



Corporate Memo

Development Services

To: Council

From: Jeremy Vink, Manager of Planning

Subject: Responding to the Province's Announcement – Re: Winding Back Changes to Approved Official Plans

File ID: DM 125489, 125488 and 125487

Meeting Date: November 21, 2023

Background

On April 11, 2023 the Province announced the decision with respect to the Regional Official Plan (ROP) as it pertained to the first few chapters of the ROP and the associated mapping. In that decision the Province moved the boundaries of the settlements to match the Countryside Line (Attachment 1) instead of the boundaries proposed by the Region (see Attachment 2).

On October 23, 2023 the Province of Ontario announced that they “*will be introducing legislation that would reverse the official plan decisions for Barrie, Belleville, Guelph, Hamilton, Ottawa and the City of Peterborough, the Regional Municipalities of Halton, Niagara, Peel, Waterloo and York, as well as Wellington County. This legislation would wind back provincial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulation. This includes winding back changes to urban boundaries.*”

To ensure that the reset plans match our shared ambitions to build more homes, especially now that municipalities have made their housing pledges, we will be asking impacted municipalities to submit changes and updates to those plans to ministry staff within 45 days of today, including information on projects that are already underway.

In recognition of the costs incurred by municipalities arising out of this decision, the province will work with impacted municipalities to assist with related planning and staffing costs.”

Comments

In 2022 the Township had worked with the Region and was generally supportive of the Region's plan with respect to ROPA 6 proposing to add lands to match the 2051 population projections. The Province's April 2023 decision to provide much different urban boundaries came as a surprise to all. Based on that decision of the Province, the Township, as well as others, have moved forward and taken significant steps to implement that decision. The Province is now

seeking comments from local municipalities with respect to the Province's approval and how to move forward.

Two options readily present themselves, to either recommend to the Province to:

1. Revert back the decision with the Region's approved ROPA 6 boundaries; or
2. Move forward with the existing Province's approved boundaries with staged and controlled growth.

A third option would be some variation between the two above. This third option leads to choosing one parcel over another, it becomes complex and will not achieve a better approach than considering the two main options.

Winding back to the Region approved ROPA 6 boundaries would provide the protection to ensure that development does not creep or push beyond lands needed for the proposed population projections. This would also appear at first glance the best approach to protecting the environment and preserving farmland, especially if we are not able to control the growth.

Winding back the boundaries for Elmira, St Jacobs and especially Breslau would impact the works undertaken and has cost implications. The Township has made great strides to address the appropriate growth in these areas considering items such as land uses, servicing and infrastructure needs. Experts have been retained, staff have spent significant hours of time, and the community has provided input that has helped to move forward a land use plan in Breslau. As well, developers and landowners have made decisions and invested monies based on that Provincial decision.

With respect to the studies that have started, to stop the studies mid stream would have a financial impact as we are committed to paying professionals for their work and would also result in incomplete, valuable information being gathered. There is the potential that the Province may reimburse us for the costs incurred. It is important to note that current studies being undertaken are using funds from the Development Charges. After mid-2024 such funding of studies is no longer permitted from the Development Charges and would need to be funded from general tax levies, it is therefore financially responsible to complete those studies using the funds that already exist. The outcomes from these studies will provide valuable information to assist the Township in planning for the proper infrastructure needs and servicing now to support that long term growth. Continuing with the longer-term plan would give guidance to the Township to lay out a plan, to fund and guide that growth, in a feasible and phased appropriate manner.

Similarly, the Secondary Planning work done in Breslau has shown that the current approved Official Plan for Breslau could be improved upon by looking at these longer-term boundaries to the Countryside Line. This would allow for comprehensive planning of both residential lands and employment lands, help in setting priorities for future studies regarding drainage and environmental, integration of the Airport, leading to a better complete community.

Allowing the Township to consider growth in Elmira to the Countryside Line also allows for flexibility to develop more industrial land and opportunities for economic development, but also more wholistically consider transportation needs such as a potential truck by-pass and the extension of Barns wallow Drive to Listowel Road.

If the option was to wind back to the Regional Plan, the Township could not proceed with these comprehensive studies and planning as the Provincial Policy Statement framework only allows for review, designation, and planning of urban growth within the defined settlement boundaries. It would be conflicting with policy to suggest a development land use plan for lands that are not in a settlement, where development cannot take place.

The Region's Countryside Line, which was used to create the Province's approved ROPA 6 boundaries, already established this future long term growth boundary. If the goal or intent was to develop to that boundary in a haphazard manner, without the proper density and consideration in the short term, the concern remains valid. However, the Countryside Line as an Urban boundary can also achieve much the same effect of just a Countryside Line as a future growth boundary if planned and implemented well. Growth to an urban boundary can take just as long (maybe even longer) with a well developed and staged plan. A well-developed plan can ensure proper urban growth to these boundaries with proper densities, planning for transit and active transportation, yet in the interim can maintain the agricultural uses.

The addition of lands to each of the communities may also support opportunities for long term care homes to find lands in a settlement or allow the Township to respond to specific or unique housing or employment needs and economic development opportunities.

Not only is the Township impacted by this potential winding back, but so are landowners. Some developers and landowners have made decisions based on the April decision, even to the point of working on studies and reports in preparation of formal planning applications. For example, a larger industry has also been working on expansion plans that rely on the approved boundary to the Countryside Line.

Given all of the realities noted above, best approach is that Township request that the Minister continue with the use of the Countryside Line as was implemented for the Township of Woolwich, but only if the decision allows for and supports that the Township is be able to control the growth in accordance with the following:

- That the boundaries of the Countryside line be viewed as long term boundaries and not lands necessarily required by 2051 where the limits of the Countryside Line, as the urban boundary allow for the municipality to comprehensively plan for the long term needs of the community for both residential and employment lands,
- That the Township be required and permitted to implement proper growth controls that will set clear and concise staging policies to meet the population targets to 2051 as set out in the approved Regional Official Plan as approved by the Province,
- That staging shall take into account, and be subject to, available servicing capacity at the Regional Wastewater Treatment Plants in Elmira and St Jacobs,
- The Township develops and stages growth to meet or exceed the minimum densities in the current Official Plan of 45 ppj/ha in Township Urban Areas, and 55ppj/ha in the Urban Areas,
- That only the Township shall be able review and determine if any alterations to the staging or growth targets are required at the time of a Township initiated Official Plan review, which is reflective of population and employment needs. No individual landowner or group of landowners can request to amend the staging.

The direction to have a comprehensive long-term plan where growth is staged appropriately, will allow the Township to grow Elmira, St Jacobs and Breslau to achieve a better long-term plan, at potentially greater densities, protecting environmental features, having the same or less impact to agriculture. Although sometimes criticized for our strong staging and growth policies, this approach is consistent with how the Township has grown and demonstrated that we can grow in a very controlled manner. This is achieved by setting policy in the Official Plan along with identified areas that can grow at a point in time. Growth targets are allocated to greenfield development, splitting this annual growth between developers to see variation in product and opportunities in each community. This controlled growth in Woolwich been effective in Elmira and St Jacobs since the 1990's, using the population target for each community to set out equal annual growth targets. The same approach was recently used in Breslau, where the growth allocations were challenged and upheld at the Ontario Land Tribunal.

However, if the Province is not accepting of the above approach, it is then recommended that the Region's ROPA 6 boundaries be implemented for Woolwich. Although not allowing for the fulsome comprehensive approach that is preferred, the alternative of having the larger urban boundaries without the ability to control the growth would allow development that is not consistent with our goals and objectives. The Township would then also request that the Province reimburse the Township for the works and studies that were started and committed to under this process.

List of Attachments

Attachment 1 – Province Decision ROPA 6 April 2023

Attachment 2 – Region Approved ROPA 6 Boundaries