



Council Meeting – May 22, 2024

Subject: Municipal Comprehensive Review Phase 1 Council Directed
Official Plan Amendment
Report Number: CD-24-071
Division: Community Development
Department: Planning
Ward: All Wards
Purpose: For Decision

Recommendation(s):

That Report Number CD-24-071, Municipal Comprehensive Review Phase 1 Council Directed Official Plan Amendment be received; and

Further that all public input received for this Official Plan Amendment was considered as part of the decision.

Executive Summary:

Following Council's direction and decision on April 16, 2024, the purpose of this report is to present the Phase 1 Official Plan Amendment (OPA) for Norfolk County's Municipal Comprehensive Review (MCR). The purpose of the Municipal Comprehensive Review is to ensure that Norfolk County's Official Plan is consistent with Provincial Policies.

Discussion

Background

On April 16, 2024, Council was presented report CD-24-053, regarding Phase 1 of the Municipal Comprehensive Review by staff. This body of work was built off the work completed as a part of the Growth Management Study, Grow Norfolk, which concluded in November of 2023. A more fulsome history of both projects was outlined in CD-24-053. The report was intended to represent the first of two reports prepared as part of the Municipal Comprehensive Review to facilitate an Official Plan Amendment (OPA). This meeting was held as a Special Council Meeting under Section 26 of the *Planning Act*, 1990, therefore, the meeting was also intended to provide an opportunity for the public to speak on the required and proposed changes to the Official Plan. Council heard from 15 deputations and speakers on the subject, in addition to reviewing 8 written comments prior to providing direction to staff on the associated urban area settlement boundary changes and employment conversion requests.

Through motion, Council utilized the schedules associated with report CD-24-053. The direction was as follows:

Urban Settlement Area	Base Schedule Option	Proposed Changes
Courtland	Schedule 1	Add in lands identified as ID 25, ID 26, 27 and ID 17 from Schedule 8
Port Dover	Schedule 5	No changes
Port Rowan	Schedule 6	Reject proposed removal
Delhi	Schedule 2B	Add in lands identified as the entire golf course property, being all of ID #3 and #4.
Simcoe	Schedule 3	Add in lands identified as ID #1, #2, #10, #11, #21, #37 and #54 with special provision respecting #37 and #54, as set out in the staff report
Waterford	Schedule 4A	Add in lands identified as ID #7, #8, & remove lands identified as the eastern portion of ID #6

No Council direction was provided to change what was proposed by staff for Employment additions in Norfolk North. Accordingly, the changes as proposed by staff have been included in the attached by-law.

Gaps in Proposed Urban Area Settlement Boundary

One component of the proposed Official Plan Amendment that requires review is the likely unintentional creation of gaps in the Proposed Urban Area Settlement Boundary as identified through Council direction. The majority of these gaps were as a result of smaller parcels existing between selected larger requested parcels and the existing urban boundary, however some discrepancies resulted in the layering of staff options with additional lands directed to be included by Council. Staff utilized their best judgement in preparing the by-law and included the lands identified, however each instance is further explored in Attachment D.

Consultation(s)

Engagement has been conducted throughout the Municipal Comprehensive Review process, following the engagement which was completed as a part of the Council approved engagement program for the GROW Norfolk Study. This engagement included collaboration with various groups such as:

- Project Technical Internal Working Group (from the GROW Norfolk work)
- Provincial and other Agencies
- Landowner/Development Industry Stakeholders
- Public
- Planning Advisory Committee
- First Nations

A Public Information Centre on February 9, 2024 on draft urban settlement boundaries and a draft mapping regarding proposed employment area conversions was presented. More than 50 members of the public attended the event. Following the meeting, staff also organized individual meeting slots to facilitate further discussion on the proposed draft changes. More than 12 stakeholder meetings were held, as well as additional telephone meeting sessions.

Technical Comments / Analysis:

Technical comments were provided by various departments and agencies. This included comments from consulting services for Source Water Protection, GIS, Grand Erie District School Board, and CN Rail.

Questions regarding impacts to Source Water Protection arose at the Council meeting and through subsequent discussions staff have had with the public. Comments provided through Cambium, a consulting firm to the Environmental Services team provide some high level information regarding Source Water Protection within the area west of Simcoe.

See Attachment B for the complete technical comments.

Regard for Public Input:

The Special Council Meeting satisfying the requirements identified in Section 26 of the Planning Act was held on April 16, 2024. Notification of this meeting was placed in the newspapers on March 7 and March 14, 2024. Opportunity for Council to receive written comments and verbal comments in the form of deputations and speakers was provided at the Special Council meeting. All those that wished to speak were given the opportunity to.

10 public submissions were received at the time of this report. See Attachment C for the public comments.

Council finalized the review and provided direction as part of the April 16 Special Council Meeting.

Planning Considerations:

Summary of Staff Proposed Options for Urban Area Settlement Boundaries and Employment Conversions

As a part of this body of work, staff presented on 3 main components which impact the overall amount of land within the urban area settlement boundaries:

1. Proposed Land Inclusion and Removals based on the needs identified in the Grow Norfolk study, including consideration for all requested lands
2. Evaluations and recommendations pertaining to Employment Conversion Requests within the existing urban area
3. Boundary Rationalization to remove some land from the existing urban area settlement boundaries to better reflect land that is developable and contributing to the urban area community experience.

The full evaluation can be found in Report CD-24-053. In terms of the proposed Urban Area Settlement Boundaries, staff provided two options for Council’s consideration for Delhi, Waterford, and Port Rowan. For the remaining urban areas, only one option was provided. The total amounts of land identified for community or residential use, employment lands and proposed boundary rationalization removals are outlined in Table 1.

Table 1. Staff Proposed Settlement Boundary Changes by Area

Urban Settlement Area	Proposed Community Area/Residential for Inclusion (in ha)	Proposed Employment Lands for Inclusion (in ha)	Total Land for Inclusion (in ha)	Proposed Boundary Rationalization removals (in ha)
Courtland	19.9	25	44.9	0
Delhi	81.5/91.6	23.9	105.3 / 115.4	2.8
Simcoe	29.9	0	29.9	41.7
Waterford	33 / 65	16.1	49.1/81.1	40.0
Port Dover	0	0	0	20.6
Port Rowan	0/-35.1	0	0	0
Norfolk North	0	23.2	23.2	0
TOTAL	161.2 – 174.4	88.2	252.4- 294.5	105.1

Summary of Council proposed Urban Area Settlement Boundaries and Employment Conversions

In the form of resolutions, Council provided direction to staff regarding what to include in the draft by-law which was to be addressed at this meeting. A summary of the land implications based on that direction is identified in Table 2.

Table 2. Council Directed Proposed Settlement Boundary Changes by Area

Urban Settlement Area	Proposed Community Area/Residential for Inclusion (in ha)	Proposed Employment Lands for Inclusion (in ha)	Total Land for Inclusion (in ha)	Proposed Boundary Rationalization removals (in ha)
Courtland	60.5	94.3	154.8	0
Delhi	143.3	23.8	167.1	2.8
Simcoe	66.0	0	162.1 ¹	41.7
Waterford	92.2	16.1	108.3	40.0
Port Dover	0	0	0	20.6
Port Rowan	0	0	0	0
Norfolk North	0	23.18	23.18	0
TOTAL	362.0	157.4	615	105.1

Site Specific Policy Area

Also included in the direction was the inclusion of 96.1 ha of land for a campus of care. There was also direction to staff to draft a site specific policy pertaining to these lands. Staff considered what had been presented by the representatives of a portion of the lands, in addition to reviewing the comments and discussion of Council in attempt to provide a policy which reflected the Council intention. Staff drafted the following that is included within the Official Plan Amendment Bylaw:

Notwithstanding Sections 7.14.1 and 7.14.2, the following shall be the policy of the County in relation to the Simcoe – West Street/Evergreen Hill Institutional Site Specific Policy Area:

- a) On land designated Major Institutional - Site Specific Policy Area 7.14.3.2 on Schedule "B" to this Plan, in addition to the permitted uses of the Major Institutional Designation, residential use, where they are intended to provide accommodation for persons associated with institutional uses, shall be a permitted use.
- b) Notwithstanding the Major Institutional Designation on the lands and the above noted additional uses, development within this area will only be permitted following the completion of a Master Plan. The Master Plan will be considered complete upon approval of Council of the plan.
- c) Prior to the preparation of the Master Plan the County, in consultation with other agencies, shall approve detailed Terms of Reference which Terms shall

¹ Total Land for Inclusion for Simcoe includes lands identified for Community/Residential use, Employment Area, and lands identified to be utilized for Major Institutional uses under Site Specific Policy Area 7.14.3.2.

- identify the required studies and plans required, and the scope thereof, as well as public and agency notice, consultation, review and approval requirements and anticipated timelines for approval of the Master Plan.
- d) No applications proposing development (other than land assembly consents) shall be approved unless the Master Plan has been completed and approved by County Council. Council may however allow the concurrent processing of land development applications during the Master Plan review and approval process.
 - e) The Master Plan should:
 - i) Illustrate the detailed land uses including the location, type, area, and approximate dimensions of each land use.
 - ii) Identify the location, distribution and land areas required for community facilities, parks, trails and open spaces.
 - iii) Be accompanied and supported by appropriate studies and reports as identified by the Terms of Reference.
 - f) Council may approve the Master Plan by resolution and while it does not need to be included as an amendment to the County Official Plan it shall be used as a general guide to the overall development of this Special Policy Area and can be further refined and amended by Council, as necessary.

As noted in the Special Council Meeting report, CD-24-053, a potential interest in a donation of land to facilitate a “campus of care” was identified by the Norfolk General Hospital. In March of 2024, it was identified formally to planning staff that there was an interest in developing the new campus of care, and that candidate sites were being proposed outside of the urban boundary and that multiple properties could be potential candidates for the site with no parcel having been confirmed as the preferred site to date.

The proposed special policy encompasses the institutional uses that have been identified as a need within the community through the Norfolk General Hospital. It would also leave opportunity for supporting institutional uses such as educational facilities and other related uses, such as residences or long-term care facilities. The proposed draft site specific policy includes a requirement of a Master Plan. This would be to ensure all lands intended for institutional uses were planned holistically and long term. It aligns with standard Hospital planning practices in Ontario and was also proposed as part of proposal presented by representatives of one of the parcels included in this area.

Special Policy

For lands being proposed to meet the Community or Residential needs in the Urban Areas, staff propose the inclusion of a Special Policy which identifies the importance of the completion of the associated Community Plans as the next step to identify appropriate land use designations and related updates to schedules and policies of the Official Plan. This policy reconfirms the role of Community Plans in facilitating orderly and complete community development by pairing the planning exercise with a servicing

strategy for each urban area. The policy is intended to provide further clarification on the role of Community Plans in the development of the urban areas as a whole and in relation to the lands which are proposed to be newly added for greenfield development. The proposed policy is an extension of Section 6.4 and is outlined as follows:

k) Urban Area Boundary Expansion Special Policy Area

- i) To manage growth forecasted over the long-term planning horizon and to guide development and land needs into the future, the County will ensure development growth is staged appropriately and occurs in an orderly manner.
- ii) Further amendments to Schedule B: Land Use and other schedules and policies of this plan shall be facilitated through the completion of a County-led Community Plan and Master Servicing Strategy for each urban area subject to this Special Policy Area
- iii) Notwithstanding Section 6.4 k) ii) and Section 9.5.1, the County may consider a private site specific amendment for a specific site or area within an urban area, provided that the proponent conduct studies and develop plans, which would include but are not limited to demonstration that:
 - (1) the land use mix, densities of development and compatibility between different uses, conforms to the policies of this Plan;
 - (2) adequate municipal water and wastewater services can be extended and upgraded to accommodate the proposed development with the costs to be borne by the developer to the satisfaction of the County;
 - (3) there is sufficient reserve capacity in the water treatment and wastewater treatment services to accommodate the identified growth or that such capacity will be available to the lands within five years;
 - (4) the stormwater management strategy meets the standards of the County (and the Conservation Authority, as applicable);
 - (5) the proposed transportation system, including active transportation routes, meets the standards of the County and can be integrated into the existing transportation network;
 - (6) an environmental analysis has been completed and any significant environmental features and appropriate buffer areas to protect those features have been identified;
 - (7) a cultural heritage and archaeological assessment has been carried out in consultation with Provincial ministries and local Indigenous communities, and measures to conserve significant cultural heritage and archaeological resources and to mitigate the impact of development on these resources have been identified;
 - (8) an Environmental Assessment, where required, has been completed which identifies, evaluates, and chooses optimal means of providing the necessary infrastructure;

- (9) the location of facilities supportive of the proposed development, including open space and parks, schools, places of worship, and commercial facilities are integrated into the proposed development in conformity to the policies of this Plan;
- (10) an agricultural impact analysis has been completed which conforms to the policies of this plan and is completed to the satisfaction of the County; and
- (11) any new development or redevelopment on lands adjacent to existing neighbourhoods shall consider the existing and planned uses of those neighbourhoods, compatibility, connectivity, and services as part of an appropriate mix of uses for Healthy and Complete Communities.

The intent is to complete this thorough work through a Master Servicing Strategy and Community Plan process facilitated by the County for each urban area as a whole upon the completion of the settlement boundary process. The purpose of the processes is to facilitate the planning of complete communities which include housing and a range of commercial, institutional, parks and other services through a public process. This process will encompass updating the land use and zoning for lands added through the settlement boundary process and the lands within the existing urban area to implement new policies. It is recognized that some sites may be positioned to proceed in advance of the Community Plan and Master Servicing Strategy process, therefore there is the option for future land use to be considered through an owner-initiated official plan amendment (with other development applications) provided sufficient study is considered. The inclusion of the use of Community Plans to facilitate orderly development in the urban areas was approved through the capital budget.

Request for Additional Information on Lands Southwest of Courtland

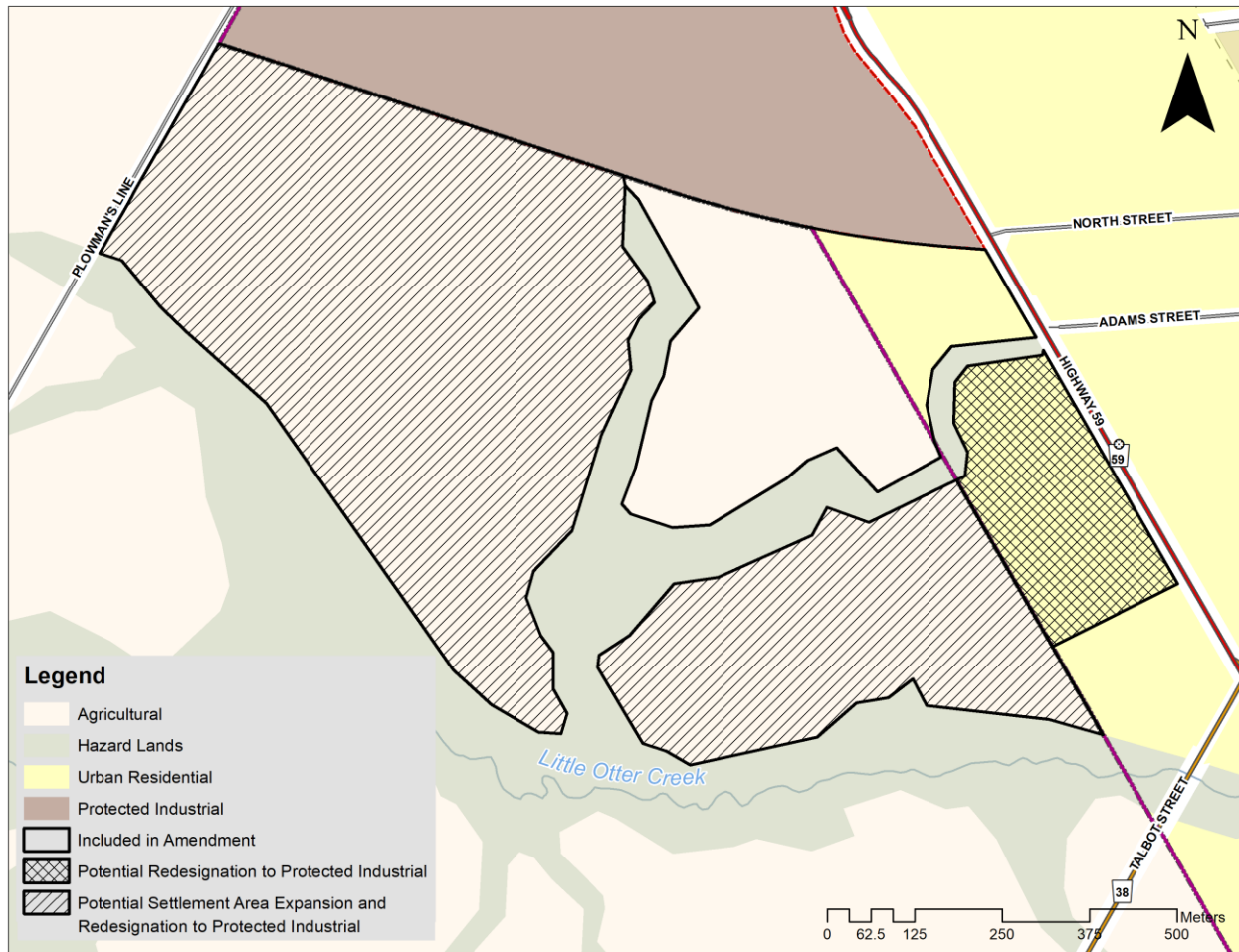
Through resolution SC-020 and the connected SC-021, Council discussed lands identified as South of Rail Line, east of Plowmans Line, to the settlement area to the east, to the creek hazard lands to the south. Council requested staff provide further information about these lands, which are identified in Figure 2.

A portion of the lands, located on the northeast quadrant of the subject lands, was identified by staff as a potential area of inclusion for Employment lands as a part of their analysis in Report CD-24-053. In selecting Option 2B, Council included the lands identified as “Included in Amendment” on Figure 2. The subject lands of this discussion are made up of Agricultural Designated lands, with the abutting lands with a Hazard Lands designation are proposed to be excluded. It is made up of portions of 11 separate parcels with differing ownership.

At this point, the subject lands have not been included in the proposed by-law. Section 1.1.2 of PPS, 2020 identifies that sufficient land shall be made available for land needs up to 25 years. It additionally notes that planning for employment areas is not limited by

this policy by the 25-year time horizon. Accordingly, the inclusion of additional lands for the purposes of planning for employment area would not be inconsistent with the PPS, 2020. Should there be an interest in including these lands, additional direction is required from Council to facilitate the inclusion.

Figure 1. Area SW of Courtland Associated with SC-020 and SC-021



Potential Impacts of Bill 185, Cutting Red Tape to Build More Homes Act, 2024

On April 10, 2024, the Province of Ontario Government announced Bill 185, Cutting Red Tape to Build More Homes Act, 2024. Its stated intent is to streamline approvals and help build more homes and infrastructure faster. Changes are proposed to the Planning Act and the Development Charges Act, 199, among others. The overall impact of the changes will be further explored by staff in a future report, however in terms of the Growth Management Study and Municipal Comprehensive Review, the most significant changes will likely come from the implementation of a new proposed Provincial Policy Statement as a part of the larger package of legislative changes tied to this act.

Some of these proposed changes to the PPS include a change in the time horizon for land needs from “up to 25 years” to “at least 20 years, but not more than 30 years” and

language changes in the section referring to the identification of new settlement areas, including the removal of the term *Comprehensive Review*. When new legislation is enacted that has impacts on the Growth Management and Municipal Comprehensive Review, the projects will be reviewed within the context of that legislation in greater detail at that time. Staff are currently anticipating that the county-led review and associated Official Plan Amendments will be sufficient to address any potentially differing policies.

Financial Services Comments:

There are no direct financial implications as a result of this report.

The Official Plan Amendment relating to Phase 1 as outlined in this report will aid in further sustainable growth investigation efforts for Norfolk County and will help ensure all Provincial Policies are being met within the current plan. Any anticipated growth is projected to have a positive impact on future assessment growth and water / wastewater users, particularly relating to intensification opportunities. Growth related infrastructure should be paid for through the collection of development charges (DCs) and any future development that occurs on a re-zoned parcel may result in increased property assessment and tax revenue for the County.

As additional information is brought forward through the implementation of this phase and future phases within the Official Master Plan, finance staff will continue to make recommendations related to funding requirements, grant opportunities and the overall financial impact of these growth related activities.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority Empowering Norfolk - Putting the tools and resources in place to ensure our business' and residents' success.

Explanation: The work being completed as a part of the Municipal Comprehensive Review and the associated conformity and implementing Official Plan Amendments directly relate to all three pillars of the "Building Norfolk" priority including:

- Ensure the health, safety and well-being of the community
- Provide a solid infrastructure foundation
- Ensure responsible growth policies and strategies

Conclusion:

To culminate the work completed through the Grow Norfolk study and to complete the Municipal Comprehensive Review and Official Plan update process, the implementing Official Plan Amendment has been split into two phases. As part of implementation of

Phase 1 of this process, Council provided direction to staff in the contents of the Phase 1 Official Plan Amendment, most specifically regarding the Urban Area Settlement Boundary at the Special Council Meeting held April 16, 2024. Council also requested a memo regarding an area southwest of the current Courtland settlement area boundary. Based on the direction provided by Council, staff have also flagged specific areas of attention to confirm their interpretation.

Pending Council's adoption of the final Phase 1 Official Plan Amendment by-law, it will be submitted to the Province for approval. Phase 2 will be initiated following this approval. With the amount of forecasted growth in population and employment anticipated in Norfolk County, it will be important to plan holistically in our communities to ensure aspects of the urban areas such as parks, schools, commercial opportunities, and transportation options are considered. This level of evaluation and consideration will be completed as part of the upcoming urban area community plans.

Attachment(s):

- Attachment A - Council Directed Draft By-law Amendment
- Attachment B - Technical Comments
- Attachment C - Public Comments
- Attachment D - Analysis of Gaps in Proposed Urban Area Settlement Boundary

Approval:

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