

Development Pause CAQs

1. What is an Interim Control Bylaw?

An interim control bylaw (ICBL) is a tool available to Ontario municipalities as part of Section 38 of the Planning Act. An ICBL places a temporary pause on the development of certain lands while a municipality is studying or reviewing land use policies. The bylaw can be approved for one year without appeal and can be extended for a maximum of one additional year. The extension of the bylaw is subject to appeal.

Once a municipality uses this tool, it is not permitted to use it again for three years after it ceases to be in effect.

2. Why an ICBL and not other options?

The Town Public Works and Engineering Department has advised that there is more demand than supply and this is expected to persist for a prolonged period.

3. Can a municipality continue to accept development applications during the year-long freeze?

Applications in process at the time the ICBL was enacted, and new applications submitted after that point, will be circulated for comment to relevant departments and agencies. Statutory public meetings will be held to receive public input. Unless otherwise determined, limited planning analysis will be undertaken and recommendation reports will not be prepared until the recommendations from the ICBL Land Use Planning Policy Study and any outcomes including but not limited to associated Official Plan and Zoning Bylaw amendments that might be recommended are approved by Town Council and come into force.

4. You have had reports on capacity constraints since 2012/2018, how could this be a surprise now?

The Town reports on the maximum demand as compared to treatment capacity in annual reports to Council. When the Plant reached a maximum demand around 80% for a few years, plans for a WTP expansion were initiated.

The water treatment plant has an operating limitation related to the disinfection of cold water that restricts the amount of treated water that can be produced during the winter months. The Town has been diligently investigating opportunities to resolve or minimize this limitation while completing a Master Servicing Plan. The Master Servicing Plan refined the criteria used to determine water plant capacity that had not been allocated at the time.

The operating limitation, coupled with the rapid growth of development interest in the community, and the Town's role in the Provincial growth planning framework, means that while there is currently adequate water for existing demands, the remaining unallocated water is not sufficient to meet all the expected new demands until the expanded water treatment plant is completed in late 2025.

5. Will this impact the Hospital's plans when the Province becomes aware that the Town is not prepared for a new or revitalized Hospital until 2025 or beyond?

There are no rational indications for why this would affect the Hospital plans. The CGMH currently exists and is well served with its current water allocation.

The recent Infrastructure Ontario Capital list indicates a projected timeline of 2024 to complete the RFP process. Construction will follow in 2025 and align with the completion of the water treatment plant expansion.

6. Why are you negotiating with New Tecumseth if there is no agreement?

The Town has been working with New Tecumseth on a new water supply agreement for a few years and we continue to have these discussions in good faith. Both parties are committed to continuing the relationship and reaching a new agreement that will be rationalized against this newest challenge for Collingwood.

The provision of water sales to New Tecumseth has been in place for 20 years and is not something that can be arbitrarily removed as the human consequences would be exceptionally dramatic and life-changing.

New Tecumseth does rely on the water to service their customers, including major industrial users. However, they have for some time been self-managing their water allocations with understanding that their supply can not be increased until the WTP expansion is complete. Both parties have been operating under the terms of the old agreement for the last year and there may be opportunity to reduce supply in the short term.

7. How does the study/ICBL conclude and what does it mean for any recommended changes?

A consultant will be retained to lead the land use planning policy study and identify recommended solutions. The outcome of the study will be presented to Council and approved recommendations will, where applicable, be subject to public statutory meetings as required by the associated legislation before being considered for final approval. Where applicable, the proposed Bylaws or Bylaw Amendments are subject to appeal.

The ICBL continues to apply and be in effect until the appeals are resolved. Where the study takes longer than one year, the Town may extend the ICBL for a second year. Proposed extension of the ICBL requires advance public notice, a report is prepared for review and a decision to extend is subject to appeal.

8. Are landowners still able to file an appeal of their development applications if a municipality does not make a decision on their applications within the number of days required by the Planning Act, even though an Interim Control Bylaw is in place?

Yes, the Planning Act permits landowners to appeal applications for non-decision after 120 days for Official Plan Amendment applications, after 90 days for Zoning Bylaw amendment applications, and after 30 days for Site Plan applications, regardless of whether or not an ICBL is in place.

9. Would there be Local Planning Appeal Tribunal (LPAT) hearings related to any appeals filed?

Eventually, yes. The LPAT will first schedule case management conferences for each appeal filed. However, it would be premature to proceed beyond a case management conference to a full hearing of an appeal while an ICBL is in place. Development applications will be required to be reviewed against any outcomes including, but not limited to, Official Plan or Zoning Bylaw amendments resulting from the ICBL study.

10. What does this mean for my development?

Only those developments that have either been exempted from the provisions of the ICBL or fall within the provisions of the Bylaw may advance to building permit issuance.

Potential buyers may also wish to speak with their builder/developer regarding any deposit that may have been issued, and TARION may have more information for some specific situations.

11. How will I know whether there is water and when can I get it?

The Town is committed to regular communication on the status of the land use planning policy study and any next steps. The ICBL page on the Town's website will be a good source of emerging information and opportunities to participate as members of the community.

12. Has the Town consulted with technical experts in the development industry to explore solutions to the servicing constraints?

Staff and consulting experts have been working on this issue since it was recognized. Council has also provided direction to staff to accept help offered by the local development and engineering communities to explore opportunities to identify solutions to the servicing constraints.

13. Have all of the technical solutions for water plant capacity been examined?

The Town had an engineering consultant review the treatment limitations associated with disinfection during cold water conditions and review and evaluate various options to improve capacity. The report presented to Council considers the most viable technical solutions that Council can support to improve the available water situation in the shorter term and advance the completion of components of the WTP expansion. The completion of the WTP expansion will address the limited water situation. It is in the best interest of the community to advance and complete the WTP as soon as possible.

14. What is the potential cost of an expansion of the Water Treatment plant?

The Environmental Assessment estimates the cost of the expansion at \$65,000,000 in 2020 dollars. Funding will be provided through a combination of the Town's Allocated Water Reserve Fund, Development Charges, and contributions from other Municipalities in accordance with Water Agreements.

15. When will the process to expand the plant start?

In fact, the process to expand the plant has already started. Staff are currently working through the final steps before issuing RFP for engineering design; a construction tender is proposed to be released in 2023.

16. Did COVID-19 accelerate the need for water or is it entirely due to growth?

COVID has resulted in an increase of more permanent population in Collingwood, however water demands have remained relatively stable. This is our observation based on operating data from the last year.

Growth and operational limitations are the main factors. Current development pressure, along with the operational limitations of the existing disinfection process at the WTP,

requires a detailed analysis of available water supply capacity and regular review of the allocation of water supply for development.

17. Will Fire response services be affected by the water plant capacity issues?

Fire demands for residential, commercial, industrial, and institutional customers are accommodated through water storage. As reviewed within the Master Servicing Plan, the Town's fire flow needs are achieved with our existing storage facilities. Regular updates to our water model as development applications are reviewed confirm the flow and pressures required at different facilities are met.