

<b>To:</b>	Warden McQueen and Members of Grey County Council
<b>Committee Date:</b>	January 23, 2020
<b>Subject / Report No:</b>	Addendum to PDR-CW-39-19
<b>Title:</b>	Proposed Housekeeping Amendments – County Official Plan – Final Report
<b>Prepared by:</b>	Scott Taylor
<b>Reviewed by:</b>	Randy Scherzer
<b>Lower Tier(s) Affected:</b>	All Municipalities
<b>Status:</b>	Recommendation adopted by Committee as presented per Resolution CW28-20; Endorsed by County Council February 13, 2020 per Resolution CC23-20;

## Recommendation

1. **That all written and oral submissions on the Recolour Grey Housekeeping Amendment, known as Official Plan Amendment Number 1, were considered; the effect of which helped to make an informed recommendation and decision; and**
2. **That Addendum to Report PDR-CW-39-19 be received, and that Amendment Number 1 to consider an amendment to the County of Grey Official Plan proposing changes to the Plan in order to address some discrepancies identified post approval of the Plan, be supported, and a by-law to adopt the County Official Plan Amendment be prepared for consideration by County Council.**

## Executive Summary

The new County Official Plan was approved by the Province on June 6, 2019 and came into effect on June 7, 2019. Since that time, County staff have identified some discrepancies that need to be amended in the approved Plan. These include formally recognizing Official Plan Amendments that were approved by County Council from the date the Official Plan was adopted to when it was approved. There are also a couple of mapping and official plan text errors that have been identified that staff are recommending be fixed. Following public and agency consultation, including a public

meeting, staff are now recommending approval of the Housekeeping Amendment, also known as Official Plan Amendment (OPA) # 1.

## Background and Discussion

The County's new Official Plan was approved by the Province on June 6, 2019 and came into full force and effect on June 7, 2019. Since that time staff have begun to implement the new Official Plan and using it daily to provide comments on various applications and development proposals. Throughout the use of the new Official Plan, staff have identified some discrepancies that were missed prior to the Province's approval. A summary of the proposed discrepancies and changes was included in staff report PDR-CW-39-19, which is linked to in the Attachments section of this report.

Following Council's endorsement of staff report PDR-CW-39-19, the draft OPA 1 (also linked to in the Attachments section of this report), was circulated to agencies, and posted on our County website for review. Advertisements were placed in local papers and notice was also given directly to anyone who requested notice on any of the previous OPAs being covered by OPA 1.

## Public and Agency Comments Received

A public meeting was held on December 10, 2019, and the minutes to that public meeting have been linked to in the Attachments section of this report.

Dave Alexander was the only member of the public to make comments on the Housekeeping Amendment, who raised the following concerns specifically with respect to former OPA 136 (the Hensall Co-op expansion in Southgate):

- Speed limit of 50km/hour is not enforced,
- Pedestrian safety,
- Quantity of truck traffic and queueing on the roads,
- Jake brake signage is not effective or enforced,
- Difficulty getting in contact with the Site Manager at Hensall Co-op to discuss concerns,
- Promised improvements to the Co-op have not been made,
- Noise from the Co-op, especially overnight,
- Impacts on neighbours, including dust and other emissions,
- Potential future uses on the site including retail and a fertilizer plant,
- Timing for the expansion project, and
- Accuracy of mapping.

County staff spoke with Mr. Alexander at the public meeting and followed up with a letter in early January. Many of Mr. Alexander's comments stem from the current Hensall Co-op, as the expansion has yet to be built. County staff would note that the

associated zoning, consent and local official plan amendments have been approved for the Co-op expansion, but that the Site Plan has not yet been approved. Should the expansion move forward a number of Mr. Alexander's comments are best addressed at the site plan stage.

Agency comments were received from;

- Historic Saugeen Metis,
- Saugeen Valley Conservation Authority,
- Nottawasaga Valley Conservation Authority, and
- Grey Sauble Conservation Authority.

There were no objections to OPA 1 by any of the circulated agencies.

### *Analysis of Planning Issues*

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2014, and conform to any Provincial Plans or Municipal Official Plans that govern the subject lands.

A fulsome planning analysis has not been provided for the former OPAs which are being reinstated through OPA 1. Links to the staff reports on those OPAs have been included in the Attachments section of this report, and the reports contain a planning analysis for each amendment. These OPAs were inadvertently left out of Recolour Grey, and the current OPA 1 is simply adding them back into the County Official Plan. As noted in staff report PDR-CW-39-19, there was a slight change to OPA 135 whereby at the proponent's request, the boundaries of the lands subject to the OPA are being reduced slightly.

The other changes through OPA 1 have been included below, along with a brief staff comment for each one.

- 1) There is an area southeast of the Settlement Area of Walter's Falls that was inadvertently designated as Secondary Settlement Area when it should have been designated as Rural.

Staff Comment – This area was inadvertently 'coloured in' on the map as a settlement area based on a reduction in the Hazard Lands mapping. When the Hazard Lands shrunk, the map got coloured orange for Secondary Settlement Area instead of white for Rural.

Establishing a new settlement area in this location would not be consistent with the PPS, which first requires a comprehensive review, prior to expanding or creating a

new settlement area. Furthermore, this area does not have municipal water or sewer services and is not an area where the County wants to focus our growth at this time. The surrounding lands are a mixture of Rural and Hazard Lands, therefore re-designating these lands as Rural would be compatible with the existing and surrounding land uses.

- 2) Designating lands as Space Extensive Commercial/Industrial that have been designated as Rural Employment Lands in the Town of The Blue Mountains Official Plan and scoped to the permitted uses in the Town's Official Plan.

Staff Comment – These lands are already being used for Space Extensive Commercial/Industrial uses and have been designated similarly in the Town's Official Plan. Placing this designation on the lands in the County Plan would conform to both the current use of the lands and the Town's Official Plan. There are no consistency issues with respect to the PPS, or matters of Provincial interest under the *Planning Act*.

- 3) Clarifying that lot creation within Settlement Areas is permitted subject to an EIS for new lots proposed within a Linkage identified on Schedule C – Natural Heritage System Cores and Linkages, (Natural Heritage Systems Study). A mapping change is also being made to Schedule C, to remove a small section of Core Area from the Recreational Resort Area settlement area in Town of The Blue Mountains.

Staff Comment – The Core Areas and Linkages on Schedule C generally exclude designated settlement areas, however there are limited instances where a Linkage traverses a small section of a settlement area. Through this amendment, the policy will be made clear that lot creation can be considered in a Linkage in a settlement area, subject to environmental review. County staff would note that these settlement areas have been designated for growth, therefore, where there is appropriate environmental safeguards in place, development can still be considered in these Linkages. This policy change would not impact those Linkages outside of settlement areas. This minor policy adjustment would remain consistent with section 2.1 of the PPS, which provides policies on natural heritage. Similarly, it would provide due protection for environmental features as required by the *Planning Act*.

The mapping change with respect to Core Areas, is to reflect the fact that the County does not designate Core Areas within Settlement Areas. Staff inadvertently missed seeing the overlap between these two designations in one location in the Town of The Blue Mountains. The areas being removed from the Core Areas are small in nature and will still be identified as Significant Woodlands on Appendix B to the County Plan. An Environmental Impact Study (EIS) will still be triggered prior to development on these lands; however should the Core Area designation remain on

the lands then new lot creation would not be considered here, which would be contrary to the settlement area designation.

- 4) Clarifying Table 8: On-farm Diversified Use Size Criteria as it pertains to on-farm diversified uses being considered on non-farm sized lots in the Rural land use type.

Staff Comment – Table 8 to the County Plan outlines the size requirements for ‘on-farm diversified uses’ in Agricultural, Special Agricultural, and Rural designations. For properties less than 20 hectares in size in the Agricultural and Special Agricultural designations, the Plan restricts non-farm diversified uses to bed and breakfasts and home/rural occupations within the dwelling only. In the Rural designation it is not currently clear what the limitations are meant to be. The new policy would add in wording to note;

*“Subject to the size limitation requirements of Table 8 of this Plan and section 5.2.2(16), on-farm diversified uses may be considered on lots less than 20 hectares in size in the Rural land use type.”*

This approach would appear consistent with the permissions in section 1 and 2 of the PPS, as well as the Province’s Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas document. In general, rural areas of the Province have slightly more flexibility than the prime agricultural areas. The amended policy would make it clear that there is slightly greater flexibility on Rural parcels less than 20 hectares in size, than there is in the Agricultural and Special Agricultural designations of a similar size.

- 5) Clarifying the apparent conflict between section 5.2.2(6) and 5.2.2(7) as it pertains to non-farm sized lot creation.

Staff Comment – As the Plan currently reads, new non-farm sized lot creation is not permitted in Aggregate Resource Areas on Schedule B to the Plan, as stated in section 5.2.2(7). However, section 5.2.2(6) of the Plan appears to consider such lot creation when certain criteria can be met. In order to correct this apparent discrepancy, 5.2.2(6) is being amended to remove this conflict. This change is consistent with how staff have interpreted these policies in both the previous Official Plan, and under Recolour Grey. The change would also be consistent with section 2.5.1 of the PPS which requires the protection of mineral aggregate resources. Section 2 of the *Planning Act* contains similar protection provisions to the PPS.

Staff are satisfied that the proposed OPA 1 text and mapping changes;

- have regard for matters of Provincial interest under the *Planning Act*,
- are consistent with the Provincial Policy Statement,

- are not in conflict with the Niagara Escarpment Plan, and
- conform to the overall goals and objectives of the County Official Plan.

## Legal and Legislated Requirements

The Housekeeping Amendment (OPA 1) was processed in accordance with the requirements of the *Planning Act*. These changes to the County Official Plan will be subject to appeal, should any person or public body be concerned with the changes.

## Financial and Resource Implications

There are no further financial or resource implications stemming from OPA 1 at this time. Should the amendment be appealed, there may be additional resources needed at that time.

The changes being made through OPA 1 will not require any further updates to municipal official plans, beyond what will already be contemplated to bring the municipal documents in conformity to Recolour Grey.

## Relevant Consultation

- Internal (County Planning Staff, County Legal Services, Clerks Department)
- External (The Public, Local Municipalities, and Agencies as prescribed under the *Planning Act*)

## Appendices and Attachments

[Draft Housekeeping Amendment – OPA 1](#)

[PDR-CW-39-19 County Housekeeping Amendment Staff Report](#)

[Public Meeting Minutes for OPA 1](#)

[Recolour Grey County Official Plan](#)

[Raco OPA 126 - Staff Report](#)

[Skyline Retail OPA 134 – Staff Report](#)

[Gibraltar Pit OPA 135 – Staff Report](#)

[Hensall Coop OPA 136 - Staff Report](#)

[Van Dolder OPA 139 - Staff Report](#)

[Orchard Pit OPA 142 – Staff Report](#)

[Schaus OPA 144 - Staff Report](#)