



To: **Committee of the Whole**

Agenda Section: Corporate Services
Division: Engineering, Planning and Environment
Department: Planning – Delegated Authority

Item Number: CCW - 2019-242

Meeting Date: June 25, 2019

Subject: **Request for Approval – Town of New Tecumseth Official Plan**

Recommendation

That the new Town of New Tecumseth Official Plan, as adopted by the Town of New Tecumseth By-law 2018-121 on July 19, 2018, and as modified per Schedule 3 to Item CCW-2019-242, dated June 25, 2019, be approved; and

That a Non-Decision be placed on the lands identified as Urban Residential Land Use Designation within Beeton as shown on Schedule 3 to Item CCW-2019-242; and

That Notice of Decision of the Official Plan approval for the Town of New Tecumseth be provided in accordance with the *Planning Act*.

Executive Summary

The Town of New Tecumseth's Official Plan is a municipally-initiated comprehensive update to the current Town Official Plan. It includes policies to guide growth and development to the year 2031. The Official Plan was adopted by the Town of New Tecumseth on July 19, 2018 by By-law No. 2018-121.

It is a legislative requirement under Section 26(1) of the *Planning Act*, for the council of a municipality to revise their Official Plan as required every 10 years to ensure that it; conforms with provincial plans or does not conflict with them, has regard to the matters of provincial interest, and is consistent with provincial policy statements issued by the Minister. This constitutes the Provincial plan conformity exercise identified in Section 26(2.1) of the *Planning Act*.

The County of Simcoe is the approval authority for local municipal official plans as per Section 17 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. Therefore, it is the responsibility of County Council to make a decision on the Official Plan within the legislative timeframe. The Plan takes effect upon County Council approving the Plan, and if no appeals to the Local Planning Appeal Tribunal are received. County Planning Staff have reviewed the Town's Official Plan, and made necessary modifications in order to confirm that it is consistent with the Provincial Policy Statement,

2014; in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, and with the goals, objectives and policies of the County of Simcoe Official Plan, 2016. Modifications have been made in consultation with the Town and the Province.

If County Council approves the New Tecumseth Official Plan as modified and recommended by County Planning Staff, the current in-effect Town of New Tecumseth Official Plan, dated March 10, 2010, will be repealed and replaced with the adopted Official Plan as modified by Schedule 3 to Item CCW 2019-242 (Modified version of Official Plan), with the exception of a non-decision on the Urban Residential lands within Beeton as identified on Schedule B2 Land Use Designation. This non-decision would result in the land use designation of the Town's 2010 Official Plan remaining in force and effect for the settlement area of Beeton.

Background/Analysis/Options

The following provides a summary of the Town's adopted Official Plan:

Proponent: Town of New Tecumseth

Location: All lands in the Town of New Tecumseth

Proposal: The purpose of the Town's Official Plan update is:

1. To bring the New Tecumseth Official Plan into conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan 2019) and the County of Simcoe Official Plan (SCOP 2016), and
2. To ensure the Official Plan is consistent with the Provincial Policy Statement (PPS 2014).

County File: NT-OP-1801

An Official Plan is a general policy document that includes a statement of goals, objectives and policies for managing growth and development within a specific jurisdiction. It sets out a comprehensive framework for land use and resource management decision-making. The purpose of an Official Plan is to ensure that future planning and development will meet the specific needs of a community while protecting and enhancing the natural and built environment.

As a requirement of Section 26 of the *Planning Act*, the Town of New Tecumseth embarked on the process to comprehensively update its official plan to guide growth and development to the year 2031. The Town's Official Plan was adopted by Town Council on July 19, 2018 by By-law No. 2018-121, and is included as Schedule 1 to Item CCW 2019-242 (Town adopted Official Plan). This comprehensive process included the necessary public consultation and notice requirements. Comments received through this process have been addressed either through the adopted Official Plan or through the County's further modifications as recommended on Schedule 3 to this report. The County worked closely with the Town of New Tecumseth throughout the Official Plan review process.

It is the County of Simcoe's responsibility, as approval authority, to make a decision on a local municipality's updated official plan. The Plan only takes effect upon County Council approving the Plan, and if no appeals to the Local Planning Appeal Tribunal are received. Therefore, County Planning Staff have reviewed the adopted Official Plan, and made necessary modifications to confirm that it is; consistent with the PPS 2014; in conformity with the Growth Plan 2019, and in

conformity with the goals, objectives and policies of the SCOP 2016), and in conformity with other provincial plans. As a result of the County's review, a track changes version of the proposed modifications to the text of the adopted Official Plan is included in Schedule 2 to Item CCW 2019-242 (Track Changes version of adopted Official Plan).

If approved, the current in-effect Town Official Plan dated March 10, 2010, will be repealed and replaced with the adopted Official Plan as modified by Schedule 3 to Item CCW 2019-242 (Modified version of Official Plan), with the exception of a non-decision on the Urban Residential lands within Beeton as identified on Schedule B2 Land Use Designation. These non-decision lands will continue to use the Town's 2010 Official Plan land use designation for the settlement area of Beeton.

Comments Received

The required public consultation process and Statutory Public Meeting pursuant to Section 17(15)(d) of the *Planning Act* have occurred. The Town of New Tecumseth held a Special Meeting of Council on April 23, 2018. A Public Open House for the Official Plan was held on April 26, 2018. A Statutory Public Meeting was held on June 13, 2018 to seek additional input. Prescribed agencies, Indigenous communities and the public were notified of the public open houses and meetings as per the requirements of the *Planning Act*. Other public consultation and community engagement initiatives by the Town occurred since 2016 to encourage community input and feedback.

A summary of the written and oral comments received are identified in Schedule 4 (Comment Matrix) to this Report. These included 111 written comments from the general public and stakeholders, Indigenous communities, public agencies (including the Ministry of Municipal Affairs and Housing, Simcoe County District School Board, Simcoe Muskoka District Health Unit and the County of Simcoe); and 4 oral comments from the general public. Please note that although not included in the Town's Comment Matrix, the County of Simcoe has provided comments to the Town's Official Plan review during the various stages of the process.

Summary of General Public/Stakeholder Comments

The Public Comments can be consolidated into the following common themes:

1. Growth Management:
 - a. Beeton should not grow at the same rate as Alliston due to flooding concerns
 - b. No further development in Beeton until a Drainage Master Plan is completed and appropriate infrastructure is in place
2. Settlement Area Boundary Expansion:
 - a. County Land Budget identifies a need for a settlement area expansion to accommodate projected growth – concern over where that expansion would be.
 - b. Specific lands requested for inclusion in settlement area for residential development
 - c. Specific lands wish to allow development outside of settlement area
3. Employment Lands Conversion:
 - a. Various requests for employment land conversions
4. Commercial Areas:
 - a. Need to protect commercial areas in Tottenham and not permit large retail
 - b. More flexible range of permitted uses and development standards to serve regional and local commercial needs
 - c. Description of Major Commercial
5. Agricultural Lands:
 - a. Inquiries for diversifying uses
 - b. Promotion of agriculture

6. Environmental Protection & Natural Heritage:
 - a. Seeking clarification on the EP 1 and EP 2 overlay designations
7. School permissions:
 - a. Would like schools permitted in Agriculture / Rural Designations
8. Additional Site Specific Policies & Mapping:
 - a. Various property boundary issues, requests for designation changes and/or concerns with mapping have been addressed on a site specific basis through policy and through mapping revisions.

Summary of Agency Comments

Comments provided by the various agencies related to conformity issues, technical items, comments on growth management and comments to encourage healthy and complete communities. The conformity issues raised have been considered throughout the process and incorporated, where necessary, into the Plan through proposed modifications as outlined in Schedule 2 to Item CCW 2019-242 (Track Changes version of adopted Official Plan).

The Town of New Tecumseth has provided responses to the comments and consulted with the technical experts to address specific concerns. These responses are available in Schedule 4 to this Report. County Planning Staff are satisfied that the oral and written submissions received from the public/stakeholders and agencies were considered and/or addressed to the greatest extent possible.

Proposed Modifications

Throughout the Official Plan review process, the County Planning Staff worked closely with the Town of New Tecumseth Planning Staff, their Consultants, and the Ministry of Municipal Affairs and Housing and its partner ministries to ensure that the Official Plan conforms with applicable plans, policies and legislation. After the adoption of the Town Official Plan, County Planning Staff identified proposed modifications in order to provide additional clarity, enhance the understanding of the policies and/or ensure conformity and consistency with County and provincial plans. The Town of New Tecumseth Council adopted these proposed modifications as outlined in Town Staff Report PD-2019-24, which was presented to Town Council on May 27, 2019. Further modifications, as required, have been incorporated into the proposed Town Official Plan by County Planning Staff since the May 27, 2019 Report. One of these further modifications came at the request of Town Council to maintain the current Low Density residential designation within Beeton until such a time as a Stormwater Master Plan is completed. As such, the County has identified a Non-Decision over the Urban Residential lands within the settlement area of Beeton to address this request. This Non-Decision is illustrated on the Beeton Land Use Schedule B2 of *Schedule 3 to Item CCW-2019-242 (Modified version of Official Plan)*. The effect of the Non-Decision results in all Urban Residential lands identified within Beeton on the new Town's Official Plan reverting back to the Town's 2010 Official Plan land use designation, which is Low Density residential.

In addition, further modifications were made to the Official Plan to address the Growth Plan 2019 conformity, at the Town's request. These further modifications are supported by Town staff and are identified as part of Schedule 2 to Item CCW 2019-242 (Track Changes version of the Official Plan).

The following is a summary of the general themes of the County Planning Staff's proposed modifications to the Town of New Tecumseth's Official Plan:

TEXTUAL MODIFICATIONS

1. Revisions to the Official Plan to ensure conformity with the new Growth Plan 2019. These revisions relate to the following topics:
 - a. Settlement Area Boundary Expansions
 - b. Employment Land Conversions
 - c. Municipal Comprehensive Review
 - d. Provincially Significant Employment Zones
2. Minor typographical revisions throughout the document:
 - a. Minor edits to correct policy wording;
 - b. Corrections to policy numbering and policy references;
 - c. Defined terms were italicized consistently;
 - d. Legislative terminology was updated where necessary;
 - e. Definitions were revised, added or removed.
3. Cultural Heritage Resources:
 - a. Clarification was made to the cultural heritage resources section.
4. Growth Management:
 - a. All references to 'Urban Settlement Areas' throughout the Plan were modified to 'Settlement Areas';
 - b. Clarification was made to recognize the role of the County municipal comprehensive review;
 - c. New policy language was included in the Plan to allow for Settlement Area boundary expansions and/or Settlement Area boundary adjustments to be considered outside of the municipal comprehensive review process based on certain criteria as indicated in the new Growth Plan 2019.
5. Environmental Protection / Natural Heritage Features and Areas:
 - a. Clarification was made to the Environmental Protection and Natural Heritage sections of the Plan to provide additional clarity regarding; evaluation of development, redesignation of lands, adjacent land permissions, and the use of Environmental Impact Studies and Natural Heritage Evaluations within the development process.
6. Affordable Housing and Second Units:
 - a. Clarification was made to affordable housing strategies;
 - b. Clarification was made to confirm that second unit parking permissions are identified in the zoning by-law.
7. Public Service Facilities / Community Facilities:
 - a. Provided additional clarity related to Public Service Facilities to better articulate the permissions, restrictions and location criteria of these facilities based on the Growth Plan (2019), section 3.2.8 and the County Official Plan, section 4.2.1;
 - b. New public service facilities policies were added to the Rural Designation section to provide additional clarity for locating these services
8. Employment Areas:
 - a. New policy language was included to allow employment land conversions to be considered outside of a municipal comprehensive review process based on certain criteria as indicated in the new Growth Plan 2019;
 - b. The Provincially Significant Employment Zone located in Alliston was introduced based on the new Growth Plan 2019.
9. Land Use Framework:
 - a. Clarification was made to limited commercial uses;
 - b. Clarification was made to rural lot creation policies;
 - c. Clarification was made to mineral aggregate resource designation;

- d. A new policy was added to address MDS within the agricultural designation;
 - e. Clarification of land severance policies within the Oak Ridges Moraine section.
10. Roads & Infrastructure:
- a. Language was added to the County Roads section to describe the Best Efforts agreements for the roadways along 5th Line and Industrial Parkway;
 - b. Language was added to further explain storm water management systems and flood plain issues.

MAP SCHEDULE MODIFICATIONS

Modifications were made to the Schedules as follows and as reflected within Schedule 3 to Item CCW 2019-242:

1. Schedule A: Land Use Structure – Town of New Tecumseth
 - a. A Mineral Aggregate Resource area located along the 3rd Line has been corrected;
 - b. A County landfill site and assessment area within Alliston has been added to Schedule A and Schedule B1: Land Use Structure Alliston
2. Schedule B2: Land Use Structure Beeton
 - a. The County has placed a Non-Decision on the lands identified on Schedule B2 of *Schedule 3 to Item CCW-2019-242 (Modified version of Official Plan)* as Urban Residential within the settlement area of Beeton. This Non-Decision is a result of a motion that the Town of New Tecumseth made at their May 27, 2019 meeting requesting the County of Simcoe reconsider approving the Urban Residential lands within Beeton until a Stormwater Master Plan is completed. This is consistent with a previous Town Council resolution, which was passed and reflected in the adopted Official Plan in section 8.0 d). The County believes this Non-Decision reflects what Council has requested. This Non-Decision will allow the use of the Town's 2010 Official Plan Low Density residential designation, which has established a 14 unit per hectare maximum density, for all Urban Residential lands within Beeton until further study is concluded and a decision is made about implementing new residential development policies within Beeton.
3. Schedule C: Exceptions
 - a. Some modifications were made to this schedule to enhance readability and understanding.
4. Schedule D1, D2: Road Classifications and Widening
 - a. A section of 5th Line, east of Tottenham, was modified to more appropriately be labeled as a 'Future County Road' rather than a County road;
 - b. County Road 1 (8th Line) was modified to be labeled as a County Road, not a Town Road.
5. Appendix F: Provincially Significant Employment Zone – Alliston
 - a. As a requirement of the Growth Plan 2019, Appendix F was added to the Plan to identify the area that the Province has recognized as a Provincially Significant Employment Zone.

It should be noted that there may be further minor technical updates to the Geographical Information System shapefiles that make up the land use schedules and mapping within the Official Plan. Any such updates will be incorporated to ensure consistency with County and Provincial data. However, these updates are not anticipated to impact the effect of the PDF format schedules included in the Plan as recommended for approval.

The Town of New Tecumseth Council endorsed the proposed modifications as outlined in Town Staff Report PD-2019-24, which was presented to Town Council on May 27, 2019. In addition to the endorsement of the proposed modifications, Town Council requested that the lands identified as Urban Residential in Beeton, revert back to its original designation as Low Density residential. Due to this request, the County has placed a Non-Decision on these lands until the Stormwater Master Plan is completed for Beeton to understand what type of development should occur within the settlement area in the future.

Please note that further modifications have been incorporated into the proposed Town Official Plan by County Planning Staff since the May 27, 2019 Report to conform with the Growth Plan 2019. These further modifications are supported by Town staff and are identified in Schedule 2 to Item CCW 2019-242 (Track Changes version of the Official Plan).

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS 2014) provides policy direction on matters of provincial interest related to land use planning and development. It supports a comprehensive, integrated and long-term approach to planning. The Town of New Tecumseth Official Plan provides that approach.

Section 1.1 of the PPS 2014 generally encourages the development of healthy, liveable and safe communities through promoting efficient development and land use patterns and accommodating an appropriate mix of residential, employment and other uses to meet long-term needs.

The Town of New Tecumseth Official Plan is consistent with the PPS 2014.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

On May 2, 2019, the Province announced that it had amended the Growth Plan for the Greater Golden Horseshoe, 2017 with the release of "A Place to Grow: Growth Plan for the Greater Golden Horseshoe" (Growth Plan 2019). The amended Growth Plan came into effect on May 16, 2019. Growth Plan 2019 manages growth and development that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The policies of Growth Plan 2019 concentrate on designing complete communities with high quality compact built form, prioritize intensification to make efficient use of land and infrastructure, support a range and mix of housing options and provide a diverse mix of land uses including residential and employment uses.

The Town of New Tecumseth Official Plan incorporates the policy objectives of the Growth Plan 2019. Most notably, Schedule 7 references the appropriate population and employment forecasts to the planning horizon of 2031. Intensification is directed toward the delineated built-up areas through promoting a diverse mix of housing.

The Town of New Tecumseth Official Plan conforms to the Growth Plan 2019.

County of Simcoe Official Plan (2016)

The objectives contained within Section 3.5.1 to 3.5.4 of the County Official Plan encourage settlement areas to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, and a development form and pattern to promote efficient use of lands and municipal services.

The County Official Plan requires that the minimum intensification targets set out in Section 3.5.23 shall be achieved within the delineated built-up area and the density targets set out in Section 3.5.24 shall be achieved within the designated Greenfield areas. The Town of New Tecumseth has reflected these policies in their Plan.

The Town of New Tecumseth Official Plan conforms to the County of Simcoe Official Plan policies.

In summary, it is County Planning Staff's opinion that the Town of New Tecumseth's adopted Official Plan as modified by Schedule 3 to Item CCW 2019-242 is consistent with the Provincial Policy Statement, 2014; and conforms to the Growth Plan 2019 and the County of Simcoe Official Plan, 2016. The modifications have been accepted by the Town.

Therefore, County Planning Staff recommends that the new Town of New Tecumseth Official Plan, as adopted by the Town of New Tecumseth By-law No. 2018-121 on July 19, 2018, and as modified per Schedule 3 to Item CCW-2019-242, dated June 25, 2019, be approved.

Financial and Resource Implications

There are no financial implications associated with this Item, however, if the County's decision is appealed to the Local Planning Appeal Tribunal (LPAT) there may be legal costs associated with that process. In the event of an appeal, staff will report back seeking authority to proceed with involvement in related LPAT proceedings.

Relationship to Corporate Strategic Plan

No specific relationship to corporate strategies.

Reference Documents

There are no reference documents associated with this Item.

Attachments

Schedule 1 – Official Plan – as Adopted by the Town of New Tecumseth
 Schedule 2 – Official Plan – as Modified by the County (Marked Up Version)
 Schedule 3 – Official Plan – as Modified by the County of Simcoe (Final Unmarked Version)
 Schedule 4 – Comment Matrix, updated June 2019

Prepared By Dan Amadio, RPP, MCIP Manager of Planning
 Kristin Pechkovsky, MCIP, RPP Senior Policy Advisor

Approvals

	Date
David Parks, Director of Planning, Economic Development and Transit	June 10, 2019
Debbie Korolnek, General Manager, Engineering, Planning and Environment	June 10, 2019
Trevor Wilcox, General Manager, Corporate Performance	June 16, 2019
Mark Aitken, Chief Administrative Officer	June 17, 2019