

PL091167

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(40) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited
 Appellant: 861945 Ontario Ltd. et al
 Appellant: County of Simcoe
 Appellant: Estate of Mary Louise Francom; and others
 Subject: Failure to announce a decision respecting Proposed Official Plan Amendment 43-OP-2008
 Municipality: Upper Tier of Simcoe
 OMB Case No.: PL091167
 OMB File No.: PL091167

SUPPLEMENTARY MOTION RECORD
(OF THE COUNTY OF SIMCOE – Phase 2a)
(Returnable October 24, 2014)

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**TO: ALL APPELLANTS/PARTIES LISTED IN ATTACHMENTS "A" AND "B"
 WITH A COPY TO ALL PARTICIPANTS LISTED IN ATTACHMENT "C"**

AND TO: ONTARIO MUNICIPAL BOARD
 655 Bay Street, 15th Floor
 Toronto, Ontario, M5G 1E5

Attention: Kimberly Livingstone, Planner
kimberly.livingstone@ontario.ca

Phone: 416-326-6773
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ATTACHMENT "A"
LIST OF APPELLANT PARTIES- COUNTY OF SIMCOE OFFICIAL PLAN
OMB File PL091167

Oct 17, 2014

No.	Appellant	Lawyer/Agent*	E-mail Address
1	County of Simcoe	Roger Beaman	rbeaman@thomsonrogers.com
2	2a Carson Road Development Inc. 2b Midhurst Development Doran Road Inc.	Susan Rosenthal David White	susanr@davieshowe.com david.white@devrylaw.ca
3	Craighurst Land Corp.	Susan Rosenthal	susanr@davieshowe.com
4	Huntingwood Trails (Collingwood) Ltd.	Susan Rosenthal Meaghan McDermid	susanr@davieshowe.com meaghanm@davieshowe.com
5	Midhurst Rose Alliance Inc.	Ira Kagan Paul DeMelo	ikagan@ksllp.ca pdemelo@ksllp.ca
6	Township of Springwater	Barnet Kussner	bkussner@weirfoulds.ca
7	451082 Ontario Limited	James Feehely	jfeehely@fglawyers.ca
8	8a 861945 Ontario Ltd. 8b Golfview Estates Limited [W/D] 8c Mark Rich Homes Limited 8d Silver Spring View Estates Limited 8e Simcoe Estates Limited 8f Royal Heights Estates Limited 8g OMC Development Corp. [W/D]	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
9	Innisfil Aleona Limited <i>[Appeal Withdrawn]</i>	Lynda Townsend Jennifer Meader	ltownsend@weirfoulds.com jmeader@weirfoulds.com
10	Tesmar Holdings Inc.	Michael Melling Meaghan McDermid	michaelm@davieshowe.com meaghanm@davieshowe.com
11	Janice & David Wright	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
12	12a Snow Valley Planning Corporation 12b 453211 Ontario Limited	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
13	McMahan Woods Developments Ltd.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
14	Innisfil Beach Farms Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
15	Estate of Marie Louise Frankcom	James Feehely	jfeehely@fglawyers.ca
16	Midhurst Ratepayers' Association <i>[Appeal Dismissed]</i>	David Strachan* Margaret Hutchison*	davidstrachan@yahoo.com mhutchis1000@gmail.com
17	Narinder Mann	Ian Rowe	irowe@barristonlaw.com
18	Yorkwood Group of Companies	Patricia Foran	pforan@airdberlis.com
19	19a Rama Resorts International Inc. 19b Fernbrook Homes (Rama) Limited <i>[Appeal Resolved]</i>	Brian Goodreid*	briangoodreid@hotmail.com
20	1091402 Ontario Ltd. <i>[Appeal Withdrawn]</i>	David White Cory Estrela	david.white@devrylaw.ca cory.estrela@devrylaw.ca
21	Nicole and Brent Fellman	David White	david.white@devrylaw.ca

		Cory Estrela Anthony-George D'Andrea	cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
22	Travel-Rite Property Corp.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
23	Aqua-Gem Investments Ltd.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
24	442023 Ontario Limited	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
25	1045901 Ontario Limited	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
26	Kellwatt Limited	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
27	27a Ontario Potato Distributing Inc. 27b 1567219 Ontario Limited	Chris Barnett	cbarnett@davis.ca
28	Black Marlin Management Inc.	Caterina Facciolo Barry Horosko	cfacciolo@bratty.com bhorosko@bratty.com
29	Ahmadiyya Muslim Jama'at Canada Inc. (AMJC)	Caterina Facciolo Barry Horosko	cfacciolo@bratty.com bhorosko@bratty.com
30	D.G. Pratt Construction Limited	Jane Pepino Andrea Skinner	jpepino@airdberlis.com askinner@airdberlis.com
31	Hanson Development Group	Patricia Foran	pforan@airdberlis.com
32	Town of New Tecumseth	James Feehely	jfeehely@fglawyers.ca
33	Township of Adjala-Tosorontio	Stephen Waqué Isaac Tang	swaque@blg.com itang@blg.com
34	Robert Schickedanz in Trust	Ian Rowe	irowe@barristonlaw.com
35	2115441 Ontario Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
36	Carson Trail Estates Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
37	Sucession Financial Group Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
38	Bond Head Properties Inc.	Susan Rosenthal Meghan McDermid	susanr@davieshowe.com meaghanm@davieshowe.com
39	39a 2000463 Ontario Limited 39b Angelo & Yvette Santorelli	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca

40	Rayville Developments (Alliston) Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
41	Copperglen Estates Inc.	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca

ATTACHMENT "B"
LIST OF PARTIES- COUNTY OF SIMCOE OFFICIAL PLAN PL091167

Oct 17, 2014

No.	Party	Lawyer/Agent*	E-mail Address
A	Ministry of Municipal Affairs and Housing	Ken Hare Ugo Popadic Arthur Ho (student-at-law)	ken.hare@ontario.ca Ugo.Popadic@ontario.ca Arthur.Ho2@ontario.ca
B	Town of Collingwood	Leo Longo	llongo@airdberlis.com
C	C1 Town of Penetanguishene C2 Township of Ramara	Edward Veldboom	eveldboom@russellchristie.com
D	Town of Innisfil	Quinto Annibale/ Mark Joblin	qannibale@loonix.com mjoblin@loonix.com
E	Town of Bradford West Gwillimbury	Tom Halinski	thalinski@airdberlis.com
F	Town of Midland	Paul Peterson	ppeterson@hgrgp.ca
G	G1 Township of Clearview G2 Township of Tiny G3 Town of Wasaga Beach	Ian Rowe	irowe@barristonlaw.com
H	<i>[Now Appellant 32]</i>		
I	<i>[Now Appellant 33]</i>		
J	J1 Ontario Stone, Sand and Gravel Association J2 CBM Aggregates, a division of St. Marys Cement (Canada) Inc. J3 Lafarge Canada Inc. J4 Holcim (Canada) Inc. J5 James Dick Construction Limited J6 Walker Aggregates Inc.	Mary Bull	mbull@woodbull.ca
K	Georgian International Land Corp.	Mary Bull	mbull@woodbull.ca
L	San Marco in Lamis Ltd.	Michael Vaughan	michaelbvaughan@yahoo.ca
M	White Water Holdings Ltd.	Barry Horosko Caterina Facciolo	bhorosko@bratty.com cfacciolo@bratty.com
N	<i>[Now Appellant 28]</i>		
O	No Jet Construction Inc. Remington Homes (Manhattan) Inc. <i>[Withdrawn]</i>	Caterina Facciolo Barry Horosko	cfacciolo@bratty.com bhorosko@bratty.com
P	Sleeping Lion Development Corporation	John Dawson	jdawson@mccarthy.ca
Q	John Barzo Limited	John Barzo	jbarzo@barzolaw.com
R	Innisfil Mapleview Developments Limited	Susan Rogers	susan.rogers@sdrogerslaw.ca
S	2133952 Ontario Inc.	Harold Elston Aynsley Anderson	harold@elstons.ca aynsley@elstons.ca
T	Talisker Corporation	Harold Elston Aynsley Anderson	harold@elstons.ca aynsley@elstons.ca
U	U1&U2 <i>[Now Appellant 27 a & b]</i>		
V	1651012 Ontario Ltd. now Sandycove Acres Limited	Ian Rowe	irowe@barristonlaw.com
W	Township of Oro-Medonte	Chris Williams	cwilliams@airdberlis.com
X	998991 Ontario Inc.	Ian Rowe	irowe@barristonlaw.com
Y	Tsam Investments Ltd.	Raivo Uukkivi* Signe Leisk*	ruukkivi@casselsbrock.com sleisk@casselsbrock.com

ATTACHMENT "C"
LIST OF PARTICIPANTS – COUNTY OF SIMCOE OFFICIAL PLAN PL091167

Oct 17, 2014

No.	Participant or Interest	Lawyer*/Agent	E-mail Address
1*	<i>AWARE Simcoe</i>	<i>Sandy Agnew Ann Truyens</i>	sagnew@ecomedic.ca at@iglide.net
2*	<i>PURE now ERA - Everett Ratepayers Association</i>	<i>Chantale Gagnon Linda Gaspar David Perryman</i>	chantalegagnon@bell.net chickenqueen17@yahoo.ca dperryman43@sympatico.ca
3	Midhurst	Anna Romano	am_romano@hotmail.com
4	<i>[Now Party W]</i>		
5	<i>Tsam Investments Ltd. [Now Party Y]</i>	<i>Raivo Uukkivi Signe Leisk</i>	ruukkivi@casselsbrock.com sleisk@casselsbrock.com
6	Walton Development and Management L.P.	Paolo Sacilotto Ed Steffelin	psacilotto@walton.com esteffelin@walton.com
7	<i>(Midhurst) [Withdrawn]</i>	Paul Frankeom	
8*	<i>Ontario Farmland Preservation</i>	<i>Bernard Pope</i>	bernard@ontariofarmlandpreservation.org
9*	<i>Simcoe County Federation of Agriculture</i>	<i>Colin Elliott Anne Ritchie-Nahius</i>	rockeynol32@gmail.com nahuis@csolve.net
10*	<i>Angus Ratepayers Association</i>	<i>Wendy Harry Archie Duckworth</i>	TCB4E@primus.ca marg_archie@hotmail.com
11	11a Nutristock Corporation 11b Solmar (Healy) Corporation (App 27a, 27b)	Michael Melling Meaghan McDermid	michaelm@davieshowe.com meaghanm@davieshowe.com
12	Township of Severn	Henry Sander	hsander@townshipofsevern.com
13	<i>K. Winter Sanitation Inc. Kenneth and Ruth Winter</i>	<i>Marvin Geist [Concern Resolved]</i>	marvin@marvingeist.ca
14	ANSI – Oro-Medonte	Joe & Ruth-Ann Langman	ruthannlangman@gmail.com
15	ANSI – Severn	Don & June Bickell	paniswickweld@aol.com
16*	<i>John Strong</i>	<i>John Strong</i>	No e-mail given; 705-424-9350 6760 Simcoe County Road 21, R.R.#2, Alliston, Ont. L9R 1V2
17	<i>Clearview Community Coalition [withdrawn]</i>	<i>Janet Gillham</i>	gillham2@bell.net
18	Appeal 27a, 27b	Ralph MacKenzie	905-729-3984
19	Kevin Newman	Kevin Newman	k.newman@rogers.com
20	Jill Appleby	Jill Appleby	
21	Midhurst	Sandy Buxton	s.buxton@rogers.com
22	R & M Homes Ltd. (Everett)	David White Cory Estrela Anthony-George D'Andrea	david.white@devrylaw.ca cory.estrela@devrylaw.ca Anthony-George.D'Andrea@devrylaw.ca
23	285622 Ontario Ltd. (MIDVES II)	Emil Mlinarevic	emilm@millersonconsulting.com midves@alpeza.com
24	Bette Bull	Bette Bull	
25	Debbie Major	Debbie Major	Debbie@datadirect.ca

* Participant has Testified

PL091167

Ontario Municipal Board

IN THE MATTER OF ss. 17(40) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited
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PL091167

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SUPPLEMENTARY NOTICE OF MOTION PHASE 2a

THE CORPORATION OF THE COUNTY OF SIMCOE will make a Supplementary Motion to the Ontario Municipal Board on **Friday, the 24th day of October, 2014, at 10:00 am**, or as soon after that time as the motion can be heard at the Nottawasaga Inn Resort & Conference Centre, 6015 Highway 89, Alliston, Ontario.

THE SUPPLEMENTARY MOTION IS FOR AN ORDER:

- (a) Allowing the Official Plan appeal in part and approving, and modifying and approving, several additional policies for Phase 2a;
- (b) For relief from Rule 38 to serve this Motion on short notice;
- (c) for such further and other relief as may seem just and appropriate.

THE GROUNDS FOR THE MOTION ARE:

- (a) Since service of the Motion of October 14, 2014, the experts for parties involved in Phase 2a of the hearing met and supported or did not oppose or had no opinion on certain additional policies and modified policies resolving concerns

for several matters to be considered in the Phase 2a hearing.

- (b) The grounds as set out in the Notice of Motion dated October 14, 2014 in this matter.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

- (a) the Supplementary Affidavit of Kathy Suggitt, sworn October 21, 2014, and the Exhibits attached thereto;
- (b) the Second Report of Meetings of Expert Witnesses on Phase 2a contained in the said Affidavit;

OCTOBER 21, 2014

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Lawyers for the Corporation
of the County of Simcoe

PL091167

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R. S.O. 1990, c. P.13, as amended

Appellant: 451082 Ontario Limited
 Appellant: 861945 Ontario Ltd., et al
 Appellant: County of Simcoe
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 Subject: Failure of to announce a decision respecting Proposed
 Official Plan Amendment No. 43-OP-2008
 Municipality: Upper Tier of Simcoe
 OMB Case No.: PL091167
 OMB File No.: PL091167

SUPPLEMENTAL AFFIDAVIT OF KATHY SUGGITT, MCIP, RPP

**I, KATHY SUGGITT, MCIP, RPP, of the City of Barrie, in the Province of Ontario,
 MAKE OATH AND SAY AS FOLLOWS:**

1. This Affidavit is supplemental to my affidavit sworn October 14, 2014.

Growth Management Policies – Phase 2a

2. The expert witnesses for the parties involved in this phase of the hearing met on October 15, 2014 to try to resolve the remaining issues. Arising from the meeting, a Second Experts' Report was provided to the County solicitor, who has circulated the report to the Board and to all parties and participants. Attached as **Exhibit "A"** is a copy of the Second Experts' Report dated October 17, 2014.

Policies with No Modifications

3. The experts who participated in the discussions either support or do not oppose/have no opinion with the current wording of policy 3.1.3 as it appears in the updated County Official Plan, Exhibit 72 of these proceedings.

Policies with Proposed Modifications

4. As reflected in Exhibit "A", the experts reached further agreement on certain policies based on proposed modifications. **Exhibit "B"** attached contains the proposed modified policies.

Summary Opinion

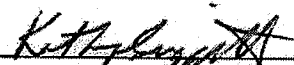
- 5. It is my professional planning opinion that the proposed modifications to the policies listed in Exhibit "B" accurately reflect the agreement reached by the experts involved in Phase 2a of this hearing, on the understanding that the experts either support or do not oppose/have no opinion on the proposed modifications. There are two specific points noted in Exhibit "A" where individual Parties reserve their right to further address possible additions to the policy. The policies addressed in this Affidavit including the proposed modifications would bring the policies into conformity with relevant Provincial policy. The modifications are consistent with the Provincial Policy Statement, 2014 and represent good planning.

- 6. I make this Affidavit in support of the County's request for an order of the Board to allow the appeal in part of the Official Plan to approve policy 3.1.3 without modifications; and to modify and approve policies 3.1, 3.1.1, 3.1.2, 3.1.4, 3.2.3, 3.2.4, additional new policy 3.2.5, 3.5.1, 3.5.5, 3.5.6, 3.5.7, 3.5.8, 3.5.17, 3.5.18, 3.5.21, 3.5.24, 3.5.25 and the deletion of 3.5.31 as detailed in Exhibit "B".

SWORN BEFORE ME)
 at the Township of Springwater)
 in the County of Simcoe)
 this 21st day of October, 2014.)
)
)
)
)
)
)



Commissioner for Taking Oaths, etc.



KATHY SUGGITT

**Brenda Clark, County Clerk
 A Commissioner for the
 Corporation of the
 County of Simcoe**

THIS IS EXHIBIT "A" REFERRED TO IN THE AFFIDAVIT
OF KATHY SUGGITT SWORN BEFORE ME THIS
21st DAY OF OCTOBER, 2014.



A Commissioner, etc.

**Brenda Clark, County Clerk
A Commissioner for the
Corporation of the
County of Simcoe**

OMB File No: PL091167

County of Simcoe Official Plan

Second Experts' Report on Phase 2a (Growth Management)

Dated October 17, 2014

Expert Planning Witnesses Registered for Phase 2a of the Hearing:

- Tony Biglieri – Tesmar Holdings Inc. (Appellant Party 10)
 Tim Cane – Town of Innisfil (Party D)
 Wes Crown – Town of Midland (Party F)
 Mark Dorfman – Township of Ramara (Party C2)
 Brian Goodreid – Estate of Marie Louise Frankcom (Appellant Party 15)
 Bob Lehman/Alison Luoma – San Marco in Lamis Ltd. (Party L), 2133952 Ontario Inc. (Party S),
 Talisker Corporation (Party T)
 Andria Leigh – Township of Oro-Medonte (Party W)
 Paul Lowes – Carson Road Development Inc. (Appellant Party 2a), Midhurst Development
 Doran Road Inc. (Appellant Party 2b), Craighurst Land Corp. (Appellant Party 3),
 Bond Head Properties Inc. (Appellant Party 38), Rayville Developments (Alliston)
 Inc. (Appellant Party 40a), Copperglen Estate Inc. (Appellant Party 40b)
 Darryl Lyons – Ministry of Municipal Affairs and Housing (Party A)
 Geoff McKnight – Town of Bradford West Gwillimbury (Party E)
 Kris Menzies – 998991 Ontario Inc. (Party X)
 Nicola Mitchinson – Mark Rich Homes Limited (Appellant Party 8c), Silver Spring View Estates
 Limited (Appellant Party 8d), Simcoe Estates Limited (Appellant Party 8e)
 Royal Heights Estates Limited (Appellant Party 8f), 2115441 Ontario Inc.
 (Appellant Party 35)
 Josh Morgan – Nicole and Brent Fellman (Appellant Party 21) and 442023 Ontario Limited
 (Appellant Party 24) – Expert did not participate
 Celeste Phillips – Yorkwood Group of Companies (Appellant Party 18)
 Jamie Robinson – Succession Financial Group Inc. (Appellant Party 37)
 Tim Schilling/Bruce Hoppe – Town of New Tecumseth (Appellant Party 32)
 Michael Smith – Tsam Investments (Party Y)
 Brent Spagnol – Township of Springwater (Appellant Party 6)
 Kathy Suggitt – County of Simcoe (Appellant Party 1)
 Jacquie Tschekalin/Ron Palmer – Township of Adjala-Toscorontio (Appellant Party 33)
 Darren Vella – Innisfil Mapleview Developments Ltd. (Party R), McMahon Woods
 Developments Ltd. (Appellant Party 13) – Expert did not participate
 Peter Walker – Ontario Potato Distributing Inc. (Appellant Party 27a), 1567219 Ontario Ltd.
 (Appellant Party 27b)
 Michael Wynia – Township of Clearview (Party G1)

Following the issuance of the First Experts' Report on October 10, 2014, the participating expert witnesses met on October 15th to continue discussions on the policies and related issues that remained without agreement as of the first report including: 3.1, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.3, 3.2.4, 3.5.1, 3.5.5, 3.5.6, 3.5.7, 3.5.8, 3.5.17, 3.5.18, 3.5.21, 3.5.24, 3.5.25 and 3.5.31.

Experts Agreement

The experts agreed that supporting or not opposing/having no opinion on a particular policy in Phase 2a that includes cross reference to other policy(ies) in the Plan should not prejudice or infer support of the cross referenced policy.

Policy with no issue:

The experts who have participated in the meetings either support or do not oppose/have no opinion on the following policy without modification, as it appears in Exhibit 72:

- 3.1.3

Policies with Modification

The experts who have participated in the meetings either support or do not oppose/have no opinion on the following Policies with the Proposed Modifications detailed below:

- 3.1 – Modifications:
 - In the first bullet, replace the words “most non-resource related” with “a significant portion of” and add the word “effectively” before the word “serviced”
 - In the fourth bullet, remove italicization of the word “Development” and replace the words “complete *settlements*” with the word “communities”
- 3.1.1 – Modifications:
 - In the heading, replace the words “most non-resource related” with “a significant portion of” and add the word “effectively” before the word “serviced”
 - In the first paragraph,
 - First sentence, delete the words “urban forms of”
 - Delete the third sentence starting with “A strategy of” in its entirety
 - In the second paragraph add the following sentence at the end of the paragraph “For greater clarity, in Simcoe County specific land use designations applying to lands within the *settlements/settlement area* shall rely on the *local municipal* official plan.”
 - In the third paragraph,
 - Delete the seventh sentence in its entirety “Over time and increasing proportion of the County’s growth will be directed to *Primary Settlement Areas*.”
 - In the eighth sentence delete the words “non-resource related” after the words “and direct most”.
 - In the fourth paragraph delete the words “non-resource related” in the first and third sentences
- 3.1.2 – Modification:
 - Remove italicization of all instances of the word “*development*” in the title and policy
 - In the second paragraph, last sentence delete the words “limited” and “*residential*”

- 3.1.4 – **Modification:**
 - In the title, replace the words “complete settlements” with the word “communities”
 - Remove italicization of the word “development” in all instances throughout the policy including the title
 - In the third paragraph, first sentence, delete the words “within settlements” after the words “employment opportunities”; delete the words “where appropriate” after the words “rural employment areas”; and add the words “tourism and resource-based recreational uses,” after the words “home-based businesses,”
- 3.2.3 – **Modification:**
 - In the first sentence, replace the words “non-resource related *development*” with the words “population and employment growth” and delete the words “, over time getting an increasing proportion of population and employment growth”
 - Insert the following new second sentence “*Municipalities with primary settlement areas will direct a significant portion of population and employment growth forecasted to the applicable primary settlement areas.*”
 - Delete and replace the last sentence with “Other *settlement areas* may over time develop towards becoming a *complete community*, where appropriate, based on the hierarchy described in 3.5.”
- 3.2.4 – **Modification:**
 - In the first sentence delete the words “non-resource related”
- **INSERT New policy 3.2.5 and reorder subsequent policies accordingly:**

“3.2.5 This *Plan* recognizes that certain types of development will occur outside of *settlement areas*.”
- 3.5.1 – **Modification:**
 - Delete the words “existing” and “, as the location for urban uses and most non-resource related growth and *development*”
- 3.5.5 – **Modification:**
 - In the second sentence insert the words “*County and*” before the words “*local municipal*”

**** The experts for Parties C2, T and Appellant Party 33 agree with the policy, but they reserve the right to request additional policy language/clarification in a subsequent paragraph to this policy. This request for language/clarification should not be dealt with in Phase 2a but in a later phase to allow for ongoing discussion. Mediation may also be considered at a later stage.**

NOTE: The following Parties reserve the right to review and provide comment on any proposed changes to Section 3.5.5 : Appellant 6, Appellant 15, Appellant 32, Party D, Party F and Party W.

- **3.5.6 – Modification:**
 - Relocate the second sentence commencing with “*Municipalities with primary settlement areas* will, in their official plans...” to the end of this policy
 - Delete and replace the sentence “Over time an increasing proportion of non-resource related growth in the County will be directed to the *primary settlement areas*.” with the following: “*Municipalities with primary settlement areas* will, in their official plans, focus and direct a significant portion of its population and employment growth forecasted to the applicable *primary settlement areas* while considering growth in other *settlement areas* through local growth management studies as per Section 3.5.8.”
- **3.5.7 – Modification:**
 - In the first sentence, replace the words “most non-resource related” with the words “population and employment”
 - Insert the following new second sentence “Lands may only be redesignated from *lands not for urban uses* to *lands for urban uses* in accordance with Sections 3.5.8 or 3.5.10 of this *Plan*.”
- **3.5.8 – Modification:**
 - In the first sentence replace the word “allocation” with the word “distribution” and insert the words “and rural areas” after the words “identified *settlements*”
- **3.5.17 – Modification:**
 - In the first sentence, insert the words “that is consistent with the growth management study in 3.5.8 and” after “*municipal comprehensive review*”
**The expert for Party G1 agrees with the policy, except for part a) and they reserve the right to request additional policy language/clarification in a subsequent paragraph to the policy. This request for language/clarification should not be dealt with in Phase 2a but in a later hearing phase to allow for completion of the County’s land budget and ongoing discussion. Mediation may also be considered at a later stage.
- **3.5.18 – Modification:**
 - In the seventh bullet, replace the words “*cultural heritage*” with the words “*built heritage resources, significant heritage landscapes*” and insert the word “*significant*” before the words “*archaeological resources*”
- **3.5.21 – Modification:**
 - In the last sentence delete the words “and existing community character and features”

