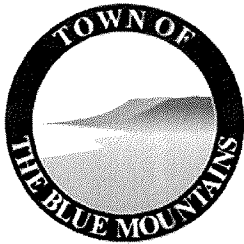


STAFF REPORT: Planning



REPORT TO: Mayor & Members of Council
MEETING DATE: September 03, 2008
REPORT NO.: PL.08.102
**SUBJECT: County of Grey Official Plan –
Five Year Review**
**PREPARED BY: Peter Tollefsen
Director of Planning**

A. Recommendations

THAT Council receive Planning Staff Report No. PL.08.102, “County of Grey Official Plan – Five Year Review” for information purposes.

B. Background

The County of Grey is in the process of conducting their Official Plan Five Year Review. The proposed new Official Plan was forwarded to Council on August 18, 2008 with a staff report highlighting the changes. Council received Planning Staff Report #PL.08.96 for information and review purposes and recommended that the report be forwarded to the County as the Town’s response, which was done.

On August 20, 2008 a Summary Chart of municipal and agency comments on the County Official Plan was forwarded to area municipalities from the Grey County Planning Department. The purpose of this report is to update Council on these comments.

The Summary of Comments contains comments on one side and the County staff response on the right hand side. A complete set of comments can be made available to Council upon request.

The Summary of Municipal Comments contains input from Chatsworth, Hanover, Owen Sound, Southgate, Town of The Blue Mountains, West Grey, Georgian Bluffs and Meaford.

There is a variety of comments but generally most municipalities have no major issues but a number of requested changes to certain sections. Some of the rural municipalities feel some of the new consent policies too restrictive, others do not. Hanover and Owen Sound have significant concerns with the Growth Management Policies, others suggested adjustments. Most municipalities support utilizing Minimum Distance Standards (MDS) to protect existing agricultural operations and applying MDS to existing lots of record. Most, if not all, had favourable comments for the new renewable energy policies.

The Town of The Blue Mountains summary of comments are attached. As you can see, Grey County staff agree with most of them. On the ones they do not agree on:

- Table 5 adding a 4th Column to “Seasonal Dwellings by Area Municipality” of Total Household Growth would still be helpful;
- reference to use of original Twp. lot. Accept the response that the policy would still allow an 80 ha. farm to be severed in half resulting in two 40 ha. lots;
- We did not have a concern with the MDS, just a question on existing lots of record; what to do with the existing lots that have been created under the former MDS calculations. Agree with the County that the number of lots which would be impacted are minimal;
- Four Settlement areas will no longer be identified. Agree with the County that the hamlets recommended to be removed (Banks, Redwing, Gibraltar and Slabtown) should not experience any more growth;
- For Mineral Resource Extraction, Town would like Official Plan Amendment requirement. County staff agree that local municipalities should also have control and this would come in the form of a zoning by-law amendment;
- Want Site Plan Control applied to aggregate applications; disagree with County response;
- Our suggestion that the complete application not provide matters related to minor variance, consent and zoning by-laws; accept the County’s response.

Staff will be meeting with County staff to discuss these issues.

The Summary of Agency Comments contains input from the Conservation Authorities, Ministries of Transportation, Environment, Culture, Ministry of Natural Resources, Agricultural Food and Rural Area, Municipal Affairs and Housing, Niagara Escarpment Commission and Source Protection Committee. Some of the comments are as follows:

- **Conservation Authorities**
 - asking for additional wording which recognizes the need to undertake a Natural Heritage Study;
 - recommend fragmentation of significant woodlands be prohibited; (Comment – they asked for “discouraged” now they are asking for “prohibited”).

- **Ministry of Transportation** – want some sections deleted and replaced with:
 - to protect the function of the Provincial Highways by working closely with the MTO as the road authority, on matters affecting the integrity of the Provincial Highway system;
 - confirmation that Ministry Transportation permits, and in particular an entrance permit, are available for lots fronting on Provincial Highway 6 and Highway 21.

- **Ministry of Culture** - want some words added to Goal 3, Section 1.4:
 - protection of archaeological sites and conserving cultural heritage resources and landscapes;
 - add a statement for Section 2.7.3 recognizing the requirement for archaeological studies;
 - change the term “inventory” to “municipal register”;
 - consider including a reference in Section 3.6 regarding the preparation of “conservation plans”;
 - add a statement to consider identifying and protection heritage roads.

- **Ministry of Natural Resources**
 - modify Section 1.5.1 with the following wording: “To encourage the continuation of compatible land uses...on lands with aggregate resource capability”;
 - expand permitted uses under Section 2.7.2 to include asphalt and concrete plants and all associated facilities in extraction; (Comment – disagree)
 - site assessments for all applications to determine the presence of significant features or functions on the affected properties; (Comment – disagree, all applications? Committee of Adjustment?);
 - prohibit development and site alteration in areas identified as significant habitat of endangered and threatened species. (Comment – disagree, if Environmental Impact Studies show certain development could occur then it should be allowed).

- **Ministry of Agriculture and Food**
 - define “farming” as per the PPS definition for “Agricultural Uses” and “home rural occupations” as the PPS term “secondary”. (Comment – Agricultural uses instead of farming as a definition ok, but home rural occupations as secondary no. Do not want to limit activity to value added products in the rural area).
 - proposed wind turbines on properties less than 1 ha can be considered secondary; (Comment – OMAFRA position seems inconsistent with the PPS. will require additional dialogue).

- recommend the deletion of wineries in 2.2.2; (Comment – disagree, wineries should be permitted use in the agricultural area where the product is grown).

- **Ministry of Municipal Affairs & Housing**

- Section 1.6 contains growth projections beyond 20, remove last column as it is not necessary or required under the PPS. Need to deal with a 20 year planning horizon.

- A minimum affordable housing target needs to be established.

- Section 2.6.6 (Resort Recreation Area) MMAH wants to review; (Comment – this is the new designation for seasonable lands within The Blue Mountains – full services provided).

- need to designate and include policies related to employment lands and conversion of these lands to non-employment uses; (Comment – more discussion with the province required on this point).

- **Niagara Escarpment Commission**

- the Agricultural lands designation does not extend into the Niagara Escarpment Plan area. Would like the prime agricultural land areas of the County shown within the NEP area on Schedule A; (Comment – why? The Commission and staff have available the Canada Land Inventory mapping for the NE Plan area. The County’s mapping did not explore the Ag/Rural split for those lands during the preparation of the County OP. Too much work now).

- In reference to renewable energy policies the NEC has raised particular concern over the visual impact of wind power projects on lands adjacent to the Niagara Escarpment. They have requested a policy be added to the County OP to strongly acknowledge the value of the scenic resources in the vicinity of the Escarpment and provide greater direction in requiring visual impact studies for lands within the “*significant viewscapes of the Escarpment*”; (Comment – County response: there is no documentation available identifying the “significant viewscapes of the Escarpment” beyond the NEP area. Do not know how we would quantify that. Leave to the lower tier municipality to determine if they wish to include a greater buffer area around the NEP).

- **Source Protection Committee**

- recommended adding an objective to Section 1.5.3 to address drinking water source protection.

The County will set up meetings with the public agencies together with area municipal staff for further discussion.

C. The Blue Mountains’ Strategic Plan

1. *Managing growth to ensure the ongoing health and prosperity of the community.*

D. Environmental Impacts

There are some proposed new policies in the County Official plan requiring more impact studies for development which will assist in improvements to the environment.

E. Budget Impact

Amendments will be required to the Town Official Plan when the County Official Plan is improved to bring our Plan into conformity. Staff time to review and prepare the amendments.

F. Attachment(s)

1. Pages 22 to 25 inclusive of the Draft County Official Plan Five Year Review.

Respectfully submitted,

Peter Tollefsen, Director of Planning

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Municipality	Municipal Comment	County Staff Comment- August 2008 A = Agree with local position/NA=Not Agree
<p>The Blue Mountains (comments on May 2008 version)</p>	<ul style="list-style-type: none"> - comments on 1.6 Growth Management - recommend referencing Malone Given Parsons and the growth management study would be better suited in an Appendix including the Tables - recommend expanded wording related to seasonal recreational growth - request clarification on the Tables regarding the difference between Settlement Area of Thornbury-Clarksburg and the Recreational Resort designation (permanent vs. seasonal) - Table 5 recommend a 4th column showing 'total household growth' - recommended edits with respect to Ministry names, words, definitions etc. - raised concern over reference to use of 'original twp. lot' as in the case of TBM the original lot size is 80 hectares (200 acres) - raised concern with the application/implementation of reciprocal MDS in the various designations - questioned who would be responsible for providing "Justification" as required under policy 2.2.4(3) - raised issue of policy conflict regarding minimum lot size for new lots in Rural, currently TBM OP allows for 10 hectare parcels with 150 m. frontage 	<p>anticipated that the weight of these comments will be given the same regard as comments received from agencies and the public.</p> <p>A – County staff will consider this recommendation and determine how it should be implemented.</p> <p>A</p> <p>A – this will be further clarified in the policies related to the Recreational Resort designation.</p> <p>NA</p> <p>A</p> <p>NA – the policy would still allow an 80 hectare farm to be severed in half resulting in two 40 hectare lots. The reference regarding original township lots only applies to original township lots that are less than 40 hectares.</p> <p>NA – the number of lots which would be impacted are minimal compared to the long term impacts on an active agricultural parcel if reciprocal MDS is not applied</p> <p>- typically the justification for requiring a lot addition is provided by the applicant. County staff will recommend adding new words to the policy for clarification</p> <p>A – local municipalities have the option to be more restrictive than the policies in the County Official Plan. Municipalities may have to amend their OP based on the approved policies.</p>

A = Agree with local position/NA=Not Agree

<p>TBM cont.</p>	<p>- pointed out that 4 settlement areas will no longer be identified in the County Plan but are designated village centre in the TBM plan</p> <p>- Table 7 put N/A under TBM Secondary Settlement Areas</p> <p>- Town has requested if intensification targets can be higher in Primary settlement areas</p> <p>- 2.6.6 applies to lands within TBM and was completed in consultation with the Town staff. The policy recommend by TBM staff is as follows:</p> <p>(1) <i>The Recreational Resort designation as shown on Schedule A of this Plan shall apply to those lands which are new settlement areas which have developed as a result of site specific amendments to the County of Grey Official Plan and/or local Official Plan consisting of a defined development area, specific recreational amenities, residential development and serviced with full municipal services (sewer and water).</i></p> <p>(2) <i>New development in the Recreational Resort designation must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-serviced development areas and areas with development potential.</i></p> <p>(3) <i>The Recreational Resort designation will strive to enhance recreational and tourism related activities by:</i></p> <p>a) <i>encouraging the maintenance and expansion of existing recreation and tourism related facilities.</i></p> <p>b) <i>encouraging new land uses that will promote existing or require the establishment of new</i></p>	<p>NA - County staff suggest that the Hamlets recommended to be removed should not experience any more growth. Growth should instead be directed to the Town's Primary Settlement Areas/Recreation Resort Areas with some limited development also directed to Tertiary Settlement Areas.</p> <p>A</p> <p>A – Should the Municipality wish to increase the intensification targets beyond the minimum they are encouraged to do so in their Local Official Plan.</p> <p>A – County staff agrees with most of the proposed policies with some additional policy clarification regarding the portion of growth recognized as seasonal vs. permanent in the Recreational Resort designation.</p>	
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A = Agree with local position/NA=Not Agree

<p>TBM cont.</p>	<p>recreation and tourism facilities which diversify opportunities for all possible forms of recreation such as skiing, snowmobiling, fishing, hunting, golfing, walking, hiking, biking, equestrian and nature trail uses, water access activities, all in a manner consistent with the preservation of the natural environment. c) supporting the dedication/acquisition of land for long-term public benefits. d) supporting the creation of public-private partnerships in a fiscally responsible manner. (4) For those areas designated Recreational Resort located within the Niagara Escarpment Plan, the policies of Section 2.5.2 shall also apply.</p> <p><u>Mineral Resource Extraction designation</u> - County policy recommends not requiring a local OPA just a County level OPA – Town would like this reversed, would still like a local OPA required</p> <p>- renewable energy policies – the Town is asking questions of the draft policies as this is a new section</p> <p>- request that 5.3.2(8) specify that where there are full municipal services provided that residential lots shall be required to connect</p> <p>- in the case of water taking the Town is recommending that wording be added to require a local official plan amendment, where the local OP requires it</p>	<p>NA – The impacts from an aggregate operation often effect more than one township (haul routes, truck traffic, etc.). Gravel pits/Quarries are also getting larger. Based on this, County staff suggest that it is important for Committee/County Council to determine whether or not a gravel pit/quarry should be permitted. County staff agree that Local Municipalities should also have control and this would come in the form of a zoning by-law amendment which would still provide local municipalities with a level of control for determining whether or not they want to support a new aggregate operation.</p> <p>- County staff will discuss these questions/concerns with Town staff to clarify the policies.</p> <p>A – County staff recommend that this be added as a new Policy in Section 5.3.2</p> <p>A – County staff will add this wording</p>
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A = Agree with local position/NA=Not Agree

Municipality

Municipal Comment

County Staff Comment- August 2008

A = Agree with local position/NA=Not Agree

TBM cont.

-identification of Municipal Wellhead protection areas is new and needs to be coordinated with source protection planning

- under Implementation the Town has raised the following matters
- would like local site plan control applied to aggregate applications
- a number of new sections added which do not impact local op policies
- suggest that the complete application section not provide matters related to minor variance, consent and zoning by-laws

- Town would like to review the Definitions section once completed

- need to add the Recreation Resort designation to Schedule "A"

- provided commentary on DD lands within the Thornbury urban boundary – questioned whether a County O.P. would be required for the redesignation

A – County staff have been working with the Sourcewater Protection staff to draft some policies for Groundwater Management and Protection and to identify the appropriate areas for protection.

NA – Site Plan Control under the Planning Act is limited in its application and County Staff are of the opinion that site plan control can not be applied to aggregate applications.

NA - it is not the County's intention to determine if a "local" application is complete, however the Planning Act requires that municipal plans include policies as to what constitutes a 'complete' application along with what studies and reports are necessary (22(4) & (5), 51(17) & (18), 34(10.1) & (10.2) AND 53((2) & (3) – the wording of the legislation refers to "prescribed information or material" and further for other information is permitted "only if the official plan contains provisions relating to requirements under this subsection". Also, some local municipalities do not have Local OP's and therefore the County needs to include policies related to local municipal applications in order to satisfy the legislated requirements under the Planning Act for those local municipalities.

A – these will be circulated once the Committee has reviewed

A

- if these lands are within the Urban designation in the County OP then a County OPA will not be required

Municipality

Municipal Comment

County Staff Comment- August 2008

A = Agree with local position/NA=Not Agree