



Staff Report P2024-21

Committee 2024-07-22

Council 2024-07-29

Amendments

Submitted To: Committee of the Whole | Council

Submitted By: Summer Valentine, Director of Planning, Building and Economic Development

Prepared By: Summer Valentine, Director of Planning, Building and Economic Development
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Subject: Adopted 2023 Town of Collingwood Official Plan – Proposed Modifications

Recommendation

THAT Report P2024-21 “Adopted 2023 Town of Collingwood Official Plan – Proposed Modifications” dated July 22, 2024, be received;

AND THAT the County of Simcoe be advised that Council endorses the proposed modifications to the adopted 2023 Town of Collingwood Official Plan and outlined in Report P2024-21.

Amendments

None.

1. Executive Summary

After an extensive multi-year and consultative process, the new 2023 Town of Collingwood Official Plan (“new OP”) was adopted by Council in late 2023 and forwarded to the County of Simcoe for consideration of approval. Through the County’s review, additional engagement with commenting agencies and stakeholders, and input from County and Town staff, a series of modifications are proposed prior to advancing the document to County Council for approval. These modifications are required largely

to maintain consistency and conformity with evolving Provincial and upper-tier planning instruments, to provide additional clarity to the proposed policies or schedules, to address feedback received by the County, to further support housing affordability, and to align the new OP with updated information received after adoption. Staff have reviewed the proposed modifications and recommend that they be endorsed by Council to facilitate approval of the new OP at the County level.

2. Analysis

Background

The new OP was adopted by Council on December 11, 2023. Comprehensive background on the Official Plan Review project, including the stages prior to adoption, community, stakeholder and Indigenous feedback, key changes to the policy approach, and a full planning analysis can be found in [Report P2023-32](#).

Under the *Planning Act*, the approval authority for new official plans or official plan amendments of lower tier municipalities in our geography is the County of Simcoe. It is noted that planning authority is intended to be removed from several upper tier municipalities, including the County of Simcoe, by proclamation of the Government of Ontario in 2024 to align with the legislative amendments from *Bill 23: More Homes Built Faster Act*. However, this transition to Provincial approval of official plan documents has not yet occurred and staff have continued to work with the County post adoption. In accordance with the *Planning Act*, the approval authority has 120 days to render a decision on the new OP. However, in reality, the timelines tend to be longer to drive toward support for and refinement of a final product.

As part of the County's review of the new OP, their staff will confirm consistency and conformity with the relevant land use planning instruments, account for outstanding comments from stakeholders or agencies, and take into consideration any requests by the local municipality to further modify the policies or schedules to improve clarity or address any post-adoption issues. The review of the new OP is also impacted by the ever-evolving legislative, regulatory and policy context at the Provincial level, adding complexity and requiring additional time to ensure alignment. Most notably, the

modifications proposed incorporate direction from the draft 2024 Provincial Planning Statement and *Bill 185: Cutting Red Tape to Build More Homes Act*, which received Royal Assent on June 6, 2024. If the Province has not yet enacted the draft 2024 PPS and repealed of the Growth Plan at the time of County approval of the Town’s Official Plan, the County may need to apply ‘non-decisions’ to certain policies to maintain conformity to the in-force Provincial policy and regulatory framework.

Through Resolution RES-446-2023, passed by Council on December 11, 2023, it was requested that any proposed major modifications to the new OP be presented in a public forum for endorsement to provide an opportunity for public input and to support transparent decisions:

“**AND THAT** the Town requests that any significant modifications to the new Official Plan that are considered necessary by the County of Simcoe or requested by the Town be presented to Council in an open public session for endorsement prior to approval of the new Official Plan;”

The balance of this Report focuses on the recommended modifications to the new OP.

Analysis

While a tracked-change version of the new OP dated July 10, 2024, inclusive of the proposed modifications, is included as a Resource 1 to this Report for illustrative purposes, the following sections summarize the significant modifications proposed. Grammatic, numerical, spelling, or other minor modifications for clarification or ease of interpretation are not listed below.

Textual Modifications

Policy Section Reference	Proposed Modifications	Origin	Rationale
3.2 d)	Re-instating definitions of affordable and attainable housing	Province of Ontario	Provincial policy and regulatory changes through <i>Bill 185</i> and Proposed Provincial

			Planning Statement (PPS 2024)
4.3 h) 5.4.3	Updating Poplar Regional Health and Wellness Village MZO policies	Applicant	Negotiated modifications to MZO-related policies to support the vision
3.2b) d) h) 3.5h) 4.3c)-f) h)-j), p) 5.1.3.e)-f) 6.2.1a)-b) 6.2.6a)-b) 7.1.5.1i) 7.1.12	Addressing new PPS- and Bill 185-related policy changes including: <ul style="list-style-type: none"> • planning for student-housing • harmonization of additional residential unit policies • supporting redevelopment of underutilized commercial and institutional sites where appropriate • clarifying criteria for conversions of employment areas • mitigation of conflicts between major employment, transportation, waste management and energy facilities and sensitive uses • supporting gentle density • confirming the ability to address servicing capacity allocation/re-allocation and phasing • planning for energy supply and storage • alignment of growth and infrastructure planning • clarifying stormwater management infrastructure requirements • updating lapsing policies applicable to planning approvals 	Province of Ontario	<i>Bill 185</i> and PPS 2024 Changes

	<ul style="list-style-type: none"> removal of mandatory pre-consultation and adjustment to complete application requirements 		
5.1.8.4	Setting the stage to facilitate additional Residential Units (ARU) and gentle density in existing and greenfield residential neighbourhoods	Town of Collingwood	Simplify ARU policies and permit gentle density in residential areas (up to four dwelling units per residential property), to support the Quick Wins Zoning By-law Amendment for Affordable Housing
5.1.8.8	Updating short-term accommodation policies	Town of Collingwood	Alignment with Town’s short-term accommodation licensing program and implementing zoning by-law amendment
5.4.5a)ii. & iv.	Adding prohibition for development within 30 metres of the perimeter of the fill area of a waste management site.	Town of Collingwood	Alignment with the Province’s D4 Guidelines for ‘Land Use on or Near Landfills and Dumps’
5.6.3.4	Refining natural hazard policies for watercourses in one-zone concept	Nottawasaga Valley Conservation Authority (NVCA)	Clarification that Conservation Authorities should be consulted for natural hazard limits
5.7.2.5	Adding Area 30 – Area Specific policies approved by OPA No. 48 (560 & 580 Sixth Street)	Applicant	Approved OPA No. 48, administrative exercise to incorporate into the new OP
6.1.1a) 6.1.3a) 6.1.4c) 6.1.9.2e)	Acknowledging planning for potential improvements and a new Provincial Highway corridor, new Appendix IV showing a conceptual by-pass, and other transportation-related comments received from MTO	Ministry of Transportation of Ontario (MTO)	Province has completed Highway 26 Needs Assessment Study (2015) that identifies the potential for Provincial roadway improvement and a new Provincial Highway corridor, that is subject to future planning

			and environmental assessment
1.2a) & c) 5.2.5.3f)	Add reference to County of Simcoe interests in addition to implementation of County of Simcoe Official Plan	County of Simcoe	Recognizes the broad County interests in the future where the County’s planning authority has been removed by the Province
3.2c) 3.2h)v. 3.2j)x.	Minor enhancements to housing policies	County of Simcoe	Collaboration and leveraging the County of Simcoe Housing Attainable Supply Action Plan, and other relevant housing policy documents
3.7b) 5.6.3.1c)6. 2.6d) 6.2.1b)	Minor enhancement to Climate Change policies	County of Simcoe	Alignment with the recommendations of the County of Simcoe Community Climate Change Strategy for local Official Plan policies
5.1.8.12b)	Ensure schools are specifically listed as public service facilities	County of Simcoe	Provide clarity to public service facility policies

Mapping Modifications

Schedule/ Appendices References	Proposed Modifications	Origin	Rationale
Sch 1, 2, 3	10 Vacation Drive (Wyldeewood Creek/Georgian Bay Hotel) –adding lands to Natural Heritage System and Mixed-use Corridor II designations	Landowner	Approved OPA No. 46, supported by technical studies, administrative exercise to incorporate into the new OP
Sch 1, 2	401 Raglan Street (Surplus lands to All Saints Anglican Church Cemetery) – correcting	Landowner	Mapping refinement to be consistent with adopted OP through December 2023 Council decision

	mapping in adopted OP (Open Space to Employment Land Use designation)		
Sch 1, 2, 3	29 Forest Drive (Parsons) – removing lands from Natural Heritage System and placing in Rural Residential designation	Landowner	Supported by land use planning rationale, located in existing registered plan of subdivision
Sch 1, 2, 3	85 Toner Street (Maffei) – removing lands from Natural Heritage System and placing in Rural designation	Landowner	Supported by technical studies and peer reviews (EIS and Natural Hazards Assessment)
Sch 1, 2, 7	560 & 580 Sixth Street (2579283 Ontario Inc. & 2288035 Ontario Inc.) – adding parkland to Parkland and Open Space designation and Area 30 – Area Specific policies	Landowner	Approved OPA No. 48, administrative exercise to incorporate into the new OP
Schedule 3.1	Amending Note 1 to state that floodplain and shoreline hazards are generally represented on the Schedule and to consult with the appropriate Conservation Authority for more detail	NVCA	Clarification that Conservation Authorities should be consulted for natural hazard limits
Schedule 1	Add 'Delineated Built Boundary (MPIR 2006)' line to Schedule 1	County of Simcoe	Conformity with the policies of the Growth Plan, which remains in effect until the Province repeals it upon enactment of the new PPS
New Appendix IV	Include mapping of potential Highway 26 expansion corridor locations	MTO	MTO Highway 26 Needs Assessment Study (2015), subject to further planning and

			environmental assessment to confirm the preferred route
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Non-Decision

Policy Section/Schedule References	Proposed Modifications	Origin	Rationale
Policy 5.4.4.3 b) (in-part) and Schedule 4 (in-part)	Non-Decision for Waste Management (D4) Assessment Area policies and mapping for inactive local municipal and private waste management sites only	Town of Collingwood and County of Simcoe	Waste Management (D4) Assessment Areas apply to the existing County owned active waste disposal site and inactive incinerator site. There are no D4 Assessment Areas applied to five inactive local and private waste management sites. The standard D4 assessment area is 500 meters, which would encumber significant areas of the Town for development and redevelopment. In order to reduce or eliminate assessment areas, additional technical investigation is required, in collaboration with the Ministry of Environment, Parks, and Conservation (MECP)

A number of site-specific redesignation requests were also received by the County. Many of those had been previously evaluated by the Town through the Official Plan Review project as either Major Redesignations that require separate official plan

amendments or additional supporting materials to justify the requested changes. Any site-specific amendments that were deemed appropriate to be recommended by staff are noted in the table above.

Planning Analysis

The proposed modifications outlined in this Report and the Resources thereto do not alter the conclusions of the Planning Analysis in [Report 2023-32](#) that was advanced at the time of adoption of the new OP. The new OP, as modified, would continue to conform to or be consistent with the following:

- *Planning Act*, 1990 as amended
- Provincial Policy Statement (2020)
- Proposed Provincial Planning Statement (2024)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation)
- County of Simcoe Official Plan (2023 Office Consolidation)

While staff have made best efforts to incorporate existing or proposed Provincial legislative, regulatory and policy refinements, uncertainty remains around how that context will continue to change in the near to mid-term. As an example, if the Province has not enacted the draft 2024 PPS before the County approves the Town's Official Plan, there are numerous policies, most notably Employment Area Conversions, that the County may place in a 'non-decision' category at the time of approval to maintain conformity with the in-force Provincial policy and regulatory framework.

Further, as referenced in [Report 2023-32](#), there are a series of evolving conversations that were not fully resolved through the Official Plan Review project. To those ends, the new OP is intended to be a living document and further amendments are anticipated over time.

Options and Next Steps

The above noted proposed major modifications and those minor edits as illustrated in Resource 1 have been thoroughly reviewed and are supported as good planning by Town and County staff. Nonetheless, it is within Council's purview to revise the

proposed modifications or suggest additional revisions to the adopted OP for consideration by the County. Though Council may do so, ultimately, the County has the sole authority to:

- (a) approve, modify and approve as modified or refuse to approve a plan; or
- (b) approve, modify and approve as modified or refuse to approve part or parts of the plan.

At the time of writing this Report, scoped rights exist for the Minister, Town, certain agencies, and registered landowners to which the plan applies (provided they have made oral or written submissions to Council prior to adoption) to appeal the decision of the County but those stakeholders may not globally appeal the entirety of the new OP, if approved. *Bill 185: Cutting Red Tape to Build More Homes Act* eliminated third party appeals to new official plans and those changes to the *Planning Act* are now in force and effect. Given the appeal rights that currently exist, staff would recommend that should Council wish to further modify the new OP, additional time be afforded to both the Town and County professional land use planners to evaluate and opine on the will of Council prior to formal endorsement, unless the matter is quite straightforward to the extent that an opinion could be rendered during the Committee of the Whole or Council meetings.

Once a set of modifications is endorsed by Council, the County of Simcoe staff would complete their review of the new OP and advance a final version to County Council for consideration of approval. The anticipated timeline for these actions would be early fall of 2024. As noted above, though unusual, there may be rationale for County Council to only approve parts of the new OP. Should this occur, Town staff would report back to Council on transition provisions, challenges, and steps needed to move toward full approval of the new OP. Further, should one or more appeals be received to the decision of the County, staff would provide public updates to the extent possible and circulate an in-camera report(s) to Council seeking direction.

Financial Impacts

Other than staff time, there are no direct financial impacts of this Report. However, financial outcomes related to future appeals of the new OP should be considered. Though global appeals to the approval of the new OP are not permitted under the *Planning Act*, site or policy-specific appeals are possible to the decision of the County of Simcoe. Should appeals be launched, it is expected that Town staff, consultants and legal representatives would have a significant role, impacting both human resources for other projects and financial expenditures. Funds were included in the approved 2024 Operating Budget for consultant costs related to post-adoption revisions and appeals of the new OP (\$30,000) as well as a general Ontario Land Tribunal legal line item (\$125,000 for all OLT appeals in 2024). However, additional dollars may be required depending on the number and scope of appeals received.

Conclusion

It is the opinion of staff that the new OP, with proposed modifications, would be consistent with and conform to all relevant land use planning instruments and other applicable legislation and responds to an evolving policy and regulatory context across Ontario, has taken into account public and stakeholder feedback, and represents good planning. Accordingly, staff support the proposed modifications and recommend that they be endorsed by Council to facilitate approval of the new OP at the County level.

3. Input from Other Sources

This Report was reviewed by Department Heads on July 16, 2024 and the content response to the input and advice received. [Report 2023-32](#) outlines agency, public, stakeholder and Indigenous comments collected as part of the Official Plan Review project. County and Town staff have incorporated post-adoption feedback into the proposed modifications as appropriate.

4. Applicable Policy or Legislation

Core Legislative and Policy References

- Planning Act, 1990 and associated/proposed amendments under *Bills 109, 23, 97, and 185*
- Provincial Policy Statement (2020)

- Proposed Provincial Planning Statement (2024)
- Growth Plan for the Greater Golden Horseshoe (2020 Consolidation) – to be repealed by the Province
- Simcoe County Official Plan (2023 Consolidation)

Community Based Strategic Plan (CBSP)

This report represents progress toward the following CBSP goals, objectives and actions:

Goal: Transparent and Accountable Local Government

Objective(s): Enhance Public Trust Strategic Action(s): Continue public communication and engagement on Town activities; and Proactively engage the public on town decisions, using Engage Collingwood, Coffees with Council and other opportunities.

Goal: Support and Manage Growth and Prosperity

Objective(s): Update our Land Use and Regulatory Framework Strategic Action(s): Deliver Official Plan review; Develop community vision, integrating growth and development as well as landscapes and viewsapes into the Collingwood development context; and Enact and pass bylaws or other direction that will provide more certainty to development industry, including the community’s development vision.

5. Considerations

<input checked="" type="checkbox"/> Community Based Strategic Plan:	Progresses towards achieving CBSP Goal
<input type="checkbox"/> Services adjusted if any	None
<input checked="" type="checkbox"/> Climate Change / Sustainability:	Positive impact on climate change/sustainability (decreases GHG emissions)
<input checked="" type="checkbox"/> Communication / Engagement:	Public Engagement has occurred
<input checked="" type="checkbox"/> Accessibility / Equity, Diversity, Inclusion:	Consistent with Multi-Year Accessibility Plan

- Registered Lobbyist(s) relating to content: Some of the residents and stakeholders that participated in the Official Plan Review may be registered lobbyists

Next steps and future action required following endorsement:

See the “Options and Next Steps” Section of this Report.

6. Appendices and Other Resources

Resource 1: [Tracked-Change Version of Modified Official Plan, dated July 10, 2024](#)

7. Approval

Prepared By:

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Nathan Wukasch, Senior Planner

Reviewed By:

Summer Valentine, Director of Planning, Building and Economic Development

CAO Comments:

Endorsed on July 17, 2024 to proceed to COW