

BILL NO. 2020.70

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NUMBER 2020.95

A BYLAW TO ADOPT AMENDMENT NUMBER 19
TO THE OFFICIAL PLAN OF THE TOWNSHIP OF RAMARA

WHEREAS Section 21 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, provides that the Township of Ramara may initiate an amendment to its Official plan;

AND WHEREAS in accordance with Section 17(15) and Regulation 543/06, a public meeting was held on November 9, 2020 with respect to this amendment and a zoning bylaw amendment;

NOW THEREFORE, the Council of the Corporation of the Township of Ramara in accordance with the provisions of Section 17(22) of the *Planning Act*, as amended, enacts as follows:

1. THAT Amendment No. 19 to the Official Plan of the Township of Ramara, constituting the text, is hereby adopted.
2. THAT the Clerk is authorized to forward Amendment No. 19 to the County of Simcoe as required by Section 17(31) and to provide such notice as required by Section 17 (23) of the *Planning Act*.
3. THAT this Bylaw shall come into force and effect on the day of the passing thereof and this Amendment comes into effect as the official plan when approved in accordance with Section 17 of the *Planning Act*.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY
PASSED THIS 14TH DAY OF DECEMBER 2020.



BASIL CLARKE, MAYOR



JENNIFER CONNOR, CLERK

AMENDMENT NO. 19
TO THE
OFFICIAL PLAN OF THE
TOWNSHIP OF RAMARA

December 14, 2020

AMENDMENT NO. 19 TO THE OFFICIAL PLAN OF THE TOWNSHIP OF RAMARA

PART A - THE PREAMBLE

1. Purpose of the Amendment

The purpose of this Amendment is to establish planning policies regarding the use of land for gun (shooting) clubs and/or firearm shooting ranges. This Amendment effectively prohibits these specific uses throughout the Township. If a person or an organization makes an application to amend the Ramara Zoning Bylaw for purposes of establishing a gun (shooting) club and/or shooting range, the Township will need to apply criteria that are in the Official Plan in order to provide guidance for Council's consideration. The planning application must satisfy land use and operational criteria and be zoned according to the provisions in the Ramara Zoning Bylaw that is in conformity with this Plan.

2. Location

This Amendment and the companion zoning bylaw amendment apply to all of the Township of Ramara.

3. Basis of the Amendment

Since 2017, residents in the Township of Ramara have raised concerns regarding the actual use of properties for firearm shooting. Complaints have been made, by many residents, to the Township regarding the nuisance of persistent shooting of firearms and the resulting impacts of impulsive sounds on people from shootings. There are currently two significant locations within the Township that are the sources of these concerns. Both of these shooting ranges are not approved and regulated by the Township.

Township Council and the administration have consulted with police authorities and other interested parties. Council and the Committee of the Whole have, at various meetings, received oral and written submissions regarding these issues. The existing Ramara Official Plan and Ramara Zoning Bylaw 2005.85 provide for "Active Recreation" in certain designations and zones. Initially, the Township considered that "Active Recreation" could be interpreted as including a shooting range and a gun (shooting) club. The only Township oversight would be Site

Plan Control. The existing definition of "Active Recreation" in the Official Plan focusses on these uses as outdoors only.

The Township has determined that Site Plan Control alone is insufficient to ensure that these land uses will be compatible with sensitive land uses in the community. The existing Official Plan policies, along with the Provincial Policy Statement, provide policy direction to assess whether the site plan application conforms with the Official Plan. It is reasonable to use the Official Plan policies to assess land use compatibility.

At the Council meeting on June 22, 2020, staff were directed to investigate how to deal with the issue of shooting ranges in the Township. On July 27, 2020, Council was advised by the Township administration that the definition of "Active Recreation" should be modified in the official plan and zoning bylaw to clarify that gun (shooting) clubs and shooting ranges are not intended as "Active Recreation" uses. On October 19, 2020, the Township issued a Notice of Public Meeting on the Township website and in the local newspaper and sent the notices to adjacent agencies, the Lake Simcoe and Region Conservation Authority and to the County of Simcoe.

Council held a statutory Public Meeting on November 9, 2020. The Public Meeting received a proposed official plan amendment and a proposed zoning bylaw amendment as the basis of the consultation. The essence of these amendments was that shooting ranges would be prohibited throughout the Township of Ramara and that the "Active Recreation" definition would be modified.

As part of the public participation, Council received 41 letters with 38 letters supporting the proposed amendments to prohibit shooting ranges and 3 letters opposing the amendments, as well as a petition signed by 54 people supporting the proposed amendments. At the Public Meeting, 9 people made oral submissions with 7 in support and 2 objecting to the proposed amendments.

Council is now proceeding to consider amendments to both the Official Plan and the Zoning Bylaw.

The Ramara Official Plan sets out Goals that apply to all land uses. Section 3.3.1 sets out the General Goal for Land Use and Compatibility:

To provide for a diversity of land use activities throughout the Township that are generally harmonious and compatible.

Section 3.3.4 sets out the General Goal for Community Well-Being and Safety of Property:

To have regard for the community well-being of all people and their property in the Township.

These particular general Goals set the tone when characterizing the Township. The residents of the Township permanently and seasonally occupy dwellings in settlement areas, in residential clusters and in the agriculture and rural areas. The enjoyment of the lakes and waterways located throughout the Township are significant recreational resources that are the foundation for most of life in the Township.

Section 2 of the *Planning Act* requires that the municipality shall have regard to matters of provincial interest. In preparing this Amendment and the Ramara Official Plan regard has been had to:

- (h) the orderly development of safe and healthy communities.
- (i) the adequate provision and distribution of educational, health, social, cultural, cultural and recreational facilities.
- (o) the protection of public health and safety.
- (p) the appropriate location of growth and development.

Provincial Policy Statement 2020 (PPS2020) sets out the provincial interest that is to be reflected in the planning amendments. Policy 1.1.1 c) is enabling and states:

- Healthy, livable and safe communities are sustained by:
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.1.4 of PPS2020, enables the municipality to support “healthy, integrated and viable rural areas” by:

building upon rural character, and leveraging rural amenities and assets.

Policy 1.1.5 considers Rural Land in Municipalities. Policy 1.1.5.3 enables the municipalities to promote “recreational, tourism and other economic opportunities”.

This Amendment to the Official Plan satisfies the public interest to prohibit gun (shooting) clubs and shooting ranges throughout the Township. If there is a future proposal to establish a gun (shooting) club and/or shooting range, then this Official Plan Amendment and the companion zoning bylaw amendment provide specific policies to restrict these uses to the "Rural" designation. The new policies for gun (shooting) clubs and/or shooting ranges provide criteria that must be satisfied by an owner/applicant in order for the Township to consider a site-specific amendment to the Ramara Zoning Bylaw.

A companion amendment to the Ramara Zoning Bylaw establishes provisions for the purpose of regulating gun (shooting) clubs and shooting ranges.

When this Official Plan Amendment and the companion Zoning Bylaw Amendment come into effect, the existing unapproved and illegal clubs and shooting ranges will remain illegal. The two planning amendments will not render these existing clubs and/or shooting ranges legal for the purposes of the Planning Act.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT consisting of the attached text constitutes Amendment No. 19 to the Official Plan of the Township of Ramara.

1. Section 5.1 **Common Policies** of the Official Plan of the Township of Ramara is hereby amended by adding the following Subsection 5.1.15:

5.1.15 Gun Clubs and/or Shooting Ranges

- 5.1.15.1 Gun Clubs and/or Shooting Ranges, as defined herein, are land uses that are not permitted, as of right, within any land use designation and Zone in the Township of Ramara.
- 5.1.15.2 Notwithstanding subsection 5.1.15.1, Gun Clubs and/or Shooting Ranges may be permitted only within the "Rural" Designation and "Rural" Zone and are subject to satisfying the criteria set out in subsection 9.4.11 of this Plan including the passing and coming into effect of a zoning bylaw amendment, and the approval under the site plan control area bylaw.
- 5.1.15.3 A property owner may, subject to the Township of Ramara' "Discharge of Firearms Bylaw", lawfully discharge firearms on such owner's property for purposes of target shooting, provided the owner's property does not include an any Gun (Shooting) Club and/or Shooting Range.

2. Section 8.0 **Glossary of Terms** of the Official Plan of the Township of Ramara is hereby amended by adding, deleting or replacing the following Definitions:

- (a) **Active Recreational** is deleted and replaced as follows:

Active Recreation is a large-scale outdoor use or activity with buildings and structures and services and includes such activities as golf course, playing field, campground, trailer park and conservation area, and shall not include an

outdoor and/or an indoor gun (shooting) club and/or shooting range.

(b) The following Definitions are added:

Firearm is a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes a prohibited and/or restricted firearm, and anything that can be adapted for use as a firearm, according to the *Criminal Code of Canada*.

Gun (Shooting) Club is a for-profit or not-for-profit organization whose activities include target practice or target shooting competitions using restricted firearms or prohibited handguns at an identified approved shooting range.

Impulsive Shooting Sound is a single pressure pulse or a single burst of pressure pulses or the sound from a firearm that lasts a very short period of time.

Sensitive Land Use means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from impulsive sounds and other nuisances caused by a Gun (Shooting) Club and/or Shooting Range. Sensitive Land Uses may include, but are not limited to, permanently and seasonally occupied dwellings, day care centres, educational, religious and health facilities.

Shooting Range is a place that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions. A Shooting Range may be outdoors or indoors.

3. Section 9.4 **Rural** of the Official Plan of the Township of Ramara is hereby amended by adding the following Subsection 9.4.11:

9.4.11 Gun (Shooting) Club and/or Shooting Range

9.4.11.1 A Gun (Shooting) Club and/or a Shooting Range shall only be located within the

"Rural" designation of this Plan and the "Rural" Zone of the Zoning Bylaw.

- 9.4.11.2 An outdoor and/or indoor Gun (Shooting) Club and/or Shooting Range shall be physically separated from any designated "Village", "Hamlet", "Shoreline Residential Area", "Destination Commercial", Rama Road Corridor Special Development Area, and identified Rural Residential Clusters, by a distance from property line to property line of a minimum of 1,000 metres.
- 9.4.11.3 A Gun (Shooting) Club and/or Shooting Range shall be separated from any Sensitive Land Use by a distance from property line to property line of a minimum of 200 metres.
- 9.4.11.4 Each approved Gun (Shooting) Club and/or Shooting Range shall be physically separated from another approved Gun (Shooting) Club and/or Shooting Range on another property by a distance from property line to property line of a minimum of 500 metres.
- 9.4.11.5 A Gun (Shooting) Club and/or Shooting Range shall be located on a single registered property and the facility shall include all outdoor and indoor Shooting Ranges, vehicle parking areas, buildings and structures, berms, landscaping, fences among other related facilities. A Shooting Range without a Gun (Shooting) Club may be located on a separate registered property
- 9.4.11.6 A proposal for a Gun (Shooting) Club and/or Shooting Range does not require an amendment to this Plan.
- 9.4.11.7 Each proposal for an outdoor and/or indoor Gun (Shooting) Club and/or Shooting Range shall be subject to the passing of a site-

specific amendment to Ramara Zoning Bylaw 2005.85, as amended, that is in conformity with this Plan.

9.4.11.8 A proposal for a Gun (Shooting) Club and/or Shooting Range shall be subject to the Township of Ramara Site Plan Control Area Bylaw.

9.4.11.9 A proposal for an amendment to Ramara Zoning bylaw 2005.85 shall include:

Planning Justification Report prepared by a Qualified Registered Planner; Site-Servicing Report prepared by a Qualified Person; Sound Level Assessment for Impulsive Sounds prepared by a Qualified Person according to current provincial noise assessment guidelines; Traffic and Traffic Safety Study prepared by a Qualified Person.

These applicant reports and recommendations may be subject to peer review administered by the Township of Ramara as part of the application process.

9.4.11.10 The days and hours of operation of a Gun (Shooting) Club and/or Shooting Range shall be determined by the Township of Ramara as a part of the conditions of approval of a zoning bylaw amendment and/or site plan approval.

9.4.11.11 The proponent of a Gun (Shooting) Club and/or Shooting Range shall adapt the standards contained in the "Range Design and Construction Guidelines" and "Shooting Ranges and Sound" publications by the R.C.M.P., that are in effect at the time of any application for approval to the Township of Ramara.

4. The provisions of the Official Plan of the Township of Ramara, as amended, shall apply in regard to the interpretation of this Amendment.

PART C - THE APPENDIX

The following appendices do not constitute part of Amendment No. 19, but are included as information supporting the Amendment.

1. Minutes of Council Meeting, June 22, 2020.
2. Minutes of Committee of the Whole, July 20, 2020.
3. Minutes of Council Meeting, July 27, 2020.
4. Staff Report #BP-21-20, July 27, 2020.
5. Minutes of Committee of the Whole, October 19, 2020.
6. Ecovue Planning Report, October 14, 2020 to Committee of the Whole.
7. Ecovue Planning Report, November 4, 2020 to Council.
8. Public Meeting Minutes, November 9, 2020.
9. Minutes of Council, December 14, 2020.