



DEVELOPMENT & PROPERTY COMMITTEE

Tuesday, March 19, 2019

A meeting of the Development & Property Committee was held on Tuesday, March 19, 2019, at 9:30 a.m., at the County of Renfrew Administration Building, Pembroke, Ontario.

Present were: Robert Sweet, Chair
 Jennifer Murphy, Warden

and Committee Members: Peter Emon, Sheldon Keller, Cathy Regier, John Reinwald

Regrets: Kim Love

Staff Present: Paul Moreau, Chief Administrative Officer/Clerk
 Craig Kelley, Director of Development & Property
 Charles Cheesman, Manager of Planning Services
 Jason Davis, Manager of Forestry & GIS
 Kevin Valiquette, Manager of Real Property Assets
 Michael Barber, Media Relations/Grants Coordinator
 Rosalyn Gruntz, Deputy Clerk
 Helen Giroux, Administrative Assistant

Chair Sweet called the meeting to order at 9:30 a.m. The roll was called and no pecuniary interests were disclosed.

PLANNING

Mr. Cheesman distributed and overviewed the Planning Division Report and the draft decision from the Ministry of Municipal Affairs and Housing on the County Official Plan Amendment (OPA) No. 25 received by staff on Friday, March 15, 2019, both of which are attached as Appendix A.

The report is provided to Committee as additional information to presentations previously given by staff.

County staff have achieved what they set out to achieve and will continue dialogue with Ministry staff towards a final version of the Decision which should be received by Friday, March 22, 2019.

RESOLUTION NO. DP-C-19-03-42

Moved by: Councillor Regier

Seconded by: Warden Murphy

THAT this meeting adjourn and the next regular meeting be held on April 9, 2019 at the County of Renfrew Administration Building. Time – 10:01 a.m.

CARRIED.

PLANNING DIVISION REPORT

Prepared by: Charles Cheesman, MCIP, RPP, Manager of Planning Services

Prepared for: Development & Property Committee

March 19, 2019

INFORMATION**1. County of Renfrew Updated Official Plan (Official Plan Amendment No. 25)**

Attached as Appendix PLAN-I is the Draft Decision of the Ministry of Municipal Affairs and Housing on Official Plan Amendment No.25 (OPA 25), which we received Friday, March 15, 2019.

We have had time to review the Decision internally and with Ministry staff from the Ministry Services Office in Kingston.

As we reported to Committee on March 12, 2019, the expectation was that the Decision would approve as much of OPA 25 as possible, while putting a “pause” on the contentious issues until after the Provincial Policy Statement (PPS) is updated by the provincial government, which is expected in the Fall of 2019.

We can report that, with the exception of a few minor technical issues, the Draft Decision accomplishes our stated goal of having the lion’s share of OPA 25 approved on the items the County and Ministry agree on, and rendering a “non-decision” on the items we disagree on (i.e., the contentious issues). These contentious issues are to be addressed at a follow-up Official Plan Amendment when the updated PPS is in effect. The revised PPS may be less prescriptive than the current 2014 PPS, and thus possibly more amenable to County of Renfrew interests.

Since this decision is a “partial decision” of OPA 25, it is important to point out what is not included in the Decision. To that end we can verify the following:

1. There are no changes to the consent policy. The consent policies in the 2003 County of Renfrew Official Plan regarding the potential number of residential lots permitted per holding (3+2+Planning Justification Report) will remain in place until the next update of the Plan.
2. There are no growth allocations in the Plan.
3. There are no deer yards in the Plan.
4. There are no additional lands designated Agriculture. This means, for example, there is no change to the lands designated Agriculture in the Township of North Algona Wilberforce, and there are no additional lands designated Agriculture in Horton Township beyond those lands designated in OPA 25.
5. There are no additional lands designated Mineral Aggregate.

6. There are no Karst policies in the Official Plan. We will continue to use the Karst protocol.
7. There are no changes to the requirements for Environmental Impact Studies; the policies in the current 2003 Official Plan will remain in place for the time being.
8. The Province's revised wording related to "reserve sewage system capacity" which would have excluded reference to the spreading of septage onto fields is not included.
9. There are no policies related to the Township of Laurentian Valley; the Township remains outside of the County of Renfrew Official Plan.
10. The mapping for the Township of Whitewater Region will revert to the 2003 mapping in the 2003 County Official Plan. The mapping and policies contained in Official Plan Amendment No 11, which was a comprehensive amendment to the County Plan specifically for Whitewater Region, will be incorporated by a separate decision by the Province at a later, as of yet, unspecified date.

It is important to point out that the contentious issues will not disappear. Rather, the Ministry is making a "non-decision" on those matters, which we will have to take up with the Ministry again in a follow-up Official Plan Amendment after the PPS is updated.

We expect the final version of the Decision to be made by Friday, March 22, 2019, thereby "sheltering" any appeal on the approved policies and mapping.

The non-decision items would, however, be open to appeal after March 24, 2019, because of the Minister's failure to make a decision within the prescribed time period of 210 days.

Once the lion's share of OPA 25 is approved, County staff will prepare the final, consolidated document, both text and maps, that will be used as the new Official Plan.

On a final note, the Townships of Laurentian Hills and McNab/Braeside requested, by resolution, that the County of Renfrew include their Townships in the County of Renfrew Official Plan. Thus OPA 25 included these municipalities in the updated Plan and incorporates some specific policies and mapping details pertaining to these municipalities. The two local Official Plans for Laurentian Hills and McNab/Braeside now have to be formally repealed, which will be required to be undertaken by way of an amendment to the Plans; the amendments will have to proceed in accordance with the requirements under the Planning Act. Our office can begin coordinating this next step with municipal staff. In the meantime, until these local Official Plans are repealed, both the local Plans and the County of Renfrew Plan will apply. Again, we will have to work closely with the Townships in the near future to ensure a smooth transition between these Plans.

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Whereas OPA 25 was adopted by the County of Renfrew on April 25, 2018 and forwarded to the Minister of Municipal Affairs and Housing for a decision under subsection 17(34) of the Planning Act;

And whereas OPA 25 proposes to repeal Sections 1 to 15 of the Official Plan of the County of Renfrew and replace them with new Sections 1 to 17;

Now therefore, pursuant to subsection 17(34) of the Planning Act, the Minister of Municipal Affairs and Housing makes the following decision:

The repeal of the following parts of the Official Plan of the County of Renfrew is hereby approved:

- Sections 1.0 to 1.2;
- Section 1.4;
- Section 1.6;
- Section 1.7;
- Section 2.0 & 2.1;
- Sections 2.2(1) to 2.2(5);
- Section 2.2(7);
- Section 2.2(10);
- Sections 2.2(12) to 2.2(17);
- Sections 2.2(19) to 2.2(23);
- Section 3.0;
- Section 3.2;
- Sections 4.0 to 4.2;
- Section 4.3(1-3 & 5-12);
- Section 4.4;
- Sections 5.0 to 5.3;
- Section 5.4(A1-4, B & D-M);
- Sections 6.0 to 6.3;
- Sections 7.0 to 7.2;
- Section 7.4;
- Sections 8.0 to 8.2;
- Section 8.3(1-11);
- Section 8.4;
- Section 9.0;
- Section 9.4;
- Sections 10.0 to 10.3;
- Sections 11.0 to 11.3;
- Sections 12.0 to 12.3;
- Sections 13.0 to 13.3;
- Sections 14.0 to 14.2;
- Section 14.6
- Sections 15.0 to 15.1

Draft Decision (For Discussion Purposes Only)

- Sections 15.4 to 15.15; and
- Schedule A, except with respect to lands identified on Appendix 1 to this decision.

For greater certainty, no decision is made at this time in respect of the repeal of:

- Section 1.3;
- Section 1.5;
- Section 2.2(6);
- Section 2.2(8) & 2.2(9);
- Section 2.2(11);
- Section 2.2 (18);
- Section 2.2(24);
- Section 3.1
- Section 3.3
- Section 4.3(4);
- Section 5.4(A5, C)
- Section 7.3
- Section 8.3(12,13)
- Sections 9.1 to 9.3;
- Sections 14.3 to 14.5,
- Sections 15.2 & 15.3; and
- Schedule A, with respect to lands identified on Appendix 1 to this decision.

The adoption of the following new parts of the Official Plan of the County of Renfrew is hereby approved, subject to the modifications in Table 1:

- Sections 1.0 to 1.2;
- Section 1.4;
- Section 1.6, with the exception of the last paragraph;
- Section 1.7;
- Sections 2.0 & 2.1;
- Sections 2.2(1) to 2.2(5);
- Section 2.2(7);
- Section 2.2(10);
- Section 2.2(12a-g, j);
- Sections 2.2(13) to 2.2(22);
- Sections 2.2(24) to (37);
- Sections 3.0 to 3.2;
- Sections 4.0 to 4.2;
- Section 4.3(1-13, 15);
- Section 4.4(1-4, 6);
- Sections 5.0 to 5.3;
- Section 5.4(A1-4,B, D-R);
- Sections 6.0 to 6.3;
- Sections 7.0 to 7.2;
- Section 7.4;

Draft Decision (For Discussion Purposes Only)

- Sections 8.0 to 8.2;
- Section 8.3(1-11);
- Section 8.4;
- Section 9.0;
- Section 9.4;
- Sections 10.0 to 10.3;
- Sections 11.0 to 11.3;
- Sections 12.0 to 12.3;
- Sections 13.0 to 13.3;
- Sections 14.0 to 14.2;
- Section 14.5;
- Section 15.0;
- Section 16.0;
- Section 17.0;
- Section 17.1;
- Sections 17.4 to 17.16;
- Section 17.17(1);
- Section 17.18;
- Schedule A, except with respect to lands identified in Appendix 1 to this decision;
- Schedule B, Map 1, Hazards Map
- Schedule B, Map 2, Infrastructure Map
- Schedule B, Map 3, Mineral Aggregate and Mining Resource Map, except with respect to lands identified in Appendix 2 to this decision.
- Schedule B, Map 4, Natural Heritage Features, except with respect to lands identified in Appendix 3 to this decision.

TABLE 1		
Modification Number	Policy/Topic	Modification(s)
1	1.1 County Profile	Delete the words <i>“history and culture”</i> in the last sentence of the final paragraph and replace them with: <i>“history, culture and economic development”</i> .
2	2.2 Policies (1) Housing	Insert a new subsection (j), and renumber accordingly, which shall read: <i>“(j) if a private water and/or a private sewage service is proposed, it shall be demonstrated that the site conditions are</i>

Draft Decision (For Discussion Purposes Only)

		<i>suitable for the long-term provision of such services with no negative impacts, in accordance with Section 2 (12) of this Plan.”</i>
3	2.2 Policies (4) Commercial, Industrial and Institutional Uses	<p>Insert a new subsection (j), and renumber accordingly, which shall read:</p> <p><i>“(j) if a private water and/or a private sewage service is proposed, it shall be demonstrated that the site conditions are suitable for the long-term provision of such services with no negative impacts, in accordance with Section 2 (12) of this Plan.”</i></p>
4	2.2 Policies (10) Wayside Pits, Wayside Quarries and Portable Asphalt Plants	<p>Delete the words <i>“and portable asphalt plants”</i> in the title and replace them with,</p> <p><i>“, Portable Asphalt Plants and Portable Concrete Plants”,</i> and</p> <p>Insert the words <i>“or portable concrete plants”</i> after the words <i>“or portable asphalt plants”</i> in the first and second sentences.</p>
5	2.2 Policies (15) Noise Attenuation and/or Vibration	<p>Delete the words <i>“prescribed by the Ministry of the Environment and Climate Change”</i> in the second sentence, and</p> <p>Insert the following words into the last sentence after the words <i>“to acceptable levels”</i>:</p> <p><i>“...as prescribed by the Ministry of Environment, Conservation and Parks in the Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning (NPC – 300) or any succeeding document.”</i></p>
6	2.2 Policies (18) Hauled Septage Disposal	Delete the second sentence of subsection (b), and delete the words <i>“in consultation with the Ministry of Environment and</i>

Draft Decision (For Discussion Purposes Only)

		<i>Climate Change,</i> ” from the first sentence of subsection (c).
7	2.2 Policies (31) Watershed Planning	Delete the words <i>“moderately at capacity lake”</i> and replace them with <i>“near capacity lake”</i> in the fifth sentence of the second bullet point titled Bonnechere River Watershed in subsection (a).
8	2.2 Policies (33) Horse Drawn Vehicle Communities	Delete the words <i>“as opposed to land severances”</i> in subsection (d).
9	4.3 Policies	<p>Delete the word <i>“Reasonable”</i> in subsection (2), and</p> <p>Replace the words <i>“are considered”</i> in subsection (4)(a)(iv) with <i>“have been met”</i>, and</p> <p>Delete the second sentence of subsection (5) and replace it with: <i>“Local requirements shall be in accordance with the policies of Section 2(12).”</i>, and</p> <p>Delete the words <i>“with consideration to”</i> in the third sentence of subsection (10) and replace them with <i>“consistent with”</i>.</p>
10	4.4 Special Policy Exceptions	<p>Insert the words <i>“in accordance with the Servicing policies of Section 2(12) of this Plan.”</i> to complete the paragraph in subsection (2), and</p> <p>Insert the words <i>“and the Servicing policies of Section 2 (12)”</i> after the words <i>“Land Division Policies of Section 14”</i> in subsection (3).</p>
11	5.3 Policies	Delete the words <i>“be considered with regard to the applicability of private services”</i> in subsection (2)(e) and replace

Draft Decision (For Discussion Purposes Only)

		<p>them with <i>“apply with regards to development on private services.”</i>, and</p> <p>Delete the words <i>“be considered”</i> in subsection (3)(i) and replace them with <i>“apply”</i>, and</p> <p>Delete the numbers <i>“2.2(24)”</i> in subsection 5(b) and replace them with <i>“2.2(8) and 2.2(23)”</i> , and</p> <p>Delete the words <i>“subsection 2.2(24)”</i> in subsection (7) and replace them with <i>“subsections 2.2(8) and 2.2(23)”</i>.</p>
12	5.4 Special Policy Exceptions	<p>Insert the following new subsection (c) into subsection (K)(1) and renumber the subsequent sections accordingly:</p> <p><i>“(c) The policies of Section 13.3 (1) regarding development in proximity to Provincial highways shall apply to development in the Rural-Exception 11.”, and</i></p> <p>Insert the following new subsection (R) at the end of the Special Policy Exceptions which shall read as follows:</p> <p><i>“(R) McNab/Braeside (OPA 11)</i></p> <p><i>Rural Exception 18 (Part of Lots 9, 10 and 11, Concessions 13(B) and 14(C), geographic Township of McNab in the Township of McNab/Braeside)</i></p> <p><i>Notwithstanding any policies of this Plan to the contrary, for those lands described as part of Lot 11, Concession B (13) and part of Lots 9, 10 and 11, Concession C (14), geographic Township of Mcab and delineated as Rural-Exception Seven on the Land Use Schedule to this Plan, any future</i></p>

Draft Decision (For Discussion Purposes Only)

		<p><i>development for the purpose of a plan of subdivision shall be supported by the following studies:</i></p> <ul style="list-style-type: none"> <i>(a) Planning Justification Study</i> <i>(b) Hydrogeological Study</i> <i>(c) Environmental Site Assessment (former industrial use)</i> <i>(d) Record of Site Condition</i> <i>(e) Geotechnical Study</i> <i>(f) Servicing Options Analysis</i> <i>(g) Preliminary Stormwater Management Report</i> <i>(h) Archaeology</i> <i>(i) Environmental Impact Study (Natural heritage features)</i> <i>(j) Study addressing the active landfill site</i> <i>(k) Any additional studies considered necessary by the approval authority in order to deem the application complete.”</i>
13	13.3 Policies	<p>Insert the following after the first sentence of the first paragraph of subsection (1):</p> <p><i>“MTO shall be consulted for all development in proximity to a Provincial highway or that may impact a Provincial highway including but not limited to: Municipal initiatives including infrastructure projects Utilities construction and alteration Temporary special events Settlement area expansions” and,</i></p> <p>Insert the following statement after the second paragraph of subsection (1):</p> <p><i>“Municipalities that would like to construct facilities that impact provincial highways, or which would require changes to provincial highway infrastructure are</i></p>

Draft Decision (For Discussion Purposes Only)

		<p><i>invited to contact MTO's Regional Offices to discuss their plans. The MTO encourages municipalities to contact MTO early in the process when they are contemplating any proposed improvements to any provincial highway facilities; improvements that will be reflected in their official plans and could impact upon a provincial highway. MTO reviews proposals on a case by case basis and will allow changes to take place on provincial highway structures only after an analysis of the impact on safety and traffic operations." and,</i></p> <p>Delete the third paragraph of subsection (1) and replace it with the following:</p> <p><i>"As part of MTO's review and approval process, the Ministry may require various studies and reports for certain development proposals. These studies/reports may include, but are not limited to a Traffic Impact Study, a Stormwater Management Report, or an Illumination Plan." and,</i></p> <p>Insert the following sentences to complete the fifth paragraph of subsection (1):</p> <p><i>"Any proposal for subdivision with close proximity to a provincial freeway has a potential for noise impacts. It should be understood that MTO will not be responsible for any impact, inclusive of noise and vehicle light impact that the highway may have on the subject properties and that MTO will not construct any works to abate those impacts. It will be the responsibility of the owner/developer of the proposed subdivision to ensure that noise levels are consistent with provincial objectives, and if necessary, that adequate noise control measures are applied." and,</i></p>
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Draft Decision (For Discussion Purposes Only)

		<p>Insert the following new subsection (a) at the end of subsection (1):</p> <p><i>(a) Highway 17 Expansion</i> <i>The Ministry of Transportation has plans to expand Highway 17 and will be protecting the designated lands and corridor as a fully controlled – access four lane freeway. No active use or construction will be permitted within the designation and all proposed development in the vicinity of a provincial highway/designation will require MTO review, approval, and permits.” and,</i></p> <p>Delete the second sentence of subsection (7) and replace it with the following:</p> <p><i>“Trails crossing a provincial highway require review, approval, and permits from MTO.” and,</i></p> <p>Delete subsection (10) and replace it with the following:</p> <p><i>“(10) Airports</i> <i>(a) New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set out on maps (as revised from time to time) approved by Transport Canada.</i></p> <p><i>(b) The redevelopment of existing residential uses and other sensitive land uses or infilling of residential and sensitive land uses in areas above 30 NEF/NEP shall only be permitted if it has been demonstrated that there will no negative impacts on the long-term function of the airport.</i></p>
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Draft Decision (For Discussion Purposes Only)

		<i>(c) Land uses which may cause a potential aviation hazard will be discouraged.”</i>
14	16.0 Township of Whitewater Region	Section 16.0 – Whitewater Region Polices is hereby refused. <i>(Note- This is a technical refusal to recognize that the Township of Whitewater Region policies are being established through OPA 11)</i>
15	Land Use Schedule A	Delete in its entirety and replace with new Land Use Schedule A, dated March 15, 2019.

For greater certainty, no decision is made at this time in respect of the adoption of new:

- Section 1.3;
- Section 1.5;
- Section 1.6 (last paragraph);
- Section 2.2(6);
- Section 2.2(8);
- Section 2.2(9);
- Section 2.2(11);
- Section 2.2(12h&i);
- Section 2.2(23);
- Section 3.1;
- Section 3.3;
- Section 4.3(14);
- Section 4.4(5);
- Section 5.4(A5 & C);
- Section 7.3;
- Section 8.3(12,13);
- Section 9.1 to 9.3;
- Section 14.3 & 14.4;
- Section 15.1 to 15.3;
- Section 17.2 & 17.3;
- Section 17.17(2-4);
- Schedule A, with respect to lands identified on Appendix 1 of this decision;
- Schedule B, Map 3, Mineral Aggregate and Mining Resource Map, with respect to lands identified in Appendix 2 to this decision.
- Schedule B, Map 4, Natural Heritage Features, with respect to lands identified in Appendix 3 to this decision.

Draft Decision (For Discussion Purposes Only)

Dated at Toronto this _____ day of _____, 2019

Marcia Wallace, Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

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