



To: **Committee of the Whole**

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

Item Number: **CCW - 2023-038**

Meeting Date: March 14, 2023

Subject: **Request for Approval – Town of Bradford West Gwillimbury Official Plan**

Recommendation

That the Town of Bradford West Gwillimbury Official Plan, as adopted by the Town of Bradford West Gwillimbury By-law 2021-17, and modified as per Schedule 3 to Item CCW-2023-038 dated March 14, 2023, be approved; and

That Notice of Decision of the Official Plan approval for the Town of Bradford West Gwillimbury be provided in accordance with the *Planning Act*; and

That a Non-Decision be placed on lands located at 3999 Sideroad 10 (County Road 54) and North of Part of Lot 11, Concession 11 being Part of Part 1 on Plan 51R-26166 in the Town of Bradford West Gwillimbury as generally identified on Schedule B of the Town of Bradford West Gwillimbury Official Plan, and Schedule 3 to Item CCW-2023-038.

Executive Summary

The Town of Bradford West Gwillimbury has embarked on a municipally-initiated comprehensive update to the current Town of Bradford West Gwillimbury Official Plan (BWG OP) to guide growth and development. The BWG OP was adopted by the Town of Bradford West Gwillimbury Council on March 2, 2021, by By-law No. 2021-17. Extensive work has since occurred by Town and County Staff to ensure the BWG OP appropriately incorporated all public and agency comments and conformed with the appropriate policies. Since the time of Adoption, several matters required County and Town staff collaboration in order to resolve and prepare for a recommendation of approval by County Council.

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 and update the plan every 5 years thereafter 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 currently 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. The Official Plan takes effect upon County Council approving it, and if no appeals to the Ontario Land Tribunal (OLT) are received. County Planning staff have reviewed the BWG OP and worked with local staff to make necessary modifications in order to confirm that it is consistent with the Provincial Policy Statement, 2020; in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, the Lake Simcoe Protection Plan, the South Georgian Bay Lake Simcoe Source Protection Plan, the Greenbelt Plan, and with the goals, objectives and policies of the County of Simcoe Official Plan, 2016.

If County Council approves this new BWG OP as modified and recommended by County Planning staff, the current in-effect BWG OP, dated February 15, 2000, and office consolidated October 1, 2002, will be repealed and replaced with the adopted Official Plan as modified by Schedule 3 to Item CCW-2023-038 (Recommended final version of the Official Plan). It should be noted that the modifications recommended by County staff include those that were endorsed by Town Council on September 6, 2022, and October 4, 2022, as well as further modifications that have been subsequently supported by Town Planning staff. These further modifications include new policies to incorporate: an OLT settlement decision on OPA 27 (Downtown Revitalization); recently approved site-specific local OPA's 30, 31, and 32; and conservation authority reference modifications as necessary due to Bill 23 implications. These modifications are supported by Town and County staff and have the effect of harmonizing the document with other approved official plan amendments that have occurred more recently.

Background/Analysis/Options

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

Proponent: Town of Bradford West Gwillimbury

Location: All lands within the Town of Bradford West Gwillimbury

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

1. To bring the Official Plan into conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan 2020) and the County of Simcoe Official Plan (SCOP 2016), and
2. To ensure the Official Plan is consistent with the Provincial Policy Statement (PPS 2020).

County File: BWG-OP-2101

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 Bradford West Gwillimbury embarked on the process to comprehensively update its Official Plan to guide growth and development. The Town began this process in 2014 and restarted in 2016 through a three-phase process.

These phases included:

Phase 1: (2016 - 2017)

Four individual municipally-initiated Official Plan Amendments (OPA) to address unique components of the Official Plan.

- OPA 24 addressed Seniors Housing
- OPA 25 addressed Growth and Population
- OPA 26 addressed Employment Lands
- OPA 27 addressed Downtown Revitalization Strategy

Public Consultation - Public Open House held September 13, 2016
- Statutory Public Meeting held October 4, 2016

Phase 2: (2017)

Community Visioning Exercise
Policy Directions Report

Phase 3: (2018 – 2021)

Consolidation of the four municipally initiated OPA's referenced in Phase 1, and the Policy Directions Report referenced in Phase 2, into a Draft Official Plan

Public Consultation - Public Open House held April 10, 2018
- Statutory Public Meeting held April 30, 2018

The BWG OP was adopted by Town Council on March 2, 2021, By-law No. 2021-17, and is included as Schedule 1 to Item CCW-2023-038 (Town adopted Official Plan). As a result of the County's review, a track changes version of the proposed modifications to the

text and map schedules of the adopted BWG OP is included as Schedule 2 to Item CCW-2023-038 (Track Changes version of adopted Official Plan). If approved, the current in-effect BWG OP dated February 15, 2000, and office consolidated October 1, 2002, will be repealed and replaced with the adopted Official Plan, as modified by Schedule 3 to Item CCW-2023-038 (Recommended final version of the Official Plan).

Comments Received

Extensive public consultation has occurred during the various phases of the BWG OP review process, including the required public consultation process and Statutory Public Meeting pursuant to Section 17(15)(d) of the *Planning Act*. Appropriate notice was provided to the prescribed agencies, Indigenous communities and the public as per the requirements of the *Planning Act* for each of the open houses and public meetings referenced above.

The Town of Bradford West Gwillimbury sought public and agency comments on the second and final draft of the BWG OP in November 2020. As a result of an abbreviated comment period between the time of the BWG OP Draft 2 release (November 2020) and its adoption (March 2021), many of the comments received by the Town had not been addressed in the adopted Official Plan. This abbreviated timeline occurred to align the Town Staff's intention to coordinate the completion of an Adopted Official Plan with the resolution to approve the four original OPA's that were part of Phase 1. With the shorter consultation period, the Town and County have worked diligently to consider the comments received between November 2020 and March 2021, plus additional comments on the Official Plan since the time of adoption.

A summary of the comments received throughout the process are identified in Schedule 4 to Item CCW-2023-038 (Comment Summaries). These comments included approximately 150 written and oral submissions from the general public, stakeholders, and public agencies, including the Ministry of Municipal Affairs and Housing, Ministry of Transportation, Lake Simcoe Region Conservation Authority, Simcoe County District School Board, Simcoe Muskoka District Health Unit, and the County of Simcoe. Approximately 19 oral comments were presented by the general public during the Statutory Public Meeting held on April 30, 2018.

Summary of Agency Comments

County Comments:

The County provided comments to the Town of Bradford West Gwillimbury in 2018 on an initial BWG OP Draft prior to it being released to the public. The Town released the second draft of the BWG OP to the public in November 2020. The County issued comments on this draft on February 5, 2021. County comments were broad ranging and typical for this type of exercise, and included issues of provincial policy conformity, consistency, terminology, structure, formatting, suggestions and questions. Subsequently, the Town presented this BWG OP Draft 2 to their Council for final adoption on February

16, 2021. The Town of Bradford West Gwillimbury decision to adopt the OP was ratified on March 2, 2021.

Ministry of Transportation of Ontario (MTO):

Mainly technical comments from the MTO were provided and included both OP text and Schedule revisions based on the MTO Official Plan Review Guidelines. Mapping of the Highway 400-404 Link and associated ramps were referenced in these comments, among other items. Reference to the Needs, Justification and Technical Feasibility Study for the 400-404 Link were required in the Plan.

Ministry of Municipal Affairs and Housing (MMAH):

Various issues were raised by MMAH, specifically related to the Major Transit Station Area policies and intensification targets. These comments were resolved and included as requested modifications in the original County comments in 2018.

Lake Simcoe Region Conservation Authority (LSRCA):

Comments from the LSRCA provided greater clarity and direction regarding wetlands, watercourses, Areas of Natural and Scientific Interest (ANSI's), and stormwater management.

Simcoe County District School Board (SCDSB):

The SCDSB provided comments throughout the process. The comments focused on clarification to Public Service Facilities policies and associated definitions. Changes were also requested to Special Policy Areas associated with the SCDSB.

Trans Canada Pipeline:

Administrative policy comments were requested to comply with the Canadian Energy Regulator Act and the National Energy Board Damage Prevention Regulations for the two high-pressure natural gas pipelines that cross the Town of BWG.

Summary of General Public/Stakeholder Comments:

The Public Comments can be summarized and consolidated into the following themes:

1. Land Use Designations:

- Site-specific designation changes;
- Clear delineations of Settlement Areas (Urban) and Countryside (Agricultural and Rural) areas;
- Clear delineations of the Industrial Commercial Designation;

2. Attainable/Affordable Housing:

- Preference to use the term Affordable Housing instead of Attainable Housing;
- New terminology for Additional Residential Unit (ARU) and clarification required for permissions;

3. Natural Heritage:

- Protecting the Countryside and the Natural Heritage System;

4. County Official Plan and County Roads:

- Canal Road no longer under the jurisdiction of the County;
- 6th Line not identified as a future County Road;
- Transportation network;

5. Growth Management:

- Settlement Area Boundaries expansion requests;
- Employment Conversion requests;
- Population Growth concerns;
- Intensification and Density provisions;

6. Special Policy Areas:

- Various Special Policy Areas;
- Downtown Bradford Western Gateway;
- Special Office/Commercial/Institutional;

7. Additional areas of clarification and concern:

- Ensure County OPA No. 5 Waste Management Facilities policies are incorporated;
- Clarify permissions for Public Service Facilities;
- Clarify drive-thru facility permissions on lands without prior site-specific zoning provisions;
- Clarify Highway 400 Strategic Settlement Employment Area;
- Zoning by-law permissions;
- Clarify Bonusing (Density and Height Increases) due to legislative changes to the Planning Act;

8. GIS Mapping:

- Schedule A: Mapping of rural settlements
- Schedule B: Right of Way limits of Hwy 400 / 5th Line Interchange (also Sch.C);
Newton Robinson not appropriately mapped;
- Schedule B-1: New Special Policy Areas required with points of clarification;
New roads to be included;
- Schedule B-2: MTO comments to remove the westerly protected lands extension
of the Hwy 400/404 link as no such corridor has been designated
- Schedule C: Transportation Plan to address removal of same westerly protected
lands extension as noted in B-2.
- Schedule D-4: Need to consider Guidelines for County Waste Management Sites;
Address Solid Waste Facilities to match County's assessment
areas and policy clarification for closed to the public sites.

Proposed Modifications

The Town of Bradford West Gwillimbury and the County consulted with the technical experts to address specific concerns raised as part of the pre and post adoption processes. The comments received have been addressed either through the adopted BWG OP or through the County's subsequent modifications.

County Planning staff have participated in tandem with the Town staff, the Town's 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. County Planning staff have 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 following is a summary of the general themes of the County Planning staff's proposed modifications to the Town of BWG's Adopted Official Plan.

TEXTUAL MODIFICATIONS TO ADOPTED OFFICIAL PLAN

1. Land Use Designations:

- Updated the policy for Countryside structure to Agricultural Designation;
- Updated policies associated with the Industrial Commercial Designation;

2. Attainable / Affordable Housing:

- Replaced Attainable Housing terminology with Affordable Housing;
- Added new terminology and clarification of Additional Residential Units (ARU's), including permissions in detached, semi-detached, townhouse units, and in accessory buildings or structures;

3. Natural Heritage:

- Added reference to LSPP (Lake Simcoe Protection Plan) and LSRCA related to protecting the Countryside (Agricultural System) and the Natural Heritage System;
- Added wetland and Areas of Natural and Scientific Interest policies;

4. County Official Plan and County Roads:

- Necessary revisions to conform with the County Official Plan related to Growth Plan and PPS updates;
- Canal Road was appropriately reflected as no longer under the jurisdiction of the County;
- 6th Line was identified as no longer a future County Road;
- Clarification of County Road widenings;

5. Growth Management and Growth Plan 2020:

- Necessary revisions to conform with the updated Growth Plan 2020 legislation;
- Enhanced policies related to Settlement Area Boundary expansions;
- Explanation and permissions associated with employment land conversions;

- Removal of reference to excess lands;
- Updated policies related to intensification and density provisions;
- Enhanced policies related to the Growth Plan Agricultural system and the Natural Heritage System;

6. Special Policy Areas (SPA):

- SPA #8 - County added language to specifically address MTO comments;
- SPA #10 - Downtown Bradford Western Gateway OPA 27 - policies now include corridor easement now that the appeal on OPA 27 has been settled and withdrawn;
- SPA #13 - Special Office/Commercial/Institutional now includes permissions for lands adjacent to medium density residential;
- SPA #16 - Pantheon Subdivision OPA 30 approved policies were incorporated;
- SPA #17 – Special provisions and mapping included for an area east of the GO Rail Corridor, north of Line 9;
- SPA #18 – County Waste Disposal Site OPA 31 approved policies and mapping were incorporated to reflect County waste site 16;
- SPA #19 – AMJC OPA 32 policies were incorporated into the Plan, however a Non-Decision applies to these lands until a decision has been made by the OLT on the land use designation of the property;

7. Additional areas of clarification and concern:

- Inclusion of new Waste Management policies and terminology to conform with recent County OPA;
- Update to Public Service Facilities policies to assist with locational permissions;
- Clarification of drive-thru facility permissions on lands without prior site-specific zoning provisions;
- Clarification of the Highway 400 Strategic Settlement Employment Area;
- Addition of 400-404 Link;
- Clarification of Zoning by-law permissions in section 7.1.1.1;
- Clarification of Density and Height Increases due to the removal of Bonusing legislation from the *Planning Act*;

8. Provincial Policy Statement 2020:

- Minor revisions to be consistent with the updated Provincial Policy Statement 2020;

9. Town-Wide Design:

- Amendment to the stormwater management planning section to address the LSRCA comments and, included stormwater management facilities as part of the environmental assessment process in streetscape design;

10. Minor typographical revisions throughout the document:

- Table of Comments was reformatted and updated;
- Minor edits to correct policy wording;
- Corrections to policy numbering and policy references;

- Legislative terminology was updated where necessary;
- Definitions were revised, added or removed, where necessary.

MAPPING SCHEDULE MODIFICATIONS TO ADOPTED OFFICIAL PLAN

Modifications were made to the Schedules as noted below. Schedule 2 to Item CCW 2023-038 identifies these modifications within Track Changes. Schedule 3 to Item CCW 2023-038 reflects the final versions of the schedules with the modifications included.

1. Schedule A: Urban Structure and Built Boundary

Labeled rural settlements;

2. Schedule B: Land use

Changed the designation of Newton Robinson to Rural;

Added new Special Policy Areas 17, 18, and 19;

Labelled Special Policy Area 19 as a Non-Decision;

A 'Non-Decision' is placed on lands located at 3999 Sideroad 10 and North of Part of Lot 11, Concession 11 being Part of Part 1 on Plan 51R-26166 in the Town of Bradford West Gwillimbury. The Non-Decision lands relate to site-specific OPA 32, which is seeking to change the designation from Agricultural to a site-specific exception policy to permit a non-agricultural use in a prime agricultural area. This Non-Decision will remain in place until such time that the appeal is settled, and the appropriate designation can be reflected;

3. Schedule B-1: Land Use Bradford Urban Area

Added new Special Policy Areas and appropriate clarification;

Included Marshview Blvd. in schedule (new road since 2021);

Modified designation based on SPA #13;

Modified designation based on SPA #17;

4. Schedule B-2: Land Use Highway 400 Employment Lands Secondary Plan

Removed delineation of the westerly protected lands extension of the Hwy 400/404 link since no such corridor has been designated;

5. Schedule C: Transportation Plan

Removed delineation of the westerly protected lands extension of the Hwy 400/404 link as noted in Schedule B-2;

Updated details added for the Hwy 400 / 5th Line interchange rights of way (also Schedule B);

Replaced 'Major Transit Area' Legend item with 'Higher Order Transit Station';

6. Schedule D-1: County and Greenbelt Features

Some minor revisions to the County Greenlands designation mapping;

7. Schedule D-4: Aggregate Resources, Constraints and Hazards

Based on the Guidelines for County Waste Management Sites, the Solid Waste Facilities were included to match County's assessment areas;

Provided policy clarification for sites that are closed to the public but operationally active;

Included Secondary Sand and Gravel Resources from County OP Schedule 5.2.1 into the Town Schedule;

8. Administrative:

Small discrepancies surrounding the Bond Head and Bradford Urban boundary were rectified;

Various unnecessary notations throughout the schedules were removed;

The County modifications have generally been endorsed by the Town of Bradford West Gwillimbury Council in the Town Staff Report DES 2022 46, dated September 6, 2022, and October 4, 2022. Subsequent modifications since this endorsement have been incorporated into the proposed BWG OP by County Planning staff in consultation with Town staff. Requests for these modifications came from various sources such as ongoing public comments, agency comments, the Province, the Town, and the County. New policies have been incorporated into the BWG OP as a result of an OLT settlement decision on OPA 27 (Downtown Revitalization). The recently approved site-specific local OPA's 30, 31, and 32 have been incorporated into the BWG OP as subsequent modifications. References in the BWG OP to conservation authorities have been modified as necessary due to Bill 23 implications. Otherwise, modifications are minor in nature and do not affect the fundamental intent of the Town Council endorsed modifications of the BWG OP. These modifications are supported by Town staff and are shown as track changes in Schedule 2 to Item CCW-2023-038 (Track Changes version of the Official Plan) and are incorporated into Schedule 3 to Item CCW-2023-038 (Recommended final version of the Official Plan).

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS 2020) 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.

Section 1.1 of the PPS 2020 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 BWG OP will need to reflect potential policy changes to the Provincial Policy Statement as a result of Bill 23. These policy changes are unknown at this time.

The BWG OP, as modified, is consistent with the PPS 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan 2020 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 2020 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 proposed BWG OP reflects a time horizon for growth to 2031. A future update to the BWG OP will incorporate the Growth and Population land needs to the year 2051 as per current Growth Plan policies, and as identified in the County of Simcoe's Municipal Comprehensive Review (MCR) Phase 1. The County's MCR Phase 1 is awaiting provincial approval at this time. Once the MCR Phase 1 (Land Needs) is approved by the Province, the Town of Bradford West Gwillimbury will update their BWG OP accordingly. In addition, a future update to the BWG OP will reflect potential policy changes to the Growth Plan and Provincial Policy Statement as a result of Bill 23. These policy changes are unknown at this time.

The BWG OP, as modified, conforms to the Growth Plan 2020.

County of Simcoe Official Plan, 2016

The objectives contained within Section 3.5.1 to 3.5.4 of the County of Simcoe OP 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 of Simcoe OP 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 Bradford West Gwillimbury has reflected these policies in their Plan.

As noted in the previous section, the County of Simcoe is currently undertaking the MCR. We are currently awaiting final approval by the Province of our MCR Phase 1 addressing the issues of land needs.

The BWG OP, as modified, conforms to the County of Simcoe OP.

Other Legislated Plans

County Planning staff have reviewed the BWG OP in recognition of the Greenbelt Plan, the Lake Simcoe Protection Plan, and the South Georgian Bay Lake Simcoe Source Protection Plan. Policies have been appropriately incorporated into the BWG OP in order to align with these Plans.

The BWG OP conforms to the Greenbelt Plan, the Lake Simcoe Protection Plan, and the South Georgian Bay Lake Simcoe Source Protection Plan.

Summary

In summary, it is County Planning staff's opinion that the Town of Bradford West Gwillimbury's adopted OP as modified by Schedule 3 to Item CCW 2023-038 is consistent with the Provincial Policy Statement, 2020; and conforms to the Growth Plan, 2020 and the County of Simcoe Official Plan, 2016. County Planning staff recommends:

That the new BWG OP, as adopted by the Town of Bradford West Gwillimbury By-law No. 2021-17 on March 2, 2021, with notice of decision issued on March 11, 2021, and as modified per Schedule 3 to Item CCW-2023-038, dated March 14, 2023, be approved;

That Notice of Decision of the Official Plan approval for the Town of Bradford West Gwillimbury be provided in accordance with the *Planning Act*.

That a Non-Decision be placed on lands located at 3999 Sideroad 10 (County Road 54) and North of Part of Lot 11, Concession 11 being Part of Part 1 on Plan 51R-26166 in the Town of Bradford West Gwillimbury. The Non-Decision Lands relate to a site-specific Official Plan Amendment (OPA 32) for which a final decision has not yet been made due to an Ontario Land Tribunal (OLT) appeal. This Non-Decision is identified on Schedule B Land Use of the Town of Bradford West Gwillimbury Official Plan, and as noted in Schedule 3 to Item CCW-2023-038. The Official Plan will not come into full force and effect on these lands at this time.

Financial and Resource Implications

There are no financial implications associated with this Item, however, if the County's decision is appealed to the OLT 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 OLT proceedings.

Relationship to Corporate Strategic Plan

No specific relationship to corporate strategies

Reference Documents

- Town of BWG Council Report DES 2020 67 (December 15, 2020)
OP Information Report
- Town of BWG Council Report DES 2021 02 (February 16, 2021)
OP Adoption Report
- Town of BWG Council Report DES 2022 46 (September 6, 2022)
OP Endorsement of Modifications Report

Attachments

- Schedule 1 – Official Plan – as Adopted by the Town of BWG
- Schedule 2 – Official Plan – as Modified by the County (Track Changes Version)
- Schedule 3 – Official Plan – Recommended final version
- Schedule 4 – Comment Summaries

Prepared By Kristin D. Pechkovsky, MCIP, RPP, Senior Policy Advisor

Approvals

	Date
Nathan Westendorp, Director of Planning, Chief Planner	February 23, 2023
Rob Elliott, General Manager, Engineering, Planning and Environment	February 24, 2023
Trevor Wilcox, General Manager, Corporate Performance	March 6, 2023
Mark Aitken, Chief Administrative Officer	March 7, 2023