



PARTNERS IN
ENGINEERING, PLANNING &
ENVIRONMENTAL SERVICES

August 17, 2023

Municipal Services Office- Eastern Region
8 Estate Lane
Rockwood House
Kingston, ON
K7M 9A8

Attention: Damien Schaefer

**Re: County of Peterborough Official Plan – Comments
Settlement Area Boundary Expansion, Township of Cavan-Monaghan
D.M. Wills Associates Ltd. Project No. 23-85320
Ministry reference number 15-OP-227956 | ERO number 019-5908**

D.M. Wills Associates Limited (Wills) is pleased to submit the following letter on behalf of our Client, Jeff Fleischman of Suflap Land Co. Inc. (Client) with respect to the new County of Peterborough Official Plan (COP). Our client's interest in the COP relates to their landholdings located on lands municipally known as 815 Sharpe Line (Subject Property) in the Township of Cavan-Monaghan (Township), in the County of Peterborough (County). The lands are legally described as Part Lot 11 and Part Lot 12, Concession 10, Cavan, in the Township of Cavan-Monaghan.

The purpose of this letter is to propose a settlement area expansion to the Hamlet of Ida, within the scope of the formal Municipal Comprehensive Review process. The purpose of this letter is to provide our comments and analysis of the proposed policy within the COP related to contributing to the growth and development of the region. The objective of these comments is to allow for a provision within the County OP that grants lower-tier municipalities the authority to consider expansions of their respective settlement area boundaries within the scope of their individual Municipal Comprehensive Review procedures. This initiative aims to streamline settlement boundary expansion requests by facilitating the process at the lower-tier level.

Subject Property and Surrounding Land Uses

The Subject Property has an approximate area of 78 hectares (193 acres) with approximately 157 metres of frontage on Sharpe Line. The property is currently undeveloped rural lands comprised of a former aggregate pit and natural heritage features. The natural heritage features identified by the Ministry of Natural Resources and the Township include watercourses, woodlands, wetlands, significant aggregate deposits, and significant groundwater recharge areas. The properties to the north, west and south are primarily agricultural and rural land uses. The Hamlet of Ida is located to the northeast

of the Subject Property which contains primarily low-density residential lots developed with single-detached dwellings.

Planning Policy Review

Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. *Section 3 of the Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. In general, the PPS seeks to promote the development of communities that are socially, economically, and environmentally resilient.

According to the PPS, Settlement Areas are “urban areas and rural settlement areas, and include cities, towns, villages, and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available”.

Section 1.1.3.8 of the PPS states that a planning authority is permitted to designate a settlement area or approve the extension of its boundary exclusively during a comprehensive review, contingent upon the presentation of evidence 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;*
- 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.*
- d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and*
- 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.”*

Notwithstanding Section 1.1.3.8 outlined above, municipalities have the authority to allow adjustments to settlement area boundaries outside the scope of a comprehensive review, given that the overall land area within the settlement areas remains unchanged; the alteration supports the municipality's capacity to fulfill their set targets for intensification and

redevelopment; considerations for prime agricultural areas align with the stipulations in 1.1.3.8 (c), (d), and (e); and that the settlement area into which the additional lands would be incorporated possesses appropriate infrastructure services and maintains sufficient reserved capacity for accommodating these new lands (as stated in Section 1.1.3.9).

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan provides additional policy for lands within one of the fastest growing regions in North America. The Growth Plan policies are intended to support growth and development while ensuring that it occurs in an orderly and well-planned fashion. The Growth Plan builds upon and is reflective of the policies of the PPS, providing more detailed policy direction for growth and development within the Greater Golden Horseshoe.

Section 2.2.8.2 of the Growth Plan states **that “settlement area boundary expansion may only occur through a municipal comprehensive review where it is demonstrated that:**

a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy 2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through intensification and in the designated greenfield area:

i. within the upper- or single-tier municipality, and

ii. within the applicable lower-tier municipality;

b) the proposed expansion will make available sufficient lands not exceeding the horizon of this Plan, based on the analysis provided for in policy 2.2.8.2 a), while minimizing land consumption; and

c) the timing of the proposed expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan.

Once the justification for extending a settlement area boundary has been substantiated following the principles of policy 2.2.8.2, an evaluation of the viability of the suggested expansion will be conducted which will include: (Section 2.2.8.3)

“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;

g) the settlement area to be expanded is in compliance with the minimum distance separation formulae;"

New County OP

On June 29, 2022, Peterborough County Council adopted the new Official Plan pursuant to Sections 26 and 17 of the *Planning Act* by By-law # 2022-47. The County Official Plan (COP) is now before the Ministry of Municipal Affairs and Housing for a decision under the *Planning Act*.

The new COP outlines a comprehensive framework of new and revised policies to guide growth and development within the County to the year 2051 to conform with provincial plans.

According to Section 5.5, "the boundaries of settlement areas and rural settlements in the County were last reviewed in 2022 and expanded in accordance with the anticipated growth and allocations determined through the County's Growth Management Study. The need to further expand any settlement area prior to an update to the Growth Management Study is not anticipated. **Expansions of, or adjustments to, an existing settlement area or rural settlement boundary may be permitted only at the time of a municipal comprehensive review or in accordance with the Provincial Growth Plan and Provincial Policy Statement**".

Township of Cavan Monaghan Official Plan (2013)

The Settlement Areas in the Township include the Village of Millbrook and the designated Hamlets. Millbrook will develop based on full municipal services, including municipal sewage treatment and water supply services.

The Hamlet designation applies to lands within the boundaries of Ida, Cavan, Mount Pleasant, Five Mile Turn (North Monaghan), Springville, Fraserville, Baileboro and South Monaghan.

The objective of this designation is to acknowledge the distinctive and historical attributes of the smaller settlement regions within the Township. This involves preserving the identity and facilities of the present rural communities in the Township. Additionally, the goal is to channel most non-agricultural rural growth to regions already hosting comparable development. The intent is to create avenues for modest-scale commercial, industrial, and tourism-related activities that cater to the rural community's needs in harmonization with the Hamlet's ambiance and size. Furthermore, a key objective is to guarantee that new development in the Hamlets are sustainable through reliance on private services.

Expansions to these areas are not permitted by the policies of and within the life of this Plan unless a comprehensive Official Plan Review is undertaken by Council.

The expansion of any Settlement Area through an Official Plan Amendment will exclusively be entertained during a thorough review of this Official Plan. Additional extensions of Settlement Areas within the Township won't be contemplated until relevant investigations are finalized, including an assessment of settlement expansions in the SSA-1 as outlined in accordance with Section 2.6.

In considering the expansion of Settlement Areas, Council shall be satisfied that:

- "a) A sufficient opportunity for growth is not available through intensification, redevelopment and within existing designated growth areas to accommodate growth projections over the identified planning horizon;*
- b) The infrastructure and public service facilities that are planned or available are suitable for the development over the long term and protect the public health and safety of the Municipality;*
- d) Impacts from new or expanding Settlement Areas on agricultural operations which are adjacent or close to the Settlement Area are mitigated to the extent possible."*

Planning Analysis

It is our opinion that the Subject Property is strategically positioned as a viable location for a settlement area boundary expansion and benefits from convenient access to municipal water, wastewater, and sewage facilities. It offers ample land area that can contribute significantly to meeting the density goals and accommodating projected growth set forth by the Growth Plan. The proposed development plan not only demonstrates an efficient approach to land use and infrastructure but also complements the existing Settlement Area Boundary by seamlessly integrating with it and rounding out of the Settlement Area.

The policies outlined in the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe emphasize a structured process for Settlement Area Boundary Expansions. A pivotal step is establishing the necessity for additional land, a requirement that seems satisfied by the Subject Property's attributes. Following Growth Plan policy 2.2.8.3, the Subject Property emerges as a rational contender for expansion due to its feasible nature and strategic location. Given its proximity to the existing boundary, access to essential services, and the absence of agricultural resources, the Subject Property emerges as an optimal candidate for extending the Ida Hamlet Settlement Boundary. This expansion aligns with the anticipated growth projection within the County. All development will be directed outside the identified features and their protection areas. An Environmental Impact Study will be completed in accordance with provincial policies and the planning approval process to expand the settlement area.

It is our understanding that all provincial and municipal policies permit the expansion of settlement area boundaries. As a result, we are inclined to pursue the expansion of the Ida Hamlet Settlement Area through the formal Municipal Comprehensive Review process. This proactive approach aims to capitalize on the immediate advantages offered by the introduction of a new County Official Plan.

Furthermore, we believe that it is essential to establish a provision within the County Official Plan that delegates the lower-tier municipalities with the authority to contemplate settlement area boundary expansions outside of their general Municipal Comprehensive Review processes as prescribed by the Planning Act. This strategic measure is intended to eliminate the requirement for a comprehensive County-wide Municipal Comprehensive Review process to facilitate boundary expansions at the lower-tier level.



Closing

We thank you for the opportunity to provide comments on the new County Official Plan. We would be happy to meet to discuss our proposal and provide any additional details or recommendations to the Official Plan. If you have any questions regarding these comments, please do not hesitate to contact the undersigned.

Respectfully submitted,

Amanda Timmermans, B.A. (Hons)
Intermediate Land Use Planner

AR/AT/MS