

**COMMITTEE OF THE WHOLE MEETING  
SEPTEMBER 12, 2016**

**REPORT #PD-2016-26**

**INTRODUCTION TO THE TOWN OF NEW TECUMSETH OFFICIAL PLAN REVIEW**

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**RECOMMENDATION**

That Report #PD-2016-26 be received;

And further that Staff be directed to prepare a request for proposal to retain a planning consultant to complete a review of the Town's Official Plan;

And further that the net impact of costs associated with hiring a consultant to complete the Town's Official Plan review be allocated within the 2017 operating budget.

**OBJECTIVE**

The purpose of this report is to:

- provide an introduction to the Official Plan review to Council and the public;
- set out the requirements for reviewing the 2010 Official Plan;
- suggest the general scope of the review that should be undertaken by the Town; and,
- set out a high level process for completing the review.

This report has been prepared to set out the information above in general terms. Attachment No. 1 to this report provides more detail on the more technical aspects of the Official Plan review.

**BACKGROUND**

An Official Plan is the 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). Official Plans 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.

**Town of New Tecumseth Official Plan**

The Town of New Tecumseth last initiated a review of its Official Plan in 2004, which resulted in the approval of a new Official Plan by the County of Simcoe ("County") on March 10, 2010. This review updated the Town Official Plan ("Town OP") to comply with

the previous County Official Plan and to be consistent with the 2005 Provincial Policy Statement. Further, in 2004 the Town completed an Official Plan amendment to include policies in the Town OP to conform to the Oak Ridges Moraine Conservation Plan.

### County of Simcoe Official Plan

On November 28, 2008, the County adopted a new Official Plan ("County OP"). On December 7, 2009 the County appealed the province's failure to give notice of a decision on the County OP within the prescribed 180 days to the Ontario Municipal Board ("OMB"). The County OP has proceeded through a series of OMB prehearings and at this time, all policies and land use schedules of the County OP, with exception of site specific matters, have been approved by the OMB. One of said site specific matters is the Settlement Area Boundary of Alliston which remains under appeal by two (2) appellants as well as the Town, however no hearing date has yet been scheduled.

Section 27 of the *Planning Act* requires that lower-tier municipalities amend their Official Plans to conform to an upper-tier municipal official plan within one (1) year of it coming into affect. As such, as the County OP is now complete (with the exception of some site specific matters), it is now appropriate for the Town to begin to consider a review of the Town OP.

### **COMMENTS AND CONSIDERATIONS**

The five year review of the Town OP is a significant undertaking. The scope must be carefully defined in order to identify the resources that will be required to establish a realistic timeline for completion. Further, this will ensure that Town resources are properly aligned to complete the review, while balancing the work to be completed by a consultant with that which may be completed by Town Staff.

The minimum content requirements for Official Plans are established by the *Planning Act* (i.e. conformity/consistency with provincial plans and policies as the case may be). In the case of the Town's review, the Town OP will have to conform to the Greenbelt Plan, Oak Ridges Moraine Conservation Plan (completed), the Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), the Provincial Policy Statement, 2014 ("PPS"), the County OP, the South Georgian Bay Lake Simcoe Source Water Protection Plan ("Source Water Protection Plan") and the Lake Simcoe Protection Plan.

### Other Items for Consideration

#### *Provincial Policy Statement, 2014*

The PPS contains policies concerning land use planning and development from the province. It provides policy direction on matters of provincial interest such as building strong communities, the wise use and management of resources, protecting public health and safety, and climate change.

*Growth Plan, Office Consolidation, June 2013*

The Growth Plan outlines a broad land use based policy framework to effectively manage projected growth, promote complete communities and provide greater protection for the environment and agricultural lands across the Greater Golden Horseshoe, including the County. Amendment No. 1 to the Growth Plan added policies specifically pertaining to the County with respect to population and employment allocation, density and intensification targets and approaches to managing the over-supply of land in the County's lower-tier municipalities. Amendment No. 2 forecasted population and employment figures for all upper and single tier municipalities to 2036 and 2041. The Town OP will need to be updated to comply with the policies of the Growth Plan.

*Coordinated Review of Provincial Plans*

Staff note that the Ministry of Municipal Affairs and Housing has recently released revised versions of four (4) provincial land use plans: the Growth Plan; the Greenbelt Plan; the Oak Ridges Moraine Conservation Plan; and, the Niagara Escarpment Plan. Staff are in the process of reviewing the updated plans in anticipation of preparing a report to Council in the fall. The changes proposed will be required to be incorporated into the Town OP, however depending on the timing of the finalization of the Plans, may be incorporated into the Town OP through separate specific Official Plan amendments.

*Lake Simcoe Protection Plan, 2009*

The objectives of the Lake Simcoe Protection Plan are to: restore the health of aquatic life within the Lake Simcoe Watershed; improve water quality, including reducing loadings of phosphorus to the Lake; maintain water quantity; improve the health of the ecosystem by protecting and rehabilitating important areas, such as shorelines and natural heritage; and, address impacts of invasive species, climate change and recreation activities. Policies therein relate to stormwater management, on-site and subsurface sewage treatment, etc. Only a small area in the south east portion of the Town is within the Lake Simcoe Watershed.

*South Georgian Bay Lake Simcoe Source Protection Plan, 2015*

The Source Water Protection Plan protects the quality and quantity of municipal drinking water. Through assessment reports, nine (9) wellhead protection areas have been identified either within the Town, or outside the Town but encroaching within the Town's boundaries. Certain activities are identified as threats to municipal drinking water and will need to be managed.

The Town in association with a variety of municipalities within the Nottawasaga Valley Conservation Authority ("NVCA") watershed are completing an Official Plan and Zoning

By-law conformity exercise for the Source Water Protection Plan utilizing funding received from the Province from the Source Protection Municipal Implementation Fund. It is anticipated that these amendments will be ready to proceed to Council in the fall.

### *Background Studies*

The completion of an Official Plan review is assisted and informed through the completion of a variety of background studies. For the purposes of the Town's review, staff have identified the following background studies that would assist the Town in completing our five-year review:

**Growth Management Strategy** - the Growth Management Strategy ("GMS") will form a key component of the Official Plan Review as it helps to understand the implications of growth and assists in the development of policies and strategies to implement the Growth Plan at the municipal level. The GMS will examine the Town's land supply and demand and explore strategies to direct future growth to appropriate locations in a manner consistent with New Tecumseth's local characteristics.

**Intensification Plan** - an intensification plan is a requirement of the County OP. It will demonstrate how the Town can achieve the intensification requirements of the Growth Plan (40% of growth within built boundaries). In addition, direction will be provided to control where and how intensification occurs, such that the Town's character is enhanced and new developments have a positive impact on existing neighbourhoods.

**Natural Heritage Study** – natural heritage features within the Town are presently designated as Environmental Protection 1 and Environmental Protection 2 in the Town OP. These designations were informed through a series of background reports completed by the Town, NVCA and the Lake Simcoe Region Conservation Authority ("LSRCA") in 2004, 2005 and 2007. These studies may need updating to incorporate new policy directions and to reflect existing development patterns.

**Transportation Master Plan/Master Servicing Plan** - this study would assess the Town's transportation and servicing needs in accordance with the findings provided in the GMS as noted above.

**Long Range Financial Plan / Development Charge Background Study** - pursuant to the findings of the GMS and the Transportation Master Plan/Master Servicing Plan, the Long Range Financial Plan and Development Charge Background Study would outline the capital infrastructure requirements and costs necessary to establish the necessary infrastructure, as well as ongoing maintenance over the life-cycle of said infrastructure.

### Process Considerations

In consideration of the foregoing, Staff suggest that a phased approach to the review occur, addressing policy conformity with the plans outlined herein in the first phase, and

addressing growth management issues as part of a second phase once the County of Simcoe has addressed the 2036 and 2041 population and employment forecasts.

Staff have identified the following items that would form the basis for the first phase of the review, however it is expected that the list would be refined following public consultation:

- Conformity with all Provincial Plans/Policies;
- Conformity with the County OP which is expected to conclude by early 2017;
- Completion of all background studies as identified in this report;
- Pursuant to Council direction, a review of servicing policies with a focus on areas the Town is considering for intensification;
- Sufficient policy direction on planning for Healthy Communities, Sustainability and Active Transportation, incorporating policies from the recently approved County of Simcoe Transportation Master Plan;
- Communication strategy to ensure the public and all stakeholders are engaged early and often throughout the review. This will include strategies to engage all sectors of the population including the use of social media; the Town's website; newspapers; printed advertising to be placed in public facilities; a branding campaign to make the Official Plan review easily recognizable; and, information related to Council and Committee meetings;
- Any other background review/policy development necessary to meet all County and Provincial legislation; and,
- General housekeeping matters.

### Next Steps

Given the complexity and quantity of work necessary to complete the review, Staff recommend that an external planning consultant be retained to complete the project. A terms of reference based on the contents of the technical brief, will be used to form the basis of a request for proposal. Following the selection of a successful consultant, a statutory special meeting of Council will be scheduled as required under the Planning Act.

Staff have prepared a high level timeline, provided herein as Attachment No. 2, that could reasonably be expected to complete the Official Plan review. It is anticipated that the details of the timeline will change based upon the consultant selected and issues that arise through the completion of the review.

### **FINANCIAL CONSIDERATIONS**

The Official Plan Comprehensive Review, Official Plan Conformity Amendment, Growth Management Study and Intensification Study are 90% Development Charge funded projects (Development-Related Studies). It is expected that the review, could be

approximately \$125,000 - \$150,000 to complete, and will formally be considered by Council during the 2017 budget deliberations.

Respectfully submitted:



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Tim Schilling, MCIP, RPP  
Senior Planner

Attachments:

- [Attachment No. 1 - Technical Brief](#)
- [Attachment No. 2 - OP Review Timeline](#)

**Approved By:**

Bruce Hoppe, MCIP, RPP  
Mark Sirr, CPA, CMA  
Brendan Holly

**Department:**

Planning  
Finance  
CAO

**Status:**

Approved - 08 Sep 2016  
Approved - 08 Sep 2016  
Approved - 08 Sep 2016

## Attachment No. 1

# Introduction to Official Plan Review – Technical Brief

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*This technical brief is intended to be read in concert with Planning Report #PD-2016-xx as it provides more detail on some of the items identified therein. Note that not all topics in said report are discussed in this technical brief.*

## General Official Plan Discussion

The minimum content requirements for Official Plans are established by the *Planning Act* (i.e. conformity/consistency with provincial plans and policies as the case may be). In the case of the Town's review, the Town OP will have to conform to the Greenbelt Plan, Oak Ridges Moraine Conservation Plan (completed), the Growth Plan, the PPS, the County OP, the Source Water Protection Plan and the Lake Simcoe Protection Plan.

The Town OP contains comprehensive policies with respect to settlement area boundary expansions, conversion of employment lands, infill development within existing residential neighbourhoods, agricultural and rural lands, etc. Notwithstanding, there are significant conformity requirements as outlined herein which must be addressed. The Town OP, approved in 2010, has a population and employment horizon extending to 2031. However, with the release of Amendment No. 1 to the Growth Plan in 2012, the province released new forecasts for the Town to 2031 which vary from those found in the Town OP (see discussion on Growth Plan below).

To determine whether revisions to an Official Plan are required, the Town is required to consult with the County of Simcoe and hold a special meeting of council open to the public. These consultations with the County, external agencies involved in the land use planning process and the public will help to assess changes to the Official Plan that should be considered. While discussions with the County will be ongoing throughout the review process, County staff have provided input into an approach for completing the review, as well as specific conformity requirements as they relate to the County OP, PPS and Growth Plan.

## Growth Plan Discussion

As previously reported, Amendment No. 1 to the Growth Plan allocated population and employment figures to the local municipalities to 2031. Further, the Growth Plan allows the County to allocate a population of 20,000 persons to municipalities that qualify until January 19, 2017. Specifically, if a municipality had adopted an Official Plan amendment that re-designated lands to an urban land use (i.e. residential, that would take them beyond their 2031 allocated population, the County could allocate a portion of the 20,000 persons to accommodate the development without the municipality technically exceeding their 2031 forecast).

Amendment No. 2 to the Growth Plan allocates population and employment figures to the County, which the County must allocate to the local municipalities. Allocating these figures to the local municipalities is one of the principle conformity requirements of the Growth Plan. The allocation of population and employment figures to local municipalities is a new process for the County and is likely to be a contested issue amongst the local municipalities within the County.

The County has recently advised that any allocation of the 20,000 population, acts as 'borrowing' from the 2036 and 2041 population forecasts yet to be allocated by the County. Amendment No. 2 to the Growth Plan allocated an additional 81,000 persons to the County to 2041. The amount of the 20,000 allocated through to the end of the program is of critical importance in terms of how it will affect the County's remaining 2041 population allocation to be distributed to the local municipalities.

When the 20,000 program concludes, the County will be required to allocate the remaining 2041 population to each of the local municipalities based on need and capacity. An over allocation in one municipality could result in a potential shortfall for another municipality that may be experiencing significant growth, such as the Town. Across the County, there are sixteen (16) lower tier municipalities and ninety-one (91) settlement areas of which five (5) are identified in the Growth Plan as Primary Settlement Areas, including the Settlement Area of Alliston. Pursuant to the Growth Plan, a higher percentage of growth to 2036 and 2041 should be allocated to municipalities with Primary Settlement Areas.

Settlement area boundaries are now delineated on the County OP land use schedules. This is a new policy approach as the County previously only identified settlement areas utilizing 'circles' on their schedules and relied upon local municipalities to physically define settlement area boundaries in their Official Plans. Accordingly, an amendment to the County OP will be required to expand a settlement area boundary. This requires approval by the Province which is a significant change from the manner in which settlement area expansions were approved in the past. The Growth Plan requires that municipalities can only propose expansions to settlement areas through a municipal comprehensive review.

A comprehensive review is defined by the PPS as follows:

"a) an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to



accommodating the proposed development within existing settlement area boundaries;

3. is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.

In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.”

### Simcoe County Land Budget

Since 2008, the County has prepared a land budget that describes and accounts all residential units in various stages of the planning process within a municipality. Specifically, all current residential development applications are included, as is unit potential on vacant lands and potential intensification units. The total number of units is then multiplied by a person per unit figure (the number of people on average who reside in a single detached, semi-detached, townhouse or apartment) producing a figure for how much the Town can expect to grow should all units be built. This figure is then related to the 2031 population allocation to each local municipality as contained in the Growth Plan to assess whether a municipality has too many units, not enough units, or just enough units in the development process to comply with said population allocation.

The land budget also tracks building permits for new dwelling units issued annually. The Town's ten (10) year average of building permits issued for new dwelling units is approximately 350. The five (5) year average of same is approximately 460. Staff note however that those units have principally been constructed in Alliston, as the developments in Beeton and Tottenham worked their way through the approval process. With the registration of the plans in Beeton and Tottenham, growth is now occurring in all three settlement areas. As a result, the number of permits issued has dramatically increased, with a total of 869 permits for new dwelling units issued in 2015. As of April 30, 2016, a total of 288 permits for new dwelling units have been issued. As such the Town is on pace to equal or surpass the number of building permits issued for new dwelling units in 2015.

If the Town were to see the 5 or 10-year average continue, the Town could expect that all development within the Town would be complete within 13 to 18 years. Should the pace of growth in the Town remain at the rate experienced in 2015, the Town has approximately 7 years of building activity remaining (including 2016).

## Coordinated Review of Provincial Plans

Staff note that the Ministry of Municipal Affairs and Housing has recently released revised versions of four (4) provincial land use plans: the Growth Plan; the Greenbelt Plan; the Oak Ridges Moraine Conservation Plan; and, the Niagara Escarpment Plan. Staff are in the process of reviewing the updated plans in anticipation of preparing a report to Council in the summer. The changes proposed will be required to be incorporated into the Town OP, however depending on the timing of the finalization of the Plans, may be incorporated into the Town OP through separate specific Official Plan amendments.

## Background Studies

**Growth Management Strategy** - In addition to land supply and demand, and strategies for directing future growth, the GMS also examines the land capacity and demand, explores where and how future residential and employment growth should occur, evaluates if the Town is able to meet the Provincial and County requirements, and suggests policy direction to ensure the Town meets those requirements. Further, the GMS will identify a hierarchy of settlement areas within the Town, and provide for a distribution of population and employment among the Town's three settlement areas and rural area.

It is expected that the GMS will form the basis as justification and rationale to the County for how much population and employment the Town should receive once the County begins the process of allocating the 2036 and 2041 population and employment figures from the Growth Plan. Completion of a Growth Management Strategy is also a requirement of the County OP.

**Intensification Plan** – an intensification plan is a crucial component of provincial planning in Ontario. The Growth Plan requires that the Town plan to achieve an intensification target of 40% of all growth within defined built boundaries. This is an aggressive target aimed at encouraging compact development that maximizes existing infrastructure; provides for densities that support transit; provide a range of housing choices to meet the needs of the Town's population; and, helps to create complete communities. In addition, direction will be provided to control where and how intensification occurs, such that the Town's character is enhanced and new developments have a positive impact on existing neighbourhoods

Notwithstanding the requirement to plan for intensification, it is important to note that intensification can take many different forms. The plan should specify the appropriate type of intensification for different areas within the Built Boundary (i.e. locations adjacent major roadways, for example, may be better suited for higher density than a small, vacant parcel in a well-established residential neighbourhood). Further, intensification requirement is a Town wide requirement. As such, the Town can stipulate a large percentage of the Town's overall 40% requirement be directed to Alliston as a Primary Settlement Area rather than to Beeton or Tottenham.

The Town's ability to achieve the intensification requirement will have an effect on how much additional greenfield land the Town can designate. The Growth Plan requires that before considering the designation of new greenfield land for urban growth, municipalities are to consider intensification as a first option. To position the Town to succeed in being allocated further population and employment growth while demonstrating that the Town is planning to achieve our intensification requirement, the intensification plan will form an integral component of the Town's OP review.

The intensification plan can either be completed as a standalone plan, or as a component of a GMS as noted above.

**Natural Heritage Study** – The Town's natural heritage system was informed by the findings of three separate studies as follows: the Natural Resource Management Plan Background Review and Natural Heritage Model, 2004 completed by the Town, NVCA and LSRCA; the Innisfil Creek Subwatershed Plan, 2005 prepared by the NVCA; and, the Natural Heritage System for the Lake Simcoe Watershed, 2007 prepared by the LSRCA.

Town staff have had preliminary discussions with Staff at both Conservation Authorities who note that the basic content of the studies remains relevant. Notwithstanding, updates to the plans/studies may be necessary to reflect new policy approaches of the County and Province, as well as updates to the maps to reflect developments which have taken place since the initial completion of the studies. LSRCA have also advised that they are completing an update to the Natural Heritage System for the Lake Simcoe Watershed Natural Heritage System titled "the Natural Heritage System Restoration Strategy" which is effectively the second phase of the original watershed study that was used to inform the 2010 Official Plan review. The LSRCA expect this to be completed by the end of 2017.

**Transportation Master Plan/Master Servicing Plan** - Items to be included would be: water, wastewater and stormwater distribution and treatment options; opportunities to integrate low impact development (LID) standards; higher order transportation objectives of the County and Province; a hierarchy of roads; alternative and active transportation options; trails planning; transit supportive densities; servicing beyond a 20 year time horizon tied to growth; and, cross boundary servicing opportunities.

**Long Range Financial Plan / Development Charge Background Study** - This will include a fiscal impact analysis that outlines in detail the costs to initially service the proposed development, as well as asset replacement cost as a component of an asset management strategy.

Many of the above noted background reports are linked and have implications on other Town Departments. The specific terms of reference for the completion of these studies would be carefully considered in consultation with all Town Departments or necessary external agencies.

### Official Plan Review - High Level Timeline

