



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	September 8, 2022
Subject / Report No:	Housekeeping and Growth Management Update to the County Official Plan / Addendum to PDR-CW-23-21
Title:	Official Plan Amendment 11 Final Report
Prepared by:	Grey County Planning Staff
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	All Municipalities within Grey County
Status:	Recommendation adopted by Committee as presented per Resolution CW131-22; Endorsed by County Council September 22, 2022, per Resolution CC78-22.

Recommendation

- 1. That all written and oral submissions on Official Plan Amendment Number 11 were considered and helped to make an informed recommendation and decision; and**
- 2. That Addendum to report PDR-CW-23-21 be received, and that Amendment Number 11 to the County of Grey Official Plan be supported, and a by-law to adopt the County Official Plan Amendment be prepared for consideration by County Council.**

Executive Summary

The County completed an update to our Growth Management Strategy, which was received by the Committee of the Whole on July 22, 2021. Proposed Official Plan Amendment (OPA) # 11 has been prepared to implement the new growth and employment numbers into the County Official Plan. Staff are also proposing a number of other changes to the Plan, including but not limited to strengthening the County's climate change and affordable housing policies. Since the initial draft of OPA 11, many comments were received requesting additional changes and policy matters to be addressed. A revised OPA 11 was circulated in July 2022, and some additional comments were received. This report summarizes the changes being proposed and recommends approval of OPA 11. Should OPA 11 be approved, it will enable the County's member municipalities to proceed with their own official plan updates, including being able to plan for a 25-year planning horizon.

Background and Discussion

In 2020 and 2021, the County worked with Hemson Consulting Ltd. to update the Growth Management Strategy (GMS), which had previously been updated in 2018, prior to the approval of Recolour Grey, the County Official Plan. On July 22, 2021, Committee of the Whole endorsed the below recommendation.

1. *“That Addendum to Report PDR-CW-28-20 regarding the Update to the County’s Growth Management Strategy be received;*
2. *That the 2021 Growth Management Strategy prepared by Hemson Consulting Ltd. be received;*
3. *That staff be directed to prepare a County Official Plan Amendment to update the growth projections and allocations in the County Plan, in addition to any additional housekeeping matters; and*
4. *That 2021 Growth Management Strategy be shared with member municipalities in Grey County and other community partners such as school boards, the health care sector, and other groups who could utilize this data.”*

An information report on proposed Official Plan Amendment (OPA) 11 was presented to Committee of the Whole on November 12, 2021. Since that report, there has been a public meeting, ongoing public and agency consultation, discussions with municipal staff, as well as some further proposed changes to OPA 11. The additional changes to OPA 11 resulted from feedback received from the public, member municipalities, and agencies.

Links to the draft OPA 11, Staff Report PDR-CW-23-21, the rationale for each change proposed in OPA 11, public meeting minutes, a summary of the public feedback up to July 4, 2022, Addendum to Report PDR-CW-28-20, the 2021 GMS Update, the current County Official Plan, can be found in the Attachments section of this report. The 2021 GMS Update is comprised of a slide deck and memo.

Public and Agency Comments Received

Public and Agency Comments

Through verbal comments at the public meeting on February 3rd, 2022 (captured in the public meeting minutes), and written comments received from the public, member municipalities, and agencies, County staff received lots of feedback on the proposed OPA 11. Based on the level of input received, there were additional changes recommended to OPA 11, which resulted in the re-circulation of a proposed revised OPA 11 in July 2022, with an additional commenting period. In the Attachments section of this report there is a summary and response document for all comments received prior to July 4, 2022. The revised OPA 11 policies and mapping up to July 4, 2022, are also linked to in this same section. Additional comments received between July 5 and August 29, 2022, are summarized in Table 1 below. Should any additional comments be received after August 29, 2022, they can be verbally summarized to Committee of the Whole on September 8, 2022.

Commentor(s)	Comments Received	Staff Response
Solomon Martin	Seeking clarification on the proposed on-farm diversified use policies.	Staff clarified the technical matter Mr. Martin was inquiring about.
Saugeen Valley Conservation Authority (SVCA)	SVCA staff find the proposed revised Official Plan Amendment (OPA) acceptable.	Acknowledged – no further response needed.
Chris Palmer and Marian Ratcliffe	The rationale behind section 7.14 dark sky policies is excellent and needs no further changes. The proposed language in the rest of this section falls short, and the wording about ‘encouraging and should consider’ needs to be strengthened. There are questions about whether these policies only apply to subdivisions and condominiums, or all developments.	Staff clarified that section 7.14 is meant to apply to all new development, not just subdivisions and condominiums. Staff would further note that some of the level of detail being requested in the County’s dark sky policies is better addressed in municipal by-laws and/or County or municipal engineering standards. County staff have proposed a few additional changes to OPA 11 (under item # 93) in response to the request for bolder policy actions and wording.
Andrew Pascuzzo	Questions about timing of approval of OPA 11 as it relates to the removal of a formal gravel pit in the Township of Southgate.	Staff responded with an update on the timing of this staff report on OPA 11.
Scott Patterson	Clarification question about who received notice of the updated OPA 11 in July 2022.	Staff clarified that all required agencies, municipalities, and anyone who submitted comments on the first draft of OPA 11 received notice on the revised OPA 11.
Andrii Zvorygin	Concerns about the density in OPA 11 and sustainability of the County’s settlement areas, relative to the end of fossil fuel usage. The County needs less growth in settlement areas and more people living in rural areas on 5 – 10 hectare farms. The County Plan should therefore include the ability to create such farms in agricultural and rural areas.	County staff clarified the intent behind the County’s density policies, as well as the limits on lot creation in the countryside. To ‘de-settle’ settlement areas, in favour of 5 – 10 hectare farms would not be consistent with the Provincial Policy Statement, and is not being recommended at this time.

City of Owen Sound	Questions about timing of approval of OPA 11.	Staff responded with an update on the timing of this staff report on OPA 11.
Niagara Escarpment Commission (NEC)	Questions about the mapping in OPA 11.	Staff responded with clarifications on the OPA 11 mapping as it applies to the Niagara Escarpment Plan boundaries and other mapping shown in the OPA 11.

Table 1: Summary Comments Received between July 5 and August 29, 2022

Analysis of Planning Issues

In rendering decisions, planning authorities must have regard to matters of Provincial interest under the *Planning Act* and be consistent with the Provincial Policy Statement (PPS). The decisions must also conform to the Niagara Escarpment Plan. For an amendment of this nature, it is not practical to go through a policy by policy or map by map analysis of conformity and consistency. That said, in the Attachments section of this report, there is a link to a Proposed OPA 11 Changes with Rationale document which outlines why each of the changes are being recommended.

Key policy and mapping changes have been flagged below for consideration.

Official Plan Amendment 11 Changes since the July 2022 Public and Agency Circulation

Proposed OPA 11 is largely identical to the version circulated to the public, agencies, and municipalities in July 2022. Beyond some grammatical and formatting changes, the other further changes of substance are as follows:

- Former item # 108 has been consolidated with item # 37 and modified slightly to reflect conservation authority input.
- A new item # 108 has been added to clarify the definition of ‘development’ in order to be consistent with the PPS. The County’s former definition had an errant comma in it, which was causing interpretation difficulties.
- Item # 93 has been amended to reflect the further comments by those supporting dark sky protection.
- Item # 110 has been amended to reinsert the middle paragraph, which is already in the County Plan, but was missed in OPA 11.

Growth Management Strategy

The starting point for OPA 11 was as a result of the Province’s 2020 update to the PPS. Within the 2020 PPS, it now allows counties and municipalities to plan for a period of 25 years versus the former planning horizon of 20 years. Section 1.2.4 of the PPS states:

“Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

- a) identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect provincial plans where these exist and informed by provincial guidelines;*
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;*
- c) identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8;*
- d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and*
- e) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.”*

Based on this change, the County undertook an update to the Growth Management Strategy (GMS) that was completed in 2021. This GMS was completed prior to the release of the 2021 Census results, however, the projections in the GMS align nicely with the statistics from the Census that have been released to date. Other independent reviews by member municipalities (or their consultants) of the County’s 2021 GMS have also concurred with the results. Through updating the County Plan with new residential and employment projections, it will now allow the County’s member municipalities to plan for a 25-year planning horizon. Should OPA 11 be passed by County Council, municipalities will be enabled to use these numbers and extended planning horizon in their own municipal official plans.

Although not as directly tied to the GMS, OPA 11 will also include two additional Future Secondary Plan areas within the Municipality of West Grey, which may be needed to support the future growth of the Town of Hanover. These changes were based on the Town of Hanover’s recently completed comprehensive review and ‘set the stage’ for future growth planning to meet the needs of the Town.

Affordable Housing

Recent changes to the *Planning Act* and the PPS have enabled further potential for affordable housing. One of the key legislative changes has been with respect to additional residential units (ARUs), formerly referred to as secondary suites, or accessory apartments. An earlier iteration of the *Planning Act* permitted ARUs in single, semi-detached, and townhouse dwellings in either the dwelling itself or a detached accessory structure. Following the passing of Recolour Grey, the Province updated the *Planning Act* to permit ARUs in single, semi-detached, and townhouse dwellings in both the dwelling itself, and a detached accessory structure. Proposed OPA 11 implements this change by permitting ARUs in the dwellings and detached structures, versus Recolour Grey, which only permits ARUs in the dwellings or the detached structures.

Other policies in OPA 11 are a result of changes to the 2020 PPS, such as section 1.1.4 of the PPS, which has updated the minimum needs for residential land supplies to accommodate residential growth.

County staff are recommending additional changes to other housing policies in the County Plan to further enable a broad range of dwelling types, including tiny homes, employee housing, rentals, co-housing, etc. As part of this suite of changes, increased densities are being recommended for the County's Primary Settlement Areas and criteria for where some lesser density may be appropriate. County staff are also recommending that it is no longer appropriate to have zones where only single detached dwellings are permitted within fully serviced settlement areas. Updates to sections 4 and 9 of the Plan will further implement direction from the County's Affordable Housing Taskforce. Combined, these policies aim to better equip the County and member municipalities with a broad range of housing types.

OPA 11 also includes the deletion throughout the Plan of any references to 'bonusing' or 'bonus zoning', as per recent changes to the *Planning Act*.

Going Green in Grey – Climate Change Action Plan (CCAP)

Updated policies and direction have been proposed in OPA 11 to begin to implement the recommendations of the County's CCAP. Section 7.13 of the Plan has been substantially updated based on the County's CCAP, including enshrining the net-zero targets for corporate and community emissions by 2045 and 2050, respectively. Other minor tweaks have been updated throughout the Official Plan to better provide for a climate lens in the County's land use policies and decision-making.

As mentioned earlier in this report, a new section 7.14 has been added to the Plan to address dark skies across the County. Dark skies were the topic that the County got the most feedback on throughout OPA 11, and this section is a result of that public input.

Agricultural, Rural and Resource Area Policy Updates

There are numerous updates proposed which address sections outside of the County's settlement areas. Some highlights of these sections include the following:

1. Further policy guidance on campgrounds, glamping and other resource based recreational uses in the Agricultural and Rural designations at sections 5.2 and 5.4 respectively.
2. Updates to section 5.2.3(1)(b) regarding surplus farm dwelling severances, in response to the request from Ontario Barn Preservation, as well as adding a new definition for decommissioned livestock facility.
3. Clarification to section 5.2.3(5) regarding severances in split land use designations.
4. Clarification related to on-farm diversified use policies and allowing for such uses on some smaller farms.
5. Updates to the Rural lot density policy to clarify how the policies are pro-rated up or down.
6. Clarification in section 5.6 to the County's Aggregate Resource Area policies.
7. Clarification of the County's bedrock and shale policies in section 5.6.6 to outline how a landowner would address these policies if they were looking at new non-farm lot development in these areas.

8. Clarification in section 7 on farm-sized lot creation in Core Areas.
9. Adding further criteria for parkland dedication.

Housekeeping Changes and Mapping Updates

A number of the policy and mapping changes in OPA 11 are a result of;

- a) staff having worked with Recolour Grey for a few years now and having determined which policies need some clarification,
- b) minor mapping errors or inconsistencies, and
- c) mapping which is the result of Provincial approvals or the surrender/approval of aggregate licenses.

Within item (a), these types of changes are quite common in an official plan. In creating a new official plan, staff and council do their best to provide clear interpretable policies. However, once the plan is approved and consultants, the public, and staff start working with the policies, there will inevitably be areas of confusion that require additional clarification. In most instances, these revised policies simply try to clarify the original intent of council and staff in drafting the policies. Updates to section 8.8 regarding the County's CP Rail Trail, which clarify trail crossings and development abutting the trail, are an example of this type of clarification. Another area of clarification was to rename some of the County's settlement areas to include the words 'settlement area' in the title, to avoid any confusion regarding the County's settlement area designations.

Within item (b), some tweaks were made to the mapping where aggregate or bedrock areas overlapped settlement and hazard lands. Further tweaks were made to recognize existing land uses, such as the Chapmans Distribution Building on Highway 10, or the former InterForest property on Grey Road 4. Other minor mapping changes included sections in the Inland Lakes and Shoreline designation, where a marina was missed, or a row of existing cottages was excluded.

Within item (c) the revised OPA 11 takes into account gravel pits that have now been rehabilitated and had their licenses surrendered or newly created pits which did not require a County Official Plan amendment. The revised mapping also includes the Minister's Zoning Order (MZO) lands which were approved in Dundalk. Approval of the MZO lands in the County Official Plan will enable staff to provide a recommendation on the adopted Township of Southgate Official Plan, which also includes the MZO lands.

County staff are satisfied that proposed Official Plan Amendment 11;

1. has regard for matters of Provincial interest under the *Planning Act*,
2. is consistent with the Provincial Policy Statement,
3. conforms to the Niagara Escarpment Plan, and
4. furthers the goals and objectives of the County Official Plan.

Legal and Legislated Requirements

County Official Plan Amendment was processed in accordance with the requirements of the *Planning Act*.

Financial and Resource Implications

There are no further financial or resource implications to be considered stemming from this report. Proposed OPA 11 was funded with existing funds in the 2021 and 2022 budgets. Should there be an appeal on OPA 11, additional staff time and financial resources from the legal reserve may be required.

Relevant Consultation

Internal: Economic Development, Transportation Services, Housing, Legal Services, CAO

External: The public, member municipalities within Grey, and required agencies and stakeholders under the *Planning Act*

Appendices and Attachments

[Draft Official Plan Amendment 11 Text – August 25, 2022](#)

[Draft Official Plan Amendment 11 Mapping – August 25, 2022](#)

[Proposed OPA 11 Changes with Rationale - July 4, 2022](#)

[Proposed OPA 11 Comment Summary and Response Document – July 4, 2022](#)

[Proposed OPA 11 Mapping - July 4, 2022](#)

[OPA 11 Public Meeting Minutes – February 3, 2022](#)

[PDR-CW-23-21 GMS-Housekeeping OPA 11 Staff Report](#)

[Addendum to PDR-CW-28-20 Update to the County's Growth Management Strategy](#)

[2021 Growth Management Strategy Memo](#)

[2021 Growth Management Strategy Slide Deck](#)

[Recolour Grey County Official Plan 2019](#)