

PLANNING REPORT

ACTION **INFORMATION**

TO: Reeve Campbell & Members of Council
FROM: Forbes Symon, Senior Planner, Jp2g Consultants Inc.
DATE: September 21, 2021

RE: Tay Valley Township Official Plan Review & Update: Special Council Meeting

Recommendation: *That Council conclude the Special Meeting on the Official Plan Review and Update and request that the public submit comments no later than October 15, 2021. Further that the Consultant be directed prepare and present an “Official Plan Review Issues & Options Report” to Council, for further consideration.*

Tay Valley Township retained the services of Jp2g Consultants Inc to undertake a review and update of its Official Plan in accordance with Section 26 of the *Planning Act*, R.S.O. 1990. As part of the Official Plan Review & Update, it is a requirement that Council hold a “Special Meeting” open to the public to discuss revisions that may be required or are being considered to the Official Plan and provide the public with an opportunity to submit comments or suggestions for improvements to the existing Official Plan.

The following Planning Report provides an overview of the nature of the Official Plan Review & Update project, identifies opportunities for public engagement, and presents a preliminary list of issues related to conformity with the Provincial Policy Statement (2020) that have been identified by the Consultant to date.

Purpose of Tay Valley’s Official Plan

Pursuant to Section 17 of the *Planning Act*, R.S.O., 1990, Chapter P.13, as amended, Tay Valley Township Council is charged with responsibility for preparing and adopting a local Official Plan. The Tay Valley Township Official Plan was approved by the Lanark County in 2016 and contains policies which are designed to manage future growth, development and change within the Township. The Official Plan also contains a long-term vision for the future of the Township that reads:

“Tay Valley Township is a rural community that honours our culture and heritage, whose citizens and leaders strive to improve the quality of life for all residents and visitors in a sustainable, adaptable and secure environment.

Section 1.2.3 of the Official Plan sets out the purpose of the document:

“1. This Plan is intended to support a number of goals:

- a) To manage future development in a logical and orderly manner in response to anticipated needs, having regard to economic, social, cultural, environmental and other considerations;
 - b) To protect those significant environmental features and resources that give the Township its unique character in recognition of the environmental, economic, and cultural values of these resources;
 - c) To address potential health, safety and property damage concerns by directing development away from areas associated with hazards and to protect existing development from adverse effects which may arise from incompatible development.
2. The Official Plan is intended to be of use to both private and public interests. Through the Plan, private interests will have a clearer understanding of Council's policies for future development and, hence, be able to plan accordingly. Public interests will benefit by possessing a document policy framework by which to prepare comprehensive Zoning By-laws, make planning and land use decisions, as well as identify and program the delivery of needed services and facilities in a cost effective-way.

Council of the Day recognizes the diversity of opinions in the Township on an acceptable balance between interest of landowners and public good or benefit."

Requirement to Review & Update Official Plans

Section 26 of the *Planning Act, R.S.O 1990* requires that Council review and update its Official Plan no less frequently than 10 years after it comes into effect, and every five years after that. The Township's current Official Plan (OP) was approved in 2016. The Provincial Policy Statement (2020) underwent a significant update in 2020 and now is an appropriate time for the Council to initiate the Official Plan review and update at this time.

The purpose of the review is to ensure that the OP is:

1. Consistent with Provincial Plans;
2. Has regard for matters of provincial interest;
3. Is consistent with the Provincial Policy Statement; and
4. Conforms to the Lanark County Sustainable Communities Official Plan.

It is worth noting that there are no provincial plans in place that effect Tay Valley Township. The intent of the Official Plan Review and Update is to modify the current Official Plan to be consistent with the 2020 Provincial Policy Statement. By doing so, the assumption is that the Tay Valley OP will have regard for matters of provincial interest.

In addition to being consistent with the PPS, the Tay Valley Township Official Plan must also conform to the Lanark County Sustainable Communities Official Plan (2012).

The OP Review and Update process also provides Council with an opportunity to update its Official Plan so that it is current and better reflects the Township's growth and development goals.

Agency Consultation

As part of the Official Plan Review process, there is a requirement to consult with the approval authority and with the prescribed public bodies with respect to the revisions that may be required. The approval authority for the Tay Valley Township Official Plan is the County of Lanark. At the beginning of the project, the Consultant had discussions with the Lanark County Planner regarding roles, expectations and prescribed agency consultation.

With the assistance of the Lanark County Planner, the Consultant has reached out to 27 agencies on July 12, 2021, including prescribed provincial ministries, local area school boards, Mississippi Valley Conservation Authority, Rideau Valley Conservation Authority, LLG District Health Unit, surrounding municipalities, First Nations (Algonquins of Ontario, Metis of Ontario), and utilities. These agencies were provided with a notice of commencement of the Official Plan Review and Update project and Council's desire to bring the OP into compliance with the 2020 Provincial Policy Statement and conformity with the Lanark County Sustainable Communities Official Plan. They were also formally requested to participate in the Tay Valley Township OP Review/Update project. Specifically, they were asked to provide any information that would assist with updating the resource mapping (in GIS format) and any technical information or policy examples to bring the OP into compliance with the 2020 PPS.

Township Staff & Council Consultation

The Consultant has completed the interviews with senior municipal staff and has partially completed the interviews with members of Council to solicit their opinions on elements of the Official Plan that should be updated or revised. The results of this consultation will be reflected in the "Tay Valley Township Official Plan Review Issues and Options Report" to be presented to Council later this fall.

Public Consultation

The Township sponsored a non-prescribed Official Plan Review Open House on August 17, 2021 to introduce the project to the community. The Open House presentation highlighted the process and timeline for the project, as well as several key issues to be explored including growth management, affordable housing, climate change, indigenous engagement/recognition, Natural Heritage Systems, past severance activity and key demographic indicators.

The September 21, 2021 Special Council meeting is a prescribed requirement under the *Planning Act, R.S.O. 1990*, intended to formally introduce the Official Plan Review and

Update project to the ratepayers and provide them with the opportunity to submit comments for consideration by Council. Although written or oral comments are encouraged at the Special Council Meeting, this will be challenging given the current pandemic. Understanding this, Council is welcoming written comments from members of the public to be submitted to the Township Planner no later than October 15, 2021, so that they may be captured in the “Tay Valley Township Official Plan Review Issues and Options Report” and considered in future Council deliberations on the items to be addressed in the Official Plan Update.

The Township created a special page on its website www.tayvalleytwp.ca dedicated to the Official Plan Review. This page includes information of what is an Official Plan, why the Township needs an Official Plan, the requirement to review the Official Plan and ways in which the public can get involved in the project.

As the project moves forward, the public will have additional opportunities to provide comments on the future draft official plan amendment designed to update the Tay Valley Township Official Plan.

Preliminary List of Issues

Based on the Consultant’s review of the 2020 Provincial Policy Statement, discussions with the County of Lanark Planner, the following preliminary list of issues to be considered in the Official Plan update has been created. It is important to understand this is a **preliminary list** and that comments from the public, agency comments and comments from staff and Council are expected to add to or modify this list. These issues will be explored in detail in the pending Issues and Options Report.

1. **Engagement with Indigenous Communities** – this is a requirement under the PPS and is not currently addressed in the TTV OP in a substantive way.
2. **Climate Change** acknowledgement is a requirement under the PPS, especially related to sustainable infrastructure, built form and growth management. The Township has been a leader in this area as demonstrated by their Climate Action Plan (CAP). Recognition of the CAP and specific policies related to climate change should be done.
3. **Intensification and Redevelopment** is a significant theme in the PPS – for communities with no municipal sewer and water services it is a challenge to develop realistic policies – the Township’s policies on **accessory dwelling units** is one options currently being promoted for intensification. Efforts should be made to determine if there are other intensification and redevelopment opportunities as well as reviewing the current policies to ensure they are working effectively.
4. **Economic Diversification** is promoted in PPS – there is an opportunity to improve and enhance the economic development policies contained in the

Official Plan – expanded/more permissive home occupation/industry policies, identification of employment lands, recognition of resource extraction (aggregate & forestry) as important economic generators, significance of tourism and potential for growth, impacts of short term rentals.

5. **Growth Management** is a central theme of the PPS – there is currently some direction in the OP regarding growth management, but it could be expanded to more clearly identify how and where growth is to be accommodated – efforts should be made to include population projections in the OP. The preparation of a growth management plan is a central theme of the project.
6. **Lanark County Sustainable Communities Official Plan (SCOP)** is older than the TTVT OP and many of its policies and themes are reflected in the TTVT OP. A review of the Lanark SCOP will be completed to ensure the TTVT OP is in full conformity with the Lanark SCOP.
7. **Housing** is one of the community building blocks. There are general statements related to housing (affordable housing) but the OP could benefit from detailed policies and reference to programs/reports focused on the affordable housing issue.
8. **Emergency Management** is a new policy theme in the PPS – current TTVT OP does not address emergency management – general policies related to the Township's emergency management plan should be considered.
9. **Servicing Policies** should be updated to clarify policies on communal servicing, hydrogeological study requirements, and stormwater policies. Private road standards should be reviewed to determine if they reflect current best practices.
10. **Open Space/Parks/Recreation** policies in the TTVT OP could be enhanced with acknowledgement of the of public lands and conservation areas in the Township, expanded recreational trail policies which reference active transportation, and policies related to public access to water resources.
11. **Hazard lands** need policy improvement related to prohibited uses, permitted development and site alteration and to direct development away from hazards. There is also a need for policy and mapping specific to wildfire hazards which is a new PPS theme.
12. **Natural Heritage Systems (NHS)** is a major theme in the PPS. The current TTVT OP has good policies to acknowledge and protect various natural heritage features and has NHS applying to ½ of the Township. Consideration of expanding the NHS to all lands within the Township is a central component of this OP Review and Update.

13. General Housekeeping changes are common with Official Plan updates. References to various government ministries that have name changes, updated reference documents like the new PPS (2020), new municipal studies and documents are all recommended to be updated to the appropriate current reference.

Next Steps

The formal agency and public consultation on the OP Review are proposed to conclude **October 15, 2021**. Following this, Council will be presented with an Issues and Options Report from the Consultant, summarizing the Official Plan Review component of the project. Council will then determine the issues to be included in the Official Plan Update and provide direction on the preferred policy option to address the issue. Once the scope and nature of the update has been determined, the Consultant will conduct the necessary research and prepare a draft Official Plan Amendment (OPA) and Planning Justification Report for Council's consideration.

Once Council is satisfied with the draft Official Plan Amendment, the Consultant will initiate the formal Official Plan Amendment process, including additional agency and public consultation, including an Open House and Public Meeting.

Once Council has heard from the agencies and public on the draft OPA, they will determine whether the draft OPA requires further changes or modifications to address comments received. When Council is satisfied with the OPA, they will formally adopt the OPA and forward the document to the County of Lanark for final approval.

Opportunities for public comment are available throughout the formal OPA process at both the Township and County levels.

All of which is respectfully submitted.

Jp2g Consultants Inc.
ENGINEERS • PLANNERS • PROJECT MANAGERS



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