



January 30, 2023

Hon. Steve Clark
Minister of Municipal Affairs & Housing
777 Bay Street, 17th Floor
Toronto, ON, M7A 2J3

Dear Minister Clark:

**Re: Comments on County of Simcoe OPA #7
ERO Posting 0196113
Crisdawn Construction Inc. & D.G. Pratt Construction Limited Lands
Alcona North – Town of Innisfil
Our File: Pra-03334**

We represent Crisdawn Construction Inc. and D.G. Pratt Construction Limited “Pratt” who are or represent the Owners of approximately 229.15 hectares of land north and south of the 9th Line, east of the 20th Sideroad, in the Town of Innisfil (the “Pratt lands”). These lands are located adjacent to the northern Alcona Settlement Area boundary as shown in **Appendix A**.

We are writing to provide comments in response to ERO Posting # 0196113 concerning the County of Simcoe Growth Management Official Plan Amendment #7 “OPA 7”. In particular, this letter will detail requested modifications to OPA #7, which include Pratt's request that the settlement area of Alcona be expanded to include the Pratt lands and the planning merit in support of this request. The comments in this letter have been organized in the following sections:

- A. Property Overview
- B. Background Information
- C. Planning Merits of Pratt Lands

A. Property Overview

The Pratt lands comprise 10 properties and are broken into two categories as outlined below:

- Lands **north** of the 9th Line: The north Pratt lands comprise 79.46 hectares, of which, approximately 79.46 hectares are developable with the balance (29.90 hectares) containing natural heritage features.
- Lands **south** of the 9th Line: The south Pratt lands comprise 149.69 hectares, of which, approximately 81.97 hectares are developable with the balance (67.72 hectares) containing natural heritage features.

Based on an anticipated density of 55 people and jobs per hectare, which is also the designated greenfield area density target for Innisfil contained in OPA #7 (section 3.2.7a Table E), the Pratt lands would support approximately 2,700 residential dwelling units on the approximate greenfield developable area of 131.53 hectares.

B. Background Information

For context I am providing you with background information that explains the planning history of the Pratt lands that support inclusion of same in an expanded Alcona Settlement Area boundary:

1. Pratt OPA:

- a) In 2004, D.G. Pratt Construction Limited filed an application for a local official plan amendment to include approximately 717 hectares of land in the settlement boundary and provide land use designations which would permit the development of a new neighbourhood in Innisfil, north of and abutting the Alcona community, referred to as the Leonard's Beach Secondary Plan Area.
- b) In 2012, Pratt appealed the application to the Ontario Land Tribunal ("OLT"), for failure of the Town to make a decision on the application (OMB Case PL121103).
- c) In October 2017, D.G Pratt Construction limited the geography of the appeal to 149.69 hectares of land located entirely south of the 9th Line. This limitation on the lands appealed was in part a product of the provincial policy and legislative regime at that time.
- d) The Pratt appeal remains adjourned on a *sine die* basis until such time as the County has completed its Municipal Comprehensive Review (MCR).

2. County OP:

- a) In November 2008, the County adopted its new Official Plan which did not include an expansion to the Alcona Settlement Area boundary to include the Pratt lands.
- b) In April 2013, Pratt appealed to OLT, on a site-specific basis, for the failure of the Ministry to make a decision and to protect and preserve Pratt's interest with respect to the proposed expansion of the Alcona settlement area to include Pratt's lands.
- c) The Pratt appeal remains adjourned on a *sine die* basis until such time as the County has completed its MCR.

3. Town OPA 1

- a) In 2006 the Town commenced a Growth Management Strategy as background to the Town's proposed new 2006 Official Plan. The Growth Management Strategy included the south Pratt lands in a proposed expansion of the Alcona Settlement Area boundary.
- b) In October 2009, the County approved Official Plan Amendment No. 1 to the 2006 Town of Innisfil Official Plan to include the south Pratt lands in the Alcona settlement area.
- c) In November 2009, The Ministry appealed OPA 1 to OLT, on the grounds that more settlement area land was approved that was required to accommodate the population growth to 2031 according to the 2006 Growth Plan.
- d) Following County approval of OPA 1, the Town commenced the preparation of Secondary Plans for Alcona North (which includes the Pratt lands), and Alcona South. These Secondary Plans were not considered by Council as a result of the release of Amendment 1 to the 2006 Growth Plan in January 2012.
- e) The Ministry's appeal of OPA 1 remains outstanding at the OLT and has been adjourned *sine die*.

4. Minutes of Settlement

- a) In 2013, the Town and Pratt entered into Minutes of Settlement; whereby, both Parties agreed to jointly request the then former Ontario Municipal Board, to approve the expansion of the Alcona Settlement Area boundary to include the south and north Pratt lands.
- b) In 2017 the County, Town and Pratt entered into Minutes of settlement concerning the above noted appeals. The key points of agreement were as follows:
 - i. The Town continues to support the expansion of the Alcona Settlement Area to include the south Pratt lands. Further, the **Town noted that it is a priority for the Town that the Pratt lands be developed for urban uses.**
 - ii. The County does not object to the expansion of the Alcona Settlement Area.
 - iii. The County agreed that should the MCR demonstrate the need for an expansion to the Alcona Settlement Area boundary, it is reasonable that the south Pratt Lands will be allocated a minimum of 38.6% of any population that is allocated to the expansion lands of Alcona. The noted percentage is reflective of the Pratt lands as a percentage of OPA 1. It is also reflective of a different planning policy and legislative regime than that which exists today, under the Growth Plan 2020 (as amended) and post-Bill 23, the *More Homes Built Faster Act*.
- c) Notwithstanding the minimum percentage noted in point 4b)iii) above (which relates to the south Pratt lands), the Settlement confirms that all the lands are suitable for urban expansion.
- d) In addition, it is my opinion that the legislative and policy changes since 2017 continue to support the expansion of Alcona to include **all** of the Pratt lands for the following reasons:
 - i. The County of Simcoe approved the Town of Innisfil OPA #3 on February 9, 2021 which redesignated the developable portion of the south Pratt lands from Agricultural Area to Rural Area.
 - ii. Alcona remains a Primary Settlement Area according to Schedule 8 of the 2020 Growth Plan.
 - iii. Development of the Pratt lands would improve downstream stormwater management problems in the Settlement of Alcona that affects the safety of existing residents.
 - iv. Throughout the process of proposing the Mobility Orbit MZO, the Town of Innisfil has confirmed that they continue to support growth in and around Alcona (which includes the Pratt lands), notwithstanding the Mobility Orbit.

C. Planning Merits of Pratt Lands

The Pratt lands could support a range of housing types and a variety of land uses including residential, institutional, commercial, open space and natural heritage. The Pratt lands are ideally suited for urban uses for the reasons briefly outlined in this section.

1. Provincial Policy Statement Consistency:

1.1 Settlement Area Policies

1.1.3.1 Settlement areas shall be the focus of growth and development.

The south Pratt lands abut the Alcona Settlement Area boundary, and the north Pratt lands are located across the 9th Line. Alcona has been designated by the Province, in the Growth Plan, as a Primary Settlement Area to accommodate the majority of new growth. Similarly, the County of Simcoe and the Town of Innisfil, also designate Alcona, as the settlement area in the Town of Innisfil to accommodate the majority of new growth.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) *efficiently use land and resources;*

Development of the Pratt lands is anticipated to occur at efficient densities, meeting or exceeding 55 people and jobs per hectare.

b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

Development of the Pratt lands has been planned for and included in the Town's Master Servicing Plan. Expansion of the Town's Wastewater Treatment facility is required regardless of whether the Pratt Lands are included in Alcona Settlement Area boundary.

c) *minimize negative impacts to air quality and climate change, and promote energy efficiency; &*

d) *prepare for the impacts of a changing climate;*

The development of compact built form at efficient densities will in part, minimize negative impacts to air quality and climate change. A thorough review of these items and energy efficiency will occur during the planning process (i.e. Secondary Plan, Zoning by-law, Subdivision and Site Plan Control) and building permit review/issuance.

e) *support active transportation;*

The Pratt lands abut the boundary of Alcona and extensions of existing streets, including Webster Boulevard, Leslie Drive and Adullam Avenue, are already existing or planned through the Pratt lands. Development at an anticipated density of 55 people and jobs provides the opportunity to efficiently integrate trails/buffered bike lanes into new municipal rights-of-way. Car sharing, bicycle parking, and reduced parking standards can also be considered during the detailed review as part of the planning process for these lands.

f) *are transit-supportive, where transit is planned, exists or may be developed; and*

The Pratt lands will be developed at an anticipated density of 55 people and jobs per hectare, which is a transit supportive density. The Town has not established a typical transit system, but instead has explored and

implemented to various degrees, other transit options such as car sharing and subsidized Uber drivers.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The Pratt lands will be developed with a range of housing types and land uses including residential, commercial, institutional, and open space, while protecting the natural heritage system.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The south Pratt lands have been identified by the Town as an appropriate location for growth since 2009. Both the north and south Pratt lands are anticipated to be developed at a density meeting or exceeding 55 people and jobs per hectare, which is a transit supportive. The Pratt lands will be developed a range of housing options and will be serviced by existing and municipally planned infrastructure.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The Pratt lands will be subject to numerous additional planning processes, during which appropriate policies and standards will be developed to facilitate compact form and avoid public health and safety risks.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

The inclusion of the Pratt lands within the Alcona Settlement Area boundary would result in them being designated greenfield area and developed at an anticipated density of 55 people and jobs per hectare. The inclusion of the Pratt lands would have no impact on the Town's ability to intensify and redevelop within the built-up areas.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Pratt lands are adjacent to lands previously developed within Alcona. The Pratt lands would be developed with a compact urban form, mixture of uses and densities that are appropriate to efficiently use land, infrastructure and public service facilities.

1.1.3.7 *Planning authorities should establish and implement phasing policies to ensure:*

- a) *a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and*

The Pratt lands are anticipated to be developed at the OPA#7 prescribed greenfield area density target of 55 people and jobs per hectare.

- b) *the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*

In their Master Servicing Plan, the Town of Innisfil has planned for the expansion of the Alcona Settlement Area to include the north and south Pratt lands.

1.1 Settlement Area Expansion Policies

Policy 1.1.3.8 of the PPS states that, a planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) *sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*

The County of Simcoe Municipal Comprehensive review confirmed that additional land is needed to accommodate growth. Pratt's view is that the amount of new growth (community lands) currently allocated to Innisfil will permit insufficient new growth in the Alcona Settlement Area.

- b) *the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*

- c) *in prime agricultural areas:*
 - i. *the lands do not comprise specialty crop areas;*
 - ii. *alternative locations have been evaluated, and*
 - iii. *there are no reasonable alternatives which avoid prime agricultural areas; and*
 - iv. *ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*

The south Pratt lands are designated Rural and do not comprise prime agricultural areas. The south Pratt lands were the subject of a Town initiated Official Plan Amendment (OPA#3), that was approved by the County of Simcoe on February 9, 2020. OPA #3 was supported by an Agricultural Assessment which concluded that the land had an agricultural capability for common field crops less than class 3.

The north Pratt lands are designated Agricultural, as are all lands north of the 9th Line; however, agricultural production is not predominant in the area.

Those lands contain no specialty crops, contain no investment in terms of agricultural buildings or other agricultural infrastructure, and their current agricultural production is limited to corn and soybean cash crop rotation.

- d) *the new or expanding settlement area is in compliance with the minimum distance separation formulae; and*

The expansion of the Alcona Settlement Area boundary to include the Pratt lands would comply with the MDS formulae. No livestock operations would be impacted by the expansion.

- e) *impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.*

The expansion of the Alcona Settlement Area boundary to include the Pratt lands would not impact on any agricultural operations in the area.

2. Growth Plan Conformity:

2.1 Guiding Principles

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*

The expansion of the Alcona Settlement Area boundary to include the Pratt lands would contribute to the Town of Innisfil developing as a complete community, and in particular, provide additional housing (range of housing types), employment (commercial and institutional) and public service facilities (schools) that new residents and existing residents will utilize.

- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*

Alcona has been designated as a Primary Settlement Area and the policies at the Provincial, County and Town level all identify Alcona as appropriately accommodating the majority of the Town of Innisfil's growth.

- *Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.*

The Pratt lands will accommodate a range and mixture of housing options, which include second suites, detached accessory dwelling units, medium density, and mixed use. The housing options will provide both more attainable housing as well as dedicated affordable housing.

- *Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.*

As illustrated in Appendix A, the Pratt lands contain approximately 131 hectares of natural heritage features that will be protected and conveyed to the Town as required as part of the detailed Planning Act approval process.

- *Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.*

The lack of specialty crop lands and processing plants or other agricultural infrastructure means that there will be minimal impacts on the agri-food network.

- *Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.*

The property contains no known cultural heritage resources.

- *Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions*

The development of compact built form at efficient densities will in part, minimize negative impacts to air quality and climate change. A thorough review of these items and energy efficiency will occur during the planning process (i.e. Secondary Plan, Zoning by-law, Subdivision and Site Plan Control) and building permit review/issuance.

2.2 Settlement Area Boundary Expansions

The expansion of the Alcona Settlement boundary to include the Pratt lands conforms to the Growth Plan, and in particular Section 2.2.8.3 as follows:

- There is sufficient capacity in existing or planned infrastructure and public service facilities.*

The Town has prepared and is further updating a series of Master Plans to accommodate future growth in the Town. Phase 3 of the Lakeshore Water pollution Control Plant (25,000 m³/d) is expected to be operational in 2024, and a phase 4 expansion to 40,000m³/d will be front funded by developers, under the Innisfil Developers Allocation Group (IDAG). Pratt intends to join IDAG once its lands are brought into the Alcona Settlement Area boundary.

The Town has also initiated a Class Environmental Assessment to increase water pressure and they have proposed a water booster station on the Pratt south lands.

- The infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets.*

The cost of infrastructure and public service facilities are largely funded by developers and development charges. The Town has prepared, and is updating, Master Plans to ensure the needs and costs of infrastructure and facilities have been properly planned to accommodate growth without unduly impacting the financial position of the Town.

- the proposed expansion would be informed by applicable water and wastewater master plans or equivalent and stormwater master plans or equivalent, as appropriate;*

Refer to the response in item a. above.

- d. *the proposed expansion, including the associated water, wastewater and stormwater servicing, would be planned and demonstrated to avoid, or if avoidance is not possible, minimize and mitigate any potential negative impacts on watershed conditions and the water resource system, including the quality and quantity of water;*

Refer to the response in item a. above.

- e. *key hydrologic areas and the Natural Heritage System for the Growth Plan should be avoided where possible;*

Key natural heritage and key hydrologic features will not be developed and these features, including their required vegetation protection zone, will be conveyed to the Town as required as part of the Planning Act approval processes.

- f. *prime agricultural areas should be avoided where possible. To support the Agricultural System, alternative locations across the upper- or single-tier municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the Agricultural System and in accordance with the following:*

- i. *expansion into specialty crop areas is prohibited;*
- ii. *reasonable alternatives that avoid prime agricultural areas are evaluated; and*
- iii. *where prime agricultural areas cannot be avoided, lower priority agricultural lands are used;*

The south Pratt lands are designated Rural and do not comprise prime agricultural areas. The south Pratt lands were the subject of a Town initiated Official Plan Amendment (OPA#3), that was approved by the County of Simcoe on February 9, 2020. OPA #3 was supported by an Agricultural Assessment which concluded that the land had an agricultural capability for common field crops less than class 3.

The north Pratt lands are designated Agricultural, as are all lands north of the 9th Line; however, agricultural production is not predominant in the area. Those lands contain no specialty crops, contain no investment in terms of agricultural buildings or other agricultural infrastructure, and their current agricultural production is limited to corn and soybean cash crop rotation.

- g. *the settlement area to be expanded is in compliance with the minimum distance separation formulae;*

The expansion of the Alcona Settlement Area boundary to include the Pratt lands would comply with the MDS formulae. No livestock operations would be impacted by the expansion.

- h. *any adverse impacts on the agri-food network, including agricultural operations, from expanding settlement areas would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;*

The lack of specialty crop lands and processing plants or other agricultural infrastructure means that there will be minimal impacts on the agri-food network.

- i. *the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied;*

The proposed expansion of the Alcona Settlement Area boundary is consistent with the PPS. **Development of the south Pratt lands, and to a much greater extent, the north Pratt lands, will significantly improve downstream flooding that currently affects hundreds of existing houses in Alcona.** This would be accomplished by over-controlling external drainage that is impacting these existing residents.

- j. *the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans and any applicable source protection plan; and*

The expansion of the Alcona Settlement Area boundary to include the Pratt lands conforms to the Lake Simcoe Protection Plan because Key Natural Heritage and Hydrologic features and their vegetation protection zone will be protected from development. In addition, the overcontrol of external stormwater management on the Pratt lands will significantly improve downstream flooding that currently affects hundreds of existing houses in Alcona.

The other Provincial Plans noted do not apply to the Pratt lands.

- k. *within the Protected Countryside in the Greenbelt Area:*

The Pratt Lands are not located within the Greenbelt Plan Area.

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If you have any questions or would like additional information or a meeting to discuss, please contact me.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

- c. Mayor Dollin and Members of Town of Innisfil Council
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