

REPORT TO: Mayor William Vrebosch, Members of Council And the Planning Advisory Committee

REPORT FROM: John B. Fior, Director of Planning and Development

DATE: September 5, 2007

SUBJECT: Township of East Ferris Official Plan Review

RECOMMENDATIONS:

1. That, pursuant to Section 26.(1) of the Planning Act, the need for an Official Plan review and update be confirmed;
2. That the Director of Planning and Development be requested to initiate such a review and update; and
3. That the proposed work plan attached to this report be approved.

BACKGROUND:

The Township of East Ferris Official Plan was adopted by Township Council on January 27th, 2000 and approved by the Ministry of Municipal Affairs (MMAH) in part on September 12th, 2001. It was finally fully approved by the MMAH on July 8th, 2004.

Every five years, the Province of Ontario requires that municipalities hold a public meeting to determine if any revisions to the Official Plan are required. The five-year review provides an opportunity for the Township to look back at the past five years and learn from various planning decisions, advisory committees and the community on whether the current Plan is sufficient to deal with future challenges related to growth, supporting our rural character, and protecting our natural environment.

Section 26.(1) of the Planning Act, R.S.O. 1990, c.P.13, speaks to determining the need for a revision of the Official Plan. Section 26.(1) requires that:

If an official plan is in effect in a municipality, the Council of the municipality that adopted the official plan shall, not less frequently than every five years after the plan comes into effect as an official plan or after that part of a plan comes into effect as part of an official plan,

- a) revise the official plan as required to ensure that it,
 - i) conforms with provincial plans or does not conflict with them, as the case may be,
 - ii) has regard to the matters of provincial interest listed in section 2, and

iii) is consistent with policy statements issued under subsection 3 (1); and

b) revise the official plan, if it contains policies dealing with areas of employment, including, without limitation, the designation of areas of employment in the official plan and policies dealing with the removal of land from areas of employment, to ensure that those policies are confirmed or amended.

Section 26.(3) of the Planning Act requires that council shall consult with the approval authority and with the prescribed public bodies with respect to the revisions that may be required and, further hold a special public meeting of council, open to the public, to discuss the revisions that may be required.

Section 26.(4) of the Planning Act, which speaks to the notice requirements for this special meeting states that:

- Notice of every special meeting held under Section 26.(3) shall be published at least once a week in each of two separate weeks, and the last publication shall take place at least 30 days before the date of the meeting.

Notice of the September 5th, 2007 statutory Public Meeting was advertised in the Almaguin Forester on Friday July 20th, 2007 and Friday August 3rd, 2007.

The statutory requirements of “need and notice”, as prescribed under Section 26 have been met.

THE NEED FOR REVIEW AND REVISION

The new Provincial Policy Statement (PPS) came into effect on March 1, 2005. Bill 51, An Act to Amend the Planning Act and the Conservation Land Act, and to make related amendments to other Acts came into effect on January 1, 2007. The Township of East Ferris Official Plan is being revised “to be consistent with” the intent of these documents and further to review the policies contained within the existing Official Plan and revise them as deemed necessary.

Several issues pertaining to the policies contained within the Official Plan have arisen since it was adopted by Council and approved by the MMAH. These include, but are not limited, to the following:

The availability of vacant lots for residential development in the Township appears to be declining. In order to address this, a vacant lot inventory will be conducted and the absorption rate for vacant lots within the Township will be reviewed. Furthermore, the lot creation policies, especially those related to consents (land severances), will be reviewed.

A review of policies pertaining to energy generating plants (i.e. wind turbines) and communication towers needs to be undertaken.

The community improvement policies for the Township will be reviewed to ensure that they pertain to all types of development within the whole of the Township.

Policies relating to the establishment of industrial uses in the rural area need to be reviewed.

THE REVIEW PROCESS

The Official Plan Review will occur in three phases over 12 months as outlined in the attached Schedule 1 – Summary of Work Program. The first phase is the Background Review and Analysis which will include the review of the existing Official Plan policies and mapping and the collection and review of data.

The second phase is the Preparation of a Background Report and the Public Participation Program. This phase will include the identification of issues, proposed mapping and policy changes, holding a Public Open House and at least one meeting with the Ministry of Municipal Affairs and Housing (MMAH).

The final phase is the Preparation and Adoption of the Official Plan Amendment. This phase will include the statutory public meeting, adoption of the Official Plan Amendment and submission of the amendment to the MMAH for approval.

Public Consultation throughout the process will include at least two Public Meetings and one Open House. Information will be posted at the Township's website and updates will be provided through the Township's Newsletters. Notices of the Public Meetings and the Open House will be advertised through the Almaguin Forester, the local cable company, and posted at the Township's website.

CONCLUSIONS

The changes that have occurred in Provincial legislation and policies together with the issues that have arisen during the implementation of the existing Official Plan demonstrate that a review of the Official Plan is now required.

Upon confirmation of the need for an Official Plan update and the proposed work program, planning staff will initiate the Background Study Phase of the Official Plan Five Year Review Process.

Planning staff will provide regular updates on the progress of the review and report back to the Planning Advisory Committee throughout the Official Plan Review process.

Respectfully Submitted,

John B. Fior, MCIP, RPP

Director of Planning & Developmen