



A community that grows together

Report To: Warden Horner and Members of County Council

Meeting Date: May 8, 2025

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**Subject: Town of Orangeville – Official Plan Amendments 132 and 135**

**From: Rajbir Sian, Director of Community Development and Tourism**

### **Recommendation**

**THAT the report from the Director of Community Development and Tourism, Report #Planning and Development-2025-039, titled Town of Orangeville – Official Plan Amendments 132 and 135, dated May 8, 2025, be received;**

**AND THAT Council approve Official Plan Amendment 132, with the proposed County modifications, to amend policies relating to the pre-consultation process, complete application requirements, and public consultation process;**

**AND THAT Council approve Official Plan Amendment 135, as adopted by the Town of Orangeville, to implement new policies and a new schedule to conform with the Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan.**

### **Executive Summary**

- Official Plan Amendment (OPA) 132 and OPA 135, which relates to the entire Town of Orangeville, was adopted by the Town of Orangeville on January 27, 2025.
- The Record of Decision package relating to OPA 132 and OPA 135 was circulated to the County of Dufferin on February 10, 2025.
- Upon receipt of the Record of Decision package, Planning staff issued a complete application memorandum to Town of Orangeville Planning staff on March 5, 2025.

- OPA 132 proposes amendments to pre-application consultation, complete application requirements, and the public consultation process. OPA 135 proposes amendments to sourcewater protection policies.
- County Planning staff have reviewed both OPA 132 and OPA 135 alongside Provincial and County level legislation and policies. While Planning staff recommend approval for both OPA's, the approval of OPA 132, specifically, includes modifications brought forth by Planning staff.
- If the proposed recommendations in this report are adopted by Council, OPA 132 and OPA 135 will become in-effect, and final, upon the completion of the 20-day appeal timeline.

## Background & Discussion

In establishing the recommendations suggested above, Planning staff reviewed several guiding policy documents, such as the *Planning Act, 1990*, *Clean Water Act, 2006*, Provincial Planning Statement, 2024 (PPS, 2024) County of Dufferin Official Plan, and the Credit Valley -Toronto and Region-Central Lake Ontario Source Protection Plan (CTC Source Protection Plan). This review allowed Planning staff to determine whether the proposed amendment was in general conformity with all appropriate plans and policies.

Though this report speaks to both OPA 132 and OPA 135, a discussion on each specific amendment is provided below due to the distinct and individual nature of the amendments. This should assist Council in fully understanding the scope of both amendments, as well as the amendment-specific review that was undertaken.

### OPA 132 – Updates to Pre-Application Consultation, Complete Application Requirements, and Public Consultation Process

The Town of Orangeville OPA 132 seeks to implement updated policies relating to pre-application consultation, complete application requirements, and the public consultation process. Through these amendments the Town of Orangeville will more strongly align with the recent changes introduced by the Province of Ontario to the *Planning Act* and PPS, 2024. The most notable legislative change that OPA 132 will address is the removal of mandatory pre-consultations for certain planning applications that is outlined under the *Planning Act*.

In reviewing OPA 132, it is clear that the proposed policies generally align with directive from Provincial level planning policies. At the County level, the County Official Plan provides guidance to local municipalities with respect to public consultation (section 8.4) and pre-application consultation (section 8.7). Though OPA 132 conforms to all

directive polices under section 8.7 of the County Official Plan, County Planning staff believe that a minor gap occurs with section 8.4.

This gap is in relation to policy language on Indigenous communities. Through OPA 4 to the County Official Plan, which was approved by County Council and is currently with the Ministry of Municipal Affairs and Housing (MMAH) for final approval, the County implemented a new policy under section 8.4 that promotes Indigenous consultation. This policy is as follows:

*The County and local municipalities will engage with Indigenous communities in land use matters and continue to build meaningful partnerships with Indigenous communities.*

OPA 132, specifically that of policy I11 relating to Public Consultation, does not include any language or policies on consultation with Indigenous communities. It is the opinion of County Planning staff that the inclusion of such policy language would allow for greater conformity with the new County Official Plan. Given that, County Planning suggest the revising of policy I11.2 of OPA 132 to reflect the following:

The objectives for community engagement on planning matters are:

- a. to seek input from residents, agencies and other stakeholders on planning matters;
- b. to provide equitable opportunities for a wide demographic to be informed and involved on planning matters; and,
- c. to receive feedback and directive from Indigenous communities as a means to help guide planning decisions, as well as strengthen partnerships with local Indigenous communities.

Further to the previous recommendation, County Planning also believe that revisions to policies I1.10 and I2.2 should also be made. This determination is because both policies can be interpreted as the requirement for a pre-consultation is needed in order to fulfill the Complete Application Requirement policies of OPA 132. In the opinion of County Planning staff, any language that may indicate a pre-consultation process is required should not be present in order to fully align with the new directive of the *Planning Act*. Policies I1.10 and I2.2 currently read as follows:

**Policy I1.10:** The form and extent of pre-submission consultation stages will vary based on the application type and context, which will be determined in consultation with Town staff and pertinent public agencies. To ensure that the Complete Application Requirements policies of this Plan are met, the satisfactory

completion of all requested pre-application consultation should precede the filing of any formal planning application.

**Policy I2.2:** Supporting information, including detailed studies and plans, shall be required to be submitted with all applications requiring Planning Act approvals. The extent of information and materials required in support of any application shall be determined through pre-application consultation pursuant to the policies of this Plan. In determining the required supporting information, the Town shall consider the nature of the proposal, relationship to adjacent land uses, application type and the policies of this Plan, in consultation with the County of Dufferin, the Credit Valley Conservation Authority and other agencies where appropriate. Required supporting information will be based on what is pertinent and relevant to the development proposal, accounting for context, and achieving the goals and objectives of this plan.

County Planning staff recommend that the two policies be revised to remove the language any potential assumptions that a pre-consultation is required. Instead of the above, County Planning staff suggest the following in italics.

**Policy I1.10:** The form and extent of pre-submission consultation stages will vary based on the application type and context, which will be determined in consultation with Town staff and pertinent public agencies. To ensure that the Complete Application Requirements policies of this Plan are met, the satisfactory completion of all requested pre-application consultation should precede the filing of any formal planning application. *If pre-application consultation is not undertaken, the Complete Application Requirements policies will be assessed through the planning application submission process.*

**Policy I2.2:** Supporting information, including detailed studies and plans, will be required to be submitted with all applications requiring Planning Act approvals. The extent of information and materials required in support of any application *should* be determined through a pre-application consultation pursuant to the policies of this Plan. *However, if a pre-application consultation is not undertaken, the required information necessary to support the application will be determined upon submission of the planning application.* In determining the required supporting information, the Town shall consider the nature of the proposal, relationship to adjacent land uses, application type and the policies of this Plan, in consultation with the County of Dufferin, the Credit Valley Conservation Authority and other agencies where appropriate. Required supporting information will be based on what is pertinent and relevant to the development proposal, accounting for context, and achieving the goals and objectives of this plan.

Through the implementation of the suggested revisions to policies I1.10, I2.2, and I11.2, it is County Planning staff's belief that the policies of OPA 132 will more strongly align with both the *Planning Act* and County Official Plan. The proposed recommendations will, more broadly speaking, establish a process that is accepting and open to applicants and stakeholders from all backgrounds. Proposed County Modifications to OPA 132 are attached in Appendix A.

#### OPA 135 – Sourcewater Protection Policies

OPA 135 from the Town of Orangeville introduces policies that aim to bring the Town Official Plan into conformity with the CTC Source Protection Plan. This need for conformity is borne from the Town of Orangeville's presence within the Credit Valley Source Protection Area.

Upon review of the policies associated with OPA 135, it is evident that OPA 135 will ensure that the Town of Orangeville Official Plan now conforms with the CTC Source Protection Plan. Further to that, OPA 135 will more strongly align the Town Official Plan with the sourcewater protection policies outlined under section 5.4.2 of the County Official Plan, specifically the following:

- a) The County and local municipalities will support and participate in initiatives that implement the *Clean Water Act*, where necessary and appropriate, and ensure coordination amongst local municipalities. It is recognized that at the time this Plan was prepared *Source Protection Plans* are in the process of being approved. Once the *Source Protection Plans* are approved, an amendment to this Plan and the local municipal official plans will be required to implement the *Source Protection Plans* through appropriate official plan policies and mapping. Until such time as these Plans are amended, the local municipal official plans will continue to provide policy guidance with respect to the protection of source water drinking water sources, including *designated vulnerable areas*, wellhead protection areas, significant groundwater recharge areas, and areas susceptible to groundwater contamination and depletion. Appendix 2 illustrates boundaries of the Source Protection Plans applicable to the County, and identifies the municipal wellhead protection areas and *vulnerable* aquifer areas based on the associated Source Protection Assessment Reports.
- b) The County and local municipalities will support the implementation of restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas, and protect, improve or restore vulnerable and sensitive surface and ground water features and their hydrologic functions.

- e) Local municipalities shall further identify within their official plans the time of travel zone/areas within the Wellhead Protection Areas.

County Planning staff believe that the currently proposed policies under OPA 135 are satisfactory and require no additional revisions or updates. As such, OPA 135 should be approved as adopted by the Town of Orangeville.

### **Financial, Staffing, Legal, or IT Considerations**

Appeals regarding County of Dufferin Council's decision on Official Plan Amendments 132 and 135 can be brought forth within 20 days of the decision being made by Council.

Should any appeals be submitted, the County of Dufferin would be required to allocate staff resources towards Ontario Land Tribunal (OLT) mediations and hearings. County resources would also need to be allocated to the retainment of legal counsel to represent the County's interests at the OLT.

### **In Support of Strategic Plan Priorities and Objectives**

**Community** - increase affordable and attainable housing options

**Governance** - identify opportunities to improve governance and service delivery

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Respectfully Submitted By:

Rajbir Sian  
Director of Community Development and Tourism

Prepared by:

Liam Morgan  
Development Planner

Attachments:

- Town of Orangeville Submission Package
- Comments on OPA 132 from NG Citrus Limited (Trish Elliott)

Reviewed by:

Sonya Pritchard  
Chief Administrative Officer

List of Appendices

- Appendix A – Proposed County Modifications to OPA 132

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## Appendix A – Proposed County Modifications to OPA 132

In the italicized wording below are the County Planning staff's suggested amendments to policies I1.10, I2.2, and I11.2 of OPA 132.

**Policy I1.10:** The form and extent of pre-submission consultation stages will vary based on the application type and context, which will be determined in consultation with Town staff and pertinent public agencies. To ensure that the Complete Application Requirements policies of this Plan are met, the satisfactory completion of all requested pre-application consultation should precede the filing of any formal planning application. *If pre-application consultation is not undertaken, the Complete Application Requirements policies will be assessed through the planning application submission process.*

**Policy I2.2:** Supporting information, including detailed studies and plans, will be required to be submitted with all applications requiring Planning Act approvals. The extent of information and materials required in support of any application *should* be determined through a pre-application consultation pursuant to the policies of this Plan. *However, if a pre-application consultation is not undertaken, the required information necessary to support the application will be determined upon submission of the planning application.* In determining the required supporting information, the Town shall consider the nature of the proposal, relationship to adjacent land uses, application type and the policies of this Plan, in consultation with the County of Dufferin, the Credit Valley Conservation Authority and other agencies where appropriate. Required supporting information will be based on what is pertinent and relevant to the development proposal, accounting for context, and achieving the goals and objectives of this plan.

**Policy I11.2:** The objectives for community engagement on planning matters are:

- a. to seek input from residents, agencies and other stakeholders on planning matters;
- b. to provide equitable opportunities for a wide demographic to be informed and involved on planning matters; and,
- c. *to receive feedback and directive from Indigenous communities as a means to help guide planning decisions, as well as strengthen partnerships with local Indigenous communities.*