

27 February 2019

**Posted Online (to Environmental Registry Ontario)**

Charles O'Hara  
Ontario Growth Secretariat  
Ministry of Municipal Affairs and Housing  
777 Bay Street  
c/o Business Management Division, 17th floor  
Toronto, ON M5G 2E5

Dear Mr. O'Hara:

**Re: Proposed Amendment 1 to the *Growth Plan for the Greater Golden Horseshoe, 2017* (ERO # 013-4504)  
Submissions on Behalf of Talisker Corporation**

We are counsel for Talisker Corporation ("Talisker"). Talisker is a privately-held company which provides real estate development, construction, leasing and management services. Talisker owns several properties throughout Ontario through a variety of related companies. One such property is an approximately 2,115 hectare parcel of land located within and adjacent to the settlement area of Lagoon City, in the Township of Ramara, County of Simcoe ("Talisker Lands").

We have reviewed the Province's proposal noted above and submit the comments below for the Minister's consideration. We would welcome an opportunity to discuss these comments with the Minister's office, and would be pleased to provide additional information related to the Talisker Lands if it would assist in considering the requests made in this submission.

**Summary**

Talisker supports Proposed Amendment 1 to the *Growth Plan for the Greater Golden Horseshoe, 2017* ("*Growth Plan 2017*").

In particular, Talisker supports the addition of proposed policy 2.2.8.4, which would permit a settlement area boundary adjustment outside of a municipal comprehensive review, provided such an adjustment would not result in a net increase in land within settlement areas and would meet the other criteria in policy 2.2.8.4. Proposed policy 2.2.8.4 would allow for the achievement of a number of public objectives in Ramara, for the reasons set out below.

27 February 2019

**The Talisker Lands and Township of Ramara OPA 17**

The Talisker Lands are depicted on the map attached as Schedule A.

Approximately 59 hectares of the Talisker Lands located within the settlement area boundary of Lagoon City (shown in pink on the attached map) are not developable because of the presence of natural heritage features (“Excluded Lands”). These lands could be ‘exchanged’ for 59 hectares of the Talisker Lands (shown in yellow on the attached map) which are presently located outside of, but adjacent to, the settlement area of Lagoon City, adjacent to the settlement area of Brechin (“Added Lands”).

On 23 February 2015, Talisker applied to amend the Official Plan of the Township of Ramara (“Township”) to adjust the boundary of the Lagoon City settlement area in the Official Plan by removing the Excluded Lands and replacing them with the Added Lands. The boundary adjustment would have resulted in no net increase in the amount of land included within the Lagoon City settlement area.

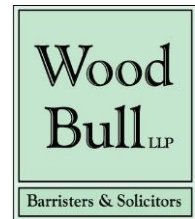
The Township currently suffers from a lack of commercial and service uses because no centre in the Township is large enough to support a reasonable level of retail, health-related or service facilities. In addition, the Township has a significant investment in servicing infrastructure, which included \$7 million to extend existing trunk sewer services from the Lagoon City treatment plant to Brechin. At present, the system is not fully used. The effect of Talisker’s application would have been to facilitate the creation of a vibrant urban centre supported by the two existing built up areas of Lagoon City and Brechin and the lands between them which would make full use of the existing municipal services.

Talisker’s application was supported by the Township’s planning consultant and by the Lake Simcoe Region Conservation Authority, which noted that the change to the settlement area boundary “could result in positive environmental consequences”. Council for the Township adopted the requested official plan amendment as Official Plan Amendment No. 17 (“OPA 17”) on 25 May 2015.

The County of Simcoe (the “County”) is the approval authority for OPA 17 but the County failed to make a decision with respect to OPA 17. Accordingly, Talisker appealed to the Ontario Municipal Board (“OMB”) from the County’s failure to make a decision. However, after receiving a submission from the County that the OMB did not have jurisdiction to consider Talisker’s appeal on the basis that OPA 17 proposed to alter the boundary of a settlement area, the OMB declined to deal with Talisker’s appeal. It made this decision without giving Talisker an opportunity to be heard.

The Talisker Lands have been in limbo since that time. OPA 17 is still on the books but has not been approved nor dealt with in any substantive way by the OMB or its successor, the Local Planning Appeal Tribunal. The Excluded Lands are designated for development but not developable because of

27 February 2019



environmental constraints. The Added Lands have no natural heritage features and are fully serviced, but cannot be developed because they are outside the settlement area boundary.

The boundary adjustment contemplated by OPA 17 would have furthered the Growth Plan's objectives of protecting the natural environment while creating a complete community within the Township, making the most efficient use of existing infrastructure and facilitating the achievement of the growth targets for the Township and the County set out in Amendment No. 1 to the *Growth Plan 2006* (and later in Schedule 7 of the *Growth Plan 2017*). It would have achieved all these objectives without increasing the amount of land included within the settlement area. However, because it was seen as an alteration or expansion of a settlement area boundary, OPA 17 was not permitted to achieve these objectives.

#### **Proposed Amendment 1 to the *Growth Plan for the Greater Golden Horseshoe, 2017***

Against this background, Talisker is pleased to see that Proposed Amendment 1 to the *Growth Plan 2017* would permit a settlement area boundary adjustment like the one contemplated by OPA 17. Talisker supports the proposed addition of policy 2.2.8.4, which provides as follows:

*4. Notwithstanding policy 2.2.8.2, municipalities may adjust settlement area boundaries outside of a municipal comprehensive review, provided:*

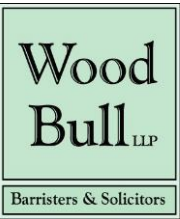
*a. there would be no net increase in land within settlement areas;*

*b. the adjustment would support the municipality's ability to meet the intensification and density targets established by this Plan;*

*d. the affected settlement areas are not rural settlements or in the Greenbelt Area; and*

*e. the settlement area to which the lands would be added is serviced by municipal water and wastewater systems and there is sufficient reserve infrastructure capacity to service the lands.*

OPA 17 meets the criteria set out in this proposed policy. We urge the Minister to make this change to the *Growth Plan*. We further request that the Minister specify, perhaps through a regulation, that OPA 17 conforms with this policy.



27 February 2019

We thank you in advance for your consideration of these matters, and reiterate our interest in meeting with the Minister's office to discuss these matters further.

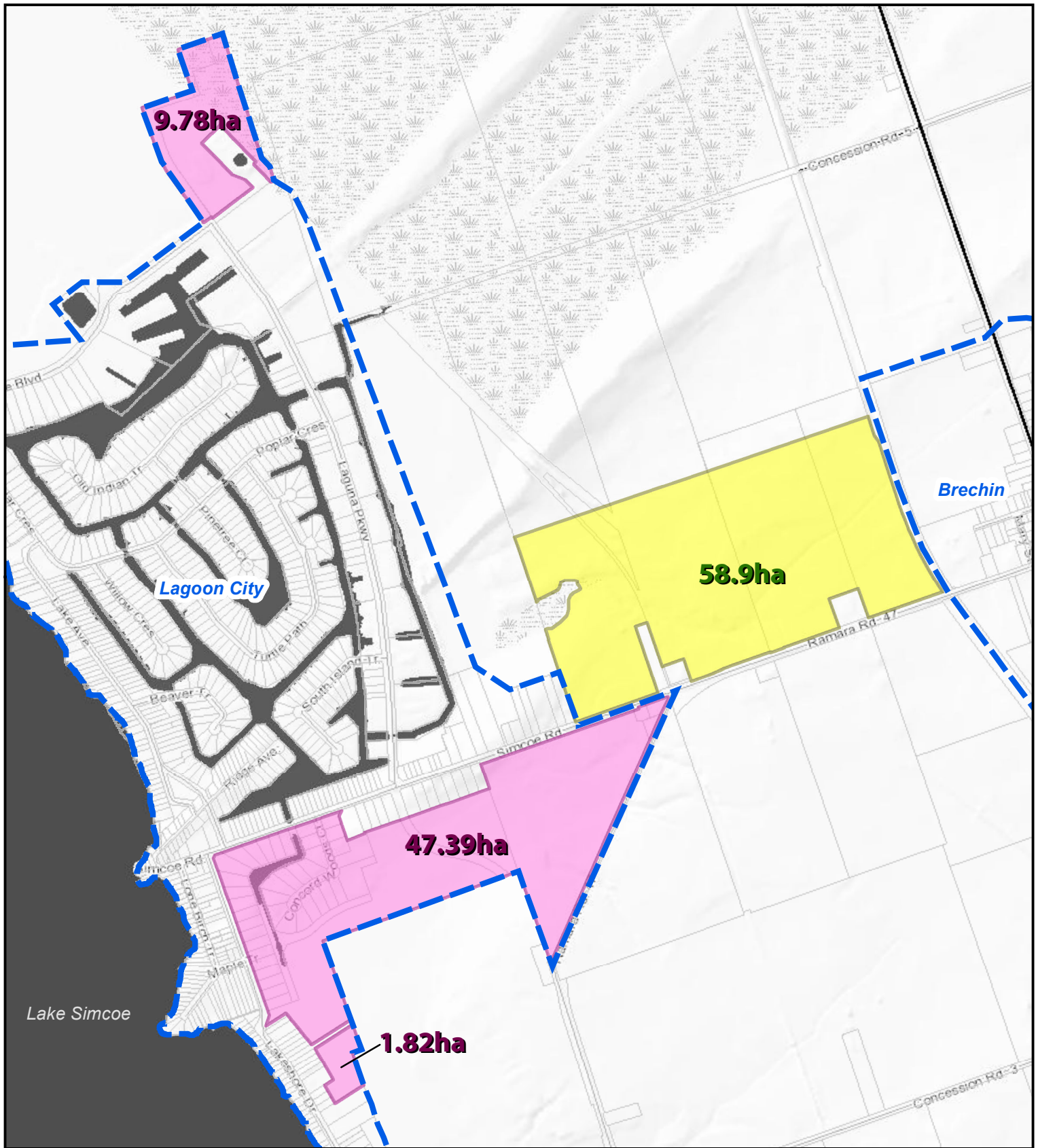
Yours very truly,

**Wood Bull LLP**

A handwritten signature in blue ink that reads "Kim Mullin". The signature is written in a cursive style.





Kim Mullin

KM/km



Schedule A  
Settlement Area  
Boundary Adjustment

Legend

-  Waterbody
-  Settlement Area Boundary
-  Lands to be removed from Lagoon City Settlement Area (59ha)
-  Lands to be added to Lagoon City Settlement Area (59ha)

DATE: March 23, 2015



Source:  
Contains information licensed under  
the Open Government Licence - Ontario  
The Corporation for the County of Simcoe

