

## County Official Plan Project

### Meeting Minutes – December 3, 2020 Technical Advisory Committee Meeting No. 21



Location: Council Chambers, County Court House

Attendees: Jeannette Thompson (SEL), Karen Ellis (CM), Eric Rempel (NK), Martina Chait-Hartwig (DD), Tiffany Ly (TL), Ed Whitmore (AN), Laura Stone (HBM), Bryan Weir (County), Iain Mudd (County), Keziah Holden (County)

Absent: Julie Kapyrka (Curve Lake FN), John Connolly (CM), Christina Coulter (CM), Jamie Hoefling (OSM), Tom Cowie (Hiawatha FN), Kaitlin Hill (Curve Lake FN), Brian Fawcett (DD)

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Meeting started at 9:15am

Since this meeting was hosted in-person during the pandemic, County requested that only one person from each organization attend to keep numbers low and allow for social distancing.

Items and issues discussed at the meeting were as follows:

#### Business Arising from Minutes/New Business

- No change to minutes as distributed

#### Accessibility Advisory Committee (AAC) Recommendations

- TAC reviewed the submission from AAC dated October 8, 2020 and agreed that the recommendations could be included in the new Official Plan as they implement Provincial Policy Statement to provide a range and mix of housing options
- Formal response from the TAC will be sent to the AAC

#### Final Review of Wetland Policies

- One final revision was made to wetland policies after last TAC meeting – the new addition would require an OPA should proponents wish to go beyond the avoidance step of the sequenced mitigation strategy and clarify that any wetland compensation studies are required as part of a complete application
  - TAC was supportive of these additions with a note that the term ‘non-significant wetlands’ should be defined or alternative language be used to avoid confusion where non-evaluated wetlands go through an evaluation process and are complexed with a provincially significant wetland

- DD staff questioned whether putting a lot line through a wetland is considered development. To date, the County has not received anything in writing from the Province to confirm this although it has been implemented this way with provincially significant wetlands since PPS 2005 was released. Closest confirmation of this is on OMAFRA website provided at the September 10<sup>th</sup> TAC meeting. County will continue efforts to get confirmation from Province in this regard.

#### Reports to County Council

- Through County Council agenda review meetings, Councillors advised that providing a full draft of the new OP would be too onerous to review and understand all at once. To address this, County staff will be providing a series of reports to Council that will focus on topic areas in advance of releasing a draft OP
  - Reports will not include any draft policy since they are subject to change pending the outcome of the Land Needs Analysis
  - Reports will outline the key objectives of the current OP's, current Provincial policy environment, considerations the TAC must have in drafting policy and what to expect going forward
  - The first report focuses on Agriculture and Rural areas and will go to Council on December 11, 2020
  - TAC agreed with the approach and made suggestions for minor changes to the draft report

#### NHS Overlay and Natural Core, Natural Linkage Mapping

- Province released their Natural Heritage System (NHS) mapping, which covers the north end of the County in its entirety. Through development of the new Official Plan, it must be refined and implemented.
  - The County is proposing to use the Kawarthas Naturally Connected (KNC) 'preferred scenario' and 'corridors' mapping as the refinement
  - When it was developed, the KNC committees wanted balance between protection of environment, economy and social aspects and generated it using Marxan software
  - Targets were set based on landscape zones – target was 50% in Canadian Shield and Land Between, 70% South of Shield
  - As a result, the NHS Overlay does not line up perfectly with natural heritage features such as wetlands, ANSI's or water features but it is a vetted process, results in a more even distribution of the system across the County and reflects a local community solution
  - The NHS Overlay itself does not restrict development – it is another layer where studies must provide additional information and some features may require study where they otherwise don't outside of the System
- CM staff questioned whether the KNC mapping was peer reviewed or accepted by the Province – at the time it was developed, MNR staff sat on the committees and provided much of the background data

- SEL staff questioned whether the Natural Core and Natural Linkage Area mapping had been provided to the CA's for review – to-date it has not, although they have reviewed the policy that would be implemented by the mapping and CA's were involved in the original KNC mapping project
- County staff advised that the next step is to send the mapping samples to the Province for review to ensure we are on the right track and whether the Province could accept the approaches taken
  - Through the natural heritage designations, key hydrologic features are protected in accordance with the Growth Plan, while the NHS provides another layer of protections for certain features in accordance with Growth Plan
  - Natural heritage features have specific policies as discussed at previous meetings, with criteria that needs to be addressed depending on whether it is located inside or outside of the NHS Overlay (inside the overlay – Growth Plan Policies apply, outside the overlay – PPS policies apply)

#### General Discussion

- DD staff advised that the Township may struggle with the implementation of both the natural heritage mapping and the agricultural systems mapping (limiting growth)
  - Agreed that many areas will feel a 'pinch' with the implementation of the Provincial requirements – it appears that the Province wants to further push new development to settlement areas with these policies
  - TAC acknowledges that efforts have been made to have the County removed from the Growth Plan entirely and to have policies relaxed but those efforts have failed
- County staff advised that the RFP for the Land Needs Assessment (LNA) will be coming forward soon. The RFP will include both the LNA and update to Development Charges.
  - RFP is asking for the LNA to be prepared using the methodology as prescribed by the Province and includes a public consultation piece to be led by the consultant
  - The LNA will look at current land inventory, where development will go, greenfield development, intensification target and excess lands. The consultant that gets selected is to make recommendations as to where growth should be allocated
  - CM's Growth Management Strategy (completed earlier this year) will be provided to the consultant for consideration

#### Next Steps & Action Items

- County staff to make changes to report and draft policies based on review by TAC
- County staff to forward mapping to Province for review

- County staff to provide TAC with Agricultural land base refinement forms and consolidated draft policy document
- County staff to meet with FN staff early in the new year via Zoom to discuss contents of this TAC agenda

Meeting adjourned at 10:48am

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## Meeting Minutes – January 5, 2021

Location: Virtual Meeting using Zoom

Attendees: Julie Kapyrka (Curve Lake FN), Kaitlin Hill (Curve Lake FN), Tom Cowie (Hiawatha FN), Bryan Weir (County), Iain Mudd (County), Keziah Holden (County)

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Due to pandemic restrictions, First Nations staff were unable to attend the in-person meeting held on December 3<sup>rd</sup>. In lieu, a virtual meeting was hosted to review the agenda and supporting materials.

Meeting started at 1:30pm

### General Discussion

- County staff reviewed the background behind the reports to Council and advised that the first report (Focus on Agriculture) had already been to Council. The second report (Focus on Aggregates) would be going to Council next week.
  - FN staff advised that while the PPS does not impose limits on the number of aggregate operations in an area, there have been legal cases where cumulative impacts of aggregate operations have been considered reason enough to prohibit the establishment of further operations
  - County staff agree there may be circumstances where cumulative impact may be prohibitive, but the legislation does not allow language to be added to the OP that would stop an applicant from applying solely based on the number of operations in a particular area – the application still needs to go through the full process, including consultation with First Nations
- County staff also gave an update on the RFP for the Land Needs Assessment and are hopeful to have the study completed in approximately 6 months time

### Accessibility Advisory Committee (AAC) Recommendations

- No concerns noted with the AAC recommendations as circulated

### Final Review of Wetland Policies

- FN staff had concern with and questioned the 15m buffer for wetlands in settlement areas, particularly since settlement areas will see the bulk of development into the future
  - 15m was selected as a best practice and one that is supported by local Conservation Authorities. It was a compromise since the PPS policies that protect wetlands within settlement areas don't prescribe a vegetation protection zone in the same way the Growth Plan does for key hydrologic features outside of settlement areas
  - FN staff highlighted the importance of wetlands to First Nations peoples and suggested adding wording that is designed to educate readers about First Nations connections to the land and their harvesting rights

### NHS Overlay and Natural Core, Natural Linkage Mapping

- FN staff questioned whether there was First Nations involvement in the development of the mapping and County staff confirmed that there was – County staff to provide everyone with the KNC Project Report following the meeting which outlines who was involved and the process by which the mapping was developed
- County staff advised that the Natural Heritage System refinement mapping had been submitted to the province for review, to determine if this approach will be acceptable to move forward with.

### Consultation with First Nations

- FN staff wanted to revisit the draft consultation section and add additional language that reflects more history and better describes the existing relationships – an opportunity for education
- FN staff to provide wording examples

Meeting adjourned: 2:28pm