



STAFF REPORT EXECUTIVE SUMMARY

STAFF REPORT NO: DSR-152-20

DATE: October 7, 2020

To: Mayor, Deputy Mayor and Members of Council

From: Mary Nordstrom, Manager of Land Use Planning

Subject: 881 Maplevue Drive (Innisfil Maplevue Development Ltd.)
and 1187, 1309, 1321, 1335, 1349 and 1363 9th line and 9,
2351 and 2355 20 Sideroad (D.G. Pratt Construction Ltd.)
Official Plan Amendment (D09-2020-004)

EXECUTIVE SUMMARY:

Public Consultation regarding a town-initiated redesignation a portion of the lands at 881 Maplevue (IMDL) and Southeast corner of 9th Line and 20 Sideroad (Pratt) from Agricultural to Rural

RECOMMENDATION:

1. That Staff Report DSR-152-2020 regarding 881 Maplevue Drive (Innisfil Maplevue Development Ltd.) and 1187, 1309, 1321, 1335, 1349 & 1363 9th Line and 0, 2351 and 2355 20 Sideroad (D. G. Pratt Construction Ltd.) Official Plan Amendment (D09-2020-004) dated October 7, 2020 be received; and
2. That comments presented at the Public Meeting be addressed by Planning Services in a comprehensive report outlining recommendations and options at a future Council meeting.



TOWN OF INNISFIL STAFF REPORT

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2. That comments presented at the Public Meeting be addressed by Planning Services in a comprehensive report outlining recommendations and options at a future Council meeting.

BACKGROUND:

The purpose of the Town Initiated Official Plan Amendment is to redesignate a portion of the lands at 881 Maplevue Drive and at 1187, 1309, 1321, 1335, 1349 & 1363 9th Line and 0, 2351 and 2355 20 Sideroad (the 'subject lands') from Agricultural Area to Rural Area and Key Natural Heritage Feature and Key Hydrologic Feature Area to reflect existing conditions. A Key Map showing the location of the subject lands is Attachment 1 to this Report.

Subject Lands

The subject lands comprise two parcels as shown on the Attachment 1 - Key Map:

- 1) The lands legally described as Part of the North Half of Lot 25, Concession 11, designated Part 1 on Plan 51R-35677 and owned by Innisfil Mapleview Development Ltd (“IMDL Lands”). The IMDL Lands are located in the southwest quadrant of Mapeview Drive and 25th Sideroad, with a frontage of 415 metres along Mapleview Drive and adjacent to the Sandy Cove settlement area. The lands are vacant and comprise an approximate area of 36 hectares (88.8 acres).

The surrounding lands include the following:

North – Agriculture and Environmental lands;

East – Environmental lands and existing single detached residential neighbourhoods;

South – Residential cottages on private roadways; and,

West – Agriculture lands with farm structures, single detached dwelling and accessory structures.

- 2) The lands legally described as Part of the North Half of Lots 21-24, Concession 8 and owned by D. G. Pratt Construction Ltd (“Pratt Lands”). The Pratt Lands contain a frontage of 2,122 metres along 9th Line and 687 metres along 20 Sideroad and are adjacent to the Alcona settlement area. The lands comprise an approximate area of 147 hectares (363 acres). The lands comprise rural single detached dwellings with accessory structures as well as vacant parcels.

The surrounding lands include the following:

North – Agriculture and Environmental lands with single detached dwellings with accessory structures;

East – Environmental lands;

South – Residential subdivision with single detached dwellings and accessory structures; and,

West – Agriculture lands with farm structures, single detached dwelling and accessory structures.

Details of the Town Initiated Official Plan Amendment

The Town Initiated Official Plan Amendment proposes to re-designate a portion of the subject lands to reflect existing conditions. On January 17, 2018, the Town of Innisfil passed By-law No. 007-18 to adopt the Town of Innisfil’s new Our Place Official Plan. The Town-adopted Our Place Official Plan designated portions of the subject lands as Rural Area on Schedule “B”, Land Use based on the following:

- A review of historical aerial imagery and site walks confirmed the IMDL Lands had been previously used as an aggregate extraction area and not suitable for agricultural production and a portion are to be re-designated ‘Key Natural Heritage Feature and Key Hydrological Feature’; and
- An Agricultural Assessment Report prepared by AgPlanLimited, dated May 2017 and submitted to the Town supported the designation of the Pratt Lands as Rural Area.

Notice for this Public Meeting was provided to required agencies, on September 17, 2020 and was posted in the Innisfil Journal, in accordance with Ontario Regulations for planning applications. In addition, Notice was provided on the Town's GetInvolved website.

ANALYSIS/CONSIDERATION:

Provincial Policy Statement (PPS) 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS contains policies that fall under three overarching sections, with the goal of fostering an effective and efficient land use planning system in the Province of Ontario. The following application is being assessed under the new PPS.

Section 2.1 of the PPS directs for the long-term protection of natural features and areas. A portion of the IMDL Lands is proposed to be designated Key Natural Heritage Features and Hydrologic Functions to facilitate protection of a permanent stream corridor.

Section 2.3 of the PPS directs planning authorities to designate prime agricultural areas in accordance with guidelines development by the Province. As previously stated, the lands are not considered prime agricultural area to be protected for long-term agricultural uses and, as such the re-designation is consistent with the PPS.

Places to Grow – Provincial Growth Plan

The Growth Plan for the Greater Golden Horseshoe (2020) was prepared and approved under the Places to Grow Act, 2005. The Growth Plan provides a framework for the planning horizon until 2051. The plan builds on the PPS together with other Provincial plans to inform decision-making regarding growth management and environmental protection, particular to the GGH.

While the provincial agricultural system land base mapping identifies the IMDL Lands and Pratt Lands as Prime Agricultural Area, the 2020 Growth Plan policy 4.2.6.8 states that the provincial mapping does not apply until it has been implemented into the County's Official Plan. The provincial agricultural system mapping has not yet been implemented into the County's Official Plan. Additionally, the Growth Plan policy 4.2.6.8 recognizes prime agricultural areas in effect as of July 1, 2017 in upper and single tier Official Plans. There is no reference to lower tier Official Plans from redefining the limits of agricultural and rural areas where such redefinition is consistent with the PPS, conforms to the Growth Plan and the in effect County Official Plan. Policy 4.2.6.9 further states that upper and single tier municipalities may refine the provincial agricultural land base through a municipal comprehensive review. The proposed designation of 'Rural Area' in the Town's Official Plan would conform to the applicable County designation as required by the Growth Plan.

Additionally, there is approximately 0.92 ha of the IMDL Lands currently designated Agricultural Area in close proximity to a permanent stream and support classification as part of the Natural Heritage System. Therefore, the Proposed Amendment in Attachment 2 will re-designate those

lands “Key Natural Heritage Features and Key Hydrological Features”, in accordance with the environmental protection objectives of the Growth Plan.

The proposed Official Plan Amendment conforms to the Growth Plan.

Lake Simcoe Protection Plan (LSPP)

The Lake Simcoe Protection Plan (LSPP) is a provincial plan that seeks to protect and restore the ecological health of Lake Simcoe and its watershed. The proposed land use change reflects a housekeeping amendment to recognize the rural and key natural heritage attributes of the property and no new development is proposed as this time. The application has been circulated to LSRCA for review and comment.

County of Simcoe Official Plan

Due to the outstanding appeals for the IMDL Lands (October 1, 2014) and Pratt Lands (April 18, 2013) of the 2008 adopted County Official Plan, the 1997 County OP policy 2.6.4 applies to the subject lands. Therefore, a combined “Rural and Agricultural” County OP designation is in place on these lands. A designation of Rural Area in the Town’s Official Plan would conform with the in-force County designation. The proposed Amendment has been circulated to the County of Simcoe for review and comment.

Town of Innisfil ‘Our Place’ Official Plan

The subject lands are currently designated “Agricultural Area” and “Key Natural Heritage Feature and Key Hydrological Feature”. The proposed Official Plan Amendment is to re-designate the “Agricultural Area” portion of the subject lands to “Rural Area” and retain the “Key Natural Heritage Feature and Key Hydrological Feature” designation. In addition, a portion of the IMDL lands are proposed to be re-designated from Agricultural to Key Natural Heritage Feature and Key Hydrologic Feature Area.

As stated previously, these lands were to contain the “Rural Area” designation within the Town’s ‘Our Place’ Official Plan at the time of adoption. The proposed Amendment implements that direction and the existing conditions.

Town of Innisfil Zoning By-law

The subject lands are zoned “Agriculture General (AG)” and “Environmental Protection (EP)”. The AG zoned lands permit a range of agriculture and agriculture related uses, a single detached dwelling and accessory structures, accessory second dwelling unit, bunkhouse, bed and breakfast, home industry, garden suite and pet day care establishment. The EP zoned lands permit conservation, passive use and public uses.

A small portion of the Pratt Lands with frontage on 20 Sideroad are zoned “Rural Residential (RR)”, which permits a single detached dwelling and accessory structures, accessory second dwelling unit, home occupation, bed and breakfast, garden suite and pet day care establishment.

Comments Received

To-date, no technical comments have been received.

Comments received from commenting agencies and departments, residents and Council on the application will be considered in advance of a final report with a recommendation for Council decision.

OPTIONS/ALTERNATIVES:

This report is provided to Council and the public for information and to gather input through public consultation at the Public Planning meeting.

FINANCIAL CONSIDERATION:

There are no direct financial implications from approving the recommendation of this report. Costs associated with these amendments is covered through the approved capital budget.

CONCLUSION:

A subsequent report with recommendations will be provided to Council at a later date. Staff will be reporting back to Council with a recommendation report for Council to consider approval, refusal, or deferral of the final OPA to permit a re-designation of portions of the subject lands to Rural Area designation.

PREPARED BY:

Chris Cannon, Placemaker/Planner

APPROVED BY:

Mary Nordstrom, Manager of Land Use Planning

Attachments:

1. Key Map
2. Proposed Official Plan Amendment

Key Map

881 Maplevue Drive



1187, 1309, 1321, 1335, 1349 & 1363 9th Line and 0, 2351 and 2355 20 Sideroad



AMENDMENT No. XX

TO THE

OFFICIAL PLAN FOR THE

TOWN OF INNISFIL

PART OF LOT 25, CONCESSION 11 – 881 Mapleview Drive

&

PART OF LOTS 21 - 24, CONCESSION 8 - 1187 9TH LINE, 1309 9TH LINE, 1321 9TH LINE, 1335 9TH LINE, 1349 9TH LINE AND 0 20 SIDEROAD

The attached explanatory text, and Schedule “A” constitutes Amendment No. XX to the Official Plan of the Town of Innisfil for (IMDL) Part of Lot 25, Concession 11 known municipally as 881 Mapleview Drive and (Pratt) for Part of Lots 21 -24, Concession 8 known municipally as 1187 9th Line, 1309 9th Line, 1321 9th Line, 1335 9th Line, 1349 9th Line and 0 20 Sideroad in the Town of Innisfil, and the County of Simcoe, which was adopted by the Council of the Corporation of the Town of Innisfil by By-law No. XX-18 in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P. 13, as amended on this _____ day of _____ 2020.

Lynn Dollin, Mayor

Lee Parkin, Clerk

AMENDMENT No. XX
TO THE
OFFICIAL PLAN FOR THE
TOWN OF INNISFIL
PART OF LOT 25, CONCESSION 11 – 881 Mapleview Drive

&

PART OF LOTS 21 - 24, CONCESSION 8 - 1187 9TH LINE, 1309 9TH LINE, 1321 9TH LINE, 1335 9TH LINE, 1349 9TH LINE AND 0 20 SIDEROAD

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Town of Innisfil consists of three (3) parts:

- PART A – THE PREAMBLE** - Consists of the purpose, location and basis for the Amendment, and does not constitute part of the actual Amendment
- PART B – THE AMENDMENT** - Which sets out the actual Amendment consisting of the text and Schedule “A” which constitutes Amendment No. XX to the Official Plan for the Town of Innisfil
- PART C – THE APPENDICES** - Consists of information pertinent to this Amendment in the form of background information. This Section does not constitute part of the actual Amendment

DRAFT

AMENDMENT No. XX

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OFFICIAL PLAN FOR THE

TOWN OF INNISFIL

PART OF LOT 25, CONCESSION 11 – 881 Mapleview Drive

&

PART OF LOTS 21 - 24, CONCESSION 8 - 1187 9TH LINE, 1309 9TH LINE, 1321 9TH LINE, 1335 9TH LINE, 1349 9TH LINE AND 0 20 SIDEROAD

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The Constitutional Statement

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PART C – THE APPENDICES

PART A – THE PREAMBLE

1. PURPOSE

The purpose of this Official Plan Amendment is described as follows:

To redesignate a portion of the subject lands from “Agricultural Area” to “Rural Area”, and “Key Natural Heritage Feature and Key Hydrologic Feature Area” shown on Schedule A and attached hereto. No changes are proposed to the existing Key Natural Heritage and Key Hydrological Features.

2. LOCATION

The lands affected by this Amendment are located at the south west corner of Mapleview Drive and 25 Sideroad and 9th Line, and are legally described as Part of Lot 25, Concession 11 in the Town of Innisfil and known municipally as 881 Mapleview Drive (“**IMDL Lands**”) and at the south-east corner of 20 Sideroad and 9th Line, and are legally described as Part of Lots 21 -24, Concession 8 in the Town of Innisfil and known municipally as 1187 9th Line, 1309 9th Line, 1321 9th Line, 1335 9th Line, 1349 9th Line and 0 20 Sideroad (“**Pratt Lands**”). The total area of the IMDL Lands is 35.25 hectares. The total area of the Pratt Lands is 134.85 hectares.

The IMDL Lands are shown more precisely on Schedule “A” and the Pratt Lands are shown more precisely on Schedule “B”, both attached to this Amendment.

3. BACKGROUND

The purpose of the Official Plan Amendment is to redesignate a portion of the subject lands from “Agricultural Area” to “Rural Area” and “Key Natural Heritage Feature and Key Hydrologic Feature Area”. All existing environmental designations are to remain the same.

4. BASIS

IMDL Lands

On January 17, 2018, the Town of Innisfil passed By-law No. 007-18 to adopt the Town of Innisfil’s new “Our Place” Official Plan under Section 26 of the Planning Act, as amended. The Town adopted new Official Plan designates the IMDL Lands as Rural Area on Schedule “B”, Land Use. Through discussions with the landowner it has been determined that the site has been previously used as an aggregate extraction area and therefore, not capable of agricultural production. Through the viewing of historical aerial imagery and site walk with Town staff and the Lake Simcoe Region Conservation Authority it can be confirmed that previous uses on the lands have removed agricultural features.

The County Staff report (Item CCW-2018-482) to Committee of the Whole dated September 25, 2018 recommended the Town of Innisfil Official Plan, as adopted by the Town of Innisfil By-law No. 007-18 on January 17, 2018, as modified by Schedule 3 to Item CCW-2018-482, be approved.

Policy 4.2.6.8 of the 2019 Growth Plan policy provides that "... provincial mapping of the agricultural land base does not apply until it has been implemented in the upper-or single-tier official plan. Until that time, prime agricultural areas identified in upper and single-tier official plans that were approved and in effect as of July 1, 2017 will be considered the agricultural land base for the purposes of this Plan". Policy 4.2.6.9 further states that upper and single-tier municipalities may refine the provincial agricultural land base through a municipal comprehensive review. While the provincial Agricultural System land base mapping identifies the IMDL lands as Prime Agricultural Area, the 2019 Growth Plan policy 4.2.6.8 specifically states that the provincial mapping does not apply until it has been implemented into the County's Official Plan. The provincial agricultural system mapping has not yet been implemented into the County's Official Plan.

Therefore, (as a result of this combined "Rural and Agricultural" County OP designation and 1997 County OP policy 3.6.4,) a designation of Rural Area in the Town's Official Plan would conform with the in-force County designation as required by 2019 Growth Plan policy 4.2.6.8.

The Growth Plan policy 4.2.6.8 recognizes prime agricultural areas in effect as of July 1, 2017 in upper- and single-tier Official Plans. There is no reference to lower-tier Official Plans, nor is there any Growth Plan policy that would restrict or prevent new or amended lower-tier Official Plans from redefining the limits of agricultural and rural areas where such redefinition is consistent with the PPS, conforms to the Growth Plan and the in-effect County Official Plan.

Additionally, as shown on the Town's adopted 'Our Place' Official Plan on Schedule B: Land Use; there is approximately 0.92 hectares (fragmented into 2 separate portions) of the subject lands that is designated "Agricultural Area". These lands are in proximity to a permanent stream which by definition supports the criteria for classifying those areas of the subject lands as part of the Natural Heritage System. It is an objective of the Town's 'Our Place' Official Plan in Section 17 to maintain, restore and enhance the ecological function of natural heritage features and where possible, improve their functional connections (e.g. improve the ability for flora and fauna to move within the Natural Heritage System) and to identify surface water features, ground water features, hydrologic functions, Key Natural Heritage Features and Key Hydrologic Features, and the linkages and related functions among them, which are necessary for the ecological and hydrological integrity of the Town's watersheds. Therefore, this Amendment includes lands that will be redesignated to "Key Natural Heritage Features and Key Hydrological Features", as shown on Schedule 'A' of this Amendment.

Pratt Lands

On January 17, 2018, the Town of Innisfil passed By-law No. 007-18 to adopt the Town of Innisfil's new "Our Place" Official Plan under Section 26 of the Planning Act, as amended. The Town adopted new Official Plan designates the Pratt lands as Rural Area on Schedule "B", Land Use. The Agricultural Assessment Report prepared by AgPlanLimited, dated May 2017, that was submitted to the Town as part of the process leading up to the Town's adoption of the Official Plan, and which supports the designation of the Pratt lands as "Rural Area". The County Staff report (Item CCW-2018-482) to Committee of the Whole dated September 25, 2018 recommended the Town of Innisfil Official Plan, as adopted by the Town of Innisfil By-law No. 007-18 on January 17, 2018, as modified by Schedule 3 to Item CCW-2018-482, be approved.

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Therefore, (as a result of the combined "Rural and Agricultural" County OP designation and 1997 County OP policy 3.6.4,) a designation of Rural Area in the Town's Official Plan conforms with the in-force County designation as required by 2019 Growth Plan policy 4.2.6.8.

The Growth Plan policy 4.2.6.8 recognizes prime agricultural areas in effect as of July 1, 2017 in upper- and single-tier Official Plans. There is no reference to lower-tier Official Plans, nor is there any Growth Plan policy that would restrict or prevent new or amended lower-tier Official Plans from redefining the limits of agricultural and rural areas where such redefinition is in accordance with science, and is consistent with the PPS, conforms to the Growth Plan and the in-effect County Official Plan. This is what the Town of Innisfil has done, based on the scientific analysis contained in the AgPlan Report.

PART B – THE AMENDMENT

1. INTRODUCTION

Part B – The Amendment, consisting of the following text and the attached Schedule “A”, constitutes Amendment No. XX to the Official Plan of the Town of Innisfil.

2. PURPOSE

The purpose of the Official Plan Amendment is described as follows:

To redesignate part of the subject lands from “Agricultural Area” to “Rural Area”, shown on Schedules “A” and “B”, attached hereto, to facilitate the future development of this portion of the lands for non-agricultural uses, and to redesignate part of the subject lands from “Agricultural Area” to “Key Natural Heritage Feature and Key Hydrologic Feature Area”.

3. SCOPE

The lands subject to this Amendment are legally known as Part of Lot 25, Concession 11, in the Town of Innisfil, and known municipally as 881 Mapleview Drive and Part of Lots 21 – 24, Concession 8, in the Town of Innisfil (“**IMDL Lands**”).

The IMDL Lands have frontage on Mapleview Drive and 25 Sideroad, and an area of approximately 35.25 hectares. The IMDL Lands have previously been used for aggregate extraction and environmental uses.

The lands subject to this Amendment are known municipally as 1187 9th Line, 1309 9th Line, 1321 9th Line, 1335 9th Line, 1349 9th Line and 0 20 Sideroad (“**Pratt Lands**”). The Pratt Lands have frontage on 9th Line and 20 Sideroad, with a total area of approximately 134.85 hectares. The Pratt Lands have previously been used for agricultural purposes, rural residential uses and environmental protection.

4. DETAILS OF THE AMENDMENT

The Town of Innisfil Official Plan is hereby amended as follows:

- a) **That parts of the subject lands be redesignated to “Rural Area” and “Key Natural Heritage Feature and Key Hydrologic Feature Area” as shown on Schedules “A” and “B” to this Official Plan Amendment**
 - i) That all the provisions in Section 18.4 – Rural Area; apply to the subject lands.

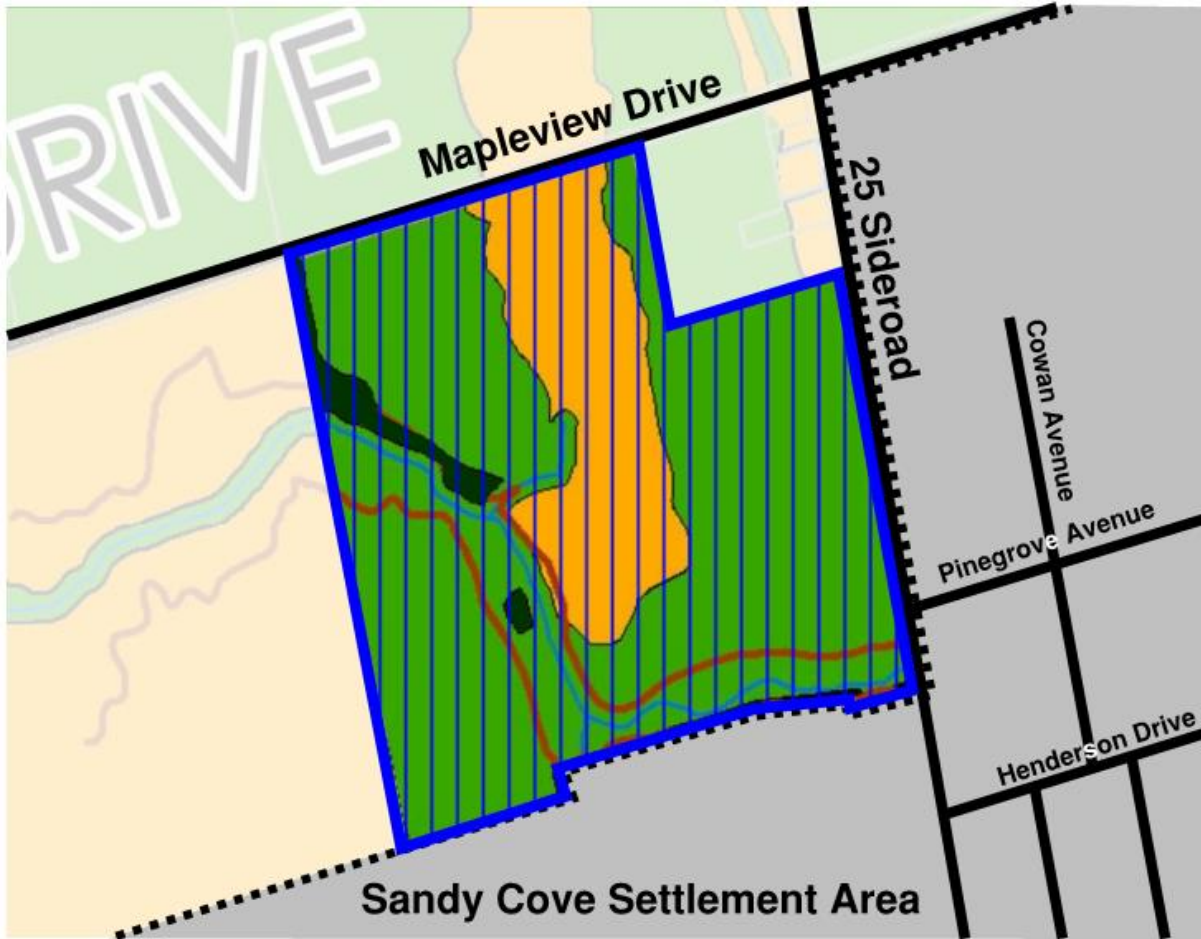
5. INTERPRETATION

The provisions set forth in the Official Plan of the Town of Innisfil, as amended from time to time regarding the interpretation of that Plan, shall apply in regard to this Amendment, and may more specifically be set out or implied within policies contained herein.

Unless precluded, altered or exempted by any policies contained herein, all of the relevant policies of the Official Plan shall apply to the development contemplated by Schedule "A".

DRAFT

Schedule "A" – Official Plan Amendment No. XX:



Lands subject to the Official Plan Amendment



Agricultural Area to be designated Rural Area



Agricultural Area to be designated Key Natural Heritage Feature and Key Hydrologic Feature Area



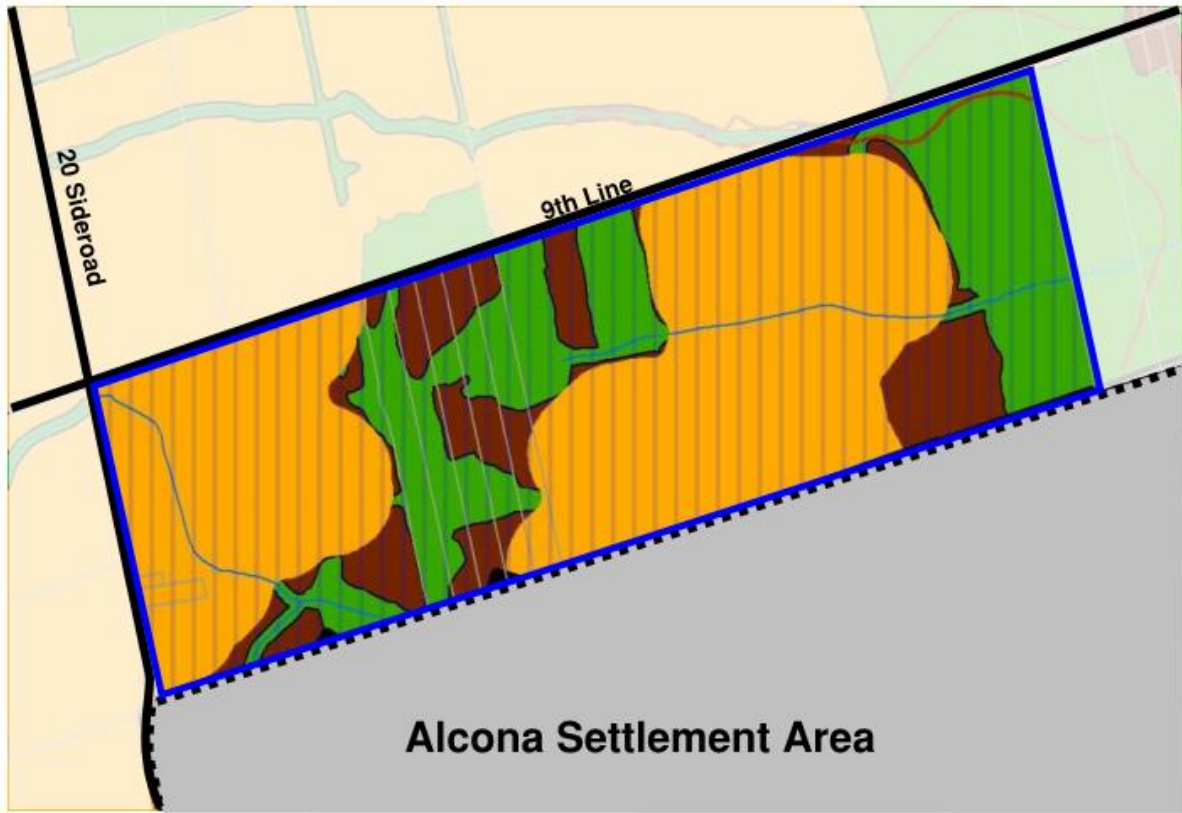
Lands to remain Key Natural Heritage Feature and Key Hydrologic Feature Area



Sandy Cove Settlement Area



Schedule "B" – Official Plan Amendment No. XX:



Lands subject to the Official Plan Amendment



Agricultural Areas to be designated Rural Area



Lands to remain Rural Area



Lands to remain Key Natural Heritage Feature and Key Hydrologic Feature Area



Alcona Settlement Area

