



August 6, 2025

Submitted via ERO Posting 019-5908

Ministry of Municipal Affairs and Housing
Municipal Services Office – Eastern Region
8 Estate Lane | Rockwood House
Kingston, ON K7M 9A8

sleisk@cassels.com
tel: +1 416 869 5411
fax: +1 416 360 8877
file #035977-00019

**Re: County of Peterborough | Approval of a Municipality's Official Plan
ERO Number: 019-5908
Comments by Brookfield Residential Properties Inc. and BPH Development Ltd.**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("**Brookfield**"), the owner of extensive lands in the Township of Cavan Monaghan, County of Peterborough, and City of Peterborough. Brookfield's lands have a long history and have been the subject of numerous *Planning Act* applications and proceedings between the County, Township, and City. It is Brookfield's longstanding position that certain lands along the City-Township boundary within the County ought to be recognized and included within an area of settlement.

We are writing to request the Minister of Municipal Affairs and Housing modify the County of Peterborough's "Redline revised Official Plan" to satisfactorily address Brookfield's previous comments to the County and Ministry to ensure the County's Official Plan is consistent with the Provincial Planning Statement, 2024 and appropriately directs growth in the Township. Our most recent letter to the County, which includes prior submissions to the Minister, is enclosed.

Thank you for the opportunity to provide you with our comments. Please do not hesitate to contact us with any questions or comments.

Yours truly,

Cassels Brock & Blackwell LLP

Signe Leisk

SL/AP/nv

Encl. Letter to County of Peterborough re modifications to the adopted official plan | proposed redline revised OP, dated March 5, 2025, with enclosures



March 5, 2025

Email: newcountyop@ptbocounty.ca
kstevenson@ptbocounty.ca

The Corporation of the County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3

sleisk@cassels.com
tel: +1 416 869 5411
fax: +1 416 360 8877
file #035977-00019

Attention: Kari Stevenson, Director of
Legislative Services/Clerk

Dear Ms. Stevenson:

**Re: County Council Meeting – Item 7 March 5, 2025
Modifications to the Adopted Official Plan | Proposed Redline Revised OP
Comments on behalf of Brookfield**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. (“**Brookfield**”), the owner of extensive lands in the Township of Cavan Monaghan (the “**Township**”), which are subject to a complete application for an amendment to the County of Peterborough (the “**County**”) Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal. The County will be very familiar with our client’s position, which over the last decade and to date, has not been satisfactorily responded to. We are again writing to provide comments on the County, on its Proposed Redline Revised OP (the “Redlined OP”).

Overall, we object to the County’s continued failure to consider and recognize the appropriate designations and policies to facilitate the recognition of a settlement area applicable to Brookfield’s lands. Our prior comments submitted to the County and Minister of Municipal Affairs on the County’s 2022 Official Plan which is to be modified by the Redlined OP, and related matters, are enclosed and resubmitted as applicable to the Redlined OP.

We have also enclosed a letter from Brookfield’s planning consultant, Bousfields, which details the Redlined OP’s inconsistency with the applicable Provincial Planning Statement 2024.

At this time, Brookfield will be pursuing the appropriate amendments to the County’s Official Plan through its outstanding 2015 complete Official Plan Amendment Application.

March 5, 2025
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Please provide notice to the undersigned of all decisions and updates with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

SL/AP/nv

Encl. 2020.06.18 Letter to Township and County re OP Review
 2021.12.22 Letter to County and Township re Draft Forecast Allocations and Land Needs Assessment
 2022.03.29 Letter to Peterborough County re Comments on Draft Official Plan
 2022.05.17 Letter to County re Draft OP Public Meeting May 18, 2022
 2022.06.20 Letter to Peterborough County re Comments on Draft Official Plan
 2022.06.29 Letter to Peterborough County re Draft Official Plan
 2022.07.21 Letter to Minister re County Official Plan Referral Request
 2025.03.05 Bousfields Letter re County Redlined OP

Cassels

June 18, 2020

Via E-Mail

Mayor and Members of Council
Township of Cavan Monaghan
988 County Rd 10
Millbrook, ON L0A 1G0
Attention: Township Clerk

Mayor and Members of Council
County of Peterborough
470 Water Street
Peterborough, ON, K9H 3M3
Attention: County Clerk

sleisk@cassels.com
Tel: +1 416 869 5411
Fax: +1 416 640 3218
File: 35977-19

Dear Sirs/Mesdames,

**Re: Township of Cavan Monaghan Growth Management Strategy 2020
County of Peterborough Official Plan Review**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. (“**Brookfield**”), the owner of extensive lands in the Township of Cavan Monaghan (the “**Township**”), which are subject to an application for an amendment to the County of Peterborough (the “**County**”) Official Plan, among other applications, and existing appeals before the Local Planning Appeal Tribunal to which both the Township and the County are a party. We are writing to note our clients’ objection to the Growth Management Strategy 2020, dated May 13, 2020 and prepared by Watson & Associates Economists Ltd. (the “**GMS**”), which has been endorsed by the Township and forwarded to the County in support of a Municipal Comprehensive Review (“**MCR**”) being undertaken by the County.

By way of background, the Township endorsed a new Official Plan in 2012 (the “**2012 OP**”), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the “**OMB**”) (PL130788) (the “**Appeal**”). Central to the Appeal was the re-establishment of Special Study Area No. 1 (“**SSA-1**”), as shown on the attached Schedule A of the Township’s OP, which, subject to a number of studies, is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the “**Joint Minutes of Settlement**”).

The Joint Minutes of Settlement, adopted by the OMB, as well as separate minutes of settlement entered into with the Township (the **“Township Minutes of Settlement”**), set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township, including:

- Section 1.2.2, which provides that SSA-1 incorporates lands to be studied to determine the extent of land required to respond appropriately to future growth opportunities;
- Section 2.6, which provides that SSA-1 is where future growth in the Township is anticipated to occur if and to the extent demonstrated by an MCR; and
- Section 8.3, which provides that further expansions of settlement areas in the Township will not be considered unless and until appropriate studies have been completed, including a consideration of settlement expansion in the SSA-1.

The Township Minutes of Settlement identified further principles to which the Township agreed to adhere, including that the modified 2012 OP will:

- “Make clear that SSA-1 is identified as a future growth area... and is where future settlement area expansion is anticipated.”
- Restrict “further expansions of existing Settlement Areas within the Township unless and until appropriate studies have been completed including a consideration of settlement expansion in the SSA-1.”
- Require that “when the MCR is undertaken... the Township [shall] review and consider boundary expansions of existing settlement areas within SSA-1.”

The Township Minutes of Settlement, Joint Minutes of Settlement, and OMB-approved 2012 OP modifications make clear that SSA-1 is to be prioritized in any future expansion and expansion of the Township’s settlement areas shall not be considered until expansion in the SSA-1 has been considered. However, contrary to the binding settlement agreements and the Township Official Plan, the Township did not undertake any analysis of SSA-1 and the GMS makes no reference whatsoever to SSA-1.

Moreover, while the GMS indicates that some stakeholder consultation occurred, at no time was Brookfield given the opportunity to participate, or even contacted by anyone at the Township or its consultants, despite Brookfield’s significant land holdings and interest in the GMS.

Endorsement of the GMS by the Township and reliance upon it by the County in the preparation of its MCR constitutes a complete disregard of the Joint Minutes of Settlement, the Township Minutes of Settlement, the OMB settlement approval, and relevant Official Plan policy. The MCR must not proceed on this basis.

We also take this opportunity to remind the County that in June 2015, Brookfield filed an Official Plan Amendment application for lands adjacent to SSA-1 known as Crestwood, with the purpose of identifying the existing Crestwood settlement area in Official Plan mapping (the

June 18, 2020
Page 3

“OPA Application”), in accordance with the Township Minutes of Settlement. Pursuant to County Council resolution dated December 2, 2015, Brookfield and the County agreed that the County would defer consideration of the OPA Application “pending the outcome of the Growth Management Study”, to be undertaken in furtherance of its MCR.

We hereby request that the GMS be reconsidered by the Township, and rejected by the County, until it appropriately considers SSA-1 in conformity with the policies of the 2012 OP approved by the OMB, the Joint Minutes of Settlement and the Township Minutes of Settlement. Should the GMS not be appropriately reconsidered, Brookfield is prepared to seek all recourses available to it at law.

Brookfield would be pleased to meet with the Township and County to discuss these matters further. Please provide notice to the undersigned of all municipal decisions by either the Township or the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'Signe Leisk', with a stylized, cursive script.

Signe Leisk
Partner

SL/CG

Enclosure

cc: Yvette Hurley, Chief Administrative Officer, Township of Cavan Monaghan
Troy Speck, Chief Administrative Officer, County of Peterborough
Tom Halinski, Aird & Berlis LLP, External Counsel, Township of Cavan Monaghan
John Ewart, Ewart O'Dwyer, External Counsel, County of Peterborough



December 22, 2021

Via E-Mail

Mayor and Members of Council
County of Peterborough
470 Water Street
Peterborough, ON, K9H 3M3
Attention: County Clerk

Township of Cavan Monaghan
988 County Rd 10
Millbrook, ON L0A 1G0
Attention: Township Clerk

Dear Sirs/Mesdames,

**Re: Draft Forecast Allocations and Land Needs Assessment - Growth Analysis
County of Peterborough Official Plan Review**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("**Brookfield**"), the owner of extensive lands in the Township of Cavan Monaghan (the "**Township**"), which are subject to an application for an amendment to the County of Peterborough (the "**County**") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal to which both the Township and the County are a party. We are writing to note our clients' objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson (the "**Growth Analysis**"), which has been endorsed by the County in support of a Municipal Comprehensive Review ("**MCR**") being undertaken by the County.

By way of background, the Township endorsed a new Official Plan in 2012 (the "**2012 OP**"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "**OMB**") (PL130788) (the "**Appeal**"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("**SSA-1**"), as shown on the attached Schedule A of the Township's OP, which, subject to a number of studies, is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "**Joint Minutes of Settlement**").

The Joint Minutes of Settlement, adopted by the OMB, as well as separate minutes of settlement entered into with the Township (the **"Township Minutes of Settlement"**), set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Township Minutes of Settlement, Joint Minutes of Settlement, and OMB-approved 2012 OP modifications make clear that SSA-1 is to be prioritized in any future expansion and expansion of the Township's settlement areas shall not be considered until expansion in the SSA-1 has been considered.

On June 18, 2020 we wrote to the Township and County noting our client's concerns with the Growth Management Strategy, 2020, prepared by Watson & Associates Economists Ltd. (the **"GMS"**) in support of the County's MCR. Brookfield's concerns included the Township's failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. On behalf of our client, we requested that the GMS be reconsidered by the Township, and rejected by the County, until it appropriately considers SSA-1, in conformity with the policies of the 2012 OP approved by the OMB, the Joint Minutes of Settlement and the Township Minutes of Settlement. A copy of our June 18, 2020 letter to the Township and County is attached.

On November 9, 2021, the County provided us with a copy of the Growth Analysis. We have reviewed the Growth Analysis and the concerns raised in our prior correspondence remain unaddressed. SSA-1 is not identified on any of the maps within the Growth Analysis or considered as part of areas expected to see future growth. In fact, the Growth Analysis makes no reference to SSA-1 whatsoever. The failure to address SSA-1 is also contrary to Township Council's explicit request adopted at its October 18, 2021 meeting that the scope of the GMS be expanded to specifically review the SSA-1.

Endorsement of the Growth Analysis by the County in the preparation of its MCR constitutes a complete disregard of the Joint Minutes of Settlement, the Township Minutes of Settlement, the OMB settlement approval, and relevant Official Plan policy. The MCR must not proceed on this basis. As with the GMS, we hereby request that the Growth Analysis be reconsidered and rejected by the County until it appropriately considers the SSA-1. Should the Growth Analysis not be appropriately reconsidered, Brookfield is prepared to seek all recourses available to it at law.

Brookfield would be pleased to meet with the Township and County to discuss these matters further. Please provide notice to the undersigned of all municipal decisions by either the Township or the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

cc: Yvette Hurley, Chief Administrative Officer, Township of Cavan Monaghan
Troy Speck, Chief Administrative Officer, County of Peterborough
Tom Halinski, Aird & Berlis LLP, External Counsel, Township of Cavan Monaghan
John Ewart, Ewart O'Dwyer, External Counsel, County of Peterborough

Cassels

June 18, 2020

Via E-Mail

Mayor and Members of Council
Township of Cavan Monaghan
988 County Rd 10
Millbrook, ON L0A 1G0
Attention: Township Clerk

Mayor and Members of Council
County of Peterborough
470 Water Street
Peterborough, ON, K9H 3M3
Attention: County Clerk

sleisk@cassels.com
Tel: +1 416 869 5411
Fax: +1 416 640 3218
File: 35977-19

Dear Sirs/Mesdames,

**Re: Township of Cavan Monaghan Growth Management Strategy 2020
County of Peterborough Official Plan Review**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. (“**Brookfield**”), the owner of extensive lands in the Township of Cavan Monaghan (the “**Township**”), which are subject to an application for an amendment to the County of Peterborough (the “**County**”) Official Plan, among other applications, and existing appeals before the Local Planning Appeal Tribunal to which both the Township and the County are a party. We are writing to note our clients’ objection to the Growth Management Strategy 2020, dated May 13, 2020 and prepared by Watson & Associates Economists Ltd. (the “**GMS**”), which has been endorsed by the Township and forwarded to the County in support of a Municipal Comprehensive Review (“**MCR**”) being undertaken by the County.

By way of background, the Township endorsed a new Official Plan in 2012 (the “**2012 OP**”), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the “**OMB**”) (PL130788) (the “**Appeal**”). Central to the Appeal was the re-establishment of Special Study Area No. 1 (“**SSA-1**”), as shown on the attached Schedule A of the Township’s OP, which, subject to a number of studies, is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the “**Joint Minutes of Settlement**”).

The Joint Minutes of Settlement, adopted by the OMB, as well as separate minutes of settlement entered into with the Township (the “**Township Minutes of Settlement**”), set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township, including:

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The Township Minutes of Settlement identified further principles to which the Township agreed to adhere, including that the modified 2012 OP will:

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The Township Minutes of Settlement, Joint Minutes of Settlement, and OMB-approved 2012 OP modifications make clear that SSA-1 is to be prioritized in any future expansion and expansion of the Township’s settlement areas shall not be considered until expansion in the SSA-1 has been considered. However, contrary to the binding settlement agreements and the Township Official Plan, the Township did not undertake any analysis of SSA-1 and the GMS makes no reference whatsoever to SSA-1.

Moreover, while the GMS indicates that some stakeholder consultation occurred, at no time was Brookfield given the opportunity to participate, or even contacted by anyone at the Township or its consultants, despite Brookfield’s significant land holdings and interest in the GMS.

Endorsement of the GMS by the Township and reliance upon it by the County in the preparation of its MCR constitutes a complete disregard of the Joint Minutes of Settlement, the Township Minutes of Settlement, the OMB settlement approval, and relevant Official Plan policy. The MCR must not proceed on this basis.

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June 18, 2020
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We hereby request that the GMS be reconsidered by the Township, and rejected by the County, until it appropriately considers SSA-1 in conformity with the policies of the 2012 OP approved by the OMB, the Joint Minutes of Settlement and the Township Minutes of Settlement. Should the GMS not be appropriately reconsidered, Brookfield is prepared to seek all recourses available to it at law.

Brookfield would be pleased to meet with the Township and County to discuss these matters further. Please provide notice to the undersigned of all municipal decisions by either the Township or the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

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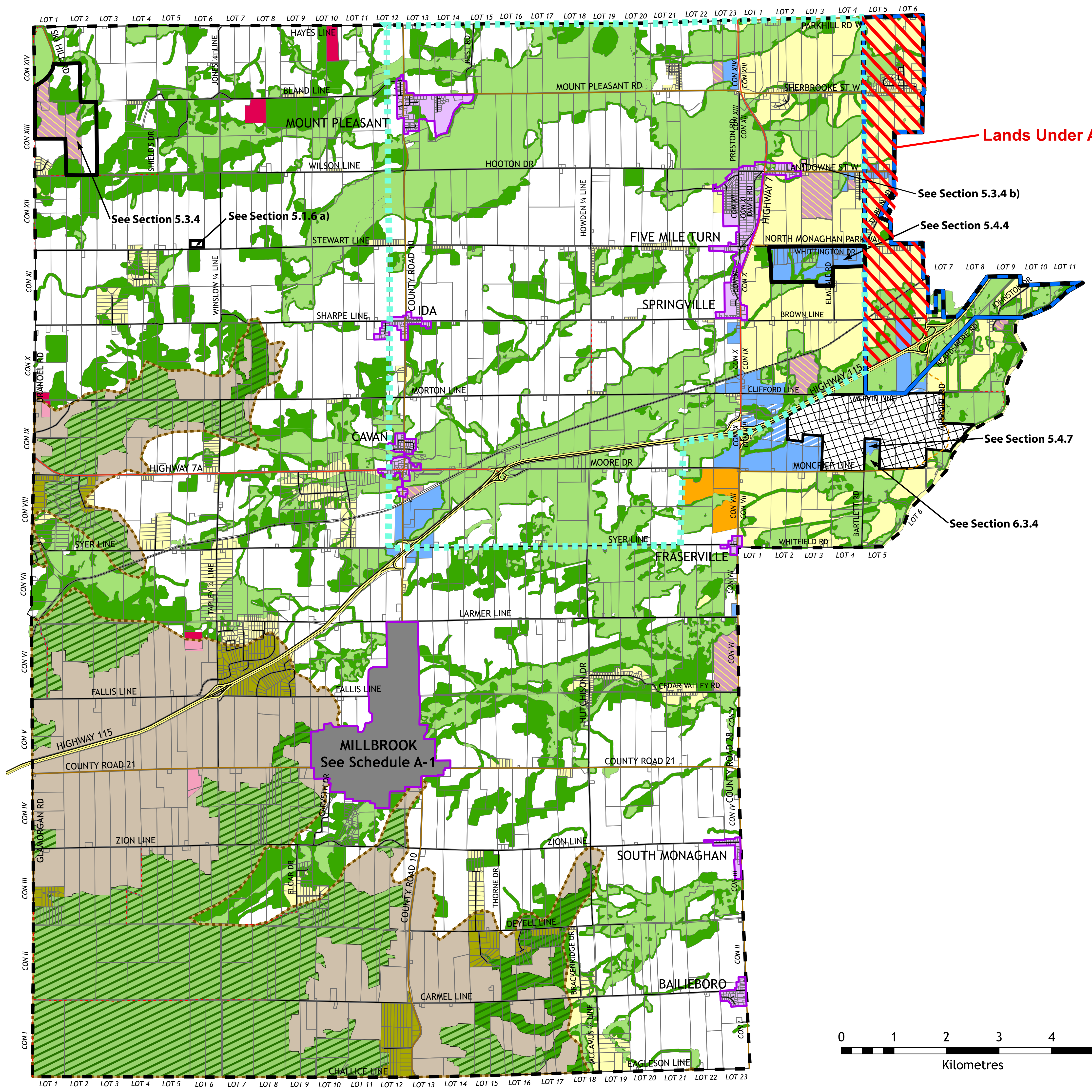
Signe Leisk
Partner

SL/CG

Enclosure

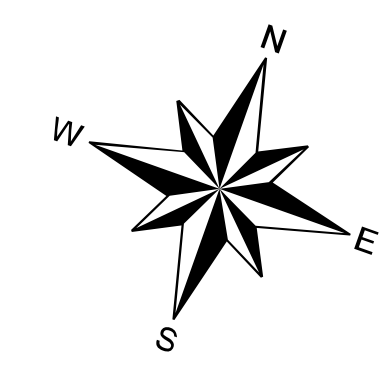
cc: Yvette Hurley, Chief Administrative Officer, Township of Cavan Monaghan
Troy Speck, Chief Administrative Officer, County of Peterborough
Tom Halinski, Aird & Berlis LLP, External Counsel, Township of Cavan Monaghan
John Ewart, Ewart O'Dwyer, External Counsel, County of Peterborough

Township of Cavan Monaghan Official Plan - Schedule 'A' Land Use



Legend

- Settlement Area
- Hamlet
- Millbrook Urban Settlement Area
- Countryside Areas**
 - Agricultural
 - ORM - Prime Agricultural
 - Rural
 - ORM - Rural
 - Mineral Aggregate Extractive
 - ORM - Extractive
 - Rural Employment
 - Commercial Entertainment
 - Airport Employment
 - Recreational
- Natural Heritage System**
 - Natural Core Area
 - ORM - Natural Core Area
 - Natural Linkage Area
 - ORM - Natural Linkage Area
 - Oak Ridges Moraine Boundary
 - Urban Rural Fringe
 - Special Study Area No. 1 (See Section 2.6)
 - Peterborough Airport
- Transportation**
 - Freeway
 - King's Highway
 - County Road
 - Proposed Arterial Road
 - Township Road
 - Private Road
 - Railway





March 29, 2022

Via E-Mail: bweir@ptbocounty.ca

County of Peterborough
County Court House
470 Water Street
Peterborough, ON K9H 3M3

Attention: Mr. Bryan Weir, Director of Planning and Public Works

Dear Mr. Weir:

**Re: County of Peterborough Official Plan Review
Comments on Draft Official Plan**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("Brookfield"), the owner of extensive lands in the Township of Cavan Monaghan (the "Township"), which are subject to an application for an amendment to the County of Peterborough (the "County") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal. We are writing to provide our comments on the draft County Official Plan ("County OP") as part of the County's ongoing request for public comment.

By way of background, the Township of Cavan-Monaghan endorsed a new Official Plan in 2012 (the "2012 OP"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "OMB") (PL130788) (the "Appeal"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("SSA-1"), which is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "Joint Minutes of Settlement").

The Joint Minutes of Settlement, adopted by the OMB, set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Joint Minutes of Settlement also contemplated a site specific amendment to the County OP (the "Crestwood Application"). On June 23, 2015, Brookfield submitted an application to recognize the existing settlement area of Crestwood. On December 2, 2015, County Council agreed with Brookfield to defer consideration of the Crestwood Application until the municipal comprehensive review herein.

On June 18, 2020 we wrote to the Township and County noting our client's concerns with the Growth Management Strategy, 2020, prepared by Watson & Associates Economics Ltd. (the "GMS") in support of the County's Municipal Comprehensive Review ("MCR"). Brookfield's concerns included the Township's failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. We subsequently wrote to the Township and County on December 22, 2021, noting our client's objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson (the "Growth Analysis") which has been endorsed by the County in support of its MCR. As with the GMS, the Growth Analysis failed to include any analysis of SSA-1. Our December 22, 2021 correspondence, which was considered by County Council on January 19, 2022, was referred back to Planning and Public Works for consideration.

Brookfield has reviewed the draft County OP and its prior comments remain unaddressed. Brookfield met with County Staff in February, 2022 to discuss its concerns relating to the draft County OP, including the exclusion of SSA-1, the complete disregard for the Crestwood Application, the results of the Land Needs Assessment, and the absence of final growth projection data.

Failure to consider SSA-1

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the "Growth Plan") provides that it is the County's responsibility, as an upper-tier municipality, to delineate settlement area boundaries. Thus, it is the County's responsibility to consider the lower-tier plan and the County's Land Needs Assessment must consider SSA-1 in determining where growth should be directed.

We request that the Growth Analysis and County OP be revised to identify and consider SSA-1. The County OP must not proceed without consideration of SSA-1. To do so would constitute a complete disregard of the Joint Minutes of Settlement, the Township Official Plan and relevant provincial policy.

Failure to consider the Crestwood Application

As the County is aware, in 2015, County Council tabled its decision on the Crestwood Application so that the lands may be evaluated as part of the Growth Analysis for the County MCR. The failure to consider the Crestwood Application as part of the Growth Analysis is contrary to the resolution of County Council in this regard. The failure to identify and consider the Crestwood Application is also contrary to the Joint Minutes of Settlement, Township Official Plan and relevant provincial policy.

As indicated previously, the Growth Plan directs that it is the County's responsibility to delineate settlement area boundaries. For the foregoing reasons, we request that the Growth Analysis and County OP be revised to identify the Crestwood Application.

Failure to Implement High Growth Scenario

The projected growth forecasts in the Growth Analysis included a “reference scenario” and a “high growth” scenario. The County OP adopted the “reference scenario” of the Growth Analysis, relying on the growth projections in Schedule 3 of the Growth Plan.

Respectfully, the growth scenario in Schedule 3 of the Growth Plan was prepared prior to the COVID-19 pandemic, which resulted in a significant shift in where people want to live, and prior to the significant housing affordability crisis. It is also unclear why the County could not justify growth beyond the minimum targets set out in the Growth Plan. We request that the County reconsider the appropriateness of the “reference scenario” versus the “high growth” scenario.

Failure to Incorporate Final Land Needs Assessment

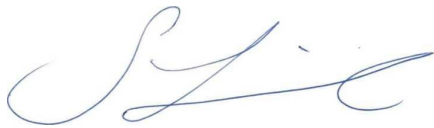
In our view, it is inappropriate to publish the draft County OP without the benefit of a final Land Needs Assessment. Section 5.2 of the County OP is missing population forecasting, employment forecasting and allocation data. This information is imperative as it forms the basis of the quantity of land needed to accommodate forecasted growth within the horizon of the County OP, including the need for settlement area boundary expansions.

As this data is missing from the County OP, we may provide further comments once this information is released.

Please provide notice to the undersigned of all municipal decisions by the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

SL/MK/cm



sleisk@cassels.com
Tel: +1 416 869 5411
Fax: +1 416 640 3218
File: 35977-19

May 17, 2022

Via E-Mail: KStevenson@ptbocounty.ca

Mayor and Members of Council
County of Peterborough
470 Water Street
Peterborough, ON, K9H 3M3

Attention: County Clerk

Dear Sirs/Mesdames,

**Re: Public Meeting - County of Peterborough Draft Official Plan
Agenda Item 7**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("Brookfield"), the owner of extensive lands in the Township of Cavan Monaghan (the "Township"), which are subject to an application for an amendment to the County of Peterborough (the "County") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal. We are writing to provide our comments on the draft County Official Plan (the "County OP") as part of the County's ongoing request for public comment and in advance of the statutory public meeting being held on May 18, 2022. Our prior comments on the County OP, dated March 29, 2022, are enclosed.

By way of background, the Township endorsed a new Official Plan in 2012 (the "2012 OP"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "OMB") (PL130788) (the "Appeal"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("SSA-1"), which is considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "Joint Minutes of Settlement").

The Joint Minutes of Settlement, adopted by the OMB, set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Joint Minutes of Settlement also contemplated a site specific amendment to the County OP (the "Crestwood Application"). On June 23, 2015, Brookfield submitted an application to recognize the existing settlement area of Crestwood. On December 2, 2015, County Council agreed with Brookfield to defer consideration of the Crestwood Application until the municipal comprehensive review herein.

On June 18, 2020 we wrote to the Township and County noting our client's concerns with the Growth Management Strategy, 2020, prepared by Watson & Associates Economics Ltd. (the "GMS") in support of the County's Municipal Comprehensive Review ("MCR"). Brookfield's concerns included the Township's failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. We subsequently wrote to the Township and County on December 22, 2021, noting our client's objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson which has been endorsed by the County in support of its MCR. As with the GMS, the Growth Analysis failed to include any analysis of SSA-1. Our December 22, 2021 correspondence, which was considered by County Council on January 19, 2022, was referred back to Planning and Public Works for consideration.

Brookfield subsequently met with County Staff on February 24, 2022 to discuss its concerns relating to the draft County OP. Despite meeting with County Staff and writing numerous letters to Council, Brookfield's concerns continue to remain unaddressed.

On March 31, 2022, the County provided us with a copy of the Growth Analysis report prepared by Hemson. On April 6, 2022, we wrote to the County to express that the concerns raised in our prior correspondence remained unaddressed and to object to Council approval of the Growth Analysis report. SSA-1 was not identified in the Growth Analysis or considered as part of areas expected to see future growth. In fact, the Growth Analysis made no reference to SSA-1 whatsoever.

At the April 6, 2022 County Council Meeting, County Council adopted the Growth Allocations and Land Needs Assessment as contained in the Growth Analysis report and directed County staff to work with local municipalities to identify additional community and employment lands to be included in the draft County OP prior to the public meeting. To date, the draft County OP has not been updated and the current draft is missing population and employment forecasting information. The draft County OP does not identify or consider SSA-1. Council approval of a County OP that does not consider SSA-1 will constitute a complete disregard of the Joint Minutes of Settlement, the OMB settlement approval, and relevant Official Plan policy.

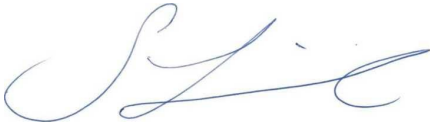
In addition, as the County is aware, County Council tabled its decision on the Crestwood Application so that the lands may be evaluated as part of the Growth Analysis for the County MCR. The failure to consider the Crestwood Application as part of the Growth Analysis is contrary to the resolution of County Council in this regard. The failure to identify and consider the Crestwood Application is also contrary to the Joint Minutes of Settlement, Township Official Plan and relevant provincial policy.

We request that the draft County OP be reconsidered and rejected by the County until it appropriately considers SSA-1 and the Crestwood Application. Should the County OP not be appropriately reconsidered, Brookfield is prepared to seek all recourses available to it at law.

Please provide notice to the undersigned of all municipal decisions by the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'S. Leisk', with a stylized flourish at the end.

Signe Leisk
Partner

cc: Troy Speck, Chief Administrative Officer, County of Peterborough
John Ewart, Ewart O'Dwyer, External Counsel, County of Peterborough
Raivo Uukkivi, Cassels Brock & Blackwell LLP



June 20, 2022

Via E-Mail: NewCountyOP@ptbocounty.ca
KStevenson@ptbocounty.ca

sleisk@cassels.com
Tel: +1 416 869 5411
Fax: +1 416 640 3218
File #35977-19

County of Peterborough
County Court House
470 Water Street
Peterborough, ON K9H 3M3

Attention: Ms. Keziah Holden, Senior Planner

Dear Ms. Holden:

**Re: County of Peterborough Official Plan Review
Comments on the Revised Draft County Official Plan**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("Brookfield"), the owner of extensive lands in the Township of Cavan Monaghan (the "Township"), which are subject to an application for an amendment to the County of Peterborough (the "County") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal. We are writing to provide our comments on the revised draft County Official Plan ("County OP") as part of the County's ongoing request for public comment, closing on June 20, 2022.

By way of background, the Township of Cavan Monaghan endorsed a new Official Plan in 2012 (the "2012 OP"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "OMB") (PL130788) (the "Appeal"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("SSA-1"), which is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "Joint Minutes of Settlement").

The Joint Minutes of Settlement, adopted by the OMB, set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Joint Minutes of Settlement also contemplated a site-specific amendment to the County OP (the "Crestwood Application"). On June 23, 2015, Brookfield submitted an application to recognize the existing settlement area of Crestwood. On December 2, 2015, County Council agreed with Brookfield to defer consideration of the Crestwood Application until the municipal comprehensive review herein.

On June 18, 2020 we wrote to the Township and County noting our client's concerns with the Growth Management Strategy, 2020, prepared by Watson & Associates Economics Ltd. (the "GMS") in support of the County's Municipal Comprehensive Review ("MCR"). Brookfield's concerns included the Township's failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. We subsequently wrote to the Township and County on December 22, 2021, noting our client's objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson (the "Growth Analysis") which has been endorsed by the County in support of its MCR. As with the GMS, the Growth Analysis failed to include any analysis of SSA-1.

The first draft of the County OP was released in January 2022. We again wrote to the County, noting our client's concerns with the draft County OP, including its failure to consider SSA-1 and the Crestwood Application, its failure to consider the "high growth" scenario as identified in the Growth Analysis, and the absence of population forecasting, employment forecasting, and allocation data.

Brookfield has reviewed the revised draft County OP and the County has taken no steps to consider, respond to, or address our client's substantive comments.

Failure to consider SSA-1 and the Crestwood Application

The draft County OP now includes growth forecasting information and the Township is expected to have the highest share of population and employment in the County. Notwithstanding the foregoing, the Crestwood Application and SSA-1 lands are not identified as settlement areas in the draft County OP.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the "Growth Plan") provides that it is the County's responsibility, as an upper-tier municipality, to delineate settlement area boundaries. Thus, it is the County's responsibility to consider the lower-tier plan, and the draft County OP must consider SSA-1 in determining where growth and development should be directed.

As the County is aware, in 2015, County Council tabled its decision on the Crestwood Application so that the lands may be evaluated as part of the Growth Analysis for the County MCR. The failure to consider the Crestwood Application as part of the Growth Analysis and subsequently, the draft County OP, is contrary to the resolution of County Council in this regard.

We request that the County OP be revised to identify and consider SSA-1 and the Crestwood Application. The County OP must not proceed without consideration of these lands. To do so would constitute a complete disregard of the Joint Minutes of Settlement, the Township Official Plan and relevant provincial policy.

Agricultural Systems Mapping in Cavan Monaghan

Although the Township will be retaining its local OP, the draft County OP provides Agricultural System mapping for Cavan Monaghan, pursuant to the requirements of the Growth Plan. The Growth Plan states that outside of the Greenbelt Area, provincial mapping of the agricultural land base 'does not apply until it has been implemented in the applicable upper-tier OP'. The Growth Plan further states that upper-tier municipalities may refine the provincial mapping at the time of OP implementation.

Under Section 4.1.2, the draft County OP states that "the Agriculture designation applies to areas where prime agricultural lands predominate and where the Province has identified the lands as being agriculturally productive through their Agricultural Systems mapping. These areas shall be protected for agricultural uses from incompatible, non-agricultural development."

The Agricultural Systems mapping provided in the draft County OP identifies most of the Township as "Agricultural Systems", including most of SSA-1 and some portions of the Crestwood Application lands. However, the eastern portion of SSA-1, the Crestwood Application lands and a majority of Brookfield's landholdings within the Township are currently designated 'Rural' in the existing Township OP, as shown as Schedule "A".

The draft County OP policies for the Agricultural land use designation are intended to apply to lands identified on Agricultural Systems mapping. These policies discourage lot creation and would serve to limit the potential for future development of Brookfield's landholdings within the Township and in particular, the Crestwood Application lands.

The application of Agricultural Systems mapping to SSA-1 and the Crestwood lands further demonstrates the County's disregard of the Joint Minutes of Settlement and the Township Official Plan. We request that SSA-1 and the Crestwood Application lands be removed from the Agricultural Systems mapping until further study per the Joint Minutes of Settlement is complete and that the remainder of the Brookfield landholdings be removed from the Agricultural Systems mapping in accordance with the existing rural designations in the Township OP.

Affordable Housing Provisions

In Section 5.6.1 Affordable Housing, the revised draft OP introduces unit targets for affordable housing typologies, including: affordable rental housing, rent geared to income housing, and affordable ownership housing. The draft County OP cites the "Housing Unit Needs Forecast" as the source for the proposed targets and the document that would provide further allocation of these figures among the local municipalities.

The draft County OP does not define the terms "affordable" or "rent geared to income" nor does it establish policies regarding the listed affordable housing typologies. Thus, it is unclear how the information presented in Section 5.6.1 will be implemented in the County as well as at the local level. We request that the County provide further direction in this regard. If same cannot

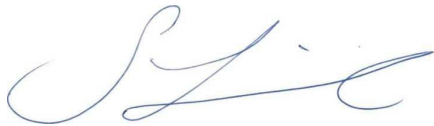
June 20, 2022
Page 4

be provided, we request that these policies be removed. We may provide additional comments if this information is subsequently provided by the County.

Please provide notice to the undersigned of all municipal decisions by the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

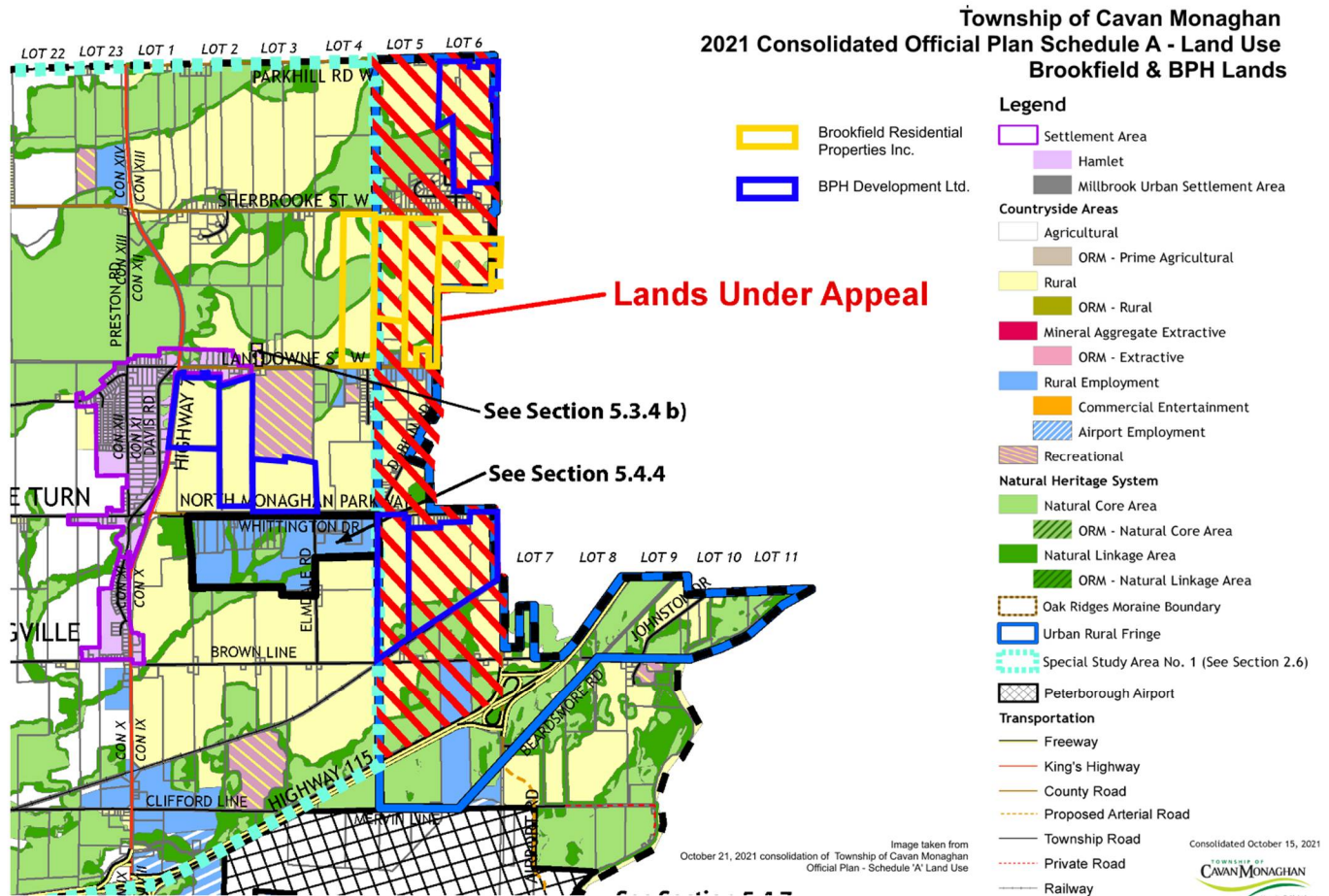
A handwritten signature in blue ink, appearing to read 'Signe Leisk', with a stylized flourish at the end.

Signe Leisk
Partner

SL/MK/OA

cc: Kari Stevenson, Clerk, County of Peterborough

Schedule A Brookfield Landholdings in the Township of Cavan Monaghan





June 29, 2022

Via E-Mail: KStevenson@ptbocounty.ca

Mayor and Members of Council
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3

Attention: County Clerk

Dear Sirs/Mesdames:

**Re: County of Peterborough Official Plan Review
Comments on Final Draft Official Plan
Staff Report Number: PPW 2022-026**

sleisk@cassels.com
Tel: +1 416 869 5411
Fax: +1 416 640 3218
File #35977-19

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("Brookfield"), the owner of extensive lands in the Township of Cavan Monaghan (the "Township"), which are subject to an application for an amendment to the County of Peterborough (the "County") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal. We are writing to request that Council refuse to adopt the final draft County Official Plan ("County OP") that will be considered by Council on June 29, 2022 for the reasons that follow.

By way of background, the Township of Cavan Monaghan endorsed a new Official Plan in 2012 (the "2012 OP"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "OMB") (PL130788) (the "Appeal"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("SSA-1"), which is to be considered the location for future growth in the Township. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City of Peterborough entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "Joint Minutes of Settlement").

The Joint Minutes of Settlement, adopted by the OMB, set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Joint Minutes of Settlement also contemplated a site-specific amendment to the County OP (the "Crestwood Application"). On June 23, 2015, Brookfield submitted an application to recognize the existing settlement area of Crestwood. On December 2, 2015, County Council agreed with Brookfield to defer consideration of the Crestwood Application until the municipal comprehensive review herein.

June 28, 2022
Page 2

On June 18, 2020 we wrote to the Township and County noting our client's concerns with the Growth Management Strategy, 2020, prepared by Watson & Associates Economics Ltd. (the "GMS") in support of the County's Municipal Comprehensive Review ("MCR"). Brookfield's concerns included the Township's failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. We subsequently wrote to the Township and County on December 22, 2021, noting our client's objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson (the "Growth Analysis") which has been endorsed by the County in support of its MCR. As with the GMS, the Growth Analysis failed to include any analysis of SSA-1.

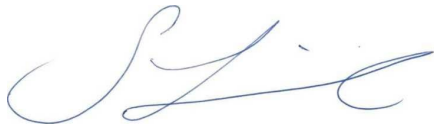
The first draft of the County OP was released in January 2022. We again wrote to the County, noting our client's concerns with the draft County OP, including its failure to consider SSA-1 and the Crestwood Application, its failure to consider the "high growth" scenario as identified in the Growth Analysis, and the absence of population forecasting, employment forecasting, and allocation data. Following revisions to the draft County OP, we wrote to the County again on May 17, 2022 and June 20, 2022 reiterating our prior comments and noting our clients concerns with respect to the agricultural systems mapping and affordable housing provisions. A copy of our most recent correspondence dated June 20, 2022 is enclosed.

Brookfield has reviewed the final County OP and the County has taken no steps to consider, respond to, or address our client's comments. The County has also introduced new changes to the County OP with respect to infrastructure and servicing without providing stakeholders adequate time to review and consider the impact of these policies. Brookfield may provide additional comments in the event that the final County OP is not adopted by Council.

Please provide notice to the undersigned of all municipal decisions by the County with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk", with a stylized flourish at the end.

Signe Leisk
Partner
SL/MK

June 28, 2022
Page 3

cc: Sheridan Graham, Chief Administrative Officer, County of Peterborough
Meaghan Barrett, External Counsel, County of Peterborough



July 21, 2022

Via E-Mail: minister.mah@ontario.ca

sleisk@cassels.com

Tel: +1 416 869 5411

Fax: +1 416 640 3218

File #35977-19

The Honourable Steve Clark, MPP
Minister of Municipal Affairs & Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Dear Minister:

**Re: County of Peterborough Official Plan
Referral Request pursuant to ss. 17(61) of the Planning Act**

We are the lawyers for Brookfield Residential Properties Inc. and BPH Development Ltd. ("Brookfield"), the owner of extensive lands in the Township of Cavan Monaghan (the "Township"), which are subject to an application for an amendment to the County of Peterborough (the "County") Official Plan, among other applications, and existing appeals before the Ontario Land Tribunal ("OLT"). These lands have also been the subject of numerous annexation discussions between the County, the Township and the City of Peterborough (the "City"), to which the Provincial Facilitator has previously been engaged.

On June 29, 2022, Peterborough County Council passed By-law 2022-47, a by-law to adopt the new Official Plan ("OP"), under Section 17 of the *Planning Act*. Prior to Council approval, our client and its consultants met with County staff as well as provided numerous written and oral submissions to staff and Council outlining Brookfield's concerns with the County OP. Brookfield has reviewed the final County OP and its comments remain unaddressed. For the reasons that follow, we are writing to request that the Minister refer the County OP to the OLT for a decision, pursuant to its authority under ss. 17(61) of the *Planning Act*.

Brief History

The Township of Cavan Monaghan endorsed a new Official Plan in 2012 (the "2012 OP"), which was approved by the County with modifications, and appealed by Brookfield to the Ontario Municipal Board, as it then was (the "OMB") (PL130788) (the "Appeal"). Central to the Appeal was the re-establishment of Special Study Area No. 1 ("SSA-1"), which is to be considered the location for future growth in the Township, adjacent to the City. In partial resolution of the Appeal, Brookfield, the Township, the County, and the City entered into binding Minutes of Settlement which were admitted into evidence at a settlement hearing of the Appeal (the "Joint Minutes of Settlement").

The Joint Minutes of Settlement, adopted by the OMB, set out modifications to the 2012 OP which require prioritization of SSA-1 in any municipal boundary expansion to the Township. The Joint Minutes of Settlement also contemplated a site-specific amendment to the County OP (the “Crestwood Application”) to recognize an existing settlement area of Crestwood. On June 23, 2015, Brookfield submitted an application to recognize Crestwood. On December 2, 2015, County Council agreed with Brookfield to defer consideration of the Crestwood Application until the municipal comprehensive review herein.

Despite the foregoing, the County undertook a Growth Management Strategy, prepared by Watson & Associates Economics Ltd. (the “GMS”) in support of the County’s Municipal Comprehensive Review (“MCR”), which failed to consider the Joint Minutes of Settlement or the Crestwood Application. On June 18, 2020 we wrote to the Township and County noting our client’s concerns with the GMS. Brookfield’s concerns included the Township’s failure to undertake any analysis of SSA-1, contrary to the binding settlement agreements and the Township Official Plan. We subsequently wrote to the Township and County on December 22, 2021, noting our client’s objection to the Draft Forecast Allocations and Land Needs Assessment (Growth Analysis), dated October 29, 2021 and prepared by Hemson (the “Growth Analysis”) which was endorsed by the County in support of its MCR. As with the GMS, the Growth Analysis failed to include any analysis of SSA-1.

The first draft of the County OP was released in January 2022. We again wrote to the County, noting our client’s concerns with the draft County OP, including its failure to consider SSA-1, the Crestwood Application and the “high growth” scenario as identified in the Growth Analysis, as detailed below.

Failure to consider SSA-1

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”) provides that it is the County’s responsibility, as an upper-tier municipality, to delineate settlement area boundaries. Thus, it is the County’s responsibility to consider the lower-tier plan and the County’s Land Needs Assessment must consider SSA-1 in determining where growth should be directed. Proceeding without consideration of SSA-1 constitutes a complete disregard of the Joint Minutes of Settlement, the Township Official Plan and relevant provincial policy.

Failure to consider the Crestwood Application

In 2015, County Council tabled its decision on the Crestwood Application so that the lands may be evaluated as part of the Growth Analysis for the County MCR. The failure to consider the Crestwood Application as part of the Growth Analysis is contrary to the resolution of County Council in this regard. The failure to identify and consider the Crestwood Application is also contrary to the Joint Minutes of Settlement, Township Official Plan and relevant provincial policy. As indicated previously, the Growth Plan directs that it is the County’s responsibility to delineate settlement area boundaries.

Failure to Implement High Growth Scenario

The projected growth forecasts in the Growth Analysis included a “reference scenario” and a “high growth” scenario. The County OP adopted the “reference scenario” of the Growth Analysis, relying on the growth projections in Schedule 3 of the Growth Plan.

In our view, the growth scenario in Schedule 3 of the Growth Plan was prepared prior to the COVID-19 pandemic, which resulted in a significant shift in where people want to live, and prior to the significant housing affordability crisis. It is also unclear why the County could not justify growth beyond the minimum targets set out in the Growth Plan.

Following revisions to the draft County OP, we wrote to the County again on May 17, 2022 and June 20, 2022 reiterating our prior comments and noting our clients concerns with respect to the agricultural systems mapping and affordable housing provisions.

Prior to adoption, we wrote to the County on June 29, 2022 reiterating our prior comments and noting our client’s concerns regarding new amendments with respect to infrastructure and servicing and the County’s failure to provide stakeholders adequate time to review and consider the impact of these policies. Brookfield has reviewed the final County OP and it does not consider, respond to, or address its comments.

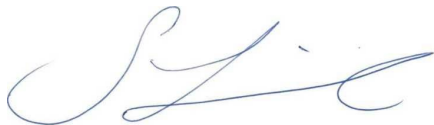
For the foregoing reasons, we request that the County OP be referred to the OLT for a decision. Copies of all prior correspondence with the County, as described in this letter, are enclosed.

Please provide notice to the undersigned of all Ministerial decisions with respect to this matter.

We are grateful for the opportunity to provide you with our comments. Please do not hesitate to contact us with any questions or concerns.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

SL/MK/OA

cc: Damien Schaefer, Municipal Planner, Ministry of Municipal Affairs and Housing (by email: Damien.Schaefer@ontario.ca)



Project No. 15187-1

March 5, 2025

County of Peterborough
Planning Department
470 Water Street
Peterborough, ON K9H 3M3

Re: Comments on County of Peterborough Draft Official Plan

We are the planning consultants for Brookfield Residential ("Brookfield"), owners of several parcels of land in the County of Peterborough, in the Township of Cavan Monaghan. On behalf of Brookfield we have reviewed the Draft County Official Plan With 2024 Provincial Planning Statement Modifications document provided on the County's website, made available for and Open House in February 25, 2025 and a Public Meeting at Council on March 5, 2025. We are aware that this draft document proposes modifications to the June 2022 Official Plan that was adopted by County Council but has not yet been approved by the Minister of Municipal Affairs and Housing.

The following summarizes our concerns regarding the draft County Official Plan. In general, Brookfield is concerned that the revised policies did not fully implement the direction of the Provincial Planning Statement "PPS" (2024) and Planning Act, including policies to provide opportunities for growth in the County through settlement area boundary expansions, that growth projections are minimums, requirements for pre-application consultation, amongst other matters. Our concerns include:

- *Section 3.1- Pre-Consultation and Complete Application* item 1 modifies the adopted 2022 policies to state that a pre-consultation meeting may be required with the County, however in June 2024, Bill 185 removed the authority for a municipality to require a pre-consultation meeting. In this regard, this section should be modified to remove the requirement for pre-application meeting.
- *Section 3.6- Official Plan Amendments* describes the criteria that the County will use to evaluate Official Plan Amendments but does not separately describe the criteria that would be applied to Official Plan Amendments for Settlement Area Boundary Expansions or the identification of new Settlement Areas as set out 2.3.2.1 of the PPS 2024, which differ from the matters listed in Section 3.6. As such, Section 3.6 should be modified to separately identify the criteria for the evaluation of Official Plan Amendments for Settlement Area Boundary Expansions and the identification of new Settlement Areas.
- *Section 4.3 – Natural Heritage Designations* and *Section 6 – Natural Heritage Features and Natural Hazards* - The policies regarding Natural Heritage

designations should include a new policy in section 4.3 and section 6 to provide the ability to modify the boundaries of the feature without an amendment to the Official Plan where it can be demonstrated that the mapping in the Official Plan for the Natural Heritage Features do not accurately reflect feature boundaries. Further, policies in these sections include requirements for 30 metre vegetative buffers whereas the extent of a buffer around a natural feature should be confirmed through an Environmental Impact Study. In this regard, refer to a required buffer should be removed from the Official Plan.

- *Section 5 – Growing Our Communities* - The final paragraph of the introductory portion of this section states no new settlement areas or rural settlements will be permitted to be recognized or established. This statement should be deleted as it is contrary to the direction in PPS section 2.3.2 which provides opportunity for expanding and creating new settlement areas, subject to addressing a set of criteria.
- *Section 5.2 – Growth Projections* states that the growth analysis work prepared in support of the Official Plan was completed in 2021 and provides forecasts in 5.2.1 based on Schedule 3 of A Place to Grow: Growth Plan for the Greater Golden Horseshoe. We are concerned that while the PPS 2024 does provide that municipalities may continue to forecast growth using these previously issued forecasts, they do not take into account the Ministry of Finance projections and further, the forecasts in 5.2.1 do not speak to the numbers as minimums as set out in the PPS, 2024. At a minimum, the Official Plan policies should be modified to speak to the minimums.
- *Section 5.3.2 – Residential Density Targets* – speaks to municipally serviced settlement areas whereas the PPS 2024 refers to *designated growth areas* in the context of greenfield areas. This terminology should be integrated into this section.
- *Section 5.4 – Hierarch of Settlement Areas* – provides direction on settlement areas and rural settlement areas. 5.4.1 lists serviced settlement areas and 5.4.2 lists rural settlements. As the County is aware, Brookfield submitted an application in 2015 to identify the existing settlement area of Crestwood, in northeast Cavan Monaghan as a settlement area, given that it is comprised of a cluster of residential properties and community services. Crestwood should be included as one of the settlement areas in the County in the Official Plan.
- *Section 5.5 Settlement Area Expansions* – In the final paragraph of this section, the policies require that the establishment of a new settlement area that would be initiated by the local municipality will require that the lands be serviced by municipal water and wastewater systems. This requirement for municipal servicing is not consistent with the criteria set out in the PPS 2024 and therefore should be deleted.

We appreciate your consideration. Should you require any additional information, please do not hesitate to contact the undersigned.

Yours very truly,
Bousfields Inc.



Emma West, MCIP, RPP