

Planning

# PROCEDURE FOR REVIEW OF APPLICATIONS TO AMEND THE REGION OF PEEL OFFICIAL PLAN (RECEIVED AFTER OCTOBER 1, 1997)

Section 17(1) of the Planning Act assigns the Minister of Municipal Affairs and Housing as the approval authority for amendments to the Region of Peel Official Plan. However, by Exemption Order dated December 22, 1997, the Minister exempted amendments to the Region of Peel Official Plan from provincial approval effective **January 19, 1998.** 

### **STEP 1 - APPLICATION**

#### **Pre-submission Consultation**

 The applicant is encouraged to hold discussions with the Development Planning Services and Planning Policy and Research staff of the Region and any relevant public agencies to obtain information regarding policy and application requirements prior to the submission of an application to amend the Regional Official Plan.

# **Application Submission**

- 2. All applications to amend the Regional Official Plan shall be submitted to the Development Planning Services section of the Region's Planning Department.
- 3. Planning staff in the Development Planning Services section will check all applications to determine if the application form is complete and the required fee has been submitted. A complete application will be assigned a file number (i.e. ROPA - 1) and an acknowledgment letter will be sent to the applicant.
- 4. Any person or public agency that submits an incomplete application will be notified in writing and will be requested to provide the additional information. Incomplete applications will not be processed by the Regional Planning Department until the required information is received. (The timelines prescribed in the Planning Act will not commence until a complete application is received.)

#### **Council Initiated Amendments**

5. The Planning Department may, through a staff report to the Regional Planning Committee, recommend to Regional Council that it initiate amendments to the Regional Official Plan. Such Council initiated

Amendments are not subject to the prescribed 90-day time period for processing an amendment. Public meetings are required to be held regarding such amendments.

#### **STEP 2 - CIRCULATION**

- 6. All applications to amend the Regional Official Plan will be circulated for comment by the Development Planning Services Division of the Region's Planning Department to:
  - a) the Planning Policy and Research Division of the Region's Planning Department and the appropriate Regional departments for comments within 21 days of the date of the circulation memo. Comments from departments will be co-ordinated through the Development Planning Services Section of the Region's Planning Department and forwarded, where applicable, to the Area Municipality(ies);
  - b) the appropriate external agencies with a request for comments within 30 days of the date of the circulation memo. External agencies will be asked to forward their comments to the Development Planning Services section of the Region's Planning Department, the Area Municipality(ies) and the applicant; and
  - c) the appropriate Area Municipal Planning Department(s), together with a copy of the circulation list, with a request for comments within 21 days. The Area Municipality(ies) will be requested to forward any other correspondence they have received, including public submissions, to the Development Planning Services Division of the Region's Planning Department.
- 7. If further information is required by any of the circulated agencies, the area planner will contact the applicant to request further documentation in accordance with the Planning Act. A public meeting should be scheduled when all the circulation comments are received but the Planning Act requires that the meeting be scheduled within 65 days of receipt of the application.

### Planning Report and Notice of Public Meeting

- 8. Notice of the public meeting shall be given at least 20 days prior to the public meeting. A copy of the proposed amendment may be available at that time. Wherever possible, the public meeting will be held within 45 days of the submission of an application.
- 9. The Region's Planning Department will prepare an information report for the purpose of the public meeting held by the General Committee of Council. The report will explain the purpose of the Official Plan

amendment and will summarize the comments received from the circulated agencies and departments. The report will be made available to the public, in the Regional Planning Department, the Friday before the public meeting, subject to adherence to the Regional policy that agendas not be distributed to the public until 24 hours after they have been distributed to Council members.

- 10. The Communications Services section of the Regional Clerk's Department shall provide the public with information regarding the proposed Amendment by placing a notice of public meeting in a newspaper that, in the opinion of the Regional Clerk, is of sufficiently general circulation in the area to which the proposed amendment would apply, to give reasonable notice of the meeting.
- 11. In the case of site-specific amendments, the Region's Planning Department may give notice of the public meeting by personal service, prepaid first class mail or by facsimile transmission of the notice to every person and public agency that has given the Regional Clerk and/or the Region's Planning Department a written request for notice of the public meeting in respect of the amendment and to those persons as required by the Planning Act.

### **Public Meeting**

- 12. At the public meeting, Regional Planning staff will outline the nature of the application. The General Committee of Council will then hear and/or receive submissions from the applicant or his/her representatives and the public. Any person who attends the meeting is entitled to make an oral submission regarding the proposed Official Plan amendment. (The Committee reserves the right to limit the length of any such oral submission.)
- 13. Those in attendance at the public meeting will be advised that, if a person or public agency who files a notice of appeal of a decision on a Regional official plan amendment has not made an oral submission at the public meeting or filed a written submission prior to the adoption of the amendment, they may have their appeal dismissed by the Ontario Municipal Board. Those in attendance at the public meeting will also be advised that they may request to be notified of the dates of the Committee and Council meetings at which the amendment will be considered.

### STEP 3 - COUNCIL DECISION

## Report from the Region's Planning Department

14. Regional Planning staff will prepare a final report based on an analysis of provincial policy, the Regional and Area Municipal Official Plan policies, the responses from the circulated agencies and the comments received at the public meeting. The report will be made available to the public prior to the meeting at which it is to be considered but not until 24 hours after the agenda has been distributed to Council members, in accordance with Regional policy.

- 15. The Region's Planning Department will send written notice of the meetings at which the Committee and Council are to consider the application to all persons or public agencies who made a submission or who requested notice.
- 16. Regional Planning staff will present the Planning Department's report to the General Committee of Council. After considering the report, the General Committee will make a recommendation to Regional Council.

### **Regional Council Decision**

- 17. Regional Council can either:
  - a) approve the amendment and pass an adopting by-law, or
  - b) refuse the application.
- 18. The notice of adoption of a proposed Official Plan amendment will be prepared by the Region's Planning Department and will contain the information required by the Planning Act.
- 19. The Regional Clerk will give written notice of the adoption of the amendment to the Ministry of Municipal Affairs and Housing and others as required by the Planning Act within 15 days of Regional Council's decision.

#### Appeal

- 20. In the event that Regional Council refuses to adopt the proposed amendment, or if the requirements of the Planning Act regarding the timing for giving notice of a public meeting or adoption are not met, the person or public agency requesting the amendment may file a notice of appeal with the Regional Clerk together with the required OMB appeal fee.
- 21. The Region's Planning Department will confirm that the notice of appeal is in the form required by the Planning Act and will prepare and forward the Record to the Regional Clerk.
- 22. The Regional Clerk, shall forward the Record and the fee to the Ontario Municipal Board with a copy to the Ministry of Municipal Affairs and Housing within 15 days after the notice of appeal is received.

23. In the event that the Ontario Municipal Board dismisses the appeals, or the appeals are withdrawn, processing of the proposed amendment by the Region will resume upon receipt of notice from the Board.

For further information, please contact:

Planning Department Region of Peel 6th floor, 10 Peel Centre Drive, Brampton, Ontario L6T 4B8

Phone: (905)791-7800, Ext. 4347

Fax: (905)791-7920