

PL091167

**Ontario Municipal Board**  
**Commission des affaires municipales de l'Ontario**

**IN THE MATTER OF** subsection 17(40) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited  
 Appellant: 861945 Ontario Ltd. et al  
 Appellant: County of Simcoe  
 Appellant: Estate of Mary Louise Francom; and others  
 Subject: Failure to announce a decision respecting Proposed Official Plan Amendment 43-OP-2008  
 Municipality: Upper Tier of Simcoe  
 OMB Case No.: PL091167  
 OMB File No.: PL091167

**SUPPLEMENTARY MOTION RECORD**  
**(OF THE COUNTY OF SIMCOE – Phase 2a)**  
**(Returnable October 24, 2014)**

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Lawyers for the County of Simcoe

**TO: ALL APPELLANTS/PARTIES LISTED IN ATTACHMENTS "A" AND "B"  
 WITH A COPY TO ALL PARTICIPANTS LISTED IN ATTACHMENT "C"**

**AND TO: ONTARIO MUNICIPAL BOARD**  
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**ATTACHMENT "A"**  
**LIST OF APPELLANT PARTIES- COUNTY OF SIMCOE OFFICIAL PLAN**  
**OMB File PL091167**

Oct 17, 2014

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Oct 17, 2014

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Oct 17, 2014

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\* Participant has Testified

PL091167

## Ontario Municipal Board

**IN THE MATTER OF** ss. 17(40) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited  
 Appellant: 861945 Ontario Ltd. et al  
 Appellant: County of Simcoe  
 Appellant: Estate of Mary Louise Francom; and others  
 Subject: Failure to announce a decision respecting Proposed Official Plan  
 Amendment 43-OP-2008  
 Municipality: Upper Tier of Simcoe  
 OMB Case No.: PL091167  
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PL091167

### Ontario Municipal Board

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### SUPPLEMENTARY NOTICE OF MOTION PHASE 2a

**THE CORPORATION OF THE COUNTY OF SIMCOE** will make a Supplementary Motion to the Ontario Municipal Board on **Friday, the 24<sup>th</sup> day of October, 2014, at 10:00 am**, or as soon after that time as the motion can be heard at the Nottawasaga Inn Resort & Conference Centre, 6015 Highway 89, Alliston, Ontario.

THE SUPPLEMENTARY MOTION IS FOR AN ORDER:

- (a) Allowing the Official Plan appeal in part and approving, and modifying and approving, several additional policies for Phase 2a;
- (b) For relief from Rule 38 to serve this Motion on short notice;
- (c) for such further and other relief as may seem just and appropriate.

THE GROUNDS FOR THE MOTION ARE:

- (a) Since service of the Motion of October 14, 2014, the experts for parties involved in Phase 2a of the hearing met and supported or did not oppose or had no opinion on certain additional policies and modified policies resolving concerns



for several matters to be considered in the Phase 2a hearing.

- (b) The grounds as set out in the Notice of Motion dated October 14, 2014 in this matter.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

- (a) the Supplementary Affidavit of Kathy Suggitt, sworn October 21, 2014, and the Exhibits attached thereto;
- (b) the Second Report of Meetings of Expert Witnesses on Phase 2a contained in the said Affidavit;

OCTOBER 21, 2014

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PL091167

**ONTARIO MUNICIPAL BOARD**

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R. S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited  
 Appellant: 861945 Ontario Ltd., et al  
 Appellant: County of Simcoe  
 Appellant: Estate of Mary Louise Frankcom; and others  
 Subject: Failure of to announce a decision respecting Proposed  
 Official Plan Amendment No. 43-OP-2008  
 Municipality: Upper Tier of Simcoe  
 OMB Case No.: PL091167  
 OMB File No.: PL091167

**SUPPLEMENTAL AFFIDAVIT OF KATHY SUGGITT, MCIP, RPP**

**I, KATHY SUGGITT, MCIP, RPP, of the City of Barrie, in the Province of Ontario,  
 MAKE OATH AND SAY AS FOLLOWS:**

1. This Affidavit is supplemental to my affidavit sworn October 14, 2014.

**Growth Management Policies – Phase 2a**

2. The expert witnesses for the parties involved in this phase of the hearing met on October 15, 2014 to try to resolve the remaining issues. Arising from the meeting, a Second Experts' Report was provided to the County solicitor, who has circulated the report to the Board and to all parties and participants. Attached as **Exhibit "A"** is a copy of the Second Experts' Report dated October 17, 2014.

**Policies with No Modifications**

3. The experts who participated in the discussions either support or do not oppose/have no opinion with the current wording of policy 3.1.3 as it appears in the updated County Official Plan, Exhibit 72 of these proceedings.

**Policies with Proposed Modifications**

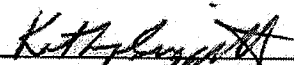
4. As reflected in Exhibit "A", the experts reached further agreement on certain policies based on proposed modifications. **Exhibit "B"** attached contains the proposed modified policies.

**Summary Opinion**

- 5. It is my professional planning opinion that the proposed modifications to the policies listed in Exhibit "B" accurately reflect the agreement reached by the experts involved in Phase 2a of this hearing, on the understanding that the experts either support or do not oppose/have no opinion on the proposed modifications. There are two specific points noted in Exhibit "A" where individual Parties reserve their right to further address possible additions to the policy. The policies addressed in this Affidavit including the proposed modifications would bring the policies into conformity with relevant Provincial policy. The modifications are consistent with the Provincial Policy Statement, 2014 and represent good planning.
  
- 6. I make this Affidavit in support of the County's request for an order of the Board to allow the appeal in part of the Official Plan to approve policy 3.1.3 without modifications; and to modify and approve policies 3.1, 3.1.1, 3.1.2, 3.1.4, 3.2.3, 3.2.4, additional new policy 3.2.5, 3.5.1, 3.5.5, 3.5.6, 3.5.7, 3.5.8, 3.5.17, 3.5.18, 3.5.21, 3.5.24, 3.5.25 and the deletion of 3.5.31 as detailed in Exhibit "B".

**SWORN BEFORE ME** )  
 at the Township of Springwater )  
 in the County of Simcoe )  
 this 21st day of October, 2014. )  
 )  
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 \_\_\_\_\_  
**Commissioner for Taking Oaths, etc.**

  
 \_\_\_\_\_  
**KATHY SUGGITT**

**Brenda Clark, County Clerk  
 A Commissioner for the  
 Corporation of the  
 County of Simcoe**

THIS IS EXHIBIT "A" REFERRED TO IN THE AFFIDAVIT  
OF KATHY SUGGITT SWORN BEFORE ME THIS  
21st DAY OF OCTOBER, 2014.

  
\_\_\_\_\_

A Commissioner, etc.

**Brenda Clark, County Clerk  
A Commissioner for the  
Corporation of the  
County of Simcoe**

**OMB File No: PL091167**

**County of Simcoe Official Plan**

**Second Experts' Report on Phase 2a (Growth Management)**

**Dated October 17, 2014**

**Expert Planning Witnesses Registered for Phase 2a of the Hearing:**

- Tony Biglieri – Tesmar Holdings Inc. (Appellant Party 10)  
 Tim Cane – Town of Innisfil (Party D)  
 Wes Crown – Town of Midland (Party F)  
 Mark Dorfman – Township of Ramara (Party C2)  
 Brian Goodreid – Estate of Marie Louise Frankcom (Appellant Party 15)  
 Bob Lehman/Alison Luoma – San Marco in Lamis Ltd. (Party L), 2133952 Ontario Inc. (Party S),  
 Talisker Corporation (Party T)  
 Andria Leigh – Township of Oro-Medonte (Party W)  
 Paul Lowes – Carson Road Development Inc. (Appellant Party 2a), Midhurst Development  
 Doran Road Inc. (Appellant Party 2b), Craighurst Land Corp. (Appellant Party 3),  
 Bond Head Properties Inc. (Appellant Party 38), Rayville Developments (Alliston)  
 Inc. (Appellant Party 40a), Copperglen Estate Inc. (Appellant Party 40b)  
 Darryl Lyons – Ministry of Municipal Affairs and Housing (Party A)  
 Geoff McKnight – Town of Bradford West Gwillimbury (Party E)  
 Kris Menzies – 998991 Ontario Inc. (Party X)  
 Nicola Mitchinson – Mark Rich Homes Limited (Appellant Party 8c), Silver Spring View Estates  
 Limited (Appellant Party 8d), Simcoe Estates Limited (Appellant Party 8e)  
 Royal Heights Estates Limited (Appellant Party 8f), 2115441 Ontario Inc.  
 (Appellant Party 35)  
 Josh Morgan – Nicole and Brent Fellman (Appellant Party 21) and 442023 Ontario Limited  
 (Appellant Party 24) – Expert did not participate  
 Celeste Phillips – Yorkwood Group of Companies (Appellant Party 18)  
 Jamie Robinson – Succession Financial Group Inc. (Appellant Party 37)  
 Tim Schilling/Bruce Hoppe – Town of New Tecumseth (Appellant Party 32)  
 Michael Smith – Tsam Investments (Party Y)  
 Brent Spagnol – Township of Springwater (Appellant Party 6)  
 Kathy Suggitt – County of Simcoe (Appellant Party 1)  
 Jacquie Tschekalin/Ron Palmer – Township of Adjala-Toscorontio (Appellant Party 33)  
 Darren Vella – Innisfil Mapleview Developments Ltd. (Party R), McMahon Woods  
 Developments Ltd. (Appellant Party 13) – Expert did not participate  
 Peter Walker – Ontario Potato Distributing Inc. (Appellant Party 27a), 1567219 Ontario Ltd.  
 (Appellant Party 27b)  
 Michael Wynia – Township of Clearview (Party G1)

Following the issuance of the First Experts' Report on October 10, 2014, the participating expert witnesses met on October 15th to continue discussions on the policies and related issues that remained without agreement as of the first report including: 3.1, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.3, 3.2.4, 3.5.1, 3.5.5, 3.5.6, 3.5.7, 3.5.8, 3.5.17, 3.5.18, 3.5.21, 3.5.24, 3.5.25 and 3.5.31.

### Experts Agreement

The experts agreed that supporting or not opposing/having no opinion on a particular policy in Phase 2a that includes cross reference to other policy(ies) in the Plan should not prejudice or infer support of the cross referenced policy.

### Policy with no issue:

The experts who have participated in the meetings either support or do not oppose/have no opinion on the following policy without modification, as it appears in Exhibit 72:

- 3.1.3

### Policies with Modification

The experts who have participated in the meetings either support or do not oppose/have no opinion on the following Policies with the Proposed Modifications detailed below:

- 3.1 – Modifications:
  - In the first bullet, replace the words “most non-resource related” with “a significant portion of” and add the word “effectively” before the word “serviced”
  - In the fourth bullet, remove italicization of the word “Development” and replace the words “complete *settlements*” with the word “communities”
- 3.1.1 – Modifications:
  - In the heading, replace the words “most non-resource related” with “a significant portion of” and add the word “effectively” before the word “serviced”
  - In the first paragraph,
    - First sentence, delete the words “urban forms of”
    - Delete the third sentence starting with “A strategy of ....” in its entirety
  - In the second paragraph add the following sentence at the end of the paragraph “For greater clarity, in Simcoe County specific land use designations applying to lands within the *settlements/settlement area* shall rely on the *local municipal* official plan.”
  - In the third paragraph,
    - Delete the seventh sentence in its entirety “Over time and increasing proportion of the County’s growth will be directed to *Primary Settlement Areas*.”
    - In the eighth sentence delete the words “non-resource related” after the words “and direct most”.
  - In the fourth paragraph delete the words “non-resource related” in the first and third sentences
- 3.1.2 – Modification:
  - Remove italicization of all instances of the word “*development*” in the title and policy
  - In the second paragraph, last sentence delete the words “limited” and “*residential*”

- **3.1.4 – Modification:**
  - In the title, replace the words “complete settlements” with the word “communities”
  - Remove italicization of the word “development” in all instances throughout the policy including the title
  - In the third paragraph, first sentence, delete the words “within settlements” after the words “employment opportunities”; delete the words “where appropriate” after the words “rural employment areas”; and add the words “tourism and resource-based recreational uses,” after the words “home-based businesses,”
- **3.2.3 – Modification:**
  - In the first sentence, replace the words “non-resource related *development*” with the words “population and employment growth” and delete the words “, over time getting an increasing proportion of population and employment growth”
  - Insert the following new second sentence “*Municipalities with primary settlement areas will direct a significant portion of population and employment growth forecasted to the applicable primary settlement areas.*”
  - Delete and replace the last sentence with “Other *settlement areas* may over time develop towards becoming a *complete community*, where appropriate, based on the hierarchy described in 3.5.”
- **3.2.4 – Modification:**
  - In the first sentence delete the words “non-resource related”
- **INSERT New policy 3.2.5 and reorder subsequent policies accordingly:**

“3.2.5        This *Plan* recognizes that certain types of development will occur outside of *settlement areas*.”
- **3.5.1 – Modification:**
  - Delete the words “existing” and “, as the location for urban uses and most non-resource related growth and *development*”
- **3.5.5 – Modification:**
  - In the second sentence insert the words “*County* and” before the words “*local municipal*”

**\*\* The experts for Parties C2, T and Appellant Party 33 agree with the policy, but they reserve the right to request additional policy language/clarification in a subsequent paragraph to this policy. This request for language/clarification should not be dealt with in Phase 2a but in a later phase to allow for ongoing discussion. Mediation may also be considered at a later stage.**

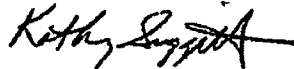
**NOTE: The following Parties reserve the right to review and provide comment on any proposed changes to Section 3.5.5 : Appellant 6, Appellant 15, Appellant 32, Party D, Party F and Party W.**

- **3.5.6 – Modification:**
  - Relocate the second sentence commencing with “*Municipalities with primary settlement areas* will, in their official plans...” to the end of this policy
  - Delete and replace the sentence “Over time an increasing proportion of non-resource related growth in the County will be directed to the *primary settlement areas*.” with the following: “*Municipalities with primary settlement areas* will, in their official plans, focus and direct a significant portion of its population and employment growth forecasted to the applicable *primary settlement areas* while considering growth in other *settlement areas* through local growth management studies as per Section 3.5.8.”
- **3.5.7 – Modification:**
  - In the first sentence, replace the words “most non-resource related” with the words “population and employment”
  - Insert the following new second sentence “Lands may only be redesignated from *lands not for urban uses* to *lands for urban uses* in accordance with Sections 3.5.8 or 3.5.10 of this *Plan*.”
- **3.5.8 – Modification:**
  - In the first sentence replace the word “allocation” with the word “distribution” and insert the words “and rural areas” after the words “identified *settlements*”
- **3.5.17 – Modification:**
  - In the first sentence, insert the words “that is consistent with the growth management study in 3.5.8 and” after “*municipal comprehensive review*”  
\*\*The expert for Party G1 agrees with the policy, except for part a) and they reserve the right to request additional policy language/clarification in a subsequent paragraph to the policy. This request for language/clarification should not be dealt with in Phase 2a but in a later hearing phase to allow for completion of the County’s land budget and ongoing discussion. Mediation may also be considered at a later stage.
- **3.5.18 – Modification:**
  - In the seventh bullet, replace the words “*cultural heritage*” with the words “*built heritage resources, significant heritage landscapes*” and insert the word “*significant*” before the words “*archaeological resources*”
- **3.5.21 – Modification:**
  - In the last sentence delete the words “and existing community character and features”



- **3.5.24 – Modification:**
  - In the last paragraph, delete and replace the last sentence with the following:  
 “Where a *settlement area* has an undelineated *built-up area* by the Province, the entire *settlement area* is considered to be a *built-up area*, and all new residential units within such *settlement areas* contribute towards the *intensification target*. Land within such *settlement areas* that are planned to be serviced with municipal or communal systems shall develop at densities that support compact form and be consistent with the *density targets* in Section 3.5.23.”
  
- **3.5.25 – Modification:**
  - Delete and replace the policy with: “Each *local municipality* shall develop an *intensification strategy* and implement the strategy through its official plan in order to phase in and achieve the *intensification targets* in Section 3.5.24 of this *Plan*. Through the strategy, *local municipalities* shall promote and facilitate *intensification* and efficient use of land in *built-up areas*, identify *intensification areas* to support achievement of the *intensification target*, promote the development of mixed use areas within *settlements*, identify areas appropriate for revitalization and redevelopment, identify the type and scale of development appropriate for the *intensification areas*, identify means to mitigate the effects of *intensification* in *intensification areas* on stable residential areas including consideration of transitional densities, built form and land uses, identify means to protect stable residential areas outside of *intensification areas*, and develop cost-effective and land efficient development standards. The *intensification strategy* shall also identify a program for monitoring the achievement of the *intensification targets* in Section 3.5.24 and evaluate the ongoing feasibility of achieving the targets.”
  
- **3.5.31 – Modification:** Delete the policy in its entirety and renumber accordingly

Report prepared by Kathy Suggitt, County of Simcoe  
 On behalf of the expert witnesses.



**Other Matter Raised By One Expert**

Mr. Robert Lehman, one of the planning experts in this Phase, requested that it be noted that it is his opinion that some form of public process is needed to ensure that members of the public can determine if any of the recommended changes impact their interests.

THIS IS EXHIBIT "B" REFERRED TO IN THE AFFIDAVIT  
OF KATHY SUGGITT SWORN BEFORE ME THIS  
21st DAY OF OCTOBER, 2014.

*Brenda Clark*

A Commissioner, etc.

**Brenda Clark, County Clerk  
A Commissioner for the  
Corporation of the  
County of Simcoe**

**Policy with No Modification:**

**3.1.3 Protection and enhancement of the *County's natural heritage system and cultural features* and heritage resources –**

The *natural heritage system* and *cultural features* and heritage resources of the *County* is an important part of its economic base and its lifestyle quality. The key features and functional elements of the *natural heritage system* of the *County* have been identified and mapped as "Greenlands". Although not mapped as Greenlands, the major lakes of Simcoe and Couchiching, plus Georgian Bay, and the Severn River are important complementary components of the *County's natural heritage system*. The Severn River has a high concentration of species-at-risk.

The rich cultural heritage of the *County* has been partially documented at the Provincial and local levels and is to be protected through the requirements for appropriate archaeological and cultural heritage assessments. The *Plan* also contains provisions for gathering additional cultural heritage resource information and maintaining a registry.

Water, both surface and underground, is a key part of the *natural heritage system* that is under stress. Water quantity and quality is important to industrial, commercial, and residential *development* as well as the tourism industry. Pressures to export water from the *County* must be carefully monitored; action may be required to make sure a high quality and sufficient quantity of the resource is always available within the *County* and that water recharge areas are protected. In general, it is the intent of this *Plan* to encourage the conservation of water resources within the *County*, in order to protect the long-term quality and quantity of this critical resource.

Identification of *natural heritage features and areas* and linkages included as the Greenlands Designation was undertaken within the context of a functional assessment approach. As such, this *Plan* contains policies to require the analysis and protection of *ecological functions and hydrologic functions* such as groundwater recharge, stream/river base flow, wildlife movement and biotic diversity. These functions are to be protected through the requirement for local official plans to identify and protect, as described in Section 3.8, both the County Greenlands Designation and local *natural heritage systems* which complement and support the *County* system such as valley and stream corridors, *wetlands* and *woodlands*, and through requirements for appropriate *environmental impact statements (EIS)* in the consideration of new official plans/amendments, *settlement* expansions and *development* applications. The functional approach is also supported by the policies of this *Plan* relating to watershed-based planning.

Various features and functions are found and occur within larger water and land-based areas such as watersheds and moraines located both within and beyond the *County*. The watersheds of Georgian Bay, Severn Sound and Lake Simcoe, the Oro and Oak Ridges Moraines and the Niagara Escarpment all represent examples of these broader natural areas. This *Plan* therefore calls for environmental analyses and policy development to be undertaken in the context of these broader systems.

The growth and settlement strategy and the conservation strategies for economic and natural heritage resources are closely linked. Development at higher densities in settlements will

conserve greater land areas for resource development and natural heritage systems protection. Avoidance of scattered development which could and should go to settlement areas is a complementary strategy.

## Proposed Modifications

### 3.1 Strategy

The planning strategy of this *Plan* is based on four themes:

- Direction of ~~most non-resource related~~ a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on *primary settlement areas*.
- Enabling and managing resource-based development including agriculture, forestry, aggregates, and tourism and recreation.
- Protection and enhancement of the *County's natural heritage system* and *cultural features* and heritage resources, including water resources.
- Development of complete-settlements communities with diversified economic functions and opportunities, and a diverse range of housing options.

Principles and policies stated throughout the *Plan* will be directly or indirectly related to these themes, which are inter-related in that achievement of objectives in any area can have impacts on other objectives.

#### 3.1.1 ~~Direction of most non-resource related~~ Direction of most non-resource related a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on primary settlement areas-

The *County* has numerous identifiable *settlements*. They are found in every municipality and provide a basis for future urban forms of growth. ~~A strategy of directing most non-resource related growth to settlements is fully compatible with the Provincial Policy Statement, and the Growth Plan which both state that settlement areas shall be the focus of growth.~~ In this *Plan*, the terms *settlements* and *settlement areas* are used interchangeably. *Primary settlement areas* and both urban and rural *settlement areas* will be referred to as "*settlements*" or "*settlement areas*".

*Settlements* include traditional mixed use central places such as towns, villages and hamlets. Some have both water and sewer services, some have only one, while many rural *settlements* depend on individual services. Recognized *settlement areas* are identified in Table Schedule 5.1, and mapped on map Schedule 5.1 - Land Use Designations and *Primary Settlement Areas* are identified on Schedule 5.1.2. For greater clarity, in Simcoe County specific land use designations applying to lands within settlements/settlement areas shall rely on the local municipal official plan.

There are several reasons for this overall approach to growth management. *Settlements* are developed at higher densities than scattered *development*, which makes them more economical to service. *Settlements* provide a focus for both private and public services in traditional and newer central places. The higher density of *settlements* means that

more resource lands and environmentally valuable lands can be conserved. The wide range of land uses provides an opportunity for people to live, work, shop, and find recreation in one compact community. Given the diversity of size, setting, and extent/types of hard and soft services which characterize the *County's settlements*, some *settlements* are more suitable for accommodating long-term growth. ~~Over time an increasing proportion of the County's growth will be directed to the Primary Settlement Areas.~~ The *Primary Settlement Areas* will develop as *complete communities*. *Local municipal* official plans shall conform to this Plan and direct most ~~non-resource-related~~ growth to *settlement areas* based on a hierarchy of *settlement areas* to be determined according to Section 3.5 of this *Plan*.

In order to direct most ~~non-resource-related~~ growth to the *settlements*, it is part of the strategy of this *Plan* to manage the amount of designated land throughout the County to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet the projected needs for the next twenty years. A land budget as described in Section 3.2.14 to 3.2.16 for the *County* will be used as a growth management tool when reviewing redesignation applications. *Local municipalities* will be required to develop plans and secondary plans that direct most ~~non-resource-related~~ growth to their *settlement areas* in accordance with this *Plan* and have provision for residential, commercial, industrial, and institutional *development* including provision for *affordable* housing and necessary *infrastructure* and *public service facilities*.

*Development* in *settlements* shall be guided by targets that result in *development* densities which are appropriate to the achievement of compact communities that are transit supportive and facilitate pedestrian and cycling opportunities. *Density targets* for *development* on *designated Greenfield areas* and *intensification* targets for lands within the existing *built boundaries* of *settlements* are set out in Section 3.5.

### **3.1.2 Enabling and managing resource-based development including agriculture, forestry, aggregates, and tourism and recreation –**

The resources of the land are some of the key elements in the economic development of the *County*. Planning for these areas includes (1) managing the use of these resources so that we achieve the economic and environmental benefits balanced with attractive living environments, (2) managing the resources so they do not conflict with one another, and (3) wise use of the land base which spawns the resources.

Tourism and recreation development can take advantage of specific Simcoe County landforms which include topography suited to the development of ski facilities and shorelines which host marinas and other water-related businesses. Within guidelines outlined in this *Plan*, the development of such recreation uses and ~~limited~~ related ~~residential-development~~ can provide settings which enhance the tourism economic sector in the *County*, and attract visitors from around the world.

### **3.1.4 Development of complete settlements communities with diversified economic functions and opportunities and a diverse range of housing options –**

The *Plan* recognizes the need to enable and encourage the development of a wide range of business and employment opportunities to meet the needs of a growing population and changing global economics.

In terms of individual communities and *settlements*, a wider range of employment enables those areas to better withstand the economic changes and cycles regularly encountered. Such employment opportunities arise from the resource base of the *County* described in Section 3.1.2, from manufacturing to meet the needs of markets both within and outside Simcoe County, and from a service sector which provides a wide range of services to the residents of the *County* and tourists.

The land use policies of this *Plan* provide for and encourage multi-use development and expansion of employment opportunities ~~within settlements~~, the continuation and potential expansion of existing *rural employment areas* where appropriate, the development of home-based businesses, tourism and resource-based recreational uses, and the wise management and use of agricultural, aggregate, forestry and other resource lands. Specialized employment opportunities are provided for in the *Strategic Settlement Employment Areas* and *Economic Employment Districts*.

The development of a wide range of housing types and costs, including *affordable* housing, is a goal of this *Plan*, and policies to help achieve this goal are stated throughout the *Plan*.

The growth of locally sponsored businesses is particularly encouraged as it provides a more stable and secure employment base developed with local involvement. Encouraging more businesses within the *County* providing jobs to County residents helps achieve an overall complete community within Simcoe County and supports environmental objectives such as reducing distances travelled to work thus setting up the basis of future transit supportive employment nodes.

## Growth Management Framework

- 3.2.3** ~~The majority of non-resource-related development~~ population and employment growth will be directed to *settlement areas* with particular emphasis on *primary settlement areas*, ~~over time getting an increasing proportion of population and employment growth.~~ *Municipalities with primary settlement areas* will direct a significant portion of population and employment growth forecasted to the applicable *primary settlement areas*. A proportion of new growth will be accommodated through *intensification* according to the targets set out in Section 3.5. The *primary settlement areas* will develop as *complete communities*. ~~Only where appropriate based on the hierarchy described in Section 3.5, other settlement areas may over time develop towards becoming a complete community.~~ Other *settlement areas* may over time develop towards becoming a *complete community*, where appropriate, based on the hierarchy described in 3.5.
- 3.2.4** The majority of ~~non-resource-related~~ population and employment growth will be directed to *settlement areas* with full *municipal water services* and *municipal sewage services*. Limited growth will be permitted in *settlement areas* that are serviced by other forms of water and sewage services with appropriate studies provided to support the servicing systems proposed and in accordance with Section 4.7 of this *Plan*.

- 3.2.5 This Plan recognizes that certain types of development will occur outside of settlement areas.

### 3.5 Settlements

#### Objectives

- 3.5.1 To focus population and employment growth and development within existing settlements, with particular emphasis on primary settlement areas, in accordance with the policies of this Plan, ~~as the location for urban uses and most non-resource related growth and development.~~

#### Policies

#### Growth Management

- 3.5.5 The delineated settlement area boundaries and the Built Boundaries are shown in this Plan on Schedule 5.1 – Land Use Designations and must be identified in local municipal Official Plans. A County and local municipal official plan amendment is required to amend settlement area boundaries in accordance with a municipal comprehensive review. The Settlements designation applies to all lands within the settlement area boundaries. Only those settlements listed on Table Schedule 5.1 are recognized as designated settlement areas. The establishment and/or recognition of new settlement areas is prohibited.

NOTE: \*\* The experts for Parties C2, T and Appellant Party 33 agree with the policy, but they reserve the right to request additional policy language/clarification in a subsequent paragraph to this policy. This request for language/clarification should not be dealt with in Phase 2a but in a later phase to allow for ongoing discussion. Mediation may also be considered at a later stage.

- 3.5.6 Primary settlement areas are settlement areas and are shown on Schedule 5.1.2 of this Plan. Municipalities with primary settlement areas will, in their official plans, identify primary settlement areas, identify and plan for intensification areas within primary settlement areas and ensure the development of high quality urban form and public open spaces within primary settlement areas through site design and urban design standards that create attractive and vibrant places that support walking and cycling for everyday activities and are transit supportive. Primary settlement areas are larger settlements suitable for high intensification targets, public transit services, and high density targets for designated Greenfield areas and have full municipal water services and municipal sewage services. Primary settlement areas will develop as complete communities. Over time an increasing proportion of non-resource related growth in the County will be directed to the primary settlement areas. Municipalities with primary settlement areas will, in their official plans, focus and direct a significant portion of its population and employment forecasted growth to the applicable primary settlement areas while

considering growth in other settlement areas through local growth management studies as per Section 3.5.8. Municipalities with primary settlement areas will, in their official plans, identify primary settlement areas, identify and plan for intensification areas within primary settlement areas and ensure the development of high quality urban form and public open spaces within primary settlement areas through site design and urban design standards that create attractive and vibrant places that support walking and cycling for everyday activities and are transit-supportive.

- 3.5.7** *Settlement areas* shall be the focus of ~~most non-resource-related~~ population and employment growth and their vitality and regeneration shall be promoted. Lands may only be redesignated from lands not for urban uses to lands for urban uses in accordance with Sections 3.5.8 or 3.5.10 of this Plan. Residential, commercial, industrial, institutional, and recreational land uses shall be developed within *settlement area* boundaries on land appropriately designated in a *local municipal* official plan for the use. Land use designation changes within *settlement area* boundaries do not require a County Official Plan amendment. The uses permitted in the land use designations within *settlement area* boundaries may be further restricted or prohibited in the *local municipal* official plans in order to facilitate urban *development*.
- 3.5.8** *Local municipalities* with more than one *settlement area* shall undertake growth management studies or similar strategic planning to identify the hierarchy of *settlements* within the municipality, and the ~~allocation~~ distribution of population and employment among the identified *settlements and rural areas* based on criteria including but not limited to type of sewage and water servicing available and capacity of that servicing, density and *intensification* targets, range and mix of uses within each *settlement area* and the *settlement area* role in providing services to a broader area. Considerations for undertaking the growth management strategy are set out in Sections 3.2, 4.1, 4.3 and 4.7 of this *Plan* and the forecasts for each *local municipality* from Table 1. Only where appropriate based on the hierarchy, *settlement areas* are encouraged to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services. *Settlement* identification, and the allocations, shall be incorporated into *local municipal* official plans. The planning horizon to determine requirements for urban development is a maximum of twenty years notwithstanding section 3.5.10 below.

## Settlement Expansion

- 3.5.17** *Settlement area* boundary expansions may occur only in accordance with an approved municipal comprehensive review that is consistent with the growth management study in 3.5.8 and where it has been demonstrated that:
- a) Sufficient opportunities to accommodate forecasted growth contained in Table 1, through *intensification* and in *designated Greenfield areas*, using the *intensification* target and *density targets*, are not available within the applicable *local municipality* to accommodate the growth allocated to the *municipality* pursuant to this *Plan*;
  - b) The expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in subsection (a) above;
  - c) The timing of the expansion and the phasing of *development* within the *designated Greenfield area* will not adversely affect the achievement of the *intensification* target and *density targets*, and the other policies of this *Plan*;
  - d) Where applicable, the proposed expansion will meet the requirements of the



- Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans;
- e) The existing or planned *infrastructure* and services required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner;
  - f) In *prime agricultural areas*:
    - i. The lands do not comprise *specialty crop areas*
    - ii. There are no reasonable alternatives that avoid *prime agricultural areas*
    - iii. There are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
  - g) Impacts from expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement areas* are mitigated to the extent feasible;
  - h) Compliance with the *minimum distance separation formulae*; and
  - i) In determining the most appropriate location for expansions to the boundaries of *settlement areas*, the other policies of this *Plan* are applied.

NOTE: \*\*The expert for Party G1 agrees with the policy, except for part a) and they reserve the right to request additional policy language/clarification in a subsequent paragraph to the policy. This request for language/clarification should not be dealt with in Phase 2a but in a later hearing phase to allow for completion of the County's land budget and ongoing discussion. Mediation may also be considered at a later stage.

**3.5.18** Where *settlement area* boundary expansion is needed to meet projected *development* needs as outlined in Section 3.5.17 above, the decision on direction or location of *settlement area* expansions shall be based on:

- an analysis of servicing and transportation facilities, ensuring the efficient use and expansion of servicing *infrastructure* including sidewalks, trails and transit;
- agricultural land quality, directing growth to areas of lower land quality where feasible;
- protecting natural features and *ecological functions* within the *natural heritage system*;
- avoiding *hazardous lands* and *hazardous sites*;
- expansion into *specialty crop lands* is not permitted;
- ensuring that aggregate and agricultural resource *development* potential is not compromised by the expansion; and
- conservation of *significant cultural heritage built heritage resources, significant heritage landscapes* and *significant archaeological resources*, all in keeping with the policies of this *Plan* and the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan where applicable. Such factors shall be determinant in achieving the objectives of 3.5.17 and other sections of this *Plan*.

**3.5.21** The secondary plan or official plan amendment for *settlement area* boundary expansion shall indicate proposed land uses, major streets, road, storm water and utility services, population density, and staging of *development* over a period of up to 20 years. The plan should include an analysis of factors listed in Section 3.5.18 and existing community character and features.

**3.5.24** *Intensification*, or directing of *development* to the *built-up area* and serviced areas within *settlement areas*, contributes to a compact *development* form. Accordingly, it is a policy of this *Plan* that *local municipalities* will plan to achieve the following minimum percentages of all new residential units occurring annually to be developed within the *built boundaries* of *settlement areas* by the year 2015 and for each year thereafter:

<i>Local Municipality</i>	<i>Intensification Target</i>
Township of Adjala-Tosorontio	20%
Town of Bradford West Gwillimbury	40%
Township of Clearview	20%
Town of Collingwood	40%
Township of Essa	20%
Town of Innisfil	33%
Town of Midland	40%
Town of New Tecumseth	40%
Township of Oro-Medonte	20%
Town of Penetanguishene	40%
Township of Ramara	20%
Township of Severn	20%
Township of Springwater	15%
Township of Tay	20%
Township of Tiny	20%
Town of Wasaga Beach	20%

The average County-wide *intensification target* is 32 percent. ~~Where a *settlement area* does not have a *built boundary* the entire *settlement area* is considered *designated Greenfield area*. Where a *settlement area* has an undelineated *built-up area* by the Province, the entire *settlement area* is considered to be a *built-up area*, and all new residential units within such *settlement areas* contribute towards the *intensification target*. Land within such *settlement areas* that are planned to be serviced with municipal or communal systems shall develop at densities that support compact form and be consistent with the *density targets* in Section 3.5.23.~~

**3.5.25** ~~*Local municipalities* shall promote the *intensification* and efficient use of land in *built-up areas*, the *development* of mixed use communities within *settlements*, the revitalization and redevelopment of developed areas where appropriate, and the *development* of cost-effective and land-efficient *development* standards. It is an objective in the growth and *development* of *settlements* to direct intensified forms of *development* to areas within *settlements* that are already fully serviced and built up, while protecting the community character of the *settlement*. Targets in relation to this objective are stated in Section 3.5.24 of this *Plan*. Each *local municipality* shall develop an *intensification* strategy and implement the strategy through its official plan in order to phase in and achieve the *intensification targets* in Section 3.5.24 of this *Plan*. Through the strategy, *local municipalities* shall promote and facilitate *intensification* and efficient use of land in *built-up areas*, identify *intensification areas* to support achievement of the *intensification target*, promote the development of mixed use areas within *settlements*, identify areas~~

appropriate for revitalization and redevelopment, identify the type and scale of development appropriate for the *intensification areas*, identify means to mitigate the effects of *intensification* in *intensification areas* on stable residential areas including consideration of transitional densities, built form and land uses, identify means to protect stable residential areas outside of *intensification areas*, and develop cost-effective and land efficient development standards. The *intensification* strategy shall also identify a program for monitoring the achievement of the *intensification targets* in Section 3.5.24 and evaluate the ongoing feasibility of achieving the targets.

~~3.5.31 Urban forms of development on the periphery of existing built-up areas, known as Greenfield development, shall be at densities which minimize the need for service extensions. Targets in relation to this objective are stated in Section 3.5.23 of this Plan.~~

**ONTARIO MUNICIPAL BOARD**

**SUPPLEMENTARY MOTION RECORD  
OF COUNTY OF SIMCOE - Phase 2a  
(Returnable October 24, 2014)**

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