



To: **Committee of the Whole**

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

Item Number: **CCW - 2023-222**

Meeting Date: October 24, 2023

Subject: Request for Approval – Township of Oro-Medonte Official Plan

Recommendation

That Item CCW 2023-222, dated October 24, 2023, regarding the Request for Approval of the Township of Oro-Medonte Official Plan, be received; and

That the Township of Oro-Medonte Official Plan, as adopted by the Township of Oro-Medonte By-law 2022-091 on October 5, 2022, and modified as per Schedule 3 to Item CCW-2023-222 dated October 24, 2023, be approved save and except the Non-Decisions as substantively outlined in Item CCW-2023-222; and

That the County's approval does not apply to the following two (2) separate Non-Decisions:

1. That a Non-Decision be placed on specific lands within and abutting the Settlement Area Boundaries of Moonstone, Edgar, Oro Station, Shanty Bay, Hawkestone, and Warminster as identified on Schedule A and Appendices 2-7 of the Township of Oro-Medonte Official Plan, which is included in *Schedule 3 to Item CCW-2023-222*. This mapping does not currently conform with mapping in the Simcoe County Official Plan. The Township of Oro-Medonte Official Plan will not come into force on these lands at this time.
2. That a Non-Decision be placed on specific lands currently designated as Agricultural in the County Official Plan but are proposed to be redesignated to Employment in the Oro-Medonte Official Plan. These Non-Decision Lands are identified as the Oro Centre Employment Area and Highway 11 Employment Area on Schedule A and Appendices 8 & 9 of the Township of Oro-Medonte Official Plan, which is included in

Schedule 3 to Item CCW-2023-222. This mapping does not currently conform with mapping in the Simcoe County Official Plan. The Township of Oro-Medonte Official Plan will not come into force on these lands at this time.

That Notice of Decision of the Official Plan approval for the Township of Oro-Medonte be provided in accordance with the *Planning Act*.

Executive Summary

In recent years, the Township of Oro-Medonte (Oro-Med) embarked on a municipally-initiated comprehensive update to the current Township of Oro-Medonte Official Plan (Oro-Med OP) to guide growth and development. The Oro-Med OP was adopted by the Township of Oro-Medonte Council on October 5, 2022, by By-law No. 2022-091. Collaborative work has since occurred with Township and County Staff to ensure the Oro-Med OP appropriately considered all public and agency comments and conformed with the appropriate provincial and County policies. This work is a common part of the County's review and approval process, ultimately leading to County Planning staff's 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 Plans that are adopted by local municipalities. The Official Plan takes effect upon County Council approval, provided no appeals to the Ontario Land Tribunal (OLT) are received. County Planning staff have reviewed the Oro-Med OP and worked with local planning staff to make necessary modifications in order to ensure that the Oro-Med OP 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, and with the goals, objectives and policies of the County of Simcoe Official Plan, 2016.

If County Council approves this new Oro-Med OP as modified and recommended by County Planning staff, the current in-effect Oro-Med OP (dated August 15, 1997) will be repealed and replaced with the adopted Official Plan as modified by *Schedule 3 to Item CCW-2023-222 (Recommended final version of the Official Plan)*. It should be noted that the modifications recommended by County staff include those that were endorsed by Township Council on August 2, 2023, as well as further modifications that have been subsequently supported by Township Planning staff. These further modifications include revising the Site Plan Control permissions to align with a new Provincial regulation (O. Reg. 254/23 Prescribed Areas) that was introduced on August 9, 2023 and pertains to

Section 41 of the *Planning Act*. These modifications are supported by Township and County staff and effectively facilitate the Township's use of site plan control in certain areas.

Background/Analysis/Options

The following provides a summary of the Township of Oro-Medonte's adopted Official Plan:

Proponent: Township of Oro-Medonte

Location: All lands within the Township of Oro-Medonte

Proposal: The purpose of the Township of Oro-Medonte'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), Lake Simcoe Protection Plan 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: OM-OP-2301

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 Township embarked on the process to comprehensively update its Official Plan to guide growth and development.

The Oro-Med OP was adopted by Township Council on October 5, 2022, By-law No. 2022-091, and is included as *Schedule 1 to Item CCW-2023-222 (Township 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 Oro-Med OP is included as *Schedule 2 to Item CCW-2023-222 (Track Changes version of Adopted Official Plan)*. If approved, and no appeals to the OLT are received, the current in-effect Oro-Med OP dated August 15, 1997, will be repealed and replaced with the adopted Official Plan, as modified by *Schedule 3 to Item CCW-2023-222 (Recommended final version of the Official Plan)*.

COMMENTS RECEIVED

The process to update the Oro-Med OP has included public consultation 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 the Open House (August 31, 2022) and the Statutory Public Meeting (September 8, 2022).

A summary of the public comments received throughout the process are identified in *Schedule 4 to Item CCW-2023-222 (Comment Summaries)* to this Report. These comments included approximately 100 written and oral submissions from the public, stakeholders, and public agencies, including Infrastructure Ontario, Ministry of Transportation, Severn Sound Environmental Association, Nottawasaga Valley Conservation Authority, Simcoe County District School Board, Simcoe Muskoka District Health Unit, and the County of Simcoe. Approximately 10 oral comments were presented by the general public during the Statutory Public Meeting held on September 8, 2022.

Summary of Agency Comments

County of Simcoe -- The County provided comments to the Township of Oro-Medonte staff on the 2022 OP Draft prior to it being released to the public. 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. At all times through the process, County comments are primarily oriented to ensure conformity and consistency with the applicable Provincial and County policies and mapping, while maintaining local context and unique characteristics.

Infrastructure of Ontario -- Confirmation that public and quasi-public uses as noted in section 5.23 can be accommodated in all land use designations within the municipality.

Nottawasaga Valley Conservation Authority (NVCA) -- Comments from the NVCA provided greater clarity and direction regarding wetlands, watercourses, Areas of Natural and Scientific Interest (ANSI's), and stormwater management.

Severn Sound Environmental Association -- Comments from Severn Sound Environmental included technical direction on natural heritage.

Simcoe Muskoka District Health Unit -- Request to review the Road Network Plan in an effort provide feedback on creating a physical environment that provides opportunities for safe daily physical activity.

Ministry of Transportation of Ontario (MTO) -- Comments from the MTO included mainly technical direction based on the MTO Official Plan Review Guidelines. Requests to

include LINX Transit options, active transportation network connections, planning for multi-modal transportation, and protection of air and rail facilities.

Simcoe County District School Board (SCDSB) -- The SCDSB provided comments throughout the process. The comments focused on clarification to Public Service Facilities policies, permissions, and associated definitions. Changes were also requested, which are now incorporated into section 2.5.11 under a Special Policy Area.

Trans Canada Pipeline -- Administrative and technical policy and mapping comments to comply with the *Canadian Energy Regulator Act* and confirm all pipeline infrastructure is included in the OP schedules.

Summary of General Public/Stakeholder Comments:

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

1. *Land Use Designations:*

- Suggest a single set of designations for each settlement area;
- Site-specific redesignation requests;
- Site-specific requests to clarify natural features;
- Request for clear delineations of the Industrial Commercial Designation;
- Various Greenlands redesignation requests, which will be considered and appropriately addressed in a separate exercise through the County's Greenlands mapping review.

2. *Growth Management:*

- Concerns with accommodating growth targets, intensification, density and urban sprawl;
- Settlement Area Boundary expansion requests;
- Employment Conversion requests.

3. *Affordable Housing and Additional Residential Units (ARU):*

- Comments on ARU's located within appropriately sized homes;
- Comments to encourage affordable housing.

4. *Rural Character:*

- Concern that development pressures outweigh pressures over protections and preserving land;
- Increased development pressures changing the rural character of the Township;
- Landscaping concerns.

5. *Short-Term Rental Accommodation:*

- Residents and stakeholders provided input through the public process that occurred at the Township prior to adoption of the Oro-Med OP. Oro-Medonte staff and Council have determined a land use policy approach regarding Short-Term Accommodations (STA's) as outlined in Section 4.13 of the adopted Official Plan. It is important to note that due to the diverse issues and contexts

of every community when managing short term accommodation uses, neither Provincial planning policy nor County planning policy provide any specific requirements that need to be addressed. As such, County Planning staff have not identified conformity or consistency issues within Section 4.13 based on Provincial or County policies that warrant modification or adjustment by the County as the approval authority. There is currently an ongoing judicial review of an OLT decision related to short-term rental accommodation in the Township. Through discussions with Township staff, if the outcome of judicial review requires changes to the Township's Short Term Accommodation policy framework (Section 4.13) after the policies come into effect, the Township would pursue a new Official Plan Amendment process to update the policies accordingly.

- Comments on misinterpretation of by-laws regarding bed and breakfast establishments and request to revise related provisions;
- Requests to revise definition of dwelling and short-term rental accommodation;
- Requests to revise the short-term rental criteria;
- Requests for clarification of dedicated rentals and historical cottage rentals;
- Time-share comments.

6. *Natural Heritage/Protecting the Oro-Moraine:*

- Development threat to the Oro-Moraine as a natural heritage feature within the official plan;
- Concern with sufficient water resources;
- Sewage and road challenges within the Oro-Moraine.

7. *Cultural Heritage:*

- Request for the creation of a cultural heritage data base.

8. *GIS Mapping:*

- Various requests for clarification or corrections to the OP mapped schedules.

RECOMMENDED MODIFICATIONS

Oro-Med and the County consulted with various 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 Oro-Med OP or through the County's subsequent modifications.

County Planning staff have participated in tandem with Township staff and the prescribed agencies to ensure that the Official Plan conforms with applicable plans, policies and legislation. County Planning staff have identified proposed modifications 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 Township of Oro-Medonte's Adopted Official Plan.

Textual Modifications to Adopted Official Plan

1. *Land Use Designations:*

- Added the Community Use designation to Horseshoe Valley Settlement Area to align with Craighurst and the principles of complete communities within settlement areas;
- Clarified Agri-Tourism uses;
- Clarified Agricultural permissions within Greenlands;
- Clarified Greenlands permissions.

2. *Growth Management:*

- Revisions to conform with the updated Growth Plan 2020 legislation;
- Removal of Intensification and Density targets as a result of Growth Plan 2020.

3. *Transportation (MTO comments):*

- Various Ministry of Transportation comments throughout the Plan;
- Transportation Master Plan requirement to support areas of growth;
- Additional policy to review potential Hwy 11/Line 7 interchange.

4. *Waste Management:*

- Corrected location of closed waste management site;
- Clarified D-4 Assessment Areas.

5. *Public Service Facilities:*

- Clarified policies related to public service facilities.

6. *Special Needs Housing:*

- Removed special needs housing permissions from the Agricultural designation;
- Streamlined policies to align with Public Service Facilities locational criteria.

7. *Site Plan Control:*

- Revisions to conform to recent changes in provincial legislation to Site Plan Control through O. Reg. 254/23 Prescribed Areas – Section 41 of the *Planning Act*.

8. *Additional areas of clarification and concern:*

- Clarified lot creation regarding water and sanitary services;
- Revisions to Conservation Authority items as per new legislation;
- Clarified Natural Hazards and One Zone Floodplain Management Approach.

9. *Additional Residential Units (ARU):*

- Clarified permissions as of right.

10. *Special Policy Areas:*

- Burl's Creek – include MTO permit control requirements;
- W.R. Best PS - new special policy area to recognize the existing non-agricultural uses in an agricultural area.

11. *Minor typographical revisions throughout the document:*

- Table of Comments was updated;
- Minor edits to correct policy wording;
- Corrections to policy numbering and policy references;
- Legislative terminology was updated where necessary;
- Definitions were revised or added, where necessary.

Map Schedule Modifications to Adopted Official Plan

Modifications were made to the Schedules as follows and as reflected within *Schedule 3 to Item CCW 2023-222*:

Land Use:

Minor modifications were made to rectify mapping discrepancies within the land use designations of Employment, Greenlands, Agricultural, and Settlement Boundaries.

General:

Modifications were made to rectify mapping discrepancies for Licensed Pits and Quarries, Aggregate Resources, County Roads, and Waste Disposal Site.

Administrative:

Minor modifications were made to correct or provide additional clarify to the schedules, and appendices were added to the OP.

The County modifications have been endorsed by the Township of Oro-Medonte Council in the Staff Report DS2023-064, dated August 2, 2023. A few modifications have been incorporated into the proposed Oro-Med OP by County Planning staff in consultation with Township staff since this endorsement, but these modifications are minor in nature and do not affect the fundamental intent of the Township Council endorsed modifications of the Oro-Med OP. These modifications are supported by Township staff and are shown as track changes in *Schedule 2 to Item CCW-2023-222 (Track Changes version of the Official Plan)* and are incorporated into *Schedule 3 to Item CCW-2023-222 (Recommended final version of the Official Plan)*.

Recommended Non-Decisions

At times during the review of official plan policies and/or map schedules, it is prudent to defer a final decision on some matters and is commonly referred to as a “Non-Decision”. Reasons for rendering a non-Decision can vary, but they typically relate to policies that could be impacted by other things that are occurring. A non-decision allows additional time for those other associated processes or proceedings to catch up and be

considered prior to a final decision on the Official Plan policies. In the case of the Township of Oro-Medonte adopted Official Plan, two groups of Non-Decisions are recommended, as described below.

- It was recognized through the County's review of the Township's Adopted Official Plan that there are discrepancies between the County Official Plan Schedules and the Township Official Plan Schedules regarding the mapping of five (5) settlement areas. In principle and notwithstanding any unforeseen changes to policy requirements, the County and Township have agreed upon the settlement area boundaries going forward. However, given that these boundaries do not conform with the County Official Plan, a Non-Decision is recommended regarding the settlement areas/boundaries on Schedule A and identified on Appendix 2-7 of this Plan until such a time that County Council can approve the revised settlement area boundaries on the County Official Plan Schedule 5.1 Land Use Designations through a future County Official Plan Amendment informed by the County's Municipal Comprehensive Review (MCR).

Specifically, the Non-Decision Lands are located within and abutting the Settlement Area Boundaries of Edgar, Hawkestone, Moonstone, Shanty Bay and Warminster. The County's Non-Decision relates to both the land use designation and the Settlement Area Boundary as it applies to these Non-Decision Lands. These areas of Non-Decision indicate interim mapping, where the designation of the 1997 Township OP shall remain applicable, however, the policies of the new OP shall apply. Following the process and approval of a County-initiated Official Plan Amendment that will correct and clarify these Settlement Area Boundaries on Schedule 5.1 Land Use Designations to the County Official Plan, County Planning Staff anticipate bringing forward a recommendation to approve appropriate land use designations and settlement area boundaries for these Non-Decisions Lands on the Oro-Med OP Schedule A and Appendices 2-7 that are in conformity with the County Official Plan.

- Similarly, a second Non-Decision is recommended to be placed on lands identified on Schedule A and Appendices 8 & 9 of this Plan. This Non-Decision relates to the land use designation within the Oro Centre Employment Area and the Highway 11 Employment Area for lands presently designated Agricultural. At this time, Provincial and County policy do not permit these lands to be designated for employment. County Planning staff will bring forward a recommendation pertaining to these lands following conclusion of Phase 2 of the County's MCR and the designation of employment lands that will occur through that project. It should be noted that any designation by the Township or County is to be supported by Provincial policy.

POLICY REVIEW

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 Oro-Med OP, as modified is consistent with the PPS 2020.

In the future a subsequent amendment to the Oro-Med OP will need to reflect updated provincial land use policy changes due to the proposed Provincial Planning Statement if/when it is brought into effect by the Province.

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 Oro-Med OP reflects a time horizon for growth to 2031. A future update to the Oro-Med 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 MCR Phase 1 adopted Official Plan Amendment No. 7. The County's adopted Official Plan Amendment No. 7 is awaiting provincial approval at this time. A future update to the Oro-Med OP will also need to reflect proposed policy changes to the Growth Plan and Provincial Planning Statement once those policy documents are updated by the Province.

The Oro-Med OP, as recommended to be 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 is currently undertaking the MCR. The County is currently awaiting final approval by the Province of its MCR Phase 1 Official Plan Amendment No. 7 addressing the issues of population and employment land needs. A future update to the Oro-Med OP will need to reflect proposed policy changes to the Provincial Planning Statement and Growth Plan which affect the policies and status of the County of Simcoe Official Plan, as a result of Bill 23.

The Oro-Med OP, as recommended to be modified, conforms to the County of Simcoe OP.

Lake Simcoe Protection Plan

County Planning staff have reviewed the Oro-Med OP in recognition of Lake Simcoe Protection Plan. Policies have been appropriately incorporated into the Oro-Med OP to align with this Plan.

The Oro-Med OP, as recommended to be modified, conforms to the Lake Simcoe Protection Plan.

Summary

It is County Planning staff's opinion that Oro-Med's adopted OP as modified by *Schedule 3 to Item CCW 2023-222* 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 Oro-Med OP, as adopted by the Township By-law No. 2022-091 on October 5, 2022, with notice of decision issued on October 13, 2022, and as modified per *Schedule 3 to Item CCW-2023-222*, dated October 24, 2023, be approved;

That the following two (2) separate Non-Decisions be placed within the Official Plan:

1. That a Non-Decision be placed on specific lands within and abutting the Settlement Area Boundaries of Moonstone, Edgar, Oro Station, Shanty Bay, Hawkestone, and Warminster. There are small areas within or surrounding these Settlement Areas which do not currently conform to the County Official Plan mapping. These Non-Decision Lands are identified on Schedule A and Appendices 2-7 of the Township of Oro-Medonte Official Plan, which is included in *Schedule 3 to Item CCW-2023-222*. The Official Plan will not come into force on these lands at this time.
2. That a Non-Decision be placed on specific lands currently designated as Agricultural in the County Official Plan and requested to be redesignated to Employment in the Oro-Medonte Official Plan. These Non-Decision Lands are identified as the Oro

Centre Employment Area and Highway 11 Employment Area on Schedule A and Appendices 8 & 9 of the Township of Oro-Medonte Official Plan, which is included in *Schedule 3 to Item CCW-2023-222*. The Official Plan will not come into force on these lands at this time.

That Notice of Decision of the Official Plan approval for the Township of Oro-Medonte be provided in accordance with the *Planning Act*.

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

- Township of Oro-Medonte Council Report DS2021-121 (August 18, 2021) OP Status Update Report
- Township of Oro-Medonte Council Report DS2022-124 (October 5, 2022) OP Adoption Report
- Township of Oro-Medonte Council Report DS2023-064 (August 2, 2023) OP Endorsement of Modifications Report

Attachments

Schedule 1 – Official Plan – as Adopted by the Township of Oro-Medonte
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
Planning Program Supervisor

Approvals

Nathan Westendorp, Director of Planning, Chief Planner
Rob Elliott, General Manager, Engineering, Planning and Environment
Trevor Wilcox, General Manager, Corporate Performance
Mark Aitken, Chief Administrative Officer

Date

October 16, 2023
October 16, 2023
October 17, 2023
October 18, 2023