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To: **Committee of the Whole**

Agenda Section: Corporate Services  
Division: Engineering, Planning and Environment  
Department: Planning – Delegated Authority

Item Number: CCW - 2018-482

Meeting Date: September 25, 2018

Subject: Request for Approval - Town of Innisfil Official Plan  
I-OP-1801

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### **Recommendation**

**That the new Town of Innisfil Official Plan, as adopted by the Town of Innisfil By-law No. 007-18 on January 17, 2018, as modified by Schedule 3 to Item CCW-2018-482, be approved; and**

**That Notice of Decision of the new Town of Innisfil Official Plan be provided in accordance with the *Planning Act*.**

### **Executive Summary**

The Town of Innisfil's 'Our Place' Official Plan is a municipally-initiated comprehensive update to the current Town Official Plan. It includes policies to guide growth and development to the year 2031. The 'Our Place' Official Plan was adopted by the Town of Innisfil Council on January 17, 2018 by By-law No. 007-18.

It is a legislative requirement under Section 26(1) of the *Planning Act*, for the council of a municipality to revise their official plan as required every 10 years to ensure that it; conforms with provincial plans or does not conflict with them, has regard to the matters of provincial interest, and is consistent with provincial policy statements issued by the Minister. This constitutes the Provincial plan conformity exercise identified in Section 26(2.1) of the *Planning Act*.

The County of Simcoe is the approval authority for local municipal official plans as per Section 17 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. Therefore, it is the responsibility of County Council to make a decision on the Official Plan within the legislative timeframe. The Plan takes effect upon County Council approving the Plan, and if no appeals to the Local Planning Appeals Tribunal (LPAT) are received. County Planning staff have reviewed the Town's 'Our Place' Official Plan, and made necessary modifications in order to confirm that it is consistent with the Provincial Policy Statement (PPS 2014); in conformity with the Growth Plan for the Greater Golden Horseshoe

(Growth Plan 2017), and with the goals, objectives and policies of the County of Simcoe Official Plan (SCOP 2016).

If County Council approves this new Innisfil Official Plan as recommended by County Planning staff, the current in-effect Town of Innisfil Official Plan, dated July 26, 2006 and approved by the Ontario Municipal Board (OMB) May 2009, March 2010 and April 8, 2011, will be repealed and replaced with the 'Our Place' Official Plan modified by *Schedule 3* (Modified version of Official Plan) to this report, with the exception of two past Official Plan Amendments within Innisfil which have not been incorporated into the updated Plan: a) OPA 1 concerning Economic and Urban Settlement Area Expansions (currently under appeal to the OMB/LPAT), and b) the approved Big Bay Point Secondary Plan.

### **Background/Analysis/Options**

The following provides a summary of the Town's Adopted 'Our Place' Official Plan:

**Proponent:** Town of Innisfil

**Location:** All lands in the Town of Innisfil

**Proposal:** The purpose of I-OP-1801:

1. To bring the Innisfil Official Plan into conformity with the Growth Plan (2017), the County of Simcoe Official Plan (2016), the Greenbelt Plan (2017); and the Lake Simcoe Protection Plan (2009).
2. To ensure the Official Plan is consistent with the Provincial Policy Statement (2014).

**County File:** I-OP-1801

An Official Plan is a general policy document that includes a statement of goals, objectives and policies for managing growth and development within a specific jurisdiction. It sets out a comprehensive framework for land use and resource management decision-making. The purpose of an Official Plan is to ensure that future planning and development will meet the specific needs of a community while protecting and enhancing the natural and built environment.

As a requirement of Section 26 of the *Planning Act*, the Town of Innisfil embarked on the process to comprehensively update its official plan to guide growth and development to the year 2031. The Town's 'Our Place' Official Plan, was adopted by Town Council on January 17, 2018 by By-law No. 007-18, and included as *Schedule 1 (Town Adopted Official Plan)* to this report. This comprehensive process included four key phases, including the necessary public consultation and notice requirements. Comments received through this process have been addressed either through the Adopted Official Plan or through the County's further modifications as recommended on *Schedule 3* (Modified Version of Official Plan) to this report. The County worked closely with the Town of Innisfil throughout the Official Plan review process.

It is the County of Simcoe's responsibility, as approval authority, to make a decision on a local municipality's updated official plan. The Plan only takes effect upon County Council approving the Plan, and if no appeals to the Local Planning Appeals Tribunal (LPAT) are received. Therefore, County Planning staff have reviewed the Adopted 'Our Place' Official Plan, and made necessary modifications to confirm that it is; consistent with the Provincial Policy Statement (PPS 2014); in

conformity with the Growth Plan for the Greater Golden Horseshoe (Growth Plan 2017), in conformity with the goals, objectives and policies of the County of Simcoe Official Plan (SCOP 2016), and in conformity with other provincial plans (e.g. Lake Simcoe Protection Plan and Greenbelt Plan). It is important to note that the 'Our Place' Official Plan was adopted prior to the Provincial Agricultural System and Natural Heritage System Mapping coming into effect in February 2018. Therefore, the County has had the additional requirement to review the Plan in light of this new information and requirement to conform to the mapping. As a result of the County's review, modifications to the Official Plan are being proposed as identified in *Schedule 2 (Track Changes version of Adopted Official Plan)* to this report.

If approved, the current in effect Town Official Plan dated July 26, 2006 and approved by the Ontario Municipal Board (OMB) May 2009, March 2010 and April 8, 2011 will be repealed and replaced with the 'Our Place' Official Plan modified by *Schedule 3 (Modified version of Official Plan)* to this report, with the exception of two past Official Plan Amendments within Innisfil which have not been incorporated into the updated Plan: a) OPA 1 concerning Economic and Urban Settlement Area Expansions (currently under appeal to the OMB/LPAT), and b) the approved Big Bay Point Secondary Plan.

### **Comments Received**

The required public consultation process and Statutory Public Meeting pursuant to Section 17(15)(d) of the *Planning Act* have occurred. The Town of Innisfil held a Public Open House for the Official Plan on January 19, 2017 and November 1, 2017. A Statutory Public Meeting was held on November 8, 2017 to seek additional public input. Other public consultation and community engagement initiatives took place by the Town throughout the review process to encourage community input and feedback.

A summary of the public and agency written comments received are identified in *Appendix 4 (Comment Matrix)* to this report. Comments were received from several sources and stakeholders throughout the process. These included 36 written comments from the general public and stakeholders, 4 public agency comments; and 9 oral comments from the general public and/or stakeholders.

### Summary of General Public/Stakeholder Comments

The Public Comments can be consolidated into the following common themes:

1. Growth Management:
  - a. Desire for Settlement Area Boundary Expansions:

Settlement area boundary expansions may only be considered through an upper-tier Municipal Comprehensive Review (MCR) as per the Growth Plan (2017), section 2.2.8. In addition, the Town of Innisfil has identified that settlement area boundary expansions are not required to accommodate the growth projections to 2031.
  - b. Resistance to Increased density:

It is a focus of the Growth Plan (2017), section 2.2.2 to support the achievement of intensification and increases in density within the delineated built boundary of settlement areas.
  - c. Clarify Role of Municipal Civic Campus:

It is important to recognize that the Municipal Civic Campus is not identified as a settlement area within the Growth Plan (2017). Since the Growth Plan (2017), section 2.2.1 directs growth to settlement areas, the Municipal Civic

Campus is not intended to accommodate new growth and development, however represents an existing area with municipal facilities.

d. Desire for Sufficient Employment, Commercial and Retail Areas:

Under section 2.2.5 of the Growth Plan (2017), municipalities are required to maintain sufficient employment lands to accommodate forecasted employment growth. The Town of Innisfil has identified that there is sufficient Employment, Commercial and Retail areas for the horizon of this Plan. Therefore, neither a settlement area boundary expansion nor an employment lands conversion are required to accommodate the employment growth projections to 2031. These types of expansions and conversions may only be considered at the time of the County's MCR.

2. Concern with Growth Related to Transportation Corridors and Areas:

The future GO Station location is situated on the edge of the Alcona settlement area boundary. As a result, development and growth may only occur to the north east of the GO Station since only that area is within the settlement area boundary. The Growth Plan (2017) considers this area as a Major Transit Station Area with Existing Higher Order Transit. As such it is a focus for transportation links, mixed use development and increased densities.

3. Additional Site Specific Policies & Mapping:

Various property boundary issues, requests for designation changes and/or concerns with mapping have been addressed on a site specific basis through policy and through mapping revisions identified on Schedule D. Requests for inclusion of lands into a particular settlement area, however, may only be considered at the time of the County's MCR.

4. Clarify Permissions and Location Criteria for Public Service Facilities:

The Growth Plan (2017), section 3.2.8 encourages the location of Public Service Facilities within settlement areas. The County Official Plan, section 4.2.1, recognizes that Public Service Facilities may be located outside of settlement areas, based on locational criteria, however, in the case of agriculturally designated lands, a County Official Plan amendment is required.

### Summary of Agency Comments

Comments provided by the various agencies related to conformity issues and technical items to the Plan. The conformity issues raised have been addressed throughout the process with the final conformity concerns being rectified through proposed modifications as outlined in *Schedule 2 (Track Changes version of Adopted Official Plan)* to this report. The technical comments focused on watershed planning, groundwater policies, sourcewater protection, drainage and stormwater, provincial Natural Heritage System, hazard lands, infrastructure and low impact development. The technical comments have been incorporated into the Plan and recommended modifications appropriately.

The Town of Innisfil has provided responses to the comments and consulted with the technical experts to address specific concerns. These responses are available in *Schedule 4* to this report. County Planning staff are satisfied that the oral and written submissions received from the public/stakeholders and agencies were considered and/or addressed to the greatest extent possible.

## Proposed Modifications

Throughout the Official Plan review process, the County Planning staff worked closely with the Town of Innisfil Planning staff, their Consultants, and the Ministry of Municipal Affairs and Housing and its partner ministries to ensure that the Plan conforms with applicable plans, policies and legislation. After the adoption of the Town Official Plan, County Planning staff identified proposed modifications in order to provide additional clarity, enhance the understanding of the policies and/or ensure conformity and consistency with County and provincial plans. It is important to note that the 'Our Place' Official Plan was adopted prior to the Provincial Agricultural System and Natural Heritage System Mapping came into effect. Therefore, the County has had the additional requirement to review the Plan in light of this new information and requirement to conform to the mapping.

The Town of Innisfil Council supported these proposed modifications through a report that was presented on August 8, 2018. Further modifications have been incorporated into the proposed Town Official Plan by County Planning Staff since the August 8, 2018 Report. Requests for these further modifications came from various sources such as the Town, the Province, local owners / developers and the County. The requests ranged from minor typographical errors to site specific issues to Growth Plan conformity issues. These further modifications have been discussed and agreed upon by the Town, the County and the Province, and are specifically identified in *Schedule 2* (Track Changes version of the Official Plan) to this report. Therefore, County Planning staff recommends approval of the Town of Innisfil's 'Our Place' Official Plan, as adopted by the Town of Innisfil By-law 007-18, and as modified by *Schedule 3* (Modified version of Official Plan) to this report.

The following is a summary of the general themes of the County Planning staff's proposed modifications to the 'Our Place' Town of Innisfil Official Plan:

1. Minor typographical revisions throughout the document:
  - a. Minor edits to correct policy wording
  - b. Corrections to policy numbering and policy references
  - c. Defined terms were bolded consistently
  - d. Words were capitalized appropriately and consistently
  - e. Legislative terminology was corrected appropriately
  - f. Definitions were revised, added or removed
2. Indigenous Communities and Archeological Policies:

Language was clarified to better align the Plan with the County's Archaeological Management Plan, which is currently in progress
3. Growth Management and Settlements:
  - a. Introduce the new Growth Plan concept, 'Major Transit Station Area'
  - b. Settlement Area Hierarchy identification
  - c. Municipal Comprehensive Review clarification
  - d. Planning Horizon confirmation
  - e. Settlement Area Boundary Expansion clarification
  - f. Designated Greenfield area density calculation measurement
4. Innisfil Heights Employment Area:
  - a. Future Strategic Settlement Employment Area - Clarify the permissions and constraints on development within the Future Strategic Settlement Employment Area

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- b. Employment Supportive Commercial Area Overlay - Clarify the expectations for employment-supportive uses within the Innisfil Heights Strategic Settlement Employment Area as per the Minister's Zoning Order
  5. Municipal Civic Campus:  
Clarify the Municipal Civic Campus as an existing area of municipal facilities and not a settlement area
  6. Site Specific Policies:  
Site Specific Policies added to recognize existing permissions within previously approved Official Plan Amendments
  7. Public Service Facilities:
    - a. Provided additional clarity related to Public Service Facilities to better articulate the permissions, restrictions and location criteria of these facilities based on the Growth Plan (2017), section 3.2.8 and the County Official Plan, section 4.2.1
    - b. Future Hospital - Clarify the language within the Community Sustainability section regarding a future hospital location
  8. Inclusionary Zoning:  
New Ontario Regulation 232/18 requirements (14.3.5)
  9. Waste Disposal Sites:  
Clarify the process of removing a waste disposal site and conforming to waste disposal assessment area policies within the County Official Plan
  10. Provincial System Mapping:
    - a. Provincial Natural Heritage System (NHS) Mapping – Modified language to conform with the Growth Plan (2017) as it relates to the Provincial NHS Mapping Overlay which came into effect February 9, 2018, after the adoption of this Plan
    - b. Provincial Agricultural Mapping – Policies 18.1.9 and 18.1.10 added as per the Growth Plan (2017) to introduce the concept of Provincial Agricultural System mapping. -- The Provincial Agricultural System mapping for the Greater Golden Horseshoe came into effect on February 9, 2018, after adoption of this Plan. The Growth Plan (2017) requires municipal land use designations to conform to this mapping. For example, lands that may be designated Rural in a local or upper-tier official plan, but are mapped as part of the Provincial Agricultural System, are required to be designated Agricultural in municipal official plans approved after February 9, 2018 to ensure consistency with the Provincial mapping. However, during analysis of the Provincial Agricultural System mapping, County staff noted several errors and inaccuracies that need to be addressed. Requiring conformity with inaccurate mapping does not necessarily represent good planning. Provincial policy only permits refinements to correct such issues following the County's upcoming MCR. The MCR may not be complete for several years. This gap in ability to refine the Provincial mapping is a significant issue for the County and its local municipalities' Official Plan updates. With regard to the Town of Innisfil, some of the land use designations shown on the adopted Schedule B of the Town of Innisfil Official Plan do not conform to the Provincial mapping. County Planning staff continue to strongly advocate for a more nimble approach to refining the Provincial Agricultural System mapping. The Province recognizes that there are some inaccuracies with the mapping. The Province is reviewing options to correct this, however any changes will not take effect for a few months. Therefore, staff recommend that a non-decision (i.e. deferral) be made on those parts of the Innisfil Official Plan Schedule B land use designations where they may conflict with the Provincial Agricultural System map shown on Schedule BB of the proposed Town Official Plan. This approach will ensure County, Town, and Provincial staff have the time necessary to arrive at a mutually agreeable solution

to both recognize the agricultural system where it applies while allowing existing uses and rural uses to be accommodated where appropriate.

11. Additional material and studies:

Additional material was added that may be required as part of a complete application to support development related to; Site Plan, OPA, Zoning By-Law, Community Planning Permit and Draft Plans

12. Mapping Schedules:

Modifications were made and additional schedules/appendices were added as follows:

- a. Schedule B: Land Use now includes the provincial Natural Heritage System Overlay to conform with the Growth Plan (2017), and modified the legend to more appropriately reflect land uses
- b. New Schedule BB: Provincial Agricultural System Land Base is now included within the Official Plan as per the Growth Plan (2017), however, this map is not applied through policy as the Town wishes first to have the mapping refined through the County's MCR process. A non-decision is being applied to those lands not designated Agricultural on Schedule B, but are identified as part of the Provincial Agricultural System on proposed Schedule BB. The County will continue to work with the local municipality and the Province to address this issue.
- c. Schedule B8 Land Use-Churchill: staff recommend that a non-decision be made on the lands identified as 'non-decision' on *Schedule 5* to this report. These lands are not currently within the Churchill settlement area boundary. To include them as part of Churchill, a settlement areas boundary expansion would be required. Settlement area boundary expansions may only be considered through an upper-tier MCR as per the Growth Plan (2017), section 2.2.8.
- d. Updated Schedule C: Transportation Plan was added from the Town's completed Transportation Master Plan
- e. Schedule E: Modified to include Site Specific policy areas
- f. New Schedule F: Shoreline Community Planning Permit Area was added from the Town's previous Official Plan Amendment 23
- g. New Appendix 14: Highly Vulnerable Aquifers was added as a requirement of Source Protection
- h. Appendix 7: Source Water Protection modified to be specific to Innisfil

*It should be noted that there may be further minor technical updates to the Geographical Information System shapefiles that make up the land use schedules and mapping within the Official Plan. Any such updates will be incorporated to ensure consistency with County and Provincial data. However, these updates are not anticipated to impact the effect of the PDF format schedules included in the Plan as recommended for approval.*

## Conclusions

### **Provincial Policy Statement (2014)**

The Provincial Policy Statement (PPS 2014) provides policy direction on matters of provincial interest related to land use planning and development. It supports a comprehensive, integrated and long-term approach to planning. The Town of Innisfil Official Plan provides that approach.

Section 1.1 of the PPS 2014 generally encourages the development of healthy, liveable and safe communities through promoting efficient development and land use patterns and accommodating an appropriate mix of residential, employment and other uses to meet long-term needs. The vision, goals and policies of the 'Our Place' document are grounded in strengthening the sense of place by

ensuring that the principles of place making are at the core of creating and maintaining complete communities.

### **Growth Plan for the Greater Golden Horseshoe (2017)**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan 2017) manages growth and development that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The policies of the Growth Plan 2017 concentrate on designing complete communities with high quality compact built form, prioritize intensification to make efficient use of land and infrastructure, support a range and mix of housing options and provide a diverse mix of land uses including residential and employment uses.

The Town of Innisfil Official Plan incorporates the policy objectives of the Growth Plan 2017. Most notably, the Growth Management section references the appropriate population and employment forecasts to the planning horizon of 2031 and supports the majority of growth being directed toward settlement areas. Intensification is directed toward the delineated built-up areas through promoting a diverse mix of housing. A settlement area hierarchy is included in the Official Plan to provide a framework for future infrastructure and development decisions within Innisfil. This information will help to inform the County's MCR.

The Official Plan articulates that settlement area boundary expansions and employment land conversions may only be considered as part of the County's MCR. The Official Plan supports active transportation and existing or planned transit through Major Transit Station Areas and Strategic Growth Areas.

The Provincial Natural Heritage System Overlay is now appropriately incorporated into the Town's Plan (identified in Schedule A). The Agricultural System mapping (identified in Schedule BB) incorporates the Provincial mapping, however, the map is not applied through policy as the Town wishes first to have the mapping refined through the County's MCR process. A non-decision is being applied to those lands not designated Agricultural on Schedule B, but are identified as part of the Provincial Agricultural System on proposed Schedule BB. The County will continue to work with the local municipality and the Province to address this issue.

A non-decision is also being applied to the lands identified within *Schedule 5* to this report to address a request for a settlement area boundary expansion within Churchill. This settlement area boundary expansion will be considered as part of the County's MCR as per section 2.2.8 of the Growth Plan 2017.

### **County of Simcoe Official Plan (2016)**

The objectives contained within Section 3.5.1 to 3.5.4 of the County Official Plan encourage settlement areas to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, and a development form and pattern to promote efficient use of lands and municipal services.

The County Official Plan requires that the minimum intensification targets set out in section 3.5.23 shall be achieved within the delineated built-up area and the density targets set out in section 3.5.24 shall be achieved within the designated Greenfield areas. The Town of Innisfil has reflected these policies in their Plan. The Town's Official Plan appropriately reflects the land uses identified within Schedule 5.1 of the County Official Plan.

The Town of Innisfil Official Plan conforms to the County of Simcoe Official Plan policies.

### **The Greenbelt Plan (2017)**

The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on the landscape included within the Greenbelt Plan area. The Greenbelt Plan includes lands within the Niagara Escarpment Plan (NEP) and the Oak Ridges Moraine Conservation Plan (ORMCP), and builds upon the ecological protections these Plans provide. The Greenbelt Plan, together with the Growth Plan, the NEP and the ORMCP, builds on the Provincial Policy Statement (PPS) to establish a land use planning framework for the Greater Golden Horseshoe that supports a thriving economy, a clean and healthy environment and social equity.

Within Innisfil, the Greenbelt Plan area only affects the area directly south of the community of Gilford. The Town of Innisfil's Official Plan has incorporated policies to support the protection of the agricultural land base and the ecological and hydrological features located within this area by referring to policies of the Lake Simcoe Protection Plan.

### **Lake Simcoe Protection Plan (2009)**

The Lake Simcoe Protection Plan (LSPP) seeks to protect and restore the ecological health of Lake Simcoe and its watershed. All municipalities located within the LSPP area shall include policies specific to the LSPP within their Official Plans. The Town of Innisfil is a municipality within the LSPP area. Therefore, policies such as development, site alteration and vegetative protection zones along shorelines have been incorporated into the Town's Official Plan.

County Planning staff have reviewed the proposed 'Our Place' Town of Innisfil Official Plan and note any conformity issues have been adequately addressed within the Official Plan and recommended modifications contained within *Schedule 2* of this report. Therefore, County Planning staff recommend that the new Town of Innisfil Official Plan (County File: I-OP-1801), as adopted by the Town of Innisfil By-law No. 007-18, modified by *Schedule 3* (Modified version of Official Plan) to Item CCW-2018-482, be approved given the reasons outlined in Item CCW 2018-482 which includes:

- Consistency with the Provincial Policy Statement (2014);
- Conformity with the Growth Plan for the Greater Golden Horseshoe (2017);
- Conformity with the goals, objectives and general intent of the County of Simcoe Official Plan;
- Conformity with the Greenbelt Plan (2017); and
- Conformity with the Lake Simcoe Protection Plan (2009).

Should County Council approve the new Town of Innisfil 'Our Place' Official Plan as modified, the Plan will take effect following the legislated 20-day appeal period and if no appeals to the Local Plan Appeals Tribunal (LPAT) are received.

### **Financial and Resource Implications**

There are no financial implications associated with this Item, however, if the County's decision is appealed to the LPAT there may be legal costs associated with that process. In the event of an appeal, staff will report back seeking authority to proceed with involvement in related LPAT proceedings.

## Relationship to Corporate Strategic Plan

No specific relationship to corporate strategies.

## Reference Documents

Town of Innisfil Staff Report DSR-006-18, January 17, 2018: Adoption of 'Our Place' Official Plan  
 Town of Innisfil Staff Report DSR-012-18, January 17, 2018: Minor Modifications to Official Plan  
 Town of Innisfil Staff Report DSR-124-18, August 8, 2018: Adoption of County's Modifications to 'Our Place' Official Plan

## Attachments

Schedule 1 – Official Plan – as Adopted by the Town of Innisfil – with graphics  
 Schedule 2 – Official Plan – as Proposed to be modified (Track Changes Version) – no graphics  
 Schedule 3 – Official Plan – as Modified by the County of Simcoe (Clean Version) – no graphics  
 Schedule 4 – Comments matrix  
 Schedule 5 – Churchill Non-Decision lands

*Please note that Schedule 1 is the Town Adopted version of the Official Plan, which is formatted with illustrations and graphics throughout the document. The County's proposed modifications are identified within Schedule 2, which uses as its base, a simpler version of the Official Plan, without the illustrations and graphics from the Adopted version. As such, Schedule 3 incorporates all of the County's proposed modifications in a clean version of the Official Plan without the illustrations and graphics seen in the Adopted version. If the Official Plan is approved, the Town will incorporate all of the proposed modifications into a final version of the Official Plan which will incorporate all of the illustrations and graphics used in the original Adopted version shown in Schedule 1.*

**Prepared By** Kristin Pechkovsky, RPP, MCIP, Senior Policy Advisor

## Approvals

	<b>Date</b>
David Parks, Director of Planning, Economic Development and Tourism	September 11, 2018
Debbie Korolnek, General Manager, Engineering, Planning and Environment	September 11, 2018
Trevor Wilcox, General Manager, Corporate Performance	September 17, 2018
Mark Aitken, Chief Administrative Officer	September 18, 2018