JLR No.: 31361
Revision: 4

July 5, 2022

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Draft Background Report

Georgian Bluffs Official Plan Review

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1.0 Introduction

1.1 Background

The Township of Georgian Bluffs (the Township) is a lower-tier municipality located in the north-west corner of Grey County (the County) on Georgian Bay. The Township has many natural heritage features and a large portion of its land area is located within the Niagara Escarpment. The Township also has a strong agricultural community contributing to the local economy and defining the rural character of the Township.

According to the 2021 Census, the Township is home to approximately 11,100 people. The Township is experiencing noticeable growth and increase in development activity. It also has a strong seasonal population base that creates substantial fluctuations in the summer months due to its significant natural and cultural heritage.

The Township of Georgian Bluffs, much like other municipalities in southern Ontario, is witnessing considerable change. Cyclical population changes, an aging population, climate change, economic restructuring, affordable and attainable housing, short-term rental accommodation, heritage preservation, increasing pressure on agricultural land, source water protection, and servicing requirements present opportunities and challenges for the Township. The Township of Georgian Bluffs Official Plan (Township Official Plan) is a key tool that the community uses and can continue to use to navigate these changes.

The Township Official Plan was adopted on August 8, 2012, approved by the County of Grey on August 15, 2013, and approved by the Ontario Municipal Board on February 24, 2014.

The Township Official Plan establishes a vision and guiding principles for the community and comprehensive set of policies based on the following themes:

- Natural Heritage
- Economy
- Housing and Population
- Tourism and Recreation
- Cultural Heritage
- Transportation
- Services
- Settlement Areas
- Lands Outside of Settlement Areas
- Development Review
- Implementation

The Township Official Plan can be found **here**.

1.2 Official Plan Review

An Official Plan is a comprehensive policy document that describes policies on how land in a community should be used. An Official Plan, required under the *Planning Act* (the Act),

establishes a vision for the future of a municipality and provides policy direction to manage future land use patterns and growth. It deals with:

- where housing, industry, offices and shops will be located;
- which services like roads, watermains, sewers, parks and schools will be required to service growth;
- when, and in what order, parts of the community will grow; and
- community improvement initiatives.

The purpose of an Official Plan is articulated in Section 16 of the *Planning Act*. This section states that an Official Plan shall contain goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality; such policies and measures that are practical to ensure the adequate provision of affordable housing; and a description of the measures and procedures for informing and obtaining the views of the public when land use planning applications are advanced in the community.

Given the long-term nature of an Official Plan, consistent change in the external environment and continuous improvement to legislation, policy, plans and regulations, it is a standard municipal practice to periodically review an Official Plan to ensure that it reflects the best available information, continues to reflect the vision and goals of the community, and balances that vision and goals with matters of provincial interest in local land use planning.

This practice is enshrined in Section 26 of the Act which requires that municipalities to revise its Official Plan no less frequently than 10 years after it comes into effect as a new Official Plan and every 5 years thereafter, unless replaced by a new Official Plan. The purpose of such a review is to ensure that the Official Plan has regard to matters of provincial interest listed under Section 2 of the Act; is consistent with policy statements issued under Section 3 of the Act; and that it conforms or does not conflict with provincial plans. The review also represents an important opportunity to ensure the Official Plan continues to represent Council's vision and goals for the community. Achieving a balance between local and provincial perspectives is paramount.

The Township has initiated a review of its Official Plan, pursuant to Section 26 of the Act, with the goal of revising its Official Plan for the community (Official Plan Review). Since the Official Plan came into effect, considerable change has occurred. At the provincial level, this includes changes to the *Planning Act*, the Provincial Policy Statement 2020 (PPS), and the Niagara Escarpment Plan (2017). At the municipal level, a new County of Grey Official Plan and a new Saugeen Valley, Grey Sauble, Northern Bruce Peninsula Source Protection Plan have come into effect.

In accordance with the legislation described above, the Official Plan Review will ensure that the Township Official Plan continues to have regard to matters of provincial interest articulated in the Act, is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Niagara Escarpment Plan, conforms to the County Official Plan, and reflects local goals and priorities.

The scope of this review includes:

- incorporating previous amendments of the Township Official Plan;
- having regard to matters of provincial interest as listed in Section 2 of the *Planning Act*;
- ensuring consistency with the Provincial Policy Statement 2020;
- ensuring conformity with the applicable Provincial Plans and the County of Grey Official Plan; and
- in the context of the above changes, provide new or updated policy for matters such as:
    - climate change
    - housing (affordable and attainable housing, additional residential units, and short-term rentals)
    - services (water, wastewater, stormwater, and source water protection)
    - development charges
    - parkland dedication
    - cannabis, and
    - indigenous peoples.

The work program for the Official Plan Review encompasses four phases:

	TASKS
PHASE 1: BACKGROUND REVIEW/STUDY	Task 1: Start-up Meeting Task 2: Collecting and Reviewing Background Information Task 3: Seeking Input from Stakeholders Task 4: Technical Review of the Current Official Plan Task 5: Phase 1 Background Report
PHASE 2: CONSULTATION AND ANALYSIS	Task 6: Presenting Phase 1 Background Report Task 7: Phase 2 Directions Report
PHASE 3: DRAFTING OF THE OFFICIAL PLAN	Task 8: Prepare Draft Official Plan Task 9: Circulation and Review Task 10: Statutory Open House
PHASE 4: FINALIZING OF THE OFFICIAL PLAN	Task 11: Prepare Final Draft Official Plan Task 12: Statutory Public Meeting Task 13: Approval by County

At the time of writing this report, Phase 1: Background Review/Study is underway. This phase comprises of various tasks including seeking stakeholder input, conducting a technical review of the current Official Plan, and preparing a background report.

1.3 Purpose of the Report

This Background Report is the first of several that will be prepared as part of the Official Plan Review. This report summarizes key information from several different sources, describes the existing provincial policy framework for the above referenced themes as well as the current Official Plan policies. This report is intended to serve as a basis for recommended policy directions and changes.

The balance of this report is structured as follows:

Section 2	Contextualizes the planning policy framework for the Township
Section 3	Provides an overview of the previous amendments to the Official Plan that will be consolidated as part of this review
Section 4	Summarizes input received as part of the consultation to date
Section 5 - 8	Provides a summary of the key theme areas
Section 9	Provides an overview of next steps for the Official Plan Review

This report will remain in draft form through the completion of Phase 1 of this Official Plan Review and will be updated as consultation and engagement proceeds. It will be finalized in support of final Official Plan amendments presented to Council for adoption and will serve as a comprehensive rationale in support of amendments proposed through the process.

2.0 Planning Policy Context

The planning policy framework for the Township of Georgian Bluffs is informed by the following and other relevant laws, plans, policies, regulations and guidelines.

2.1 Planning Act

The *Planning Act* provides the statutory authority for land use planning in Ontario and provides the basis for municipalities to prepare their Official Plans.

Decision makers must "have regard to" matters of provincial interest as listed in Section 2 of the *Planning Act* and land use planning decision making must be consistent with the provincial policy statements and must conform to / not conflict with provincial plans.

Several updates to the *Planning Act* have been made since the Township Official Plan came into effect in 2014:

- Smart Growth for our Communities Act, 2015 (Bill 73)
- Promoting Affordable Housing Act, 2016 (Bill 7)
- Aggregate Resources and Mining Modernization Act, 2017 (Bill 39)
- Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139)
- More Homes, More Choice Act, 2019 (Bill 108)
- Covid-19 Economic Recovery Act, 2020 (Bill 197)
- Supporting Recovery and Competitiveness Act, 2021 (Bill 276)
- More Homes for Everyone Act, 2022 (Bill 109)

The key updates, among other matters, include:

- replacement of height and density bonusing with community benefit charges (Section 37);
- modified parkland dedication requirements;
- shortened timelines for the processing of certain development applications; and
- changed types of matters and reasons for appeals, including transformation of the Ontario Municipal Board to the now Ontario Land Tribunal.

2.2 Provincial Policy Statement

The Provincial Policy Statement 2020 (PPS) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. It is a consolidated statement of the Province's policies on land use planning that guides decision making in municipalities. It promotes appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment, while integrating the principles of strong communities, a clean and healthy environment and economic growth for the long term.

The PPS is issued under Section 3 of the *Planning Act* and all decisions on land use planning matters, according to the *Planning Act*, "shall be consistent" with the PPS.

The changes made to the PPS were intended to:

- encourage the development of an increased mix and supply of housing;
- protect the environment and public safety;
- reduce barriers and costs for development;
- provide greater predictability;
- support rural, northern and Indigenous communities; and,
- support the economy and job creation.

2.3 Niagara Escarpment Plan

In 1990,, the United Nations Educational, Scientific and Cultural Organization (UNESCO) designated the Niagara Escarpment as a World 'Biosphere Reserve', a designation given to 'learning places' for sustainable development. The Niagara Escarpment Plan (NEP) was approved in 1985 and revised in 1994, 2005 and most recently in 2017. The NEP derives authority from the *Niagara Escarpment Planning and Development Act* and seeks to provide clean air and drinking water, protect unique natural heritage systems, and promote recreational activities that benefit public health and overall quality of life, as well as addressing and mitigating the impacts of climate change by ensuring that permitted development only occurs on the Niagara Escarpment that is compatible with the natural environment.

The NEP contains policies that address different land use designations and development criteria for lands within the Niagara Escarpment. The NEP upholds the biosphere reserve principles by balancing protection, conservation, and sustainable development to ensure that the Escarpment remains substantially in its natural form for future generations.

The NEP 2017 came into effect on June 1, 2017. Changes made to the NEP included:

- expanding the area of the Niagara Escarpment;
- changing land use designations;
- altering recreation areas; and,
- making changes to forest management policies.

The NEP 2017 contains policies that address designations, land uses and development criteria.

Within the Township of Georgian Bluffs, there are several different land use designations as provided by the NEP. These designations include Escarpment Natural Area, Escarpment

Protection Area, Escarpment Rural Area, Mineral Resource Extraction Area, Urban Area, Minor Urban Centre and Niagara Escarpment Parks and Open Space System.

2.4 Source Protection Plan

The *Clean Water Act* was created to ensure the quality and quantity of municipal drinking water supplies are protected from contamination and other adverse effects due to incompatible land uses and activities. All municipal decisions, including those made under the *Planning Act*, are required to conform to the significant drinking water threat policies found in the applicable Source Protection Plan.

A Source Protection Plan outlines the steps that municipalities, the province, landowners, industries, farmers and others need to take to keep water clean before it enters our streams, rivers and groundwater systems. It identifies the threats to water quality and water quantity/supply, identifies vulnerable areas and then proposes steps to reduce the risks to our water. Some of these policies are intended to be implemented through planning tools and require updates to the Official Plan to support implementation.

The Township of Georgian Bluffs is governed by the Saugeen Valley, Grey Sauble, Northern Bruce Peninsula Source Protection Plan which came into effect on July 1, 2016. The development and approval of the plan fulfills requirements under the provincial *Clean Water Act*.

2.5 County of Grey Official Plan

The County of Grey Official Plan (County Official Plan) was adopted by Grey County Council on October 25, 2018, approved by the Province on June 6, 2019, and came into effect on June 7, 2019. The County had five focus areas for update in their review: need to grow; healthy communities and quality of life; farming and agriculture; environment and natural heritage; and, transportation.

The County, in the County Official Plan, has allocated growth to the Township and forecasted a population of 12,080 and employment of 3,720 in the Township by 2038. These allocations have been updated through a recent update to County's Growth Management Strategy in purview of changes made to the land use planning horizon from 20 to 25 years in PPS 2020. According to the County's Growth Management Strategy, the township is forecasted to have a permanent population of 12,780 and employment of 4,310 by 2046.

The County has initiated an amendment to the County Official Plan to update the residential and employment growth forecasts, and other housekeeping matters. Mapping and text changes are proposed to the County Official Plan through the Official Plan Amendment (OPA) #11. These changes will be addressed in the next phase of the Official Plan Review, after the Township's Comprehensive Water and Wastewater Master Servicing Study is complete.

2.6 Township of Georgian Bluffs Official Plan

The Township Official Plan was adopted on August 8, 2012, approved by the County of Grey on August 15, 2013, and approved by the Ontario Municipal Board on February 24, 2014.

The Official Plan has a vision which states:

2.2 MUNICIPAL VISION

The vision is a statement designed to provide direction for the *goals*, values and actions adopted in future initiatives within the Township until 2026.

The vision for the Township of Georgian Bluffs:

> ***"Georgian Bluffs is a community of communities, which will preserve its agricultural and rural residential lifestyles, natural landscapes, heritage and enhance business opportunities through fiscal responsibility and proactive planning.***
>
> ***Our mission is to balance growth and our existing assets and lifestyles through responsible management and proactive planning"***

The Township Official Plan contains general policies for the Township regarding natural heritage, economy, housing and population, tourism and recreation, cultural heritage, transportation, and services. It also contains specific policies that apply to the identified settlement areas and those that apply to lands outside of the settlement areas including the Sunset Strip development area, area south of Wiarton, Wiarton Keppel International Airport, inland lake and shoreline areas, and White Cloud and Griffith Islands. All lands for which policy is not provided for within the Township Official Plan are subject to the provisions of the Niagara Escarpment Plan or the County Official Plan.

Further, the Township Official Plan sets out evaluation criteria for development or redevelopment applications in areas covered by the Official Plan and describes a number of tools that the Township can use to administer and implement the goals, objectives and policies of the Township Official Plan.

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3.0 Official Plan Amendments to be Consolidated

Official Plan amendments that have been approved since the Official Plan came into effect will be consolidated through this Official Plan Review. In total, there have been nine (9) amendments, all site-specific, to date. The following list includes information on location and purpose and effect of each of the Official Plan Amendment (OPA) pending consolidation.

	Location	Purpose and Effect
OPA 1	Portion of Part Lots 16 & 17, Concession 5 (geographic Township of Derby) in the Township of Georgian Bluffs	Re-designate a portion of the Subject Lands from the 'Space Extensive Commercial and Industrial' designation to 'Residential' and 'Environmental Hazard' designations to permit the creation of a residential lot as a result of the limitations regarding entrances off of Highway 21
OPA 2	Portion of Lot 6, Plan 398, being part of lot 26, Concession A (geographic Township of Keppel) in the Township of Georgian Bluffs	Change the designation on the subject lands from the 'Residential' designation to 'Residential with exceptions' to allow for a masonry business to store equipment and minimal supplies and leftover product
OPA 3	Part Lot 3 Plan 398, in the former Township of Keppel	Change the designation on the subject lands from the 'Residential' designation to 'Residential with exceptions' to recognize the existing use on the property and to allow for other specific industrial uses.
OPA 4	Plan 535, Part of Lot 11, geographic Township of Derby, in the Township of Georgian Bluffs	Amend the permitted uses in the Sunset Strip Development Area as it applies to the subject lands, to permit additional commercial and retail uses on the property
OPA 5	Plan 535, Lots 72 & 73, RP16 R1488, Parts 1 & 2, Geographic Township of Derby, Township of Georgian Bluffs	Amend the permitted uses in Sunset Strip Development Area as it applies to the subject

		lands, to permit additional commercial retail uses on the property, and to allow a second commercial unit on-site
OPA 6	Lot 1 and Lot 3, Plan 857, Part Lot 22 and Part Lot 23, Concession 2 SCD, Geographic Township of Keppel	Change the designation in the Shallow Lake Area as it applies to the subject lands from the 'Future Development' designation to the 'Village Centre with Exceptions' designation to permit a fitness facility use on the property as well as some future use considerations
OPA 7	Concession 3, PT Lot 27, Part 1 Plan 16R-11376; Part 1 Plan 16R-11378 and Concession 3, S PT Lot 27, geographic Township of Sarawak in the Township of Georgian Bluffs	Change the land use designation as it applies to the subject lands from Future Development to Residential, to permit the creation of a 28 lot, fully serviced Plan of Subdivision
OPA 8	Part of Lot 9, Concession 7, Plan 117, Part of Lots 71, 75 and 78, and lots 72, 73, 74, 85, 86 & 87 and unnamed street, Part 1, Plan 16R-10979, geographic Township of Derby, in the Township of Georgian Bluffs	Change the land use designation as it applies to the subject lands from Future Development to Residential, to permit the creation of a 33-lot plan of subdivision on private services
OPA 9	Part Lot 17, Concession 5, geographic Township of Derby in the Township of Georgian Bluffs	Change the land use designation as it applies to the subject lands from Future Development to Residential, to permit the creation of 2 privately serviced lots

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4.0 Summary of Consultation

This section summarizes the consultation process for the Official Plan Review. The following consultation has been carried out till date:

Special Council Meeting	September 15, 2021
Pre-consultation meeting with Grey County	December 15, 2021
Focus Group Session on Climate Change	December 16, 2021
Focus Group Session on Housing	December 16, 2021

In addition, the traditional lines of communication (phone and email) have also been available to the public.

Special Meeting of Council

A special meeting of Council was held virtually on September 15, 2021 pursuant to Section 26 (3) of the *Planning Act*. The purpose of the special meeting of Council was to discuss revisions that may be required to the Official Plan and to provide an initial opportunity for the public to provide input regarding matters that should be considered through the review process.

A presentation was made outlining what planning is and its importance to communities, Ontario's planning framework, the Township's existing Official Plan, scope of the review, schedule for the review, and how residents and stakeholders can participate in the Official Plan review.

Comments from members of the Council regarding the Official Plan Review related to:

- Affordable and attainable housing
- Short-term rentals
- Climate change
- Keeping natural assets in mind - trails/natural settings
- Parkland dedication
- Proactive planning
- Communication with and involvement of Indigenous Communities
- Diversity, equity, and inclusion

Two members of the public were registered at the meeting but did not have questions or comments at the time.

A recording of this meeting is available **here**.

Pre-consultation meeting with Grey County

A pre-consultation meeting with Grey County was held virtually on December 15, 2021. Manager of Planning Services at County of Grey, Senior Planner at Township of Georgian Bluffs, and the Township's Consultants for the Official Plan Review (J.L. Richards & Associates Ltd.) were in attendance.

Following aspects were discussed in purview of the changes to County Official Plan since the current Township Official Plan came into effect:

- Revised growth projections for the Township and related land supply aspect
- Challenges with second units (additional residential units)
- Conservation along shorelines
- Affordable and attainable housing
- Short-term accommodation
- Climate change including the status of County Climate Change Action Plan
- Parkland dedication including the quality of parkland
- Servicing capacity
- Source protection plan
- Development charges in context of the new upcoming Development Charge By-law
- Cannabis production and Council's position on this land use
- Indigenous peoples

Planning initiatives by the County such as the Growth Management Study, the County Climate Change Action Plan, and the Age Friendly Master Plan were also discussed.

Focus group sessions

Focus group sessions on Climate Change and Housing were organized and virtually held on December 16, 2021. A list of participants is provided in Appendix A.

1. Climate Change

This session was attended by nine (9) participants, apart from the Township's Consultants for the Official Plan Review, representing varied interests and experience in respect to climate change adaptation and mitigation initiatives in the community.

Following is a summary of the discussion during the session:

- There is lack of knowledge, denial and misinformation in terms of climate change generally
- Establishing a vision for climate change is important
- Township has a stewardship responsibility in relation to land and water resources
- Incorporate current knowledge about climate change in the Official Plan
- Need to expand natural heritage section in the Official Plan
- Natural assets (trees) are very important for carbon sequestration
- There is gap in policy with respect to trees and other natural climate solutions or green infrastructure

- Need to be mindful of trees being cut down and efforts should be towards planting trees
- Conservation Authority has cancelled tree plantation efforts but does help County for forestry
- Important to understand natural systems like aquifers
- County OP includes source water protection mapping
- There has been drop in aquifer levels
- There is constant concern with fluctuating water levels
- There is concern regarding shorelines along the big water of Georgian Bay
- Protection of homes around shorelines is important considering erosion, etc.
- There is some policy in place around shoreline road allowances but not adequate staff to implement or enforce
- Few instances of serious inland flooding in the municipality
- Land cannot absorb due to frequent and continuous freeze-thaw cycle which causes ground saturation issues
- Important to understand the role of wetlands
- Majority of trips in Grey County are happening in private vehicles and everybody drives a car in rural areas
- There are constraints related to road infrastructure
- There haven't been many efforts to promote active transportation – active transportation facilities are needed
- Should consider the concept of complete communities
- County has a transportation system providing broader regional trips but does not provide last mile connection
- Look at public transit on demand
- Electric vehicles have not been known to be compatible with rural living and considered to not work well on gravel roads
- Need for EV charging facilities
- New builds should have EV charging
- Although transportation is a big emitter, homes and buildings are big emitters also
- Servicing is a big issue since mostly un-serviced or partially serviced communities
- Explore possibility of sharing one small well and septic between houses

2. Housing

This session was attended by eight (8) participants, apart from the Township's Consultants for the Official Plan Review, representing varied interests and experience in respect to housing issues and challenges in the community.

Following is a summary of the discussion during the session:

- Increase in housing prices is expected to continue
- Land supply, especially serviced or serviceable land, is a major constraint
- Labour issues for housing construction industry
- Majority of existing housing is detached
- Lack of townhouses and stacked townhouses
- Not enough rental housing available

- Buyers from larger urban centres are seeking single detached homes in smaller municipalities due to lack of supply or affordability of single detached homes in larger markets
- Demand for single detached houses will continue, given Georgian Bluffs' proximity to the Greater Toronto Area
- Some demand for semi-detached and triplex
- Demand increasing for smaller home sizes with finished basement or loft for secondary units
- Lot of interest in additional residential units – particularly in relation to children not able to find affordable or attainable housing
- Demand fuelled by residents wanting to age in place plus influx of people returning to the area to find housing and start their families
- Need to provide a lot of choice in terms of housing for residents
- Up-zoning or increase in density would be beneficial, but needs to consider servicing capacity and parking issues
- Additional residential units are generally favoured but need to address additional parking on streets and servicing capacity
- Planning implementation process is unnecessarily delayed due to multiple, overlapping public sector mandates, lack of public sector resources and coordination/communication issues
- Sometimes, the elements of the approval process are duplicated/redundant with multiple public sector bodies reviewing and commenting on the same matter
- The development approval process can sometimes feel adversarial. There needs to be a culture of collaboration with a point person taking accountability for the file
- There is a need to expedite approval processes and for municipalities to update service standards that have clear deadlines for comment, decision, etc.

<u>Emails and Phone Calls</u>

Two emails have been received till date for the Official Plan Review project. These have been included in Appendix B and further summarized in the table below.

		Consultant's Review / Comments
1.	ATV's and off-road motorized vehicles should not be permitted on rail trails or County roads that run through protected lands.	The purpose of the Official Plan Review is to update the Official Plan and to bring it into conformity with Provincial and County legislation. The Township's Official Plan focusses on policies for settlement areas in the Township with the exception of the airport and the Sunset Strip. The Township Official Plan defers to the Niagara Escarpment Plan (NEP) 2017 for development within the Niagara Escarpment Areas. Off-road vehicle use is not permitted within the Township's settlement areas per By-law 2020-128 Section

		2.3 c) unless part of a designated trail route.
2.	Installation of a satellite disposal facility somewhere in the middle of the Township	Location and installation of waste management facilities require servicing studies to establish demand for current and future populations. Township is currently undertaking a Comprehensive Water and Wastewater Master Servicing Study which is anticipated to be complete by end of 2022. The need for a satellite disposal facility can be looked into through this study.
3.	Increased traffic on Coles Sideroad	The Official Plan includes policies intended to provide for the safe and efficient movement of goods and people throughout the community. Coles Sideroad is identified as a Local Road on Schedule B of the Official Plan. Policy 2.9.3.4 of the Official Plan discourages major through traffic on Local Roads. There may be opportunities to include new policies promoting safe transportation networks and encouraging traffic calming where appropriate as part of the Official Plan Review.
4.	Recommend policies to require short-term rentals to register with the County to obtain a license; requiring hosts to be present; requiring that they be used for a minimum of 3 consecutive nights and to encourage families to stay instead of weekend partiers.	The Draft Official Plan will propose policies that establish a framework for the regulation of short-term rental accommodations. See also Section 6 of this report.
5.	Expresses concerns about negative impacts of short-term rentals on neighbours. Requests regulations on short-term rentals, and a survey of other municipalities and best-practices from other municipalities.	

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5.0 Changing Climate

5.1 Background

Climate change is a term that is often used to describe a long-term shift in weather conditions identified by changes in temperature, precipitation, winds, and other indicators. It is caused by natural phenomena and human activities that alter the composition of the atmosphere through the build-up of greenhouse gases to surround the planet, trapping heat and resulting in global warming. At a local to global level, our understanding of changing climate continues to expand and evolve. Impacts of climate change have become more prevalent globally.

The Sixth Assessment Report of the Intergovernmental Panel on Climate Change has estimated human activities to have caused 1.07° C of increase in global surface temperatures from 1850-1900 to 2010-2019. The report also estimates that global warming of 1.5° C and 2° C will be exceeded during the 21st century unless deep reductions in greenhouse gas emissions occur in the coming decades. Continued global warming is likely to further intensify changes in the climate system including increases in the frequency and intensity of hot extremes, marine heatwaves, heavy precipitation, and agricultural and ecological droughts.

In 2019, the Government of Canada released Canada's Changing Climate Report, part of a national assessment of how and why Canada's climate is changing, the impacts of those changes and how the country is adapting to reduce associated risks. This report concludes, in part, that:

- Both past and future warming in Canada is, on average, about double the magnitude of global warming.
- The effects of widespread warming are evident in many parts of Canada and are projected to intensify in the future. This includes more extreme heat, less extreme cold, longer growing seasons, shorter snow and ice cover decisions and early spring peak streamflow.
- Precipitation is projected to increase for most of Canada, on average, although summer rainfall may decrease in some areas. Precipitation has increased in many parts of Canada, and there has been a shift toward less snowfall and more rainfall. Annual and winter precipitation is projected to increase everywhere in Canada over the 21st Century.
- The seasonal availability of freshwater is changing, with an increased risk of water supply shortages in summer. Warmer winters and earlier snowmelt will combine to produce higher winter stream flows. Warmer summers will increase evaporation of surface water and contribute to reduced summer water availability in the future despite more precipitation in some places.
- A warmer climate will intensify some weather extremes in the future. Extreme hot temperatures will become more frequent and more intense. This will increase the severity of heatwaves and contribute to the increased drought and wildfire risk. More intense rainfalls will increase urban flood risk.
- The rate and magnitude of climate change under high versus low emission scenarios project two very different futures for Canada. Projections based on the range of emission scenarios are needed to inform impact assessment, climate risk management and policy development.

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According to the Canadian Centre for Climate Services, Georgian Bluff's annual mean temperature and total precipitation are projected to change over the next 40 years. The projected changes are included in Table 1 and Table 2 below.

Table 1. Projected Change in Annual Mean Temperature

Projection Period	Low Emission Scenario	Moderate Emission Scenario	High Emission Scenario
2021 – 2040	+ 1.4^{0}C	+ 1.4^{0}C	+ 1.5^{0}C
2041 – 2060	+ 1.7^{0}C	+ 2.3%	+ 2.9^{0}C

Table 2. Projected Change in Total Precipitation

Projection Period	Low Emission Scenario	Moderate Emission Scenario	High Emission Scenario
2021 – 2040	+ 1.5%	+ 2.8%	+ 4.2%
2041 – 2060	+ 3.7%	+ 4.3%	+ 7.7%

Note: The projected change is relative to the 1986-2005 average

Based on the projected change in annual mean temperature and total precipitation, Georgian Bluffs can expect to experience many of the effects noted by the Federal Government in their assessment of the nation.

Given the change that Georgian Bluffs is expected to experience, it should continue to mitigate and adapt to climate change.

Mitigation refers to measures that aim to address the root causes of climate change by reducing greenhouse gas emissions. It is well established that the transportation and building sectors are key contributors to greenhouse gas emissions. Land use planning can support mitigation efforts through promoting a mix of land uses and increased densities to bring more jobs and homes closer together, making it more feasible for residents to use non-automobile modes of travel for work or leisure. Land use planning can also ensure new development maximizes opportunities for passive solar gain, reducing energy use associated with heating and cooling of buildings.

Adaptation, on the other hand, refers to actions that seeks to reduce vulnerability from the local climate change impacts. Not meant to replace or undermine mitigation efforts, adaptation is a proactive way to protect from expected impacts and avoid high costs of remediating damages. Land use planning is one of the most effective processes to facilitate adaptation to climate change. Historically, local governments have used land use planning tools such as official plans, zoning, development permits and others to minimize risks to communities from floods, wildfires, landslides and other natural hazards. The various planning tools can be used to limit development in hazard-prone areas, ensure that the built environment can withstand a range of environmental stresses, and help to preserve natural environments that protect communities against hazards. Land use planning can also be used to ensure that new developments maximize landscaping, reduce paving and include trees to reduce impervious surfaces, promote water infiltration and "cool" urban areas.

5.2 The Land Use Planning Framework

5.2.1 Planning Act

The *Planning Act* requires that municipalities have regard to the mitigation of greenhouse gas emissions and adaptation to a changing climate when carrying out their responsibilities under the Act.

Further Section 16 (14) of the Act states:

> *"An official plan shall contain policies that identify goals, objectives and actions to mitigate greenhouse gas emissions and to provide for adaptation to a changing climate, including through increasing resiliency."*

5.2.2 Provincial Policy Statement

The PPS recognizes that efficient development patterns permit better adaptation and response to the impacts of a changing climate, that strong, liveable and healthy communities are resilient to climate change and that it is important to protect the overall health and safety of the population, including preparing for the impacts of a changing climate.

The PPS defines 'impacts of a changing climate' as:

> *"the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability."*

Policy 1.1.1 i) mentions that healthy, liveable and safe communities are sustained by preparing for the regional and local impacts of a changing climate.

Policy 1.1.3.2 c) and d) require land use patterns within settlement areas to be based on densities and a mix of land uses which minimize negative impacts to air quality and climate change, and promote energy efficiency and prepare for the impacts of a changing climate.

Policy 1.6.1 states, "infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs."

Policy 1.6.6.1 requires planning for sewage and water services to ensure that these systems are provided in a manner that prepares for the impacts of a changing climate.

Policy 1.6.6.7 c) states that planning for stormwater management shall minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure.

Policy 1.7.1 k) provides that long term economic prosperity should be supported by minimizing negative impacts from a changing climate and considering the ecological benefits of nature.

Section 1.8 speaks to energy conservation, air quality and climate change. Policy 1.8.1 states:

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> *"Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparing for the impacts of a changing climate through land use and development patterns which:*
>
> *a) promote compact form and structure of nodes and corridors;*
> *b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
> *c) focus major employment, commercial and other travel intensive land uses on sites which are well serviced by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;*
> *d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;*
> *e) encourage transit supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
> *f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
> *g) maximize vegetation within settlement areas, where feasible."*

Policy 2.2.1 c) requires planning authorities to protect, improve or restore the quality and quantity of water by evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level.

Section 3 of the PPS speaks to protecting public health and safety. Policy 3.1.3 states:

> *"Planning authorities shall prepare for the impacts of a changing climate that may increase the risk associated with natural hazards."*

5.2.3 Niagara Escarpment Plan

Section 1.3 of the NEP provides direction for those lands designated Escarpment Natural Area. The areas within this designation are the most sensitive natural and scenic resources of the Escarpment. The policies of the NEP aim to recognize, protect, and where possible enhance the natural heritage and hydrological systems, such as valleylands, wetlands, and other significant environmental features that provide resilience to climate change.

Section 1.4 of the NEP provides direction for lands designated Escarpment Protection Area. This designation includes the more visually prominent escarpment related landforms and natural heritage and hydrologic features that have been significantly modified by land use activities such as agriculture or residential development, as well as lands needed to buffer Escarpment Natural Areas and natural areas of regional significance. The policies aim to protect and enhance the natural and hydrologic features as they are important for their visual prominence and their environmental significance, including resilience to climate change through the provision of essential ecosystem services.

Minor Urban Centers are addressed in Section 1.6 of the NEP. Balmy Beach, Oxenden, and Springmount are recognized as Minor Urban Centers within the Escarpment. In relation to development within Minor Urban Centres, Section 1.6.8 states:

> *"5. Development within Minor Urban Centres should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goals of low carbon communities, net-zero communities and increased resilience to climate change, through maximizing opportunities for the use of green infrastructure and appropriate low impact development.*
>
> *9. Growth and development in Minor Urban Centres shall be compatible with and provide for:*
>
> > *e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;"*

Section 1.7 of the NEP addresses Urban Areas. The Sunset Strip and Creamery Hill are designated as Urban Area in the NEP. Section 1.7.5 states in relation to development within Urban Areas:

> *"2. Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goal of low carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of green infrastructure and appropriate low impact development.*
>
> *9. Growth and development in Urban Areas shall be compatible with and provide for:*
>
> > *e. considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;"*

Part 3 of the NEP includes policies for the Niagara Escarpment Parks and Open Space System (the NEPOSS). The NEPOSS is a system of parks and open spaces which are connected by the Bruce Trail. It provides opportunities for recreation, tourism, and play a fundamental role in the protection of cultural heritage resources and the Escarpment's natural heritage. Natural areas in the NEPOSS also help to mitigate and improve resilience to climate change by providing green infrastructure, capturing and storing carbon, recharging aquifers and protecting biodiversity and sensitive areas across the Escarpment

As part of the Niagara Escarpment World Biosphere Reserve, the NEPOSS strives to balance protection, conservation and where appropriate, sustainable recreation to ensure that the Escarpment will be protected and enhanced as a substantially continuous natural environment for future generations.

5.2.4 County Official Plan

The County Official Plan lays emphasis on the impacts of changing climate. Section 7.13 of the County Official Plan recognizes the importance of taking action to adapt to and mitigate the effects

of a changing climate, including making greater efforts to protect and to enhance resiliency of the natural, built, and social environments. It further notes that efforts to adapt can help the County remain affordable and economically competitive with the emerging green economy providing significant opportunities. Following principles and policies are listed under Section 7.13 of the County Official Plan to assist with mitigating and adapting to the impact of climate change:

- *Parks and open spaces provide opportunities to increase tree canopy and woodland cover across the County.*
- *The proper construction, maintenance, and upgrading of infrastructure is essential in maintaining its capacity to function currently and under the effects of climate change.*
- *Green technologies and construction methods will be used whenever possible and feasible for new construction and the replacement of civic infrastructure.*
- *Monitoring the impacts of climate change on our systems, for example the natural heritage system, will allow us to adjust management activities, to best maintain their integrity and resiliency.*
- *Under climate change, the risks associated with natural hazards may change and this should be considered as we plan for the future.*
- *Active transportation provides an opportunity for communities to reduce their carbon footprint.*
- *Mixed use development and housing intensification allows for more efficient use of existing and planned infrastructure and should be encouraged.*
- *Encourage reduction of building demolition waste through the adaptive reuse of older and existing building stock.*
- *Promote retrofits for energy efficiency in built heritage structures while maintaining their cultural integrity.*

Section 7.13 further notes that the County will work towards creating a Climate Change Action Plan that will coordinate the County's efforts to embrace and facilitate resilient, sustainable development to mitigate the effects of climate change within our communities.

A Climate Change Action Plan has been prepared by the County with support and expertise provided by ICLEI Canada. The Climate Change Action Plan identifies actions to reduce greenhouse gas emissions and improve energy efficiency while delivering community benefits. It establishes long-term greenhouse gas reduction targets for corporate operations and the community, and also identifies strategies to advance towards these goals. In terms of land use planning, the strategies reinforce and expand existing policies with a specific focus on the emissions reduction potential of continued compact and mixed-use development as well as increased carbon sequestration from expanded tree canopies and natural areas.

5.3 Current Policy – Township Official Plan

The Township Official Plan does not currently include specific policies that address climate change mitigation and adaptation. However, many policies in the Township Official Plan regarding natural heritage, housing, transportation and services support climate change mitigation and adaptation.

The Natural Heritage policies of the Township Official Plan intend to protect the Township's natural environment features for its ecological functions while providing for appropriate growth and development. Diversity and connectivity of natural features and their long-term ecological

functions are encouraged to be maintained, restored, and improved where possible. The existing tree cover within lands designated Open Space is also generally required to be retained, with native species used to augment open space areas.

Growth is directed to the various settlement areas in the Township with support for intensification and infill which is consistent with the character of the area, level of services, and environmental considerations. Compact form and a mix of densities that allow for greater efficiency regarding mobility, servicing and land consumption is supported. New residential development in proximity to sensitive natural features is required to maintain the environmental quality of these features.

In relation to transportation, the Township Official Plan encourages a pedestrian movement system and promotes innovative infrastructure design that supports active transportation.

The Township also aims for continued provision of adequate servicing without negative impacts on existing water resources. The Township's water resources including aquifers, headwaters, rivers, streams, ponds, wetlands, Georgian Bay, inland lakes and man-made water features including stormwater management works are part of the hydrological cycle and interact through rain, runoff, percolation and evaporation with natural features of the Township. The Township Official Plan recognizes that water resources are part of a more complex system, being essential to both the ecosystem and human functions. Further, the effects and impacts of surface and storm water are required to be addressed in any development proposals.

The Township requires areas designated as Environmental Hazard, which identifies lands that have inherent hazardous properties, to be retained in a natural state to ensure that no persons or property are places at increased risk due to natural hazards.

In addition to the policies in the Township Official Plan, The Township of Georgian Bluffs established the Georgian Bluffs Climate Action Committee in October 2020, for the purposes of creating a Township Climate Action Plan. This Township Climate Action Plan will establish a roadmap for the community to improve energy efficiency, reduce greenhouse gas emissions, create economic advantage, ensure energy security, and increase the Township's resilience to climate change. This Official Plan Review will consider the outcomes of the Township's Climate Action Plan as it progresses.

5.4 Discussion

The Township of Georgian Bluffs will continue to mitigate and adapt to climate change. The Township Official Plan does not currently speak to climate change and should build from provincial and county climate change policies to guide planning decisions that address climate change mitigation and adaptation.

The Township Official Plan should:

- continue to permit a mix of land uses, where appropriate;
- continue to encourage infill, intensification, redevelopment and adaptive reuse of existing building stock, where appropriate;
- provide direction on active transportation and encourage pedestrian friendly built form in the settlement areas;

- provide updated direction on planning for infrastructure such as water, wastewater and storm water;
- provide updated direction on natural hazards, and
- provide updated direction on energy efficiency and conservation, including encouraging the use of green infrastructure and construction technologies.

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6.0 Housing

6.1 Background

Housing is a human right. There is ample evidence that demonstrates that affordable and attainable housing is central to achieving various economic and social outcomes. According to the Ontario Human Rights Commission, international law requires that Canada work towards having access to adequate and affordable housing. Land use planning can support these outcomes by ensuring that there is an adequate supply of land that accommodates a variety of housing options, by permitting and facilitating all forms of housing, by ensuring the efficient use of land and effective business processes, which can impact the cost of housing.

Since the Official Plan came into effect, the 2021 Census was released, providing new insights into housing in Georgian Bluffs. Grey County prepared a 10 Year Housing and Homelessness Plan in 2014 and updated it in 2019. During this time, Georgian Bluffs' housing market has continued to change, while the Township has responded with new initiatives that are designed to preserve existing housing stock for ownership and rental purposes. The Government of Ontario also released a Housing Supply Action Strategy, which brought about changes to various pieces of legislation, all designed to encourage the production of new housing.

According to the 2021 Census, Georgian Bluffs had 4,495 occupied private dwellings. In terms of housing mix, single detached homes constituted approximately 93 percent of occupied private dwellings, followed by movable dwellings (3 percent), apartment in a building that has fewer than five storeys (1 percent) and row-house dwellings (1 percent). Average household size stood at 2.5 persons per household, which is slightly lower than the provincial average of 2.6, but greater than county average of 2.3 persons per household. Information on average incomes has in the 2021 census has not been released as of the time of writing. However, according to the 2016 Census, the median household income was $77,861, approximately 5 percent higher than the provincial average. In terms of tenure, 92 percent of homes are owned, while 8 percent are rented.

The Canadian Mortgage and Housing Corporation (CMHC) estimates that 4.8 percent of the households in Georgian Bluffs were in core housing need. A household is in core housing need if its housing does not meet one or more standards for housing adequacy, suitability, or affordability. Adequate housing does not require any major repairs, according to residents. Suitable housing has enough bedrooms for the size and make-up of resident households. Affordable housing costs less than 30 per cent of before-tax household income.

The percentage of households in core housing need saw a substantial increase of approximately 30 percent between 2011 and 2016[1]. There was a higher proportion of renter-occupied households (23.3 percent) in core housing need compared to owner-occupied households (3.4 percent). Renter-occupied households in core housing need increased 141 percent between 2011 and 2016.

[1] At the time of writing, detailed Housing statistics from the 2021 were not yet available. This report can be updated once the additional statistical information is released.

The buildings in Georgian Bluffs are aging. As per Census 2016, 55.6 percent of the building stock was built prior to 1980, 28.3 percent was built between 1981 and 2000, and 16.1 percent was built between 2001 and 2016.

In terms of the local real estate market, the average price in Georgian Bluffs increased from $320,737 in 2016 to $850,300 in 2022 (year-to-date average for month of May) - an increase of 165.1 percent according to Realtors Association of Grey Bruce Owen Sound.

In Georgian Bluffs, aging buildings and increase in housing prices are the main causes for concern.

In 2014, Grey County released the Housing and Homelessness 10 Year Plan 2014-2024. In 2019, a 5 Year Review of this Housing and Homelessness Plan was made available. This plan, establishing a vision for how housing services and supports should be delivered, identified the strategies and action plans for the next five years of the plan. The four strategies to achieve the desired outcomes of the plan are:

1. Create more affordable housing
2. Preserve existing stock
3. Reduce chronic homelessness
4. Increase supportive housing

In 2019, the Province of Ontario released *More Homes, More Choice: Ontario's Housing Supply Action Plan* and *Bill 108, More Homes More Choice Act* that were intended to increase the supply of housing and streamline the development approval process. In 2020, the Province of Ontario released an updated version of the Provincial Policy Statement, which updated provincial policies relating to housing, in line with the strategic intent of the Government's legislative change. These changes are described in the following subsections.

Short-term Accommodation, also referred to as short-term rentals or home-sharing, has been a topic of discussion in many municipalities in Ontario. The number of short-term accommodations has grown substantially over the last decade. Online platforms such as Airbnb and VRBO are offering travellers a new, often cheaper form of accommodation with the comforts of home.

In 2018, the Ministry of Finance published 'The Home Sharing Guide for Municipalities' which serves as an informative resource that municipalities may consult if they are considering regulating home-sharing locally. The guide acknowledged that there is no consensus on the definition of home-sharing but it is generally understood to refer to renting out all or part of a residence for short periods of time.

Short-term accommodations are often framed as an economic opportunity providing support to the tourism industry, allowing people to supplement their income and generating additional income by renting out all or part of their home. However, they are also associated with some disadvantages including reduced affordability of home ownership as investors purchase homes for the sole purpose of short-term accommodation, municipal cost for enforcement, and nuisance issues such as noise, parking, traffic, public safety etc. The rental of an entire dwelling unit has also arisen as an issue in these cases and has been reflected in limitations in some municipalities.

The following approaches have been used to regulate short-term accommodations in other municipalities:

- Differentiate types of short-term accommodation;
- Define certain types of buildings where short-term accommodations are permitted (i.e.
- single detached, semi-detached etc.);
- Define which zones short-term accommodations are permitted;
- Limit the number of nights when renting out for short-term accommodation;
- Permit in primary residence of short-term accommodation operators or owners;
- Establish a density of short-term accommodations;
- Establish any specific compatibility tests that may require buffering, and
- Establish parking requirements.

6.2 The Land Use Planning Framework

6.2.1 Planning Act

The *Planning Act* requires municipalities to have regard to the adequate provision of a full range of housing, including affordable housing, in carrying out their responsibilities under the Act. As described above, it also requires that municipal Official Plans contain policies and measures required to ensure the adequate provision of affordable housing.

Recent changes to the *Planning Act* have introduced two new "tools" – additional residential units and inclusionary zoning – designed to support the provision of adequate and affordable housing.

Section 16 (3) of the Act states:

> *"An Official Plan shall contain policies that authorize the use of additional residential uses by authorizing,*
> *(a) the use of two residential units in a detached house, semi-detached house or rowhouse; and*
> *(b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse."*

Ontario Regulation 299/19 establishes standards for additional residential units. It requires that each additional residential use shall have one parking space, unless exempted by the local municipal zoning by-law, and that the additional residential unit may be occupied by any person regardless of relationship or ownership.

Section 16 (4) and (5) of the Act establishes new requirements for the use of inclusionary zoning in either prescribed municipalities, protected major transit station areas, or areas where a development permit system is adopted or established in response to a Ministerial Order. Inclusionary zoning is a new land use planning tool that is designed to increase the supply of affordable housing by requiring a percentage of units in new developments to be affordable. The Township of Georgian Bluffs is not a prescribed municipality.

6.2.2 Provincial Policy Statement

The PPS, in relation to housing, defines a number of terms as follows:

> *Affordable: means*
> *a) in the case of ownership housing, the least expensive of:*

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
b) in the case of rental housing, the least expensive of:
1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, housing for people with special needs, and housing related to employment, institutional or educational uses.

Low and moderate income households: means
a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:
a) redevelopment, including the redevelopment of brownfield sites;
b) the development of vacant or underutilized lots within previously developed areas;
c) infill development;
d) development and introduction of new housing options within previously developed areas;
e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options.

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Policy 1.1.1 b) of the PPS provides for healthy, livable and safe communities to be sustained by accommodating an appropriate affordable and market-based range of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons).

Section 1.1.4 speaks to Rural Areas in municipalities and Policy 1.1.4.1 states:

> *"Healthy, integrated and viable rural areas should be supported by:*
> *c) accommodating an appropriate range and mix of housing in rural settlement areas;*
> *d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands."*

Policy 1.2.1 states:

> *"A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:*
> *g) population, housing and employment projections, based on regional market areas; and*
> *h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans."*

Policy 1.4.1 mentions that to provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area, planning authorities shall: maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units.

Policy 1.4.2, in relation to where planning is conducted by an upper-tier municipality, requires the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 to be based on and reflect the allocation of population and units by the upper-tier municipality.

Policy 1.4.3 states,

> *"Planning authorities shall provide for a mix of housing options and densities to meet project market-based and affordable housing needs of current and future residents of the regional market area by:*
>
> *a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
> *b) permitting and facilitating:*
> *1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
> *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; …*
f) *establishing development standards for residential intensification, redevelopment and new residential development which minimizes the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety*."

Policy 4.4 states that the Provincial Policy Statement shall be implemented in a manner that is consistent with Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

6.2.3 Niagara Escarpment Plan

Section 1.1.1 of the NEP enables municipal official plans, secondary plans and by-laws to set standards and policies that are more stringent than the requirements of the NEP, unless doing so would conflict with the NEP.

The area of the NEP is allocated among seven land use designations: Escarpment Natural Area; Escarpment Protection Area; Escarpment Rural Area; Minor Urban Centre; Urban Area; Escarpment Recreation Area; and Mineral Resource Extraction Area.

The NEP does not specifically speak to housing. However, the following terms defined in the NEP are relevant to housing, including short-term accommodation:

> *Bed and breakfast: Sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public within an existing single dwelling that is the principal residence of the proprietor. A bed and breakfast in an existing single dwelling of local heritage value or interest must retain the features that cause it to be designated of local heritage value or interest*
>
> *Dwelling unit: One or more habitable rooms with a private entrance and designed for the use of one household in which sanitary and kitchen facilities are provided for the exclusive use of such household.*
>
> *Group home: A residence that is licensed or funded by a public body for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.*
>
> *On-farm diversified use: Use that is secondary to the principal agricultural use of the property and is limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.*

> *Agri-tourism use: Farm-related tourism use, including limited accommodation such as a bed and breakfast, that promotes the enjoyment, education or activities related to the farm operation.*

Escarpment Natural Area permits, subject to development criteria in the NEP, existing uses such as existing on-farm diversified uses, single dwellings, and bed and breakfast.

Escarpment Protection Area permits, subject to development criteria in the NEP, on-farm diversified uses in prime agricultural areas, existing uses, single dwellings, mobile or portable dwelling units accessory to agriculture, and bed and breakfast.

Escarpment Rural Area permits, subject to development criteria in the NEP, on-farm diversified uses, existing uses, single dwellings, secondary dwelling units, mobile or portable dwelling units accessory to agriculture, and bed and breakfast.

Section 1.6 of the NEP provides policies regarding minor urban centres. Balmy Beach, Oxenden, and Springmount are the minor urban centres that are within the jurisdiction of the Township of Georgian Bluffs. The range of permitted uses within minor urban centres are those in an approved official plan and/or secondary plan not in conflict with the NEP.

For urban areas within the Niagara Escarpment, Section 1.7 of the NEP provides that uses may be permitted subject to conformity with the development criteria in the NEP and zoning by-laws that are not in conflict with the NEP.

The Escarpment Recreation Area designation permits, subject to development criteria in the NEP, existing uses, single dwellings, secondary dwelling units, and on-farm diversified uses. Bed and breakfast is not a listed permitted use under this designation.

The Mineral Resource Extraction Area designation permits, subject to development criteria in the NEP, existing uses and on-farm diversified uses. Bed and breakfast is not a listed permitted use under this designation.

Section 24(1) of the *Niagara Escarpment Planning and Development Act* (NEPDA) provides that no person shall undertake development within the NEC's area of development control unless the development is exempt under the regulations or unless an NEC Development Permit has been issued.

Development is defined by the NEPDA to include the change-in-use of any structure and change in use to enable short-term accommodation is not exempt from requiring a Development Permit from NEC. Additionally, Section 24 (3) of the NEPDA prohibits the issuance of any other permit, licence, or certificate related to development within the NEC area of development control prior to the issuance of a NEC development permit.

6.2.4 County Official Plan

The County Official Plan provides housing policies under Section 4.1. These are directed towards housing supply, variety, and residential intensification. Residential growth is to be accommodated for a minimum of 10 years through residential intensification, redevelopment, and lands designated and available for new residential development. A variety of housing types are

encouraged to be provided to meet requirements of present and future residents, with a priority on housing accessibility and affordability.

Residential intensification is required by the County Official Plan, mainly in primary settlement areas but also in secondary settlement areas. The following policies in regard to residential intensification are provided in Section 4.1 which are intended to retain small town character and revitalize downtown areas:

> *"1) Supporting increased densities in newly developing areas with a broad mix of housing types and integrated mixed-use developments, accessible housing and integrated services, and housing forms;*
>
> *2) Facilitating intensification in all areas within settlement areas including adaptive re-use or redevelopment of sites that previously had development and underutilized lands;*
>
> *3) Encouraging the addition of housing above commercial uses in and near the downtown, in residential transition areas, and in other main commercial areas;*
>
> *4) Encouraging intensification within Primary Settlement Areas along major roadways and arterial roads;*
>
> *5) Conserving built heritage, cultural heritage landscape, and archaeological resources where feasible, as built-up areas are intensified and infilled, promoting construction distinguishable from, while sensitive and complementary to, existing built fabric and the overall streetscape attributes;*
>
> *6) Encouraging intensification which results in new rental accommodation;*
>
> *7) Sharing the Healthy Development Checklist created in partnership with the Grey Bruce Health Unit with developers and lower-tier municipalities to address healthy community design including public health and safety needs embedded within residential intensification, redevelopment, and new residential development. Some areas of consideration within this checklist include:*
>
> - *Supporting mixed land use by integrating a variety of residential development within 800 meters of retail, recreational centers, parks and public spaces;*
> - *Including a variety of affordable housing options and prioritizing those available for low income households;*
> - *Committing to the preservation of the natural heritage system by maintaining existing trees, soil integrity, and landscaping using native species;*
> - *Including cycling infrastructure, such as bike lanes, paved shoulders, bicycle parking, and signage.*
>
> *Developers will be asked to consider the checklist as part of the application process. County planning staff will review the information provided and recommend any changes.*
>
> *8) Considering additional tools to measure and track impacts of larger developments on vulnerable or marginalized populations in terms of reducing chronic disease and risk of injury. For example, the use of Health Impact Assessments can identify the potential unintended health impacts of a development proposal. The County may require a Health*

Impact Assessment to be prepared by qualified professionals at the expense of the developer;

9) Directing development to be cost effective, environmentally sound, sustainable, and compatible with existing uses;

10) Ensuring adequate infrastructure is, or will be, established to serve the anticipated development."

Section 4.2 of the County Official Plan speaks to affordable housing. It recognizes that affordable housing is a much broader term and includes housing provided by the private, public, and not-for-profit sectors as well as all forms of housing tenure such as rental, ownership and cooperative ownership. It also includes temporary as well as permanent housing. The County anticipates that bulk of affordable housing opportunities will be provided by secondary suites (additional residential units), semi-detached, duplex, townhouse, and low-rise apartment units primarily focused within settlement areas with appropriate levels of servicing. In rural areas, secondary suites are the most likely means of increasing affordable housing stock. The County supports:

"a) A range of affordable housing development in proximity to cultural hubs and downtown centres to increase residents' mobility and accessibility to goods and services, healthy food retailers, commercial areas, employment, medical and health facilities, recreation, transit, and trails;

b) Utilization of incentive programs, Community Improvement Plans, community planning permit systems, supportive zoning by-laws, strategic reductions of development fees, and/or alternative site-development standards (either offered through the County or local municipalities) that reduce the cost of construction and maintenance of services for affordable housing units;

d) Integration of affordable housing units within the existing community fabric;

e) Maintaining and improving existing housing stock, encouraged through local maintenance and occupancy by-laws;

f) The goal of providing housing opportunities to moderate and lower income households. The County would like to achieve a minimum target of 30% of new housing, or units created by conversion, to be affordable in each local municipality. Local municipalities are encouraged to have regard for the Grey County Housing and Homelessness Plan (2014-2024) when setting targets in their local official plan. Local municipalities will be encouraged to set a minimum target similar to the County for affordable units;

g) Lower tier municipalities adopting inclusionary zoning practices, as changes to the Planning Act related to inclusionary zoning and associated regulations came into effect April 12, 2018. Municipalities can tailor their inclusionary zoning program to suit local contexts and must outline their requirements for inclusionary zoning in official plan policies and implement them through zoning by-laws. An assessment report will also be required prior to implementing inclusionary zoning

h) Broadening definitions within zoning by-laws for allowable forms of housing and increased densities within residential and mixed-use areas."

Separate policies are provided that speak to affordable home ownership, affordable rental housing, social and special needs housing, tiny homes, secondary suites, garden suites, seniors housing, and short-term accommodation.

Section 4.2.2, in relation to affordable rental housing, provides that conversion of rental units to condominium style ownership may be permitted only where the proponent can address the following criteria: a) The availability of affordable housing in the municipality and neighbouring municipalities; b) The availability and vacancy rates of rental housing in the municipality or neighbouring municipalities; c) The suitability of the site to accommodate affordable or rental housing; d) The location of the site in proximity to services; e) The physical condition of the building stock to be converted to condominium and the requirements for building upgrades. Demolition of rental units is discouraged, except where full replacement of rental units is proposed.

Social and Special Needs Housing refers to housing that is provided or owned only by public or private non-profit organizations; targeted towards a specific at-risk population, including: people who have specific needs beyond economic needs, unemployed, physically and intellectually disabled, those experiencing mental health and addictions, those with mental health illnesses, the terminally ill, victims of domestic violence, as well as public long-term care facilities. Section 4.2.3 states that the County will actively look to:

"• Direct new social housing units towards designated Primary Settlement Areas to ensure residents live close to essential services and supports, promoting the flexibility and ease in carrying out a healthy lifestyle;
• Work alongside local municipalities to consider reducing minimum lot sizes, frontages, setbacks, or parking requirements on a case-by-case basis for proposed social or special needs housing in Primary Settlement Areas;
• Consider the different existing and future housing needs of each local municipality separately, and recognize that new social housing units should be targeted towards certain municipalities, as assessed through one or more of the following criteria:
a) Those municipalities with the largest affordable housing supply shortages;
b) Those municipalities that already possess the services and amenities necessary for supporting residents of social and special housing units;
c) Those municipalities with existing low ratios of social housing units compared to the County average;
d) Those municipalities that are forecast to experience the greatest amount of population and housing growth."

Section 4.2.4 speaks to Tiny Homes and encourages local municipalities to defer to *Ontario Building Code* requirements for minimum gross floor area coverage.

Section 4.2.5 speaks to Second Units. These are now referred to as Additional Residential Units in the *Planning Act.* OPA #11 proposed to update this section to reflect changes in the *Planning Act* for additional residential units. The County Official Plan directs local municipalities to develop policies and zoning regulations that establish appropriate standards, which protect

neighbourhood character, public health and safety, and enjoyment of abutting properties without unduly restricting the creation of such dwelling units.

Section 4.2.6 speaks to garden suites. Garden suites are encouraged by the County and require a temporary use by-law to be passed to allow the use. This by-law must not exceed 20 years and at the end of 20 years, consideration could be given to making a garden suite permanent. In adopting a temporary use by-law, council must have regard for: compatibility with the surrounding land uses, and approved development; access and parking for the intended temporary use; an assessment of the impact of the intended temporary use on the social, physical, and economic well-being of the municipality.

Section 4.2.7 speaks to seniors housing. Opportunities for flexible, experimental seniors housing to assist in accommodating for an aging population is promoted. With a focus on providing a variety of options, the County supports senior citizen homes, nursing homes, rest homes in urban areas where other supportive services exist. Life lease opportunities, cooperative style housing, adult lifestyle communities, and adult day programs are also supported by the County. Low-density housing options for aging populations are considered in secondary settlement areas provided servicing requirements can be met and safe roadway access can be maintained year-round.

Section 4.2.8 of the County Official Plan speaks about short-term accommodations. Different types of short-term accommodations including bed and breakfast establishments, care homes, farm vacation homes, and dwellings rented for short term periods are given recognition in the County Official Plan. It also acknowledges the potential land use conflicts with surrounding residential areas and implications on the rental housing market. The County recommends local municipalities to implement regulating policies to address any potential long-term concerns with short-term accommodations.

In addition to the policies of Chapter 4, Section 3.4.1 sets out the minimum intensification targets that must be implemented in local municipalities. For Georgian Bluffs, 10% of new development must therefore be on the basis of intensification within existing Primary Settlement Areas, with a 5% target for Secondary Settlement Areas.

6.3 Current Policy – Township Official Plan

Section 2.6 of the Township Official Plan speaks to housing and population. The goal, as per Section 2.6.1, is to ensure that a range of housing types and tenure are available to accommodate the needs of the existing and projected population. The Township objectives in relation to housing include:

> *"1) Direct the majority of the population growth in the Township to the various settlement areas identified on Schedule 'A'.*
>
> *2) Encourage a range of housing types and tenure, including affordable housing to meet the needs of present and future residents, including those with special needs, in accordance with the requirements of the Provincial Policy Statement.*
>
> *3) Encourage intensification in existing settlement areas which is consistent with the character of the area and appropriate for the level of servicing provided.*

4) Maximize proximity to existing public facilities (i.e., parks and trails) and efficiency in service provision (i.e., existing school bus routes)."

Section 2.6.4 provides general housing policies. It reads:

"1) The Township shall attempt to accommodate residential growth anticipated for the Township through:

a. Intensification and redevelopment opportunities;
b. maintaining a three (3) year supply of draft approved and registered lots available for residential development; and
c. maintaining a ten (10) year supply of vacant lands designated for residential purposes.

2) New residential development in the form of an expansion of existing residential areas will occur primarily through registered plan of subdivision. New development proceeding within greenfield areas should occur adjacent to an existing built-up area and should have a compact form and a mix of densities that allow for greater efficiency regarding mobility, servicing and land consumption.

3) Adequate physical buffers and/or distance separation between residential areas and industrial uses, commercial uses, arterial roads, county roads, provincial highways and railways shall be provided so as to avoid land use conflicts.

4) New residential development in proximity to sensitive natural features shall maintain the environmental quality of those features through such means as retention of forest cover and reforestation as well as site and building design measures.

5) New residential development will be encouraged to be as visually interesting and appealing as possible. Approaches may include mixing housing densities and styles, varying locations of buildings on lots, and strategic utilization of natural features on a site.

6) In order to enhance affordability and to create a more efficient use of land, reduced municipal development standards may be considered, where appropriate. New development or redevelopment proposals where such development standards would be considered may include, but are not limited to;

- *areas of high density development;*
- *areas where appropriate servicing is available, and;*
- *innovative housing design concepts are proposed.*

Reduced development standards may include innovative options for:

- *street right-of-way widths and cross-section designs,*
- *parking requirements,*
- *building location setbacks and requirements,*
- *the location of open space and amenity areas,*
- *the provision of landscaping features.*

Where a reduction in standards is considered for a development, site plan control, plan of condominium development and the zoning by-law shall be used to regulate and implement such reduced standards.

7) The Township shall promote a mix of affordable and quality housing accommodation. The type and location shall meet the present and future needs of all residents while ensuring that new residential development is in keeping with the character of the community and current servicing capacity.

8) The Township will encourage intensification and infill as a means of increasing the supply of housing, provided such projects are in keeping with environmental considerations, adjacent land uses and there is a demonstrated demand for the type of housing units under consideration.

9) The Township shall strive to achieve a target of 15% of new residential development within Primary and Secondary Settlement areas through means of intensification.

10) The creation of apartment units above central commercial uses in settlement areas shall be encouraged where appropriate servicing is in place and adequate parking can be provided."

The Township supports a range of housing types and establishes targets relating to housing mixture for new residential development and housing tenure for medium density residential development over the planning period in Section 2.6.5 of the Township Official Plan. The established targets are as follows:

Low Density Residential	-	*75%*
Medium Density Residential	-	*25%*
Ownership	-	*65%*
Rental	-	*35%*

Low density residential means "single detached, semi-detached, duplex, and converted buildings or structures containing no more than two dwelling units." Whereas, medium density residential means "buildings or structures which contain three or more dwelling units, such as townhouses, row-houses, low-rise apartment buildings and other similar multi-unit forms of development."

Further, Section 2.6.5 provides specific policies for secondary suites, garden suites, seniors housing, and affordable housing.

Section 2.6.5 1) c) states:

"A secondary suite may be permitted, subject to an amendment to the comprehensive zoning by-law and in accordance with the following criteria:

i) Only one secondary suite may be permitted within a single detached dwelling or semi-detached dwelling, or as a unit accessory to a detached garage, in areas where the primary method of servicing is partial or private services,

ii) In areas which are fully serviced by municipal water and sewer services, a single secondary suite may be permitted within a single detached dwelling, a semi-

detached dwelling, or townhouse / row-house, or as a unit accessory to a detached garage,
iii) The secondary suite is compatible with the principal building and the unit size is appropriately restricted so as to remain subordinate to the principal residence.
iv) No additional driveways shall be permitted. The secondary suite shall be appropriately integrated into the existing dwelling with minimal visual impact on surrounding lands and the streetscape.
v) Requirements for servicing, parking, access, landscaping and amenity areas can be met.
vi) Compliance with the Ontario Building Code and the Ontario Fire Code.
vii) The use of a mobile home unit as a secondary suite is prohibited.
viii) Where a garden suite exists, a secondary suite is prohibited."

The Township Official Plan defines secondary suites as "a single accessory dwelling unit that consists of one or more rooms that are intended for occupancy, by one or more persons as an independent and separate residence in which facilities for cooking, sleeping and sanitary facilities are provided for the exclusive use of such occupants."

Section 2.6.5 2) states:

"The establishment of garden suites may be permitted through a Temporary Use By-law in accordance with the Section 6.7 and subject to the following criteria:
a) The garden suite must be in close proximity and accessory to a primary dwelling unit;
b) the garden suite must be portable;
c) property owners are required to enter into an agreement with the Township to address the installation and eventual removal of the suite;
d) consideration will be given to lot line setbacks and/or other restrictions regulating the location of the garden suite and appropriate servicing provisions; and,
e) where a secondary suite exists, a garden suite is prohibited."

Garden Suite is defined as "a one-unit detached portable residential structure containing bathroom and kitchen facilities which meets the Ontario Building Code requirements for a year-round use and is accessory to the main residence on the same lot."

The Township Official Plan defines Seniors Housing as:

"facilities that provide independent/supportive living, assisted living, complex care services; or a combination of these services:
a. Independent/supportive living includes a combination of housing and hospitality services for retired adults who are capable of directing their own care.
b. Assisted living residences offer housing, hospitality services and personal assistance to retired adults who can live independently but require assistance with daily activities.
c. Complex care services include accommodation, care and supervision for retired adults who are no longer capable of directing their own day-to-day activities."

Seniors housing facilities are encouraged to be located in primary and secondary settlement areas where there is greater accessibility to various community services and amenities.

Section 2.6.5 4) speaks to affordable housing. Affordable housing is defined as:

> *"housing which is the least expensive of;*
>
> *Provincial Ownership Definition 1 – the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households, which are those households in the 60th income percentile and below,*
>
> *Or*
>
> *Provincial Ownership Definition 2 – the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area, which is the area covered by the Grey Bruce Owen Sound Realtors Association.*
>
> *In the case of rental housing, is housing for which the rent is at or below the average market rent of a unit in the regional market area (County of Grey). The 2009 affordable rental housing price is any unit with a monthly rental rate of between $500 and $800 per month, depending on unit type."*

The Township considers opportunities for a portion of all new housing unites to be affordable and accessible to households of low to moderate incomes. It encourages a broad range of housing types and housing tenures as well as higher-density forms of development and residential intensification. It further states:

> *"The objective of providing affordable housing should apply primarily to new residential developments within primary and secondary settlement areas where accessibility and the availability of civic services and resources are generally greatest. This policy does not propose that each residential development proposal must include an affordable housing component, but rather intends that efforts shall be made to provide affordable housing opportunities, where appropriate. Affordable housing should not be limited to one particular housing type, nor should it be concentrated in, or excluded from, certain residential areas."*

Section 3 of the Township Official Plan provides policies for settlement areas in the Township. Cobble Beach is the only fully-serviced primary settlement area. It is subject to provisions of Amendment No. 32 of the County Official Plan (Secondary Plan for Georgian Villas in the County Official Plan). Township identifies four (4) secondary settlement areas. These are Shallow Lake, Springmount, Kilsyth, and East Linton. Further, the Township identifies nine (9) settlement areas as tertiary settlement areas. These include Balmy Beach, Big Bay, Brooke, Creamery Hill, Cruickshank, Keady, Kemble, Oxenden, and Rockford.

Section 3.4 of the Township Official Plan provides policies for the land use designations within settlement areas, including residential, village centre, space extensive commercial and industrial, open space, future development, and natural environment areas designation.

For residential designation, in Section 3.4.1, the permitted uses include single detached dwelling units, semi-detached and duplex units, and townhomes. It may include secondary suites and low-rise multiple dwelling unit structures as well. Following uses compatible with residential development may also be permitted: home occupations, bed and breakfast establishments,

seniors/retirement homes, nursing homes and assisted living facilities, garden suites, day nurseries, open space uses, neighbourhood commercial uses, and institutional and community facilities.

Section 3.4.1.2 provides policies for medium density housing as follows:

> *"1. Medium density housing proposed near existing single family dwellings shall be designed and oriented to conform visually to nearby residential areas. Physical buffering measures also need to be considered. New medium-density development shall respect the massing, composition and architectural design of the surrounding area.*
>
> *2. Medium density development should be encouraged in proximity to commercial areas and arterial or collector roads in an effort to enhance accessibility to various community services and amenities.*
>
> *3. When reviewing proposals for new medium density residential development, consideration should be given to the following criteria:*
>
> > *a) Compatibility with existing land uses in the immediate area and designed in a manner to be consistent with the general built form of surrounding buildings.*
> > *b) Suitable landscaping, lot grading and stormwater management/drainage shall be provided in accordance with the stormwater management policies of this Plan.*
> > *c) Suitable on-site open space shall be provided which is appropriate for the size and nature of the development. Environmentally sensitive lands will not necessarily be accepted as suitable on-site open space and a "cash-in-lieu" of parkland dedication may be considered in such circumstances, at the sole discretion of the Township.*
> > *d) Water Supply and sewage disposal services shall be provided in accordance with Section 5.*
> > *e) Adequate off-street parking and appropriate means of access and circulation for vehicular traffic, including emergency and service vehicles shall be required.*
>
> *4. Conversion of single family homes into multiple family units will be permitted subject to the following criteria:*
>
> > *i. The dwelling or structure must be structurally sufficient and of an appropriate size to accommodate the creation of additional dwelling units;*
> > *ii. Conformity with the Ontario Building Code;*
> > *iii. Any alterations that may be required to the exterior of the building should enhance the appearance of the building in a manner which is in keeping with the surrounding neighbourhood;*
> > *iv. Adequate open space must be retained on the lot;*
> > *v. Required fire escapes should be located at the side or rear of the building in a manner which does not detract from the built form character of the dwelling;*
> > *vi. Adequate off-street parking can be provided.*
> > *vii. The land is capable of accommodating appropriate levels of servicing to support the conversion.*
> > *viii. Appropriate landscaping, lot grading and lot drainage shall be provided or undertaken."*

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Section 3.4.1.4 provides policy for bed and breakfast establishments in the residential designation. The policy reads:

> *"Bed and breakfast operations may only be permitted within single detached homes subject to the requirements of the Comprehensive Zoning By-law. Generally, a bed and breakfast establishment would be located only in a home of a sufficient size and design conducive to accommodating the travelling public such as a heritage home or residence of a unique design or location and subject to the following:*
>
> > *a) The establishment of the bed and breakfast operation does not compromise the residential character of the area;*
> > *b) adequate off-street parking is available;*
> > *c) such uses shall only be permitted in buildings which constitute the principal residence of the operator; and*
> > *d) any other regulation deemed necessary by the Township for the orderly development of such uses."*

Section 3.4.1.5 provides policy for Group Homes which is defined as "a single housekeeping unit which is intended to provide a community based group living arrangement for a maximum of 10 persons, exclusive of staff, who are receiving care and supervision consistent with their particular needs and for their well-being." Group Homes include homes for foster children, homes for mentally and physically challenged persons and convalescent homes for people who are under medical supervision. Section 3.4.1.5 states:

> *"Group homes may be permitted within the Residential and Village Centre designations, subject to the requirements of the Comprehensive Zoning By-law.*
>
> *The Comprehensive Zoning By-law shall contain provisions which recognize group homes offering long term (more than 1 year) housing within a single housekeeping unit for five (5) or fewer persons including seniors, developmentally or physically challenged individuals and/or mentally challenged individuals. The following criteria are to be satisfied when group homes are proposed:*
>
> > *a) The housing is within a single detached dwelling;*
> > *b) the unit houses five or fewer individuals, not including live-in supervisory staff or receiving family;*
> > *c) no exterior alterations are made to change the character of the structure as a single detached residential dwelling unit; and*
> > *d) all necessary provincial licensing provisions have been met.*
>
> *The Comprehensive Zoning By-law may provide provisions which recognize group homes offering long-term (more than 1 year) housing up to six (6) or more seniors, and/or other persons requiring on-going care from qualified licensed on-site supervisory staff, subject to an amendment to the Comprehensive Zoning By-law which will be assessed based on the following criteria:*
>
> > *a) Ensure the facility is licensed, regulated and/or approved by a government regulatory body;*
> > *b) the building form and exterior amenities are in keeping with the surrounding residential neighbourhood;*
> > *c) the building meets all health, security and fire safety requirements;*

d) the sponsoring or regulatory body demonstrates that a need exists for the facility within the community;
e) additional supportive services and facilities exist for the residents; and
f) the facility may be subject to Site Plan Control under the provisions of the Planning Act and this Plan."

Residential uses may be permitted within the Village Centre designation and should generally be in the form of dwelling units above or behind the principal employment use of the building.

6.4 Discussion

The Township Official Plan includes a comprehensive set of policies to guide the delivery of adequate and affordable housing. The Township Official Plan should be reviewed in light of the changing economic and demographic trends within the community (e.g., aging population, declining household sizes, housing market price increases) and changes in provincial legislation and policy which require consideration of an appropriate affordable and market based range of residential types, establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with the Grey County Housing and Homelessness Plan, reviewing existing residential intensification targets and introducing new policies that speak to additional residential units and set the stage for inclusionary zoning.

The Township Official Plan should:

- continue to support and encourage a diverse range of housing by type, size, tenure, and affordability to meet requirements of current and future residents;
- strengthen policies that ensure adequate supply of housing and support maintenance of existing residential stock;
- update definition of affordable housing to be consistent with the Provincial Policy Statement;
- strengthen policies for affordable and attainable housing that is consistent with the Provincial Policy Statement and conforms to the County Official Plan and the County Housing and Homelessness Plan;
- update policies for additional residential units;
- provide policy for inclusionary zoning;
- consider policy that addresses short-term accommodation; and
- ensure policies for group homes are consistent with the Provincial Policy Statement and align with recommendations of the Ontario Human Rights Commission.

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7.0 Services

7.1 Background

The settlement areas in the Township of Georgian Bluffs have different levels of service, with majority being partially serviced. Cobble Beach is the only fully serviced settlement area with both municipal water and sewer services available. East Linton, Shallow Lake, Oxenden, Presquile, Balmy Beach, Pottawatomi Village, and portion of the Town Plot of Brooke settlement areas have municipal water services available. Lands south of Wiarton and west of the City of Owen Sound are serviced by municipal water provided through agreements with the adjoining municipal jurisdictions. Remaining settlement areas are anticipated to be serviced by a combination of communal and private systems. Development in the remainder of the Township is expected to occur on the basis of individual water supply and septic systems.

The Township of Georgian Bluffs is undertaking a Comprehensive Water and Wastewater Master Servicing Study, anticipated to be complete by end of 2022. The objective of this study is to develop a comprehensive plan that will incorporate all facets of management, expansion and future funding of water, wastewater, and storm systems, particularly for the East Linton Settlement Area. Upon completion of this servicing study, the Township intends to update its growth management framework and servicing policies through a subsequent Official Plan Review exercise.

This Official Plan Review focus on transportation, communication, stormwater management and source water protection. During this review, housekeeping changes may be undertaken to water and sanitary service policies to address routine conformity or consistency issues with the County or provincial plans and policies. Given their minor nature, these housekeeping matters are not addressed in this Background Report.

Since the Official Plan came into effect, land use planning for stormwater management has also evolved to emphasize the need for more naturalized stormwater management practices to help reduce capital and maintenance cost and encourage more sustainable practices.

Georgian Bluffs falls within the Grey Sauble Source Protection Area, within the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region. In 2016, Source Protection Plan for the Saugeen, Grey Sauble Northern Bruce Peninsula Source Protection Region came into effect. Under the *Clean Water Act*, all municipal decisions, including those made under the *Planning Act* and the *Condominium Act*, are required to conform to the significant drinking water threat policies found in the Source Protection Plan. This Plan identifies threats to water and ways to help prevent these threats from contaminating water. Its lays out restrictions on developments within the Source Protection Region, including the Township of Georgian Bluffs.

The Township's water resources include aquifers, headwaters, rivers, streams, ponds, wetlands, Georgian Bay, inland lakes and man-made water features including stormwater management works. The Township lands are influenced by three Intake Protection Zones (IPZ) - one each in Owen Sound, Wiarton and East Linton. There is also influence from three Wellhead Protection Areas (WHPA) - one each in Pottawatomi, Shallow Lake, and Tara.

7.2 The Land Use Planning Framework

7.2.1 Planning Act

The *Planning Act* requires that planning authorities have regard to the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems in carrying out their responsibilities under the Act.

7.2.2 Provincial Policy Statement

Policy 1.1.1 g) mentions that healthy, liveable and safe communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

Section 1.6 provides policies in relation to infrastructure and public service facilities.

Policy 1.6.1. states:

> *"Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.*
>
> *Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:*
> *a) financially viable of their life cycle, which may be demonstrated through asset management planning; and*
> *b) available to meet current and projected needs.*"

Policy 1.6.2 mentions that planning authorities should promote green infrastructure to complement infrastructure.

Green infrastructure is defined as natural and human-made elements that provide ecological and hydrological functions and processes. It can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Policy 1.6.3 states that before consideration is given to developing new infrastructure and public service facilities:

a) the use of existing infrastructure and public service facilities should be optimized; and
b) opportunities for adaptive re-use should be considered, wherever feasible.

Policy 1.6.4 states that infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

Policy 1.6.5 states that public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

Policy 1.6.6.1 states that planning for sewage and water services shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    1. municipal sewage services and municipal water services; and
    2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
b) ensure that these systems are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;
    2. prepares for the impacts of a changing climate;
    3. is feasible and financially viable over their lifecycle; and
    4. protects human health and safety, and the natural environment;
c) promote water conservation and water use efficiency;
d) integrate servicing and land use considerations at all stages of the planning process; and
e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

Policy 1.6.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Policy 1.6.6.3 states that where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

Policy 1.6.6.4 states that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

Policy 1.6.6.5 states that partial services shall only be permitted in the following circumstances:

a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or

b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Where partial services have been provided to address failed services in accordance with subsection a), infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In accordance with subsection a), the extension of partial services into rural areas is only permitted to address failed individual on-site sewage and individual on-site water services for existing development.

Policy 1.6.6.6 states that subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

Policy 1.6.6.7 states:

> *"Planning for stormwater management shall:*
>
> *a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
> *b) minimize, or, where possible, prevent increases in contaminant loads;*
> *c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
> *d) mitigate risks to human health, safety, property and the environment;*
> *e) maximize the extent and function of vegetative and pervious surfaces; and*
> *f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development."*

In respect to water, Policy 2.2.1 states:

> *"Planning authorities shall protect, improve or restore the quality and quantity of water by:*
>
> *a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
> *b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
> *c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;*
> *d) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*

e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;
f) implementing necessary restrictions on development and site alteration to:
1. protect all municipal drinking water supplies and designated vulnerable areas; and
2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;
g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
h) ensuring consideration of environmental lake capacity, where applicable; and
i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces."

7.2.3 Niagara Escarpment Plan

Part 2 of the NEP provides development criteria to determine how a proposed development should be carried out. Section 2.12 provides development criteria in relation to infrastructure. The objective is to design and locate infrastructure so that the least possible impact occurs on the Escarpment environment and to encourage green infrastructure and low impact development, where appropriate. Following criteria is listed:

"1. Infrastructure shall be planned in an integrated fashion, to obtain the most value out of existing infrastructure and to ensure that the most sustainable infrastructure alternatives have been identified.

2. Infrastructure shall be sited and designed to minimize the negative impact on the Escarpment environment. Examples of such siting and design considerations include, but are not limited to the following:
a) blasting, grading and tree removal should be minimized where possible through realignment and utilization of devices, such as curbs and gutters, retaining walls and tree wells;
b) finished slopes should have grades no steeper than 50 per cent (1:2 slope) and be planted; large cuts should be terraced to minimize surface erosion and slope failure;
c) site rehabilitation should use native species of vegetation and protect and enhance the natural environment;
d) a development setback from the Escarpment brow shall be established by the implementing authority to minimize visual impacts; and
e) visual impacts from infrastructure should be minimized by siting, structural design, colouration and landscape planting and/or vegetation screening.

3. Green infrastructure and low impact development should be considered where appropriate to complement infrastructure.

4. Infrastructure should be sited and designed to avoid impacts on parks, open spaces and the Bruce Trail. Where Bruce Trail impacts cannot be avoided, alternatives will be developed in consultation with the Bruce Trail Conservancy.

5. Infrastructure shall avoid Escarpment Natural Areas, unless the project has been deemed necessary to the public interest after all other alternatives have been considered.

6. Infrastructure should avoid prime agricultural areas wherever possible. Where infrastructure is proposed in a prime agricultural area, only linear facilities shall be permitted, and the proponent shall demonstrate, through an agricultural impact assessment or equivalent analysis as part of an environmental assessment, how prime agricultural areas will be protected or enhanced, including an examination of alternative locations that would better protect the agricultural land base.

7. Municipal water and wastewater systems and private communal water and wastewater systems shall not be located in or extended into Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area, or Mineral Resource Extraction Area, unless such servicing is required to address failed individual on-site sewage or water services, or to ensure the protection of public health where it has been determined by a medical officer of health (or health authority) that there is a public health concern associated with the existing services. The capacity of services provided in these circumstances will be restricted to that required to service the affected area and shall not allow for growth or development beyond what is permitted in this Plan.

8. Notwithstanding Part 2.12.7 above, where municipal water and wastewater systems already exist in Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area or Mineral Resource Extraction Area, existing development within an approved service area boundary may be connected to these systems.:

7.2.4 County Official Plan

Section 8.9 of the County Official Plan provides policies in respect to services, utilities, broadband and other technology considerations.

Section 8.9.1 of the County Official Plan sets out the servicing hierarchy for development in the County, including the use of municipal sewer and water services, private well and septic systems, and instances where private communal or partial services are permitted. The following policies are provided for servicing:

"1) Full municipal water and sewage services is the preferred method of servicing and will be provided on the basis that:
a) The systems can be sustained by the water resources that the services rely on,
b) Is feasible, financially viable (both current and long-term) and complies with all regulatory requirements,
c) Is within the financial capabilities of the municipality, and
d) Meets all regulatory requirements of the appropriate approval authority.

2) Waste water treatments and water supply servicing options must be based on a hierarchy which considers environmental, technical, and long and short term financial factors to determine the appropriateness of the various servicing options for development.

3) *Local municipalities must plan for sewage and water services which direct and accommodate expected growth in a manner that promotes the efficient use of existing: municipal sewage services and municipal water services; and, private communal sewage services and private communal water services where municipal sewage and municipal water services are not available*

4) *The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have been developed in a local official plan or secondary plan. The feasibility of the options will be considered in the following order of priority which will be assessed through a Servicing Options Study in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-5-3 Series Guidelines, or any subsequent update to these Guidelines:*
a) Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas
b) Private communal sewage services and private communal water services, where municipal sewage and municipal water services are not provided. Municipalities will require the entering into of a responsibility agreement and provision of sufficient financial assurance between the owner/operator and the municipality. The responsibility agreement is to ensure on-going maintenance of these systems is provided in order to avoid impacts to human health and the environment
c) Partial services in accordance with Section 8.9.1(10) or,
d) Individual on-site sewage services and individual on-site water services in accordance with the policies contained in Section 8.9.1.

5) *For the purposes of interpreting this Plan, "feasible" is to be defined on a case by case basis by the County, in consultation with the affected local municipality, and will be based on an evaluation of:*
a) The scale and nature of both the specific development proposal and the anticipated development;
b) Physical or environmental constraints to provide services for the proposed development;
c) Potential increasing (i.e. cumulative) impacts to ground and surface water resources;
d) A comparison of costs and benefits of each servicing option including the costs associated with planning, construction, start-up, operation, maintenance, financing and replacement of the system or its component.

6) *Wherever possible, the costs associated with the construction and operation of these facilities and systems will be borne by those utilizing the facilities through development charges and user fees.*

7) *Within the settlement areas, other interim servicing measures approved by the Ministry of Environment, Conservation and Parks (MECP) and/or its delegated agent may be utilized for commercial or industrial development only in such cases where development is designed to, in a very short time, be connected to the pending installation of a permanent municipal servicing system. A Servicing Options Study will need to be completed in accordance with the MECP's D-5-3*

Guideline or any future updates to this Guideline. The timing of when the development is required to hook-up to full municipal services will need to address local municipal requirements and will need to be identified through the development approvals, and/or through an agreement between the owner and the local municipality.

8) Developers proposing to establish public water and sewage systems to serve major parts of areas designated for urban development will be encouraged. Local municipalities will develop a policy which will address servicing of existing development within a serviced area. All new development will connect to municipal services where they exist within municipal boundaries or through a shared servicing agreement.

9) In any part of the County to be serviced by individual on-site private systems, new development by way of subdivision or condominium will be subject to a Servicing Options Study in accordance with the MECP's D-5-3 Guideline or any future updates to this Guideline. Local municipalities will need to be satisfied that any new development by way of consent can be adequately serviced by individual on-site private systems if that is the proposed form of servicing.

10) Partial services must only be permitted subject to the completion of a servicing options study in accordance with 8.9.1(4) and in the following circumstances:
a) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
b) Within settlement areas, to allow for development where partial services exist provided that:

- *The development is within the reserve sewage system capacity or reserve water system capacity; and*
- *Site conditions are suitable for the long-term provision of such services as determined through the servicing options study*

c) Development on partial municipal services can include development of vacant and/or underutilized lots, as well as the creation of lots for infilling and minor rounding out, in accordance with the settlement area policies and the requirements noted above. Infilling and minor rounding out can include the creation of new lots from existing lots that are located within 158 the current designated settlement area land use type subject to the findings of the Servicing Options Study.

11) For partially serviced settlement areas, municipalities are encouraged to develop a servicing strategy to provide the other 'missing' municipal service (water or sewer) in order to provide full municipal services to residents and businesses within the settlement area.

12) Where municipal services pass by a property, new development will not be permitted unless a connection can be obtained.

13) Expansion or enlargement of businesses will be considered when serviced by a holding tank as long as it can address the other policies in this Plan. New development to be serviced by a holding tank or a cistern will be discouraged.

14) Local municipalities are encouraged to work together to provide sanitary sewer and municipal water services to development by extending existing services where appropriate. If service partnerships are not possible or are not working for municipalities, then municipalities may elect to explore other options including the pursuit of municipal boundary restructuring in accordance with Section 3.4 of this Plan or the provision of services by that municipality.

15) New innovative systems and new servicing technology will be considered for servicing development where it can be demonstrated that it will not cause an impact to human health or the environment and it can meet the Ontario Building Code. This includes technology such as grey water systems, biodigesters, and composting toilets.

16) Local municipalities must comply with recommended buffer separation guidelines as presented in the Ministry of the Environment, Conservation and Parks D-2 Guideline or its successor document, for compatibility between wastewater treatment facilities/sewage treatment works as shown on Appendix A and those outside of but within 400 metres of the Grey County boundaries, and sensitive land uses. Municipalities are encouraged to identify in their official plans and/or zoning by-laws the locations of municipal and communal sewage treatment works as shown as wastewater treatment facilities on Appendix A and those outside of but within 400 metres of the Grey County boundaries.

17) When considering new draft approvals for plans of subdivision or plans of condominium, water and wastewater servicing capacity shall be allocated at the draft plan approval stage. Should a municipality wish to defer allocating servicing capacity to a later stage through separate by-law, or at the final approval stage, the County can consider such approaches, where:

- *Such approaches are supported by the local municipality, and*
- *The draft plan conditions clearly indicate that servicing capacity has not been allocated.*

When considering extensions to draft plan approval, the policies of Section 9.13.1 shall be addressed. Notwithstanding the provisions of this Section 8.9.1(17), these policies do not apply to the City of Owen Sound, who remain the approval authority for plans of subdivision and plans of condominium in the City."

Section 8.9.2 of the County Official Plan speaks to stormwater management which is essential to prevent flooding and to ensure that the various waterbodies do not get contaminated. Stormwater management is also important in light of climate change and more frequent and intensive storm water events. Following policies are provided for stormwater management:

"1) In all new subdivisions and other large scale developments, surface water management systems will be included to prevent on- or off-site flooding or erosion, and to prevent the deterioration of environmentally sensitive watercourses. Other developments may also require such systems or studies, as determined by the County, conservation authority, or municipality, if runoff from the location could increase existing drainage or water quality problems. Stormwater submissions are to be prepared in accordance with the requirements and guidelines set out in the Ministry of the Environment, Conservation and Parks 'Stormwater Management Planning and Design Manual' (2003 or successor document) and the applicable conservation authority's guidelines.

2) Applicants may be required to submit studies or information relating to:

a) Analysis of pre- and post-development storm runoff and water source flows, erosion, groundwater levels and infiltration;
b) Proposed storm water drainage and retention facilities;
c) Ways to control erosion and sedimentation;
d) Considering climate change and the increase of intensive storm events on the impact and design of the storm water management facilities
e) A grading plan for the proposed development
f) An assessment of the impacts of the proposed development on the water quality, water temperature, and water balance, and the ways to mitigate any potential decreases in water quality

3) Local stormwater management policies that include storage for on-site use or the use of infiltration as a means to replenish groundwater supplies and minimize offsite flooding and erosion are encouraged, where feasible.

4) The establishment of municipally owned and operated stormwater treatment facilities will be encouraged. Stormwater management facilities that are designed to manage stormwater from multiple developments will be encouraged. Municipalities may require assessment of facilities before assuming ownership including, but not limited to, phosphorus and nitrate analysis.

5) The incorporation of stormwater quality best management practices and low impact development (LID) practices or a hybrid of LID and traditional stormwater practices into land use restrictions and long term maintenance of development proposals will be encouraged.

6) Development projects and associated stormwater outfalls adjacent to watercourses should incorporate naturalization techniques where appropriate to improve and maintain vegetation and habitat.

7) Stormwater management facilities will be designed to protect public health and safety. Naturalized stormwater management facilities that integrate with the public open spaces of any given development will be encouraged. Naturalized stormwater management facilities are designed to contain natural Wetland elements such as plants and grasses to improve water quality.

8) Permeable parking areas will be encouraged where feasible to reduce the amount of stormwater runoff."

Section 8.11 of the County Official Plan speaks to protecting our drinking water and provides policies in relation to Source Protection Plans. Grey County is subject to the policies and requirements of the Saugeen Valley, Grey Sauble, Northern Bruce Peninsula Source Protection Plan. Some parts of the County are also subject to the policies and requirements of South Georgian Bay Lake Simcoe Source Protection Plan and the Grand River Source Protection Plan. Appendix A of the County Official Plan contains Grey County's source protection plan mapping.

One objective of the source protection plan policies in the County Official Plan is that the local municipalities amend their local official plan and zoning by-laws to conform to the significant threat

policies and have regard to the moderate and low threat policies that affect land use decisions under the *Planning Act* and the *Condominium Act* as identified in the applicable source protection plan.

Section 8.11.2 of the County Official Plan provides a background to the various vulnerable areas including Wellhead Protection Areas (WHPA), Surface Water Intake protection Zones (IPZ), Highly Vulnerable Aquifers (HVA), Events-based Areas, and significant groundwater recharge areas.

Section 8.11.3 includes policies for source water protection from existing and future uses. Policies relevant to the Township of Georgian Bluffs include:

> *"1) During pre-submission consultation and development application review, County planning, Risk Management Official and local municipal staff will provide information related to source water protection to the proponent, to indicate whether the proposed application is within a vulnerable area and that the associated source protection plan policies, and any other policies, may apply.*
>
> *2) Within designated vulnerable areas identified in the source protection plans, any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable source protection plan policies and, as such, may be prohibited, regulated or otherwise restricted by those source protection plan policies. Local municipalities will implement land use restrictions where necessary to protect municipal drinking water supplies and designated vulnerable areas as shown on Appendices A and F. Land use decisions within designated vulnerable areas will need to protect, improve, or restore the quality and quantity of water. Land use planning decisions should take into consideration surface and groundwater features at the watershed and subwatershed level and have regard for issues that cross jurisdictions. A groundwater impact assessment may be required for development within designated vulnerable areas to demonstrate how the vulnerable water feature will be protected, improved, or restored.*
>
> *3) The County encourages the protection and/or restoration of natural heritage features as a means to improve and protect water quality and quantity.*
>
> *4) Recreational, open space, naturalized areas, and other land uses that provide filtration and improve water quality are encouraged in vulnerable areas as identified on Appendices A and F.*
>
> *5) In accordance with Section 59(1) of the Clean Water Act, all land uses identified within the County Official Plan and/or zoning by-laws and located within a Wellhead protection area (WHPA) or Intake protection zones (IPZs) are hereby designated as Restricted Land Uses. Within the designated land use categories in source protection areas identified in clauses a, b, and c below, a written notice of approval from the Risk Management Official will be required prior to approval of any Planning Act application. Any building or development application submitted on lands within a WHPA or IPZ in local municipalities as shown in official plans, local zoning bylaws or in the source protection plans, must include a Notice from the Risk Management Official as part of a complete application I under Section 59(2) of the Clean Water Act, 2006, as amended.*

(a) In the area where the Saugeen-Grey Sauble-Northern Bruce Peninsula source protection plan applies, all building and development applications in a Wellhead Protection Area (WHPA) A, B, C, or E, or Intake Protection Zone (IPZ) 1, 2, or 3 (and located in an Event-based area) shown on Appendix A of this Plan, or identified in a local official plan, must be accompanies by a letter from the Risk Management Official for the purpose of Section 59 of the Clean Water Act.

6) Any planning application must conform with the following significant threat policies that fall within its respective source protection plan. It is recommended that the source protection plans and the sections listed below be reviewed and addressed as part of any planning application located within a Wellhead Protection Area or an Intake Protection Zone as identified on Appendix A:

c) Saugeen-Grey-Sauble-Northern Bruce Peninsula Source Protection Plan
i. 02-05 Sewer Requirement for New Lots
ii. G-01 Restricted Land Use – Non-residential
iii. G-02 Restricted Land Use – Residential
iv. G-03 Restricted Land Use – Non-residential for Fuel Near Intakes
v. G-10 Transition Provisions

7) Local municipalities will need to amend their planning documents to incorporate design principles for new stormwater management facilities to meet the requirements of the source protection plans. Municipalities should also give consideration to establishing or continuing programs that separate combined sewers as well as to reduce infiltration of waste water into groundwater aquifers that are used as drinking water sources.

8) Legally existing uses that are located within a designated vulnerable area, but which are regulated by the provisions of a source protection plan and/or are incompatible with the provisions of this section of the Official Plan may be permitted to expand subject to the policies of any municipal official plan and the relevant source protection plan. Such uses will be required to undertake measures that would protect municipal drinking water sources in the designated vulnerable areas. Notwithstanding the above, there may be uses that are not permitted to expand according to the relevant source protection plan and these uses will be specifically identified as appropriate in the local official plans and/or zoning by-laws.

9) The local municipal Risk Management Official, or other qualified individual through the Clean Water Act, will be responsible for determining when an existing or future land use or activity is, or may be, a significant drinking water threat.

10)Notwithstanding the land uses and activities permitted by the underlying land use types, shown on the schedules to this Plan, land use activities that have been identified by a source protection plan as being prohibited within designated vulnerable areas will not be permitted.

11)Notwithstanding the uses permitted by the underlying land use types shown on the schedules to this Plan, uses/activities may only be permitted within the designated vulnerable areas if the applicant demonstrates to the satisfaction of the local municipality

that the proposed use/activity is in conformity with the policies contained within the relevant source protection plans."

Section 8.11.4 of the County Official Plan provides the following policies in relation to commercial water taking for the purpose of water bottling or sales:

"1) In order to establish a new commercial water taking operation for human consumption (i.e. for the purposes of water bottling or sale) that is proposing to take water in excess of 50, 000 litres per day for commercial sale from a non-municipal water service, a County Official Plan Amendment along with a local official plan amendment (if required by the local official plan), and a zoning by-law amendment will be required. This policy does not apply to those operations utilizing water that is supplementary to a commercial or industrial operation (e.g. golf courses, ski resorts, agricultural uses, etc.). An application for an amendment noted above is to be accompanied by the following information:

a) A planning justification report prepared by a qualified individual indicating whether or not the proposed water taking operation is consistent with the Provincial Policy Statement and conforms to the Grey County official plan policies. The Planning Report will also address the policies identified in Section 9.3 of the County Plan.

b) A hydrogeological study (which is also required for the Permit to Take Water Application) prepared in accordance with Ministry of the Environment, Conservation and Parks requirements (refer to MECP Technical Guidance Document for Hydrogeological Studies, and relevant Tier 3 Water Budget and Local Area Risk Assessment Report), by a qualified individual, demonstrating that the quality and quantity of ground and surface water will not be adversely impacted by the proposed operation.

c) Any other study that may be required by the County or the local municipality. The County requires that the proponent pre-consult with the County and the local municipality prior to submitting any application to determine the studies/reports that are required.

2) A final decision on the amendments identified in Section 8.11.4(1) shall be required prior to the Permit to Take Water being issued by the Ministry of the Environment, Conservation and Parks. Should the amendments be appealed, a decision from the Local Planning Appeal Tribunal will be required, prior to the Permit to Take Water application being submitted to the Ministry of the Environment, Conservation and Parks.

3) In assessing applications, haul routes for the transporting of the water to processing and/or bottling plants, and the subsequent distribution, must be appropriate for the proposed use. A Traffic Impact Study prepared by a qualified individual may be required.

4) The effect of land use proposals on the groundwater aquifer utilized by approved water taking operations will be considered, and may necessitate retaining professional geoscience advice, before development is permitted in order to maintain the quality and quantity of the groundwater resource within the aquifer.

5) If permits for the commercial taking of water for human consumption (i.e. for the purposes of water bottling or sale) currently exist at the date of adoption of this Plan and remains in place, Subsections (1) thru (4) above do not apply unless an increase to existing water taking is planned/proposed."

7.3 Current Policy – Township Official Plan

Section 2.10 of the Township Official Plan provides policies in respect of services in the Township. It recognizes the importance of ensuring efficient provision of adequate drinking water, appropriate management of water resources, proper treatment and disposal of sewage, and control of stormwater runoff. The general goal of the Township is to preserve the environmental integrity of all lands and to protect the health and safety of its residents by ensuring that adequate water supply and sanitary sewage disposal systems can be provided for existing and new development.

Section 2.10.5 of the Township Official Plan speaks to stormwater management and states:

> *"a) The effects and impacts of surface and storm water are an integral part of land-use planning. The plan(s) for the control and management of surface and storm water shall be included in any proposals for development or redevelopment. This information shall be required as a part of the development proposal's initial review and the continuing approval process.*
>
> *b) The Township requires measures to control storm water runoff so that the resulting surface drainage, from new or expanded development, will minimize any impacts on present, local drainage patterns.*
>
> *c) The controls for surface and storm-water flows shall be developed for all stages of development and construction in accordance with the Ministry of the Environment Stormwater Management Practices Planning and Design Manual (2003), or its successor. An appropriate method of control shall be designed so that peak post-development flows shall not exceed pre-development peak flows. Stormwater control methods shall also be designed to maintain pre-development storm-water quality and improve surface water runoff, where possible.*
>
> *d) The Township will require a comprehensive report to address the relevant stormwater issues outlined in Section 5.4 of the Plan that pertain to the proposed development."*

Section 2.10.4 of the Township Official Plan provides policies pertaining to general water resource management primarily related to managing surface water and protecting and enhancing sub-surface water features and functions. This section identifies that the Township's water resources includes aquifers, headwaters rivers, streams, pond, wetlands, Georgian Bay, inland lakes and man-made water features including stormwater management works. The Official Plan recognizes that water resources are part of a more complex system, being essential to both the ecosystem and human functions.

Following general policies are stated in relation to water resource management:

> *"a) Sensitive groundwater features and functions will be protected and where possible, enhanced as part of the development approval process.*
>
> *b) The Township will co-operate with the appropriate agency to minimize or prohibit alterations to the natural drainage systems through the retention of natural vegetation and preservation or creation of natural buffer strips along watercourses.*

c) New development and/or site alteration proposals in close proximity to water resources must provide sufficient information to demonstrate that there will be no negative impact upon that water feature as a result of the proposed development.

d) The Township may require a Hydrogeological Study in support of a significant development proposal in accordance with Section 5.4 This Hydrogeological Study should consider how recharge areas will be protected from the impact of the proposal, specifically with regard to the quality of water re-entering watercourses or ground water aquifers."

Section 6.10 of the Township Official Plan, in relation to Source Water Protection states:

"1. The Township shall, in conjunction with the approved authority, integrate the provisions of the Source Water Protection Plan, when available, as provided for in the Clean Water Act, 2006. These measures may include, but are not limited to, the protection of Wellhead Protection Areas, Intake Protection Zones, and Significant Groundwater Recharge Areas."

7.4 Discussion

The Township Official Plan includes policies on stormwater management and source water protection, as discussed above. These policies require stormwater management in accordance with provincial, conservation authority and local requirements. The policies also afford protection to sensitive ground and surface water features.

The Township Official Plan should:

- continue to encourage stormwater management in accordance with latest provincial, conservation authority and local requirement;
- encourage incorporation of low impact development (LID) practices or a combination of LID and traditional stormwater practices;
- encourage provision of permeable parking spaces where feasible;
- include updated general water resource management policies under Section 2.10.4 to conform to the policies of the Source Protection Plan and the County Official Plan;
- include updated mapping for source protection utilizing Appendix A of the County Official Plan; and
- review the use of site plan control to protect shorelines from stormwater runoff.

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8.0 Other Policy Matters

8.1 Development Charges

Development charges are fees collected from developers at the time of a building permit for each new development that are needed to meet the increased demand for services and infrastructure that is generated by growth. Development charges offset increased costs towards capital projects, without which the cost for increasing or improving services that would otherwise be paid through municipal tax revenue

A Development Charges By-law is a by-law made under Section 2 of the *Development Charges Act* to impose development charges. A development charge may be imposed only for development that requires:

(a) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the *Planning Act*;
(b) the approval of a minor variance under Section 45 of the *Planning Act*;
(c) a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
(d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
(e) a consent under Section 53 of the *Planning Act*;
(f) the approval of a description under Section 9 of the *Condominium Act*, 1998; or
(g) the issuing of a permit under the *Building Code Act*, 1992 in relation to a building or structure

The County Official Plan suggests in Section 8.9.1 6) that the costs associated with the construction and operation of service facilities and systems, wherever possible will be borne by those utilizing the facilities through development charges and user fees. Section 9.14 of the County Official Plan speaks to Development Charges. The County has passed two Development Charges By-law, one for County-wide roads and related charges and the other for County-wide general services. These are applied at the building permit stage and collected by local municipalities. The County is undergoing a Development Charges Background Study which will result in updated Development Charges By-law.

Further, local municipalities also have the option of passing a Development Charges By-law. The Township does not have a Development Charges By-law but is undergoing a Development Charges Study. The Township Official Plan does have any policy that speaks to development charges.

In relation to development charges, the Township Official Plan should:

- acknowledge recovery of all growth-related capital costs through development charges under Section 6 – Implement of the Official Plan; and
- consider inclusion of a 'Financial Management' subsection in Section 6 – Implementation that speaks to the connection between land use planning and municipal finance, including development charges.

8.2 Parkland

Parks deliver social, environmental, and economic benefits providing opportunities for people to connect with each other and to the nature.

The Township of Georgian Bluffs maintains over 20 hectares of parkland spread across 10 recreational parks distributed across the municipality. This translates to a service level of 1.9 hectares per 1,000 residents. Many of these parks serve a localized neighbourhood level with a few having amenities that appeal residents from across the Township.

Many municipalities in southern Ontario target parkland in the range of 3 to 4 hectares per 1,000 persons. However, residents of Georgian Bluffs have a greater degree of accessibility to naturalized lands through conservation authority, provincial agencies, and private lands compared to other municipalities in southern Ontario.

The Township's Recreation & Trails Master Plan 2020 estimated a need for an additional 3 hectares of parkland in Georgian Bluffs to cater to the future projected population by 2031. This would maintain the parkland service levels in the range of 2 hectares per 1,000 residents. Considering similar service levels, and the new growth projections by the County, approximately 24.4 hectares of total parkland will be required for population by 2031 and 25.6 hectares of total parkland will be required for population by 2046. Additional parklands can be achieved through a combination of parkland dedications permitted under the *Planning Act*, existing funds accrued through cash-in-lieu of parkland reserves, and other means as appropriate.

Section 42 of the *Planning Act* provides for the conveyance of land for park purposes and states:

> *"(1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.*
>
> *(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.*
>
> *(6) If a rate authorized by subsection (1) applies, the council may require a payment in lieu, to the value of the land otherwise required to be conveyed."*

Sections 51.1 and 53 allow approval authorities to request parkland dedication or cash in lieu of parkland as a condition of draft plan of subdivision or consent approval at a rate of 2 percent for commercial or industrial purposes and 5 percent for all other purposes.

Policy 1.5.1 of the PPS 2020 mentions that healthy and active communities should be promoted by planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources.

The County Official Plan provides policies for parks and open space under Section 7.12. It states the following principles and policies to support and encourage parks and open space:

> *"4) In assessing the need to provide parkland dedication versus cash-in-lieu of parkland, the proximity to existing parkland features shall be considered. Where feasible, all new residential developments shall be within 500 metres of parkland or open space uses.*
> *5) The design of new parks, or redesign of existing parks, are encouraged to be age-friendly accessible spaces, offering a wide range of passive and active recreational opportunities. The development of parkland and recreational facilities, and services should be done in consultation with local residents and in cooperation with other providers such as school boards. Establishing parks adjacent to school sites is encouraged.*
> *6) Consider the need for further forms of parks such as dog parks (leash on or leash off), trampoline parks, skateboard, bicycle, or roller skate parks, food forests or community gardens, or water-based activity parks."*

Section 7.12.1 of the County Official Plan provides policies in relation to parkland dedication. It states:

> *"1) The County and local municipalities will, as a condition of the subdivision, development or redevelopment of land for residential purposes, require that land in the amount of 5% of the land proposed for development be conveyed to the municipality for park or other public recreational purposes, pursuant to the provisions of the Planning Act.*
> *2) Local municipalities may require the dedication of parkland at a rate of one hectare for every 500 dwelling units proposed, in accordance with the Planning Act. The calculation of dwelling unit potential will be established based on the number of approved lots and the zoning applied to any blocks in a draft approved plan of subdivision. This shall be established in through a zoning by-law approved by local municipalities.*
> *3) In the case of industrial or commercial development, local municipalities may require that land in the amount of 2% of the land proposed for development be conveyed to the municipality for park or other public recreational purposes, pursuant to the Planning Act."*

Alternative requirements to parkland dedication is provides in Section 7.12.2 which reads:

> *"1) Local municipalities may require cash in-lieu-of all or part of the required parkland dedication, as prescribed by the Planning Act, under one or all of the following circumstances:*
> > *a) Where the required land dedication fails to provide an area of suitable shape, size, or location for development as public parkland.*
> > *b) Where the required dedication of land would render the remainder of the site unsuitable or impractical for development.*
> > *c) Where existing park and recreational facilities in the vicinity of the site area are, in the opinion of the County, clearly adequate to serve the projected increase in population.*
>
> *2) In the case of residential development, local municipalities may, through by-law, specify the amount of fixed cash payment per dwelling unit. The amount of cash payment will be amended when deemed necessary to reflect the general rate of land values in the County.*
> *3) Alternatively, the County may require a payment in lieu of the required parkland at rate of one hectare for every 500 dwelling units, as provided for under the Planning Act. The*

calculation of dwelling unit potential will be established based on the number of approved lots and the zoning applied to any blocks in a draft approved plan of subdivision.
4) Encourage local municipalities to create a Parks and Recreation Master Plan to introduce ways that the County can connect members of the community to recreational activities and sports. This can help promote healthier communities."

In addition, Section 7.2 of the County Official Plan in relation to Hazard Lands designation states:

"10) Where new development is proposed on a site, part of which is Hazard Lands, then such lands may not be acceptable as part of the five per cent dedication for parkland. All lands dedicated to the municipality shall be conveyed in a condition satisfactory to local municipality."

The Township Official Plan provides Parkland Provision Policy under Section 3.4.4.3. It states:

"1) Council may require two percent of land for parks purposes for all commercial or industrial plans of subdivisions and consents (except for consents to secure land for conservation purposes) or a cash in lieu of the whole or part of the parkland dedication requirement. For all other cases, either a five percent dedication of land for park purposes or a dedication of land according to the density-based ratio of 1 hectare per 200 dwelling units, whichever amount is greater, may be required in the following circumstances:
a. As a condition of subdivision, condominium or consent approval under Section 51(25) of the Planning Act; or
b. as a condition of development or redevelopment of land under Section 42(1) of the Planning Act.
2) Cash-in-lieu of the whole or part of park dedication may be accepted pursuant to Section 42(6), 51.1(3) and 53(13) of the Planning Act, under the following circumstances:
a. The parkland is unsuitable with regard to location, configuration or size;
b. there is adequate parkland in the area or neighbourhood; or
c. where the required park dedication would render the remainder of the site unsuitable or impractical for development.
3) Additional blocks of land containing hazard land, flood plains, steep slopes, drainage basins and other significant natural features may also be conveyed to the Township at a nominal fee for maintenance purposes, but shall not be considered as parkland dedication."

Further, Section 3.4.6.2 i) of the Township Official Plan, in relation to Environmental Hazard Designation, states:

"i) Where new development is proposed on a site, part of which is designated "Environmental Hazard", such lands shall not necessarily be acceptable as part of the parkland dedication requirements of this Plan and the Planning Act. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township including any required access or maintenance easements."

The Township's Recreation & Trails Master Plan 2020 articulates design considerations for Parkland which include: naturalization efforts; welcoming and comfortable designs; including all people in parks; multi-generational and multi-seasonal usage; safety; signage in parks; and opportunities for outdoor fitness. The Recreation & Trails Master Plan, 2020 is included as Appendix D.

8.2.1 Discussion

In relation to parkland, the Township Official Plan should:

- be updated to reflect conformity with County and Provincial legislation in terms of density based ratio of 1 hectare of parkland conveyance for every 500 dwelling units proposed towards residential development;
- enable opportunity for the Township Council to waive or reduce parkland dedication rates to encourage specific classes of development such as affordable housing;
- enable requirement of a park facilities design as a condition of development approval to ensure that the size configuration and orientation of the park is efficient; and
- establish design principles to guide the acquisition and planning of new park spaces to ensure that they are effectively integrated within and serve the varied needs of the neighbourhood or community they are designed to serve.

8.3 Cannabis

The *Cannabis Act* came into effect on October 17, 2018. It had the effect of legalizing the production, sale and use of cannabis (sometimes referred to as marihuana or marijuana) for recreational purposes in Canada. Prior to the introduction of the *Cannabis Act* in 2018, cannabis was an illegal substance and only permitted to be grown and sold for medical purposes. There were rules in place for the personal growth and consumption of medical cannabis, as well as rules for the commercial growth, processing and sale of cannabis for medical purposes.

The *Cannabis Act* permits, without a license, the personal growth of up to 4 cannabis plants per dwelling for the purpose of recreation.

The Council of the Township of Georgian Bluffs has opted-out of retail sales of cannabis in the Township, when it was proposed to be administered by an agency of the Province of Ontario. Resolution COW2018-045 was passed on December 12, 2018 as follows:

> *"1. That the report from Wendi Hunter, Clerk / Director of Legislative Services, regarding Retail Sale of Cannabis be received; and*
> *2. That the Township of Georgian Bluffs opt-out of retail sales of cannabis, and that the AGCO be so advised."*

In relation to cannabis production, Township staff presented report PL.2021.17 Official Plan Update – Council Policy to Council on April 7, 2021. This report provided an overview of the legislation and regulations that apply to cannabis production, and further explored how other municipalities have been regulating land use associated with cannabis operations. Report PL.2021.17 is attached for information as Appendix C to this background report.

On July 14, 2021 Township staff presented report PL.2021.30 as an addendum to report PL.2021.17 in order to support deferring the creation of policy related to cannabis production and processing considering, among other reasons, the Official Plan review study for the Township of Georgian Bluffs.

Cannabis is considered as a crop by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and as such not distinct from all other crops in principle at a Provincial level. Cannabis cultivation and production is therefore considered as an agricultural use as defined in the Provincial Policy Statement (PPS) 2020. The County Official Plan also considers growing of cannabis as an agricultural use and permits it in the Agricultural land use type.

Cannabis cultivation and production, as with other land uses, require specific measures and may be regulated by municipalities to ensure compatibility and to mitigate nuisances such as noise, odor, light and security. Many municipalities have used land use planning tools, particularly zoning by-law and site plan control, to regulate growing of cannabis. Township staff report PL.2021.17 also concluded that although growing cannabis cannot be prohibited across the Township, land use planning tools can be utilized to regulate and direct the land use.

Section 1.2.6 of the PPS speaks to Land Use Compatibility and states:

> *"1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*
> *1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*
> *a) there is an identified need for the proposed use;*
> *b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
> *c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
> *d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated."*

The PPS defines sensitive land uses and major facilities as follows:

> *"Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities."*

> *"Major facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities."*

While growing cannabis is considered an agricultural use, it may also be considered industrial or rural use considering the different regulations and licensing framework in place. The County

Official Plan also illustrates this varied understanding and provides municipalities with the opportunity to permit or place municipal restrictions on accessory uses to cannabis production. Section 5.2.1 (3) of the County Official Plan states:

> *"Municipalities may choose to permit or place municipal restrictions on accessory uses to Marihuana/Cannabis production within the Agricultural, Rural, or Special Agricultural land use types. While the growing of Marihuana/Cannabis is considered an Agricultural use, other uses associated with production, such as laboratories, processing, shipping, etc. may be considered an on-farm diversified use and limited in size and scale. Criteria may be established within municipal official plans or zoning by-laws regarding these additional on-farm diversified uses, accessory to Marihuana/Cannabis production."*

The Township Official Plan does not address cannabis production or cultivation. Through the update of the Georgian Bluffs Official Plan, there is an opportunity to include policy to address cannabis operations in settlement areas.

8.3.1 Discussion

The Township Official Plan should provide new policy in relation to cannabis production and processing including:

- definitions for cannabis production and processing;
- permitting cannabis production only in areas outside of the settlement areas or policy areas;
- separation distances for cannabis production and processing from sensitive land uses; and,
- subject cannabis production to Site Plan Control to ensure land use compatibility and to mitigate nuisances of noise, odor, light and security

Further to policy updates in the Township Official Plan in relation to cannabis production and processing, the Township Zoning By-law and Site Plan Control By-law will need to be amended.

8.4 Indigenous Peoples

Section 35 of the *Constitution Act*, 1982 recognizes and affirms the existing aboriginal and treaty rights. The Township of Georgian Bluffs is covered by a number of Treaties which provide for treaty rights: Treaty 45 1/2 (1836), Treaty 67 area (1851), Treaty 72 area (1854), Treaty 82 area (1857), and Treaty 93 area (1861).

Policy 1.2.2 of the Provincial Policy Statement requires planning authorities to engage with Indigenous communities and coordinate on land use planning matters. Further Policy 2.6.5 requires engagement with Indigenous communities and consideration of their interests when identifying, protecting and managing cultural heritage and archaeological resources.

The Niagara Escarpment Plan (NEP) looks to conserve cultural heritage resources, including features of interest to First Nation and Métis communities within the Niagara Escarpment Area including minor urban centres and urban areas. The NEPOSS agency is encourages to engage with local First Nations and Métis communities during the Master/Management Planning process.

The County Official Plan acknowledges that there are several Indigenous populations that have traditional territory: Six Nations of the Grand River, Métis Nation of Ontario, Historic Saugeen Métis, Huron-Wendat, Beausoleil First Nation, and Saugeen Ojibway Nation. It encourages collaboration among the Indigenous Peoples in Grey County to work towards a shared vision of land policies and current practices. Local municipalities are encouraged to engage with First Nations and Metis on local planning applications for matters of mutual interest and concern. Further, the County Official Plan states under Section 4.4 (6):

> *"The Saugeen Ojibway Nation and Six Nations of the Grand River must be consulted about those lands identified in Appendix C and for other Planning Act matters if requested. The Saugeen Ojibway Nation is preparing a study for traditional interior routes, former settlements and land uses. This study will be considered once it is available. Appendix C does not constitute part of this Official Plan."*

Section 4.5.1 of the County Official Plan recognizes the importance of its cultural heritage resources, including those from the identified Indigenous groups in Grey County.

Section 2.8 of the Township Official Plan speaks to cultural heritage in the Township. Policy 2.8.3 k) states,

> *"Encourage First Nations and Métis consultation for development proposals within:*
> *a. areas where First Nations or Metis have expressed an interest in consultation; and*
> *b. areas deemed to have potential for archaeological resources in accordance with criteria and guidelines established by the Province."*

8.4.1 Discussion

The Official Plan Review provides an opportunity for Georgian Bluffs to build relationships with Indigenous peoples. The Township Official Plan should:

- provide land acknowledgment statement that recognizes the unique and enduring relationship that exists between Indigenous people and their Territories; and,
- encourage engagement with the First Nations and Metis for matters of mutual interest and concern.

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9.0 Next Steps

The next step in the Township of Georgian Bluffs Official Plan Review is to present this Phase 1 Background Report to the Council and consult with stakeholders. Upon direction from Council, a Phase 2 Directions Report will be prepared and presented to Council outlining the recommended approaches in the updated Official Plan. Phase 3 involves drafting the proposed amendment to the Official Plan resulting from the recommended approach in Phase 2. The Draft Amendment will be circulated to all departments, agencies, stakeholders and Council for review and input, and will circulate the Draft Amendment to the County for comments. An Open House will be held in accordance with the requirements of the *Planning Act*. Following the Open House and the receipt of comments from the County, a final version of the Amendment will be prepared for consideration by Council at a statutory public meeting. Once adopted, the Amendment will be submitted to the County for their approval.

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This report has been prepared for the exclusive use of the Township of Georgian Bluffs, for the stated purpose. Its discussions and conclusions are summary in nature and cannot be properly used, interpreted or extended to other purposes without a detailed understanding and discussions with the client as to its mandated purpose, scope and limitations. This report was prepared for the sole benefit and use of the Township of Georgian Bluffs and may not be used or relied on by any other party without the express written consent of J.L. Richards & Associates Limited.

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J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:

David Welwood, MCIP, RPP
Planner

Reviewed by:

Jason Ferrigan, MCIP, RPP
Associate, Senior Planner

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Appendix A

Focus Group Participant List

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Climate Change Focus Group, December 16, 2021

- Marylyn Struthers, Grey-Bruce Climate Action Network
- Ann Schneider, Climate Change Action Committee
- Cathy Couburn, Township Councilor
- Trevor Donald, Climate Change Co-ordinator, Township of Georgian Bluffs
- Stephanie Lacey-Avon, Grey County Planning Department
- Linda Swanston, Grey County Climate Change Co-ordinator
- Chloe Reaburn, Planner, Township of Georgian Bluffs
- Sue Carleton, Deputy Mayor of Georgian Bluffs
- Jenn Burnett, Senior Planner, Township of Georgian Bluffs

Housing Focus Group, December 16, 2021

- Anne Marie Shaw, Director of Housing at Grey County
- Dave Rai, Principal at Northridge Homes
- Chloe Reaburn, Planner at Township of Georgian Bluffs
- Trevor Donald, Climate Change Coordinator at Township of Georgian Bluffs
- Kevin Fergin, Reeds Homes
- Murray Davenport, local property owner
- Rob McLease

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Appendix B

Public Comments Received

If not already included in the official plan update. I suggest the following.

(A) The installation of a satelite disposal facility some where in the middle of the township along Highway 21 between Springmount and Alvanly. (Springmount Industrial Park probably the best).
I suggest that the twp. has matured to the point now with the greater number of non farm residences without a "back fifty" to dispose of stuff. it is due time we provide alternative to the ditches in the twp. + the drive through Owen Sound. The service provider would transport vice bulk bins to the main site on the west side of Owen Sound.

(B) Ian and chip Coles sideroad
- increased traffic
- Coles hill washes out a number of times per year the top of the hill wear boards badly because of ones acceleration going up the hill
- graders not able to keep the hill in good repair all the time.
- increased traffic on the road to by pass Big Bay and quicker access from Grey Rd #1 to Grey Rd #17 south.

TOWNSHIP OF
GEORGIAN BLUFFS
SEP 17 2021
Received

Sept 16, 2021

Attention -

James Burnett

Hoen - Wheatport & Division Lyne

Hwy Rd #1 503173

From: Jennifer Burnett
To: ron judy hilsden
Cc: Steven Dollmaier
Subject: RE: Rail trail
Date: Friday, September 17, 2021 11:43:00 AM
Attachments: image002.png

Hello Ron and Judy,

Thank you for the comments. They will be included in the comments summary sheet for Council's review and I will forward them on to the Director of Operations as well. Just as a point of clarification, the Official Plan for the Township of Georgian Bluffs focuses on policies for settlement areas only. With the exception of the airport and the Sunset Strip, it does not include policies for lands within the Niagara Escarpment Development Plan (NEP) 2017 area and defers to the NEP, 2017 for policy. To the best of my knowledge, ATV use is not permitted within settlement areas per By-law 2020-128 Section 2.3 c unless part of a designated trail route.

2.3. Unless such lands form part of a Designated Trail Route approved and maintained by a Recognized Agency, no person shall operate an off-road vehicle on or over the following areas:

a) Upon any sidewalk, footpath or boulevard within the Township,

b) Any municipal property in the Township without the consent of the Township, including but not limited to parks, playgrounds or sports fields,

c) In any settlement area except as means of direct access to the designated trails routes,

d) Any privately owned property without the consent of the property owner.

The purpose of this update is to bring the document into conformity with provincial policy and legislation as well as the County Official Plan.

I will add you to the list of persons to be notified so that you can be made aware of opportunities to participate in the update.

Please call if you would like to discuss further. Have a nice weekend.

Jenn Burnett, MSc., MCIP RPP
Senior Planner
Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, Ontario
N4K 5N5

jburnett@georgianbluffs.ca

519-376-2729 ext. 206

From: ron judy hilsden <rjhilsden@hotmail.com>
Sent: Thursday, September 16, 2021 8:28 PM
To: Jennifer Burnett <jburnett@georgianbluffs.ca>
Subject: Fw: Rail trail

Ron & Judy

From: ron judy hilsden
Sent: September 13, 2021 1:19 PM
To: operations@georgianbluffs.ca <operations@georgianbluffs.ca>
Subject: Rail trail

This email is in hopes to try and protect our Niagara Escarpment area from off road gas powered **motorized play toys now, and in the future. We feel ATV's and off-road motorized play toys do not belong on our rail trails or our county roads that run through the Protected Lands. Here in the** Georgian Bluffs Ontario area, there are a lot of township roads that can be used that don't run through the Niagara Protected Lands for the purpose of these vehicles to use to get where they need to go. Motorized play toys need to be stopped before the next generation of motorized play toys are MANUFACTURED and may be more destructive to our protected escarpment area then they already are. People can trailer their ATVS or other motorized play toys to areas that are suitable and don't include the Niagara Escarpment protected lands . A controlled suggestion of building a track like your Sauble Beach Speedway for Stock Car racing might be a solution, but instead of being paved have mud holes and ruts for spectators' entertainment. This would bring in a lot of revenue and tourism to our area. Walkers , hikers, and bikers do not mix and they should not have their lives endangered by the gas-powered motorized Play toys on our rail trails that runs through the Niagara Escarpment Protected Land. Another plan needs to be thought of before more destructive manufactured gas-powered motorized toys are made. Lung cancer from the fumes of the ATV'S and snowmobiles on our narrow rail trails could be our next pandemic unless the trails are designated for battery operated vehicles only. These rail trails were marketed for only walking and biking. These gas-powered machines don't mix with walkers, joggers, and bikers out trying to get exercise to improve their health. If we want a better future for our next generations, please help with this problem of ATV'S and snowmobiles on our narrow rail trails. Thank you for your attention. An acknowledgement and a reply of this email would be appreciated

Ron & Judy Hilsden

Ron & Judy

From: Jennifer Burnett <jburnett@georgianbluffs.ca>
Sent: December 7, 2021 2:43 PM
To: bktaborek@gmail.com
Subject: FW: Short Term Rental Perspectives
Attachments: Capture.PNG; Capture.PNG2.PNG

Hello Brian,

Thank you for the comments. I will add them to the folder for the OP update. The comments will be presented to Council for their consideration at a later date. I have updated the contact list to include your information when there is a formal public consultation on short term accommodation.
Thank you,

Jenn Burnett, MSc., MCIP RPP
Senior Planner
Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, Ontario
N4K 5N5

jburnett@georgianbluffs.ca
519-376-2729 ext. 206

From: Jennifer Arnold <jarnold@georgianbluffs.ca>
Sent: Tuesday, December 7, 2021 1:32 PM
To: Jennifer Burnett <jburnett@georgianbluffs.ca>
Subject: FW: Short Term Rental Perspectives

From: BrianKim Taborek <bktaborek@gmail.com>
Sent: Tuesday, December 7, 2021 1:30 PM
To: Jennifer Arnold <jarnold@georgianbluffs.ca>
Subject: Short Term Rental Perspectives

Hi Jennifer:

Further to our conversation you asked that I give some input from the perspective of a host.

As you know, our family really does a very limited version of hosting, usually only in July and August and only when we are present to manage the guests. Most of our guests are young families coming to a family friendly spot to enjoy the waterfront as we have kids ourselves.

There are likely several owners like us in Georgian Bluffs, who do occasional short term rentals to offset some costs. For us, it's also an enjoyable social thing and we have pride in being well admired. (please see the reviews along with a near 5 star rating).

However, there are short term rentals that do attract problems when such places are sought after in order to create a party location which may disturb neighbours, etc.

Some bylaws can be created to help avoid this scenario, I recommend the following be considered:

1) That short term rentals register with the county or obtain a licence
2) That owners of short term rentals be present to greet their guests (thus confirming who they are etc)
3) That a minimum of 3 consecutive nights be considered. (we did 4 nights, so as to avoid high turnover and encourage the presence of families vacationing as opposed to party seeking weekend warriors)

Hope this helps.

--
Brian & Kim Taborek

David Welwood

From: Jennifer Burnett <jburnett@georgianbluffs.ca>
Sent: July 4, 2022 12:01 PM
To: David Welwood
Subject: Georgian Bluffs Comments received since 1st report to Council up to July 4, 2022
Attachments: FW: Short Term Rental Perspectives; short-term accommodation concern

[CAUTION] This email originated from outside JLR. Do not click links or open attachments unless you recognize the sender and know the content is safe. If in doubt, please forward suspicious emails to Helpdesk.

Hello David,

I believe there have been 3 comments submitted since the initial comments were presented to Council.

"Comment from Jeremy Robichaud via Access E11 dated June 16, 2022

Hello,
I would like to request that Georgian Bluffs consider a ban on use of property zoned as residential being used as an Air BnB. Owen Sound and other communities are considering such a ban and I feel like use of property for this purpose is unjust to neighbours who must deal with the ongoing nuisance/risk associated with such arrangements despite the fact that their homes were bought with no expectation that their neighbour could essentially become a hotel. I do not see the benefit to the community from allowing this, and strongly feel that Georgian Bluffs should act in the interest of their residents and tax payers on this matter

Jeremy

https://www.owensoundsuntimes...."

Jenn Burnett, MSc., MCIP RPP
Senior Planner
Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, Ontario
N4K 5N5

jburnett@georgianbluffs.ca
519-376-2729 ext. 206

David Welwood

From: Jennifer Burnett <jburnett@georgianbluffs.ca>
Sent: July 4, 2022 11:44 AM
To: larryj.middleton@live.com
Subject: short-term accommodation concern

Hello Larry,

Thank you for providing your comments to the Township. The Township is currently updating the Official Plan and staff will include your comments in a submission to Council so that they are aware of your concerns. We are asking residents to document their experiences with short-term accommodation operations through our citizen portal so that we have some data to present to Council. The link is https://form.foreaction.cloud/submit/georgian-bluffs?_mid_=10868 and we ask that you note the type of activity that is of concern i.e. parking, loud noises,etc. Please feel free to share this link with your neighbors or encourage them to call/ email the office. I am also available to speak with neighbors and hear their concerns.

> **Concern from Larry Middleton**
> "It has been brought to my attention that Georgian Bluffs have no regulations to protect their citizens from the influx of these organizations. I have watched with dread the influx of these unregulated organizations moving into my **neighbourhood** and have watched the struggles my neighbours have had to deal with from unruly tenants of these properties and owned by members of these organizations. Only to watch them give up and sell their homes (often their dream homes meant for a quiet retirement). I now find that one of these scourges is being built next to me.
> I ask the **Mayor and Council** to help protect their residents from these outside companies by regulating these renters, owners and organizations. Other municipalities have done so and while I understand it is a difficult task, I ask that you survey these other municipalities for the best and most effective practices and implement those best practices here in Georgian Bluffs.
> I think it will be a travesty if by doing nothing we effectively turn over the best properties to outside commercial interests for the benefit party goers at the expense of of our citizens.
> Please help!!!
> Yours respectfully
> Larry Middleton"

Jenn Burnett, MSc., MCIP RPP
Senior Planner
Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, Ontario
N4K 5N5

jburnett@georgianbluffs.ca
519-376-2729 ext. 206

DRAFT

Appendix C

Report PL.2021.17 –
Cannabis Policy

Date	Wednesday, April 07, 2021
From	Maria Gudova, Student Planner
Subject	**Official Plan Update - Cannabis Policy**
Report	PL.2021.17

Recommendation

That report PL.2021.17, Official Plan Update – Cannabis Policy, be received for information.

Background

In response to concerns identified by residents and members of council, regarding cannabis operations in the Township, this report explores the regulations that govern cannabis operations and provides some policy options for council to consider. This report explains cannabis operations from a policy perspective by looking at existing regulations, reviewing the different use classifications of cannabis, and investigating current municipal practices.

Discussion

Cannabis Legalization Timeline

Historically, cannabis (or marihuana, marijuana, etc.) usage was only permitted for medical purposes through the Marihuana Medical Access Regulations (MMAR), next it was refined and reintroduced as the Marihuana for Medical Purposes Regulations (MMPR), and finally re-established through the Access to Cannabis for Medical Purposes Regulations (ACMPR). In 2017, the *Cannabis Act* legalized cannabis usage for non-medical purposes across Canada.

Through the passing of Bill C-45 on November 27, 2017, the *Cannabis Act* legalized the medical and non-medical (recreational) use of cannabis. The Bill came into force on October 17, 2018, regulating the growth, distribution, and sale of cannabis nationally. The Cannabis Statute Law Amendment further refined the act and addressed matters respecting municipalities. The amendment permitted municipalities to pass a resolution to either opt-in or opt-out of cannabis retail stores in their municipalities if passed by

January 22, 2019. The Township of Georgian Bluffs opted-out, meaning there are no retail sales of cannabis permitted in the Township. Since the Township of Georgian Bluffs opted-out in December 2018 from permitting cannabis retail stores, this background study does not go into detail on cannabis retail stores.

A Conflicting Land Use

Municipalities are required to define and regulate the potential land uses associated with cannabis operations. Cannabis facilities and the variety of operations that are permitted under a federal licence, can make it difficult to assign a municipal land-use to the activity. While some claim growing cannabis is an agricultural activity, the different regulations and licensing framework in place point to the fact that it can also be considered industrial, economic development, rural, among other uses.

Municipalities across Ontario are in the process of considering how cannabis operations fit in their municipality and implementing policies to regulate and enforce the rules. The following relevant policies section describes what the responsibilities are for each level of government, the applicable legislation, the differences between medical and personal cannabis use, and how other municipalities are using policies to control cannabis operations under the new framework.

Relevant Policies

Responsibilities of Each Level of Government

To regulate cannabis effectively the Federal, Provincial and Territorial governments must come together to implement the regulatory framework. Generally, it is the responsibility of the Federal government to set requirements for cannabis growth, manufacturing and set industry-wide standards for the related products. On the other

hand, the Provincial and Territorial governments are responsible for developing, implementing, and enforcing cannabis distribution systems. Since Municipalities are "creatures of the province", their policy options and powers largely rely on provincial decisions. Based on the *Cannabis Act* and its accompanying regulations below is an outline of the responsibilities of for different levels of government.

Table 1:Summary of Federal and Provincial Responsibilities

Federal[1]	Provincial and Territorial[2]
The Federal government's responsibilities are to set: • strict requirements for producers who grow and manufacture cannabis • industry-wide rules and standards, including: ○ types of cannabis products available for sale ○ packaging and labelling requirements for products ○ standardized serving sizes and potency ○ prohibitions on the use of certain ingredients ○ good production practices ○ tracking requirements of cannabis from seed to sale to keep it out of the illegal market ○ restrictions on promotional activities	They set rules around: • how cannabis can be sold • where stores may be located • how stores must be operated • who is allowed to sell cannabis Provinces and territories also have the flexibility to set added restrictions, including: • lowering possession limits • increasing the minimum age • restricting where cannabis may be used in public • setting added requirements on personal cultivation

Municipalities are not included in many discussions regarding cannabis operation enforcement. In fact, the legislation loosely addresses municipalities, and mostly in the context of what they cannot do (further discussed under the *Cannabis Act*). Additionally, there is a difference of opinions of what the role of municipalities is in terms of cannabis enforcement. For instance, the Alcohol and Gaming Commission of Ontario (AGCO), responsible for regulating Ontario's cannabis retail stores, sets out a summary of industry responsibilities (below)[3] merely indicate municipalities are responsible for

[1] https://www.justice.gc.ca/eng/cj-jp/cannabis/
[2] https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/laws-regulations/provinces-territories.html
[3] https://www.agco.ca/sites/default/files/municipal_webinar_cannabis_-final_-_nov_28.pdf

recreational cannabis consumptions. On the other hand, the Federation of Canadian Municipalities set out a list[4] of responsibilities of each level of government, citing a larger breadth of municipal control (table below).

Table 2: AGCO Summary of Industry Responsibilities

Areas of Activity		Who is responsible?
Medical cannabis use and distribution	→	Health Canada
Recreational cannabis production licence	→	Health Canada
Recreational cannabis cultivation & processing	→	Health Canada & Licenced Producers
Recreational cannabis wholesale	→	Ontario Cannabis Store
Recreational cannabis online retail sales	→	Ontario Cannabis Store
Recreational cannabis consumption	→	Municipal by-law powers under the Smoke Free Ontario Act
Investigations of criminal activity related to cannabis and illegal dispensaries	→	Police

[5]

Table 3: FCM Summary of Roles and Responsibilities

[4] https://fcm.ca/en/resources/municipal-guide-cannabis-legalization
[5] https://www.agco.ca/sites/default/files/municipal_webinar_cannabis_-final_-_nov_28.pdf

Federal	Provincial/Territorial	Municipal
Cannabis production Cannabis possession limits Trafficking Advertising Minimum age limits (18) Oversight of medical cannabis regime, including personal cultivation registration	Wholesale and retail distribution of cannabis Selection of retail distribution model Workplace safety Discretion to set more restrictive limits for: • minimum age for consumption • possession amount	Zoning (density, location) Retail locations Home cultivation Business Licensing Building Codes Nuisance Smoking restrictions Odours Municipal workplace safety Enforcement Regulations around public consumption Personal possession Municipal cost considerations related to local policing

[6]

However, municipal jurisdiction over cannabis is a balance between the two tables illustrated above. Municipalities generally have power over building code compliance and local enforcement and policies. Likewise, production facilities must also have building code compliance and zoning compliance in terms of density and location. Although municipalities are not allowed to distinguish cannabis retail stores as separate land uses, they can enforce building code compliance.

Table 4: Municipal Jurisdiction

Municipal Jurisdiction	
Can Do[7]	Cannot Do[8,9]

[6] https://fcm.ca/en/resources/municipal-guide-cannabis-legalization
[7] https://oemc.ca/wp-content/uploads/2019/09/0912_1330_Navigating_Cannibis_Industry.pdf
[8] https://www.agco.ca/sites/default/files/municipal_webinar_cannabis_-final_-_nov_28.pdf
[9] https://www.toronto.ca/city-government/council/2018-council-issue-notes/cannabis-legislation/

• Zoning (density, location)
• Retail locations (in some capacity)
  ○ By opting-in/out of cannabis retail in their community
• Building Codes
• Regulations around public consumption
• Enforcement
  ○ Home cultivation
  ○ Smoking restrictions
  ○ Odours
  ○ Municipal workplace safety
  ○ Municipal cost considerations related to local policing
	• Are not allowed to designate cannabis retail sales as a separate land use from any other form of retail.
	• May not create a licensing system respecting the sale of cannabis

Applicable Legislation and Regulations

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) is a high-level document that guides growth management, resource management, and environmental planning practices in Ontario. Notably, the focus of the statement is to direct land use policies for Building Strong Health Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety[10]. Below are points from the PPS that are relevant to this discussion.

1.1.4 Rural Areas in Municipalities

- promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources.
- providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

1.1.5 Rural Lands in Municipalities

- Recreational, tourism and other economic opportunities should be promoted.
- Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.2.6 Land use compatibility

[10] https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf

- Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- Where avoidance is not possible in accordance with policy 1.2.6.1, adjacent sensitive land uses are only permitted if: a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) adverse effects to the proposed sensitive land use are minimized and mitigated; and d) potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.

The PPS also includes many helpful definitions such as "major facilities" and sensitive uses". These definitions are important in the context of defining and regulating cannabis production facilities.

Cannabis Act and Cannabis Regulations

Under the legal framework set out by the *Cannabis Act (S.C. 2018, c. 16)*[11], (the Act) cannabis production, distribution, sale and possession across Canada is strictly controlled. The Act has 3 main goals to keep cannabis out of the hands of youth, keep profits out of the pockets of criminals, and protect public health and safety by allowing adults access to legal cannabis[12].

The Act makes it legal for adults to possess cannabis in public, share with other adults, to purchase cannabis (and related products) from a provincially licensed retailer, grow cannabis for personal use, and to make cannabis products at home. The Act also seeks to protect youth by setting age restrictions, restricting promotion and enticement that appeal to youth. Another goal of the act is to protect public health. The shared responsibilities between the federal, provincial and territorial governments are in place to ensure strict regulation of the substance and its use. Lastly, the act seeks to reduce criminal activity. By legalizing cannabis, the adults who use it are kept out of the criminal justice system, and this reduces the burden on the courts. Likewise, there are criminal penalties in place to target those acting outside of the legal framework.

The regulations also outline the different types of licences applicants can apply for. The following chart identifies the classes and subclasses of licences that are available.

[11] https://laws-lois.justice.gc.ca/eng/acts/c-24.5/
[12] https://www.justice.gc.ca/eng/cj-ip/cannabis/

Table 5: Cannabis classes and subclasses of licences[13]

Federal Cannabis Regulations SOR/2018-144[14] further outlines the framework and certain regulations that specifically impact municipalities. These include pre-licensing requirements, licensing classes and the related security clearances. Certain pre-licensing requirements outlined in the regulations compel applicants to submit a notice to the local government, local fire authority, and local police force. The notice must include the person's date, the expected date on which the applicant will submit the application to Health Canada, the type of class and subclass of license being sought, the address of the site, and the cannabis-related activities expected to be conducted. Notification of written notice to local authorities is also required within 30 days after the issuance, amendment, suspension, reinstatement, or revocation of a licence.

Furthermore, all applications and licences are subject to extensive requirements when it comes to security on the premises. The Physical Security Measures requires the submission of an organizational security plan (OSP) outlining a site plan, security reports, visual evidence, and other information regarding access and monitoring. The full scope of the physical security requirements for different licensing types can be found

[13] https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#b
[14] https://laws-lois.justice.gc.ca/eng/Regulations/SOR-2018-144/FullText.html

on the licensing application on the Government of Canada's webpage[15]. Likewise, Site Detail Requirements include site surveys, arial view images, production capacity, floor plans with descriptions of the areas present on the site. These application requirements must be submitted to Health Canada through the Cannabis Tracking and Licensing System (CTLS). Below, a chart summarizes the requirements under the application.

Table 6:

Table 5: Application Guide Sections with Required Information in the CTLS, by Licence Class

Guide section	Requirement area	Cannabis Licence Class			
		Cultivation (Micro, Standard, Nursery)	Processing (Micro, Standard)	Sale for medical purposes (with possession of cannabis)	Sale for medical purposes (without possession of cannabis)
6.1	Proposed licence holder (licence ownership)	Required	Required	Required	Required
6.2	Mailing address	Required	Required	Required	Required
6.3	Licence class and subclass (identified as "site activities" in the CTLS)	Required	Required	Required	Required
6.4	Site details (including activities)	Required	Required	Required	Required
6.5	Site personnel	Required	Required	Required	Required
6.6	Site ownership	Required	Required	Required	N/A
6.7	Notice to local authorities	Required	Required	Required	N/A
6.8	Physical security (including organizational security plan)	Required Additional visual evidence to be submitted outside the CTLS	Required Additional visual evidence to be submitted outside the CTLS	Required Additional visual evidence to be submitted outside the CTLS	Required Only organizational security plan is required
6.9	Good production practices(GPP)	Required Additional visual evidence to be submitted outside the CTLS	Required Additional visual evidence to be submitted outside the CTLS	Required Additional visual evidence to be submitted outside the CTLS	N/A
6.10	Record keeping (and reporting)	Required	Required	Required	Required
6.11	Key investors report [1]	Required	Required	Required	Required
6.12	Self-identification [1]	Required	Required	Required	Required
6.13	Associated individuals [1]	Required	Required	Required	Required

Province of Ontario

In Ontario, the province has determined the minimum age, public usage, possession limits, and where stores are located among other factors under their jurisdiction.

Table 7: Cannabis Permissions

Minimum age	• You must be **19 and older** to buy, use, possess and grow recreational cannabis. This is the same as the minimum age for the sale of tobacco and alcohol in Ontario.
Where you can use it	• **Private residences** – this does **not** include residences that are also workplaces (for example, long-term care and retirement homes) • **Many outdoor public places** (for example, sidewalks and parks) • **Designated smoking guest rooms** in hotels, motels and inns

[15] https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#b

	• **Residential vehicles and boats** that meet certain criteria (for example, if they have permanent sleeping accommodations and cooking facilities, and are parked or anchored) • Scientific **research and testing facilities** (if the cannabis use is for scientific research and testing purposes) • **Controlled areas** in: ○ long-term care homes, certain retirement homes, residential hospices, provincially-funded supportive housing, designated psychiatric facilities or veterans' facilities
Where you cannot use it	**Indoors** • **indoor common areas** in condos, apartment buildings and university/college residences • enclosed public places and enclosed work places • **non-designated** guest rooms in hotels, motels and inns **Schools** • at school, on school grounds, and all public areas within 20 metres of these grounds • on children's playgrounds and public areas within 20 metres of playgrounds • in child care centres or where an early years program is provided • in places where home child care is provided — **even if children aren't present** **Hospitals, hospices, care homes and other facilities** • within 9 metres from the entrance or exit of hospitals (public and private), psychiatric facilities, long-term care homes, independent health facilities • on outdoor grounds of hospitals (public and private) and psychiatric facilities • in **non-controlled** areas in long-term care homes, certain retirement homes, provincially funded supportive housing, designated psychiatric or veterans' facilities, and residential hospices **Publicly owned spaces** • You cannot smoke or vape cannabis in publicly-owned sport fields (not including golf courses), nearby spectator areas and public areas within 20 metres of these areas. **Vehicles and boats** • You cannot consume cannabis (smoking, vaping and eating) in a vehicle or boat that is being driven or will be driven. **Other outdoor areas**

	• in restaurants and on bar patios and public areas within 9 metres of a patio • on outdoor grounds of specified Ontario government office buildings • in reserved seating areas at outdoor sports and entertainment locations • on grounds of community recreational facilities and public areas within 20 metres of those grounds • in sheltered outdoor areas with a roof and more than two walls which the public or employees frequent, or are invited to (for example, a bus shelter)
Possession	• You are able to have a maximum of 30 grams (about one ounce) of dried cannabis (or equivalent) in public at any time. • One gram of dried cannabis is equal (equivalent) to: ○ 5 grams of fresh cannabis, 15 grams of edible product, 70 grams of liquid product, 0.25 grams of concentrates (solid or liquid), 1 cannabis plant seed
Growing your own cannabis	You may grow up to four cannabis plants **per residence** (not per person) if: • you are 19 years of age and older • it is only for your personal use • the starting material was purchased from the Ontario Cannabis Store or an authorized retail store • it is not forbidden by your lease agreement or condo rules
Cannabis edibles	Edible cannabis products are allowed to have: • up to 10 milligrams of THC (tetrahydrocannabinol) in a single package • up to 30 milligrams of caffeine, if it is naturally occurring (for example, in chocolate, coffee and tea)
Extracts and Topicals	• Extracts (also known as concentrates) that are inhaled or ingested, and topicals (cannabis-infused products for skin, hair and nails) can have up to 1,000 milligrams of THC per package. Products are prohibited from: • being appealing to youth • making health, dietary or cosmetic claims (for example, low fat or suitable for joint pain) • having elements that associate the product with alcoholic beverages, tobacco products or vaping products
Rules for the workplace	Consuming **recreational cannabis in an enclosed workplace remains illegal** after legalization on October 17, 2018. Employers (and supervisors): • need to know the rules for medical cannabis • are required to address workplace hazards, under the *Occupational Health and Safety Act* (OHSA)

	Employees and workers: • who are unable or unfit to work safely could be a hazard to themselves or to others in the workplace • have a duty to perform work safely and to report any hazards to their supervisor or employer under the OHSA
Medical Cannabis	Medical cannabis is subject to different rules than recreational cannabis. The production and sale of medical cannabis is regulated exclusively by the federal government. The only way to purchase medical cannabis is: • from a federally licensed producer online, by written order, over the phone and delivered by secure mail • You can also receive a licence from Health Canada to grow medical cannabis on your own, or designate someone else to grow it on your behalf.[16]

Grey County

The Grey County 2018 Official Plan addresses Cannabis production and cultivation. The County Plan permits Marihuana/Cannabis uses under the Agricultural land use type and considers growing an agricultural use. The Plan, considers the many activities that the different cannabis licences permit, and allows for a cannabis operation of a limited size and scale as an on-farm diversified use. The Plan defers to the local municipality to zone the accessory uses and structures. Below, are excerpts from the Official Plan addressing Cannabis.

5.2.1 Uses Permitted Policies

1) Permitted uses in the Agricultural land use type include:

1. *a) All types, sizes and intensities of agricultural uses, and normal farm practices, including accessory uses (see Table 7);*
2. *b) Agricultural-related uses (see Table 7);*
3. *c) On-farm diversified uses(seeTable7);*
4. *d) Marihuana/Cannabis production in accordance with any Federal laws and subsection (3) below (see Table 7);*

3) Municipalities may choose to permit or place municipal restrictions on accessory uses to Marihuana/Cannabis production within the Agricultural, Rural, or Special Agricultural land use types. While the growing of Marihuana/Cannabis is considered an Agricultural use, other uses associated with production, such as

[16] https://www.ontario.ca/page/cannabis-laws#section-1

laboratories, processing, shipping, etc. may be considered an on-farm diversified use and limited in size and scale. Criteria may be established within municipal official plans or zoning by-laws regarding these additional on-farm diversified uses, accessory to Marihuana/Cannabis production.

Medical Cannabis versus Recreational Cannabis

Recreational use and medical use of cannabis are subject to different rules. While, recreational cannabis is in part governed by provincial governments, medical cannabis is exclusively regulated by the federal government. The main differences between recreational and medical use of cannabis are related to the quantity allowances in regard to public possession and personal production and growth.

Table 8: Permissions for Recreational and Medical Cannabis Use

	Recreational Use	Medical Use[17]
Public Possession	30 grams (about one ounce) of dried cannabis (or equivalent) in public at any time	lesser of 150 grams or a 30-day supply of dried cannabis (or the equivalent in cannabis product) in addition to the 30 grams allowed for non-medical purposes

Production for your own (medical) purposes)	Limit of up to 4 plants per residence in Ontario	- Must meet requirements of Cannabis Regulations:[18]
		  ○ live in Canada
		  ○ be 18 years of age or older
		  ○ attest that you have not been convicted of a cannabis related offense
		  ○ not be registered more than once
		  ○ must complete registration application form for personal production
		  ○ must provide medical document from your health care provider
		- Option to designate another person to produce cannabis for you
		  ○ Same requirements apply as listed above

[17] https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/medical-use-cannabis.html#_Possession_and_personal

[18] https://www.canada.ca/en/health-canada/services/people-registered-designated-produce-cannabis-medical-purposes.html

		○ Person can be authorized to produce under a maximum of 2 registrations - Limit number of plants based on daily grams authorized: Calculator
Licensing	No licensing required	Must register with Health Canada.

Current Municipal Practices

The Cannabis Statute Law Amendment gave municipalities across Ontario the opportunity to either opt-in or opt-out of cannabis retail stores. The AGCO has an extensive list of all municipalities prohibiting and allowing cannabis retail stores. Since then, municipalities have developed their own ways to also deal with the influx of requests regarding cannabis operations. The "current municipal practices" in this part of the report focuses on the actions of municipalities that opted-out of retail stores.

Municipalities are facing different challenges when setting out policies as their role has not been diligently defined in the context of cannabis legalization. By updating zoning by-laws and official plans, municipalities are establishing the role of cannabis in their communities. Notably, municipalities assign varying zones to cannabis and its related operations. They are also defining cannabis facilities in different ways to better distinguish and regulate activities under the assigned zone. Below is a chart illustrating what planning tools other municipalities, who have also opted-out, are using to address cannabis operations.

Table 9: Tools to Address Cannabis Operations

Municipality (opted-out)	Cannabis Definitions	Zoning	Other
Township of Oro-Medonte - Report - Zoning By-Law	Defines: - Cannabis, - Cannabis Production and Processing Facility, and - Sensitive Land Use.	Zones Cannabis Production and Processing Facility under "Industrial Zones" Permitted Uses by adding it to: - Economic Development (ED) Zone - Rural Industrial (IR) Zone	- Setback of 150 metres from sensitive land uses - Amend "Agricultural Use" to exclude the cannabis production and processing facility and outdoor

			growing of cannabis
Township of Melancthon - Zoning By-Law	Defines: - Cannabis - Cannabis Plant - Cannabis Facility	Permits Cannabis Facilities as an Agricultural (A1) Zone. - Applies regulations such as: setbacks, separations from dwellings, vacant lots, settlement boundaries, and more.	- Site Plan Control for any lands utilized for the outdoor growing of Cannabis and/or a Cannabis Facility.
Town of Georgina - Zoning By-Law - Breakdown of Zoning By-Law	Adds Definitions for: - Air Treatment Control - Cannabis Production Facility, Designated - Cannabis Production Facility, Licensed - Gatehouse - Registered Person	Zones Cannabis Production Facility, Designated or Licensed under: - Restricted Industrial (M1) Zone - General Industrial (M2) Zone - Rural (RU) Zone (different regulations apply than those listed in the row) - Business Park 3 (BP-3) Zone	Regulates by: - Prohibiting outdoor cultivation of cannabis (only permits in enclosed building or structure - Distance from Sensitive Land Uses o 150 metres if it contains air treatment control o 300 metres if it does not contain air treatment control, and if near a school
Town of East Gwillimbury	Definitions N/A Zoning By-Law is expected to be	ICBL will examine cannabis production facility in the context of:	Currently the Town's Zoning By-Law mentions Medical

- Cannabis Interim Control By-Law - Development Services Report - Panel Discussion	implemented in June of 2021.	- Rural and Agricultural areas - the Site Plan Control process	Marihuana production facilities as a permitted use under employment zone.
Town of Mono - Community Standards By-Law	Defines: - Cannabis Plant - Cultivation - Nuisance	- Does not mention cannabis in the Zoning By-Law nor the Official Plan in any context.	Addresses Cannabis related Nuisances: - Lighting from the Cultivation of Cannabis Plants - Odours from the cultivation of cannabis plants
Town of Caledon - Zoning By-Law Review	- Previously had supporting definitions for medical marihuana in the Zoning By-Law. Has since changed the definition to "cannabis production facilities"	Currently permits and regulates cannabis production facilities in: - Prestige Industrial (MP) and - Service Industrial (MS) zones Is reviewing the agricultural designation and if it is applicable for cannabis operations: - Agricultural (A1 and A1-ORM) - Rural (A2 and A2-ORM) - And Small Agricultural holdings (A3 and A3-ORM)	- The By Law has been appealed to the Local Planning Appeal Tribunal – hearing not yet scheduled.
Town of Erin - Zoning By-Law Amendment	Defines: - Medical Cannabis	Zones Medical Cannabis Production Facility as:	Regulates: - Must be located in a building

	Production Facility	- Light Industrial Zone (M1) - General Industrial Zone (M2) - Agricultural Zone (1) - Rural Industrial Zone (M3)	- Outdoor storage is prohibited - Subject to Site Plan Control - No minor variances shall be permitted, only dealt with by Zoning By-Law Amendment

Proposed Policy Options/ Recommendations

The Township of Georgian Bluffs does not address cannabis production or cultivation in its planning documents. Through the update of the Georgian Bluffs Official Plan, there is an opportunity to include policy to address cannabis operations in settlement areas. Likewise, amendments to the Zoning By-Law will likely be necessary to reflect the updates to the Official Plan.

Cannabis retail operations should not be an issue for the Township since it opted out of permitting such stores in the municipality. The cultivation of cannabis for personal and or medical use are the most likely activities to impact residents in the Township. Although much of the regulations on the production of cannabis for medicinal purposes are under the jurisdiction of Health Canada, the Township still has policy powers related to enforcement. Likewise, the Township can regulate those with cultivation licenses by permitting uses in zones and setting out regulations for cannabis operations at different scales.

The following planning recommendations are provided for council to consider when creating cannabis operations policies:

1. Accurate definitions are important when creating a zoning by-law to regulate activities associated with cannabis operations.
    - The definition of “cannabis facilities” can regulate operations based on their scale and activities of the licenses under Health Canada.
    - Defining “sensitive land uses” can establish settlement areas as uses that require greater setbacks for land uses with potential nuisances.

2. The issues and nuisances caused by cannabis cultivation can be addressed using community standards by-laws.

- By-laws can be passed to address odour, lighting, and noise nuisances that can impact sensitive land uses.

3. Based on the licensing requirements set out by Health Canada, the potential issues that can occur with a cannabis operation can be regulated using a site plan.
    - A "site plan control by-law" requiring the submission of a "site plan" for the approval of a Township can better regulate these nuisances while establishing that Heath Canada's licensing requirements are met.

4. An interim control by-law is a tool that municipalities across Ontario are using to study the potential impacts and opportunities associated with cannabis operations facilities.
    - The tool is used to freeze development and applications related to cannabis for a period of one year, with a possible one-year extension, to permit the Township to conduct a study and define the permissions for cannabis operations.
    - The use of the interim control by-law can study the potential impacts of such facilities on settlement areas.

Conclusion

Cannabis is difficult to regulate due to all the layers of government and stakeholders involved. With the different cannabis operation licenses available it is challenging for municipalities to implement land use permissions in accordance with federal and provincial permissions. The use is permitted at federal and provincial levels and while it cannot be prohibited across the entire Township, planning tools can be utilized to direct the land use to an appropriate location. By taking into account the history of cannabis legalization in Canada, the relevant policies and planning framework of cannabis operations, and the current municipal practices in Ontario, applying this information can allow for more informed decision making.

It is recommended that report PL.2021.17 regarding updating the Official Plan provisions as they relate to cannabis, be accepted for information.

Respectfully submitted,

Maria Gudova, Student Planner

Recommended Readings/Materials
Cannabis Licence Act, 2018
Bill 36, Cannabis Statute Law Amendment Act, 2018
Department of Justice – Cannabis Legalization and Regulation
Cannabis sales and distribution in the provinces and territories
Ontario Cannabis Laws
Law Enforcement Information - Office of Controlled Substances
Cannabis regulations for licensed producers
Application requirements for cannabis cultivation, processing and medical sales licences
Alcohol and Gaming Commission of Ontario - Cannabis: Municipalities
FCM Municipal Guide to Cannabis Legalization

Report Approval Details

Document Title:	PL.2021.17 – Cannabis OP Update
Attachments:	
Final Approval Date:	Mar 30, 2021

This report and all of its attachments were approved and signed as outlined below:

Tim Lewis, Chief Building Official / By-law Enforcement Officer

Jenn Burnett, Senior Planner

Steven Dollmaier, Director of Operations

Janet Hilts, Human Resources Manager

Kassandra Rocca, Director of Finance / Treasurer

Brittany Drury, Clerk

Al Meneses, Chief Administrative Officer

Date: 2021-07-14

From: Jenn Burnett, Senior Planner

Subject: Addendum to PL.2021.17 Cannabis Policy

Report: PL.2021.30

Recommendation

That report PL.2021.30, Addendum to PL.2021.17 Cannabis Policy, be received, and

That Committee support deferring the creation of policy related to Cannabis production and processing and a nuisance bylaw that addresses associated odor and lighting issues pending completion of the following:

- Provincial approval of the new Land Use Compatibility Guideline,
- Conclusion of the Health Canada consultation on Cannabis,
- The enforceability of Leamington Bylaw 35-18 is determined by the Ontario Superior Court of Justice, and
- A decision has been rendered on the appeals to the Leamington Light Abatement By-law 79-20.

Background

At the February 24, 2021 Council meeting, staff were directed to investigate the implementation and creation of a cannabis nuisance by-law. This direction was provided by resolution RES2021-053:

> "Whereas the Council of the Municipality of Georgian Bluffs deems it appropriate to enact a by-law to prohibit and regulate certain public nuisances within the municipality pursuant to sections 128 and 129 of the Municipal Act, S.O. 2001, c.25, as amended, ("Municipal Act, 2001"); and
>
> Whereas municipalities to make orders requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity; and

> Whereas Sections 445 and 446 of the Municipal Act, 2001 authorize municipalities to issue work orders and in default of a work order being completed by the person directed or required to do it, the work shall be done by the municipality at the person's expense by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes; and
>
> Whereas in the opinion of the Council of the Municipality of Georgian Bluffs, the following is or could become a public nuisance: odours and lighting from the cultivation of cannabis plants;
>
> Now Therefore the Council of the Township of Georgian Bluffs directs staff to develop a nuisance bylaw that addresses the odour and lighting issues associated with marijuana grow operations that may have a detrimental impact on the use and enjoyment of properties in the vicinity of such operations; and
>
> That the Council of the Township of Georgian Bluffs directs staff to develop a report with recommendations for amendments to the existing zoning bylaw and official plan that aim to prohibit the development of new cannabis facilities within residential areas of the municipality."

On Wednesday, April 7, 2021, Council considered report PL.2021.17 Official Plan Update – Cannabis Policy. This report provided an overview of the legislation and regulations that apply to cannabis production and cultivation, as well as an exploration of how other municipalities are regulating land use associated with cannabis operations. The report notes difficulty in implementing land use permissions in accordance with federal and provincial permissions and provides recommendations for the use of zoning provisions and site plan control to regulate cannabis related land use.

Analysis

The update to the Township's Official Plan (OP) will commence in August and Cannabis regulations will be addressed in a new policy section. Municipalities in Ontario are creating official plan policies and zone provisions to address the conflicts associated with that specific land use, currently in operation in larger municipalities. The Township does not have any large-scale licenced cannabis greenhouses currently operating, but staff have received zoning information requests related to micro-cultivation operations in agricultural areas. Staff are aware that complaints have been received related to odor from cannabis plants grown for personal use in settlement areas.

At this time, there are policy and document reviews occurring at the federal and provincial levels that will impact regulations associated with Cannabis operations in Georgian Bluffs. There are also active appeals in progress related to by-laws regulating Cannabis operations as noted in the following paragraphs.

The Municipality of Leamington is known for its abundance of greenhouses occupying approximately 2000 acres of land and producing vegetables, flowers and cannabis

(https://www.investwindsoressex.com/). In 2018, Leamington Council passed By-law 35-18 to regulate matters related to cannabis. The enforceability of that by-law was challenged and is to be heard in the Superior Court of Justice in September, 2021. Municipalities in Ontario, including the City of Windsor, are deferring decisions on cannabis by-laws until a decision on the Leamington by-law has been given. A link to Leamington's Cannabis Regulation By-law 35-18 is included at the end of this report.

Leamington and the Town of Kingsville both passed light abatement by-laws to address concerns related to light pollution. The Leamington Light Abatement By-law 79-20 was appealed to the Normal Farm Practices Protection Board by two businesses impacted by the by-law. They are seeking a ruling on whether greenhouse lights are considered normal farm practice. The hearings for the appeals were held on June 7, 2021 and the ruling has not yet been posted. If the Board determines that greenhouse lights are considered normal farm practice, then the Township cannot pass a by-law to regulate their use. The ruling will provide more direction for staff in this regard. A link to the Leamington Light Abatement By-law 79-20 is included at the end of this report.

Health Canada recently conducted two public consultations related to Cannabis. One consultation opened December 12, 2020 to January 11, 2021, and focused on cannabis regulatory issues including micro-class and nursery licensing regime. The second was a consultation on guidance on personal production of cannabis for medical purposes and was open for comment March 8 to May 7, 2021. The Township provided comments as part of this consultation process. The summary report of the consultation has not yet been released, but staff are monitoring the website. Changes to licensing may impact what the Township can regulate in a Cannabis regulation by-law.

The Province of Ontario is updating the Land Use Compatibility Guideline and is in the process of consulting with all stakeholders with a comment period open from May 4, 2021 - August 6, 2021. The purpose of the Guideline is to reduce land use conflicts between sensitive land uses in proximity to major facilities.

> "The proposed guideline will help ensure certain land uses can co-exist and thrive for the long-term within a community, including major industrial facilities and more sensitive residential land uses. It will help to prevent impacts from noise, dust, odour and other potential sources of adverse effects to sensitive land uses from industries which threaten their ability to operate, and would clarify when compatibility studies related to the assessment of potential noise, odour, dust and other impacts are needed." (https://ero.ontario.ca/notice/019-2785)

The draft Guideline speaks to Cannabis production and processing in Settlement areas, identifies the use as a Class 5 facility with the odor rated as being "persistent and/or usually offensive". This use is associated with a 2000m Area of Influence (AOI) and requires a 500m Minimum Separation Distance (MSD) to sensitive land uses. The draft Guideline defines an AOI as "an area surrounding the property boundary of an existing or planned major facility where adverse effects on surrounding sensitive land uses have a moderate likelihood of occurring." (Land Use Compatibility Guideline, pg. 20) It then

requires a compatibility study to assess impacts of the proposed new use and to recommend a MSD to the use.

The Guideline supports implementation of the PPS, 2020 and corresponding policies need to be included in the Township and County Official Plans. Once the Guideline has been approved the appropriate policies can be included in the OP update. Separation distances will inform where Cannabis production and processing uses can be located. A link to the draft Land Use Compatibility Guideline is included at the end of this report.

The new OP policy and any associated by-laws will consider any revised licensing, updated Guideline criteria and the decisions on the appeals to the Leamington Cannabis Regulation By-law and Light Abatement By-law. Staff would reiterate that Cannabis use and production is permitted at federal and provincial levels and while it cannot be prohibited across the entire Township, it can be directed to locations outside of settlement areas or densely populated areas to reduce land use conflicts associated with odor and light pollution.

Financial Impact

There are no financial impacts associated with this report. There will be future legal costs associated with the review of by-laws authorized to regulate cannabis operations as well as costs associated with enforcing the by-laws.

Strategic Priorities

The 2020-2024 Strategic plan encourages economic growth and balanced development. Creating policy and zone provisions in accordance with Provincial Policy and relevant legislation will create opportunities to minimize conflicts related to competing land uses while still fostering economic growth.

"2. Foster Economic Growth
The Township of Georgian Bluffs strives to retain, expand, and attract new businesses that support employment opportunities, promote a diversified economy, support value-added agriculture and capitalize on the Township's strengths, defining natural resources, while protecting the natural environment.
Objectives:

2.1 Retain, expand and attract new commercial activities.

(a) Review planning policies to encourage farm business operations.

(b) Identify possible Employment Lands for Development."

Conclusion

There are policy and document reviews occurring at the federal and provincial levels that may impact the policy decisions made by Council with regard to Cannabis production and processing. Municipal by-laws addressing odor, light and the regulation of Cannabis have been challenged and appealed and are unresolved at this point. Staff

recommend that policy formulation and the creation of nuisance by-laws to address odor and light abatement be deferred until the above-noted consultations have concluded and rulings are issued with respect to the municipal by-laws.

Supporting Documentation

Leamington Cannabis Regulation By-law 35-18
https://www.leamington.ca/en/resources/035-18-Cannabis-Regulation.pdf

Leamington Light Abatement By-law 79-20
https://www.leamington.ca/en/municipal-services/resources/79-20-Greenhouse-Light-Abatement---with-in-force-provisions.pdf

Normal Farm Practices Protection Board
http://www.omafra.gov.on.ca/english/engineer/nfppb/nfppb.htm

Normal Farm Practices Protection Board Appeals
https://nfppb.ca/amco-farms-v-the-corporation-of-the-municipality-of-leamington-pre-hearing-conference-2/

https://nfppb.ca/nature-fresh-farms-v-the-corporation-of-the-municipality-of-leamington-pre-hearing-conference/

Health Canada Consultation
https://www.canada.ca/en/health-canada/programs/consultation-cannabis-regulatory-issues.html

Ontario Draft Land use Compatibility Guideline
https://prod-environmental-registry.s3.amazonaws.com/2021-03/Proposed%20Land%20Use%20Compatibility%20Guideline.pdf

Respectfully Submitted:

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Report Approval Details

Document Title:	PL.2021.30 Addendum to PL.2021.17 Cannabis Policy.docx
Attachments:	- PL.2021.17 Cannabis OP Update Report.pdf
Final Approval Date:	Jul 8, 2021

This report and all of its attachments were approved and signed as outlined below:

Tim Lewis, Chief Building Official

Steven Dollmaier, Director of Operations

Janet Hilts, HR Manager

Kassandra Rocca, Director of Finance

Brittany Drury, Clerk

Al Meneses, Chief Administrative Officer

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Appendix D

Recreation & Trails Master Plan, 2020

Link to Master Plan: https://www.georgianbluffs.ca/en/business-development/resources/Georgian-Bluffs-RTMP_Feb2020_DRAFT-002.pdf

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