



Regular Council Meeting

To:	Mayor and Council
Date:	September 3, 2024
From:	Karen Ellis, Director of Planning
Report Number:	PEB 2024-35
Subject:	Peterborough County Official Plan Update Report

Recommendation:

That Report PEB 2024-35 be received for information.

Overview:

Planning Staff continue to participate in the Technical Advisory Committee (TAC) meetings for the new County Official Plan. TAC members are providing input to the proposed modifications to the new Official Plan to make it consistent with the draft Provincial Planning Statement (2024).

The TAC began review of the adopted Official Plan on December 14, 2023. Report PEB 2024-13 provided an update on the meetings held between December 2023 and February of 2024.

Subsequent meetings were held on March 21, 2024, April 18, 2024, May 16, 2024, and June 20, 2024.

Subject matters discussed from March to June 2024 included intensification and density targets, Bill 185 – Cutting Red Tape to Build More Homes Act, pre-consultation requirements, watershed planning, stormwater management master plans, and cross border servicing policies.

The Committee continues to support settlement areas as the focus for growth and development. Township Staff support this position. Growth in serviced settlement areas takes advantage of the significant investments municipalities have made in piped water and sewer services while encouraging sustainable development that protects the environment and natural resources. Focusing growth in settlement areas also helps to reduce adverse impacts on prime agricultural lands and employment lands.

Built boundaries and intensification targets are required by the Growth Plan. With the proposed removal of the Growth Plan from the new PPS, there is more flexibility for the County and local municipalities in this regard. The TAC has been supportive of the existing targets in the adopted Official Plan with some modification to the wording to reflect the draft PPS and remove Growth Plan terminology. For the four serviced

settlement areas in the County, 15% of new residential growth is targeted for the serviced settlement areas. Of the total 1,440 units anticipated for settlement areas, the Township of Cavan Monaghan is targeting 215 units.

When the intensification targets were originally established, the 215 units were to be located within the “built boundary”. The Township’s number of units is relatively small because of restrictions in Millbrook related to the floodplain of Baxter Creek and the number of historically designated properties. With the removal of the “built boundary” restriction from the proposed PPS, there will be additional opportunities for intensification within Millbrook. Some intensification is currently happening with the creation of accessory dwelling units on existing residential properties.

In the adopted County Official Plan, the greenfield development density targets are 40 residential units per hectare. County Staff are researching this issue further and the TAC will revisit the issue. With the recent subdivision approvals in the greenfield areas of the Millbrook Settlement Area (Towerhill South, Towerhill North, Vargas and CSU), the Township has achieved or was close to achieving the 40 residential units per hectare target.

The April 18, 2024, meeting focused on Bill 185 – Cutting Red Tape to Build More Homes Act. The release of a new draft Provincial Policy Statement (PPS) was part of Bill 185. Changes to the draft PPS are currently the focus of the TAC work.

Other changes to the land use planning world have already occurred with Bill 185. Third party appeals for official plan and zoning by-law amendments have been eliminated. Appeals are limited to applicants, municipalities, the Minister of Municipal Affairs and Housing, First Nations and specified persons like utility companies. With this change, the thorough review and consideration of public comment during public consultation stages is more important than ever.

Refunds for zoning and site plan approval applications that did not meet mandated approval timelines (introduced in Bill 23) have been eliminated. Changes to the Township practices of processing applications (i.e. pre-application requirements and associated fees) are being reviewed by Planning Staff.

Lapsing dates for site plan approval applications have been introduced by the Province. Lapsing dates help ensure the timely completion of projects. The Township has not yet introduced a lapsing date on a site plan approval application because there is not a history of projects being delayed. However, the tool may be suitable for some applications in the future.

Pre-consultation is no longer a requirement for planning applications. The policies in the County OP are being amended to encourage pre-consultation to reflect the new provincial direction. Township Staff support the County direction to encourage pre-consultation and will be looking to include a similar policy in the new Township Official Plan.

The Township currently has a pre-consultation by-law and associated fee. Township Staff are currently offering formal and informal pre-consultation sessions. If a proponent is looking for the Township's direction on a potential application, an information pre-consultation session is scheduled. There is no fee for this service. Written comments about the proposal are provided by Township Staff.

If a proponent is looking for more fulsome consultation with County and ministry/agency involvement, a formal pre-consultation session is required. The Township fee for a pre-consultation meeting is applied in this instance. A written record of pre-consultation is prepared by Township Staff for these meetings.

The new PPS encourages watershed planning rather than requiring it. Changes were not made to the County Official Plan. County Council has authorized County Staff to proceed with an RFP to undertake a watershed plan. Township Staff support this direction and will be available to assist with the project as required.

Growth Plan policies require the preparation of stormwater master plans for serviced settlement areas. With the draft PPS policies, stormwater master plans may be developed. The proposed wording in the County Official Plan provides local flexibility for local municipalities. The preparation of a stormwater master plan for Millbrook or another serviced settlement area can be considered during the development of the new Township of Cavan Monaghan Official Plan.

The need for a cross-border servicing policy like the policy recently adopted by the City of Peterborough was discussed. Township Staff indicated support for a cross-border servicing policy in both the County Official Plan and the Township Official Plan. County Staff believe direction from County Council may be required for the addition of the cross-border servicing policy to the County Plan. Notwithstanding the direction of the County, Township Staff recommend the consideration of a cross-border servicing policy during the development of a new Township Official Plan.

Minutes from the March, April, May and June meetings are provided as Attachment Nos. 1, 2, 3 and 4 to this Report. Updates on the project will continue to be provided to Council as the work progresses.

Please note that the new PPS was released by the Province on August 20, 2024 with a proposed implementation date of October 20, 2024. The PPS has been posted on the Environmental Registry of Ontario (ERO) for a 30-day consultation starting on August 20, 2024 to seek feedback on specific planning matters in process that might need to be addressed through a potential transition regulation under the Planning Act.

Township Staff are currently reviewing the information and will report to Council should comments to the Province be warranted.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1: March 21, 2024 TAC Meeting Minutes

Attachment No. 2: April 18, 2024 TAC Meeting Minutes

Attachment No. 3: May 16, 2024 2024 TAC Meeting Minutes

Attachment No. 4: June 20, 2024 Meeting Minutes

Respectfully Submitted by,

Reviewed by,

Karen Ellis
Director of Planning

Yvette Hurley
Chief Administrative Officer

Attachment No. 1

County Official Plan Modifications

Meeting Minutes – March 21, 2024 Technical Advisory Committee OP Modification Meeting No. 4



Location: Committee Room, County Court House

Attendees: Arya Hejazi (HBM), Matt Wilkinson (CM), Emily Baker (OSM), Christina Coulter (DD), Karen Ellis (CM), Ed Whitmore (AN), Barb Waldron (TL), Derek Bertram (TL), Iain Mudd (County), Bryan Weir (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Tom Cowie (Hiawatha FN), Forbes Symon (Jp2g for NK), Jessica Reid (EcoVue for OSM), Per Lundberg (SEL), Adele Arbour (TL)

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement (2023) and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 2:06pm

Items and issues discussed at the meeting were as follows:

Revisit Previous Policy Review

- Time is scheduled at the start of each meeting that will allow TAC members to revisit any previous modifications, recognizing that additional thoughts or insight may be gained between meetings.
- No policies were revisited

Proposed Modifications based on draft PPS (2023)

- Reviewed Section 5.3 (Growth Targets) through to end of Section 8.3 (Mineral Mining and Aggregate Resources - Rehabilitation).
 - Did not review any part of Section 6 (Natural Heritage Features and Natural Hazards) as there are many modifications anticipated to this section. At least one meeting in the future will be dedicated to reviewing Natural Heritage policies and mapping.

- Discussed intensification and density targets at length. Agreed that the direction to see majority of growth in settlement areas represents good planning. TAC opted to maintain all targets with some modification to the wording to better reflect draft PPS and remove Growth Plan terminology (reference to built-up areas, for example, which is a defined term and delineated area under the current Growth Plan). Propose to apply the intensification targets to serviced settlement areas and residential density targets to greenfield areas in municipally serviced settlement areas.
- Intensification target that is no less than 40 residents and jobs combined per hectare is a figure mandated by the Growth Plan – County staff will research this further and TAC will revisit this policy at future date to determine if this figure is appropriate for Peterborough County as it has historically been a difficult number to reach.
- Clarification provided that employment density target is applicable to the Urban Employment designation only.
- Criteria added to match draft PPS when lands may be removed from employment areas.
- Removed references to built-boundaries in settlement areas since the built-boundary was implemented through the Growth Plan and were last updated in 2006. Also provided updates to settlement area expansions and new settlement areas to better reflect the draft PPS.
 - To promote orderly growth and development, establishment of new settlement areas is now proposed to be permitted by Amendment to the Official Plan and must be initiated by the Township in which the settlement area is situate.
 - Update/add definitions to match draft PPS for servicing types and settlement areas.
- Discussed need for cross-boundary servicing with City of Peterborough. City's OP was being amended to include a new policy and the question was raised whether the County OP should have a similar policy. To be discussed further in review of Section 10 (Transportation and Infrastructure).
- Discussed rehabilitation of aggregate extraction sites at length. Several policies in the adopted OP are very prescriptive and Growth Plan specific. TAC reviewed the policy to determine whether the premise of the policy was necessary or if the policies could be deleted in their entirety. The County and local Municipalities are not responsible for authorizing or approving pit rehabilitation, but OP policies could provide direction when providing comments to the Ministry of Natural Resources and Forestry on new aggregate licences being issued.

Meeting adjourned at 4:25pm

Attachment No. 2

County Official Plan Modifications

Meeting Minutes – April 18, 2024 Technical Advisory Committee OP Modification Meeting No. 5



Location: Committee Room, County Court House

Attendees: Arya Hejazi (HBM), Matt Wilkinson (CM), Emily Baker (OSM), Christina Coulter (DD), Karen Ellis (CM), Ed Whitmore (AN), Adele Arbour (TL), Per Lundberg (SEL), Iain Mudd (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Tom Cowie (Hiawatha FN), Forbes Symon (Jp2g for NK), Jessica Reid (EcoVue for OSM), Barb Waldron (TL), Derek Bertram (TL), Bryan Weir (County)

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 1:59pm

Items and issues discussed at the meeting were as follows:

Revisit Previous Policy Review

- Time is scheduled at the start of each meeting that will allow TAC members to revisit any previous modifications, recognizing that additional thoughts or insight may be gained between meetings.
- No policies were revisited

Discussion – Cutting Red Tape to Build More Homes Act (Bill 185)

- Focus for this meeting was to review and discuss changes being proposed through Bill 185, the details of which were released a week prior to the TAC meeting.
- Part of Bill 185 includes the release of a new draft Provincial Planning Statement (PPS, 2024), which would replace the current Provincial Policy Statement and Growth Plan. The release of this new PPS directly impacts the work being undertaken by the TAC. Discussion around the new draft PPS (2024) included the following:

- Discussion as to whether policies relating to Additional Residential Units (ARU's) also apply to lands designated Rural. The criteria established in 2024 PPS represent good planning, and would encourage a similar form of development in Rural areas (including farm properties that fall within this designation).
 - Further discussion on ARU's included the 'as of right' permissions for the third unit, servicing requirements and tracking (in serviced settlement areas), and licensing.
- County Council has directed that the preparation of a Watershed Plan move forward. County will be putting out a request for proposal in the coming weeks, and once a consultant is chosen a Technical Advisory Committee for the Watershed Plan will be formed. No changes to the Watershed Planning policies of the adopted OP are recommended at this time.
- Unrelated to the OP project, County Staff advised TAC Members that Planning Application Dashboard has been developed and will be presented to County Council in early June. The Dashboard shows the location and type of application on a map, and users can click on the property to find out more information. The mapping shows only applications made to the County since the County does not have access to data about applications made to individual Townships.

Meeting adjourned at 4:01pm

- Section 3.5 (Consents), removing possibility for residential lot creation in prime agricultural areas and providing clarification around surplus farm dwelling severances (allowing one severance per farm consolidation)
- Section 4.1.2.3 (Agricultural System in CM), had previously been removed since the agricultural system was encouraged in 2023 PPS. In 2024 PPS “planning authorities” are required to use an agricultural system approach. CM Staff indicated that they would review this policy and advise whether a high-level policy such as that in adopted OP and any related mapping would be beneficial.
- Section 5.6.2 (Additional Residential Units), clarification provided that ARU’s are permitted in the Agriculture designation and added criteria consistent with 2024 PPS

Proposed Modifications based on draft PPS (2024)

- Reviewed Section 8.4 (Aggregate Resource Overlay & Adjacent Landuses) through to end of Section 8.7 (Mines and Mine Hazards)
 - Very minor changes to policy speaking to wayside pits and quarries to be consistent with 2024 PPS, which does not change intent of original policy
 - Discussion around mines and information available on County GIS. More information about the sites can be found on the Abandoned Mines Information System. TAC also questioned distances provided in Section 8.7, specifically that a 1km distance is required from mine hazards but only 500m from the only active mine in the County (located in HBM). County Staff to discuss with MMAH.

Other Discussion Items

- Discussed the requirement of the 2024 PPS to implement an agricultural system. Since a formal process was followed during the development of the new OP (implementing provincial agricultural system and following provincial criteria to remove lands), there is no intention to re-visit the land use mapping for the Agriculture designation.
 - Question arose as to whether small residential/rural residential lots can have the Agriculture designation removed since they are clearly not agricultural and are existing, developed lots (no additional impact on surrounding agricultural operations). County Staff to discuss with MMAH.
 - Since those rural residential lots are existing and developed, the purpose of the change in designation was questioned. Existing uses are recognized and adopted OP permits these lots to be zoned in a separate zoning category (Rural Residential (RR), for example) to recognize they are not agricultural lots.
- Discussed when staff should be requesting archaeological studies and to support which types of applications. Generally archaeological studies are required when archaeological potential exists on or near the property/development. Some TAC members provided examples of situations where a study was requested for various types of development applications.

Attachment No. 3

County Official Plan Modifications

Meeting Minutes – May 16, 2024 Technical Advisory Committee OP Modification Meeting No. 6



Location: Committee Room, County Court House

Attendees: Arya Hejazi (HBM), Matt Wilkinson (CM), Emily Baker (OSM), Christina Coulter (DD), Madhupreeta Muralidhar (DD Student), Karen Ellis (CM), Ed Whitmore (AN), Derek Bertram (TL), Per Lundberg (SEL), Iain Mudd (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Tom Cowie (Hiawatha FN), Adele Arbour (TL), Forbes Symon (Jp2g for NK), Barb Waldron (TL), Bryan Weir (County)

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 2:05pm

Items and issues discussed at the meeting were as follows:

Revisit Previous Policy Review

- Time is scheduled at the start of each meeting that will allow TAC members to revisit any previous modifications, recognizing that additional thoughts or insight may be gained between meetings.
- Due to release of an updated draft Provincial Planning Statement (2024), TAC revisited all previous edits to ensure they were consistent with the most recent version of the PPS.
- Changes from 2023 PPS to 2024 PPS, and other changes proposed through Bill 185, resulted in significant changes to the following sections:
 - Sections 1.3 (Purpose of Plan) and 5 (Growing our Communities), planning horizon for growth projections changed from 30 years to 20 years
 - Section 3.1 (Pre-Consultation), recognizing that mandatory pre-consultation proposed to be removed through Bill 185
 - Section 3.4 (Plans of Subdivision & Condominium), removing potential for subdivisions (“multi-lot residential development”, a 2023 PPS term) in the rural area

- Settlement area expansions and establishment of new settlement areas – no longer requires a Municipal Comprehensive Review. Questions about the situation where a new settlement area may be established in close proximity to a settlement area in another municipality.
- Lot creation on rural lands – the specific language that permitted “multi-lot residential development” originally proposed in the 2023 version of the Provincial Planning Statement has been removed. The intent appears to limit plans of subdivision in the rural area when read in conjunction with all other policies of the PPS (2024). Questioned whether comments to province should include the addition of the word “limited” to further clarify the scale of residential development on rural lands.
- Employment areas no longer require Municipal Comprehensive Review to remove lands from an employment area. Questioned whether the draft policy provided sufficient clarity for rural employment areas.
- Agricultural policies have changed significantly from what was proposed through the 2023 version of the Provincial Planning Statement.
 - lot creation has been modified to reflect the current Provincial Policy Statement (2020) – lots can be permitted for surplus farm dwellings, agricultural parcels, or agriculture-related uses only. No additional residential lot creation policies are proposed.
 - An agricultural system is now required vs encouraged. Work done to identify agricultural lands will not need to be examined as part of this TAC’s work program since the adopted OP included an agricultural system that was vetted through a specific provincially defined methodology.
- Natural heritage system (NHS) is still required but, like with the 2023 version of the PPS, does not need to reflect the provincially mapped natural heritage system. Opportunity to utilize the Kawarthas Naturally Connected (KNC) system which had been supported by Council and members of the public (as we heard through the process of developing the new OP). TAC will need to carefully review the KNC mapping and determine how it will tie into PPS (2024) and new OP policy. Growth Plan is very specific about how features inside and outside the NHS are to be protected, but the draft PPS doesn’t provide that same level of detail or direction.
 - No reference to 30m vegetation protection zone from key hydrologic features, which has caused complications with all Planning Act applications over the past few years.
- Watershed planning is encouraged but not required by the draft PPS (2024). The County was recently directed to move forward with the development of a Watershed Plan and will be putting out an RFP for the work in the coming weeks.
- Other changes being proposed through Bill 185 includes:
 - the elimination of third party appeals for Official Plan and Zoning Amendments. Appeals are limited to the applicant, a municipality, the

Minister of Municipal Affairs and Housing, First Nations and “specified persons” which includes utilities companies.

- Elimination of mandatory pre-consultation – concerns with this since it makes determining complete application requirements more cumbersome for all parties.
- Elimination of fee refunds for zoning and site plans that were introduced under previous legislation (Bill 23)
- Change to lapsing date provisions for plans of subdivision and introduction of lapsing date to site plan approvals
- County staff have prepared a report for County Council which reviews the changes being proposed to varying pieces of legislation and provides a recommendation. This will be the County’s formal comment and will be submitted on the Environmental Registry of Ontario (ERO) for each posting, as applicable.
 - Some Township staff also indicated that they will also be preparing reports for their respective Council’s to be submitted on the ERO.

Meeting adjourned at 4:05pm

Attachment No. 4

County Official Plan Modifications

Meeting Minutes – June 20, 2024 Technical Advisory Committee OP Modification Meeting No. 7



Location: Virtual Meeting, Microsoft Teams

Attendees: Tom Cowie (Hiawatha FN), Matt Wilkinson (CM), Emily Baker (OSM), Christina Coulter (DD), Madhupreeta Muralidhar (DD Student), Karen Ellis (CM), Ed Whitmore (AN), Derek Bertram (TL), Per Lundberg (SEL), Iain Mudd (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Arya Hejazi (HBM), Adele Arbour (TL), Forbes Symon (Jp2g for NK), Barb Waldron (TL), Bryan Weir (County)

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 10:03am

Items and issues discussed at the meeting were as follows:

Revisit Previous Policy Review

- Time is scheduled at the start of each meeting that will allow TAC members to revisit any previous modifications, recognizing that additional thoughts or insight may be gained between meetings.
- No policies were revisited.

Proposed Modifications based on draft PPS (2024)

- Reviewed Section 9 (Water Resources) through to end of Section 10 (Transportation and Infrastructure). Reached end of policy document to be reviewed.
 - No changes were made to Section 9.2 (Watershed Planning), despite the draft PPS encouraging a watershed plan vs the Growth Plan requiring it. County Council has already directed staff to proceed with RFP to undertake a watershed plan.
 - Section 9.3 (Key Hydrologic Features and Areas) was deleted in its entirety. Policies contained therein were entirely based on and reflected Growth Plan policies verbatim. Other sections of the adopted OP provide policy direction for development within or adjacent to natural heritage features, natural

hazards and sensitive ground and surface water features. Removal of this section requires remaining sections in the OP to be renumbered accordingly.

- Renamed Section 9.5.3 - Lakes with Special Policy Areas to Lakes with Special Policies to avoid any confusion with the term “Special Policy Area” as it relates to floodplains in the PPS. The same term was replaced in two locations within this section.
- Discussion around Section 9.7 (Highly Vulnerable Aquifers and Groundwater Recharge Areas) and whether a Growth Plan policy is moved to this section to address vulnerable surface and groundwater features as per Section 4.2 of the draft PPS. County Staff will follow up with Risk Management Official re: PPS policies and highly vulnerable aquifers. May change the numbering on this section to make it a subsection of Source Water Protection.
- Section 10.2.3 has been updated to include a single line policy with respect to the Bridgenorth By-Pass. This has already been sent to the Ministry as a requested modification through previous direction of County Council (commenting on the ERO posting for the adopted OP).
- Minor additions added to Section 10.3.1 (Stormwater) to be consistent with Section 3.6.8 of draft PPS, as well as small language change to reflect that pre-consultations are not mandatory (changes made under Bill 185). Language also changed to state that stormwater master plans may be developed, rather than shall be required. Growth Plan stated that these were mandatory but draft PPS does not contain this language.
- Section 10.3.3 (Water Supply and Sanitary Sewage Disposal) amended to reflect when partial services can be used to reflect Section 3.6. of draft PPS. Discussed the terms ‘centralized servicing system’ and ‘decentralized servicing system’ and will be providing clarification on these terms for the benefit of the public. CM Staff agreed to request information from their consultants.
- Discussion as to whether the OP should have a cross-border servicing policy similar to that which was recently adopted by the City of Peterborough. Agreed that Council direction may be needed for this addition.
- Section 10.3.4 (Utilities) amended to provide clarifications and consistency with Section 3.8.1 of draft PPS.
- Section 10.4 (Excess Soil) was deleted in its entirety. Draft PPS no longer speaks to excess soil.

Future Meeting Schedule

- Additional meetings will be scheduled through the summer to wrap up the modification process. It is recognized that staff may be out of office at times

throughout the summer, but comments can be made directly to County Staff for discussion at TAC meetings or for follow-up.

- Next meeting will focus on natural heritage features and Natural Heritage System, and Natural Core designation policies in addition to re-visiting a few that were discussed this meeting.

Meeting adjourned at 11:58am