, 2022

**To:**

**From:** Planning Department-Development and Tourism

**Re:** Official Plan Amendment (OPA) #9, East Garafraxa, ON

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**Application Summary:**

The Township of East Garafraxa is proposing a number of revisions to the Official Plan which are intended to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**Documents received by the County:**

- Notice of Public Meeting;
- Draft OPA No. 9

Proposed changes will affect lands throughout the entire Township and include:

- i. making Pre-Application Consultation mandatory;
- ii. establishing that terms of reference or other criteria for specific studies, or other information or material, shall be established by the Township through the Pre-Application Consultation as required for a complete application, in consultation with the County of Dufferin, appropriate Conservation Authority or other agencies;
- iii. adding a direction that the Township shall review and evaluate the studies or other information or material submitted to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that an application can be deemed complete;
- iv. adding a policy stating that only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium or site plan control shall be deemed complete if applications are submitted concurrently; and,
- v. updating the policy regarding fees required by the Township and other agencies to include fees for mandatory Pre-Application Consultation.

## **Dufferin County Official Plan (2017) Conformity**

The County Official Plan provides general County-level policy direction for land use planning and a framework to guide the physical, social, economic, and environmental management of the County and address matters of County significance. The policies of the Plan are further implemented through more detailed land use and development policies in the local municipal official plans. All local municipal official plans and zoning by-laws are required to conform to the County Official Plan.

**Section 8.7** of the County Official Plan requires that Local municipalities may establish more specific requirements for pre-consultation and complete application requirements in their local municipal official plans, consistent with the policies of this Plan and the *Planning Act*.

**Section 8.7.1** of the County Official Plan provides the Pre-Application Consultation requirements under the *Planning Act*.

**Section 8.7.2** of the County Official Plan requires that notification of a complete application will be given to the applicant and all other parties by the approval authority in accordance with the *Planning Act*.

**Section 8.7.3** of the County Official Plan states the county policy on supporting studies, information and materials required throughout the development approval process.

## **Recommendation**

This memorandum is provided in response to the draft update amendment to the Township of East Garafraxa Official Plan. We provide the following comments and recommendations for consideration by the Township prior to the adoption of their Official Plan update.

- The Township should ensure that all policies meet the requirements of the Planning Act, are consistent with the Provincial Policy Statement, 2020 and conform to the Dufferin County Official Plan.
- As the approval authority for the proposed Official Plan Amendment, County Council has the authority to approve, approve with modifications, or refuse to approve all or parts of the Official Plan.
- Following the proposed Official Plan Amendment complete adulteration by the Township of East Garafraxa, a complete package to be submitted to the County of Dufferin for approval.

Please be advised that the Planning Department has no other comments at this point.

Should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Silva Yousif  
Senior Planner  
Phone: 519-941-2816 Ext. 2509  
[syousif@dufferincounty.ca](mailto:syousif@dufferincounty.ca)

Diksha Marwaha  
Planning Coordinator  
Phone: 519-939-3453 Ext. 2516  
[dmarwaha@dufferincounty.ca](mailto:dmarwaha@dufferincounty.ca)





Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 [www.grandriver.ca](http://www.grandriver.ca)

June 2 , 2 22  
Via email

Jessica Kennedy, Deputy Clerk  
Township of East Garafraxa  
65371 Dufferin County Road 3, Unit 2  
East Garafraxa, ON, L9W 7J8

Dear Ms. Kennedy,

**Re:** Official Plan Amendment (OPA) 9  
All lands within the Township of East Garafraxa  
Township of East Garafraxa

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted Official Plan Amendment to reinforce the need for mandatory pre-consultation and establish a more complete Planning Act Application review process to meet the objectives of the More Homes for Everyone Act (2 22).

**Reco endation**

The GRCA has no objection to the proposed Official Plan Amendment.

**GRCA Co ents**

GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2 2 ) and as a regulatory authority under Ontario Regulation 15 / 6. GRCA has also provided comments as a public body under the Planning Act as per our CA Board approved policies.

Consultation with the GRCA for applications that fall within regulated lands is identified as a requirement for a complete application under the Official Plan Amendment. As such, we have no concerns.

Should you have any questions, please contact Chris Lorenz at 519-621-2763 ext. 2236 or [clorenz@grandriver.ca](mailto:clorenz@grandriver.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "ML", is written over a light blue horizontal line.

Melissa Larion, MCIP, RPP  
Supervisor of Resource Planning  
Grand River Conservation Authority

ML/cl

Copy: County of Dufferin (via email)

**IN THE MATTER OF** Section 17(31) of the *Planning Act*  
RSO 1990 c P 13, as amended & O. Reg. 543/06 Sec. 14 (1)

and

**IN THE MATTER OF** the adoption of  
Township of East Garafraxa  
Official Plan Amendment No. 9 (OPA 9)  
By-law No. 40-2022

I, Susan Stone, of the Township of East Garafraxa, in the County of Dufferin, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Clerk for the Township of East Garafraxa and, as such, have knowledge of the matters herein.
2. The statutory requirements for the giving of notice and the holding of public meetings have been complied with.
3. The statutory requirements for the giving of notice of adoption of Township of East Garafraxa Official Plan Amendment No. 9 have been complied with. Written notice was given on July 25, 2022. Attached hereto as Exhibit "1" is a copy of the notice.
4. There were no oral submissions, or public in attendance, at the statutory public meeting.

I make this affidavit in support of Council's decision to adopt the Official Plan Amendment No. 9 and for no other or improper purpose.

Sworn before me at the Township of )  
East Garafraxa in the Province of )  
Ontario, this 2<sup>nd</sup> day of August 2022 )

  
\_\_\_\_\_  
A Commissioner etc. )

  
\_\_\_\_\_  
**SUSAN STONE**



**NOTICE OF ADOPTION OF AN AMENDMENT TO THE  
TOWNSHIP OF EAST GARAFRAXA OFFICIAL PLAN  
File: OPA 9**

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**TAKE NOTICE** that the Council of the Corporation of the Township of East Garafraxa passed **By-law No. 40-2022** on the 19<sup>th</sup> day of July, 2022 pursuant to Sections 17 and 21 of the Planning Act, R.S.O., 1990, as amended, to adopt **Amendment No. 9** to the Township of East Garafraxa Official Plan. The amendment applies to the lands of the Township of East Garafraxa in their entirety.

**AND TAKE NOTICE** that through the circulation and review of the amendment to the Township of East Garafraxa Official Plan, the Township received two (2) written submissions from agencies. The Statutory Public Meeting, held on June 28, 2022, was not attended by any members of the public and no comments were submitted from the public. Council considered all the submissions received with respect to the amendment, the effect of which helped Council to make an informed decision.

**AND TAKE NOTICE** that Official Plan Amendment No. 9 requires approval from the County of Dufferin, which is the approval authority under the Planning Act. Any person or public body will be entitled to receive notice of the decision of the approval authority if a written request to be notified of the decision (including the person's or public body's address, fax number or email address) is made to the approval authority at the following address:

County of Dufferin  
Development and Tourism  
[planner@dufferincounty.ca](mailto:planner@dufferincounty.ca)  
30 Centre Street, Orangeville, ON L9W 2X1

An explanation of the purpose and effect of the Official Plan Amendment is given below. The complete Official Plan Amendment and related information are available on the Township website or by request via email and/or fax by contacting the Clerk's Department during regular office hours using the information below.

**DATED AT THE TOWNSHIP OF EAST GARAFRAXA THIS 25<sup>th</sup> DAY OF JULY, 2022.**

Susan M. Stone, A.M.C.T.  
CAO/Clerk  
Township of East Garafraxa  
065371 Dufferin County Road 3, Unit 2,  
East Garafraxa, ON L9W 7J8  
Tel: 226-259-9400  
Email: [ssstone@eastgarafraxa.ca](mailto:ssstone@eastgarafraxa.ca)

Township File: OPA No. 9  
Applicant: The Township of East Garafraxa  
Address: 065371 Dufferin County Road 3,  
Unit 2, East Garafraxa, ON  
L9W 7J8

**PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT**

The purpose of the Amendment is to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.



**IN THE MATTER OF** Section 17(31) of the *Planning Act*  
RSO 1990 c P 13, as amended & O. Reg. 543/06 Sec. 14 (2)

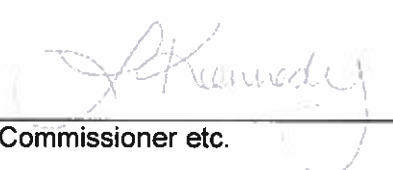
and

**IN THE MATTER OF** the adoption of  
Township of East Garafraxa Official Plan Amendment No. 9 (OPA 9)  
By-law No. 40-2022

I, Susan Stone, of the Township of East Garafraxa, in the County of Dufferin, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Clerk for the Township of East Garafraxa and, as such, have knowledge of the matters herein.
2. I certify that the information and material provided as part of the record compiled for the approval authority as required by paragraph 10 of section 7, that is the prescribed information and material under clauses 17(15)(a) and (b) of the Planning Act is accurate.
3. I make this affidavit in support of Council's decision to adopt the Official Plan Amendment and for no other or improper purpose.

Sworn before me at the Township of )  
East Garafraxa in the Province of )  
Ontario, this 2<sup>nd</sup> day of August 2022 )

  
\_\_\_\_\_  
A Commissioner etc. )

  
\_\_\_\_\_  
**SUSAN STONE**



**CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA**

065371 Dufferin County Road 3, Unit 2 • East Garafraxa ON • L9W 7J8  
T: 226-259-9400 • Toll Free: 877-868-5967 • F: 1-226-212-9812  
info@eastgarafraxa.ca • www.eastgarafraxa.ca

**Statement Pursuant to  
Section 17(31) of the *Planning Act*  
RSO 1990 c P 13, as amended & O. Reg. 543/06 Sec. 7 (7)  
Township of East Garafraxa  
Official Plan Amendment No. 9 (OPA 9)  
RE: BY-LAW 40-2022**

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I, Susan M. Stone, CAO/Clerk for the Corporation of the Township of East Garafraxa, am advised by Elizabeth Howson, MCIP, RPP, Principal of Macaulay Shiomi Howson Ltd., planning consultant for the Township and therefore verily believe that Township of East Garafraxa Official Plan Amendment No. 9 (OPA 9):

- i. is consistent with the policy statements issued under subsection 3 (1) of the Act,
- ii. conforms or does not conflict with any applicable provincial plan or plans, and
- iii. conforms with the County of Dufferin's Official Plan.

Dated this 2<sup>nd</sup> Day of August 2022

Susan M. Stone, CAO/Clerk  
Corporation of the Township of East Garafraxa



**Township of East Garafraxa**  
**Official Plan Amendment No. 9**  
**Electronic Statutory Public Meeting Minutes**  
**Tuesday, June 28, 2022**

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The Township of East Garafraxa held an Official Plan Amendment Electronic Statutory Public Meeting for Official Plan Amendment No. 9, by video conference at 4:00 p.m. on June 28, 2022.

**Members Present:** Mayor Guy Gardhouse  
Deputy Mayor John Stirk  
Councillor Lenora Banfield  
Councillor Frances Pinkney

**Members Absent:** Councillor Tom Nevills (with notice)

**Staff/Consultants Present:** Susan Stone, CAO/Clerk  
Jessica Kennedy, Acting Clerk/Deputy Clerk  
Liz Howson, Planning Consultant, Macaulay Shiomi Howson Ltd.  
Paul Kitchen, Planning Consultant, Macaulay Shiomi Howson Ltd.

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### **1. Opening Statement from Mayor Gardhouse**

This is a statutory public meeting which is being held in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c. P.13, to consider a Township Official Plan Amendment (OPA 9) which proposes a number of revisions to the Official Plan. The proposed revisions are intended to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

This meeting is being held to receive input from the public with respect to the proposed Amendment. The input received will be considered by the Township in their review of the Amendment. A final recommendation on the amendment will not be presented until after the Public Meeting and all technical comments have been received.

Any person may participate in the public meeting or make written or oral representation either in support of or in opposition to the proposed Official Plan Amendment.

Following the presentation by the Township planning consultant, if there are any members of the public that would like to make oral comments on the Amendment, please type in the chat feature "I have comments" and you will be moved to a panelist in the meeting and will be able to speak, please note this will enable your video and audio features. When providing oral comments please provide your name and address prior to commenting.

Written comments can be sent to the Township and will be accepted until Tuesday, July 5, 2022. In addition, if you wish to be notified of the adoption or refusal of the proposed Official Plan Amendment, you must also make a written request to the Township CAO/Clerk Susan Stone at [ssstone@eastgarafraxa.ca](mailto:sstone@eastgarafraxa.ca). If the proposed Official Plan Amendment is adopted by the Township of East Garafraxa, it will be submitted to the County of Dufferin for approval. If you wish to be notified of the decision of the County of Dufferin, in respect of the proposed Official Plan Amendment, you must make a written request to [planner@duffercounty.ca](mailto:planner@duffercounty.ca).

Any person may attend a public meeting and make representations in response to the proposed Amendment. All information including personal information, opinions, presentations, reports, documentation, etc. provided for or at a Public Meeting are considered public records pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act. This information may be posted on the

Township of East Garafraxa website and/or made available to the public upon request.  
Questions about this collection should be directed to the CAO/Clerk Susan Stone.

## **2. Notice of Public Meeting Dated May 31, 2022**

### **3. Presentation**

Township Planning Consultants, Elizabeth Howson, MCIP, RPP, and Paul Kitchen, BURPI, Macaulay Shiomi Howson Ltd. (MSH) Presented the Public Presentation on screen.

More Homes for Everyone Act, 2022 (the Act) amends various statutes with respect to housing, development and related matters.

The Act introduced a number of new planning process requirements. These include application fee refunds for zoning and site plan applications when no decision is made within statutory timelines.

Key Proposed Policy Modifications Policies that apply to the entire Township include:

- Pre-application consultation will be mandatory.
- Township will establish terms of reference or other criteria for specific studies or other information required through the pre-application consultation process.

Key Proposed Policy Modifications

- Township to review/evaluate studies to ensure terms of reference are satisfied prior to making a determination that an application can be deemed complete.
- Generally, only one planning application shall be deemed complete at a time, if applications are submitted concurrently.
- Establish that fees are required for pre-application consultation.

### **4. Written Comments**

The following written comments were received:

- **Dufferin County**

The Township should ensure that all policies meet the requirements of the Planning Act, are consistent with the Provincial Policy Statement, 2020 and conform to the Dufferin County Official Plan.

As the approval authority for the proposed Official Plan Amendment, County Council has the authority to approve, approve with modifications, or refuse to approve all or parts of the Official Plan.

Following the proposed Official Plan Amendment complete adulteration (sic) by the Township of East Garafraxa, a complete package to be submitted to the County of Dufferin for approval.

- **Grand River Conservation Authority (GRCA)**

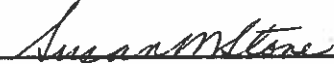
The GRCA has no objection.


### **5. Oral Comments**

There were no public in attendance. Nothing at this time.

### **6. Closing Remarks**

Comments and questions are to be submitted to the CAO/Clerk by email or mail by July 5, 2022.

  
\_\_\_\_\_  
Clerk

  
\_\_\_\_\_  
Head of Council

## **The Township of East Garafraxa**

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### **Consultant Planning Report to Council**

**To:** Mayor Gardhouse and Members of Council

**From:** Elizabeth Howson, Macaulay Shiomi Howson Ltd.

**Date:** May 20, 2022

**Subject:** Official Plan Amendment and Planning Application Review Process Related Modifications to reflect amendments to the Planning Act introduced in the More Homes for Everyone Act, 2022

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#### **1. BACKGROUND**

On April 14, 2022, the More Homes for Everyone Act (the Act) received Royal Assent. This Act makes changes to the Planning Act and a number of other Provincial Acts such as the New Home Construction Licensing Act, 2017, as described by the Province:

“to make it easier and faster to build all types of homes for Ontarians as part of the More Homes for Everyone Plan.”<sup>1</sup>

The Act introduced a number of new Planning Act requirements which have financial, legal and other implications for Township decision-making regarding planning applications. In particular:

- **Application Fees**  
Municipalities are required to partially refund planning application fees if decisions on zoning by-law amendments and site plan applications are not made within new statutory timelines, and on a graduated basis thereafter. These penalties will apply for applications made on or after January 1, 2023. The review period for zoning applications remains at 90 days (or 120 days if submitted concurrently with an official plan amendment application). The site plan application review period has been extended from 30 to 60 days.
- **Site Plan Control Approvals**  
Decisions on site plan applications must be delegated by Council to an authorized person who is an officer, employee or agent of the municipality on or after July 1, 2022.

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<sup>1</sup> Environmental Registry of Ontario (ERO) Number 019-5284, Proposed Planning Act Changes (the proposed More Homes for Everyone Act, 2022), Proposal Summary.

- **Site Plan Control Process**  
Regulation-making authority has been established to prescribe complete application requirements for site plan applications.

A number of changes to the Township's planning application review process, outlined in more detail in the following section, are recommended to address these matters. The objectives of these proposals are to streamline the application process, while maximizing the opportunity for public input and technical review to ensure good planning and making certain the Township is not subject to the financial penalties established by the Act.

## **2. PROPOSED OFFICIAL PLAN AND PLANNING APPLICATION REVIEW PROCESS MODIFICATIONS**

The following amendments to the Official Plan and existing by-laws which control the planning application review process are proposed to assist the Township in streamlining the application process while still ensuring good planning is achieved.

### **2.1 Official Plan Amendment 9 (See Attachment A)**

The Township Official Plan already has detailed policies with respect to pre-application consultation and complete application requirements including for site plan approval. An Amendment is proposed in the context of the new legislation to clarify the process. Proposed Amendment 9 establishes that pre-application consultation is mandatory.

The Amendment also is designed to ensure a comprehensive initial planning application submission. This will assist in allowing the Township to process applications in a timely fashion by requiring that applications are subject to preliminary review. The review will be carried out in relation to terms of reference or other criteria for specific studies or other information or material which has been identified as required for a complete application.

The Amendment also indicates that applications will only be deemed complete in order such that the Township can process them sequentially. This will allow sufficient time for the Township to review each individual application.

Finally, the policies provide for fees for mandatory pre-application consultation, including any costs for outside consultants.

### **2.2 Mandatory Pre- Application Consultation (See Attachment B)**

Pre-application consultation prior to submission of an application is presently recommended, but not required. Pre-application consultation is now essential to ensure the Township can effectively review applications, particularly for zoning by-law amendments and site plan. To require mandatory pre-application consultation adoption of a bylaw by the Township is necessary in accordance with Sections 22(3.1), 34 (10.0.1), 41(3.1) and 51(16.1) of the Planning Act.

## **2.3 Delegation of Site Plan Approval (See Attachment C)**

The Act requires the delegation of site plan approval to an officer, employee or agent of the Township by July 1, 2022. This will necessitate an amendment to the Township's site plan control area by-law. It is proposed to delegate site plan approval to the Chief Administrative Officer in consultation with Council, Planning Advisory Committee, Township staff, the Township consulting planner, the Township consulting engineer and the Township solicitor.

## **2.4 Tariff of Fees By-law (See Attachment D)**

Changes are proposed to the Township Tariff of Fees By-law for planning matters to address the additional requirements for pre-consultation which arise from the changes to the planning application process.

## **2.5 Planning Advisory Committee (PAC) (See Attachment E)**

The PAC is an integral part of the Township's planning process, particularly for major planning applications. Many of the PAC consultation functions can be continued including input to Township reviews of the Official Plan and Zoning By-law, and the review of applications for official plan amendments, consents and plans of subdivision. However, the changes to the Planning Act significantly limit the amount of time available for review of zoning applications. As a result, it is recommended that input from PAC to zoning by-law amendments resulting from specific planning applications no longer be required. Input from PAC to general reviews of the zoning by-law undertaken by the Township, as noted, will still be feasible and would be retained as a responsibility of PAC. In addition, where possible, PAC may still be consulted on zoning amendments for applications where specifically referred by Council in accordance with Section II E) of the PAC By-law. Section II E) allows Council to refer any other applications not listed to the PAC.

## **2.6 Variance Process**

Establishment of a variance process for minor zoning changes is recommended so that such decisions can utilize a simplified process rather than the zoning process established under the Act. The precise process will be developed in consultation with Township staff to ensure it is functional from an administrative perspective.

## **3. CONCLUSION AND RECOMMENDATION**

This report identifies a number of changes to the Township's planning application review process. The objectives of these proposals are to streamline the application process, while maximizing the opportunity for public input and technical review to ensure good planning and making certain the Township is not subject to the financial penalties established by the Act.



**It is therefore recommended:**

- 5.1 That the Consultant Planning Report dated May 20, 2022, Official Plan Amendment and Planning Application Review Process Related Modifications to reflect amendments to the Planning Act introduced in the More Homes for Everyone Act, 2022 be received;**
- 5.2 That Council direct that proposed Official Plan Amendment 9 be circulated for public and agency review in accordance with the requirements of the Planning Act including a statutory public meeting;**
- 5.3 That Township Staff be directed to bring forward for approval by Council a By-law to establish mandatory pre-application consultation requirements in respect of planning applications submitted to the Township;**
- 5.4 That Township Staff be directed to bring forward for approval by Council amendments to By-law 8-2007, as amended, to appoint an authorized person for the purposes of granting site plan approval under the Planning Act prior to July 1, 2022;**
- 5.5 That Township Staff be directed to bring forward for approval by Council amendments to By-law 17-2016, as amended, being a by-law to prescribe a tariff of fees for planning matters, changes to address the additional requirements for pre-application consultation which arise from changes to the planning application process;**
- 5.6 That Township Staff be directed to bring forward for approval by Council amendments to By-law 26-97, as amended, being a by-law to establish a Planning Advisory Committee, changes to modify the function of the Committee to expedite the planning application approval process for zoning by-law amendments; and,**
- 5.7 That Township Staff, the Township Planning Consultant and the Township solicitor be directed to develop a variance process for minor zoning changes, which will ensure it is functional from an administrative perspective, for submission to Council for review and consideration prior to January 1, 2023.**

**Submitted by:**



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Elizabeth Howson MCIP, RPP  
Macaulay Shiomi Howson Ltd.

**ATTACHMENT A PROPOSED OFFICIAL PLAN AMENDMENT 9**

May 2022

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA**

**OFFICIAL PLAN**

**AMENDMENT 9**

**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

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**PART C – THE APPENDICIES**

- 3.0 APPENDICIES

**THE CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE:** The Preamble provides an explanation of Amendment No. 9 to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

**PART B – THE AMENDMENT:** The Amendment, consisting of text, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. 9.

**PART C – THE APPENDICES:** The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.

**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

**PART A – THE PREAMBLE**

**1.0 LOCATION**

This Amendment applies to the lands of the Township of East Garafraxa in their entirety.

**1.1 PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**1.2 BASIS OF THE AMENDMENT**

The More Homes for Everyone Act, 2022 is an Act to amend various statutes with respect to housing, development and related matters. The Act has introduced a number of new planning process requirements in the Planning Act. These include application fee refunds for zoning and site plan applications when no decision is made on such applications within the statutory timelines.

Through a review of the requirements of the Act, it was determined that to implement the directions it is necessary to improve the quality of planning applications and enable the Township to process applications in a more timely manner.

Changes to the Township’s policies with respect to pre-application consultation and complete application requirements in Section 9.18 of the Official Plan to reinforce the need for mandatory pre-consultation and establish a more detailed complete application review process will assist in achieving these objectives. 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, applications should not be combined or processed concurrently.

**AMENDMENT NUMBER 9  
TO THE OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF EAST GARAFRAXA**

**PART B – THE AMENDMENT**

**2.0 INTRODUCTION TO THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**2.1 DETAILS OF THE AMENDMENT**

The Official Plan of the Township of East Garafraxa is hereby amended as follows:

**2.1.1 By amending Section 9.8.1 Pre-Application Consultation as follows:**

- i) Adding the word “Mandatory” prior to the title of subsection 9.8.1;
- ii) Deleting the word “are” in Section 9.8.1 a) and replacing it with the phrase “shall be” and adding the following new sentence at the end of the Section:

“Pre-application consultation with the Township, in consultation with the County, appropriate Conservation Authority and other agencies, shall be mandatory, but may be scoped at the Township’s sole discretion.”;

- iii) Re-lettering Subsection 9.8.1 d) as 9.8.1 e) and adding the following as new Subsection 9.8.1 d):

“d) Terms of reference or other criteria shall be established for specific studies or other information or material which have been identified as required for a complete application by the Township in consultation with the County, appropriate Conservation Authority or other agencies. The studies or other information or material will be reviewed and evaluated by the Township, in consultation with the County, appropriate Conservation Authority or other agencies, to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that the application is deemed complete.”;

- iv) Deleting Subsection d) ii) and replacing it with the following:
  - “ii) all other plans, reports, studies, impact assessments or other information identified through the mandatory pre-consultation process by the Township in consultation with the County, appropriate Conservation Authority and other agencies, and the Township has satisfied itself that these materials have been prepared in accordance with terms of reference or other criteria identified by the Town through the pre-consultation process.”
  
- v) Adding a new subsection f) to Section 9.8.1 as follows:
  - “f) Only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium, or site plan control shall be deemed complete if applications are submitted concurrently. Each application type will only be processed in sequential order by the Township to provide sufficient time to review the individual application, unless determined otherwise at the Township’s sole discretion.”

2.1.2 By amending Section 9.8.2 Complete Application Requirements by:

- i) Adding the following new sentence after the first sentence in subsection g):
  - “Fees required by the Township and other agencies shall include fees for mandatory pre-application consultation. Such fees shall include any costs for outside consultants retained by the Township to review the information and materials submitted to establish that the information and materials have been prepared in accordance with terms of reference or other criteria identified by the Township in consultation with the County, appropriate Conservation Authority and other agencies through the pre-consultation process.”

2.2 **IMPLEMENTATION**

Section 9 “Implementation” of the Official Plan Shall apply to the implementation of this Amendment.

2.3 **INTERPRETATION**



The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply with respect to this Amendment.

**ATTACHMENT B MANDATORY PRE-APPLICATION CONSULTATION BY-LAW**

**The Corporation of The Township of East Garafraxa**

**By-law Number XX-2022**

**Being a By-law to establish mandatory pre-application consultation requirements in respect of development applications submitted to the Township of East Garafraxa for approval under the *Planning Act***

**WHEREAS** subsections 22 (3.1), 34 (10.0.1), 41(3.1) and 51(16.1) of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended, authorize councils to pass a by-law requiring applicants to consult with municipalities prior to the submission of a development application;

**AND WHEREAS** subsection 9(2) of the *Condominium Act* states that s. 51 of the *Planning Act* is applicable to condominium applications with necessary modifications;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa deems it desirable for applicants to pre-consult with Township staff prior to submission of an official plan amendment, zoning by-law amendment, draft plan of subdivision or condominium, site plan approval, consent or variance;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

1. No development applications submitted to the Township of East Garafraxa for approval under the *Planning Act*, shall be deemed complete or accepted for processing, until at least one pre-application consultation meeting has occurred between the proponent and Township staff. For the purposes of this by-law, pre-application consultation is mandatory in respect of all development applications under the *Planning Act*.
2. All pre-consultation meetings shall be co-ordinated by Township staff. Township staff may involve staff from the Township, the County of Dufferin, the appropriate Conservation Authority, the RMO and any other agency deemed relevant by the Township.
3. A Record of Pre-Consultation shall be provided to the proponent in a timely manner which shall outline the information to be provided in order that the development application may be deemed complete under the *Planning Act*, pursuant to the policies of the Township Official Plan, as amended. The information to be provided shall include terms of reference or other criteria established for specific studies or other information or material which have been identified as required for a complete application.

4. Within seven (7) working days of receiving the Record of Pre-Consultation, the proponent shall advise the Township in writing whether or not it concurs with the proposed submission requirements. If the proponent does not agree, the proponent may request another pre-application consultation meeting which shall be co-ordinated by the Township at a mutually convenient time.
  
5. The Township, may, at its sole discretion, require more than one pre-application consultation meeting before it is in a position to determine the requirements of a complete application. If more than one meeting is required, the Township shall advise the proponent in the initial Record of Pre-Consultation.
  
6. This by-law shall take effect from the date of final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS **XX** DAY OF **MONTH, 2022.**

BY-LAW READ A THIRD TIME AND PASSED THIS **XX** DAY OF **MONTH, 2022.**

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**Clerk**

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**Head of Council**

**ATTACHMENT C DELEGATION OF SITE PLAN APPROVAL BY-LAW**

**The Corporation of The Township of East Garafraxa**

**By-law Number XX-2022**

**Being a By-law to amend By-law 8-2007, being a bylaw to designate a site plan control area in the Township of East Garafraxa, to appoint an authorized person for the purposes of granting site plan approval under the *Planning Act***

**WHEREAS** subsection 41(4.0.1) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, authorizes councils to pass a by-law under subsection 41(2) to appoint an officer, employee or agent of the municipality as an authorized person to grant site plan approval for the purposes of subsection 41(4);

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa enacted By-law Number 8-2007, as amended, being a by-law to designate a site plan control area for the Township of East Garafraxa pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13 as amended;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa deems it necessary to further amend By-law Number 8-2007 to provide for the appointment of an authorized person to grant site plan approval for the purpose of subsection 41(4) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

1. THAT a new section 2 be added to By-law Number 8-2007 as follows:

**Appointment of an Authorized Person**

The Chief Administrative Officer of the Township is appointed as the authorized person for the purposes of granting site plan approval pursuant to section 41(4) of the *Planning Act* as amended, with such appointment being effective July 1, 2022. In carrying out the appointment, the Chief Administrative Officer is authorized to consult with Council, Planning Advisory Committee, Township staff, the Township consulting planner, the Township consulting engineers and the Township solicitor as the Chief Administrative Officer sees fit and appropriate.

2. This by-law shall take effect from the date of final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS XX DAY OF MONTH, 2022.

BY-LAW READ A THIRD TIME AND PASSED THIS XX DAY OF MONTH, 2022.

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**Clerk**

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**Head of Council**

**ATTACHMENT D TARIFF OF FEES AMENDMENT BY-LAW**



**The Corporation of The Township of East Garafraxa**

**By-law Number XX-2022**

**Being a By-law to amend By-law 17-2015, as amended, being a bylaw to prescribe a tariff of fees for planning matters, in the Township of East Garafraxa**

**WHEREAS** the provisions of Section 69 (1) of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended, provide that the council of a municipality may, by-law, prescribe a tariff of fees for the processing of applications made in respect of planning matters;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa enacted By-law Number 17-2015, as amended, being a by-law to prescribe a tariff of fees for planning matters pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13 as amended;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa deems it necessary to further amend By-law Number 17-2015 to clarify certain requirements;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

1. THAT Schedule "A" to By-law 17-2015 be amended by:
  - i. Changing the Fees in Column 2 for Pre-Consultation (Minor) from \$500 to \$1000, and for Pre-Consultation (Major) from \$1000 to \$2000;
  - ii. Changing the Deposits in Column 3 for Pre-Consultation (Minor) from \$500 to \$2000; and,
  - iii. Adding the following note in Column 1 under the words "Pre-Consultation (Minor):  
"Note: Includes Minor Site Plan Applications"
2. This by-law shall take effect from the date of final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS XX DAY OF MONTH, 2022.

BY-LAW READ A THIRD TIME AND PASSED THIS XX DAY OF MONTH, 2022.

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**Clerk**

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**Head of Council**

**ATTACHMENT E PLANNING ADVISORY COMMITTEE AMENDMENT BY-LAW**

**The Corporation of The Township of East Garafraxa**

**By-law Number XX-2022**

**Being a By-law to amend By-law 26-97, being a By-law to establish a Planning Advisory Committee for the Township of East Garafraxa**

**WHEREAS** Section 8(1) of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended, provides that the council of a municipality may appoint a Planning Advisory Committee composed of such persons as the Council may determine;

**AND WHEREAS** By-law 26-97 established a Planning Advisory Committee for the Township of East Garafraxa and established the functions and duties of the committee;

**AND WHEREAS** the Council of the Corporation of the Township of East Garafraxa deems it appropriate to amend the function of the Committee to expedite the planning application approval process;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

1. That Section II, Application Review is amended by deleting subsection B) which reads as follows, and re-lettering the subsequent subsections accordingly:

“To review and provide Council with recommendations on applications for Zoning By-law amendments.”

2. This by-law shall take effect from the date of final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS XX DAY OF MONTH, 2022.

BY-LAW READ A THIRD TIME AND PASSED THIS XX DAY OF MONTH, 2022.

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Clerk

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Head of Council

## **The Township of East Garafraxa**

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### **Consultant Planning Report to Council**

**To:** Mayor Gardhouse and Members of Council

**From:** Elizabeth Howson, Macaulay Shiomi Howson Ltd.

**Date:** July 19, 2022

**Subject:** Official Plan Amendment 9 - to reflect amendments to the Planning Act introduced in the More Homes for Everyone Act, 2022

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#### **1. BACKGROUND**

In response to changes made to the Planning Act through the More Homes for Everyone Act (the Act) a number of modifications have been introduced to the Township's planning application review process. The objectives of these proposals are to streamline the application process, while maximizing the opportunity for public input and technical review to ensure good planning and making certain the Township is not subject to the financial penalties established by the Act.

These changes included proposed amendments to the Township's Official Plan recognizing that the Official Plan already has detailed policies with respect to pre-application consultation and complete application requirements including for site plan approval. However, the Amendment is proposed in the context of the new legislation to clarify the process. In particular, proposed Amendment 9 establishes that pre-application consultation is mandatory.

The Amendment also is designed to ensure a comprehensive initial planning application submission. This will assist in allowing the Township to process applications in a timely fashion by requiring that applications are subject to preliminary review. The review will be carried out in relation to terms of reference or other criteria for specific studies or other information or material which has been identified as required for a complete application.

Further, the Amendment indicates that applications will only be deemed complete in an order such that the Township can process them sequentially. This will allow sufficient time for the Township to review each individual application.

Finally, the proposed policies provide for fees for mandatory pre-application consultation, including any costs for outside consultants.

#### **2. COMMENTS RECEIVED**

The proposed Official Plan Amendment was circulated to the prescribed Agencies, and

notice was provided to the public of a statutory public meeting, as required by the Planning Act, as amended. The statutory public meeting was held on virtually on June 28, 2022 at 4 p.m. Written comments from the public were accepted until July 5, 2022.

The public meeting was not attended by any members of the public and no comments were submitted from the public. Comments were received from the County of Dufferin and the Grand River Conservation Authority. The Authority advised that they had no objection to the amendment.

The County advised with respect to the process to be followed for approval that:

- The Township should ensure that all policies meet the requirements of the Planning Act, are consistent with the Provincial Policy Statement, 2020 and conform to the Dufferin County Official Plan.
- As the approval authority for the proposed Official Plan Amendment, County Council has the authority to approve, approve with modifications, or refuse to approve all or parts of the Official Plan.
- Following the proposed Official Plan Amendment complete adulteration(sic) by the Township of East Garafraxa, a complete package to be submitted to the County of Dufferin for approval.”

### **3. CONCLUSION AND RECOMMENDATION**

No issues have been identified with proposed Official Plan Amendment 9 which is found in Attachment A to this report.

**It is therefore recommended:**

- 5.1 That the Consultant Planning Report dated July 19, 2022, Official Plan Amendment 9 - to reflect amendments to the Planning Act introduced in the More Homes for Everyone Act, 2022 be received; and,**
- 5.2 That Council adopt Official Plan Amendment 9 and direct that it be submitted to the County of Dufferin for approval in accordance with the requirements of the Planning Act.**

**Submitted by:**



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Elizabeth Howson MCIP, RPP  
Macaulay Shiomi Howson Ltd.

**ATTACHMENT A OFFICIAL PLAN AMENDMENT 9**

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA**

**OFFICIAL PLAN**

**AMENDMENT 9**



**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

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**PART A – THE PREAMBLE**

- 1.0 LOCATION
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**THE CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE:** The Preamble provides an explanation of Amendment No. 9 to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

**PART B – THE AMENDMENT:** The Amendment, consisting of text, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. 9.

**PART C – THE APPENDICES:** The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.

**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART A – THE PREAMBLE**

**1.0 LOCATION**

This Amendment applies to the lands of the Township of East Garafraxa in their entirety.

**1.1 PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**1.2 BASIS OF THE AMENDMENT**

The More Homes for Everyone Act, 2022 is an Act to amend various statutes with respect to housing, development and related matters. The Act has introduced a number of new planning process requirements in the Planning Act. These include application fee refunds for zoning and site plan applications when no decision is made on such applications within the statutory timelines.

Through a review of the requirements of the Act, it was determined that to implement the directions it is necessary to improve the quality of planning applications and enable the Township to process applications in a more timely manner.

Changes to the Township’s policies with respect to pre-application consultation and complete application requirements in Section 9.8 of the Official Plan to reinforce the need for mandatory pre-consultation and establish a more detailed complete application review process will assist in achieving these objectives. 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, applications should generally not be combined or processed concurrently.

**AMENDMENT NUMBER 9**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART B – THE AMENDMENT**

**2.0 INTRODUCTION TO THE AMENDMENT**

The purpose of this Amendment is to improve the quality of planning application submissions and assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

**2.1 DETAILS OF THE AMENDMENT**

The Official Plan of the Township of East Garafraxa is hereby amended as follows:

**2.1.1 By amending Section 9.8.1 Pre-Application Consultation as follows:**

- i) Adding the word “Mandatory” prior to the title of subsection 9.8.1;**
- ii) Deleting the word “are” in Section 9.8.1 a) and replacing it with the phrase “shall be” and adding the following new sentence at the end of the Section:**

**“Pre-application consultation with the Township, in consultation with the County, appropriate Conservation Authority and other agencies, shall be mandatory, but may be scoped at the Township’s sole discretion.”;**
- iii) Re-lettering Subsection 9.8.1 d) as 9.8.1 e) and adding the following as new Subsection 9.8.1 d):**

**“d) Terms of reference or other criteria shall be established for specific studies or other information or material which have been identified as required for a complete application by the Township in consultation with the County, appropriate Conservation Authority or other agencies. The studies or other information or material will be reviewed and evaluated by the Township, in consultation with the County, appropriate Conservation Authority or other agencies, to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that the application is deemed complete.”;**

iv) Deleting Subsection d) ii) and replacing it with the following:

“ii) all other plans, reports, studies, impact assessments or other information identified through the mandatory pre-consultation process by the Township in consultation with the County, appropriate Conservation Authority and other agencies, and the Township has satisfied itself that these materials have been prepared in accordance with terms of reference or other criteria identified by the Town through the pre-consultation process.”

v) Adding a new subsection f) to Section 9.8.1 as follows:

“f) Only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium, or site plan control shall be deemed complete if applications are submitted concurrently. Each application type will only be processed in sequential order by the Township to provide sufficient time to review the individual application, unless determined otherwise at the Township’s sole discretion.”

2.1.2 By amending Section 9.8.2 Complete Application Requirements by:

i) Adding the following new sentence after the first sentence in subsection g):

“Fees required by the Township and other agencies shall include fees for mandatory pre-application consultation. Such fees shall include any costs for outside consultants retained by the Township to review the information and materials submitted to establish that the information and materials have been prepared in accordance with terms of reference or other criteria identified by the Township in consultation with the County, appropriate Conservation Authority and other agencies through the pre-consultation process.”

## 2.2 IMPLEMENTATION

Section 9 “Implementation” of the Official Plan Shall apply to the implementation of this Amendment.

## 2.3 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply with respect to this Amendment.



**NOTICE OF PUBLIC MEETING  
FOR A TOWNSHIP-INITIATED AMENDMENT  
TO THE TOWNSHIP OF EAST GARAFAXA  
OFFICIAL PLAN**

**File: OPA 9**

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In accordance with Sections 17 and 21 of the *Planning Act*, a statutory public meeting is being held concerning a Township Official Plan Amendment which proposes a number of revisions to the Official Plan. The proposed revisions are intended to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the *Planning Act* as amended by the *More Homes for Everyone Act, 2022*.

**DATE AND FORMAT OF PUBLIC MEETING**

This Notice is being given in accordance with *Planning Act* requirements. A final recommendation on the amendment will not be presented until after the Public Meeting and all technical comments have been received.

Please be advised that all Council and Statutory Public Meetings are being held virtually/electronically at this time. Questions and comments can be submitted by email or mail to Susan M. Stone between Thursday, June 2, 2022 and Tuesday, June 28, 2022 at the address below. The public meeting is being held electronically through Zoom and will be available for public viewing, please register at:

<https://calendar.eastgarafaxa.ca/default/Detail/2022-06-28-1600-Electronic-Statutory-Public-Meeting-Official-Plan->

The Public Meeting date and time are as follows:

**MEETING DATE and TIME: Tuesday, June 28, 2022 at 4:00 p.m.**

**ANY PERSON** may participate in the public meeting or make written or oral representation either in support of or in opposition to the proposed Official Plan Amendment.

**1. Written Submission**

Written submissions should be addressed to the Township Clerk at the address shown below. Written comments will be accepted until Tuesday, July 5, 2022. If you wish to be notified of the adoption or the refusal of the proposed Official Plan Amendment, you must also make a written request to the Township Clerk before the adoption of the amendment.

**2. Oral Submission**

Oral submissions may be provided to Council at the meeting electronically. You must pre-register with the Clerk's office by email at [info@eastgarafaxa.ca](mailto:info@eastgarafaxa.ca), or telephone at 226-259-9400 or mail at the address below before 4:30 pm on Monday, June 27, 2022. Please include your full name, address, and a call-back phone number. You will be contacted by the Clerk's office to confirm your participation and receive the online and call-in information before the meeting.

The Township of East Garafaxa is processing the Official Plan Amendment as required by the *Planning Act* and welcome any comments that you may have.

**DETAILS OF THE PROPOSED OFFICIAL PLAN AMENDMENT**

The current Official Plan was adopted by Township Council on December 14, 2004 and approved by the Minister of Municipal Affairs and Housing on October 26, 2005. The *More Homes for Everyone Act, 2022* is an Act to amend various statutes with respect to housing, development

and related matters. The Act introduced a number of new planning process requirements in the Planning Act. These include application fee refunds for zoning and site plan applications when no decision is made on such applications within the statutory timelines.

Changes to the Township's policies with respect to pre-application consultation and complete application requirements in Section 9.8 of the Official Plan to reinforce the need for mandatory pre-consultation and establish a more detailed complete application review process will assist in achieving these objectives. 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, applications should not be combined or processed concurrently.

The proposed changes affect lands throughout the entire Township of East Garafraxa, therefore a key map or description of the affected lands has not been provided. Proposed changes include:

- i) making Pre-Application Consultation mandatory;
- ii) establishing that terms of reference or other criteria for specific studies, or other information or material, shall be established by the Township through the Pre-Application Consultation as required for a complete application, in consultation with the County of Dufferin, appropriate Conservation Authority or other agencies;
- iii) adding a direction that the Township shall review and evaluate the studies or other information or material submitted to ensure that the terms of reference or other criteria have been satisfied prior to the Township making a determination that an application can be deemed complete;
- iv) adding a policy stating that only one application for an official plan amendment, zoning by-law amendment, plan of subdivision, plan of condominium or site plan control shall be deemed complete if applications are submitted concurrently; and,
- v) updating the policy regarding fees required by the Township and other agencies to include fees for mandatory Pre-Application Consultation.

#### **ADDITIONAL INFORMATION:**

Additional information relating to the proposed Township Official Plan Amendment may be requested by email, mail, fax, or telephone from the Township at the address below.

#### **PLANNING ACT REQUIREMENTS:**

If a person or public body does not make oral submissions at the public meeting or make written submissions to the Township of East Garafraxa before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision of the Township of East Garafraxa to the Ontario Land Tribunal.

If a person or a public body does not make oral submissions at a public meeting or make written submissions to the Township of East Garafraxa before the Official Plan Amendment is adopted, 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 add the person or public body as a party.

If the proposed Official Plan Amendment is adopted by the Township of East Garafraxa, it will be submitted to the County of Dufferin for approval. If you wish to be notified of the decision of the County of Dufferin, in respect of the proposed Official Plan Amendment, you must make a written request to:

County of Dufferin  
Development and Tourism  
[planner@dufferincounty.ca](mailto:planner@dufferincounty.ca)  
30 Centre Street, Orangeville, ON L9W 2X1

**DATED AT THE TOWNSHIP OF EAST GARAFRAXA THIS 31<sup>st</sup> DAY OF MAY, 2022.**

Susan M. Stone, A.M.C.T., CAO/Clerk  
TOWNSHIP OF EAST GARAFRAXA  
065371 Dufferin County Road 3, Unit 2 | East Garafraxa | ON | L9W 7J8  
Tel: 226-259-9400 | Toll Free: 877-868-5967 | Fax: 1-226-212-9812  
Email: [sstone@eastgarafraxa.ca](mailto:sstone@eastgarafraxa.ca)





**NOTICE OF ADOPTION OF AN AMENDMENT TO THE  
TOWNSHIP OF EAST GARAFRAXA OFFICIAL PLAN  
File: OPA 9**

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**TAKE NOTICE** that the Council of the Corporation of the Township of East Garafraxa passed **By-law No. 40-2022** on the 19<sup>th</sup> day of July, 2022 pursuant to Sections 17 and 21 of the Planning Act, R.S.O., 1990, as amended, to adopt **Amendment No. 9** to the Township of East Garafraxa Official Plan. The amendment applies to the lands of the Township of East Garafraxa in their entirety.

**AND TAKE NOTICE** that through the circulation and review of the amendment to the Township of East Garafraxa Official Plan, the Township received two (2) written submissions from agencies. The Statutory Public Meeting, held on June 28, 2022, was not attended by any members of the public and no comments were submitted from the public. Council considered all the submissions received with respect to the amendment, the effect of which helped Council to make an informed decision.

**AND TAKE NOTICE** that Official Plan Amendment No. 9 requires approval from the County of Dufferin, which is the approval authority under the Planning Act. Any person or public body will be entitled to receive notice of the decision of the approval authority if a written request to be notified of the decision (including the person's or public body's address, fax number or email address) is made to the approval authority at the following address:

County of Dufferin  
Development and Tourism  
[planner@dufferincounty.ca](mailto:planner@dufferincounty.ca)  
30 Centre Street, Orangeville, ON L9W 2X1

An explanation of the purpose and effect of the Official Plan Amendment is given below. The complete Official Plan Amendment and related information are available on the Township website or by request via email and/or fax by contacting the Clerk's Department during regular office hours using the information below.

**DATED AT THE TOWNSHIP OF EAST GARAFRAXA THIS 25<sup>th</sup> DAY OF JULY, 2022.**

Susan M. Stone, A.M.C.T.  
CAO/Clerk  
Township of East Garafraxa  
065371 Dufferin County Road 3, Unit 2,  
East Garafraxa, ON L9W 7J8  
Tel: 226-259-9400  
Email: [ssone@eastgarafraxa.ca](mailto:ssone@eastgarafraxa.ca)

Township File: OPA No. 9  
Applicant: The Township of East Garafraxa  
Address: 065371 Dufferin County Road 3,  
Unit 2, East Garafraxa, ON  
L9W 7J8

**PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT**

The purpose of the Amendment is to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.