



To: M. R. Bragg, CAO

FROM: M. Misek Evans, Corporate Manager of Community and Strategic Planning
P. Michiels, Senior Policy Planner

SUBJECT: **Initiation of the 5 Year Review of the County Official Plan**

RECOMMENDATION

That Oxford County Council hold a special public meeting pursuant to Section 26(3) of the Planning Act;

That Oxford County Council adopt Report No. C-1 2009-256 as the framework for the current 5-year review of the County of Oxford Official Plan; and

That Oxford County Council have regard for written and verbal submissions regarding the review of Official Plan policies and direct staff to provide a report to Council regarding the incorporation of any such submissions into the 5-year review.

PURPOSE

The purpose of this report is to provide Council with direction regarding the proposed workplan for the County's 5 year Official Plan review and to hold a special meeting of Council, pursuant to Section 26 (3) the Planning Act, to allow an opportunity for initial public input.

BACKGROUND

Section 26 (1) of the Planning Act requires a municipality to undertake a statutory review of their Official Plan not less than every five years. The last 5 year review of the Official Plan was completed by the County of Oxford in 2004. Therefore, the next 5 year review of the County Official Plan is required to be initiated in 2009.

As part of 5 year review process, Section 26 (3) of the Planning Act, R.S.O. 1990, as amended, requires the Council of the municipality that has adopted an Official Plan to hold a special meeting that is open to the public to discuss the revisions to the Plan that may be required. Notice of such a meeting is to be given not less than 30 days in advance of the meeting. Any public attending the meeting are to be given the opportunity to voice their opinions regarding the need for amendments to the Plan.

The current planning report and the associated special meeting of Council are intended to formally initiate the County's current 5 Year Review of the Official Plan in accordance with the requirements of Section 26 of the Planning Act. The notice of the special meeting of Council was posted in area newspapers during two separate weeks, as well as posted on the County website, on or before September 27th, 2009.

COMMENTARY

a) Review Requirements of the Planning Act

As part of the 5 Year Review process, Section 26(1) of the Planning Act R.S.O. as amended, requires municipalities to revise their Official Plan as required to ensure that it:

- conforms with provincial plans or does not conflict with them;
- has regard to matters of provincial interest listed in the Planning Act; and
- is consistent with policy statements issued under subsection 3 of the Planning Act (2005 Provincial Policy Statement (PPS)).

As well, if the Plan contains policies dealing with areas of employment, Section 26(1) of the Act requires that these policies be confirmed or amended as part of the 5 Year Review process.

In terms of the above noted review requirements, it is noted that there are currently no provincial plans, such as the Provincial Growth Plan for the Greater Golden Horseshoe, in effect for Oxford County. With respect to consideration of matters of provincial interest listed in the Planning Act and consistency with provincial policies statements, it is noted that the County completed an extensive review of its Official Plan policies in early 2009 to ensure they had regard to matters of provincial interest and were consistent with the 2005 Provincial Policy Statement (PPS). This process resulted in a variety of amendments to the Official Plan policies to address changes to Provincial Policy, including new definitions and policies relating to residential intensification and affordable housing, non-farm rural residential development, water quality and quantity and alternative and renewable energy systems. These PPS related policy changes were incorporated into the County Official Plan through three separate Official Plan Amendments (OPA 136, 138 & 139) which were approved by County Council in December 2008 and January and February of 2009 respectively.

However, there were a number of provincial policy issues identified by County and Provincial planning staff, but intentionally omitted from the above noted PPS conformity exercise, to allow for further consideration as part of the County's 5 Year Review process. These issues include a review of the County's Official Plan policies pertaining to natural heritage features and transportation, primarily as they relate to Provincial highways. Therefore, these policy areas have been specifically identified for review as part of this 5 Year review process. It should be noted that a number of the other policy areas identified for review as part of this process, such as those relating to commercial policy and urban and community design, will also need to address the issue of consistency with the PPS as part of the background studies and related policy development.

With respect to the review of the County's employment land policies, these policies were reviewed and revised as part of the above noted Provincial Policy Statement (PPS) conformity exercise. However, it is anticipated that some amendments to the County's Employment Area policies and associated designations may be precipitated by the Commercial Policy Review and Urban Design components of the 5 Year Review.

Finally, it should be noted that the Province is expected to undertake a 5 Year Review of the PPS shortly and, if this process was completed prior to conclusion of the County's 5 Year Official Plan Review process, any changes to the PPS may need to be considered in the County's review.

b) Official Plan Review and Monitoring Policies

Section 10.6 of the County Official Plan provides some guidance with respect to monitoring and reviewing the Plan.

Section 10.6 of the County Official Plan provides for monitoring activities in the following areas:

- The range of housing forms relative to household income distributions;
- The supply and demand for land available for housing and employment purposes;
- Population, household and employment land forecasts;
- The reserve capacity of the water and wastewater facilities in the County, relative to anticipated growth and development;
- Establishment of baseline parameters to measure the quality of the natural environment and evaluation of the state of the environment over the life of the Official Plan.

Some of these monitoring activities occur annually, such as the County Vacant Lands Study and reserve capacity calculations for water and wastewater systems, while others related to projections are dependent on census results. During this 5 Year Review, monitoring systems for affordable housing and residential intensification targets will be established. Baseline parameters to measure the quality and state of the natural environment will also be considered as part of the Oxford Natural Heritage Study (ONHS) component of the Official Plan review.

The General Review of Policies and Related Schedules component described in the workplan (Appendix 1), will include a review of the various monitoring activities and Official Plan amendment applications processed since the last 5 Year Review of the Official Plan, along with any implications for policy revisions.

c) Policy Areas Under Review and Official Plan Review Workplan

Following is a summary of the key policy areas proposed to be considered as part of this 5 Year Review of the Official Plan:

- Policies resulting from Bill 51 (The Planning and Conservation Land Statute Law Amendment Act, 2006);
- Environmental resource and environmental constraint policies;
- Community and urban design policies;
- Transportation policies;
- Residential intensification and affordability; and
- Commercial land development policies.

Appendix 1 to this report contains a proposed project workplan for Council's consideration which outlines the above noted review components in more detail and is intended to guide and scope the upcoming 5 Year Official Plan Review process. The workplan also includes a proposed public consultation program for the 5-year review and estimated timing for initiation and completion of the various review components. Additional policy review matters may arise as a result of public input and further Planning staff review. The need for and exact nature of specific policy revisions will be determined as the County proceeds through the review process.

As noted in the proposed workplan contained in Appendix 1 to this report, it is anticipated that a minimum of four amendments will ultimately evolve from this Official Plan review process. Unlike other amendments to the County Official Plan, which are approved by County Council,

amendments pertaining to a 5 year review of the County Official Plan require approval from the Province, following adoption by County Council. The role of approval authority for 5 year Official Plan review amendments was re-assumed by the Province as part of amendments to the Planning Act, incorporated through Bill 51 (Planning and Conservation Land Statute Law Amendment Act, 2006).

d) Timing and Resource Requirements

The 5 Year Review process is a two year project that will take until approximately mid 2011 to complete. Staff resources include the Senior Policy Planner as the project lead and one full time contract planner, as well as existing planning staff allocated to specific components of the work as indicated in the proposed Workplan. Consultants will be used to conduct the Commercial Policy Review (ongoing) and a community/urban design study. The overall project management will be the responsibility of the County's Senior Policy Planner, with the Corporate Manager of CASPO involved in review and public meetings relating to the various project components.

SUMMARY

This report provides an overview of the key policy areas that County Planning staff have currently identified for consideration as part of the 2009 5-Year Official Plan Review process, together with estimated timing for each review component and an associated consultation program. It is recommended that County Council adopt this report as the framework for initiating the County's 5 Year Official Plan review.

However, at the special meeting of Council, there is potential for the public to raise additional issues that they feel are in need of review or amendment. In this regard, Planning staff further recommend that any verbal or written submissions received from the public on or before the special public meeting be received by Council. Planning staff will also be contacting each of the Area Municipalities to determine if there are any additional issues that they wish to have considered a part of the County's 5 Year Review. A subsequent report to County Council will then be prepared to provide an overview of any submissions received, together with recommendations as to how they should be considered in the County's 5-year review. Planning staff will seek Council's direction with respect to the incorporation of such additional issues into the 5 Year Official Plan review process.

Finally, it should be noted that additional opportunities for public input with respect to various components of the 5 year review identified in this report will be provided at future stages in the 5 Year Review process, as identified in the workplan.

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Dated: October 22nd, 2009.

APPENDIX 1

**PROPOSED PROJECT WORK PLAN
5 YEAR REVIEW OF THE COUNTY OFFICIAL PLAN**

Appendix 1
Proposed Project Work Plan - 5 Year Review of the County Official Plan

Key Project Components

The following tables outline the key planning issues/components that have been identified by County Planning staff for consideration as part of the 5 year review process:

a. Commercial Policy Review (Background study outsourced)

Resource Requirements	Component Overview	Communications Plan	Timing
<u>Staff/Consultants</u> P. Michiels, G. Hough, R. Versteegen, M. Evans. Consultants - SGL & Robin Dee	<ul style="list-style-type: none"> Review of existing commercial policy framework in light of current market data and analysis, the evolving nature of commercial development and the local, regional and provincial context. County staff time required for project management, data collection and stakeholder consultation. Prepare an Official Plan Amendment to incorporate any policy or schedule changes resulting from this review. 	<ul style="list-style-type: none"> Stakeholder Consultation - multiple sessions Council information session – Module 1 Council presentation of final report County Website – Post study, reports and public notices on OP Review webpage. Planning Act (OPA) – Agency Circulation, newspaper notice of Open House and Public Meeting. Presentations – To Area Council's, where requested (Draft policies). 	<u>Initiated</u> Q4 2008 <u>Completion</u> Q2 2010

b. Updates to GIS Planning data layers

Resource Requirements	Component Overview	Communications Plan	Timing
<u>Staff</u> P. Michiels, Contract Planner, S. Hanson, GIS Staff	<ul style="list-style-type: none"> Review Official Plan data layers to determine whether new, updated or revised information is available. It is anticipated that the review and updates will relate primarily to data created and maintained by the Province and other public agencies such as the Conservation Authorities. However, all the data layers represented in the Official Plan will be reviewed to ensure they are current and accurate. The main data layers which are anticipated to require updates include environmental features (wetlands, ANSI's, wildlife habitat, significant valleylands etc.), environmental hazards (erosion hazard areas, flood plains and generic regulation limits), unstable soils, petroleum wells), aggregate resources (resources layers and license areas) CASPO Staff will work closely with County GIS staff to complete this component Prepare the necessary amendments to the Official Plan policies required to incorporate any policy or schedule changes resulting from this review. 	<ul style="list-style-type: none"> Nothing specific to this component Associated OPA (Also includes Bill 51, Transportation and CA Reg. components) will consist of: <ul style="list-style-type: none"> ➤ County Website – Post reports and public notices on OP review webpage. ➤ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. ➤ Presentations – Draft amendment presented to Area Council, where requested. 	<u>Initiated</u> Q4 2009 <u>Completion</u> Q4 2010

c. Bill 51 (Planning and Conservation Land Statute Law Amendment Act, 2006)

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> P. Michiels, M. Evans, Contract Planner</p>	<p>Review the Official Plan policies with respect to the updated legislative requirements and additional municipal planning powers and tools contained in the Bill, including:</p> <ul style="list-style-type: none"> • Complete application requirements and related materials • Pre-application consultation requirements • Conditional zoning (subject to pending regulation) • Energy conservation requirements for plans of subdivision • Subdivision requirements for dedication of pedestrian and bicycle paths and public transit rights-of-way • New site plan powers allowing for regulation of character and appearance • Broadening of the matters that can be addressed through community improvement plans, including improvement of energy efficiency, new construction and structures other than buildings. • New 'Cash in Lieu' of parkland requirements for sustainable development. <p>Produce a background paper to provide an overview of the Bill 51 changes and recommended policy amendments. Prepare an Official Plan Amendment to incorporate any policy recommendations resulting from this review.</p>	<ul style="list-style-type: none"> • Nothing specific to this component • Associated OPA (Also includes GGIS Data Layers, Transportation and CA Reg. components) will consist of: <ul style="list-style-type: none"> ➤ County Website – Post reports and public notices on OP review webpage. ➤ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. ➤ Presentations – Area Council, where requested (draft amendment). 	<p><u>Initiate</u> Q4 2009</p> <p><u>Completion</u> Q4 2010</p>

d. Oxford Natural Heritage Study (ONHS)

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> M. Evans, P. Michiels, R. Versteegen, GGIS.</p>	<ul style="list-style-type: none"> • Review the recommendations and mapping contained in the ONHS and the recommendations from the County's peer review of the study, with respect to required implementation through Official Plan policy. • Prepare a background paper explaining Planning Act implementation measures, consistency with the PPS and recommended policy amendments. • Prepare an amendment to the natural heritage features schedule to incorporate additional significant woodland features and review the associated policy framework. • Public consultation on the draft amendment, including notification to affected landowners. 	<ul style="list-style-type: none"> • Stakeholder consultation – AAC, Area Municipalities, CA's • County Website – Post study, planning reports and public notices on OP Review webpage. • Individual notices to affected property owners • Planning Act Requirements (OPA) – Agency Circulation, newspaper notice of Open House and Public Meeting. • Presentations – Area Council's, where requested (draft amendments). 	<p><u>Initiated</u> Q1 2010</p> <p><u>Completion</u> Q2 2011</p>

e. Community/Urban Design Review (Study to be outsourced)

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff/Consultants</u> P. Michiels, M. Evans, Development Planners and Contract Planner</p> <p>Consultants - TBD by RFP process</p>	<ul style="list-style-type: none"> • Review existing Official Plan policies pertaining to site plan criteria and community/urban design and recommend policies which would provide for high quality urban design taking into consideration: <ul style="list-style-type: none"> ○ Place making and pedestrian friendly design ○ Cultural Planning and heritage protection ○ Opportunities for mixed use and related policies ○ Smart Growth principles, such as energy efficiency and sustainability ○ Efficient use of land, infrastructure and environmental resources. • Provide recommendations on various implementation tools that could be used to ensure the effective implementation of these policies e.g. CIP's, heritage conservation districts, development permitting etc. • Prepare an Official Plan Amendment to incorporate policy recommendations resulting from this review. • County staff time required for project management, data collection, stakeholder consultation and drafting of the amendment. 	<ul style="list-style-type: none"> • Stakeholder consultation – groups to be determined • Council presentation of final Urban Design Study. • County Website – Post study, planning reports and public notices on OP Review webpage. • Planning Act (OPA) requirements – Agency Circulation, Open House and Public Meeting (newspaper posting). • Presentations – Area Council's, where requested (draft amendment). 	<p><u>Initiate</u> Q2 2010</p> <p><u>Completion</u> Q2 2011</p>

f. Conservation Authority Regulations

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> P. Michiels, R. Versteegen, GGIS</p>	<ul style="list-style-type: none"> • Review of the mapping and regulations pertaining to the Conservation Authorities 'Generic Regulation Limit' and determine how these regulations and associated mapping will integrate with or change the current policies of the Plan relating to natural hazard areas. • Will require extensive mapping review and consultation with Conservation Authority staff. • Prepare an Official Plan Amendment to incorporate any policy or schedule changes resulting from this review. 	<ul style="list-style-type: none"> • Nothing specific to this component • Associated OPA (Also includes Bill 51, GGIS Data Layers and Transportation components) will include: <ul style="list-style-type: none"> ➤ County Website – post planning reports and public notices on OP review webpage. ➤ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. ➤ Presentations – Draft amendment presented to Area Council, where requested. 	<p><u>Initiated</u> Q1 2010</p> <p><u>Completion</u> Q4 2010</p>

g. County Transportation Master Plan & Review of Transportation Policies

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> P. Michiels, Contract Planner, Public Works and Public Health and Emergency Services staff</p>	<ul style="list-style-type: none"> • Review recommendations and mapping contained in the County Transportation Master Plan to determine required amendments to the County and Area Municipal transportation policies and associated Transportation Schedules contained in the Plan. • Review policies pertaining to Provincial Highways in light of comments received from MTO in response to the PPS amendment. • Prepare an Official Plan Amendment to incorporate policy or schedule changes resulting from this review. 	<ul style="list-style-type: none"> • Nothing specific to this component • Associated OPA (Also includes Bill 51, GIS Data Layers, and CA Reg. components) will include: <ul style="list-style-type: none"> ➤ County Website – Post reports and public notices on OP review webpage. ➤ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. ➤ Presentations – Draft amendment presented to Area Council, where requested. 	<p><u>Initiate</u> Q4 2009</p> <p><u>Completion</u> Q4 2010</p>

h. Residential Intensification and Affordability

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> P. Michiels, Contract Planner, Student Planner</p>	<ul style="list-style-type: none"> • Revised residential intensification and affordable housing policies and associated targets were incorporated into the County Official Plan as part of the recent PPS Amendment • The following issues related to intensification and affordable housing will be further reviewed as part of this project: <ul style="list-style-type: none"> ○ Consideration of ultimate target residential/employment densities for the various settlement and intensification areas (e.g. central commercial areas) in the County e.g. total combined number of persons/jobs per hectare and determine associated data needs. ○ Determine whether additional intensification areas and/or corridors should be identified, in addition to the central areas; ○ Review intensification policies and criteria for various land uses and areas in conjunction with the Urban Design Study policy review. ○ Establish a monitoring system to measure progress in achieving affordability and intensification targets. ○ Review progress towards achievement of intensification and affordability targets as well as future monitoring and long term implementation considerations. • Draft amendments to the Official Plan as necessary to incorporate any policy changes resulting from this review. 	<ul style="list-style-type: none"> • Nothing specific to this component • Associated OPA (Also includes Urban Design and General Amendments components) will consist of: <ul style="list-style-type: none"> ➤ County Website – Post reports and public notices on OP review webpage. ➤ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. ➤ Presentations – Draft amendment presented to Area Council, where requested. 	<p><u>Initiate</u> Q4 2009</p> <p><u>Completion</u> Q2 2011</p>

i. General Review of Policies and Related Schedules

Resource Requirements	Component Overview	Communications Plan	Timing
<p><u>Staff</u> P. Michiels, M. Evans, Contract Planner, GIS</p>	<ul style="list-style-type: none"> • A general review of all the policies of the County Official Plan will be conducted to determine the need for any additional areas of amendment, as identified by County Planning Staff in consultation with Provincial, Agency and Area Municipal Staff and through the required special meeting of Council. • Review the various Official Plan monitoring activities and the Official Plan amendment applications processed since the last 5 Year Review of the Official Plan, to determine the need for any potential policy revisions. • Review of the cultural planning policies of the Official Plan with respect to the updated cultural mapping and other County Cultural initiatives such as the County Cultural Master Plan, to determine if additional/revised policies would assist in implementing these initiatives. • Review existing mapping schedules to determine if any adjustments in layout, colours or symbology should be considered to improve clarity and ease of interpretation. • Develop an approach for identifying the location of site specific amendments on the related Official Plan Schedules. • Prepare an Official Plan Amendment to incorporate any policy or schedule changes resulting from this review. 	<ul style="list-style-type: none"> • Nothing specific to this component • Associated OPA (Also includes Urban Design and Intensification and Affordability components) will consist of: <ul style="list-style-type: none"> ➢ County Website – Post reports and public notices on OP review webpage. ➢ Planning Act (OPA) – Agency Circulation, newspaper notices of Open House and Public Meeting. • Presentations – Draft amendment presented to Area Council, where requested. 	<p><u>Initiate</u> Q2 2010</p> <p><u>Completion</u> Q2 2011</p>