

<b>To:</b>	Warden Halliday and Members of Grey County Council
<b>Committee Date:</b>	September 13, 2018
<b>Subject / Report No:</b>	Examining how servicing is allocated for new subdivision and condominium approvals / Report PDR-CW-28-18
<b>Title:</b>	Servicing Allocation Options Report
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<b>Reviewed by:</b>	Randy Scherzer
<b>Lower Tier(s) Affected:</b>	All nine member municipalities
<b>Status:</b>	Recommendation adopted by Committee of the Whole as presented per Resolution CW218-18; Endorsed by County Council on September 27, 2018 per Resolution CC90-18.

## Recommendation

1. That Report PDR-CW-28-18 Servicing Allocation Options be received.
2. That for new plans of subdivision or condominium being considered for draft approval by the County of Grey after September 13, 2018, save and except those in the City of Owen Sound, Hybrid Approach Option C allowing, servicing allocation at the discretion of the municipality, at the draft approval stage for plans of subdivision and condominium, or at the time of registration, or through separate by-law prior to registration, be endorsed.
3. That staff be directed to include policy language in Recolour Grey that sets criteria for allocating capacity through approvals of plans of subdivision or condominium, and criteria for draft plan approval extensions where servicing is being allocated.
4. That staff be directed to consult with municipal staff and the development community on options for servicing allocation and existing draft plan approvals.
5. That a review of all draft plan approvals granted on or prior to September 13, 2018, save and except those in the City of Owen Sound, be brought forward in a future staff report. This report shall consider a process for revisions to older draft approvals, which may include implementing lapse dates for draft approval and servicing allocation, or withdrawal of draft approval;
6. That Report PDR-CW-28-18 be circulated to member municipalities along with an explanation of the chosen option.

# Executive Summary

The County is the approval authority for new plans of subdivision and condominium across the County, with the exception of the City of Owen Sound. Municipalities in Grey County own and operate their own water and wastewater treatment plants. In recent years, Grey County has been experiencing higher levels of residential growth than previously forecast. Some municipalities within the County have received applications for more residential units, than can be supported by current water and wastewater treatment plant capacities. Some developers have asked for additional flexibility in how and when servicing allocation gets assigned to a development. This report explores the current servicing allocation procedures when processing plans of subdivision or condominium, as well as assessing how other municipalities allocate servicing to subdivisions. A series of options are provided for consideration, with staff recommending the hybrid approach, option (c), as the preferred alternative, as well as additional considerations for policies in Recolour Grey.

## Background and Draft Approval Process

The County is the approval authority for all plans of subdivision or condominium across the County, with the exception of those in the City of Owen Sound. The City retained the ability to draft approve plans of subdivision or condominium when they rejoined the County in 2000. As such, this report shall primarily apply to draft plan approvals where the County is the approval authority (i.e. all those except Owen Sound).

For the purposes of this report the terms 'plan of subdivision' or 'plan of condominium' will be used synonymously. From a process and draft approval perspective, the two development types are very similar.

Prior to the occupancy of new residential developments, in serviced settlement areas, clean potable water and sanitary sewage treatment is required. Most new residential developments proceed as either plans of subdivision or condominium. When processing a new plan of subdivision, typically there are three main stages from the time the application gets submitted.

- 1) Application submitted – staff review the file, agency and public comments are received, a public meeting is held, and a final recommendation is made to the approval authority, who either refuse or grant draft approval. This decision can then be appealed to the Local Planning Appeal Tribunal (LPAT), within 20 days of the notice of decision. County staff do not make a recommendation on the subdivision until the member municipality has provided their input, recommended draft plan conditions, and a commitment that servicing capacity exists to service the development.
- 2) Draft approval is granted – assuming there are no appeals, the developer has three years to meet the conditions of draft approval, before the subdivision lapses, or else they need to apply for a draft approval extension. During this draft approval period the proponent can start to pre-sell lots/units, they can begin to pre-service the lots/units (with permission from the municipality), and they work to meet the conditions of draft approval. A subdivision agreement, as well as sign-off from the member municipality hosting the subdivision is required, as part of the draft approval conditions. Currently draft approval also represents the municipality's commitment of servicing allocation to the development.

- 3) Final approval / registration – Once all the draft approval conditions have been met, an application is submitted to the County for final approval. The Director of Planning reviews this application, and if complete, the plans are signed and deposited with the Land Registry Office. It is at this stage that the lots are actually created and can be conveyed separately to other landowners. Those lots that were pre-sold at the draft approval stage, will now ‘close their deals’ and the lands will be conveyed to the new owners. Final approvals often occur in phases, based on logistical, financial, and taxation purposes.

The above process is similar for all subdivisions, except where the non-decision of an application in stage 1 gets appealed, or the decision (either refusal or draft approval) gets appealed. Where appeals are received the LPAT becomes the approval authority. The only other significant deviation to the above process is where a ‘redline revision’ is received. A redline revision seeks to change the draft approval under stage 2, prior to final approval and registration. The redline revision can either change;

- the lot layout on the draft plan,
- the draft plan conditions, or
- both of the above.

Under the current process, water and sewer capacity is allocated at the time of draft approval. Whether the subdivision is developed immediately, or over a long period of time, the municipality needs to ‘hold onto’ this servicing capacity so that it is available for the development. When draft approval extensions are requested to the County, the County does not render a decision on the extension, unless the member municipality consents to the extension, as it is also an extension of the servicing capacity allocation. The County does have the legislative ability to withdraw draft approval, which would release the servicing capacity, but this has typically not been done. Should a subdivision approval lapse, then the committed servicing allocation would also lapse.

Up until the early 1990’s, when the Province was the approval authority for plans of subdivision and condominium, draft approvals did not contain a lapse date. There are a number of these older approvals within the County that do not currently have a lapse date. The County has the ability to amend these approvals to include a lapse date, through a redline revision. If a developer with one of these older approvals comes in for their own redline revision, then a lapse date is added to the revised approval.

Any new draft approval is given a standard lapse date of 3 years from the time of draft approval. Any extensions to draft approval are most typically done on a one year basis, but can be considered on a multi-year basis.

Recently County staff have undertaken a process to detail all existing subdivision and condominium approvals across the County, including those older draft approvals without lapse dates. Note this process was not done for the City of Owen Sound who approve their own subdivisions and condominiums. County staff will soon be sharing this information with member municipalities, to ensure we all have accurate data in this regard. Following this data sharing process, the logical next step will be to examine all existing approvals to assess development timeframes (and work with the developer where possible to move development forward), consider adding lapse dates through redline revisions to those plans that do not have lapse

dates, and to determine if there are any older approvals that no longer meet current development standards.

## Exceptions to the Current Process

In recent years the County has only made two significant exceptions to allocating servicing capacity at the time of draft approval. A summary of those exceptions has been provided below.

- 1) Town of The Blue Mountains – in 2009 the County approved a revised approach in the Town of The Blue Mountains for those developments seeking to connect to the Thornbury wastewater treatment plant. The rationale for this exception was that the Ministry of the Environment has already approved an Environmental Assessment (EA) for the plant expansion, the Town had applied for their certificate of approval, and the Town has sufficient reserves to pay for the expansion. Even though committed capacity was approaching 80% of the design capacity, the operation of the existing plant in 2009 was only at 64% of the design capacity. This issue came about because there were so many draft approvals which had committed capacity, but had not yet been built, so they were not actually using their plant capacity. Town staff questioned the need to expand a plant operating at 64% capacity, just because there were so many developers who may / may not choose to develop in the near future.

As a result, because the EA had already been approved by the Province and because the funding was already in place from the Town, the County committed to continuing to draft approve new developments in the Thornbury area. The County did so because there was confidence that they could be serviced appropriately when the development needed the servicing. A link to the 2009 staff report on this topic has been included in the Attachments section of this report.

- 2) Township of Southgate – in recent years a developer has been buying and developing significant amounts of residential lands in Dundalk. Three major subdivisions known as Flato West, East, and North have been draft approved. Flato West has since been registered and homes are currently being built. Flato East and North abut one another, but Flato East pre-dated the developer buying the Flato North lands. The Township of Southgate is currently installing a new municipal well and upgrading their sewage lagoons. Full approvals and operation of these new facilities and upgrades was not yet complete by the time draft approvals were sought on Flato East and North. Based on phasing and servicing reasons it made sense to combine phases of Flato East and North, even though they were originally two separate applications.

In this particular case, the County draft approved both Flato East and North, with draft conditions noting that servicing allocation was not completely available yet. The draft approval conditions also require the developer to advise any pre-sale buyers that servicing capacity may not yet be available. As such, the developer can register combined phases of Flato East and North as servicing capacity becomes available, in a manner which best accommodates the logical extension of roads, water, and sewers. The County approved this approach based on; the circumstances unique to the layout and timing of this development, specific draft approval conditions clarifying the status of

servicing allocations, and the Township's progress and commitment to improving servicing through the new well and lagoon optimization.

## Why Examine the Servicing Allocation Process?

A few municipalities within Grey, most notably the Township of Southgate and the Municipality of Grey Highlands, are facing development pressures which exceed either current water or wastewater treatment plant capacities. Both municipalities are undertaking improvements to their municipal services, but have demands from developers which exceed their current approved plant capacities. The County currently has subdivision applications in both municipalities, which if draft approved, would exceed the municipal ability to service those developments. At present, the County could defer decisions on these applications until servicing capacity is in place, or approve portions of the developments for which capacity is available.

Knowing the County's current position, developers have asked for additional flexibility when seeking draft approvals, believing that a municipality could have servicing in place by the time they go to build their developments (or build the later phases of their developments). More specifically developers have asked that draft approval be granted without allocating servicing capacity, and that capacity be allocated at the time of final approval and registration (this could be done as a condition of draft approval). The rationale staff have heard from developers can be summarized as follows:

- 1) Larger plans of subdivision take many years to build out, and get registered and built in phases.
- 2) Banks want to see that the whole plan of subdivision is approved 'up front' in order to lend the money.
- 3) Home buyers in the early phases also want to know what's going on beside or behind them, when they consider buying a unit, and having the entire draft approval in place allows them to do so.
- 4) Although a municipality may not have servicing capacity to service the entire subdivision up front, if a municipality knows that there is demand, they can upgrade their facilities to ensure that the capacity is available for the future phases of development, while allowing the developer to begin constructing the earlier phases.
- 5) When a developer pre-sells a lot at the draft approval stage, that sale is not completed until final approval and registration. As such, if servicing capacity does not exist, the lots cannot be registered and the sales cannot be completed.
- 6) Other municipalities across the Province use the approach of allocating at the time of final approval and registration.

Planning staff have previously dealt with item # 4 above through phased draft approvals (i.e. only draft approving those phases that have servicing capacity), rather than phased registrations. However, some developers are citing items # 2 and 3 as rationale for why phased registrations are preferable to phased draft approvals.

County Planning staff had reservations about changing this process without first seeking;

- a) input from municipal staff, as municipalities own and operate the water and wastewater treatment plants,

- b) advice on what other municipalities are doing across the Province, and
- c) approval from County Council.

County staff want to make the subdivision and condominium development approvals process as smooth and efficient as possible. However, we also do not want to ‘back-end’ infrastructure gaps, such that developers are not aware of these issues until much later in the process.

## Planning Policy Framework

Planning policy and legislation in Ontario directs the majority of growth to our municipally serviced settlement areas.

Under the *Planning Act*, section 51(24)(i), when considering a new plan of subdivision or condominium, one must consider “*the adequacy of utilities and municipal services*”. Section 34(5) of the *Act* gives municipalities the ability to zone lands to prohibit new development “*unless such municipal services as may be set out in the by-law are available to service the land.*” Finally, as noted earlier in this report, section 51(44) of the *Act* permits municipalities the ability to withdraw draft approval or change the conditions of approval for a plan of subdivision.

The Provincial Policy Statement (PPS), section 1.6.1, requires that planning for infrastructure “*shall be coordinated and integrated with land use planning so that they are:*”

- a) *financially viable over their life cycle, which may be demonstrated through asset management planning; and*
- b) *available to meet current and projected needs.*”

Section 1.6.6.1 of the PPS goes on to note that; “*Planning for sewage and water services shall:*”

- a) *direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
  - 1. *municipal sewage services and municipal water services;*”

The PPS also contains a servicing hierarchy, which places municipal sewage services and municipal water services atop the hierarchy.

Section 5.3 of the County Official Plan contains very similar servicing policies to that of the PPS. Section 5.3.2(1) notes that; “Local municipalities shall plan for sewage and water services which direct and accommodate expected growth...” Later in the County Plan a similar servicing hierarchy is outlined.

Section 6.12 of the County Plan requires that the policies of section 5.3 of the Plan be met for new lot creation.

The current County Official Plan does not detail how we allocate servicing capacity, nor does it provide requirements for draft plan approval extension. As such the County can proceed with looking at new approaches here, without the need to amend the County Plan. That said, County staff would recommend including criteria in the Recolour Grey County Plan consistent with how County Council decides to deal with this report (or any addendum reports thereto).

In addition to the legislation, PPS, and Official Plan policies, the Province, through the Ministry of the Environment, Conservation and Parks (MECP), has guidelines which also address servicing. MECP (formerly MOE) *Guideline D-5-1 Calculating and Reporting on Reserve*

*Capacity at Sewage and Water Treatment Plants, dated March 1995* provides further provincial direction on servicing and calculating capacity. More information on the Province's recommended approach can be found in the next section of this report.

## The Provincial Approach

County staff reached out to the Province to get their opinion on servicing allocation in the subdivision and condominium approvals process. In response to our questions County staff got the following response from MECP staff;

*“Traditionally, years ago, when the Province was the Planning Act Approval Authority for draft plans of subdivision, MOE Southwestern Region would not recommend draft approval for any proposed plan of subdivision or draft plan of condominium to MAH [Ministry of Municipal Affairs and Housing] unless the above noted calculation (derived from MOE Guideline D-5-1) confirmed that there was sufficient uncommitted reserve capacity available to service the number of lots / units proposed by the draft plan of subdivision application submitted for review and comment. If there was not sufficient uncommitted capacity, MOE’s recommendation to MAH would be that the issuance of draft approval should be considered premature until such time as sufficient uncommitted reserve treatment capacity comes available.*

*The only exception to this approach was if a Municipality had completed a Class EA to expand the sewage or water treatment works, and tenders had been let and a contract awarded for construction of said water treatment plant or sewage treatment plant. Under that circumstance, MOE SWR [Southwestern Region] felt that there was sufficient lag time after the issuance of Conditional draft approval, and construction of the expanded sewage and water works, that the sewage plant or water treatment plant expansion would either be fully constructed before the homes in the subdivision were built, or at the very least, both the homes and the sewage or water treatment plant expansion would be finished construction at the same time. If the EA was completed, but no tenders let and construction contract awarded for the expansion of the water or sewage treatment plant, MOE would indicate to MAH that issuance of draft approval was premature.*

*If an EA for expansion of a sewage works or water treatment works had not commenced as yet, or in progress but not yet completed, MOE would still indicate to MAH that issuance of condition of draft approval of the plan of subdivision / plan of condominium should be considered premature.*

*The traditional approach that the MOE SWR previously used in the past (as noted above) is the approach the MECP SWR would recommend Grey County follow. That said, the choice of which way to proceed is obviously Grey County’s as the Planning Act approval authority. Ultimately, the municipality and/or the County of Grey should not over commit a sewage treatment plant or water treatment plant, as in the case of a sewage treatment works, the municipality must meet their sewage discharge criteria as outlined in their sewage Environmental Compliance Approval (ECA) issued by this ministry. If the municipality or Grey County overcommits, they are at risk of exceedances of their ECA(s).”*

As per the above, the Province recommends the County stick with the status quo approach, but does give credence to the approach taken by Town of The Blue Mountains for the Thornbury wastewater treatment plant.

## Other Municipal Approaches

The County reached out to a number of other municipalities across the province, both upper and lower tier municipal governments, to see how they handle servicing allocation and subdivision approvals. One municipal planner also independently reached out to some developers to get their feedback on the current system, versus the proposed changes to the system. Feedback or cited examples were received from;

- District of Muskoka,
- Prince Edward County,
- Bruce County,
- Simcoe County,
- Wellington County,
- Norfolk County,
- Haldimand County,
- Haliburton County, and
- City of Peterborough.

Approaches varied across the Province to how servicing capacity was allocated in the subdivision and condominium approvals process. Some municipalities used an approach similar to Grey County in that servicing capacity was allocated at the time of draft approval. Other municipalities did not allocate capacity at the draft approval stage, and instead allocated either via separate by-law, or at the time of final approval and registration. The use of holding symbols through a zoning by-law amendment was also recommended where an approval may exceed current servicing capacity.

One of the questions asked by County staff was ‘how capacity was allocated when multiple developers were vying for the remaining plant capacity?’ In most cases municipalities simply responded that capacity was allocated on a ‘first come, first served’ basis, while others preferred to allocate in smaller phases to try to ensure that each developer got a piece of the remaining allocation.

One area, where other municipal approaches were more refined than Grey County’s approach, was in the limitation of indefinite servicing capacity allocation. Many municipalities had a strict ‘use it or lose it’ approach, in that servicing capacity could be repealed, or draft approvals not extended if a developer was not actively taking steps to develop their subdivision. Some municipalities also provided specific criteria for what needed to be considered prior to draft plan approval extension. The District of Muskoka’s criteria has been included below.

*“In order to be granted an extension to a subdivision or condo draft approval, the applicant must meet at least 4 of the following 8 criteria:*

- i. The proposal is within an identified designated growth area (i.e. greenfield) in an urban centre or special policy area as outlined in The District Municipality of Muskoka and/or Area Municipal Official Plan*



- ii. *The proposal meets the minimum density target of the Muskoka Official Plan within Urban Centre designated growth areas*
- iii. *The proposal meets the minimum housing mix target of the Muskoka Official Plan within Urban Centre designated growth areas*
- iv. *The proposal represents infilling, redevelopment of an underutilized property, and/or intensification within or immediately adjacent to a built-up area in an Urban Centre or Special Policy Area*
- v. *The proposal can be serviced with municipal services in accordance with the phasing schedule/policies of the Area Municipal or Muskoka OP*
- vi. *The proposal represents affordable housing as defined in the PPS, by CMHC [Canada Mortgage and Housing Corporation], and/or through the District of Muskoka affordable housing programs*
- vii. *The proposal will have a positive or neutral financial impact on the corporation of the District Municipality of Muskoka*
- viii. *Substantial progress towards clearance of conditions of draft approval, including at least one of the following actions have been demonstrated since the date of draft approval or previously granted extension of draft approval:*
  - 1. *Registration and/or substantial completion of a phase of the development;*
  - 2. *Completion of a supporting study as required by the conditions of draft approval;*
  - 3. *Submission and/or acceptance of final servicing drawings;*
  - 4. *Drafting and/or execution of a municipal agreement;*
  - 5. *Zoning by-law amendment or site plan applications have been submitted and/or completed; or*
  - 6. *Clearance letter received from a municipality or agency”*

The District also has restrictions on not extending draft approval beyond 10 years from the original date of approval. They further note that they may not grant a request for extension of draft approval where a treatment plant is operating at 85%, or higher, of its design capacity.

Bruce County staff also noted that a use it or lose it policy was beneficial in ensuring that older approvals met modern development standards. They noted that they were happy to work with developers to look at redline revisions to older plans of subdivisions, with the goal of; (a) incenting development in a timely fashion, and (b) promoting development that meets modern standards. Where draft approvals were ultimately revoked it has the effect of; (a) ensuring development is not sited in locations that are not suitable for development, or (b) ‘clearing the path’ for new development applications to come forward, without the ‘baggage’ of a dated approval on the lands.

County staff recommend that regardless of whether or not the County changes our approach to the timing for allocating servicing capacity, we should include criteria in the Official Plan for how and when we consider draft approval extensions. County staff recommend that this criteria could be included in the new Recolour Grey Official Plan. Currently the County only requires a letter from the developer and a letter from the municipality in support of the extension, we do not require any serious justification for why an extension should be granted.

## Input from Municipal Staff across the County

County staff polled municipal staff on their recommended approaches towards servicing allocations when processing subdivision or condominium applications. The responses received were varied; from those that supported a more flexible approach including allocating capacity at a registration phase, to those that supported the status quo of allocating at the draft approval stage. There was no clear consensus on which direction the County should proceed with in this regard.

It is also important to keep in mind that circumstances vary greatly across Grey's member municipalities, from Owen Sound and Hanover that primarily only have serviced development, to Chatsworth who does not have a municipal waste water treatment plant. Furthermore some municipalities have an abundance of servicing capacity still available within their existing plants; therefore it does not matter when capacity is allocated. Other municipalities are nearing capacity on one or both services, and are facing costly upgrades to their servicing infrastructure.

It is further worth noting here that this report generally excludes the City of Owen Sound, who as noted above, approve their own subdivisions and condominiums.

Amongst those that supported a new approach to allocating servicing capacity for subdivisions, reasoning cited was similar to some of the developer's rationale listed above. In addition, the County heard comments about wanting to ensure that capacity could not be 'tied up' for indefinite periods of time by developers who were choosing not to develop, once they had their draft approvals. Municipalities also noted that having developments 'queued up' and ready to build, helped them to justify moving forward with costly servicing infrastructure upgrades.

For those that supported the status quo approach, the primary reason was to give certainty to developers that once they had their draft approval, they could expeditiously proceed to final approval and construction, upon meeting the conditions of draft approval. Some municipal staff raised concerns over granting draft approval, when capacity was not guaranteed, in that it could lead to unexpected development delays at a later stage (i.e. one developer used up the remaining capacity that another developer had been counting on using). In this regard they thought that the developers would want to know up front if there was to be a servicing capacity shortage, and not at the time of registration. Others noted that municipalities should plan ahead, to be sure that servicing shortages do not impact a developers' ability to get draft approval.

Even amongst those that supported the status quo approach, there were some that thought there should be limitations on the length of time someone can 'hold onto' allocated capacity, and that a use it or lose it approach was fair.

## Options for New Draft Plan Approvals

The recommendation in this report is only recommended to apply to new draft plan approvals after September 13, 2018. This section of the report considers only those future draft plan approvals after that date.

After reviewing other municipal approaches, as well as the feedback received from the Province and member municipalities, County staff have provided three options for consideration by County Council for new draft approvals of plans of subdivision or condominium.

## *Option A – Status Quo*

- a. Status quo – continue to draft approve plans of subdivision and condominium only when reserve servicing capacity can be allocated at the time of draft approval, or where a servicing expansion or upgrade has been approved by the Province and funding is in place to construct the expansion or upgrade. Under the status quo approach, it would be clear in the draft approval conditions that servicing capacity is being allocated through draft approval.

Staff Comments – this is the safest approach, in that it's not only consistent with how the County has been considering draft approvals, but also consistent with the Province's recommended approach. The downside to this approach is that it could 'stall' some larger development applications in municipalities that are running short on available servicing capacity.

## *Option B – New Approach*

- b. New Approach – draft approve plans of subdivision and condominium without allocating servicing capacity at the time of draft approval, and instead allocate capacity at the time of registration, or through separate by-law prior to registration, at the discretion of the municipality. Under the new approach, it would be clear in the draft approval conditions that servicing capacity is not being allocated through draft approval.

Staff Comments – this is the most liberal approach, and would allow for the most flexibility to developers across the County. The downside to this approach is that a developer could be ready to register their subdivision (or the next phase of their subdivision) and find out there is no available servicing capacity. This may lead to costly delays, or the need to request an extension of draft plan approval. This approach would not be consistent with the Province's recommended approach to allocating capacity, and municipalities may risk exceedances of their Environmental Compliance Approvals. A final downside is that it could lead to developers pushing municipalities to support their developments before a municipality is otherwise ready to. Staff do not recommend moving forward with the new approach.

## *Option C – Hybrid Approach*

- c. Hybrid Approach – continue to draft approve plans of subdivision and condominium when reserve servicing capacity can be allocated at the time of draft approval, or if a municipality requests an alternate approach, allocate capacity at the time of registration, or through separate by-law prior to registration, at the discretion of the municipality. Under the hybrid approach, it would be clear in the draft approval conditions whether or not servicing capacity is being allocated through draft approval, or at a later date.

Staff Comments – this approach combines options (a) and (b) to let municipalities decide whether or not they wish to allocate servicing capacity at the draft approval or final registration phase. The same pros and cons as discussed above generally apply, except that it is the municipality who is in charge of when they wish to allocate their servicing capacity. In using this hybrid approach it would need to be made very clear in the draft plan conditions who has allocated capacity and who does not. New draft plan approvals could easily clarify this in the

conditions of draft approvals, similar to the recent Flato East and North draft approvals. Staff recommend moving forward with the hybrid approach.

Any change to the recommended servicing allocation approach, would not obviate the need for new subdivisions or condominiums to provide a Functional Servicing Report with their applications, which examines the water and wastewater servicing capacity for the proposed development.

## Existing Draft Approvals

Servicing capacity allocated to draft plan approvals on or before September 13, 2018 will not be impacted by this report. Considering how to approach existing draft approvals will require some further thought and consultation before recommending additional options. Staff are recommending that a future report be brought forward to Committee of the Whole, after further discussions with member municipalities and the development community about existing approvals, to explore all options for these prior draft approvals.

## Legal and Legislated Requirements

Throughout this report, staff have outlined pertinent planning policy and legislative requirements. Any further steps taken as a result of this report would be done in accordance with the *Planning Act*. County staff would take direction from municipal staff to ensure that their legislative requirements as the owners and operators of water and wastewater treatment plants are being fulfilled, including remaining compliant with Environmental Compliance Approvals.

## Financial and Resource Implications

At this stage there would be no impacts on the County's finances or staff resources. The future report and consultation will not require any additional staffing or budget resources.

Within the future recommended staff report there could be options which result in appeals to planning applications, depending on the recommendations. Should servicing allocations be withdrawn, or should draft plan approvals be revoked, it may result in a proponent needing to 'reapply' for a plan of subdivision or condominium. Depending on the recommendations there also could be a significant amount of planning staff time required. However, additional details, including the number of developments impacted, will be shared in the future staff report.

## Relevant Consultation

- Internal: Planning Department, CAO
- External: Municipal staff within Grey County, Ministry of Environment, Conservation and Parks, other Municipalities across Ontario

## Appendices and Attachments

[PDR-PCD-01-10 Thornbury Sewage Treatment Plant Capacity Report](#)

Respectfully submitted by,

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