

PUBLIC MEETING

Five Year Review of the Official Plan

Cainsville Community Centre
14 Garnet Road, Cainsville
Monday, September 22, 2008
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Atfield, Powell, Simons, Chambers, Coleman and Gatward

Others: Mr. Chris Tyrrell, Mr. John Kennedy, Mr. Steve Gammon and Ms. Nancy Reid, MMM Group Limited

Regrets: Councillors Haggart and Hodge

Staff: Johnston, Comeau, Davidson, Moore and Lehmann

Mayor Eddy welcomed attendees to the meeting and noted that initially, staff and MMM had commenced what was intended to be an amendment of the existing Official Plan and that as amendment works progressed, the process became exceedingly more difficult. He noted that the changes required to the existing Official Plan, in order to conform with Provincial Policy Statement, the *Planning Act*, Places to Grow Legislation, etc., were substantial and would have resulted presenting the public with a document much larger and far more confusing than the existing Official Plan. He advised that the draft document has been reorganized in such a way that it flows precisely and is far more user-friendly.

Presentation of Growth Strategy and Policy Directions Report by MMM Group

Mr. David Johnston, Director of Development Services, welcomed attendees to the meeting and reported that representatives of MMM Group Limited would be presenting material with respect to draft Official Plan amendments. The Director reiterated that the regulations contained in Provincial Policy Statement, the *Planning Act*, Places to Grow Legislation, etc. have all combined to make delivering a “surgical amendment” of the existing Official Plan nearly impossible. He advised that where possible, all pertinent sections of the existing Official Plan have been used and combined with the necessary draft changes so that an easy-to-read, understandable document resulted.

The Director introduced Mr. Chris Tyrrell, Manager of Environmental Planning & Design, MMM Group Limited. Mr. Tyrrell welcomed attendees to the meeting and thanked them for their interest in the process. Mr. Tyrrell noted that the presentation material is the first working draft of the revised Official Plan.

Mr. Tyrrell reviewed the six sections of the draft revised Official Plan, as follows:

- **Section 1 – Introduction**

Sets the policy context and provides a number of broad objectives of the Plan and County.

- Section 2 – County Planning Strategy

Outlines the strategies of the Plan, including: Growth Management, Natural Heritage, Hazard Management, Housing and Economic Development.

- Section 3 – Land Use Designations

Identifies the County's designated land uses and outlines permitted uses and land use polices.

- Section 4 – Infrastructure, Services and Facilities

Sets out the policies related to the provision of infrastructure systems services and facilities, including transportation systems, water and sanitary service systems.

- Section 5 – Implementation and Administration

Identifies the implementation tools available under the *Planning Act* and other statutes to achieve the objectives of the Plan.

- Section 6 – Glossary of Terms

Contains a glossary of terms used in the Plan for consistent interpretation.

Mr. Tyrrell reviewed with attendees what an Official Plan is, as follows:

- document adopted under the *Planning Act* ;
- establishes the County's goals and objectives to manage and direct physical change and the effects on the social, economic and natural environment;
- provides a blueprint for the development of the County over a 20 year time frame;
- main tool used to prevent haphazard growth, environmental problems, agricultural fragmentation and high taxes as a result of poor land use decisions.

Mr. Tyrrell noted that the individual submissions received by County planning staff are in the process of being reviewed by County Council, County staff and MMM Group Limited and that said applications will be reviewed in conjunction with Provincial Policy Statement, the draft Official Plan, the *Planning Act*, etc.

With respect to urban boundary expansion in Cainsville, Mr. Tyrrell noted that the draft Official Plan contains no recommendation for the expansion of urban boundaries in Cainsville.

Mr. Tyrrell reported that MMM Group Limited is recommending that before County Council adopts the revised Official Plan, that the draft be first reviewed and commented on by the Minister of Municipal Affairs and Housing.

Committee Questions and Consideration

Mayor Eddy noted that the County must complete the revised Official Plan and submit it to the Province for review by June of 2009. He further noted that the Province has not limited itself to a

timeframe within which it must respond to the County's submission. In response to questions regarding land division activities on agriculturally designated lands, Mr. Tyrrell noted that all of the County of Brant is considered prime agricultural area and that the limitations on land division of agriculturally designated lands applies throughout the County.

In response to questions regarding changes in Cainsville, Mr. Tyrrell reported that there has been a settlement boundary established for Cainsville, with Provincial approval, and that it includes lands presently designated as development areas.

Public Questions and Consideration

Joanne Carver – 199 Jerseyville Road

Ms. Carver inquired as to whether lands currently being severed and developed for estate residential purposes, under the current Official Plan, will change once the revised Official Plan is implemented. Mr. Tyrrell noted that there are areas in the current Official Plan that are designated for estate residential development and that they will remain as they are today. He further noted that if there is an opportunity for development within those existing estate residential areas, then that development opportunity will continue to exist.

Mr. Murray MacDonald – 52 Blossom Ave

Mr. MacDonald expressed concern with respect to the proposed consolidation of the existing industrial designations "Heavy", "Light" and "Special" into one term "Employment" and questioned if the public would be consulted if an application is made for Heavy Industrial and / or Special Industrial development. Mr. MacDonald requested information with respect to how the representatives of the focus groups being proposed will be selected and the date that the report regarding the review of industrial lands will be released. Mr. MacDonald requested information with respect to the likelihood that Cainsville will require a special area study, and whether or not that decision is contingent upon an agreement being reached between the County of Brant and the City of Brantford with respect to boundary negotiations.

In response to Mr. MacDonald's question regarding the consolidation of industrial designations, Mr. Tyrrell reported that the existing industrial designations "Heavy", "Light" and "Special" have been consolidated into a single land use designation termed "Employment" because Provincial Policy, the *Planning Act*, Places to Grow legislation, etc. all refer to "Employment" lands and that the term is a new defined term under Provincial statute. Mr. Tyrrell further noted that utilizing one term provides for more flexibility from a planning perspective and explained that the criteria in the existing Official Plan that determines the "Heavy"/"Light"/"Special" designations still exist and that a rezoning application (a public process) would still be required for any industrial development.

In response to Mr. MacDonald's questions regarding the formation of a focus group, the Director reported that in MMM's original proposal, a focus group, representing the various sectors of the economy would be beneficial to the Official Plan review process. The Director reported that Council was not directly involved in the selection of the individuals and that County staff attempted to recruit representatives from agriculture, heritage, cultural, development liaison, tourism, business and community leaders, industrial, aggregate, natural environment, Business Improvement Association, and citizens at large. The Director emphasized that the focus group is not a committee that will review individual requests, but rather a group that will look at the

broadly based policy issues and provide feedback, reaction and input with respect to same. With respect to Mr. MacDonald's questions regarding the Employment Lands Study, the Director reported that the study is in draft form and has not yet been released as the County is awaiting further information regarding well head protection. The Director noted that as soon as it is available, the study will be published on the County's website.

Mayor Eddy reported that the County has made three separate attempts to organize a joint County / City negotiation meeting, as it relates to Cainsville, and that the County is hopeful that a meeting will take place within the next thirty days.

Ella Haley – 27 Ronald Road

Ms. Haley requested a definition for the following terms: Greenfield, Provincial Policy Statement, Places to Grow and Planning Act. Mr. Tyrrell responded as follows:

- Greenfield – In a Provincial context, greenfields are new development areas. In a County context, they are lands that are most likely currently zoned agricultural, but are designated for future growth, either residential or industrial, to accommodate future growth in the County. There is approximately a seventy year supply of such land around the various settlement areas in the County.
- Provincial Policy Statement – The principal land use planning policy document that the province uses as its Provincial interest in planning. The *Planning Act* requires that municipalities and other planning authorities be consistent and remain in compliance with the policies set forth in the statement.
- Places to Grow – The growth plan for the Greater Golden Horseshoe. Prepared by the Ministry of Energy and Infrastructure, under the authority of the *Places to Grow Act*. The Act requires that municipalities bring their Official Plans into conformity with the Places to Grow plan before June of 2009.
- *Planning Act* – A Provincial statute that provides the framework under which all authorities must conduct their land use planning.

Ms. Haley expressed her concern that frustration exists amongst people who want to protect farmland and promote farming as a viable form of employment.

Ms. Haley questioned how the County and MMM could conduct a reasonable review of the Official Plan, given that there are a number of highly influential (Transportation Master Plan) and / or "unknown" potential future developments (Lake Erie pipeline, new highways, etc.) that need to be taken into account before a complete review of the Official Plan can take place.

Mr. Tyrrell advised that the recommendations contained in the draft Transportation Master Plan provide the basis for the transportation policies contained in Section 4 of the first working draft of the Official Plan. He further advised that the Cambridge to Brantford Transportation Corridor Study has to flow through its own planning study, via a Ministry of Transportation process, independent of the Official Plan. With respect to boundary expansions, Mr. Tyrrell noted that the Official Plan deals with issues of growth management and land use, it does not necessarily deal with issues of jurisdiction. In response to questions, Mr. Tyrrell noted that if there is ever a boundary change between the County of Brant and the City of Brantford, the Official Plan

designations continue to apply to those lands. Mr. Tyrrell asked that attendees be cognizant that MMM does not deal with specific, speculated planning projects.

Ms. Haley referred to documentation citing that land previously designated as heavy industrial was later re-designated and offered to provide Mayor Eddy with a copy of same. In response to questions, the Director advised Ms. Haley that PlanSmith Urban & Rural Planning has been retained by the County to conduct the industrial land study.

Ms. Haley asked for information with respect to the groundwater consultants retained by the County and in response, the Director reported that Golder Associates has been retained by the County.

Denise Theriault – 106 Molson Road

Ms. Theriault reported that a request for an additional meeting to review the Transportation Master Plan was submitted by Cainsville residents and subsequently denied by the County. In response to Ms. Theriault's request for an additional meeting to discuss the Transportation Master Plan, Councillor Coleman noted that anyone wishing to make a submission to Council with respect to the Transportation Master Plan is welcome to attend at Council Chambers. He further noted that until such time as the Transportation Master Plan is adopted by Council, it is a draft document and that suggestions, comments, etc. are welcome.

Bob Robb – 126 Old Onondaga Road

Mr. Robb raised questions with respect to the density and intensification targets that the County intends to apply to the Province for and specifically requested information with respect to what effect those targets would have on available employment lands. Mr. Tyrrell reported that presently, the density and intensification targets that the County intends to apply for are an outstanding / unresolved issue.

Mr. Tyrrell reported that if density is increased, it reduces the amount of Greenfield lands required. He further reported that as intensification increases, that too decreases the amount of Greenfield lands required. Presently, Mr. Tyrrell reported that the assumptions included in the land budget regarding density and intensification are based more on current trends than Provincial targets and accordingly, a substantial over-designation will continue to exist in terms of what is required pursuant to Places to Grow legislation.

The Director advised that because the Province has combined employment density with residential density, the question of density in our communities is a difficult concept to comprehend. The Director noted that the County has been working in conjunction with other Counties, and in particular Wellington County, to measure, contrast and compare densities. The Director further noted that the County is at a density level slightly less than half of the density target suggested by the Province.

Mr. Robb raised questions about whether or not agreement exists between the County of Brant and the City of Brantford with respect to information contained in the Watson and Associates report. Mayor Eddy indicated that to date, there is no agreement between the County of Brant and the City of Brantford.

Mr. Tyrrell noted that the issue at hand is not so much an agreement or disagreement between the County of Brant and the City of Brantford as it is an issue for the Ministry of Energy and Infrastructure to reconcile. In response to Mr. Robb's questions regarding growth targets, Mr. Tyrrell advised that the process of applying to the Provincial government to obtain suggested growth targets forms part of the Official Plan Review process. Mr. Robb asked if the County is being proactive in obtaining the growth targets from the Province and in response, Mr. Tyrrell reported that the Watson and Associates report, as well as the County's growth structure and projections have been forwarded to the City of Brantford and to the Province and to date, there has been no firm reaction received from either.

Mr. Robb expressed concern that PlanSmith Urban & Rural Planning is conducting the employment lands study and that the public has no assurance that PlanSmith Urban & Rural Planning can provide an impartial, unbiased report, given its various business relationships with area developers.

The Director advised that the County's intention is to be as fair handed as possible and to post all information the County website for review and comment. In addition to the County website, the Director noted that the results of the employment lands study will be available in the County libraries and service offices. With respect to the issue date of the employment lands report, the Director advised that there is one piece of information currently on hold, with respect to technical issues surrounding well head protection areas, to be included in the report. The Director advised that the County has raised questions with respect to land designated for development that is located in a well head protection area and that an opinion from a groundwater hydrologist has been solicited by the County.

Phil McGrath

Mr. McGrath raised questions with respect to density targets and noted that it is difficult to get an idea of density if there is no illustration of same provided. The Director advised that density includes more than just single family homes. He noted that the Province is trying to encourage smaller parcels of land designated for industrial use, but that the majority of industry moving into the County and surrounding areas are desirous of purchasing not only enough land to sustain their current operations but enough to service future expansion as well. Mr. McGrath noted that three or four storey industrial facilities are a thing of the past and questioned how industrial density can be increased without using more land. The Director requested that Mr. McGrath contact him at his office to discuss the issue further.

Jay Harrison – 133 Brant School Road

Mr. Harrison requested clarification with respect to the term "Greenfield". Mr. Tyrrell reported that Greenfields are within the urban settlement boundary and that in a Provincial context, they are new development areas. In a County context, they are lands that are most likely currently zoned agricultural, but are designated for future growth, either residential or industrial, to accommodate future growth in the County. Mr. Tyrrell noted that there is approximately seventy years supply of such land around the various settlement areas in the County.

Mr. Harrison questioned what portion of lands designated for employment could potentially be utilized for heavy industrial types of operations. In response, Mr. Tyrrell advised that it is reasonable to conclude that a considerable portion of the lands, if not all of them, could be used for heavy industrial purposes. Mr. Harrison referred to a previous issue in Cainsville, regarding a

potential Ethanol plant, and advised that Cainsville wants assurances that that type of industry won't be permitted in the employment designated lands.

Mr. Harrison expressed concern that the issue of industrial land has been complicated by the single term designation of "employment". He noted that it was far more palatable to have differentiation between the types of industrial lands, such as "Heavy", "Light" or "Special". In response to Mr. Harrison's request for assurances regarding the types of permissible industry, the Director advised that ultimately, it will be County Council who decides the fate of the policy.

The Director further advised that the potential for a caveat that would limit industrial use to the "lighter" types of industrial operation may be something that is worth considering and Council in due course will give that type of consideration. He noted that there is no provision in the *Planning Act* that prohibits people from making applications, no matter how contentious.

Oliver Grow

In response to Mr. Grow's request for information with respect to the intensification study, Mr. Tyrrell reported that the intensification study is embodied in a planning staff report and is appended to the Watson and Associates Study as "Appendix B" and dated August 24, 2007. It was noted that the information is also available on the County website.

Mr. Grow expressed concern that the maps displayed at the meeting show a portion of his lands appearing to have been "down-designated" and although he has received assurances from County staff that this is a simple case of mistaken line-work, he requested information with respect to whom he needed to talk to in order that the error is corrected. The Director requested that Mr. Grow speak with him immediately following the meeting.

The meeting adjourned at 9:20 p.m.

Secretary