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# HALDIMAND COUNTY

## Report PDD-40-2021 Final Growth Management Strategy and Official Plan Amendment – Phase 1



For Consideration by Council in Committee on June 22, 2021

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### OBJECTIVE:

To introduce the final growth management strategy for Council's approval and final Official Plan Amendments related to the County's urban areas, growth forecasts, and growth targets for adoption.

### RECOMMENDATIONS:

1. THAT Report PDD-40-2021 Final Growth Management Strategy and Official Plan Amendment – Phase 1 be received;
2. AND THAT the final Growth Management Strategy outlined in Report PDD-40-2021 be approved as the basis for an Official Plan Amendment;
3. AND THAT the Official Plan Amendment and By-law attached to Report PDD-40-2021 be adopted and submitted to the Ministry of Municipal Affairs and Housing for approval.

**Prepared by:** Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

**Approved:** Craig Manley, MCIP, RPP, Chief Administrative Officer

### EXECUTIVE SUMMARY:

This report relates to Phase 1 of the County's Official Plan Update and provides a summary of the final proposed direction for the growth needs for Haldimand County and the associated Official Plan Amendment for land supply within the municipality's six urban areas. The background work, options and development of a final strategy has occurred over a two year period. A draft of this plan and the associated amendment were presented to Council on February 9<sup>th</sup> and were supported and adopted in principle respectively. At that time, staff committed to complete the necessary formal consultation with the Province and address any public comments received through the February 9<sup>th</sup> public meeting with an aim to then bringing back a final package for Council's consideration. That work is now complete and staff are in position to present the final growth strategy for approval and final Official Plan Amendment for adoption and to meet the Provincial requirement to comply with A Place to Grow (Growth Plan) by July 1, 2022.

### ANALYSIS:

The first phase of the County's Official Plan Update focuses on a long term growth management strategy for the various urban areas. This is required under the Province's *Planning Act* and is a key part of the County's work towards achieving conformity with the Province's Growth Plan. The Growth Plan requires municipalities to complete a land needs assessment in accordance with a Province-issued methodology as part of any municipal comprehensive review (Official Plan update). That work has been undertaken by staff along with the project consultant, Matt Reniers. To that end, a number of

key provincial requirements have set the parameters for the work, in particular, the updated Official Plan must:

1. Accommodate Provincial 2051 forecast of 75,000 residents and 29,000 jobs;
2. Accommodate an additional population of 30,000 new residents, 12,700 new households and 11,000 new jobs by 2051;
3. Set intensification targets for existing built areas in urban communities;
4. Set a minimum target of 40 residents and jobs per hectare in new community areas;
5. Plan for and protect employment lands; and
6. Conform to Provincial Policy Statement.

Of note, as part of the February 9<sup>th</sup> presentation, staff made recommendation relating to #1 above that a ‘high scenario’ population forecast of 77,000 be used which is supported by the forecast work completed by Watson for the County and as allowed by Provincial policy. Also, a recommendation was made relating to #3 above that a target of 20% be set (as opposed to current 32%) to establish a more achievable measure for new residential development within the County’s urban ‘built-up areas’. Aside from that, all of the Provincial requirements noted above have been incorporated in the work completed and introduced in this report. In the view of staff and the project consultant (Matt Reniers), all of these requirements have been met responsibly and with an achievable plan for long term growth in the County. The final updated growth strategy is included as Attachment 1.

### Additional Work Completed and Provincial Consultation

Subsequent to the February 9<sup>th</sup> public meeting, staff commenced its detailed consultation work with the Province. Formal comments from the Province (all Ministries except MTO) were received on February 22<sup>nd</sup> (Attachment 3). MTO comments were received as of May 19, 2021. These comments served as the foundation for numerous Ministry meetings as well as guidance for refinements and additional work required. To that end, the below summarizes the work done by staff in response to Provincial comments and the results of that work.

| Ministry   | Comment/Required Work  | Staff Response  | Status                |
|--|--|---|-----------------------|
| Municipal Affairs & Housing (MMAH), including Ontario Growth Secretariat (growth planning arm of MMAH) | 1. Concerns relating to inclusion of Caledonia and Dunnville soccer complexes in urban boundary and assigned a ‘major open space’ designation. | 1. The lands have been removed from the urban boundary expansion proposal but will still receive a ‘major open space’ designation which will protect these lands for such uses and provide facility growth opportunities. | 1. Complete/resolved* |
|  | 2. Consultation with First Nations communities must take place.  | 2. A report was provided to MMAH demonstrating the staff efforts relating to consultation, including summaries of meetings and comments received/how those are being addressed through policy development.                | 2. Complete/resolved* |

| Ministry                                   | Comment/Required Work  | Staff Response   | Status   |
|--|--|--|--|
|  | <ol style="list-style-type: none"> <li>3. County must send a formal letter to the Minister to request the 'high scenario' for population and alternative intensification target.</li> <li>4. Definitions of various terms need to be amended to align with updated definitions in A Place to Grow.</li> </ol>  | <ol style="list-style-type: none"> <li>3. Letter was sent to the Minister making these requests on February 18, 2021.</li> <li>4. Updates to definitions have been made.</li> </ol>  | <ol style="list-style-type: none"> <li>3. Final Ministry response not received</li> <li>4. Complete/resolved*</li> </ol>   |
| Agriculture, Food & Rural Affairs (OMAFRA) | Additional information required to support urban boundary expansions in the form of an Agriculture Impact Assessment (AIA)   | A stand-alone, detailed AIA was completed examining soil conditions, impacts to agricultural operations and systems and alternative expansion scenarios. The AIA followed the guidelines established by OMAFRA and provides full justification for the expansion plans in Caledonia, Dunnville and Hagersville with minor mitigation efforts needed in specific scenarios to address setback reductions to off-site livestock facilities.  | Complete/resolved*   |
| Transportation (MTO)                       | <ol style="list-style-type: none"> <li>1. Concerns regarding the finality of the Nanticoke to Caledonia water service corridor – i.e. wording and mapping suggest the route is final; and</li> <li>2. Concerns regarding obtaining access from Ministry controlled roads to the easterly half of the employment expansion lands in northwest Caledonia.</li> </ol> | <ol style="list-style-type: none"> <li>1. OP policy and mapping amendment were developed to address the water service corridor as being conceptual and subject to further study; and</li> <li>2. Policy developed to describe access constraints, requirements for access arrangements and long term access planning with MTO. In addition, extent of employment lands added to urban boundary has been increased north along Highway 6 to allow greater separation for</li> </ol> | <ol style="list-style-type: none"> <li>1. Complete/resolved*</li> <li>2. Complete/resolved* with MTO; awaiting MMAH and OMAFRA response relative to inclusion of additional lands in the urban area</li> </ol> |

| Ministry                                 | Comment/Required Work  | Staff Response  | Status             |
|--|--|---|--------------------|
|  |  | future access from the Highway 6/Greens Road intersection (results in approximately 24 hectares/59 acres of additional employment lands being added to the urban boundary). Mapping and policy also developed to protect future Highway 6 corridor from encroachments and incompatible use(s). The additional lands are shown as the northerly portion of Part 8 on Map 2 at page 91 of Attachment 1. |                    |
| Environment, Conservation & Parks (MECP) | For 'Future Development' areas (urban boundary expansion lands), need to be clear in policy that Environmental Assessment (EA) will be required. | Policy revision made to include requirement for EA that identifies, evaluates and chooses optimal means of providing necessary infrastructure.  | Complete/resolved* |

*\*"Complete/resolved" relates to staff belief that the issue is addressed to the fullest extent possible and preliminary indication by Province of same, but which remains subject to final Provincial approval.*

As noted above in the 'Status' column, a number of staff responses to various Ministry comments have not yet been responded to. The most critical of these is the outstanding response from the Ontario Growth Secretariat (OGS) regarding the County's request to use the 'high scenario' for population and alternative (lower) intensification target (note: formal request was sent February 18<sup>th</sup>). The overall County strategy is contingent upon OGS approval of these requests. Should these not be approved by the OGS, the land needs assessment would need to be revisited and changes to the Growth Management Strategy would be necessary. In that scenario, there would likely be a requirement to reduce the total amount of urban boundary expansion proposed across the County. While there is risk in forging ahead without final clearance or agreement on these issues by the Province, staff are confident that the draft policies, mapping and assessments completed and submitted fully respond to the Ministry concerns and comments. Should any issues remain, there is still opportunity for further refinement or staff response while the Province reviews the final Official Plan Amendment and supporting documents upon adoption by Council.

**Key Changes:**

In addition to the changes made to respond to Provincial comments, several changes were made in response to public submissions received as part of the February 9<sup>th</sup> public meeting or as a result of further staff analysis. Those changes are as follows:

- Caledonia:
  - Staff initiated change: a small area (0.9 hectares/2.3 acres) on the west side of the CN rail line, near Orkney street is to be removed from the urban boundary given it cannot be serviced (shown as Part 17 on Map 2 at page 91 of Attachment 1).

*Impact of change:* not significant - the property is developed with a single detached residential dwelling and there are not expected to be any impacts/implications given the removal of these lands.

- Hagersville:
  - Public requested change (submitted by Empire Communities): An additional urban boundary expansion in the south is recommended to bring in a parcel containing remnant of a former quarry operation (pond) (Part 8 on Map 8 at page 145 of Attachment 1). This parcel would be utilized / integral to development of a larger parcel of residential lands currently within the urban boundary (e.g. for access, stormwater management purposes). The parcel measures 35 hectares (86 acres) of which 25 hectares (62 acres) is undevelopable (due to existing pond). A total of approximately 10 hectares (24 acres) would be available for development which could accommodate approximately 400 residential units. The rationale for inclusion of these additional lands is as follows:

- The potential development yield would off-set the loss of residential inventory that would be frozen from development due to the existing LaFarge quarry (approximately 650 units);
- The lands are a logical extension of the urban boundary in this location and would allow for use of the quarry pond for stormwater management purposes – this allows re-use/re-purpose of an existing asset and would allow for more efficient use of developable lands given area would not have to be utilized for pond infrastructure;
- The lands have very limited agricultural soil value (not categorized on Provincial/Federal mapping) and restricted functionality due to size and layout;
- Given the off-set of the 650 units impacted by the LaFarge quarry, there would be sufficient capacity at the wastewater treatment plant to accommodate development of these lands in addition to the balance of the urban area;
- The lands, when combined to the lands abutting to the northwest (which they are proposed to be developed with) would have servicing infrastructure (water and sanitary) at several points of frontage which can be extended to service the site.

It is noted that other expansion requests were received (as noted in the February 9<sup>th</sup> report and presentation and within the Final Growth Management Strategy at Attachment 1 of this report). All submissions were evaluated relative to agricultural impact, overall housing/land needs, serviceability and logicalness of expansion. Based on that analysis, this request is the preferred, and with this expansion, other requests are premature given the land needs relative to population projections.

*Impact of change:* Not significant – will introduce a small amount of developable land within the urban boundary which is effectively to off-set other restricted lands. These lands can be accommodated in terms of servicing infrastructure, wastewater treatment plant capacity, and have minimal agricultural land impact.

- Public requested change (submitted by LaFarge): Existing designated residential lands, and proposed urban boundary swap lands, are within 300 metres blast setback of the LaFarge quarry in Hagersville. This poses risk to the future unimpeded operations of the quarry and land use compatibility concerns. The setback should be larger and measured from edge of licensed quarry boundary (not blast setback). Staff are recommending the following changes to address these concerns:

- The boundary swap lands have been reduced in area and no longer encroach into the 300 metres setback (Part 3 on Map 8 at page 145 of Attachment 1).
- Staff have developed a site specific policy area, included as part of the Official Plan Amendment (Attachment 2), that restricts development of the existing urban boundary lands that rest within the 300 metres setback. These lands will be placed into a holding category and can only be developed once the quarry ceases operations or extractive activities move a further distance away on site (thus increasing the setback).
- Of particular note to the above, the 300 metres setback is based on science – i.e. detailed technical studies of vibration, noise and air emissions have been completed to assess potential impacts of various setback scenarios. The studies, completed by qualified engineering firms on behalf of Empire for the Livingston and Smith Farm community developments in this location, conclude that 300 metres is a suitable setback that mitigates any compatibility issues. It is noted also that staff have reviewed several quarry expansion examples (including a LaFarge quarry in Dundas) where residential setbacks were established from the blast setback (not the property line) and were less than 300 metres. As such, the proposed approach is one that is acceptable and practiced within the industry.

*Impact of change:* Not significant – will reduce the land added to the urban boundary via the land swap by approximately 2 hectares (5 acres) and add a policy (and future zoning provision) to ensure development does not take place within 300 metres of the existing quarry operation thereby protecting against any potential incompatibilities.

- Townsend:

- Public requested change (submitted by Calibrex Developments): Lands on the west side of Nanticoke Creek, south side of Stone Quarry Road which are presently in the urban boundary, but which were proposed to be removed, are recommended to remain in the urban area given an urban development proposal that has come forward, including confirmation of servicing capabilities for those lands. The net impact of (re)addition to the total residential land supply is negligible given hazard land designation associated with the adjacent creek and the existence of a large (former quarry) pond. The parcel is 10 hectares (25 acres) in size with the developable area measuring approximately 4 hectares (10 acres) (shown on Map 12 at page 171 of Attachment 1).

*Impact of change:* Not significant – will ‘return’ (i.e. not remove from the urban boundary) a small amount of development land to the overall supply and assist in facilitating a unique development project in the community of Townsend. Given the size of the parcel, the inclusion will not impact the overall servicing capabilities of the Townsend lagoons relative to Townsend and Jarvis.

Summary:

Overall, the final revised growth management strategy is intended guide the development of the County for 30 years (to 2051). It represents a net change to the urban boundaries of the County as follows:

- Expansion of approximately 24 hectares (59 acres) for residential and community employment purposes, most of which is in the north end of Caledonia;
- Expansion of approximately 53 hectares (131 acres) of employment area lands, most of which will be to the north of the present Caledonia urban boundary; and
- **The total expansion of the urban areas is 77 hectares (190 acres).**

**Public Comments:**

The February 9<sup>th</sup> report (and associated attachments) documented and provided summaries and responses to public comments that had been received up until that point in time. As part of, and

subsequent to, the February 9<sup>th</sup> public meeting, a series of additional comments were received. The full details, including staff response, are included in table form at Attachment 5. A high level summary of the key comments and the responses thereto is included below:

| Comment   | Staff Response  |
|---|---|
| <p>Jarvis urban boundary should be expanded to include lands at the west end, north side of Highway 3</p> <p>Submitted by: local resident</p> | <p>The amount of vacant developable greenfield community land that would remain for residential uses after the boundary compression would be 37 ha (91 acres). This includes:</p> <ul style="list-style-type: none"> <li>• 16 ha immediately east of Jarvis Meadows;</li> <li>• 13 ha immediately west of the Miller Avenue subdivision which is west of Lions Park;</li> <li>• 8 ha of land to the south of Highway 3, and to the east of John Street.</li> </ul> <p>The 37 ha of greenfield equates to 555 homes if that land was developed at a conservative density of 15 units per hectare. The 37 ha total does not include other infill and intensification opportunities that are spread throughout the community – there are a number of these which would add more residential unit potential and further push that land supply upwards.</p> <p>The 2020 forecasts produced by Watson, which are based upon history, current permit activity, planning application volumes, development inquiries, trends, etc. anticipate the need for 330 new homes over the 30 year planning horizon to 2051. Based on this, there is expected to be surplus residential land beyond the 2051 horizon.</p> <p>It is also noted that growth in Jarvis is limited due to servicing capacity. The new forcemain, under the Ministry approved EA, will allow for additional capacity equivalent to approximately 700 homes; however within this capacity - commercial and industrial development as well as residential needs to be accommodated. While it is feasible that additional capacity could be secured via the forcemain/Townsend lagoons in future, this would require additional study and unknown capital expense. The changes to the urban boundary align the land supply/development potential with capacity availability. Lastly, it is important to note that the OP and various forecasts (including population) are reviewed every 5 years and if conditions change there is an opportunity to adjust the land budget accordingly at that time.</p> |
| <p>Townsend should have some development land retained for residential and commercial uses</p> <p>Submitted by: local resident</p>            | <p>The amount of vacant developable greenfield community land that would remain for residential and commercial uses after the boundary compression would be 16 ha (40 acres). This supply would be surplus to the needs of the community beyond 2051. In addition, some land originally proposed to be removed from the urban boundary is proposed to be returned (as noted in the section above).</p>  |

| Comment  | Staff Response   |
|--|--|
| <p>Expand Hagersville urban boundary by 88 hectares (217 acres) south of Parkview Road, south of the high school and current Walpole Square development. Lands would be intended for primarily residential purposes.</p> <p>Submitted by: DG Group</p> | <p>The request included a land needs assessment (Altus Group) and servicing review (RV Anderson). Staff are not recommending inclusion of these lands for the following reasons:</p> <ul style="list-style-type: none"> <li>• Hagersville, with the changes recommended in this report and the growth strategy, will have sufficient residential land supply to (and beyond) 2051. The submitted land needs assessment attempts to justify an additional supply of close to 70 hectares (173 acres). In doing so, it uses different assumptions and inputs than the County’s forecasts which were prepared by Watson &amp; Associates and approved by Council for use in the Official Plan update. The assumptions used by Altus Group (including significantly greater % of low density housing, lower persons per residential unit) lead to different conclusions which are not in line with the Watson work and not supported by staff. The work completed by Watson takes into account regional forces and factors and is built (in part) on County inputs relating to permit data, planning application information and localized trends. As such, it is considered a more accurate forecast.</li> <li>• These lands, when compared to other recommended additions, would have an agricultural impact due to the prime class soils that exist. The lands have not been assessed from an impact standpoint including soil classification, existing agricultural operations, agri-food network, etc.</li> <li>• There is not sufficient wastewater treatment plant (WWTP) capacity to accommodate these lands in addition to the lands that are currently within the urban boundary plus the recommended addition by staff. There are currently no plans to expand the WWTP in Hagersville and extensive study would need to be completed to determine feasibility of such.</li> <li>• RV Anderson – DG Group’s engineering consultant - completed the servicing analysis and based its work on existing reports – it did not factor in new projects/information such as the Empire developments along King Street. Further, forecasted water demand and wastewater generation rates were not provided to fully assess impacts and feasibility. Lastly, the study relied on reducing system inflow/infiltration (I/I) to support the project relative to system and WWTP capacity constraints. The County’s practice is to not rely upon this as it is risky to allocate capacity reclaimed by I/I efforts as those efforts can be undone (by homeowners, through infrastructure condition, etc.). Based on the above, the servicing analysis is deemed incomplete and does not fully demonstrate functionality/feasibility.</li> </ul> <p>As noted above relative to Jarvis, the OP and various forecasts (including population) are reviewed every 5 years and if conditions change there is an opportunity to adjust the land budget accordingly at that time.</p> |

| Comment  | Staff Response  |
|--|---|
| <p>Expand Hagersville urban boundary by 15 hectares (37 acres) in the west end of Hagersville on Sandusk Road. Lands would be intended for primarily residential purposes.</p> <p>Submitted by Calibrex Developments</p> | <p>Staff are not recommending inclusion of these lands for the following reasons:</p> <ul style="list-style-type: none"> <li>• Hagersville, with the changes recommended in this report and the growth strategy, will have sufficient residential land supply to (and beyond) 2051.</li> <li>• While the lands could potentially be serviced (although no supporting analysis/detail has been provided), there is not sufficient wastewater treatment capacity to accommodate these lands in addition to the lands that are currently within the urban boundary.</li> </ul> |

**Next Steps:**

If the Growth Management Strategy is accepted by Council and the Official Plan Amendment (OPA) adopted, staff will submit the full package to the Ministry of Municipal Affairs and Housing (MMAH). The MMAH will then proceed to post the information on the EBR for a 30 day public comment period. Once that comment period closes, the MMAH will review (along with any partner Ministries) any comments received and determine if any further modifications or information are required. The Province will have 90 days to render a final decision on the County’s Official Plan Amendment. Once a decision is rendered, it cannot be appealed and is considered final. While there is a degree of risk in advancing with adoption at this time without fully resolving all Ministry comments, staff remain confident that they have done everything necessary to meet the requirements of the Province and address concerns raised in various Ministry comments.

**FINANCIAL/LEGAL IMPLICATIONS:**

A project manager, Matt Reniers of Matt Reniers & Associates has been retained to lead all aspects of the development, coordination and implementation of the County Official Plan Update and growth management strategy. Budget approval for the project was allocated through the 2019 capital budget approvals. Other costs for the project include the hiring of a facilitator to lead the community forum/visioning exercise and sub-consultants to carry out technical studies such as the natural heritage study, housing review, population forecasts and servicing assessments. Other consultants may be brought on-board to carry out specific tasks and will be funded through the overall project budget which is approved at \$475,000.

**STAKEHOLDER IMPACTS:**

Public Notice Process

All required notifications prescribed under the *Planning Act* have been complied with including:

- 30 day notification of project start up in January 2020;
- 30 day notification of consideration of the final growth management strategy (GMS) and associated Official Plan Amendment;
- Posting of draft GMS and Official Plan Amendment (including adopting by-law) for public review 30 days prior to public meeting.

While not required by the *Act*, this report is being presented as a second public meeting to afford opportunity for further public consultation and full transparency of process. All standard methods of

notification for presentation of this report and final Official Plan Amendment materials have been utilized (newspaper, direct mail, website, social media).

Additional public consultation will take place as part of Phase 2 of the project, including additional facilitated workshops, on-line surveys, etc. There will also be extensive stakeholder consultation including: Business Development & Planning Advisory Committee; Heritage Haldimand; Agricultural Advisory Committee, internal Departments and also First Nations communities.

## **REPORT IMPACTS:**

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. Final Growth Management Strategy.
2. Final Official Plan Amendment.
3. Provincial Comment Summary.
4. MTO Comments.
5. Public Comments Summary.