

**COMMITTEE OF THE WHOLE MEETING
MAY 27, 2019**

REPORT #PD-2019-24

**TOWN OF NEW TECUMSETH
OFFICIAL PLAN REVIEW - COUNTY MODIFICATIONS AND IMPLEMENTATION
PROGRAM
FILE NO: DEV 362**

RECOMMENDATION

That Report #PD-2019-24 be received;

And further that a by-law be enacted to adopt the Official Plan for the Town of New Tecumseth.

OBJECTIVE

The purpose of this report is to provide the necessary information and a recommendation for Council to consider the modifications to the Town's adopted Official Plan, as proposed by the County of Simcoe ("County").

BACKGROUND

An Official Plan is a comprehensive and strategic document that guides land use and development within the Town. Official Plans include goals and objectives of the community and establish policies to direct the form, extent, nature and rate of growth. Official Plans guide community decisions over a set period of time (typically 20 years), have legal status and derive their authority from the *Planning Act*. Section 26(1) of the *Planning Act* requires that every Official Plan be considered for revision not less frequently than every five years after the plan comes into effect.

The Town's new Official Plan was adopted by Council on July 9, 2018 by resolution No. 2018-150. The adoption of the Official Plan followed an extensive public consultation and work program that aimed to ensure the Town's Official Plan achieved conformity with all relevant provincial and County policy and regulations i.e. the Provincial Policy Statement, 2014, Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), *Planning Act*, *Strong Communities through Affordable Housing Act*, etc.

COMMENTS AND CONSIDERATIONS

The County is the approval authority for amendments to the Town's Official Plan. Following Council's adoption of the Plan, the *Planning Act* prescribes that the County review the plan to ensure conformity with the County's Official Plan as well as all applicable provincial planning policies. The adopted Official Plan will not take effect until it has been approved by the County. In this regard it is anticipated that upon Town

Council's adoption of the proposed modifications discussed herein, that County Council will be positioned to consider approval of same in June 2019.

Town staff have been working with County staff to address all outstanding matters identified by the County. As such, a series of modifications to the adopted Official Plan have been proposed to ensure conformity/consistency where required in response to the County modifications. A general overview of the major modifications proposed by the County that Town staff support is provided below. Staff are satisfied that the changes maintain the vision and intent of the new Official Plan completed through the Town's comprehensive public process, as they are primarily focused on matters of County or provincial plan/policy conformity. A revised copy of the adopted Official Plan incorporating all modifications as outlined below can be found on the Official Plan Review project webpage: <https://www.newtecumseth.ca/en/town-hall/official-plan-review.aspx#>.

County Official Plan and Provincial Plan/Policy Conformity Modifications

A number of modifications to the new Official Plan have been proposed by the County as outlined below, to ensure conformity/consistency with both County and provincial planning documents:

Section 2.9 - Cultural Heritage Resources

Changes to ensure the identification of interests of Indigenous communities, and clarifying references to cultural heritage resources as a general term, which includes both resources and landscapes.

Section 3.1 - Population and Employment Forecasts

Added additional policy language from the County Official Plan and the Growth Plan, identifying that a significant portion of future population and employment growth allocated to the Town will be directed to Alliston as the Primary Settlement Area.

Section 4.2 - Purpose and Definition

Added additional policy language to reference Lake Simcoe Region Conservation Authority ("LSRCA") policies with respect to phosphorus, ecological and Wellhead Protection Area-Q2 offsetting, low impact development and road ecology, to be considered when reviewing development applications within the LSRCA watershed.

Section 4.5.2 - Redesignation of Environmental Protection Lands

Clarified policy to remove ambiguous policy language as to whether or not a redesignation of lands designated Environmental Protection (EP1 or EP2 overlay) could facilitate an expansion to a settlement area boundary, which is only permitted through a Municipal Comprehensive Review ("MCR").

Section 4.5.3 - Adjacent Lands

Included additional language to clarify when a Natural Heritage Evaluation is required on lands within the Lake Simcoe watershed, to be as specified within the Lake Simcoe Protection Plan.

Section 4.5.13 i) - Watercourses

Included additional language as requested the NVCA to recognize the 1995 Spring Creek Two Zone floodplain policy, wherein the EP1 designation represents the floodway and the EP2 overlay designation represents the flood fringe.

Section 5.4.1 - Employment Land - Employment Land Conversion

Section 10.8 - Settlement Area Boundary Expansion

The County had requested that all policies related to conversions of employment land to non-employment uses and settlement area boundary expansions be removed, as these two processes are under the jurisdiction of the County and can only be achieved through a MCR as outlined in the Growth Plan. In response, staff indicated that despite the provincial framework and the County's jurisdiction, the policies were included for the following reasons:

- to guide the Town in providing input to the County/evaluate proposed conversions and expansions through the County MCR; and,
- to determine when to submit requests for either a conversion or an expansion to a settlement area to the County.

To better identify the Town's intent, additional language was added to specify that the policies represent criteria the Town will rely upon for the purposes identified above, independent of the County's process.

Section 6.2.2 f) - Rural Designation - Infill Consent Policy

Removed the policy reference requiring that the lot be an infill lot. The policy now permits the creation of one lot which existed on the date of approval of the current Official Plan (2010), provided said consent does not contribute to strip development as defined by the County.

Section 6.2.6 a) Mineral Aggregate Resources Designation

Added wording to clarify that the extraction of mineral aggregate resources on lands designated Agricultural is only permitted as an interim use, pursuant to the PPS.

Section 9.4.3 g) - Provincial and County Roads

Included reference to two best efforts agreements between the County and the Town for the potential future uploading of two roads from the Town to the County. These include the 5th line from County Road 10 east to the boundary of Bradford West Gwillimbury, and Industrial Parkway from County Road 10 west to Highway 89. This modification

provides clear direction that development applications adjacent to these two right-of-ways are required to conform to the County's road standards.

Section 10.16 e) - Land Use Compatibility - Noise, Dust, Vibration, Odours

Corrected an oversight and inserted policy language to require the completion of Minimum Distance Separation calculations during the construction of new or enlarged livestock facilities and new dwelling units/creation of new lots in the Agricultural and Rural designations. Staff note that this is not a new requirement as the requirements for the completion of MDS calculations is currently included in the Town's Official Plan and Zoning By-law.

Schedule/Appendix Modifications

Part of the work program for the Official Plan Review was the consolidation of all Official Plan Amendments approved by the County of Simcoe or the OMB, including secondary plans where possible. The version of the Official Plan adopted by Council included outdated appendices reflecting the servicing plans for lands located within OPA 29, the Alliston Industrial/Commercial Secondary Plan. As such, these have been updated to reflect the most recent version of the Master Servicing Plan for said lands.

Further, staff noted that two parcels were inaccurately identified as being designated Urban Residential, whereas the correct designation is Corridor Commercial as identified in OPA 11, the Tottenham Secondary Plan. The two changes pertain to commercial properties in the Ballymore (Block 74 on Plan 51M-1038) and LRG (Block 86 on Plan 51M-1082) plans of subdivision.

Typographical/Formatting Modifications

A series of minor typographical and formatting changes are proposed to correct the numbering of policies, table of contents, policy cross references, consistency in terminology, etc.

Updated Growth Plan Modifications

Part of the recently released Bill 108: More Homes, More Choice, released by the province on May 2, 2019, was an updated Growth Plan, now called "A Place to Grow". As Council may recall, staff previously reported to Council during the consultation period on Proposed Amendment No. 1 to the Growth Plan by report #PD-2019-05. Changes within the new growth plan that affect the Town's Official Plan were discussed in said report, and are summarized as follows:

- allowing municipalities to consider conversions of employment lands to non-employment uses outside of a MCR, subject to various criteria;

- allowing municipalities to consider a settlement area boundary expansion of an area not greater than 40ha (100 acres) in advance of a MCR, subject to various criteria (see below). For Council's information, 40ha (100 acres) could yield between 500-600 if consistent with current unit mixes within draft plans in the Town, and between 1,000 and 1,200 people;
- the identification of a series of Provincially Significant Employment Zones (PSEZ) across the Growth Plan area for which the province has provided mapping to be included in Official Plans. The province will also be providing specific direction related to planning policy and economic development strategies for these areas. Staff note that a PSEZ was identified by the province recognizing the employment lands in Alliston along Industrial Parkway and associated with OPA 29, which would need to be included in a schedule in the Town's Official Plan. Comments were provided to the province during the consultation period as directed by Council, noting the Town's concerns with the proposed boundary, specifically that large areas of designated employment lands within OPA 29 that should have been included had been excluded. Staff note that the modified boundary released in the new Growth Plan did not incorporate all of the Town's comments, as such staff are making a further submission to the province for reconsideration of the boundary;
- revising the minimum intensification target for a series of municipalities which includes the County, such that these municipalities are now required to maintain or improve upon their current minimum intensification target, rather than achieve an intensification target of 60%; and,
- revising the minimum density target applicable to designated greenfield areas for a series of municipalities which includes the County, such that these municipalities are required to plan to achieve a minimum density target not less than 40 residents and jobs/hectare, rather than a target of 80 residents and jobs/hectare.

Staff note that the updated Growth Plan came into effect on May 16, 2019. A transition regulation has been released with a 30 day commenting period that closes on June 1, 2019. Staff have confirmed with County staff that the Town's Official Plan is required to conform to the new Growth Plan, and therefore is required to incorporate any policy necessary to achieve conformity with the amended policies as identified above.

The inclusion of policies in the Official Plan related to the 40ha (100 acres) settlement area boundary expansion policies of the Growth Plan by the County, would simply include the enabling framework permitting the Town to explore the possibility of utilizing same, at the Town's sole discretion. To achieve an expansion to a settlement area as now provided for in the Growth Plan, the Town would be required to complete a thorough growth management exercise to determine the extent of any expansion to be considered as it relates to the Town's current 2031 population forecast of 56,000, subject to Council direction and County approval. The costs associated with this type of assessment are unknown at this time. Staff have already received submissions from

parties interested in the Town pursuing expansion possibilities as described above related to the Alliston Boundary.

To ensure County staff are in a position to recommend approval of the Town's Official Plan prior to the County Council summer recess, and given the straight forward nature of the modifications that are principally considered positive by staff, the County has agreed to modify the plan to ensure conformity with the updated Growth Plan, in consultation with Town staff. Under the *Planning Act*, the County has the authority to modify the plan as necessary to ensure conformity with any County or provincial policy. The Town's consultants were not in a position to complete the necessary modifications within the timeframe necessary for the publication of this report which was required to meet the County's summer reporting requirements. In this regard, staff and the Town's consultants are supportive of the County making the necessary modifications in this regard.

Official Plan Implementation Program

The Official Plan provides the framework for future Council land use decisions and provides policy direction for achieving the goals and objectives included in same. In this regard, staff are currently completing an Official Plan Implementation Program which will outline all tangible projects and process enhancements included in the Official Plan, that align with the goals and objectives of the Official Plan for Council's consideration. Staff anticipate that this will assist the Planning and Building Department with annual business and capital planning efforts, to realize the objectives of the Official Plan.

The program will outline specific action items to be carried out utilizing the Town's existing staff compliment and those that will require outside consultant assistance; lead departments; departments who will be relied upon to provide assistance/input; possible partner agencies; as well as a priority ranking which establishes a proposed time frame for the completion of each project. Following the approval of a new Official Plan, the *Planning Act* requires that said Official Plan be reviewed again after ten (10) years, as such the priority ranking will extend the length of this time period. This will provide the Town with the ability to assess whether the Official Plan has had a positive impact at the time of the next review. A report outlining the Implementation Program will be presented to Council at a later date.

FINANCIAL CONSIDERATIONS

There are no financial considerations as a result of this report.

Respectfully submitted:



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