



Staff Report to Council - for Direction

Title: Planning & Development Response to Town of South Bruce Peninsula Resolution

From: Jack Van Dorp, Director of Planning and Development

Date: October 17, 2024

Report Number: PD-2024-019

Report Recommendation:

- That Council direct the Clerk to circulate this report to each local Council in Bruce County for information.

Report Summary:

Bruce County Council, along with the other local municipalities in the County, were circulated a resolution (attached) from South Bruce Peninsula Council about the draft new County Official Plan. This report outlines the work Bruce County staff are leading to address the concerns raised by South Bruce Peninsula Council. This work includes:

- **Engaging the Ministry of Municipal Affairs and Housing:** Bruce County staff engaged with officials from the Building Code Development Unit and Community Planning & Development from the Western Ontario Municipal Services Office to understand the Ministry's expectation around the interaction of these two policy areas. Specifically, how the Building Code, official plans, and other legislations are intended to interact to protect groundwater and support growth. The Ministry understands the issues and is committed to providing a response.
- **Continued Engagement on the draft Official Plan:** the County has been, and continues, to seek input from the public, agencies, municipalities, Saugeen Ojibway Nation and the province on the proposed draft policies and mapping. County staff have held four public open houses, and have been attending local Council meetings to help Councils understand the structure and full scope of the policies included in the draft new County Official Plan.
- **Continued Engagement of Council and South Bruce Peninsula:** County staff are committed to reporting back to both Council and South Bruce Peninsula on the findings above to find a path forward that works to address the concerns expressed while providing advice on how to best protect groundwater and support growth.

Background/Analysis:

The following points outlined some key areas of consideration as Council reviews both the South Bruce Peninsula Council resolution, and this staff report:

- The 2024 Provincial Planning Statement (PPS) recognizes municipal official plans like the County Official Plan and local Official Plans as “the most important vehicle for the implementation of the Provincial Planning Statement”. In drafting the proposed new Official Plan, the effort has been two-fold: to implement the PPS, and to reflect the Bruce County specific context.
- The County recognizes South Bruce Peninsula is unique in having a local Official Plan that covers the whole municipality. Whereas the other seven municipalities in Bruce County rely on the County Official Plan to act as their own local official plan outside of settlement areas. Providing detailed policies outside of settlement areas in the County Plan assists with ensuring alignment and streamlines planning approvals.
- The County Official Plan brings together provincial direction, laid out in the Planning Act, and within provincial plans like the Niagara Escarpment Plan/Greenbelt Plan, as well as the Provincial Planning Statement, and locally developed growth projections. The Plan applies provincial direction in a regional context that considers the issues and matters of importance across the County.
- The Provincial Planning Statement directs municipalities to protect, maintain, and where possible improve groundwater resources from negative impacts of single, multiple, or successive developments. The PPS establishes a servicing ‘hierarchy’ ranging from full municipal services to communal services to private services. Private services are only permitted when full services or communal services are not planned or feasible, and if site conditions are favourable for the long-term with no negative impacts.
- Groundwater is widely used for drinking water in Bruce County, including private wells in unserviced settlement areas and in the countryside. High nitrates levels in drinking water are a serious risk to human health.

Financial/Staffing/Legal/IT Considerations:

- The financial and legal considerations associated with a more permissive groundwater protection framework require further study.

Interdepartmental Consultation:

- Corporate Services - Insurance and Risk Specialist consulted on legal considerations.

Link to Strategic Goals and Objectives:

- Growth and Innovation - Promote responsible growth

Link to Departmental Plan Goals and Objectives, if any:

- The New Bruce County Official Plan is a department business plan objective to be completed in 2024.

Report Author and Departmental Approval:

- Jack Van Dorp, Director of Planning & Development

Approved for Submission:

Claire Dodds, Commissioner of Community Development

Attachments:

- Town of South Bruce Peninsula Resolution Re: Proposed Bruce County Official Plan



September 17, 2024

Via email

Municipality of Northern Bruce Peninsula
Municipality of Arran-Elderslie
Municipality of Brockton
Municipality of South Bruce
Municipality of Kincardine
Township of Huron-Kinloss
Town of Saugeen Shores

Dear Municipal Councils:

Re: Proposed Bruce County Official Plan

At their regular meeting held today, Council adopted the resolution which is below.

*It was **Moved** by J. Kirkland, **Seconded** by C. Hull and **Carried***

***That** the County of Bruce is undertaking a comprehensive review of its Official Plan and has now presented the draft for public comments;*

***And that** South Bruce Peninsula Council and staff, in reviewing the proposed Official Plan wish to advise Bruce County and the municipalities in Bruce County that South Bruce Peninsula believes that the lower tier municipalities would be better served by the County Official Plan if it more closely mirrored the Provincial Planning Statement, meaning that it provides only high-level policy and does not become overly technical and prohibitive as the document governs all municipalities in Bruce County, each of which have separate and distinct ideologies relating to planning matters;*

***And that** with a more generalized County Official Plan, each municipality in Bruce County would be afforded the opportunity to include more detailed planning policies in each local Official Plan, allowing the municipalities to shape their own futures, tailor development as each municipality sees fit and to accept the liability for planning decisions at the local level without upper tier restrictions while still depending on County planning staff to provide planning services for the lower tier municipalities;*

***And that** municipalities in Bruce County have identified areas of the proposed County Official Plan which prove or will prove to be problematic for any type of growth with an example being the requirement for nitrate studies which are not specifically required in the Provincial Planning Statement and would stifle growth in any areas not serviced by municipal sewer and water, including rural, hamlet and shoreline areas;*

***And that** the Town of South Bruce Peninsula hereby asks all Bruce County municipalities to thoroughly review the proposed new provisions in the Bruce County Official Plan with a local lens to*



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gauge the impacts the proposed new Official Plan will have on future development in in each municipality;

And further that the lower tier municipalities in Bruce County reach out to County Council and request that the new Bruce County Official Plan is not more restrictive than Provincial Planning Statement requires and secondly, to not use the new Bruce Official Plan to create additional red tape by regulating items that are or can be regulated by current codes, acts, plans, etc.

The Council for the Town of South Bruce Peninsula is formally asking each municipal Council to thoroughly review the proposed new Official Plan and join South Bruce Peninsula in insisting that the County Official Plan mirrors the Provincial Planning Statement, meaning that the document is a high-level planning tool without unnecessary red tape and regulation.

Should you have any questions, please do not hesitate to contact us.

Yours very truly,

Jay Kirkland
Mayor

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Cc: Bruce County Council