

CHAPTER 1

INTRODUCTION

1.1 BACKGROUND

The Township of Woolwich (the “Township”) was established in its present configuration by the Regional Municipality of Waterloo Act, 1972, as amended, which created a regional government structure and established the borders of the local municipalities within the Region of Waterloo effective January 1, 1973. This legislation has since been updated and consolidated under the Municipal Act, 2001, which came into force on January 1, 2003.

The Township contains an area of approximately 31,912 hectares (78,854 acres) and a population of approximately 26,000 in 2016. The municipality is made up of the former Township of Woolwich, the former Town of Elmira and part of the former Township of Waterloo.

The township contains some of Ontario’s most important and productive farmlands. These lands support a vibrant agricultural sector and contribute to the overall health and quality of life of the community. The township also includes a series of settlement areas, categorized as Urban Areas, Township Urban Areas, Rural Settlement Areas, and Rural Employment Areas. These areas vary in population, economic activity, diversity of land uses, and in the level of water and sewage services available.

There are presently four primary settlement areas within the Township where a full range of municipal services are available to the residents, including *municipal water* and/or *wastewater systems* and/or partial thereof:

1. Elmira Township Urban Area
2. St. Jacobs Township Urban Area
3. Breslau Urban Area
4. Stockyards Urban Area

These settlement areas have the largest concentrations of people, employment and/or development within the township. Most of Woolwich’s future population and/or employment growth will be directed to these four settlement areas.

In addition to these four serviced settlement areas, there are a number of un-serviced and partially serviced Rural Settlement Areas and Rural Employment Areas throughout the township’s *Countryside*. Future development in these areas will generally be limited to infilling.

As can be seen from the foregoing, the Township is a municipality containing large areas of agricultural land and a number of serviced and unserviced urban settlement areas.

The Township has therefore a dual responsibility:

- a) To the residents of the agricultural lands and to the protection and preservation of these lands for agriculture.
- b) To provide for the needs and aspirations of the residents within all of the settlement areas.

In addition, the Township places a high priority on the protection and wise stewardship of the municipality's *environmental features* and their *ecological functions*.

1.2 PURPOSE OF THE PLAN

This document consisting of text and maps constitutes the Official Plan for the Township of Woolwich.

The Official Plan outlines Council's long-term policy direction to guide future growth, including planning for new *infrastructure* and *public service facilities*, while protecting the township's valuable agricultural lands, *environmental features* and *cultural heritage resources*. This Plan has been prepared and enacted in accordance with the provisions set forth in the Planning Act.

This Plan establishes the direction for development initiated by both the public and private sectors. The land use strategies and policies of this Plan are the tools that allow the Township to manage change towards a desired future. To be effective, it is incumbent on Township Council to ensure that development proceeds in accordance with the objectives of this Plan. It is intended that this Plan will ensure that adequate public services are available for the health, safety and convenience of the residents of the Township and will encourage the development of a desirable community.

The Regional Official Plan contains the policies adopted by the Regional Municipality of Waterloo (the "Region") and as approved by the former Ontario Municipal Board on June 18, 2015, to guide and manage the pattern of settlement expected to occur in the region to the year 2031.

The purpose of the Township's Official Plan is to guide the Township's future development in conformity with the broader framework established by the Regional Official Plan, the Growth Plan for the Greater Golden Horseshoe, 2019 as amended in 2020, and for consistency with the Provincial Policy Statement, 2020.

The policies in this Plan form the guidelines and principles that will be used by Township Council, the Committee of the Whole, the Committee of Adjustment, the Region and other authorities when considering future growth and development proposals within the Township.

Of equal importance, the policies established by this Plan are intended to provide guidance to the residents and business communities of the Township concerning the municipality's intentions relative to development of the Township and to provide a measure of stability and continuity in planning and development decisions.

The main purposes of the Plan are to:

- a) Provide a formal statement of the Township's intentions relating to managing growth until 2031;
- b) Establish a policy framework for maintaining and enhancing the township's valuable agricultural, environmental, natural and *cultural heritage resources* while promoting the development of a *liveable* and *sustainable* community with a strong economy;
- c) Provide a policy framework to guide public and private decisions relating to the development and the provision of roads, watermains, sewers, public service facilities and other services within the Township;
- d) Reflect local initiatives and circumstances unique to the Township as a whole and of specific areas within the Township in particular;
- e) Provide a policy framework and authority to regulate the use of land through zoning by-laws; and
- f) Build on and implement the policies of the Regional of Waterloo and the Province, including the Regional Official Plan, the Growth Plan for the Greater Golden Horseshoe, 2019, and the Provincial Policy Statement, 2020.

1.3 HOW THE PLAN WILL BE USED

Land use planning in the Township is guided and implemented through a hierarchy of provincial, Regional and Township planning documents. Collectively, these documents provide a framework for comprehensive, long-term planning that supports the creation of *sustainable* communities with a high quality of life. The general purpose of each of the documents and how they influence planning in the Township are described below:

1. **Provincial Policy Statement 2020** – this document was issued under Section 3 of the Planning Act and came into effect May 1, 2020. It provides overall policy direction on matters of provincial interest related to land use planning and development in Ontario. In particular, it contains a set of policies that support appropriate development while protecting natural resources, public health and safety, and the quality of the natural environment. The policies of the Provincial Policy Statement are to be read in conjunction with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe. Under the Planning Act, any planning decision of Township Council must be consistent with the Provincial Policy Statement.
2. **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as amended (Growth Plan)** – In May 2019, the Ontario government released a new Growth Plan for the Greater Golden Horseshoe that came into effect on May 16, 2019. Amendment No. 1 (2020) to the Growth Plan for the Greater Golden Horseshoe came into effect on August 28, 2020 (“the Growth Plan”). The Growth Plan provides a long-term framework for where and how municipalities including the Township of Woolwich will grow. It seeks to curb sprawl, protect the natural environment and support economic development by ensuring that land is available to accommodate forecasted population and employment growth when needed, now and in the future. This Growth Plan replaced the former Growth Plan that took effect

in July of 2017. The Growth Plan is intended to guide decisions on a wide range of matters, such as transportation, infrastructure planning, land use planning, urban form, housing, natural heritage and resource protection, in the interest of better managing growth while promoting economic prosperity. Any planning decision of Township Council must conform to or not conflict with the Growth Plan.

3. **The Regional Official Plan (2031)** – this document is the Official Plan for the Regional Municipality of Waterloo. It was adopted by Regional Council on June 16, 2009 and subsequently approved, with modifications, by the Ontario Municipal Board on June 18, 2015. The Regional Official Plan establishes the overall policy framework for planning within the Region and therefore plays a significant role in shaping the Township. It allocates future population and employment growth to the Township, determines the *reurbanization* target and the density targets for the *designated greenfield areas* set out in this Plan, and plays a critical role in coordinating infrastructure investments and other matters while allowing for effective local decision-making. The Regional Official Plan also ensures that provincial interests in planning matters, as expressed in the Growth Plan and Provincial Policy Statement are appropriately addressed. Interpretation of the policies in the Regional Official Plan is the responsibility of Regional Council.
4. **Township of Woolwich Official Plan** - this Plan functions as a link between the policies of the Regional Official Plan, the Growth Plan, the Provincial Policy Statement and the municipal objectives of the Township. This Plan provides policies to guide both development and *infrastructure* investment within the Township. In accordance with Section 27 of the Planning Act, this Plan must conform with the Regional Official Plan, however, the policies in this Plan may be more restrictive on the same subject but may not be more permissive than the policy direction established by the Regional Official Plan. Interpretation of the policies in this Plan is the responsibility of Township Council.
5. **Township Zoning By-law** – Township Zoning By-law is adopted in accordance with Section 34 of the Planning Act. These by-laws are used to implement the policies of this Plan and provide standards for individual developments within the broader planning context. Under the Planning Act, any zoning by-laws adopted by Township Council must conform to the policies of this Plan.

The Plan will be used:

- a) In conjunction with and to implement the Growth Plan, the Regional Official Plan and the Provincial Policy Statement by the Township of Woolwich, its Boards, Commissions and Committees as the basis for decisions and actions on matters within its jurisdiction;
- b) To establish general policies to guide the future development of the Township of Woolwich and to encourage through these formal statements of policy a continuing and consistent direction for this development;
- c) To provide a policy framework to public officials, residents, and the business community of the Township within which to make decisions concerning future land use, development and investment;

- d) To guide Township Council, the Council of the Region of Waterloo, the Committee of Adjustment and other public bodies and officials in the exercise of their powers and responsibilities particularly related to such matters as subdivision control, subdivision plan review, official plan amendments, zoning by-laws and land severance policies and minor variances. It is an objective of this Plan to satisfy Regional criteria to achieve approval authority responsibility for subdivision applications to the Township; and
- e) To establish policies that will assist in guiding the municipality toward the fulfillment of the goals which are set out in Chapter 4 – Guiding Principals, Community Values and Goals of this Plan.

1.4 THE PLAN AS A POLICY DOCUMENT

This Official Plan was prepared in accordance with the statutory powers and responsibilities vested in the Township of Woolwich by the Government of Ontario and particularly through the provisions of the Planning Act and the Regional Official Plan.

This Plan is a policy document that contains the goals, objectives and policies to manage and direct physical (land use) change and its effects on the cultural, social, economic and natural environment within the community. The Planning Act requires that all Township public works, land use related by-laws, and all future development to be in conformity with this Plan.

Interpretations of the policies in this Plan are the responsibility of Township Council. Where differences of opinion arise, the Township Council is responsible for interpreting any policy, principle or map contained in this Plan except in those instances where such policy, principle or map is within Regional or Provincial jurisdiction. All maps included in this Plan can be read as scale drawings. Section 19.2 provides further details with respect to the interpretation of this Plan.

This Plan, including the introductory text, goals, policies, definitions and schedules, is intended to be read in its entirety, and all relevant policies are to be applied to each situation. Where the terms “Township” or “Region” are capitalized, they refer to the Corporations of the Township of Woolwich or the Regional Municipality of Waterloo respectively. Where the terms “township” or “region” are used in lowercase letters, they refer to the geographic area comprising the Township of Woolwich or the Regional Municipality of Waterloo respectively.

Policies in this Plan that use the word “will” or “shall” express a mandatory course of action. Where the words “encourage” or “may” are used, it indicates that the Township requires consideration be given to the policy, but not necessarily compliance in all instances. Such policies are intended to provide direction and support for achieving the overall goals of this Plan. Italicized terms in this Plan are defined in the Glossary. Defined terms are intended to capture both the singular and plural of forms of these terms. For undefined terms, the normal meaning of the word applies.

The boundaries of features and designations identified are approximate except where they meet with roads, railway lines, pipeline routes, transmission lines, the Grand River or other clearly defined physical features, and in these cases, boundaries are generally definitive.

Where a Provincial Highway, a Regional Road or a Collector Road separates the land use designations, the Plan shall be interpreted such that the centre line of the Highway or Road represents the boundary between designations.

Where the general intent of this Plan is maintained, minor adjustments to the boundaries will not require an amendment to this Plan.

This Plan includes references to numerical requirements or restrictions. The numbers included in this Plan may be flexible where specifically noted in this Plan and any development detail that is within 10 percent of any identified numerical requirement or restriction as specifically noted shall be considered to conform to this Plan provided that such flexibility does not contravene or conflict with Provincial and Regional policy.

1.5 REVIEW AND AMENDMENT TO THE PLAN

Although one of the stated purposes of this Plan is to provide a continuing and consistent guide for the future of the Planning Area, it is not intended that the policies and land use designations shall remain static.

This Plan shall be subject to continuous review considering changing economic, social environmental and technological circumstances. It is therefore the stated intention of the Plan that amendments will be considered as required.

Amendments to this Plan will be made to ensure conformity with the Regional Official Plan, the Growth Plan and for consistency with the Provincial Policy Statement. No amendment will be made to this Plan, which would not be in conformity with these documents as applicable. The Plan will be reviewed on a regular basis, every 5 or 10 years, in accordance with Section 26(1) of the Planning Act.

1.6 TRANSITION PROVISIONS TO THIS NEW PLAN

- a) Nothing in this Plan intends to limit the ability of existing approved developments or draft approved plan of subdivisions/condominiums to be built, provided that development complies with Provincial and Federal legislation relating to endangered species habitat. Nothing in this Plan shall limit the ability of implementing Zoning By-law amendments, part lot control by-laws, site plan, consent approval or minor variances to implement the existing approved development or draft approved plans of subdivision/condominium. This Plan shall not limit the ability of the approval authority to revise the conditions of draft approval in accordance with the Planning Act. Should additional redlined revisions, Zoning By-law

amendments, part lot control by-laws, site plans, consents or minor variances be required, additional studies identified in this Plan will not be required, unless such:

- i) Such studies are already required by existing draft conditions or a site plan agreement;
 - ii) Conditions are revised in accordance with the Planning Act;
 - iii) Such studies are required by Provincial and Federal regulations, or by Provincial or Regional plans;
 - iv) Such studies are required as a result of development being proposed on new lands that were not part of the original approved development or
 - v) Major changes are being proposed to a development that significantly alters the original approved development.
- b) Any matter or proceeding referenced in Section 1.6 c) that was commenced before this Plan can into force shall be continued and finally disposed of under the former Township of Woolwich Official Plan, which was approved on May 8, 2002 by the Region and subsequently amended from time to time (i.e., the “former Township of Woolwich Official Plan”) as it read on the day the matter or proceeding commenced, except where such a decision would conflict with or not conform with the Growth Plan for the Greater Golden Horseshoe or the Regional Official Plan, or would be inconsistent with the Provincial Policy Statement. In all cases, decision of Council shall conform with or not conflict with the Growth Plan, conform with the Regional Official Plan, and be consistent with the Provincial Policy Statement.
- c) For the purpose of Section 1.6 b), a matter or proceeding shall be deemed to have commenced before this Plan came into force as follows:
- i) In the case of an adopted official amendment to the former Township of Woolwich Official Plan, the day that Council passed a by-law adopting the amendment;
 - ii) In the case of an application for an official plan amendment initiated by any person or public body, on the day the application was determined by the Township to be a complete application;
 - iii) In the case of an application for a Zoning By-law amendment initiated by any person or public body, on the day the application was determined by the Township to be a complete application;
 - iv) In the case of an application for the approval of a plan of subdivision or plan of condominium initiated by any person or public body, on the day the application was determined by the approval authority to be a complete application;
 - v) In the case of an application for site plan approval initiated by any person or public body, on the day the application was determined by the Township to be a complete application;
 - vi) In the case of an application for minor variance initiated by any person or public body, on the day the application was determined by the Township to be a complete application; and
 - vii) In the case of an application for consent approval initiated by any person or public body, on the day the application was determined by the Township to be a complete application.