

February 03, 2023

Julianna Zhuo  
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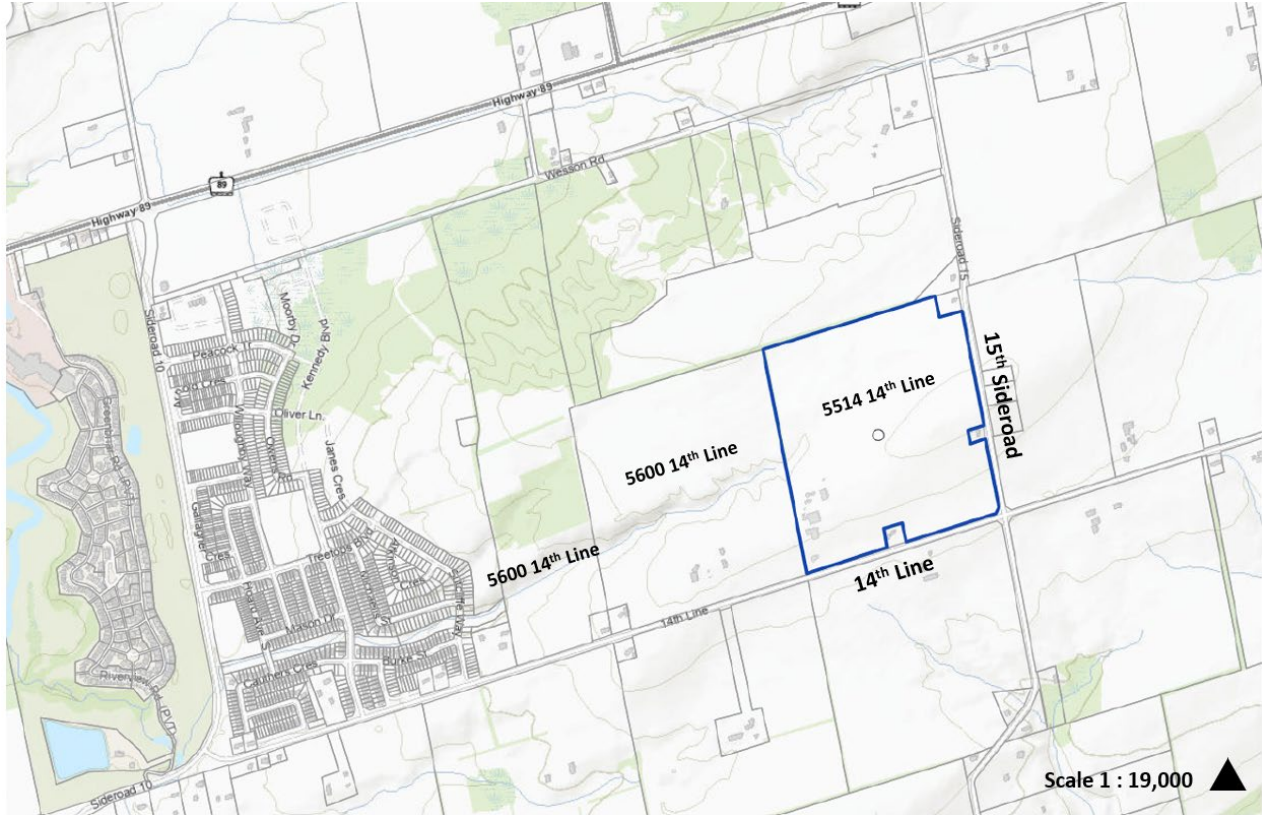
**RE:     Comments on Simcoe County OPA No. 7  
          Request to Include 5514 14th Line, Alliston, Ontario into the Settlement Boundary Expansion  
          Area**

Dear Julianna Zhuo,

On behalf of, Blackstone Property Inc. (BPI) we are pleased to submit this letter regarding the County of Simcoe Official Plan Amendment No. 7, which was adopted by County Council on August 9, 2022 by By-law No. 6977 and is currently before the Minister of Municipal Affairs and Housing for a decision under the Planning Act.

The purpose of this letter is to submit comments and request that the Province expand the Alliston East Settlement Area Boundary to include the subject lands. This letter provides an overview of the subject lands and an analysis of the settlement area expansion policies from the Growth Plan and the proposed County OPA No. 7 and planning rationale to support the settlement area boundary expansion (SABE) relative to the subject lands.

In February 2022, BPI submitted a request for SABE for the lands municipally known as 551414th Line (subject lands) in New Tecumseth, Simcoe County (as shown on Figure 1; see attached SABE request to Simcoe County, dated July 26, 2021 and corresponding email dated February 18, 2022). The subject lands were added to the County's inventory of sites with development interest for its ongoing Municipal Comprehensive Review (MCR). The subject lands are approximately 414,039.83 m<sup>2</sup> (41.4 hectares) and are located north of 14<sup>th</sup> Line, west of 15<sup>th</sup> Sideroad, just east of the built-up area of Alliston.



*Figure 1: Subject lands*

**1. Simcoe County Municipal Comprehensive Review**

The County of Simcoe is currently undertaking a MCR in accordance with the Growth Plan. A MCR is required to bring the Official Plan into conformity with the Growth Plan. The MCR process covers a range of policy areas and will result in changes to the County of Simcoe Official Plan. Growth management is a pivotal aspect of the MCR. The County is required by the Province to plan for a population of 555,000 and 198,000 jobs by 2051.

In March 2022, a Land Needs Assessment (LNA) was undertaken to determine whether the required growth can be accommodated in the existing settlement areas or if additional land is needed. The Draft LNA has been completed and determined that additional employment lands and community areas are needed in the ‘South’ area of Simcoe County, which includes New Tecumseth, Innisfil and Bradford West Gwillimbury. The south area of Simcoe County includes key primary settlement areas and strategic settlement employment areas are located and is expected to accommodate 18.1% of the county’s population growth to 2051. New Tecumseth is expected to experience a population growth of 37,590 people and an employment growth of 14,920 jobs.

## 1.1 Impacts of the More Homes Built Faster Act, 2022

On November 28, 2022, the provincial More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent with the aim of increasing housing supply throughout Ontario and to achieve the Province's goal of adding 1.5 million homes in the next 10 years in the province.

Many of the changes proposed to the various Acts through Bill 23 include removing legislated planning responsibilities from certain upper-tier municipalities including Simcoe County resulting in a new status as an "upper-tier municipality without planning responsibilities". Further, the Official Plan of certain upper-tier municipalities including Simcoe County would cease to exist and become part of the lower-tier municipal Official Plans. The potential impact of provincial legislative and policy changes on the MCR is currently unclear.

## 2. Policy Analysis and Planning Rationale

### 2.1 Planning Act

The Planning Act R.S.O. 1990, c. P.13 (Act) establishes the ground rules for land use planning in Ontario. The Act sets out "matters of provincial interest" that "the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to." Matters that are relevant to the proposed expansion include:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services, and waste management services;*
- (h) the orderly development of safe and healthy communities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (k) the adequate provision of employment opportunities;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and,*
- (r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.*

Section 3(5) of the Planning Act states that planning decisions must be consistent with ministerial policy statements and conform or not conflict with provincial plans that are in effect on that date.

The SABE request is consistent with the Planning Act as it makes efficient use of land and infrastructure, with key water and sanitary infrastructure for the subject lands in place (see attached memorandum by Schaeffers Consulting Engineers dated August 18, 2021). Development on the subject lands will create additional housing opportunities to meet provincial housing needs while contributing to a growth and development pattern that is sustainable to accommodate forecasted growth. The proposed expansion is consistent with the Planning Act.

## 2.2 Provincial Policy Statement

The Provincial Policy Statement (2020) (PPS) is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the PPS issued April 30, 2014.

The PPS sets the foundation for regulating the development and use of land by providing policy direction on matters of provincial interest. All planning decisions in Ontario must be consistent with the PPS, per Section 3(5) of the Planning Act.

The PPS directs growth and development to settlement areas (1.1.3.1) and encourages land use patterns that use land and resources efficiently (policy 1.1.3.2). The efficient use of municipal sewage and water infrastructure to accommodate forecasted growth is promoted (policy 1.6.6.1). Servicing and land use considerations must also be integrated at each stage of the planning process.

The PPS encourages the long-term protection of natural features by prohibiting development and site alteration in significant wetlands in Ecoregions 5E, 6E and 7E1, significant wildlife habitat and significant areas of natural and scientific interest amongst other areas (policy 2.1.4 and 2.1.5). Development or site alteration may be permitted if it has been demonstrated that there will be no adverse impacts on the natural features or their ecological functions.

**The subject lands are located within Ecoregions 6E and 7E according to Figure 1 of the PPS. The appropriate studies will be undertaken in co-operation with the Town and appropriate review agencies to ensure development or site alteration of the subject lands will have no adverse impacts on environmentally significant lands or features. The proposed expansion is consistent with the PPS.**

## 2.3 Growth Plan for the Greater Golden Horseshoe

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was issued under Section 7 of the Places to Grow Act and came into effect in August 2020. The Growth Plan builds on the PPS and provides a regional framework that supports the growth of stronger, more complete communities, a thriving economy, a clean and healthy environment, and social equity. According to Section 3(5) of the Planning Act, planning decisions must conform to or not conflict with the Growth Plan. Policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

The Growth Plan permits SABEs through a MCR where the need for expansion is justified according to policy 2.2.8.2 and the proposed expansion is feasible based on the comprehensive application of all policies of the Growth Plan, including the following:

- a) there is sufficient capacity in existing or planned infrastructure and public service facilities;*
- b) the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets;*
- c) the proposed expansion would be informed by applicable water and wastewater master plans or equivalent and stormwater master plans or equivalent, as appropriate;*

- 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;*
- e) *key hydrologic areas and the Natural Heritage System for the Growth Plan should be avoided where possible;*
- 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;*
- g) *the settlement area to be expanded is in compliance with the minimum distance separation formulae;*

The policies under Section 6 relate to the Simcoe Sub-area identified in Schedule 8 and including the Town of New Tecumseth. A significant portion of Growth is to be directed to primary settlement areas, where development can be most effectively serviced, and where growth improves the range of opportunities for housing, employment and recreation (policy 6.1). The subject lands are located just east of the settlement area of Alliston, which is identified as a Primary Settlement Area (PSA) in Schedule 8 of the Growth Plan; a settlement area expansion is required to include the subject lands within the PSA. A SABE request has been submitted to the County to include the subject lands within its PSA. The east Alliston Settlement Area boundary is approximately midway between 10th Sideroad and 15th Sideroad and expansion of the settlement area boundary to include 15th Sideroad represents a logical expansion of the boundary and will contribute to a consistent land use development pattern.

## 2.4 County of Simcoe Official Plan

The County of Simcoe Official Plan was adopted by County Council on November 25, 2008 and is under appeal to the Ontario Land Tribunal (OLT). Council endorsed an updated Official Plan on January 22, 2013. On April 19, 2013, the Ontario Municipal board (now OLT) granted partial approval of the County of Simcoe Official Plan and has since granted further approvals. The Official Plan incorporates provincial policy and sets broad policies for land use at the County level. Simcoe County has been allocated a 2051 population and employment growth target 555,000 people and 198,000 jobs by the Province, representing an increase of 55% and 69% respectively from present.

Section 3.5.17 provides direction on permitting SABEs required to meet projected development needs. Settlement area expansions will require the demonstration of the following:

- a) *Sufficient opportunities to accommodate forecasted growth contained in Table 1, through intensification and in designated Greenfield areas, using the intensification target and*

- density targets, are not available within the applicable local municipality to accommodate the growth allocated to the municipality pursuant to this Plan;*
- b) The expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in subsection (a) above;*
  - c) The timing of the expansion and the phasing of development within the designated Greenfield area will not adversely affect the achievement of the intensification target and density target, and the other policies of this Plan;*
  - d) Where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans;*
  - e) The existing or planned infrastructure and services required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner;*
  - f) In prime agricultural areas:*
    - i. The lands do not comprise specialty crop areas*
    - ii. There are no reasonable alternatives that avoid prime agricultural areas*
    - iii. There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
  - g) Impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible;*
  - h) Compliance with the minimum distance separation formulae; and*
  - i) In determining the most appropriate location for expansions to the boundaries of settlement areas, the other policies of this Plan are applied.*

Decisions on settlement area expansions required to meet projected development needs will be based on several factors including servicing and transportation facilities, the efficient use and expansion of servicing infrastructure including sidewalks, trails and transit (Section 3.5.18).

#### **2.4.1 Official Plan Amendment (OPA) No. 7**

OPA No. 7 is the first phase of the County's ongoing MCR and outlines growth management policies to guide growth to the year 2051, including policies related to settlement area hierarchies, forecasts and targets for population and employment growth, greenfield area land needs, and settlement area boundary expansion criteria.

Table F of OPA No. 7 identifies how much additional designated greenfield area is required for community uses and employment land in the local municipalities of the county. New Tecumseth is expected to accommodate 448.4 gross hectares of land for community uses and 75.2 gross hectares of land for employment lands.

Municipalities requiring additional land based on growth targets will undertake a comprehensive planning process to identify the most appropriate location(s) for additional growth and development that:

- i. Protects natural heritage features and areas;*
- ii. Promotes coordinated, efficient and cost-effective infrastructure;*

- iii. *Promotes fiscal responsibility; and iv) Ensures the development of compact, complete and healthy communities.*

In addition, it must be demonstrated that:

- i. *There is sufficient capacity in existing or planned infrastructure and public service facilities;*
- ii. *The infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets;*
- iii. *The proposed expansion would be informed by applicable water and wastewater master plans or equivalent and stormwater master plans or equivalent, as appropriate;*
- iv. *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;*
- v. *Key hydrologic areas and the Natural Heritage System for the Growth Plan have been avoided where possible;*
- vi. *Prime agricultural areas have been avoided where possible;*
- vii. *The settlement area to be expanded is in compliance with the minimum distance separation formulae;*
- viii. *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; and*
- ix. *The policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement are applied.*

According to Table 1 of the County Official Plan, Simcoe County is projected to have a total population of 416,000 and a total employment of 132,000 by the year 2031, and New Tecumseth is projected to have a total population of 56,000 and a total employment of 26,500 by 2031.

The subject lands are designated Agricultural as per Schedule 5.1 of the County Official Plan and located in close proximity to the existing settlement area boundary. The subject lands have similar agricultural capabilities and qualities as other adjacent agricultural lands and the redesignation of the subject lands for future residential use will have no impacts on the supply of agricultural lands. The subject lands are not within the Refined Growth Plan Natural Heritage System (NHS) and are not a specialty crop area.

In addition, key infrastructure for water supply and sanitary treatment for the subject lands is in place that can be accessed with the construction of necessary conveyance infrastructure. Plans for expansion of the regional wastewater treatment plan are included in the 2018 Town of New Tecumseth Development Charges Background Study (DCBS).

The subject lands can be conveniently accessed from the existing road network and are just south of Highway 89. Schedule 5.5.2 of the Simcoe County Official Plan illustrates a potential GO Station

just south of the Alliston Settlement Area. With a future GO Station at the southern edge of Alliston, the subject lands will contribute to the creation of complete communities and transit-supportive development.

## 2.5 Town of New Tecumseth Official Plan

Section 3.2 (f) states that the Town may only consider a SABE following completion of a County-wide MCR and the approval of a new County Official Plan that conforms to the Growth Plan growth forecasts.

Section 10.8 sets out the criteria for considering SABEs with the intention to create a complete community within each Settlement Area as defined by the Growth Plan. This includes, but is not limited to the following:

- The expansion will provide opportunities for a wide range of employment opportunities and multiple housing options (10.8.f.ii);
- The expansion area is a logical extension to the existing built-up area and is not separated from existing development by undevelopable lands (10.8.h.i);
- The expansion area has to be easily integrated with the fabric of the existing built-up area from a neighbourhood, transportation and open space perspective (10.8.h.ii);
- The expansion area should only include lands within the Agricultural designation if no reasonable alternative exists and provided the impact of new development on agricultural uses outside of the expansion area is minimized (10.8.h.iii);
- Development in the expansion area shall not adversely impact the Natural Heritage System and key hydrologic areas (10.8.h.iv);
- The expansion area can be appropriately serviced with the required infrastructure and public service facilities (10.8.h.v); and
- The expansion area should be easily accessible from an existing arterial roads and should not contribute to traffic congestion within the existing community (10.8.h.vi).

The subject lands are designated Agricultural as per Schedule A of the Town's Official Plan (2019). The proposed expansion is not located within natural heritage features or areas of natural heritage significance, and is not within areas identified as environmentally protected within the Town's Official Plan. The proposed expansion will not adversely impact the Natural Heritage System or environmentally significant features. The proposed expansion will not have adverse impacts on the supply of agricultural lands or the agri-food network.

Existing key infrastructure for the subject lands is in place, with additional infrastructure planned. The subject lands are located at the intersection of 14<sup>th</sup> Line and 15<sup>th</sup> Sideroad. 14<sup>th</sup> Line is a New Tecumseth Arterial Road with bike lanes as per Schedule D1 of the Official Plan. The subject lands are ideally situated near the existing Settlement Area of Alliston and are less than 500 metres from the existing Treetops subdivision, a residential area to the west. The expansion of the settlement boundary to include the subject lands establishes a natural and logical continuum of growth from the Village of Alliston.

In our opinion, the SABE request pertaining to the subject lands is consistent with relevant provincial, regional and local policies. We believe that the subject lands are in an ideal location to be included within the settlement area boundary. The subject lands provide convenient access to arterial roads, are located approximately 600 metres south of Highway 89 and just east of the existing Alliston Settlement Area Boundary, in close proximity to existing residential areas. The subject lands can be serviced with water supply and sanitary infrastructure and will benefit from planned transit infrastructure. The subject lands are appropriate for land use designation change and will allow the province and municipality to meet its targeted growth to 2051.

Sincerely,



David Sajecki  
MCIP, RPP, B.Eng., LEED AP  
Partner, Sajecki Planning Inc.

**Attachments:**

- SABE Request Letter to Simcoe County
- Confirmation of Receipt of SABE Request
- Schaeffers Consulting Engineers Memorandum