



REPORT TO: Mayor and Members of Council
DATE: October 12th, 2022
FROM: Stephanie Poirier, Planner
SUBJECT: Southwest Middlesex Official Plan
Amendment OPA 3

RECOMMENDATION

THAT Council confirm its regard for all submissions received through the public and agency consultation process;

AND THAT the Southwest Middlesex Official Plan Amendment OPA 3 be **ADOPTED** and forwarded to the County of Middlesex for County Council's consideration.

Reasons

Regard for Section 2 of the Planning Act would be maintained;

Consistency with the Provincial Policy Statement would be maintained; and

Conformity with the County of Middlesex Official Plan would be maintained.

BACKGROUND:

Monteith Brown Planning Consulting was retained by the County of Middlesex to complete a five year update to the Southwest Middlesex Official Plan. The scope of the work focussed on text updates, in order to reflect provincial planning legislation changes, and ensure consistency with the Provincial Policy Statement, and conformity with the County of Middlesex Official Plan. The following documents were reviewed as part of the policy review process:

- [Planning Act](#) (Government of Ontario)
- [Provincial Policy Statement](#) (Government of Ontario)
- [Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#) (Government of Ontario)
- [Minimum Distance Separation \(MDS\) Formulae and Guidelines](#) (Government of Ontario)
- [County Official Plan](#) (County of Middlesex)
- [Middlesex Natural Heritage Systems Study](#) (County of Middlesex)
- [Middlesex County Cycling Strategy](#) (County of Middlesex)
- [Southwest Middlesex Design Standards](#)

- [Southwest Middlesex Water & Waste Water Servicing/Modelling Study](#)
- [Southwest Middlesex Parks and Recreation Master Plan](#)
- [Southwest Middlesex Strategic Plan](#)
- [Southwest Middlesex Community Improvement Plan](#)

A summary of background information and proposed policy area changes can be found within the Discussion Paper completed by Monteith Brown, as well as presentation slides, all included as attachments to this report.

PROCESS AND TIMELINE:

The following information outlines the project process, phase description, and timeline:

Phase 1: Project Launch- April 27th 2022

Monteith Brown provided a presentation to Council, outlining the project scope, general process, and proposed timeline. See April 27th presentation slides attached.

Phase 2: Special Meeting of Council, June 22nd 2022

Monteith Brown presented a Discussion Paper and proposed policy changes to Council and the public for input. See June 22nd Discussion Paper and presentation slides attached.

Phase 3: Council Workshop, July 27th 2022

Monteith Brown held a Council Workshop to further discuss comments received through the special meeting of Council. See July 27th presentation slides attached.

Phase 4: Statutory Public Meeting, August 24th 2022

Monteith Brown submitted a redline draft of proposed changes to the Southwest Middlesex Official Plan, based on background research, and comments from the public, agencies, and Council members received through the special meeting of council. This meeting was an opportunity for Council, the public and agencies to provide further feedback for consideration prior to Monteith Brown completing a finalized by-law for consideration.

Phase 5: Adoption of Official Plan Amendment by Southwest Middlesex Council, TBD

Monteith Brown has submitted a by-law that proposes adoption of the official plan amendment for Council’s consideration on the October 12th Council meeting.

Phase 6: Approval by Middlesex County Council, TBD

Subsequent to adoption by Southwest Middlesex Council, the official plan amendment will be forwarded to County Council for their decision as the approval authority.

PUBLIC AND AGENCY ENGAGEMENT:

Notice of the Official Plan Update was circulated in accordance to the requirements of the Planning Act for both the special meeting of Council held on June 22nd, and the statutory public meeting held on August 24th. Additionally, information on upcoming public meetings was advertised through social media, and available on the Southwest Middlesex website. Through the public engagement process the Municipality received comments from the following agencies:

- St. Clair Region Conservation Authority
- Lower Thames Valley Conservation Authority
- Strik, Baldinelli, Moniz (SBM)
- CN Rail
- Hydro One
- County of Middlesex

Additionally, one comment from the public was received which spoke to the need for the protection of commercial spaces and the need for additional recreational space in Wardsville.

The public and agency comments have been included as attachments to this report. Monteith Brown Consulting, in consultation with Southwest Middlesex staff have provided a revised by-law which has regard for public, agency, and Council comments received through the consultation process.

No oral submissions were received at the June 22nd special meeting of Council or the August 24th statutory public meeting from members of the public or agencies.

ANALYSIS:

Staff are of the opinion that the proposed policy changes will be in conformity with the Planning Act, have regard for matters of provincial interest, be consistent with the Provincial Policy Statement, and be in conformity with the County of Middlesex Official Plan. Additionally, the proposed policy changes will reflect the current social, cultural, economic, and natural environment of Southwest Middlesex.

RELATIONSHIP TO STRATEGIC PLAN:

PROSPERITY – Economic Vitality: focuses on our ability to plan for, market and develop our assets for continuing economic growth

COMMUNITY – Healthy Communities: focuses on livability, safety, health, and social well-being for SWM residents

☒ SUSTAINABILITY – Sustainable Communities: focuses on the need to protect and sustain the natural environment, including water quality and protection of prime agricultural land, and focuses on our financial sustainability, including our ability to develop and maintain levels of service and our infrastructure

☒ EXCELLENCE – Good Government: focuses on open, accountable, and transparent government, and reliability of municipal programs and services

ATTACHMENT(S):

- Project Launch Presentation Slides-April 27th 2022
- Special Meeting of Council Newspaper Notice-June 22nd 2022
- Discussion Paper-June 22nd 2022
- Recommended Policy Changes-June 22nd 2022
- Special Meeting of Council Presentation Slides-June 22nd 2022
- Council Workshop Presentation Slides-July 27th 2022
- Statutory Public Meeting Notice-August 24th 2022
- Summary of Comments

Official Plan Review

Project Launch – April 27th, 2022

Municipality of Southwest Middlesex

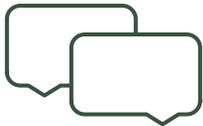
Virtual Public Meeting



Housekeeping



- Please mute your microphone unless you are speaking



- Please type your comments in the Q&A box



- Please raise your hand if you would like to speak

Purpose of the Meeting

- To introduce the Official Plan Review process and begin engaging the public and Council.
- To inform the community about the potential areas where land use planning policies are being reviewed.
- To answer questions about the process, next steps and what this means to you.

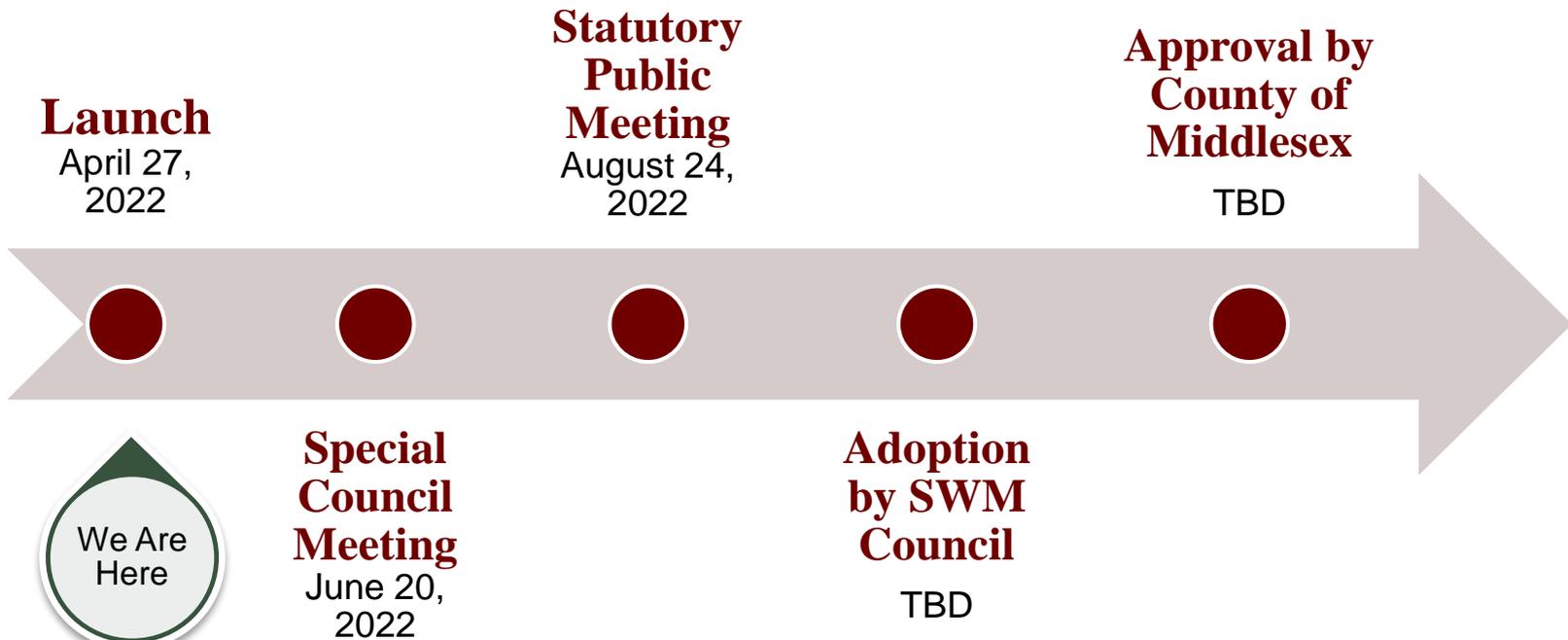
What is an Official Plan?

- A document containing goals, objectives and policies to guide land use, development, and growth in a municipality.
- The plan includes policies that are related to urban and settlement areas, agriculture, infrastructure, recreation, and built and natural heritage features.

Why Update the Official Plan

- The current Official Plan was adopted on December 19, 2007.
- The *Planning Act* requires a Municipality to undertake a review every 5 years.
- The Official Plan must conform to the *Planning Act*, Provincial Policy Statement (2020), and the County of Middlesex Official Plan.

Process



General Policy Updates

Settlement Area Policies

- Address changes in policy requirements for settlement area boundary expansions.
- Include policies that permit minor settlement area boundary adjustments.

Housing

- Affordable Housing
- Additional Dwelling Units (ADUs) – permit ADUs in urban and rural areas subject to certain criteria.
- Temporary Garden Suites
- Growth projections and intensification targets

Agriculture & Rural Areas

- Permitting agricultural, agricultural related, and on-farm diversified uses.
- Revise criteria for surplus farm dwelling severances and minor lot boundary adjustments.
- Update Minimum Distance Separation policies

Employment & Industry

- Update policies to permit the conversion of employment lands outside of a comprehensive review.
- Include policies that mitigate impacts to sensitive land uses from employment and industrial lands.

Recreation & Open Space

- Amend Official Plan policies to address changes to parkland dedication rates under the *Planning Act*.
- Introduce further criteria that ensures the suitability of parkland dedication.

Resources

- Address changes in provincial policy regarding aggregate resource extraction.
- Include policies to further protect cultural heritage resources and reference consultation with Indigenous communities for the preservation of archaeological resources.

Natural Heritage

- Implement policies to promote addressing climate change.
- Update policies to further protect natural heritage features.
- Address outstanding deferral to the Thompson Wetland mapping and Krista Lane development policies.

General Policy Changes

- Revise policies to reflect changes to matters of provincial interest.
- Outline requirements for complete development application submissions.
- Amend policies to include changes to matters that can be addressed through Site Plan Control.

Next Steps

- Special Council Meeting – present more detailed policy recommendations.
- Review comments and feedback received.
- Prepare final draft of Official Plan Amendments.
- Statutory Public Meeting and presentation of final policy changes.

Stay Informed

- Visit the Project Website
<https://southwestmiddlesex.ca/services/planning-services>
- Contact Information
 - Jill Bellchamber-Glazier: cao@southwestmiddlesex.ca
 - Stephanie Poirier: spoirier@middlesex.ca
 - Jay McGuffin: jmcguffin@mbpc.ca

Thank You for Participating

Southwest Middlesex is in the process of revising the Official Plan. This document will guide our community's growth and will help to ensure that future development will meet the needs of the community. The plan includes policies related to growth management, infrastructure, economic diversification, and natural heritage and hazards.

A public meeting is planned to gather information. There will be more public engagement sessions to follow.

What is an Official Plan?

An Official Plan is a legal document containing goals, objectives and policies to guide land use, development and growth in a municipality. We review our Official Plan to ensure that it conforms with the latest provincial policies and the County of Middlesex Official Plan, and to consider recent municipal planning studies and reports.

If you are interested in taking part in the meeting:

- **Date: Wednesday, June 22, 2022**
- [Agenda](#)
- **Time: 4:00 p.m.**
- **Location: Hybrid** (ZOOM and 153 McKellar Street, Glencoe)

You must register to participate online.

The meeting is open to the public at 153 McKellar Street. You will have an opportunity to speak to the presentation, in person, at the meeting.

Send your request via email to deputyclerk@southwestmiddlesex.ca or cao@southwestmiddlesex.ca

The meeting can also be watched live on our [YouTube](#) channel.

Updates and notices about the Official Plan Review will be posted to the municipal website. If you wish to be personally notified of Council's decisions

regarding the revised Official Plan, you must make a written or email request to the municipality.

BACKGROUND REPORT & RECOMMENDATIONS OFFICIAL PLAN FIVE-YEAR UPDATE

June 2022



Prepared for

Municipality of Southwest Middlesex
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1. INTRODUCTION

1.1 Purpose

Monteith Brown Planning Consultants (“MBPC”) has been retained by the County of Middlesex to undertake a Five-Year Update to the Southwest Middlesex Official Plan. The current Municipality of Southwest Middlesex Official Plan was adopted on December 19, 2007 and approved by the County of Middlesex on December 8, 2008. Since the previous Five-Year Review has taken place, only one application to amend the Official Plan was filed and approved, which is an indication that the current Official Plan has served relatively well since its approval.

Since its adoption in 2007, several significant legislative and policy changes have come into effect which impacts the Southwest Middlesex Official Plan. The purpose of this Official Plan Review is to evaluate necessary changes to the current Official Plan and provide recommendations to ensure that the Official Plan conforms to the changes made to relevant legislation and Provincial and County policies. This includes changes to the Provincial Policy Statement 2020 and the *Planning Act* through various pieces of provincial legislation, including the Smart Growth For Our Communities Act, 2015 (Bill 73), Building Better And Conserving Watersheds Act, 2017 (Bill 139), More Homes, More Choice Act, 2019 (Bill 108), More Homes for Everyone Act (Bill 109), Plan to Build Ontario Together Act, 2019 (Bill 138) and the COVID-19 Economic Recovery Act, 2020 (Bill 197).

The update of the Official Plan will add to the local vision of the Municipality of Southwest Middlesex and address changes to local priorities and accommodate changes to provincial interests. This Official Plan Review process is not intended to contemplate site-specific amendments to the Official Plan, since there has been only one amendment to the Official Plan since its approval, and the review of each individual request can lengthen the review process.

The Municipality is located in the southwest corner of Middlesex County and is situated between Highways 401 and 402 and approximately halfway between London and Chatham. The Municipality consists of primarily agricultural land with the urban communities of Glencoe and Wardsville, and hamlet areas of Appin, Melbourne, Middlemiss and Pratt Siding. The population of Southwest Middlesex in 2021 was 5,893 with approximately 2,405 households. Growth forecasts for each of the County’s lower-tier municipalities were prepared by Watson & Associates Economists that project changes in population over the 25-year planning horizon using a low growth, reference growth, and high growth scenarios. The report concluded that under all the growth scenarios, all of the County’s municipalities are projected to experience a moderate to

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strong rate of growth in housing to 2046. The number of households is anticipated to increase by between 2,790 in the low growth scenario and 3,060 in the high growth scenario from 2016 to 2046. This would result in an increase of between approximately 440 and 710 dwelling units needed to meet the anticipated increase in population.

A comprehensive review was not included within the scope of the Official Plan Review, and therefore, the assessment of residential and employment land supply within the Municipality was not included as part of this analysis. A land inventory review is anticipated to be conducted by the County. Southwest Middlesex has also undertaken a servicing review for the Municipality and additional information is to be provided throughout the Official Plan Review process.

2. POLICY REVIEW & RECOMMENDATIONS

This section is intended to provide a brief overview of the recommended policy revisions to the existing Municipality of Southwest Middlesex Official Plan. The list of recommendations is not intended to be exhaustive at this time. It is anticipated that the recommendations will evolve as the process nears completion and with additional input from agencies, the public, and Council. The final recommendations will form the basis of an official plan amendment.

2.1 Settlement Areas

Settlement Area Expansion

A municipality may only allow the expansion of a settlement area during the time of a municipal comprehensive review and only where it has been demonstrated that the proposed expansion would meet certain criteria under the Provincial Policy Statement. These criteria were amended to include policies that would require municipalities to provide justification that in prime agricultural areas, alternative locations for an expansion have been considered and there are no reasonable alternatives. The Official Plan should address the need to reference the PPS and provide wording for the inclusion of a review of alternate locations for expansion that would avoid agricultural areas and apply MDS formulae.

Notwithstanding the policies noted above, Section 1.1.3.9 of the Provincial Policy Statement provides for the ability of adjustments to the settlement boundary to be considered outside of a municipal comprehensive review. The Official Plan should include policies that implement the changes to Section 1.1.3.9 of the PPS, which would permit the expansion of settlement boundaries at the time of a comprehensive review, and adjustments to settlement area

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boundaries outside a comprehensive review subject to sufficient planning justification being provided as permitted under the PPS 2020.

As previously noted in this report, a comprehensive review is not being undertaken as part of the current Official Plan Review process.

2.2 Housing

Affordable Housing

The provision of a full range of housing options, including affordable housing, has been added as a matter of provincial interest under the *Planning Act* and the Provincial Policy Statement. Under provincial legislation, a municipality's Official Plan is required to be updated to implement policies that require development applications to provide information on how affordable housing and the provision of a range of housing options has been considered as part of the development application.

Additional Residential Units

Section 16(3) of the *Planning Act* permits the establishment of additional residential units (ARU's), which are dwelling units that are self-contained and are secondary to the primary or main dwelling. Official Plans are required to implement policies that would specifically permit the establishment of additional residential units within single detached dwellings, semi-detached dwellings, and rowhouse dwellings, and the establishment of an additional dwelling unit within a building or structure that is accessory to a primary dwelling unit. The County Official Plan supports allowing up to a total of three residential units on properties that are eligible.

While Official Plans are required to be amended to include these policies, the *Planning Act* also provides the ability for municipalities to establish specific criteria that would regulate the location, size, and servicing of additional residential units. The County Official Plan proposes matters that local Official Plans shall address, such as the provision of adequate services and access, the location of ARUs outside of natural hazard areas. Policies should also be included that would require ARU's to comply with Minimum Distance Separation requirements. It is recommended that the Official Plan permit additional residential units within residential areas, as well as in rural areas.

It is anticipated that an amendment to the Southwest Middlesex Zoning By-law may be required to implement more specific regulations for permitting additional residential units in appropriate zones.

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Temporary Garden Suites

The Official Plan should be updated to reflect changes in the permitting of temporary garden suites, or granny flats as they are identified in the current Official Plan. Section 39 of the *Planning Act* regulates the establishment of temporary garden suites and was amended to increase the length of time that they can be permitted for from 10 years to 20 years. The County Official Plan has also introduced criteria for temporary farm labour, including encouraging local municipalities to include policies in their local official plan addressing considerations including demonstration of need, minimizing the loss of agricultural land, building size, the provision of adequate of services, access, and Minimum Distance Separation.

Future Growth & Intensification

The Provincial Policy Statement now requires that municipalities maintain a minimum 15-year supply of designated residential land, an increase from the previous minimum 10-year supply that was previously required. The PPS also contains requirements for promoting intensification of development and the County Official Plan proposes requirements for 15 percent of all development to proceed by way of intensification and development.

The policies of the Official Plan should be updated to address these changes and include the population and growth projections completed during the County Official Plan Review. The population projections include three separate growth scenarios for the Municipality: a low scenario, a middle scenario, and a high scenario. This approach provides for flexibility in determining which projections are best suited to the local Municipality. Under all three scenarios, the County and its local Municipalities are anticipated to experience moderate to strong population growth. 2021 Census data reported the population of Southwest Middlesex to be 5,893. The population is projected to increase to 6,100 in the low growth scenario, to 6,400 in the middle growth scenario, and 6,590 in the high growth scenario. As previously noted, a land inventory is anticipated to be conducted by the County to confirm the supply of land in the Municipality.

2.3 Agriculture & Rural Areas

Permitted Uses in Agricultural Areas

The Provincial Policy Statement emphasizes the protection of agricultural resources. Permitted uses in agricultural areas are described in Section 2.2.3 of the PPS, and were amended to include agricultural uses, agricultural-related uses, and on-farm diversified uses. The PPS directs that agricultural-related and on-farm diversified uses shall not hinder agricultural operations and provides municipalities the ability to include land use criteria for these types of land uses.

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The Ontario Ministry of Agriculture, Food, and Rural Affairs has published the Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas, which assists in defining the range of uses that may be permitted in prime agricultural areas. The document also provides a basis for criteria that municipalities can use in regulate agricultural-related and on-farm diversified uses to ensure they are compatible with the surrounding area.

The Guidelines provide examples of permitted uses and uses that would typically not be permitted. Official Plan reviews should specifically review these guidelines and ensure policies are appropriate. Official Plans may be updated to reference the Guidelines, or they may expand current policies to clarify what is permitted.

The Official Plan should be amended to reflect the expansion of permitted uses and language should be updated to include changes from ‘secondary uses’ to ‘on-farm diversified uses’. It is also recommended that the Municipality implement criteria to regulate the size and scale of agricultural-related and on-farm diversified uses, consistent with the Guidelines for Permitted Uses in Prime Agriculture Areas. The County Official Plan also contains criteria for on-farm diversified uses, including the provision of adequate servicing, the locating of such uses in agricultural areas to avoid land use conflicts, and compliance with Minimum Distance Separation Formulae. Current policies relating to the regulation of home-based businesses should also be reviewed to reflect any overlap in policies relating to permitting on-farm diversified uses.

The Official Plan policies for community improvement plans are recommended to be updated to recognize opportunities for supporting agri-tourism.

Lot Creation

The Provincial Policy Statement limits lot creation in agricultural areas to a limited range of purposes. The Official Plan contains criteria for agricultural severances including discouraging fragmentation of agricultural land requirements for minimum farm parcel size. Section 2.3.4.2 of the PPS permits lot adjustments in prime agricultural areas provided they are for legal or technical reasons. This policy should be included within the Official Plan agricultural severance policies.

Residential lot creation is prohibited in prime agricultural areas except for the severance of a farm dwelling that has become surplus to the needs of a farmer that owns the agricultural land. The PPS includes criteria that must be met for this type of severance to take place, which were amended to include direction that the severed parcel be a “minimum size needed to accommodate the use and appropriate sewage and water services”. The County Official Plan encourages addressing matters including minimizing the loss of agricultural land, addressing the

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retention of outbuildings with the residence surplus to a farming operation, and Minimum Distance Separation requirements. The policies of the Official Plan should be amended to reflect these changes to the criteria for surplus farm dwellings, and may also consider changes such as ensuring the habitability of the dwelling and rezoning of the severed parcel to an appropriate zone.

Minimum Distance Separation Guidelines

To ensure the continuance of normal farm practices and protect agricultural operations, the Minimum Distance Separation (MDS) Guidelines were updated in 2017 and the policies required that municipalities reference the MDS Guidelines within the Official Plans. The Provincial Policy Statement also introduced changes under Section 2.3.6.2 that would require non-agricultural uses to comply with the MDS policies and that alternative locations for these types of uses are evaluated before being established in agricultural areas. It is recommended that the current provisions within the Official Plan be reviewed to ensure conformity with the MDS Guidelines.

2.4 Industry & Employment

Conversion of Employment Lands

Under the previous version of the PPS, the conversion of employment lands to non-employment lands was only permitted at the time of a Municipal Comprehensive Review and that it can be demonstrated that there is a need for the conversion. Section 1.3.2.5 of the PPS now permits the conversion of employment lands outside of the comprehensive review process, provided that there is sufficient rationale to justify the conversion. The Official Plan should be amended to permit the conversion of employment areas outside of a comprehensive review subject to sufficient planning justification being provided and as now permitted under the PPS 2020. The County Official Plan also includes criteria to be addressed including, but not limited to ensuring that the proposed conversion does not result in incompatible land uses, the suitability of the site for employment uses has been evaluated, and the site does not offer opportunities for future expansion

Compatibility of Employment Lands

The Provincial Policy Statement has been modified to include requirements that would ensure that employment lands are compatible with the surrounding areas, particularly land uses that are more sensitive in nature. Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.

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2.5 Recreation

On September 15, 2021, the Municipality approved the Southwest Middlesex Facilities & Recreation Master Plan which was prepared to review community priorities for parks, recreation, and cultural services over a ten-year period. As part of the assessment, several recommendations were included to ensure that the Municipality's parkland needs are met. This included changes to the Official Plan that would allow for the maximization of parkland dedication that is permitted under the *Planning Act*.

Parkland Dedication Rate

Sections 3.4.5.2 and 4.4.3.3 of the Official Plan contain policies for parkland dedication. The Official Plan requires a dedication of 5% of land for residential development and 2% for all other forms of development. The Official Plan also contains a specific requirement of one hectare per 300 dwelling units for medium density development as permitted under Section 42(3) of the *Planning Act*. Section 3.4.5.2 of the Official Plan permits cash-in-lieu of parkland to be provided. The Facilities and Recreation Master Plan recommends that parkland dedication policies of the Official Plan be updated to permit an alternative rate for cash-in-lieu of one hectare per 500 dwelling units, as provided under the *Planning Act*.

Suitability of Parkland

Section 3.4.5 of the Official Plan contains policies that provide direction for the dedication of parkland. The Parks & Recreation Master Plan includes recommendations that the Official Plan policies be updated to include additional criteria for the suitability of land that is proposed to be dedicated.

It is recommended that the policies be updated to ensure that land that is accepted for parkland dedication is suitable for supporting a variety of active and passive park activities. The Master Plan further recommends that parkland conveyed to the Municipality should be greater than 0.5 hectares, unless there is a need to reconcile a gap area. The Municipality may wish to consider accepting cash-in-lieu of parkland in cases where the area is adequately supplied with parkland or the development proposal is too small to result in a meaningful park parcel.

The acquisition of naturalized parkland (or hazardous lands) should be permitted over and above the parkland dedication requirements permitted through the *Planning Act*. This exclusion should also be extended to stormwater management ponds given its limited ability to accommodate active parkland facilities.

2.6 Natural Heritage

Energy Conservation & Climate Change

The Provincial Policy Statement provides direction that municipalities consider and prepare for the impacts of climate change in their Official Plans. This includes the promotion of efficient use of land and resources, active transportation, energy conservation, building design and orientation that maximizes energy efficiency, and maximizing vegetation within settlement areas, where feasible.

Protection of Natural Heritage Features

The Middlesex Natural Heritage Systems Study 2014 (“MNHSS”) includes recommendations for municipalities to implement the findings of the study. It is recommended that the County Official Plan and local official plans refer to the MNHSS 2014 as the study that is relied on to identify significant features and areas and the significant natural heritage system in the County of Middlesex Planning area.

The MNHSS identifies that some natural features and ecological functions may not currently be included in the Natural Heritage System and may require further field studies and evaluation. Policies within the County Official Plan require that where development is proposed, a Development Assessment Report (DAR) is to be completed to determine the significance and protective measures of any natural heritage features, including natural heritage features not currently included in the MNHSS 2014, fish habitat identified by the Federal Department of Fisheries and Oceans, significant habitat of endangered species, and significant wildlife habitat.

The province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used. The MHSS recommends that policies in the Official Plan encourage the restoration of natural heritage features that make up the natural heritage system.

Special Development Area – Krista Lane

Section 5.4.3.5 of the Official Plan contains policies regarding a Special Development Area along Krista Lane, including several undeveloped lots. As the undeveloped lots lie within the provincially significant Thomson Wetland, any development requires the approval of the Lower Thames Conservation Authority. A Development Agreement for the undeveloped lots on Krista Lane was updated in 2014 that required certain matters be addressed before development could take place on the subject lots, including addressing potential impacts to groundwater, Stormwater management, natural heritage features, species-at-risk, and servicing. It is recommended that the

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Official Plan be updated to include these conditions as part of development approval within the Plan’s policies.

Thomson Wetland

Upon approval of the Official Plan by the County of Middlesex the mapping associated with the wetland was deferred and remains an outstanding issue. The reason for the deferral was to provide additional time for the Ministry of Natural Resources and Forestry to re-evaluate the status and the boundaries of the wetland. There were some discrepancies regarding the boundary of the wetland between the Official Plan and the mapping that was later conducted by the Ministry. As a result, the status of the wetland was upgraded from a Locally Significant Wetland to a Provincially Significant Wetland in 2001, although this change in status was not conveyed to the Municipality or the County until 2010. It is recommended that the ‘Deferral’ on the cover of the Official Plan be removed. Schedule amendments may be required in consultation with the Lower Thames Valley Conservation Authority.

2.7 Resources

Aggregate Resources

While the Municipality of Southwest Middlesex is considered to have no known deposits of aggregate materials that would be viable for extraction, the current Official Plan does contain policies that regulate extraction. The Provincial Policy Statement 2020 now requires that, where development is proposed adjacent to mineral deposits, it must be demonstrated that the potential resource extraction will not be hindered. Additionally, resource extraction is permitted as an interim use in prime agricultural areas provided that the site is rehabilitated back to an agricultural condition. Official plans should update mineral extraction policies to be consistent with the 2020 PPS.

Cultural Heritage

Official plans need to be updated to include cultural heritage and archaeology policies for development proposed on lands containing or adjacent to cultural heritage features. The PPS 2020 and the County Official Plan direct that municipalities shall engage with indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources, as well as coordinate on land use planning matters. The Official Plan should also be updated to make reference to consultation with Indigenous communities during processes of conserving cultural heritage and archaeological resources.

2.8 General

Matters of Provincial Interest

The *Planning Act* sets out matters of Provincial interest that development applications must have regard to. Amendments to the *Planning Act* by Bill 51 and Bill 73 have included the addition of affordable housing, a built form that is well designed and encourages a sense of place, sustainable development, and pedestrian-oriented development as matters of provincial interest. The Official Plan should be updated to reference these matters as provincial priorities that development applications must have regard to.

Active Transportation

The Provincial Policy Statement promotes development that is designed to be oriented towards pedestrians and defines the term ‘active transportation’ as an alternative method of travel other than motorized vehicles. The County Official Plan has also been updated to recognize the important role active transportation has in promoting opportunities for physical activity and cost effective travel for its residents and visitors alike. The current Official Plan should be reviewed to identify opportunities to include additional policies that relate to pedestrian-oriented development, as well as define the term active transportation in keeping with the policies under the PPS. This may include references to the Middlesex County Cycling Strategy and existing infrastructure and trail network that exist in the community.

Requirements for Complete Applications

The *Planning Act* includes policies that set out requirements for complete submissions of development applications, including the provision of any information or materials that may be necessary for the review and evaluation of the application. Municipalities are required to implement these policies through the Official Plan that reference requirements for a complete application, including identifying a list of potential technical reports, studies, and/or drawings that may be required as part of a complete application submission. It is also recommended that the Official Plan set out requirements for pre-submission consultation before certain types of development applications are submitted.

Site Plan Control

Section 41 of the *Planning Act* was amended to identify additional matters that municipalities can regulate through site plan control approvals. This includes matters relating to the design of facilities having regard for accessibility for persons with disabilities in accordance with the *Planning Act*. Section 41 of the *Planning Act* was also amended by Bill 109 to allow for municipalities to require applicants to consult with municipalities prior to submission, as well as

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require additional information be provided with an application submission, but only where permitted within an Official Plan.

Source Water Protection

The County has conducted a review of its Source Water Protection land use planning policies for the County and the local Municipalities. The Source Water Protection Background Report includes recommended policies to be implemented as part of the Official Plan, including the protection of surface and groundwater resources, as well as water quantity and quality. Recommendations also include policies to address identifying, maintaining, and protecting or enhancing groundwater features, natural heritage features, and surface water features.

Official Plan Review – Background Report & Recommendations

Municipality of Southwest Middlesex – June 2022

3. NEXT STEPS

This background report represents the initial research undertaken to identify the necessary changes to the current Official Plan provide recommendations to ensure that the Official Plan conforms to County and Provincial policies and legislation.

The recommendations contained herein represent a land use planning response to the issues and opportunities that have been identified through the background research undertaken to date. These recommendations may change over the course of the Official Plan review process as further consultation occurs in the 2022. The consultation process will continue with additional meetings to obtain feedback on these recommendations and lead to changes to the Official Plan to enable the Municipality to move forward with its vision for land use planning over the next twenty-five years. Following this public and stakeholder input, a revised report will be presented to Council for consideration and discussion. It will form the basis of an amendment to the Municipality of Southwest Middlesex Official Plan which is adopted and approved in accordance with the requirements of the *Planning Act*.

Respectfully Submitted,

MONTEITH BROWN PLANNING CONSULTANTS

Recommended Policy Changes
Southwest Middlesex Official Plan
June 2022



Current Policy Language	Rationale for Change	Proposed Language
1.0 INTRODUCTION		
<p><u>1.1 BACKGROUND</u></p> <p>This document constitutes the first-ever Official Plan of the Municipality of Southwest Middlesex. The Municipality came into being in 2001 as a result of the amalgamation of the Village of Glencoe, the Village of Wardsville, the Township of Ekfrid and the Township of Mosa. The Plan replaces the official plans and all amendments thereto of these former municipalities.</p> <p>A new official plan for the Municipality of Southwest Middlesex is warranted not only to ensure a uniform and consistent set of goals, objectives and policies throughout the amalgamated municipality but to ensure these goals, objectives and policies are appropriate in light of prevailing and future circumstances. Since the adoption of the existing official plans in Southwest Middlesex, the Provincial Policy Statement of 1996 was released and a new Official Plan for the County of Middlesex came into effect in 1997. On 1st March 2005, a revised Provincial Policy Statement (PPS) came into effect which gives stronger and additional direction to municipalities on the scope and content of official plans. Moreover, official plans are now required to be consistent with the PPS as opposed to have regard to the PPS. On 11 July 2006, the County of Middlesex adopted a comprehensive amendment to its Official Plan arising out of the 5 year review of the Plan. The amendment has a direct bearing on the preparation and content of official plans for lower tier municipalities in the County.</p>	<p>-Update Population Census Data</p>	<p>Amend the Section as follows:</p> <p>This document constitutes the first-ever Official Plan of the Municipality of Southwest Middlesex. The Municipality came into being in 2001 as a result of the amalgamation of the Village of Glencoe, the Village of Wardsville, the Township of Ekfrid and the Township of Mosa. The Plan replaces the official plans and all amendments thereto of these former municipalities.</p> <p>A new official plan for the Municipality of Southwest Middlesex is warranted not only to ensure a uniform and consistent set of goals, objectives and policies throughout the amalgamated municipality but to ensure these goals, objectives and policies are appropriate in light of prevailing and future circumstances. Since the adoption of the existing official plans in Southwest Middlesex, the Provincial Policy Statement of 1996 2020 was released which gives stronger and additional direction to municipalities on the scope and content of official plans and a new the Official Plan for the County of Middlesex is currently under review came into effect in 1997. On 1st March 2005, The updated Provincial Policy Statement (PPS) came into effect. Moreover, official plans are now required to be consistent with the PPS as opposed to have regard to the PPS. On 11 July 2006, the County of Middlesex adopted a comprehensive amendment to its Official Plan arising out of the 5 year review of the Plan. The amendment has a direct bearing on the preparation and content of official plans for lower tier municipalities in the County.</p>
<p><u>1.2 STRUCTURE</u></p> <p>The Municipality of Southwest Middlesex (2001 census population: 6,114) encompasses roughly 43,000 ha (106,000 ac) and lies, as its name implies, in the south-west corner of Middlesex County more or less equidistant from the City of Chatham to the west and the City of London to the east. Settlements are small, the largest being the Village of Glencoe (2001 population: 2,152) followed by the Village of Wardsville (2001 population: 417). Glencoe, situated in the more or less geographic centre of the Municipality, functions as its administrative, business and service centre and its industrial base. It has a few, relatively large industries and is the location of the area's largest institutions and recreational facilities. Wardsville is much smaller than Glencoe, being largely a quiet residential community with limited functions. Other settlements in Southwest Middlesex include Appin, Melbourne (partially lying in the Township of Strathroy-Caradoc), Middlemiss, Pratt Siding and Woodgreen, all of which are considerably smaller than both Glencoe and Wardsville.</p>	<p>-Reflect changes in population from 2021 census data.</p>	<p>Amend the Section as follows:</p> <p>The Municipality of Southwest Middlesex (2001 census population: 6,114) (2021 census population: 5,893) encompasses roughly 43,000 ha (106,000 ac) and lies, as it its name implies, in the south-west corner of Middlesex County more or less equidistant from the City of Chatham to the west and the City of London to the east. Settlements are small, the largest being the Village of Glencoe (2001 population: 2,152) (2021 population: 2,158) followed by the Village of Wardsville (2001 population: 417) (2021 census population: 420). Glencoe, situated in the more or less geographic centre of the Municipality, functions as its administrative, business and service centre and its industrial base. It has a few, relatively large industries and is the location of the area's largest institutions and recreational facilities. Wardsville is much smaller than Glencoe, being largely a quiet residential community with limited functions. Other settlements in Southwest Middlesex include Appin, Melbourne (partially lying in the Township of Strathroy-Caradoc), Middlemiss, and Pratt Siding and Woodgreen, all of which are considerably smaller than both Glencoe and Wardsville.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>1.4 BASIS</u></p> <p>Preparation of the Official Plan for the Municipality of Southwest Middlesex has been based on extensive research, field work, special studies, meetings and workshops. One session has been held with representatives of the County of Middlesex, the Lower Thames Valley Conservation Authority and various provincial ministries having an interest in the Plan. The following particular documents and reports (and related studies) have been taken into account:</p> <ul style="list-style-type: none"> • MIG Engineering Ltd., Glencoe Sanitary Sewage Collection & Treatment System Class Environmental Assessment, 20007 • MIG Engineering Ltd., Report on the Glencoe Sanitary Sewage System, 2006 • Provincial Policy Statement, 2005 • Community Planners Inc., Official Plan Background Study, Municipality of Southwest Middlesex, 2004 • Dillon Consulting in association with Golder Associates, Middlesex-Elgin Groundwater Study, 2004 • Upper Thames River Conservation Authority, The Middlesex Natural Heritage Study, 2003 • Innovative Sewage Systems Inc., Village of Wardsville Environmental Study Report: Sanitary Sewage Collection and Treatment Facilities, 1999 • Juris E. Burzins, Glencoe Urban Design Plan, 1997 • County of Middlesex Official Plan, 1997 as amended <p>For the purposes of presenting the proposed Official Plan to the public and obtaining public input, an open house was held on June 13th, 2007 in the Municipal Office Building in Glencoe. A public meeting was subsequently held on June 20th, 2007 in accordance with the requirements of the Planning Act in the Community Centre in Appin.</p>	<p>-New or updated reports and policies have been prepared or are in effect since the previous Official Plan was approved.</p>	<p>Delete the Section in its entirety and replace with the following:</p> <p>Preparation of the Official Plan for the Municipality of Southwest Middlesex has been based on research conducted through various studies, meetings, and consultation with agencies and the public.</p> <p>The following particular documents and reports (and related studies) have been taken into account: Middlesex Natural Heritage System Study, Middlesex County Cycling Strategy, Review of the County Official Plan for Compliance with Provincial Changes Report, Homeless Prevention & Housing Plan, Population and Housing Projections Report, and the Southwest Middlesex Parks & Recreation Master Plan, in addition to legislative changes affecting the Provincial Policy Statement 2020 and the <u>Planning Act</u>.</p> <p>For the purposes of presenting the proposed Official Plan to the public and obtaining public input, a Special Council Meeting was held on June 22, 2022. A public meeting was subsequently held on August 24, 2022 in accordance with the requirements of the <u>Planning Act</u>.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>1.7 DESIGN POPULATION</p> <p>The most recent census of the Municipality of Southwest Middlesex was recorded at 5,890 in 2006 of which 2,095 (36%) resided in Glencoe and the remainder in Wardsville, a number of hamlets and throughout the rural area. The recorded population represented a decline of 3.7% from 6,114 in 2001 for Southwest Middlesex as-a-whole and for the Village of Glencoe from 2152.</p> <p>Based on projections made in 2001 by the County of Middlesex, a number of different projections were made for lower tier municipalities in the County. For Southwest Middlesex, the population would increase to 7,265 in 2021 based on the average annual growth rate of 0.68% during the period 1981-1996. Based on low, medium and high annual growth rates during a 15 year period, the County projections for Southwest Middlesex ranged from 6,800 to 8,329 in 2021. Finally, based on a share analysis (the percentage share Southwest Middlesex has of the County population as-a-whole) the population of Southwest Middlesex would increase to 7,192 in 2021 according to the report. More recent projections made by the County of Middlesex in 2003 pointed to an actual decline in the population of Southwest Middlesex which now appears to be taking place. Based on three different scenarios, the population of Southwest Middlesex would range from 4,802 to 5,885 in 2026. The high scenario was adopted by the County for planning purposes, under which the population of Southwest Middlesex would decline to 5,885 in 2026. In fact, this population decline was essentially reached in 2006.</p> <p>For the purposes of this Plan, a target population of 6,500 is adopted based on the demonstrated ability of the former Village of Glencoe to attract industrial development, the attributes of the area conducive to development and the commitment of the new Municipality to a pro-active strategy to attract development. The target population is equivalent to an annual average growth rate of 0.5% and is considered realistic to achieve. It shall be reviewed every 5 years following the release of the census by Statistics Canada.</p> <p>The Municipality has taken and continues to take actions and initiatives to encourage growth and development and the maintenance of a sustainable community in Southwest Middlesex. These actions and initiatives have included commissioning an Environmental Study Report to evaluate increasing the reserve capacity of the Village of Glencoe’s sanitary sewage system thereby ultimately removing what will otherwise be a significant constraint to development. Increasing the capacity of the system would also include an allowance to potentially treat sewage from the hamlets of Appin and Melbourne, thereby offering full municipal services to both settlement areas and facilitating limited development. The Municipality has recently established a municipal land bank to attract industrial and commercial development and has facilitated the provision of infrastructure to open up lands for residential development in the Village of Glencoe. The Municipality has also offered to provide a site for a new public school in the Hamlet of Melbourne to ensure a public school remains in the settlement area and has funded special educational programs at Glencoe District High School to strengthen the cause for retaining a secondary school in the Municipality. The Municipality has also developed an active marketing program to promote Southwest Middlesex as a place to live and visit.</p>	<p>-Statistics Canada has released updated population information from the 2021 census.</p> <p>-Middlesex County has prepared population projections over the 25 year planning horizon to 2046. Given that the population of the Municipality previously experienced a decline, and that the current population projections predict moderate growth followed by eventual decline towards the end of the 25 year planning horizon, it is recommended that the Official Plan use the County’s middle growth scenario.</p>	<p>Delete this Section in its entirety and replace with the following:</p> <p>The most recent census of the Municipality of Southwest Middlesex was recorded at 5,893 in 2021, of which 2,158 (36%) resided in Glencoe and the remainder in Wardsville and a number of small hamlets throughout the rural area. The recorded population represents an increase of 3.0% from 5,723 in 2016 for Southwest Middlesex.</p> <p>Based on projections made in 2022 as part of the County of Middlesex Official Plan Review, the local municipalities within the County are anticipated to experience moderate to strong growth rate in housing to 2046. Low, reference, and high growth scenarios were prepared for each of the lower tier municipalities within the County.</p> <p>A number of different projections were made for lower tier municipalities in the County. For Southwest Middlesex, in the middle growth scenario the population is projected to increase by approximately 400 people between 2016 and 2046. This would result in a projected increase of approximately 560 dwelling units within Southwest Middlesex over the long-term planning horizon.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>1.9 COUNTY OF MIDDLESEX</p> <p>The current County of Middlesex Official Plan came into effect on December 17th, 1997. It constitutes an upper tier plan whereas this Official Plan constitutes a lower tier plan. As such, under the <u>Planning Act</u>, this Plan is required to conform to the County Official Plan. In the event of a conflict between the Official Plan of Southwest Middlesex and the County of Middlesex Official Plan, the County Plan prevails to the extent of such conflict. In all other respects, this Plan prevails.</p> <p>The County has recently completed the five-year review of the Plan resulting in the adoption of a comprehensive amendment to the Plan. Key changes to the Plan include a less restrictive policy on the disposal of surplus farm dwellings and the setting of targets for residential intensification and redevelopment in accordance with the new Provincial Policy Statement. Other changes particularly relevant to Southwest Middlesex include new or revised policies on population projections, economic development, natural heritage and groundwater.</p>	<p>-Acknowledges the hierarchy of the County of Middlesex Official Plan, but requires revisions to the 2nd paragraph to reflect the current situation.</p>	<p>Revise Section 1.9 by deleting the 2nd paragraph and replacing it with the following:</p> <p>The County of Middlesex Official Plan is currently the subject of a five-year review. Any modifications to the County of Middlesex Official Plan arising from this review and update shall be assessed to determine whether any issues of conformity arise and, if necessary, the Southwest Middlesex Official Plan shall be amended accordingly.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>1.10 MATTERS OF PROVINCIAL INTEREST The Municipality, in carrying out its responsibilities under the Planning Act, is required to be consistent with ‘matters of provincial interest’ as declared by the Act. They are:</p> <ul style="list-style-type: none"> a) the protection and improvement of ecological systems, including natural areas, features and functions; b) the protection of agricultural resources; c) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; d) the supply, efficient use and conservation of energy and water; e) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; f) the minimization of waste; g) the orderly development of safe and healthy communities; h) the accessibility for persons with disabilities to all facilities, services and matters to which the Act applies; i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities; j) the adequate provision of a full range of housing; k) the adequate provision of employment possibilities; l) the protection of the financial and economic well-being of the Province and its municipalities; m) the co-ordination of planning activities of public bodies; n) the protection of public health and safety; o) the appropriate location of growth and development; <p>These matters of provincial interest, which are further elaborated on in the Provincial Policy Statement, shall be considered by the Municipality in the evaluation of any proposed amendment to this Plan, the adoption of a new comprehensive Zoning By-law and any subsequent amendments or variances, the approval of a plan of subdivision or condominium, the granting of a consent or any other planning-related approval required under the Planning Act.</p>	<p>-sets out the matters for which the Municipality must have regard to in reviewing any planning related applications and issues governed by the <u>Planning Act</u>, and provides Council with a level of policy “reinforcement” in dealing with planning related issues;</p> <p>-section needs to be updated to reflect additional matters identified by the Act to be of Provincial interest, including, amongst other matters, affordable housing, the built form, sustainable development, pedestrian-oriented development and climate change.</p>	<p>Amend the section as follows: The Municipality, in carrying out its responsibilities under the Planning Act, is required to be consistent with ‘matters of provincial interest’ as declared by the Act. They are:</p> <ul style="list-style-type: none"> a) the protection and improvement of ecological systems, including natural areas, features and functions; b) the protection of agricultural resources; c) the protection of natural resources and the mineral resource base; d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; e) the supply, efficient use and conservation of energy and water; f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; g) the minimization of waste; h) the orderly development of safe and healthy communities; i) the accessibility for persons with disabilities to all facilities, services and matters to which the Act applies; j) the adequate provision and distribution of educational, health, social, cultural and recreational facilities; k) the adequate provision of a full range of housing, including affordable housing; l) the adequate provision of employment possibilities; m) the protection of the financial and economic well-being of the Province and its municipalities; n) the co-ordination of planning activities of public bodies; o) the resolution of planning conflicts involving public and private interests; p) the protection of public health and safety; q) the appropriate location of growth and development; r) the promotion of development that is designed to be sustainable, to support public transit, and to be oriented to pedestrians; s) the promotion of the built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant; t) the mitigation of greenhouse gas emissions and adaptation to a changing climate. <p>These matters of provincial interest, which are further elaborated on in the Provincial Policy Statement, shall be considered by the Municipality in the evaluation of any proposed amendment to this Plan, the adoption of a new comprehensive Zoning By-law and any subsequent amendments or variances, the approval of a plan of subdivision or condominium, the granting of a consent or any other planning-related approval required under the Planning Act.</p>

Current Policy Language	Rationale for Change	Proposed Language
2.0 GENERAL PLANNING DIRECTIONS		
2.3 INDUSTRY		
<p>2.3.5 ENCROACHMENT OF SENSITIVE LAND USES Industrial areas and industrial uses shall be protected from the unwarranted encroachment of land uses that have the potential to create land use incompatibilities and conflicts.</p>	<p>-The PPS requires that the viability of industrial and employment lands is maintained</p>	<p>Amend the section as follows:</p> <p>Industrial areas and industrial uses shall be protected from the unwarranted encroachment of land uses that have the potential to create land use incompatibilities and conflicts. Development of residential or other sensitive land uses proposed to be located near industrial uses or areas may be required to carry out noise, air quality and/or vibration assessments and determine control measures to the satisfaction of the Ministry of the Environment and/or the Municipality. The long-term viability of industrial and employment uses that are vulnerable to encroachment shall be protected by ensuring that proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <p>a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) adverse effects to the proposed sensitive land use are minimized and mitigated; and d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.</p>
2.5 HOUSING		
<p>2.5.3 RESIDENTIAL LAND INVENTORY A minimum 10 year supply of land shall be designated and zoned for residential purposes at all times to accommodate anticipated housing needs of which a minimum of 3 year supply shall be land with servicing capacity. Lands designated and zoned shall be for a variety of residential types and include both previously undeveloped lands as well as lands suitable for residential intensification and redevelopment.</p>	<p>-The PPS now requires that municipalities maintain a minimum 15 year supply of designated land for residential development purposes.</p>	<p>Amend the section as follows:</p> <p>A minimum 10 15 year supply of land shall be designated and zoned for residential purposes at all times to accommodate anticipated housing needs of which a minimum of 3 year supply shall be land with servicing capacity. Lands designated and zoned shall be for a variety of residential types and include both previously undeveloped lands as well as lands suitable for residential intensification and redevelopment.</p>
<p>2.5.9 GRANNY FLATS A 'granny flat', garden suite, mobile home or similar secondary dwellings may be permitted for up to 10 years for family members provided such units are designed to be portable and removed from the lands, or readily converted to non-residential use, upon no longer being required for their intended occupants. The lands shall be sufficiently large to accommodate the dwelling and its required services and measures taken, if necessary, to ensure compatibility with neighbouring uses. A Temporary Use By-law shall be required in accordance with the Planning Act along with an agreement with the Municipality which addresses occupancy of the dwelling, its removal or conversion to other uses at the end of the prescribed period and the posting of security to ensure due performance.</p>	<p>-Granny flats or garden suites continue to be recognized in the <u>Planning Act</u> (Section 39) under a temporary use by-law. They are distinguished from "Additional Residential Units" given their intended temporary nature.</p> <p>-Period for the temporary use of a garden suite is proposed to be updated from 10 years to 20 years in keeping with requirements under the <u>Planning Act</u>.</p> <p>-There is likely to be continued interest by property owners in the ability to provide for temporary accommodation for family members residing on the same lot in both agricultural and settlement areas.</p>	<p>Amend the section as follows:</p> <p><u>2.5.9 GRANNY FLATS TEMPORARY GARDEN SUITES</u> A 'granny flat', garden suite, mobile home or similar secondary temporary dwellings may be permitted for up to 10 20 years for family members provided such units are designed to be portable and removed from the lands, or readily converted to non-residential use, upon no longer being required for their intended occupants. The lands shall be sufficiently large to accommodate the dwelling and its required services and measures taken, if necessary, to ensure compatibility with neighbouring uses.</p> <p>A Temporary Use By-law shall be required in accordance with the <u>Planning Act</u> along with an agreement with the Municipality which addresses occupancy of the dwelling, its removal or conversion to other uses at the end of the prescribed period and the posting of security to ensure due performance.</p>

Current Policy Language	Rationale for Change	Proposed Language
N/A	<p>-Section 16(3) of the <u>Planning Act</u> permits the establishment of a second dwelling unit (or “additional residential unit”) in a single detached dwelling or within an accessory building. The Act does not distinguish between agricultural areas or settlement areas as to where additional residential units may be permitted;</p> <p>-The current Southwest Middlesex Official Plan policy (Section 5.4.1.10) only addresses and permits garden suites or granny flats on farms in designated agricultural areas, and only for a temporary period of time not exceeding 10 years. Additional residential units should be permitted in settlement areas, and should not necessarily be tied to a specific period of time;</p> <p>-A severance to sever the additional residential unit from the lot is not permitted by the PPS and this prohibition is stated in the interests of greater clarity.</p> <p>-The proposed criteria would be consistent with the proposed additional residential unit policies for the County Official Plan.</p>	<p>Create the following new section:</p> <p><u>2.5.11 ADDITIONAL RESIDENTIAL UNIT</u> Additional Residential Units (ARU’s) shall be permitted within single detached and semi-detached dwelling units. ARUs are permitted within the primary dwelling and a detached building or structure ancillary to the primary dwelling, for a total of up to three residential units. ARU’s shall be established in accordance with the following:</p> <ul style="list-style-type: none"> a) ARUs shall meet the requirements of the Ontario Building Code, Fire Code, and all other Provincial, County, and Municipal standards; b) the provision of adequate access, emergency access, and on-site parking; c) that the ARU is clearly subordinate in scale and function to the primary dwelling unit; d) the provision of adequate water and wastewater services, and where appropriate shared services between the primary dwelling and the ARUs are encouraged; and e) ARUs are not permitted in hazard lands as defined and regulated by the conservation authority. f) Where an ARU is located outside of a settlement area: <ul style="list-style-type: none"> i) An ARU shall be located within the existing building cluster; ii) ARUs are to meet Minimum Distance Formulae; and iii) ARUs are prohibited from being severed from the property unless as part of the severance of the primary dwelling unit as a residence surplus to a farming operation. g) The Zoning By-law shall establish appropriate standards and regulations for ARUs.
2.7 NATURAL HERITAGE FEATURES		
<p><u>2.7.1 GOALS</u></p> <ul style="list-style-type: none"> a) To preserve and protect natural heritage features; b) To achieve a self-sustaining natural heritage system; c) To maintain, restore or wherever possible, enhance natural heritage features in terms of their ecological function, diversity, connectivity and scenic quality. 	<p>-Reflect changes to matters of provincial interest under the <u>Planning Act</u> to address the consideration of climate change.</p>	<p>Add the following text to the end of the Section:</p> <p>d) To encourage development and land use patterns that consider the impacts of climate change and aim to adapt to and mitigate the impacts of climate change through the promotion of resilient communities.</p>
<p><u>2.7.6 ANSI’S, VALLEYLANDS, WOODLANDS AND WILDLIFE HABITAT</u> Significant areas of natural and scientific interest (ANSI) as shown on Figure 3 and Figure 4, valley lands associated with the Sydenham River and the Thames River, woodlands identified in the Middlesex Natural Heritage Study, 2003 being generally four hectares or greater in size and considered to be significant as a result of their contribution to the ecology, quality and natural diversity of the County and significant wildlife habitat are considered natural heritage features. Development and site alternation shall not be permitted in these areas or on adjacent lands, generally considered to be lands within 50 metres of such areas, unless it has been demonstrated there will be no negative impact on the feature or on its ecological function.</p>	<p>-Update policies to reference the most current version of the Middlesex Natural Heritage Systems Study 2014.</p>	<p>Amend the Section as follows:</p> <p>Significant areas of natural and scientific interest (ANSI) as shown on Figure 3 and Figure 4, valley lands associated with the Sydenham River and the Thames River, woodlands identified in the Middlesex Natural Heritage Systems Study, 2003 2014 being generally four hectares or greater in size and considered to be significant as a result of their contribution to the ecology, quality and natural diversity of the County and significant wildlife habitat are considered natural heritage features. Development and site alternation shall not be permitted in these areas or on adjacent lands, generally considered to be lands within 50 metres of such areas, unless it has been demonstrated there will be no negative impact on the feature or on its ecological function.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>2.7.9 EVALUATION OF DEVELOPMENT PROPOSALS</u> Where development or site alteration is proposed on lands lying adjacent to, or lying within, a natural heritage feature, the proponent shall submit a Development Assessment Report (DAR) in accordance with “A Guideline for Development Assessment Reports” August 2007 to the County of Middlesex Official Plan. Approval of the Development Assessment Report shall rest with the County in consultation with the Municipality, the Ministry of Natural Resources and the conservation authority having jurisdiction.</p>	<p>-Reflects recommendations of MNHSS 2014 study and proposed policies under the County Official Plan that encourage the protection of unevaluated natural heritage features and reference the most recent MNHSS 2014 document.</p> <p>Further study and confirmation of the boundary of features prior to the approval of development applications and site alterations may be required, but does not prevent existing agriculture and farm uses from continuing Mitigation recommendation of the DAR to demonstrate no negative impact may include designating areas found to be natural linkages and enhancement areas.</p>	<p>Amend the Section as follows:</p> <p>Where development or site alteration is proposed on lands lying adjacent to, or lying within, a natural heritage feature, the proponent shall submit a Development Assessment Report (DAR) in accordance with “A Guideline for Development Assessment Reports” August 2007 to the County of Middlesex Official Plan. Approval of the Development Assessment Report shall rest with the County in consultation with the Municipality, the Ministry of Natural Resources and the conservation authority having jurisdiction.</p> <p>The MNHSS Study (2014) provides the methodology used to identify features and the criteria used to determine the significance of features for inclusion in the Natural Heritage System.</p> <p>Limitations of the MNHSS Study (2014) mean that some natural features and ecological functions may not currently be included in the Natural Heritage System and may require further field studies and evaluation to determine the protection requirements of applicable Federal or Provincial legislation. Where development is proposed a DAR will require the completion of appropriate studies to determine the significance and protection needs of the following where present:</p> <p>a) Natural heritage features not currently included in Natural Heritage System are considered candidates for significance until a DAR is completed to assess their significance based on criteria provided in the MNHSS Study (2014). b) Fish habitat as identified by the Federal Department of Fisheries and Oceans require the completion of appropriate studies to ensure compliance with the Fisheries Act. c) Significant habitat of endangered species and threatened species as identified by the Province, in accordance with the Endangered Species Act, 2007, d) Significant Wildlife Habitat identified and evaluated in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry.</p>
<p><u>2.8 SURFACE AND GROUNDWATER RESOURCES</u></p>	<p>-Add Source Water Protection policies as recommended in the County’s Source Water Protection Background Report</p>	<p>Amend the Section to include the following text:</p> <p>Surface water sources, including streams, lakes, ponds and wetlands are normally protected through their inclusion within the Natural Heritage System. Groundwater sources occur throughout the Municipality and are an essential resource for urban and rural water supplies, agricultural production and the maintenance of the natural heritage system. It is the intent of this Plan that all development shall be subject to the following policies to ensure that water quality and quantity are not adversely affected. Specifically, it is the Municipality’s intent that the development of public and private uses will not significantly alter groundwater recharge or discharge, impair groundwater or surface water quality, or negatively impact municipal groundwater supply. Maintaining a sustainable groundwater supply is a priority to meet the needs of current and future residents. The following policies are intended to address both ground water and surface water protection.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>2.8.2 WATER QUALITY AND QUANTITY</u> The Municipality shall utilize its best efforts and co-operate with the St. Clair Region Conservation Authority and the Lower Thames River Conservation Authority to implement cost-effective measures designed to protect, improve and restore the quality and quantity of its water resources by identifying surface water features, groundwater features, hydrologic functions and natural heritage features and areas which are necessary for the ecological and hydrological integrity of the watersheds which Southwest Middlesex lies within.</p>	<p>-Add Source Water Protection policies as recommended in the County's Source Water Protection Background Report</p>	<p>Delete the Section in its entirety and replace with the following:</p> <p>With respect to water resources, the Municipality shall endeavour to:</p> <p>a) Identify water resource systems consisting of groundwater features, hydrologic functions, natural heritage features and areas, and surface water features, which are necessary for the ecological and hydrological integrity of the watershed.</p> <p>b) Maintain linkages and related functions among groundwater features, hydrologic functions, natural heritage features and areas, and surface water features.</p> <p>c) Protect or enhance the function of sensitive groundwater recharge areas, discharge areas, aquifers and headwaters.</p> <p>d) Work cooperatively with Conservation Authorities and Provincial Ministries regarding land management issues within the watersheds of the Municipality.</p>
2.9 URBAN AND RURAL CHARACTER		
<p><u>2.9.1 GOALS AND OBJECTIVES</u> a) To maintain and strengthen the distinct identity and character of settlement areas; b) To maintain and strengthen the distinct identity and character of the rural area; c) To achieve well planned, compact development and the full utilization of urban lands; d) To achieve a high standard of urban and rural design.</p>	<p>-Consistent with County Official Plan policies, as well as matters of Provincial interest under the PPS 2020, regarding urban design, affordable housing, and pedestrian-oriented development.</p>	<p>Add the following text to the end of the Section:</p> <p>e) To support strong urban design and revitalization that considers affordable housing where appropriate as a means of enhancing the quality of place.</p> <p>f) To encourage forms of active transportation, including pedestrian and cyclist movements, to be incorporated into development proposals.</p> <p>g) To support the creation of public spaces that are of high quality, safe, accessible, attractive, and vibrant;</p>
2.10 COMMUNITY IMPROVEMENT		
<p><u>2.10.1 GOALS AND OBJECTIVES</u> a) To achieve minimum standards of public health, safety and occupancy; b) To ameliorate property conditions which pose a blight, eyesore, nuisance, risk or land use conflict; c) To improve areas experiencing decline, blight or neglect; d) To up-grade and maintain municipal infrastructure and facilities in accordance with prevailing standards.</p>	<p>-Address work completed for the Southwest Middlesex Community Improvement Plan to include opportunities to support agri-tourism.</p>	<p>Add the following to the end of the Section:</p> <p>e) To support agricultural operations and their contributions to the local economy, including attracting new visitors to the Municipality through agri-tourism.</p>
<p><u>2.10.3 COMMUNITY IMPROVEMENT PROJECT AREAS</u> The following criteria shall be used to identify areas potentially suitable for designation as a community improvement project area. a) areas characterized by substandard infrastructure (e.g. water supply, storm drainage, streets, sidewalks, parking); b) areas characterized by substandard buildings and/or properties; c) areas where there is a potential for a more desirable, compatible or viable use of land; d) areas characterized by land use conflicts or blight; e) areas characterized by economic stagnation or decline.</p>	<p>-Address work completed for the Southwest Middlesex Community Improvement Plan to include opportunities to support agri-tourism.</p>	<p>Add the following to the end of the Section:</p> <p>f) lands designated agriculture that have frontage on a designated arterial road.</p>

Current Policy Language	Rationale for Change	Proposed Language
2.11 CULTURAL HERITAGE RESOURCES		
<p><u>2.11.1 GOALS AND OBJECTIVES</u> a) To protect, conserve and enhance heritage resources; b) To increase public awareness of the nature and importance of heritage resources to the community; c) To respect private property rights in the protection of heritage resources.</p>	<p>-Changes to the PPS 2020 include updated policies for consulting with indigenous communities.</p>	<p>Add the following to the end of the Section:</p> <p>d) To encourage engaging and partnering with Indigenous communities to consider their interests when identifying, protecting and managing cultural heritage resources and archaeological resources.</p>
<p><u>2.11.3 PROTECTION OF HERITAGE RESOURCES</u> The Municipality shall use its best efforts to identify, protect, conserve and enhance its heritage resources. Development and redevelopment which is sensitive to heritage resources, which incorporates and utilizes heritage resources, and which is in harmony with heritage resources, shall be encouraged.</p>	<p>-Updates to conform to requirements under the PPS 2020 to ensure archaeological resources are not negatively impacted by development.</p>	<p>Amend the Section as follows:</p> <p>The Municipality shall use its best efforts to identify, protect, conserve and enhance its heritage resources. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Development and redevelopment which is sensitive to heritage resources, which incorporates and utilizes heritage resources, and which is in harmony with heritage resources, shall be encouraged.</p>
3.0 URBAN AREAS: GLENCOE		
<p><u>3.1 CHARACTER</u> Glencoe is by far the largest settlement area of Southwest Middlesex and the only settlement area that qualifies as an ‘urban area’ under the Official Plan of the County of Middlesex. Its population in 2006 was recorded at 2095 persons, down from its 2001 population of 2152. Being the largest settlement area in Southwest Middlesex, Glencoe functions as its administrative, business, education, health and recreation centre. It offers a wide range of basic goods and services and has, for its size, a significant industrial base.</p>	<p>-Statistics Canada has released updated population information from the 2021 census.</p>	<p>Amend the Section as follows:</p> <p>Glencoe is by far the largest settlement area of Southwest Middlesex and the only settlement area that qualifies as an ‘urban area’ under the Official Plan of the County of Middlesex. Its population in 2006 2021 was recorded at 2095 2,158 persons, up down from its 2001 2016 population of 2152 2,126. Being the largest settlement area in Southwest Middlesex, Glencoe functions as its administrative, business, education, health and recreation centre. It offers a wide range of basic goods and services and has, for its size, a significant industrial base.</p>
<p><u>3.2 DESIGN POPULATION</u> Future growth in Glencoe is largely predicated on its ability to attract residential and industrial development. Its attraction as a ‘bedroom community’ is limited by its distance to neighbouring employment centres (primarily Strathroy, St.Thomas and London) and the existence of closer, smaller centres which provide comparable amenities. While Glencoe has a small labour force and is somewhat distant from major highways, it has been able to attract two reasonably large auto-parts plants. Based on a population of 2095 in 2006, its population constitutes 35.6% of the population of Southwest Middlesex as-a-whole. Assuming it maintains its share of the population of the Municipality as-a-whole, its population by the end of the planning period would be just over 2500. There is reason to believe its share would actually increase given its ability to offer fully serviced lands for development and the servicing restrictions in place in other settlement areas in Southwest Middlesex. The design population shall be reviewed every 5 years following the release of the census by Statistics Canada.</p>	<p>-Statistics Canada has released updated population information from the 2021 census.</p>	<p>Amend the Section as follows:</p> <p>Future growth in Glencoe is largely predicated on its ability to attract residential and industrial development. Its attraction as a ‘bedroom community’ is limited by its distance to neighbouring employment centres (primarily Strathroy, St.Thomas and London) and the existence of closer, smaller centres which provide comparable amenities. While Glencoe has a small labour force and is somewhat distant from major highways, it has been able to attract two reasonably large auto-parts plants. Based on a population of 2095 2158 in 2021 2006, its population constitutes 35.6 36.6% of the population of Southwest Middlesex as-a-whole. Assuming it maintains its share of the population of the Municipality as-a-whole, consistent growth, its population by the end of the planning period would be increase by approximately 150 people to 2300 just over 2500. There is reason to believe its share would actually increase given its ability to offer fully serviced lands for development and the servicing restrictions in place in other settlement areas in Southwest Middlesex. The design population shall be reviewed every 5 years following the release of the census by Statistics Canada.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>3.4.4.2 SECONDARY USES In addition to the primary uses, other uses may be permitted in areas designated “Residential” provided they complement and are compatible with these areas, primarily serve residential needs and do not detract from their predominantly residential character. These uses include churches, schools, neighbourhood parks, nursing and rest homes, day care centres, home occupations. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>	<p>-Permit additional residential units in accordance with provincial policies and the criteria contained within the County Official Plan.</p>	<p>Amend the Section as follows: In addition to the primary uses, other uses may be permitted in areas designated “Residential” provided they complement and are compatible with these areas, primarily serve residential needs and do not detract from their predominantly residential character. These uses include churches, schools, neighbourhood parks, nursing and rest homes, day care centres, home occupations, and Additional Residential Units in accordance with Section 2.5.10. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>
<p>3.4.5.2 PARKLAND DEDICATION The provisions of the Planning Act shall be used to acquire land dedications for park or other recreational purposes. In the case of residential lands, the dedication is limited to 5% of the lands being subdivided or developed whereas in the case of commercial and industrial development, the dedication is limited to 2%. In the case of medium density residential development, the Municipality may require lands be dedicated for park or other recreational purposes at the rate of 1.0 hectare for every 300 dwelling units.</p>	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to include updated parkland dedication rates provided under the <u>Planning Act</u>.</p>	<p>Amend the Section as follows: The provisions of the Planning Act shall be used to acquire land dedications for park or other recreational purposes. In the case of residential lands, the dedication is limited to 5% of the lands being subdivided or developed whereas in the case of commercial and industrial development, the dedication is limited to 2%. In the case of medium density residential development, the Municipality may require lands be dedicated for park or other recreational purposes at the rate of 1.0 hectare for every 300 dwelling units, or where cash-in-lieu is accepted, it shall be provided at a calculated rate of one hectare per 500 dwelling units.</p>
<p>3.4.5.3 CASH-IN-LIEU Where adequate parkland is available or where more suitable sites exist elsewhere, a cash payment in lieu of a dedication of land for park purposes may be accepted which shall be used to purchase land elsewhere for park purposes or for other public recreational purposes. The amount of the payment shall be determined in accordance with the provisions of the Planning Act.</p>	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to include updated parkland dedication rates provided under the <u>Planning Act</u>.</p>	<p>Amend the Section as follows: Where adequate parkland is available, or where more suitable sites exist elsewhere, or where parkland proposed to be conveyed does not meet the criteria in Section 3.4.5.4, a cash payment in lieu of a dedication of land for park purposes may be accepted which shall be used to purchase land elsewhere for park purposes or for other public recreational purposes, in accordance with the provisions of the Planning Act. The value of the subject lands shall be determined by an appraisal authorized by the Municipality, in accordance with the provisions of the Planning Act. This Plan recognizes the conveyance of land as the preferred method of parkland dedication.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>3.4.5.4 ACQUISITION</p> <p>Lands for park purposes shall primarily be acquired through dedications as a condition of lands being subdivided or otherwise developed, or through purchase using monies received from cash-in-lieu of providing parkland in areas where parkland is not considered necessary or appropriate. Lands proposed to be dedicated to the Municipality for park purposes shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> a) proximity and access to existing recreation facilities and parks; b) proximity and access to users; c) size, shape, topography and drainage; d) potential development and maintenance costs; e) potential for expansion. 	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to provide additional considerations for accepting parkland dedication to ensure the suitability of the land for providing recreation uses.</p>	<p>Amend the Section as follows:</p> <p>Lands for park purposes shall primarily be acquired through dedications as a condition of lands being subdivided or otherwise developed, or through purchase using monies received from cash-in-lieu of providing parkland in areas where parkland is not considered necessary or appropriate. Lands proposed to be dedicated to the Municipality for park purposes shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> a) proximity and access to existing recreation facilities and parks; b) proximity and access to users; c) the size, shape, topography and drainage of the parkland parcel. The development of parkland parcels that are smaller than 0.5 hectares in size shall be discouraged, unless it is necessary to reconcile gap areas; d) suitability of supporting a variety of active and passive recreation uses. The acceptance of woodlots and environmentally sensitive as parkland dedication should be discouraged, although the Municipality may assume these lands (over and above the required amount) for the purposes of protecting natural areas for passive recreation and educational uses e) adequate street frontage f) potential development and maintenance costs; g) potential for expansion.
4.0 COMMUNITY AREAS: WARDSVILLE		
<p>4.1 CHARACTER</p> <p>The only settlement area in Southwest Middlesex that potentially qualifies as a ‘Community Area’ under the County of Middlesex Official Plan is the Village of Wardsville. In 2006, its population was recorded at 374 (Statistics Canada), a decline of its 2001 recorded population of 417. While Wardsville currently serves a community function, like many small villages and hamlets removed from large population and employment centres in southwestern Ontario, it has witnessed a decline in terms of the goods and services it once offered. It nevertheless has the potential to accommodate future population growth.</p>	<p>-Statistics Canada has released updated population information from the 2021 census.</p>	<p>Amend the Section as follows:</p> <p>The only settlement area in Southwest Middlesex that potentially qualifies as a ‘Community Area’ under the County of Middlesex Official Plan is the Village of Wardsville. In 2006 2021, its population was recorded at 374 420 (Statistics Canada), a decline increase of its 2001 2016 recorded population of 417 382. While Wardsville currently serves a community function, like many small villages and hamlets removed from large population and employment centres in southwestern Ontario, it has witnessed a decline in terms of the goods and services it once offered. It nevertheless has the potential to accommodate future population growth.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>4.2 DESIGN POPULATION Historically, the population of Wardsville has been stable or in a state of decline. Its highest ever recorded population was 540 in 1881. In the absence of a proactive and effective strategy to induce persons to move to Wardsville and the provision of housing sought by senior citizens, Wardsville may well continue to stagnate and possibly decline further. In fact, the 2006 population of Wardsville recorded by Statistics Canada showed a further decline to 374 persons. Assuming a modest annual growth rate (0.5%) and based on a 2001 population of 374 persons, the population of Wardsville may be in the order of 500 persons by 2026, being the end of the planning period. This target population shall be reviewed every 5 years following the release of the census by Statistics Canada.</p>	<p>-Statistics Canada has released updated population information from the 2021 census.</p>	<p>Amend the Section as follows:</p> <p>Historically, the population of Wardsville has been stable or in a state of decline. Its highest ever recorded population was 540 in 1881. The population of Wardsville has increased from 382 in 2016 to 420 in 2021, Current population projections anticipate moderate to high growth in housing to the end of the planning horizon in 2046. In the absence of a proactive and effective strategy to induce persons to move to Wardsville and the provision of housing sought by senior citizens, Wardsville may well continue to stagnate and possibly decline further. In fact, the 2006 population of Wardsville recorded by Statistics Canada showed a further decline to 374 persons. Assuming a modest annual growth rate (0.5%) and based on a 2001 population of 374 persons, the population of Wardsville may be in the order of 500 persons by 2026, being the end of the planning period. Based on the current projections for the Municipality and assuming that Wardsville maintains a similar proportion of the population, it is projected that the population of Wardsville would increase to approximately 450 people. This target population shall be reviewed every 5 years following the release of the census by Statistics Canada.</p>
<p>4.4.1.2 SECONDARY USES In addition to the primary uses, other uses may be permitted in areas designated “Residential” provided they complement and are compatible with these areas and do not detract from the established residential character of these areas. These uses include churches, schools, neighbourhood parks, nursing and rest homes, day care centres, home occupations. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>	<p>-Permit additional residential units in accordance with provincial policies and the criteria contained within the County Official Plan.</p>	<p>Amend the Section as follows:</p> <p>In addition to the primary uses, other uses may be permitted in areas designated “Residential” provided they complement and are compatible with these areas and do not detract from the established residential character of these areas. These uses include places of worship churches, schools, neighbourhood parks, nursing and rest homes, day care centres, home occupations, and Additional Residential Units in accordance with Section 2.5.10. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>
<p>4.4.3.3 PARKLAND DEDICATION The provisions of the Planning Act shall be used to acquire land dedications for park or other recreational purposes. In the case of residential lands, the dedication is limited to 5% of the lands being subdivided or developed whereas in the case of commercial and industrial development, the dedication is limited to 2%. In the case of medium density residential development, the Municipality may require lands be dedicated for park or other recreational purposes at the rate of 1.0 hectare for every 300 dwelling units.</p>	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to provide additional considerations for accepting parkland dedication to ensure the suitability of the land for providing recreation uses.</p>	<p>Amend the Section as follows:</p> <p>The provisions of the Planning Act shall be used to acquire land dedications for park or other recreational purposes. In the case of residential lands, the dedication is limited to 5% of the lands being subdivided or developed whereas in the case of commercial and industrial development, the dedication is limited to 2%. In the case of medium density residential development, the Municipality may require lands be dedicated for park or other recreational purposes at the rate of 1.0 hectare for every 300 dwelling units, or where cash-in-lieu of parkland is accepted, it shall be provided at a calculated rate of one hectare per 500 dwelling units.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>4.4.3.4. CASH-IN-LIEU</u> Where adequate parkland is available or where more suitable sites exist elsewhere, a cash payment in lieu of a dedication of land for park purposes may be accepted which shall be used to purchase land elsewhere for park purposes or for other public recreational purposes. The amount of the payment shall be determined in accordance with the provisions of the Planning Act.</p>	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to include updated parkland dedication rates provided under the <u>Planning Act</u>.</p>	<p>Amend the Section as follows:</p> <p>Where adequate parkland is available, or where more suitable sites exist elsewhere, or where parkland proposed to be conveyed does not meet the criteria in Section 3.4.5.4, a cash payment in lieu of a dedication of land for park purposes may be accepted which shall be used to purchase land elsewhere for park purposes or for other public recreational purposes, in accordance with the provisions of the Planning Act. The value of the subject lands shall be determined by an appraisal authorized by the Municipality, in accordance with the provisions of the Planning Act. This Plan recognizes the conveyance of land as the preferred method of parkland dedication.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>4.4.3.5 ACQUISITION</p> <p>Lands for park purposes shall primarily be acquired through dedications as a condition of lands being subdivided or otherwise developed, or through purchase using monies received from cash-in-lieu of providing parkland in areas where parkland is not considered necessary or appropriate. Lands proposed to be dedicated to the Municipality for park purposes shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> h) proximity and access to existing recreation facilities and parks; i) proximity and access to users; j) size, shape, topography and drainage; k) potential development and maintenance costs; l) potential for expansion. 	<p>-Implement recommendations from Southwest Middlesex Parks & Recreation Master Plan 2021 to provide additional considerations for accepting parkland dedication to ensure the suitability of the land for providing recreation uses.</p>	<p>Amend the Section as follows:</p> <p>Lands for park purposes shall primarily be acquired through dedications as a condition of lands being subdivided or otherwise developed, or through purchase using monies received from cash-in-lieu of providing parkland in areas where parkland is not considered necessary or appropriate. Lands proposed to be dedicated to the Municipality for park purposes shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> m) proximity and access to existing recreation facilities and parks; n) proximity and access to users; o) the size, shape, topography and drainage of the parkland parcel. The development of parkland parcels that are smaller than 0.5 hectares in size shall be discouraged, unless it is necessary to reconcile gap areas; p) suitability of supporting a variety of active and passive recreation uses. The acceptance of woodlots and environmentally sensitive as parkland dedication should be discouraged, although the Municipality may assume these lands (over and above the required amount) for the purposes of protecting natural areas for passive recreation and educational uses q) adequate street frontage r) potential development and maintenance costs; s) potential for expansion.

Current Policy Language	Rationale for Change	Proposed Language
5.0 RURAL ARA		
5.4.1 AGRICULTURAL		
<p>5.4.1.1 PRIMARY USES Within areas designated 'Agricultural' on Schedule 'E', the primary use of land shall be for the cultivation of land, the raising of livestock and the growing of trees. A full range of agricultural activity shall be permitted including cash crops, livestock, market gardening, tobacco farming, specialty crops, aquaculture, horticulture and forestry, and buildings and structures associated therewith. The actual uses permitted shall be set out in the Zoning By-law.</p>	<p>-The PPS defines agricultural uses as follows: <i>Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.</i></p> <p>-Align the permitted agricultural uses with those of the PPS</p>	<p>Amend the section as follows: Within areas designated 'Agricultural' on Schedule 'E', the primary use of land shall be for the cultivation of land, the raising of livestock and other animals for food, fur or fibre and the growing of trees. A full range of agricultural activity shall be permitted including cash crops, livestock, market gardening, tobacco farming, specialty crops, aquaculture, horticulture and forestry, value-retaining facilities, and buildings and structures associated therewith. Where the size and nature of the farm operation requires additional farm employment, accommodation for farm labour may be provided. The actual uses permitted shall be set out in the Zoning By-law.</p>
<p>5.4.1.2 SECONDARY USES In addition to the primary uses, lands designated "Agricultural" may be used for other purposes provided that such other uses primarily serve or are otherwise directly related to, or complement, agricultural activity. Uses which would not be detrimental, offensive or conflict with agricultural activities and which are necessarily located in the rural area due to their nature or their potential to create conflicts if located within settlement areas may also be permitted. Secondary uses may include agriculturally-related commercial and industrial uses, dog kennels, wildlife preserves, passive outdoor recreation uses, exploration and extraction of petroleum, commercial wind generation systems, farm occupations and home occupations. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>	<p>-Align the permitted agricultural uses with those of the PPS -Include on-farm diversified uses and additional residential units (ARU's) as permitted by the PPS</p>	<p>Amend the Section as follows: In addition to the primary uses, lands designated "Agricultural" may be used for other purposes provided that such other uses primarily serve or are otherwise directly related to, or complement, agricultural activity. Uses which would not be detrimental, offensive or conflict with agricultural activities and which are necessarily located in the rural area due to their nature or their potential to create conflicts if located within settlement areas may also be permitted. Secondary uses may include agriculturally-related commercial and industrial uses, dog kennels, wildlife preserves, passive outdoor recreation uses, exploration and extraction of petroleum, commercial wind generation systems, farm occupations and home occupations, on-farm diversified uses, and Additional Residential Units in accordance with Section 2.5.10. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>
<p>5.4.1.5 LIVESTOCK BUILDINGS AND MANURE STORAGE FACILITIES New and enlarged livestock buildings and manure storage facilities shall only be permitted in accordance with the Nutrient Management Act and its accompanying regulations. Compliance with the Minimum Distance Separation (MDS II) shall be required unless a minor variance is otherwise granted. Depending on the capacity of the new or enlarged livestock building or manure storage facility, preparation of a nutrient management plan may be required. Nutrient management plans are required for existing livestock operations and manure storage facilities in accordance with the requirements of the <u>Nutrient Management Act</u>.</p>	<p>-Reference to OMAFRA's '<u>The Minimum Distance Separation (MDS) Document, Formula and Guidelines for Livestock Facilities and Anaerobic Digester Odour Setbacks – Publication 853</u>'.</p>	<p>Amend the Section as follows: New and enlarged livestock buildings and manure storage facilities shall only be permitted in accordance with the <u>Nutrient Management Act</u> and its accompanying regulations. Compliance with the Minimum Distance Separation (MDS II), as set out in <u>The Minimum Distance Separation (MDS) Document, Formula and Guidelines for Livestock Facilities and Anaerobic Digester Odour Setbacks – Publication 853</u> as amended or revised from time to time shall be required unless a minor variance is otherwise granted. Depending on the capacity of the new or enlarged livestock building or manure storage facility, preparation of a nutrient management plan may be required. Nutrient management plans are required for existing livestock operations and manure storage facilities in accordance with the requirements of the <u>Nutrient Management Act</u>.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>5.4.1.6 DIVISION OF FARM PARCELS</p> <p>The splitting of prime agricultural land into smaller parcels shall generally be discouraged. Where the splitting of prime agricultural land is proposed, the proponent shall demonstrate that the resulting smaller parcels will have no detrimental impact on agricultural productivity, operating efficiency and future farming options. In considering such applications, regard shall also be had to:</p> <ul style="list-style-type: none"> a) the need to discourage the unwarranted fragmentation of farmland; b) the agricultural capability of the land; c) the type of agricultural activity engaged in and proposed to be engaged in; d) whether both parcels are sufficiently large to constitute viable production units and to meet changing market conditions; e) whether both parcels are suitable for the type of agriculture common in the area and the size of both parcels is appropriate to the type of agriculture proposed; f) the viability of cultivating smaller parcels with current farm machinery and equipment; g) the need to discourage the creation of new parcels primarily for residential purposes h) the minimum farm parcel size as established in the Zoning By-law. i) the policies of the County of Middlesex Official Plan which discourages the creation of agricultural parcels less than 40 hectares. 	<p>-Reflect policies of the PPS 2020 to add that the creation of residential lots (with the exception of surplus farm dwelling severances) is not permitted;</p> <p>-Update to include PPS policy with respect to minor boundary adjustments</p>	<p>Amend Section 5.4.1.6 by adding the following at the end of the Section:</p> <p style="color: red;">“The creation of residential lots on lands designated ‘Agricultural’ shall not be permitted with the exception of residential lots for the purposes of the disposal of a surplus farm dwelling in accordance with Section 5.4.1.7.</p> <p style="color: red;">Lot adjustments for legal or technical reasons, including easements, corrections of deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot, shall be permitted in accordance with Section 8.2.4.3.”</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>5.4.1.7 DISPOSAL OF SURPLUS FARM DWELLINGS</p> <p>Dwellings considered surplus to the needs of a farm as a result of farm consolidation, being the acquisition of additional farm parcels not necessarily contiguous to the home farm or base of operations, may be severed from the balance of the farm provided that the dwelling was constructed prior to 1999. The following criteria shall be satisfied:</p> <ul style="list-style-type: none"> j) <u>new dwellings</u>: The remaining farmland shall be zoned in a manner which prohibits the erection of any new dwelling in the future. k) <u>farm buildings</u>: Farm buildings deemed to be surplus to the needs of the farm or incompatible with the proposed surplus farm dwelling if retained with the farm, may be required to be demolished or removed as a condition of consent. Proximity to the surplus dwelling and proposed lot lines, compliance with the Minimum Distance Separation (MDS) Formulae and the heritage quality, structural condition and proposed use of the farm building shall be governing factors to whether demolition or removal will be required. Where such buildings are structurally sound, have potential for alternative and compatible uses and/or more likely to be maintained, they may be severed along with the surplus dwelling. A re-zoning may be required and site plan control may apply. l) <u>agricultural land</u>: The loss of productive agricultural land shall be minimized by keeping the size of the lot being created to dispose the surplus farm dwelling or buildings as small as possible taking into account the location of the dwelling, accessory buildings, driveway, natural features and on-site water supply and sanitary waste disposal systems. m) <u>water supply</u>: An adequate and potable water supply shall be available to the surplus dwelling. The availability of an adequate and secure water supply shall be demonstrated to the satisfaction of the Municipality. n) <u>sanitary waste disposal</u>: The existing sanitary waste disposal system serving the dwelling shall be up-graded to current standards, if necessary, and wholly contained within the required setbacks of the proposed lot to the satisfaction of the Municipality. o) <u>vehicular access</u>: Vehicular access shall be available or made available from a road of reasonable construction and maintenance to the satisfaction of the County or the Municipality, as the case may be. Existing, substandard entrances may be required to be up-graded to current standards. Access shall not be permitted or retained where safety hazards could result due to poor sight lines; proximity to a traffic intersection or railway crossing; or due to the traffic flow characteristics of road. Where the proposed lot has or would require access to a County Road, compliance with the policies and requirements of the County of Middlesex shall be required. p) <u>proximity to neighbouring livestock operations</u>: Creation of the proposed lot shall not be permitted where it would have a detrimental impact on the operation, expansion or flexibility of any nearby livestock operation. Compliance with the Minimum Distance Separation Formula (MDS I) shall not be required. An environmental warning clause may be required on title alerting potential and future purchasers of the dwelling that they may be affected by odours from neighbouring livestock operations. q) <u>lot frontage, depth and size</u>: The frontage, depth and size of the proposed lot shall be suitable for the purpose intended and shall comply with the requirements of the Zoning By-law. An amendment to the By-law shall be required. 	<p>-Pending revisions being considered to the County of Middlesex Official Plan include removal of the 1999 date and replacing it with a “floating” date of a minimum of 20 years</p> <p>-Need to re-inforce the language of the Provincial Policy Statement 2020 that “the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.”</p>	<p>Amend the introduction to Section 5.4.1.7 as follows:</p> <p>“Dwellings considered surplus to the needs of a farm as a result of farm consolidation, being the acquisition of additional farm parcels not necessarily contiguous to the home farm or base of operations, may be severed from the balance of the farm provided that the dwelling has been in existence for a minimum of 10 years. The following criteria shall be satisfied:”</p> <p>Amend subsection c) as follows”</p> <p><u>agricultural land</u>: The loss of productive agricultural land shall be minimized by keeping the size of the lot being created to dispose the surplus farm dwelling or buildings to the minimum size required to accommodate the use and appropriate on-site water supply and sanitary waste disposal systems. In evaluating lot size as it relates to the residential use of the new lot, the location of the dwelling, accessory buildings, driveway access, landscaped open space and natural features will be considered.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>5.4.1.9 SECONDARY FARM OCCUPATIONS Secondary Farm Occupations conducted within a building other than a dwelling may be permitted on a farm provided they remain clearly secondary to the agricultural use being engaged in on the farm; provided they are agriculturally-related or do not adversely affect neighbouring agricultural operations or the rural character; provided they are operated only by those residing on the property on which the secondary farm occupation is located, including not more than three non-family members; and provided the building is located in close proximity to existing buildings on the farm. Water supply and sanitary sewage services shall be appropriate to the activity being engaged in. Standards applying to secondary farm occupations shall be prescribed in the Zoning By-law. Outside storage associated with a secondary farm occupation shall be limited in scale and be screened from view from surrounding roads.</p>	<p>-Recent amendments to the Provincial Policy Statement 2020 (PPS) now focus on the term and criteria for the consideration of so-called “On-farm Diversified Uses” as opposed to “secondary farm occupations;</p> <p>-The Plan should be updated to reflect the new terminology and criteria.</p>	<p>Delete Section 5.4.1.9 and replace with the following:</p> <p>5.4.1.9 On-Farm Diversified Uses The Municipality acknowledges the importance to the agricultural community of enabling farm operators to diversify while at the same time supplement income from the farm operation. A variety of uses may qualify as on-farm diversified uses provided such uses are related to agriculture, supportive of agriculture or are able to co-exist with agriculture without conflict. An amendment to the Official Plan shall not be required to establish such uses and the following general criteria shall apply:</p> <ul style="list-style-type: none"> a) it shall be demonstrated that such uses cannot be located within a settlement area and b) such uses shall be located on a farm property which is actively used for agricultural purposes; c) such uses shall be clearly secondary to the principal agricultural use of the lands; d) such uses shall be limited in size and lot coverage as more specifically defined and regulated in the Zoning By-law; e) such uses may be permitted subject to the approval of ‘site-specific’ zoning; f) such uses shall be compatible with, and shall not hinder, neighbouring agricultural operations or conflict with adjacent sensitive uses; g) such uses will be adequately serviced; h) where such uses would be characterized by a higher density of human occupancy, such as accommodation uses, agri-tourism, and retail operations, they may be required to comply with Minimum Distance Separation Formulae. <p>Proposals to establish on-farm diversified uses will be evaluated in accordance with the <u>Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas</u> (Publication 851) authored by the Ministry of Agriculture, Food and Rural Affairs.”</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>5.4.1.10 SECOND DWELLINGS AND SEASONAL LIVING QUARTERS ON FARMS</p> <p>The placement of a second dwelling on a farm may be permitted for a temporary period of time to a maximum of 10 years as stipulated by the Planning Act. In such instances, consideration shall only be given to situations where the nature of the farm operation warrants that such accommodation is required for the purposes of farm help or farm family members engaged in a meaningful capacity in the operation of the farm. Seasonal living quarters for migrant farm workers and other farm help to meet the needs of agriculture or agriculturally-related industries may also be considered on a temporary basis. The temporary dwelling or living quarters shall be located within close proximity to the existing cluster of farm buildings and in compliance with the Minimum Distance Separation (MDS I) unless a minor variance is granted with respect to any neighbouring livestock facility. A Temporary Use By-law shall be adopted and an agreement entered into with the Municipality which addresses occupancy of the dwelling or living quarters and their removal or conversion to other uses at the end of the temporary period.</p>	<p>-Align wording with <u>Planning Act</u> and to distinguish temporary garden suites with additional residential units and permit for a period of up to 20 years.</p> <p>-Reference additional criteria provided in the County Official Plan.</p>	<p>Amend the Section as follows:</p> <p>5.4.1.10 SECOND DWELLINGS GARDEN SUITES AND SEASONAL LIVING QUARTERS ON FARMS</p> <p>The placement of a second dwelling on a farm may be permitted for a temporary period of time to a maximum of 10 20 years as stipulated by the Planning Act. In such instances, consideration shall only be given to situations where the nature of the farm operation warrants that such accommodation is required for the purposes of farm help or farm family members engaged in a meaningful capacity in the operation of the farm. Seasonal living quarters for migrant farm workers and other farm help to meet the needs of agriculture or agriculturally-related industries may also be considered on a temporary basis. The temporary dwelling or living quarters shall be located within close proximity to the existing cluster of farm buildings and in compliance with the Minimum Distance Separation (MDS I) unless a minor variance is granted with respect to any neighbouring livestock facility. The temporary dwelling or living quarters should have adequate access, be provided with adequate servicing, and minimize the loss of agricultural land. A Temporary Use By-law shall be adopted and an agreement entered into with the Municipality which addresses occupancy of the dwelling or living quarters and their removal or conversion to other uses at the end of the temporary period.</p>
<p>5.4.1.17 AGGREGATE RESOURCES</p> <p>While Southwest Middlesex is considered ‘aggregate poor’ insofar as there are no known deposits of aggregate which are commercially viable to extract, should such aggregate be discovered and before consideration is given to amending the Zoning By-law to permit extraction, the Plan shall be amended to identify the limits of the resource and the criteria to be satisfied before extraction would be allowed to take place. Impact on natural heritage features, compatibility with neighbouring uses and effective rehabilitation shall be key considerations. A license under the Aggregate Resources Act shall also be required.</p>	<p>-Update mineral extraction policies to be consistent with the 2020 PPS;</p> <p>- Resource extraction is permitted as an interim use provided that the site is rehabilitated back to an agricultural condition.</p>	<p>-amend Section 5.4.1.17 by adding the following at the end of the Section:</p> <p>“Resource extraction may be permitted as an interim use provided the lands are restored to a condition whereby substantially the same area and same average soil capability for agriculture is reinstated to the satisfaction of the Municipality.”</p>
5.4.2 HAMLETS		
<p>5.4.2.2 SECONDARY USES</p> <p>In addition to the primary uses, other uses may be permitted provided they are compatible with the scale and function of the hamlet. These uses shall include small scale commercial and industrial uses, institutional and recreational uses such as parks, schools and churches, home occupations. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>	<p>-Permit additional residential units in accordance with provincial policies and the criteria contained within the County Official Plan.</p>	<p>Amend the Section as follows:</p> <p>In addition to the primary uses, other uses may be permitted provided they are compatible with the scale and function of the hamlet. These uses shall include small scale commercial and industrial uses, institutional and recreational uses such as parks, schools and churches, home occupations, and Additional Residential Units in accordance with Section 2.5.10. The actual uses permitted shall be set out in the Zoning By-law. An amendment to the By-law may be required.</p>

Current Policy Language	Rationale for Change	Proposed Language
5.4.3 RURAL RESIDENTIAL		
<p><u>5.4.3.5 SPECIAL DEVELOPMENT AREA – KRISTA LANE</u> A 'Special Development Area' refers to a specific location or development that specific policies are deemed necessary as a result of the history, previous commitments or the unique or otherwise special characteristics of these areas.</p> <p>The area known as Krista Lane lying in Lot 1, Concession II of the former Township of Ekfrid was created in the early 1970's as an 18 lot development on the eve of the enactment of subdivision control across the Province. Lands were surveyed for a public road, although the road was never completely constructed (until recently). Seven of the original 18 lots were built before a comprehensive Zoning By-law was enacted by the Township in 1978 and further development prevented. In 2002, the Municipality of Southwest Middlesex entered into an agreement with the owners of the remaining undeveloped lots which lead to the installation of a municipal water supply, up-grading and extension of the then private road and assumption by the Municipality, drainage improvements and other matters. The agreement provides for the development of the remaining lots subject to a further agreement with the owner of an individual lot prior to the issuance of a building permit. Until such time as an agreement has been entered into with the Municipality for the development of an individual lot, the undeveloped lot may be placed in a 'holding' type zone in accordance with the provisions of the Planning Act.</p>	<p>-The Development Agreement that applies to the subject undeveloped lots on Krista Lane was amended in 2014 with requirements that must be fulfilled before development can take place. The proposed policy changes reflect these updates, as well as identify that development on the subject lands is subject to the approval of the Lower Thames Valley Conservation Authority.</p>	<p>Amend the Section as follows:</p> <p>A 'Special Development Area' refers to a specific location or development that specific policies are deemed necessary as a result of the history, previous commitments or the unique or otherwise special characteristics of these areas.</p> <p>The area known as Krista Lane lying in Lot 1, Concession II of the former Township of Ekfrid was created in the early 1970's as an 18 lot development on the eve of the enactment of subdivision control across the Province. Lands were surveyed for a public road, although the road was never completely constructed (until recently). Seven of the original 18 lots were built before a comprehensive Zoning By-law was enacted by the Township in 1978 and further development prevented. In 2002, the Municipality of Southwest Middlesex entered into an agreement with the owners of the remaining undeveloped lots which lead to the installation of a municipal water supply, up-grading and extension of the then private road and assumption by the Municipality, drainage improvements and other matters. Until such time as an agreement has been entered into with the Municipality for the development of an individual lot, the undeveloped lot may be placed in a 'holding' type zone in accordance with the provisions of the Planning Act. The development agreement was subsequently amended in 2014 to address matters including, but not limited to, the assessment of impacts to groundwater, protection of building foundations, storm water management, maintenance of natural heritage buffers, servicing, the removal of the wetland designation from the subject lot by the Ministry of Natural Resources and Forestry, and consultation with the Ministry of Natural Resources and Forestry regarding species-at-risk. The agreement provides for the development of the remaining lots subject to a further agreement with the owner of an individual lot prior to the issuance of a building permit. Until such time as an agreement has been entered into with the Municipality for the development of an individual lot, the undeveloped lot may be placed in a 'holding' type zone in accordance with the provisions of the Planning Act. As the undeveloped lots lie within the J. Thompson Wetland, a provincially significant wetland or PSW, any development thereof requires the approval of the Lower Thames Valley Conservation Authority in accordance with Ontario Regulation 152/06.</p>

Current Policy Language	Rationale for Change	Proposed Language
6.0 INFRASTRUCUTRE		
N/A	<p>-Pedestrian-oriented development, including active transportation, is considered a matter of provincial interest that land use planning decisions must have regard for. Include active transportation as defined under the PPS 2020.</p>	<p>Create the following new section:</p> <p>This Plan recognizes the important role active transportation providing complete, healthy, and sustainable communities. Active transportation is defined as human-powered travel, including but not limited to, walking cycling, inline skating and travel with the use of mobility aids, Mobility aids may include motorized wheelchairs and other power-assisted devices moving at a comparable speed. This Plan supports opportunities for the development of an active transportation network that promotes physical activity and alternative and more cost effective travel. Development should be design ed in a manner that promotes safe, convenient, and attractive active transportation options for pedestrian and cyclists within, and where feasible, between settlement areas.</p> <p>It is the policy of this Plan to support and encourage the development of sidewalks for pedestrian movement within its settlement areas. It is encouraged that development of both public and private lands for pedestrian and active transportation which are aimed at promoting public health through outdoor activities.</p> <p>The development of the active transportation network shall have consideration for the recommendations of the Southwest Middlesex Parks & Recreation Master Plan 2021 and the Middlesex County Cycling Strategy.</p>

Current Policy Language	Rationale for Change	Proposed Language
8.0 GENERAL		
8.2 IMPLMENTATION		
<p><u>8.2.2.2 SETTLEMENT AREA EXPANSION</u> Expansion to the boundary of a settlement area shall require an amendment to the Plan and shall be in accordance with a comprehensive review as set out in the Provincial Policy Statement. Insufficient opportunities for growth through intensification, redevelopment and new development to accommodate projected needs over the planning period shall be demonstrated.</p>	<p>-PPS 2020 contains additional criteria that must be met for the boundary of a settlement area to be expanded.</p>	<p>Amend the Section as follows:</p> <p><u>8.2.2.2 SETTLEMENT AREA EXPANSION</u> Expansion to the boundary of a settlement area shall require an amendment to the Plan and shall be in accordance with a comprehensive review as set out in the Provincial Policy Statement. Insufficient opportunities for growth through intensification, redevelopment and new development to accommodate projected needs over the planning period shall be demonstrated. and only where it has been demonstrated that:</p> <ul style="list-style-type: none"> a) Sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the planning horizon; b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment; c) In prime agricultural areas <ul style="list-style-type: none"> i. the lands do not compromise specialty crop areas; and ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; iii. the new or expanding settlement areas are in compliance with Minimum Distance Separation formulae; d) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement are mitigated to the extent feasible.
<p>N/A</p>	<p>-PPS 2020 contains policies that now permit the adjustment of a settlement boundary area outside of a comprehensive review subject to certain criteria.</p>	<p>Create the following new section:</p> <p><u>8.2.2.3 SETTLEMENT AREA BOUNDARY ADJUSTMENT</u> Notwithstanding the policies in Section 8.2.2.2, adjustments to the settlement area boundaries may be permitted outside a comprehensive review provided:</p> <ul style="list-style-type: none"> a) there would be no net increase in land within the settlement areas; b) the adjustment would support the municipality’s ability to meet intensification and redevelopment targets established by the Municipality; c) prime agricultural areas are addressed in accordance with the policies in Section 8.2.2.2 c), d), and e); and d) the settlement area to which the lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.

Current Policy Language	Rationale for Change	Proposed Language
<p>8.2.2.4 CONVERSION OF EMPLOYMENT LANDS Where lands are designated for industrial, commercial or other employment purposes and are proposed to be converted to non-employment purposes, an amendment to the Plan in accordance with a comprehensive review as set out in the Provincial Policy Statement shall be required. The lands shall not be required for employment purposes over the long term and the need for the conversion shall be justified.</p>	<p>-The PPS 2020 permits the conversion of employment lands outside of a comprehensive review subject to specific criteria that must be met.</p>	<p>Add the following text to the end of Section 8.2.2.4:</p> <p>The conversion of employment areas to a designation that permits non-employment uses by means of an amendment to the Plan may be permitted outside a comprehensive review provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:</p> <ul style="list-style-type: none"> a) there is an identified need for the conversion and the land is not required for employment purposes over the long term; b) the proposed uses would not adversely affect the overall viability of the employment area; and c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses. d) the site proposed for conversion offers limited market choice for employment development due to size, configuration, or physical conditions; e) the site proposed for conversion does not possess the potential of being included in a future expansion of existing or neighbouring employment lands;
<p>8.2.2.5 ADDITIONAL INFORMATION REQUIRED Where a person or public body requests an amendment to the Plan, the Municipality may require additional information that it considers it may need to make a decision on the request over and above what is required by the Planning Act and its accompanying regulations.</p>	<p>-Update policies to provide more specific information on potential planning application requirements and matters that may be required to be addressed.</p>	<p>Add the following text to the end of Section 8.2.2.5:</p> <p>Without limiting the generality of the foregoing, supporting documentation may include any or all of the following:</p> <ul style="list-style-type: none"> • Archeological Assessment • Built Heritage Impacts • Conceptual Stormwater Management Plan • Cultural Heritage Impact Analysis • Environmental Impact Study (E.I.S.) • Geotechnical Report • Hydrogeological Report • Land Use Compatibility • Natural Hazards • Noise Analysis • Odours, Dust and Nuisance Impacts • Planning Justification Report • Record of Site Conditions (RSC) • Servicing Report • Topographic Survey • Traffic Impact Study • Tree Survey and Preservation Plan • Vibration Analysis

Current Policy Language	Rationale for Change	Proposed Language
<p>8.2.4.6 ADDITIONAL INFORMATION REQUIRED Where a person or public body applies for a consent, the Municipality may require additional information that it considers it may need to make a decision on the request over and above what is required by the Planning Act and its accompanying regulations.</p>	<p>-Update policies to provide more specific information on potential planning application requirements and matters that may be required to be addressed.</p>	<p>Add the following text to the end of Section 8.2.4.6:</p> <p>Without limiting the generality of the foregoing, supporting documentation may include any or all of the following:</p> <ul style="list-style-type: none"> • Archeological Assessment • Built Heritage Impacts • Conceptual Stormwater Management Plan • Cultural Heritage Impact Analysis • Environmental Impact Study (E.I.S.) • Geotechnical Report • Hydrogeological Report • Land Use Compatibility • Natural Hazards • Noise Analysis • Odours, Dust and Nuisance Impacts • Planning Justification Report • Record of Site Conditions (RSC) • Servicing Report • Topographic Survey • Traffic Impact Study • Tree Survey and Preservation Plan • Vibration Analysis
<p>8.2.5.9 ADDITIONAL INFORMATION REQUIRED Where a person or public body requests an amendment to the Zoning By-law, the Municipality may require additional information that it considers it may need to make a decision on the request over and above what is required by the Planning Act and its accompanying regulations.</p>	<p>-Update policies to provide more specific information on potential planning application requirements and matters that may be required to be addressed.</p>	<p>Add the following text to the end of Section 8.2.5.9:</p> <p>Without limiting the generality of the foregoing, supporting documentation may include any or all of the following:</p> <ul style="list-style-type: none"> • Archeological Assessment • Built Heritage Impacts • Conceptual Stormwater Management Plan • Cultural Heritage Impact Analysis • Environmental Impact Study (E.I.S.) • Geotechnical Report • Hydrogeological Report • Land Use Compatibility • Natural Hazards • Noise Analysis • Odours, Dust and Nuisance Impacts • Planning Justification Report • Record of Site Conditions (RSC) • Servicing Report • Topographic Survey • Traffic Impact Study • Tree Survey and Preservation Plan • Vibration Analysis

Current Policy Language	Rationale for Change	Proposed Language
<p>8.2.8 SITE PLAN CONTROL 8.2.8.1 SCOPE</p> <p>To ensure a high standard of development and to provide appropriate protection to adjacent uses, the entire Municipality shall be deemed to be a site plan control area. Within this area, development as defined by the Planning Act shall be subject to site plan control. A site plan control by-law shall be adopted by the Municipality which specifies the lands and type of development for which site plan approval shall be required.</p>	<p>-Reflect changes to site plan control under the <u>Planning Act</u> under provincial legislation.</p>	<p>Amend the Section as follows:</p> <p>To ensure a high standard of development and to provide appropriate protection to adjacent uses, the entire Municipality shall be deemed to be a site plan control area. Within this area, development as defined by the Planning Act (not including low-density residential uses and agricultural uses) shall be subject to site plan control including agricultural-related uses, on-farm diversified uses, and commercial greenhouses. A site plan control by-law shall be adopted by the Municipality which specifies the lands and type of development for which site plan approval shall be required. The Municipality shall, as a condition of site plan approval, require the design of facilities having regard for accessibility for persons with disabilities in accordance with the <u>Planning Act</u>. A municipality may require that an applicant provide any other information or material that the municipality considers it may need, in accordance with Section 41(3.4) of the <u>Planning Act</u>.</p>
<p>N/A</p>	<p>-Provide opportunity to identify application requirements prior to applications being filed and ensure that there is more awareness of potential issues.</p>	<p>Create the following new section:</p> <p>8.2.13 PRE-CONSULTATION Prior to filing applications for an Official Plan and/or Zoning By-law amendment, plan of subdivision or condominium, consent, minor variance or permission, or site plan control, the proponent shall arrange a pre-consultation meeting with the Municipality to review the application and identify any additional information required. The Municipality may pass a by-law requiring applicants to consult with the Municipality in accordance with the <u>Planning Act</u>.</p>
Thompson Wetland Deferral		
<p>N/A</p>		<p>Delete the following:</p> <p>Deferrals Lands comprising the Thompson Wetland located in Lot 1 and Lot 2 Concession 2, (Ekfrid) as shown on Schedule 'B', on Map 1 and Figure 2, Map 3</p>

Official Plan Review

Special Council Meeting – June 22nd, 2022

Municipality of Southwest Middlesex

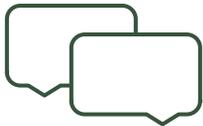
Virtual Public Meeting



Housekeeping



- Please mute your microphone unless you are speaking



- Please type your comments in the Q&A box



- Please raise your hand if you would like to speak

Purpose of the Meeting

- To update Council and the public on the current status of the Official Plan Review.
- To discuss the findings of background research and inform the community on policies that are recommended to be modified and updated.
- To answer questions about the process, next steps and what this means to you.

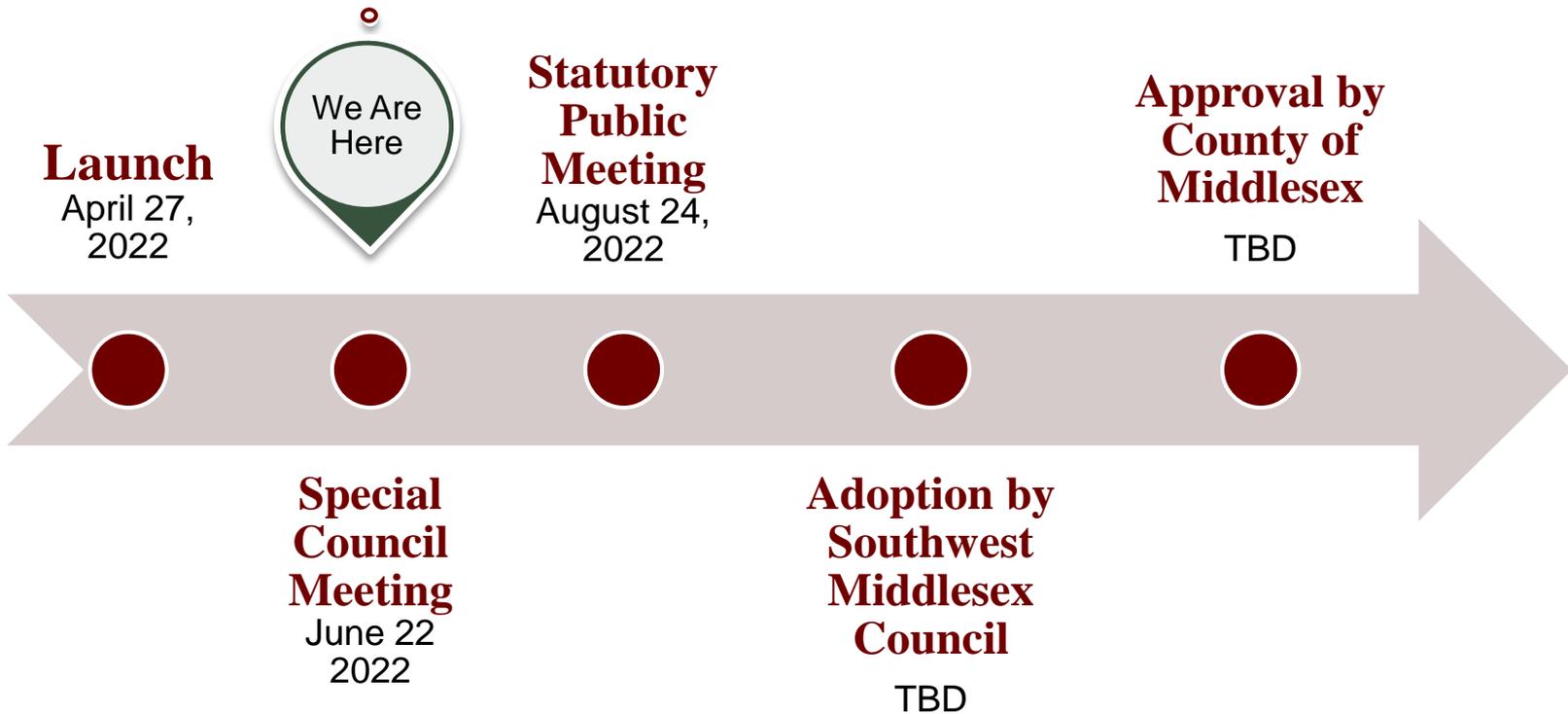
What is an Official Plan?

- A document containing goals, objectives and policies to guide land use, development, and growth in a municipality.
- The plan includes policies that are related to urban and settlement areas, agriculture, infrastructure, recreation, and built and natural heritage features.

Why Update the Official Plan

- The current Official Plan was adopted on December 19, 2007.
- The *Planning Act* requires a Municipality to undertake a review every 5 years, or every 10 years after a new Official Plan is passed.
- The Official Plan must conform to the *Planning Act*, Provincial Policy Statement (2020), and the County of Middlesex Official Plan.

Process



Recommended Policy Updates

Settlement Area Policies

- **Settlement Area Expansions** – Update policies to conform to criteria for expansions to the settlement area boundary under the PPS 2020.
- **Settlement Area Adjustments** – Create new section of Official Plan to permit settlement area adjustments outside of a comprehensive review, as permitted by the PPS 2020.

Housing

- **Affordable Housing** – Include affordable housing as a matter of provincial interest and within goals and objectives of the urban and rural areas.
- **Additional Residential Units (ARUs)** – *Planning Act* requires Municipalities to allow for the establishment of ARUs. Include policies to permit ARUs in urban and rural areas subject to certain criteria, including access, scale, servicing, location, and potential impacts.

Housing

- **Temporary Garden Suites** – Permitted under the *Planning Act* and are different from ARUs. *Planning Act* now permits Garden Suites as temporary use for up to 20 years, where the previous limit was 10. Establish additional criteria for temporary farm labour accommodations in accordance with County policies.
- **Population and Growth Projections** – Update policies to reflect new 2021 Census information and County growth projections for the Municipality.

Agriculture & Rural Areas

- **On-farm Diversified Uses** – Changes to the PPS 2020 include permission of uses in prime agricultural areas that are supportive of and secondary to agricultural uses, subject to certain criteria.
- Recommended uses be evaluated in consultation with provincial Guidelines for Permitted Uses in Prime Agricultural Areas.

Agriculture & Rural Areas

- **Lot Creation** – PPS 2020 permits lot adjustments for agricultural lands for legal or technical reasons. Update policies for surplus farm dwelling severances in keeping with County policies and the PPS 2020.
- **Minimum Distance Separation** – Reference Minimum Distance Separation (MDS) Document within body of Official Plan.

Employment & Industry

- **Employment Land Conversion** - Update policies to permit the conversion of employment lands outside of a comprehensive review subject to criteria, as permitted by PPS 2020.
- **Sensitive Land Uses** - Include policies that reduce conflicts between employment and industrial lands and sensitive land uses in accordance with policies under the PPS 2020.

Recreation & Open Space

- **Parkland Dedication Rate** - Amend Official Plan policies to address changes to alternative cash-in-lieu of parkland rates 1 ha per 500 dwelling units in accordance with the *Planning Act*.
- **Parkland Suitability** – Establish further criteria that ensures the suitability of parkland dedication, including size, frontage, and the exclusion of environmentally sensitive and stormwater facilities from parkland calculations.

Resources

- **Aggregate Resources** - Address changes in provincial policy regarding direction for agricultural lands to be rehabilitated.
- **Cultural Heritage Resources** - Include policies to further protect cultural heritage resources and reference consultation with Indigenous communities for the preservation of archaeological resources, as required by the PPS.

Natural Heritage

- **Climate Change** – *Planning Act* now requires climate change be considered as a matter of provincial interest. Implement policies to promote addressing climate change.
- **Development Assessment Report** - Implement recommendations of MNHSS 2014 study and County policies for DAR's and reference the document as the tool to identify significant features.

Natural Heritage

- **Krista Lane Special Policy Area** – Update special area policies to reflect amendments to development requirements for undeveloped lots.
- **Thompson Wetland** – Remove deferral of the classification of the Thompson Wetland from the Official Plan.

General Policy Changes

- **Matters of Provincial Interest** - Revise policies to reflect changes to matters of provincial interest, including affordable housing, built form, sustainable development, and pedestrian-oriented development.
- **Active Transportation** – Include policies in keeping with PPS 2020 and County Official Plan to promote active transportation and define the term.

General Policy Changes

- **Application Submission** - Outline potential requirements for complete development application submissions, as well as include policies for requirements that applicants pre-consult with the Municipality prior to submission.
- **Site Plan Control** - Amend policies to include changes to matters that can be addressed through Site Plan Control, including accessibility as required under the *Planning Act*.

General Policy Changes

- **Source Water Protection** – Implement recommendations of the Source Water Protection Background Report to include policies for the identification and protection of surface and groundwater resources.

Next Steps

- Review comments and feedback received.
- Prepare final draft of Official Plan Amendments.
- Statutory Public Meeting and presentation of final policy changes.
- Southwest Middlesex Council Adoption of OPA
- Middlesex County Decision re OPA

Stay Informed

- Visit the Project Website
<https://southwestmiddlesex.ca/services/planning-services>
- Contact Information
 - Jill Bellchamber-Glazier: cao@southwestmiddlesex.ca
 - Stephanie Poirier: spoirier@middlesex.ca
 - Jay McGuffin: jmcguffin@mbpc.ca

Thank You for Participating

Official Plan Review

Council Workshop – July 27th, 2022

Municipality of Southwest Middlesex

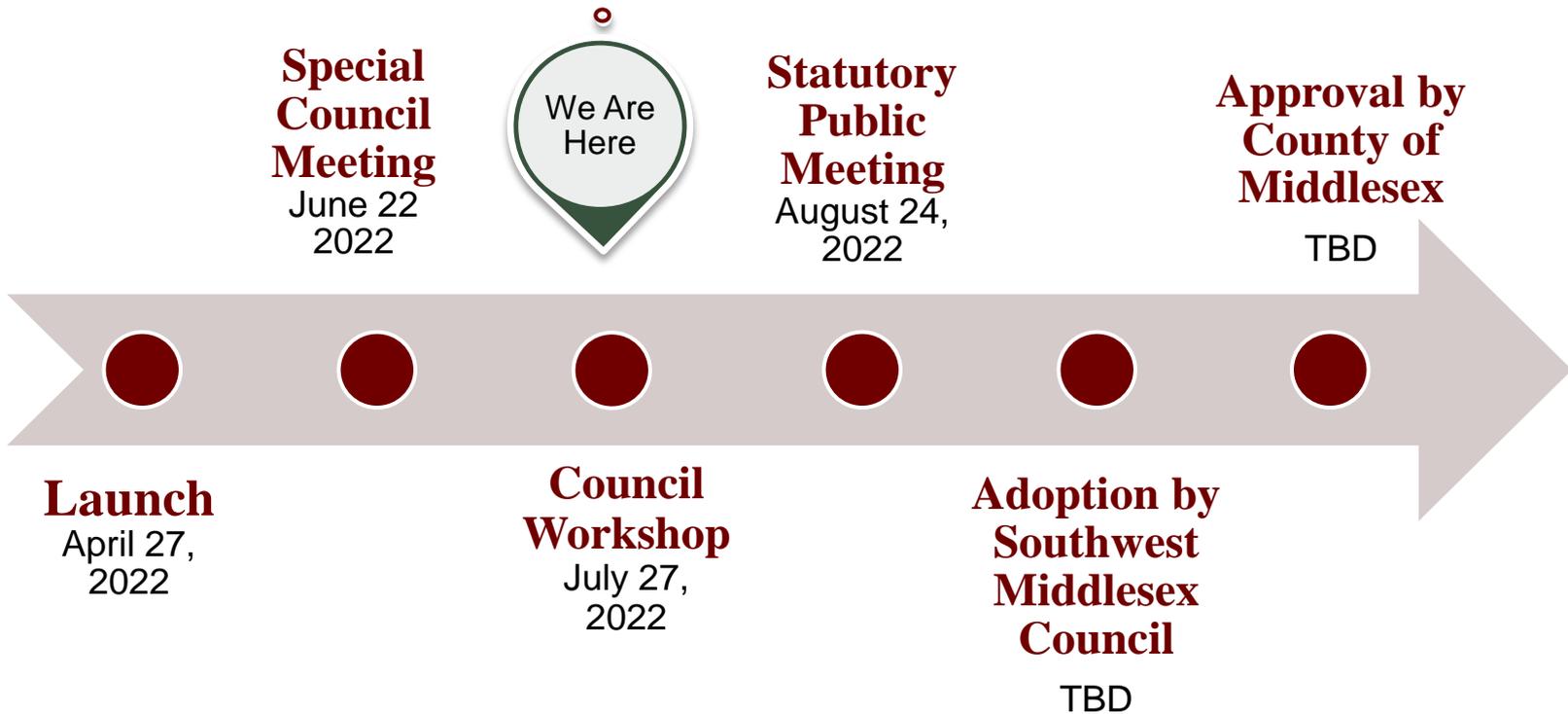
Virtual Public Meeting



Purpose of the Meeting

- To review comments and further information received to date arising from the consultation process.
- To provide the opportunity for Council to reflect on the proposed changes to the Official Plan.
- To inform Council of next steps and address questions.

Process



Review of Comments and Additional Policy Changes



Cemeteries and MDS

- Staff commented on including policies that enable MDS exemptions for certain cemeteries.
- Policies proposed in the Official Plan that would allow for closed cemeteries, or cemeteries that do not have a place of worship, to be considered a less sensitive use (Type “A” Use).

MDS Exemption for Building Permits

- Staff commented on including policies that enable MDS I exemptions for building permits on lots existing prior to March 1, 2017.
- Proposed policies would enable the Municipality to provide exemptions from MDS I setbacks through the Zoning By-law. Official Plan policies would include criteria the Zoning By-law would need to address.

Biosolids

- Topic of biosolids was raised at the Special Council Meeting. County staff have directed that policies be added within the agricultural section of the Southwest Middlesex Official Plan.
- Proposed changes would be in conformity with the County Official Plan update (as adopted but not yet approved).

Road Classification

- Proposed change to infrastructure policies to update road classification. Proposed policy would reflect change in Municipal Design Standards.

Public Comments

- Request for lands to be included within settlement boundary from SBM Limited on behalf of Waverly Homes.
- Process is not intended to contemplate site-specific amendments to the Official Plan (including expansions to settlement area boundaries). County has indicated there is sufficient land within settlement boundary.

Next Steps

- Receive direction from Council on proposed policy changes.
- Prepare final draft of Official Plan Amendment.
- Statutory Public Meeting and presentation of final policy changes.
- Southwest Middlesex Council Adoption of OPA
- Middlesex County Decision re OPA

Thank You

Discussion Period





OFFICIAL PLAN UPDATE – STATUTORY PUBLIC MEETING

TAKE NOTICE that a Meeting of Council open to the public will be held for the purposes of considering an amendment to the Municipality of Southwest Middlesex Official Plan. The update of the Official Plan is being undertaken in accordance with Section 26 of the Planning Act, which requires municipalities to update their Official Plan at least every five years, or every ten years where the plan has been replaced with a new plan official plan.

Due to the large area potentially affected by the proposed changes to the Official Plan, no map of these areas is provided with this notice. There are no other applications which affect the entire Municipality of Southwest Middlesex.

Why does an Official Plan need to be reviewed and updated?

Municipalities are required to revise their official plan to ensure that it conforms with provincial plans or does not conflict with them, is consistent with the Provincial Policy Statement (2020), has regard to matters of provincial interest, and conforms to the County Official Plan.

ANY PERSON may attend the Meeting of Council and/or make written or verbal representation.

Tell Us What You Think

We are interested to hear your comments and thoughts, and we value your input. You can provide input in several ways:

1. REVIEWING OFFICIAL PLAN MATERIALS

Documents and materials will be made available on the Municipality's website for review by August 4, 2022. Please visit:

<https://southwestmiddlesex.ca/services/planning-services>

2. PROVIDE WRITTEN COMMENTS

Written comments about the Official Plan Review may be submitted via post or email. Please allow time for your comments to be received in advance of the meeting. Such comments can be sent by email to the Municipality at cao@southwestmiddlesex.ca and jmcguffin@mbpc.ca; and/or Mail/Fax written comments to:

Jill Bellchamber-Glazier, CAO/Clerk
Municipality of Southwest Middlesex
153 McKellar Street
Glencoe, ON N0L 1M0

Please note that comments sent by regular mail delivery should be mailed early so that the Municipality receives them before the Public Meeting date.

3. PARTICIPATE AT THE HYBRID PUBLIC MEETING

You are entitled to attend this virtual public meeting to express your views about the Official Plan Review. Details of how to attend the public meeting are included below.

Electronic Meeting

The Public Meeting will be held as a **HYBRID** meeting on **Wednesday August 24th, 2022 at 4:00 p.m.** You can participate in the webinar by contacting the Clerk.

The Public Meeting will be **live-streamed** at the Municipality's YouTube Channel beginning at 4:00 pm on the date indicated above.

Members of the public who do not have access to a computer are asked to call the Municipality at 519-287-2015 by **noon on August 23, 2022** before the meeting for assistance.

Questions about Electronic Meeting protocol may be directed to the Clerk by email jbellechamber-glazier@southwestmiddlesex.ca or telephone at 519-287-2015.

Appeal & Notice Information:

If a person or public body would otherwise have an ability to appeal the decision of Council for the County of Middlesex to the Ontario Land Tribunal but, the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Southwest Middlesex or the County of Middlesex before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Southwest Middlesex or the County of Middlesex before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of the decision of the County of Middlesex on the proposed official plan amendment, you must make a written request to:

Stephanie Poirier, Planner
County of Middlesex
399 Ridout Street North
London, ON N6A 2P1
spoirier@middlesex.ca

Personal Information: Personal information from those that make (or have already made) either an oral or written submission on the Official Plan Review is collected under the authority of the Planning Act R.S.O. 1990 and the applicable implementing Ontario Regulation, and will become part of the public record for this application. Questions about the collection of personal information should be directed to the CAO/Clerk.

DATED AT GLENCOE, ONTARIO this 2nd day of August, 2022.

Jill Bellchamber-Glazier

Jill Bellchamber-Glazier
CAO/Clerk
Municipality of Southwest Middlesex
Telephone: (519) 287-2015
Fax: (519) 287-2359
Email: cao@southwestmiddlesex.ca



2022/09/07

Municipality of Southwest Middlesex
153 McKellar St,
Glencoe ON
N0L 1M0

Via email: KKettler@southwestmiddlesex.ca, spoirier@middlesex.ca

Re: Municipality of Southwest Middlesex Official Plan Review

To Whom It May Concern,

WSP has been retained and is acting on behalf of Canadian National Railway Company (CN). We are pleased to have this opportunity to provide comments on the Municipality of Southwest Middlesex Official Plan Review. Our comments focus on policies and/or infrastructure initiatives, as they are related to existing and/or future CN facilities, operations and infrastructure.

It is our opinion, supported by the Provincial Policy Statement, 2020 (PPS) and the Ministry of Environment, Conservation and Parks' (MECP) D-6 Compatibility between Industrial Facilities Guidelines (D-6 Guidelines), that planning for land uses in the vicinity of *rail facilities* be undertaken in such a way that the economic function and long-term operation of rail systems is protected. Provincial policy sets out that sensitive land uses be appropriately designed, buffered and/or separated from rail facilities, and avoid, mitigate or minimize negative impacts on and from railway corridors.

It is our position that the Municipality should incorporate policies that reflect the provincial policies and guidelines related to rail facilities. It is our position that the Municipality should provide direction within policy documents to ensure a consistent approach to their implementation across municipalities.

About CN, Railway Noise and other Adverse Effects

CN is a federally regulated railway company, and is governed by various federal legislation, including the *Canada Transportation Act* (CTA) and the *Railway Safety Act* (RSA), among others. The CTA requires federally regulated railway companies to only make such noise and vibration as is reasonable. The test of reasonableness under the CTA takes into consideration the railway company's operational requirements and its level of service obligations under the

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wsp.com



Act, as well as the area where the construction or operation takes place. The Canadian Transportation Agency (Agency) is the federal body that assesses the reasonableness of noise associated with the construction or operation of a federal railway company. In its decisions, the Agency has concluded that municipalities have a responsibility to assess compatibility issues before approving housing developments in proximity to railway rights-of-way. The CTA also commented that where a municipality approves the development, it has a responsibility to ensure that the necessary mitigation measures are implemented. One example of such a decision is Decision No. 69-R-2014, dated February 27, 2014.

It is important to understand that there is no specific decibel limit contained in federal guidelines related to the construction or operation of rail facilities. Those federal guidelines clearly state that, while the Agency may take provincial and municipal noise and vibration guidelines into account in its deliberations, the Agency is not bound by those guidelines.

Rail Proximity Guidelines are available at the following: <https://www.proximityissues.ca/>

Guidelines for the Resolution of Complaints Over Railway Noise are available at the following: <https://otc-cta.gc.ca/eng/publication/guidelines-resolution-complaints-over-railway-noise-and-vibration/>

Preliminary Comments and Concerns

CN requests that the following policies be included in the municipal land use planning policy documents:

1. General Acknowledgement

The Municipality and Council acknowledge the importance of rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people.

Development in proximity to rail facilities shall be developed in accordance with the Guidelines for New Development in Proximity to Railway Operations prepared by the Federation of Canadian Municipalities and the Railway Association of Canada (FCM/RAC Guidelines).

2. Include a definition for Major Facilities, Major Goods Movement Facilities and Corridors, Rail Facilities and Sensitive Land Uses.

We request that the following definitions found in the PPS be included in the policy document:

Major Facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major Goods Movement Facilities and Corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Rail Facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.

Sensitive Land Uses: 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 contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

3. Identify Rail Facilities and Influence Areas

We recommend identifying rail facilities and the areas of influence for sensitive land uses (300 metres for a rail line, 1 km for a rail yard) in a schedule to each policy document.

4. Provincial Policy Statement Requirements

The policies proposed below are recommended to be included in policy documents to address requirements for developments in proximity to rail facilities:

- a) Sensitive land uses shall not be encouraged adjacent to, or in proximity to rail facilities;
- b) All developments in proximity to rail facilities shall be developed in accordance with the FCM/RAC Guidelines;
- c) All proposed residential developments or other sensitive uses located within 300 metres of a railway right-of-way be required to undertake noise studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake to implement the appropriate measures to mitigate any adverse effects from noise that were identified in the report and as may be required by CN;
- d) All proposed residential developments or other sensitive uses located within 75 metres of a railway right-of-way be required to undertake vibration studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake to implement the appropriate measures to mitigate any adverse effects from vibration that were identified in the report, and as may be required by CN;



- e) All proposed building setbacks shall be in accordance with the FCM/RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional studies and alternative safety measures, to the satisfaction of the Municipality, in consultation with the appropriate railway operator;
- f) All proposed residential developments or other sensitive uses located adjacent to railways shall implement appropriate mitigation measures, including but not limited to, safety setbacks, berms, crash barriers and security fencing, in accordance with the FCM/RAC Guidelines;
- g) All proposed residential developments or other sensitive uses located adjacent to railways shall implement the applicable warning clauses provided by the appropriate railway operator;
- h) All proposed residential developments or other sensitive uses located adjacent to railways shall implement, secure and maintain any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title, such as development agreements, warning clauses and/or environmental easements, through appropriate legal mechanisms, to the satisfaction of the Municipality and the appropriate railway operator; and,
- i) All proposed residential developments or other sensitive uses located in proximity to rail facilities shall evaluate, prioritize and secure grade separation of railways and major roads, in co-operation with Transport Canada and the appropriate railway operator;

Conclusion

We would like to thank you for the opportunity to participate in the Municipality of Southwest Middlesex Official Plan Review. We look forward to continuing to work with the Municipality throughout this process.

Please forward all future communications, land development applications and documents to proximity@cn.ca

Yours very truly,

Saadia Jamil

Saadia Jamil
Senior Planner (CN Proximity)

Copy: proximity@cn.ca

September 14, 2022

Jill Bellchamber-Glazier, CAO/Clerk
Municipality of Southwest Middlesex
153 McKellar Street
Glencoe, ON NOL 1M0

Via Email

RE: Southwest Middlesex Official Plan Amendment No 3 – Comments Related to Electrical Transmission Systems and Rights-of-Way

Canacre Ltd. on behalf of Infrastructure Ontario (IO) and Hydro One Networks Inc. (HONI), has reviewed the Southwest Middlesex Official Plan Amendment No 3 dated August 4, 2022. Infrastructure Ontario is the strategic manager of the provincial government's real property, which includes hydro corridor lands, and has a mandate of maintaining and optimizing value of the portfolio.

This review of the Southwest Middlesex Official Plan Amendment No 3 takes direction from the Provincial Policy Statement (PPS) (effective May 1, 2020) as it relates to electricity generation facilities and transmission and distribution systems. In particular, PPS Section 1.6 provides specific direction for municipalities to maintain the primacy of hydro corridor lands for the transmission and distribution of electricity throughout the province. The relevant PPS Sections include:

1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and*
- b) available to meet current and projected needs.*

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs.

Policy Concerns

Recommendation - Policy 1.10 - Matters of Provincial Interest

We request that the following statement be added to section 1.10 - Matters of Provincial Interest.

u) Protect corridors and rights-of-way for infrastructure, including electricity generation facilities and transmission systems, to meet current and projected needs.

The above reference to matters of provincial interest identifies electricity generation facilities and transmission systems as per section 1.6.8.1 of the Provincial Policy Statement.

Policy 6.1 Where Permitted states:

The use of land for the provision and maintenance of public utilities and infrastructure (e.g. water supply, sanitary sewage disposal, roads, electricity, natural gas, and telecommunications) and any buildings, structures or appurtenances thereto shall be permitted in all land use designations in accordance with any and all environmental requirements and approvals without an amendment to this Plan. Measures shall be undertaken to ensure no adverse impact on neighbouring land uses or on natural heritage features.

Recommendation:

We request that the Policy 6.1 Where Permitted be revised as the following statement:

“The use of land for the provision and maintenance of public utilities and infrastructure (e.g. water supply, sanitary sewage disposal, roads, electricity, natural gas, **hydro corridors, electricity generation facilities and transmission and distribution systems**, and telecommunications) and any buildings, structures or appurtenances thereto shall be permitted in all land use designations in accordance with any and all environmental requirements and approvals without an amendment to this Plan. Measures shall be undertaken to ensure no adverse impact on neighbouring land uses or on natural heritage features.”

Policy 6.2.5 Road Allowances states:

The design width of a particular road allowance shall generally be in accordance with Table 1. Within settlement areas, the minimum right-of-way widths for arterial and collector County Roads shall be 30 metres and 26 metres respectively where such roads are built to an urban standard within the settlement area. On ‘Local Roads’ within settlement areas, existing road allowance with less than the standard width may be maintained where the design width would

adversely affect abutting properties or is otherwise not feasible, desirable or necessary to acquire. New road allowances less than the standard width may be considered depending on the length of the street and the nature of development being proposed. Land dedications may be required as a condition of approval of a subdivision, land severance or site plan approval to bring existing road allowances up to their design width. Where a land dedication for road widening is being considered as a condition of development or the subdividing or severing of land, the amount of land to be taken shall be taken in equal amounts from both sides of the subject road measured from the centreline of the road except where physiographic conditions, utility lines or other features dictate otherwise.

Recommendation:

We request that the Policy 6.2.5 Road Allowances be revised as the following statement:

“The design width of a particular road allowance shall generally be in accordance with Table 1. Within settlement areas, the minimum right-of-way widths for arterial and collector County Roads shall be 30 metres and 26 metres respectively where such roads are built to an urban standard within the settlement area. On ‘Local Roads’ within settlement areas, existing road allowance with less than the standard width may be maintained where the design width would adversely affect abutting properties or is otherwise not feasible, desirable or necessary to acquire. New road allowances less than the standard width may be considered depending on the length of the street and the nature of development being proposed. Land dedications may be required as a condition of approval of a subdivision, land severance or site plan approval to bring existing road allowances up to their design width. Where a land dedication for road widening is being considered as a condition of development or the subdividing or severing of land, the amount of land to be taken shall be taken in equal amounts from both sides of the subject road measured from the centreline of the road except where physiographic conditions, utility lines, **hydro corridors**, or other features dictate otherwise.”

Terminology

While we do not have any specific concerns regarding the terminology referenced throughout the proposed Southwest Middlesex Official Plan Amendment No 3, we would like to encourage a consistent approach to defining hydro corridors and electricity infrastructure facilities throughout the province. Accordingly, it is requested that the following language be considered for use throughout the Official Plan Amendment, including in the definition of “Infrastructure.”

- All references to Hydro One should be referred to as “Hydro One Networks Inc.”.
- All reference to corridors used for the transmission and distribution of electricity should be referred to as “hydro corridors”
- All references to electricity infrastructure and facilities should be referred to as “electricity generation facilities and transmission and distribution systems.”

Secondary Uses

We would request the addition of following policy to Section 7 - Land Use and Development Sensitivity Areas

“Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of a hydro corridor is for electricity generation facilities and transmission and distribution systems, and that secondary uses require technical approval from Hydro One Networks Inc.”

The requested policy would provide flexibility for future uses on hydro corridor lands. The inclusion of this policy offers clarity with respect to the types of secondary uses that are possible on hydro corridor lands, in accordance with the Provincial Secondary Land Use Program. Having these policies in place will also streamline the number of municipal planning approvals that a proponent must seek when they apply to HONI/IO for a secondary use.

We would request that this letter be included as part of the record of submissions for the Southwest Middlesex Official Plan Amendment No 3 and that we be notified of any decisions regarding these matters.

Contact information as follows:

Joanna Craig
Portfolio Analyst
Infrastructure Ontario
1 Dundas St W Suite 2000
Toronto, ON M5G 1Z3
Joanna.Craig@infrastructureontario.ca
Tel: 647-956-6703

Deniz Ogun
Manager, Planning
Canacre Ltd.
489 Queen St. E, Suite 300
Toronto, ON, M5A 1V1, Canada
honilup@canacre.com
Tel: (416) 548-8602 x2143

Thank you for your consideration. Please contact us if you have any questions or comments.

Kind Regards,



Deniz Ogun
Canacre Ltd.

Cc: Mark Carafa, IO
Shadi Shenouda, HONI

August 23, 2022

(Revised Aug/24/2022)

Municipality of Southwest Middlesex
153 McKellar Street
Glencoe, ON N0L 1M0

Attn: **Stephanie Poirier**

Re: **Southwest Middlesex Official Plan Review**

Thank you for the opportunity to provide comments on the Municipality of Southwest Middlesex’s Official Plan. The Conservation Authority is responsible for addressing the Natural Hazard Section of the Provincial Planning Policy Statement as well as the Conservation Authority’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, O. Reg. 152/06 under the Conservation Authorities Act.

The following are comments provided by staff on the OP document and associated mapping. Our comments are as follows:

Page v – Table of Contents – should 7.6.1 be 7.6?

7.6 GRAIN HANDLING FACILITIES	7-5
7.6.1 COMMERCIAL GRAIN HANDLING FACILITIES SENSITIVE USES	7-5

Page 1-2 – 1.1 Background - second paragraph, first sentence – need to add communities to this sentence: “Southwest Middlesex recognizes the unique role Indigenous Communities have in land use planning and development, and the contribution ~~of that(?)~~ Indigenous **Communities** have in land use planning decisions.” Alternatively, reword to something along the lines of “Southwest Middlesex recognizes the unique role and contribution Indigenous Communities have in land use planning, decision making and development.”

*Throughout the document - Page 2-9 – 2.7.5 Significant Habitat of Endangered and Threatened Species – Need to go through the entire document and replace Ministry of Natural Resources, with Ministry of Natural Resources **and Forestry**.

Page 2-9 – 2.7.6 ANSI’S, Valleylands, Woodlands and Wildlife Habitat – add an abbreviation to the Middlesex Natural Heritage Systems Study, 2014 ‘MNHSS (2014)’ as it is abbreviated on 2-10 without mention of the abbreviation previously in the document.

Page 2-10 – 2.7.9 Evaluation of Development Proposals d) - change “...in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry” to “...in consultation with the Ministry of Natural Resources **and Forestry**.”

Page 2-11 – 2-12 - 2.8.2 Water Quality and Quantity – Include reference to the fact that important groundwater features have already been identified and mapped (HVA's and SGRA's). They could include those maps as a schedule in their OP and refer to them in this section.

Page 2-12 – 2.8.2 Water Quality and Quantity – Please change ‘River’ to ‘Valley’ for the LTVCA – “The Municipality shall utilize its best efforts and co-operate with the St. Clair Region Conservation Authority and the Lower Thames ~~River~~ Valley Conservation Authority...”

Page 2-12 – 2.8.4 Source Water Protection – Change out 'Source Water Protection' to 'Drinking Water Source Protection'.

Page 8-3 – 8.2.2.2 Settlement Area Expansion – need to renumber the bullet points. Currently starts at h) instead of a).

Page 8-8 – 8.2.5.1 Intent – this section will need to be revised, as it appears to be in relation to the prior zoning by-law / amalgamation efforts: “The Zoning By-law shall replace the comprehensive zoning by-laws inherited by the Municipality upon amalgamation of its formerly separate municipalities. The zoning of lands under these by-laws and variances granted to them may remain in effect notwithstanding they may not be in conformity with this Plan.”

I trust this is satisfactory, but if you have any questions or require further clarification on the above, please contact the office.

Yours truly



Connor Wilson
Planning Technician

Hello Stephanie,

SCRCA has reviewed the proposed revision to the Southwest Middlesex Official Plan. Our review is limited to the natural hazard and natural heritage policies of the plan, contained in sections 2.7, 2.8, 7.1, and the implementation policies of section 8.2.

We offer the following comments:

1. Ministry of Natural Resources should be replaced with Ministry of the Environment, Conservation and Parks in section 2.7.5, 2.7.9
2. Section 2.7.5 - "Habitat for species of concern (formerly known as vulnerable species) is not protected under the Act, but protection may be provided under the policies of the Provincial Policy Statement."
 - a. Suggest replacing this statement with "Habitat for species of special concern is not protected under the Act, but is considered Significant Wildlife Habitat, which is protected under the Provincial Policy Statement."
 - b. Suggest adding a section on Significant Wildlife Habitat: "Significant Wildlife Habitat is not included on the Official Plan Schedules. This is to be determined through a Development Assessment Report, using the Significant Wildlife Habitat Technical Guide prepared by the Province. Development and site alteration shall not be permitted in significant wildlife habitat or on adjacent lands, generally considered to be lands within 120 metres of such areas, unless it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions."
3. Section 2.7.6 – the 'adjacent lands' distance in the new Middlesex Official Plan is 120 metres. See text below. Suggest including this as a separate section, and updating the distance in 2.7.6.
 - a. "Development and site alteration may be permitted on lands adjacent, within 120 metres, to the Natural Heritage System if it does not result in any of the following:
 - a) a loss of ecological functions;
 - b) subsequent demand for future development which will negatively impact on existing ecological functions of the Natural Heritage System;
 - c) conflict with existing site specific Natural Heritage System management practices;or
 - d) negatively impact ecological linkage functions which exist within adjacent lands.In Settlement Areas protection of Natural Heritage System features and ecological functions shall include a vegetation protection zone.
Where development is proposed within 120 metres of a Provincially Significant

Wetland or wetlands greater than two hectares in size a hydrogeological assessment shall be completed to the satisfaction of the conservation authority. Where development is proposed within 30 metres of locally significant wetlands a hydrogeological assessment shall be completed to the satisfaction of the conservation authority.”

4. Section 2.7.8 – Recommend including a statement: “Where Planning Act applications are required to allow for development, cutting of trees within significant natural heritage features will reviewed through the Development Assessment Report process.”
5. Section 2.8.4 – this could make reference to the Thames-Sydenham & Region Drinking Water Source Protection Plans (<https://www.sourcewaterprotection.on.ca/>).
6. For the lists of additional requirements in 8.2.4.6, 8.2.5.9, 8.2.8.1, we suggest the wording of ‘Natural Hazard Analysis’ rather than ‘Natural Hazard’, similar to the other listed requirements
7. Section 8.2.12 – we recommend including additional wording regarding pre-consultation noting that other agencies, such as Conservation Authorities, will participate in the pre-consultation process, where appropriate.

I don’t believe the updated Schedules have been distributed for review. SCRCA is happy to provide our most up to date mapping with regards to our regulations limit, and to review the natural heritage and natural hazard mapping.

Thank you for the opportunity to comment. Please contact us if you have any questions about any of the above comments.

Sarah Hodgkiss

Manager of Planning and Natural Heritage
St. Clair Region Conservation Authority
shodgkiss@scrca.on.ca

519-245-3710 ext. 234
205 Mill Pond Crescent, Strathroy
www.scrca.on.ca



Good afternoon all,

We just spoke with the owner (Yasser is Cc'd) of these lands which includes the remainder of the farmland to the west of this proposed development (currently outside of the growth boundary). It is his and our understanding that the municipality is currently in the process of reviewing and updating your official plan. As such, please accept this email as confirmation that the owner would like to request that these lands be considered for expansion of the urban growth boundary.

Please let us know if there are any specific requirements to apply for same or support this request.

Thanks,
Kevin

Kevin Moniz, P.Eng.

Principal

P: 519-471-6667 x123

E: kevin@sbmltd.ca





To: Monteith Brown Planning Consultants

Date: August 14th, 2022

Re: Official Plan Comments in Response to Legislative Changes (2019-2022)

The County of Middlesex has had the opportunity to review the Draft OPA 3 to the Southwest Middlesex Official Plan and provide the following comments:

Complete Applications – Including Site Plans (Bill 109 “More Homes for Everyone” Act (2022))

It is recommended that the “Additional Information” subsections (8.2.2.6, 8.2.4.6, 8.2.5.9, ect.) under Section 8 of the official plan be removed in their entirety and a new subsection added under Section 8 that speaks to complete application requirements for all planning approvals.

Proposed Official Plan Wording

“8.2.13 Complete Applications

The Planning Act permits a Municipal Council or a delegated approval authority to require that a person, public body or applicant who apply, submit or make requests or applications for amendments to the Official Plan, amendments to the Zoning By-law, site plan approval, approval of plans of subdivision (including condominiums), and consents, provide any “other information or material” that Municipal Council or the approval authority considers it may need to provide a basis for sound land use planning decisions in addition to the requirements of the policies of the Official Plan and the Provincial Policy Statement.

8.2.13.1 Complete Application Provisions

To ensure that all relevant and required information pertaining to a planning application is available at the time of submission of the application to enable Municipal Council and its delegated approval authorities to make informed decisions within the prescribed period of time and to ensure that the public and other stakeholders have access to all the relevant information earlier in the planning process; any or all of the studies outlined below may be requested from applicants who apply, submit or make requests or applications for consents, amendments to the Official Plan, amendments to the Zoning By-law, site plan approval and approvals of plans of subdivision, including condominiums.

8.2.13.2 Reports and Studies

Support studies may be required as part of development and infrastructure approval process, or as a part of a more detailed planning study. The required supporting studies will be identified through pre-consultation with the municipality, and those that have been identified will be

required as part of a complete application. The reports and studies are intended to provide additional information pertaining to a subject site and the areas adjacent to it to assist Municipal Council and its delegated approval authorities to evaluate an application. The need and the timing of the support studies will be determined by the Municipality on a site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and appropriate guidelines.

Support studies shall be prepared having regard to relevant federal and provincial legislation, policies and appropriate guidelines.

Support studies shall be prepared by qualified professionals to the satisfaction of the Municipality and, where applicable, in consultation with relevant public agencies and affected parties.

A public participation program may be established as part of the preparation of a support study to allow interested or affected parties to participate in the process.

All relevant mitigation recommendations included in a support study shall be considered as a condition to approval to be implemented by the proponent of development.

Municipal Council may adopt a support study by resolution.

8.2.13.3 Types of Reports and Studies

Municipal Council and its delegated approval authorities may require that a person, public body or applicant who apply, submit or make requests or applications for amendments to the Official Plan, amendments to the Zoning By-law, site plan approval, approval of plans of subdivision (including condominiums), and consents, provide any “other information or material” that Municipal Council or the approval authority considers it may need. Therefore, the following broad categories of reports and studies are not intended to preclude Municipal Council and its delegated approval authorities from requiring additional reports and studies that may be identified during the planning process if circumstances necessitate the need for such information as part of the decision making process. It is encouraged that the Municipality be consulted prior to the undertaking required reports/studies through the submission of a terms of reference.

8.2.13.4 Reports/Studies to address Planning Matters

The submission of reports and studies related to local and provincial planning matters is to ensure that a proposed development and/or change in land use is consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan and provides an integrated approach to land-use planning. The required reports/studies are to specifically address how a proposed development and/or a change in land use is consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan. The reports/studies must also demonstrate that the proposed development and/or a change in land use are consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan. Where

applicable, the reports/studies will also address consistency with an Area Plan and/or Guideline Documents that have been adopted by Municipal Council.

8.2.13.5 Reports/Studies relating to Environmental and Natural Matters

The required reports/studies are to identify the environmental and natural features which may be affected by the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the environmental and/or natural features and the proposed development and/or change in land use; and identify any other mitigative measures to be undertaken to protect the environmental and natural features from any adverse impacts associated with the proposed development and/or change in land use. These studies may include, but not be limited to Development Assessment Reports. Study components may be determined in consultation with the applicable Conservation Authority or other agency.

8.2.13.6 Reports/Studies to address Transportation Matters

The required reports/studies are to ensure that a proposed development and/or change in land use will not have a negative impact on the transportation network or on its surrounding land uses. Where new transportation infrastructure is required or an expansion of the existing transportation infrastructure is necessary to accommodate a proposed development and/or change in land use, the transportation reports/studies will demonstrate that the improved transportation infrastructure will be adequate to accommodate all modes of transportation in an efficient manner with minimal adverse impact on surrounding uses. Study components may include but not be limited to:

- a) the collection and projection of traffic related data;*
- b) trip generation, assignment and distribution;*
- c) street and intersection capacity; and*
- d) recommended measures required to achieve the transportation goals, objectives and policies of this Plan.*

Within 800 metres of the limit of a provincial highway, the Ministry of Transportation (MTO) shall require the preparation of a transportation impact assessment for major development proposals for large traffic generators in accordance with its "General Guidelines for the Preparation of Traffic Impact Studies." The main purpose of the Traffic Impact Study is to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner that is consistent with the objectives of the MTO. The Traffic Impact Study also serves as the basis for the identification and evaluation of transportation related improvements or measures to be included as a condition of access approval, including funding, for the development or redevelopment.

8.2.13.7 Reports/Studies to address Servicing and Infrastructure Matters

The required reports/studies are to ensure that a proposed development and/or change in land use can be supported by adequate municipal water, sanitary sewer, and stormwater management services. Where new infrastructure is required or an expansion of the existing infrastructure is necessary, the servicing and infrastructure reports/studies will demonstrate that the improved infrastructure will be adequate to accommodate the proposed development and/or change in land use as well as any anticipated users of the infrastructure. Study components may include but not be limited to:

- a) identifying the routing of services;*
- b) identifying the sizing of services;*
- c) providing for the cost of sharing of services;*
- d) identifying the timing of services;*
- e) describing any interim servicing measure; and*
- f) detailing any implementation requirements, including how the disturbed area will be rehabilitated.*

Stormwater management reports/studies shall be circulated to the Ministry of Transportation (MTO) and the County of Middlesex for review and approval for development situated adjacent to or in the vicinity of a provincial highway and/or county road whose drainage may impact the highway or road.

8.2.13.8 Reports/Studies to address Financial and Market Impact Assessment Matters

The submission of reports and studies related to financial matters is to demonstrate that a proposed development and/or change in land use will not have an undesirable or unanticipated financial impact on the Municipality. The required reports/studies are to identify the short-term and long-term costs to the Municipality for the provision of municipal infrastructure and services required to support a proposed development and/or change in land use and an estimate of anticipated revenues arising from a proposed development and/or change in land use. Study components may include but not be limited to:

- a) describing the proposal in detail, including any expected benefits to the municipality;*
- b) identifying municipal costs associated with the proposal;*
- c) recommending a proposed financing and timing scheme;*
- d) indicating how and why the proposal may contribute to the economic viability of the Municipality.*

The Market Impact Assessment is to determine if a proposal is feasible and to identify land use problems that may arise as a result of a proposed commercial development. Study components may include but not be limited to:

- a) including public surveys;*
- b) evaluating alternative locations;*
- c) identifying and assessing the impact on existing uses of a similar nature;*
- d) including relevant financial data; and*
- e) documenting the feasibility of the proposal.*

8.2.13.9 Reports/Studies to address Urban Design and Cultural Matters

The required reports/studies are to demonstrate how a proposed development and/or change in land use will have a positive impact on neighbouring built heritage, is sensitive to archaeological issues, and is designed in a manner that enhances the local built form and/or natural environment. Study components may include but not be limited to:

- a) documenting the area's character on a street and block pattern basis showing the size, orientation and lotting of each block;*
- b) providing a three dimensional profile for each street and block within the area;*
- c) identifying the existing urban design elements, such as nodes, landmarks, districts, paths and edges, which contribute to the character of the area and to its physical form and development pattern;*
- d) identifying potential urban design elements that would enhance the future physical form, development pattern and character of the area such as streetscape treatments, significant views and vistas and locations for the provision of gateways and art; and*
- e) establishing guidelines for the area which would assist in evaluating any proposed development or infrastructure undertaking.*

8.2.13.10 Reports/Studies to address Nuisance and Hazard Matters

The submission of reports and studies related to nuisance and hazard matters is to demonstrate that inhabitants or users of a proposed development and/or change in land use are buffered from nuisances related to noise, dust, odour, and vibration, and to reduce the potential for public cost or risk to future inhabitants resulting from natural and human-made hazards. The required reports/studies are to identify all of the potential nuisance issues and natural/human-made hazards which may impact the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the nuisance issues and natural/human-made hazards and the proposed development and/or change in land use; and identify any other

measures to be undertaken to mitigate the impacts associated with the nuisance issues and natural/human-made hazards from the proposed development and/or change in land use.

Where such Study is required, study components may include but not be limited to:

a) Assessing the existing and predicted noise and vibration levels on the site, identifying and recommending various abatement measures, warning clauses, and/or other appropriate measures, which can be implemented and secured by way of zoning, site

plan agreement, subdivision agreement and/or development agreement; and

b) Having regard to relevant provincial legislation, policies and appropriate guidelines.

8.2.13.11 Peer Review

If upon completion and subsequent review of a study or report submitted in support of an application referred to in Section 8 there remains unresolved matters between the findings and/or recommendations of the study and the position/opinion of the Municipality and/or as a result of agency review, the Municipality may, at the applicant's expense, retain the services of its own professionally qualified and independent person or consultant to conduct a peer review of such study to provide an independent opinion on such matters.

8.2.13.12 Site Plan Approval

In addition to the foregoing, the following shall apply to applications for site plan approval:

a) The municipality may require that a peer review be completed as part of a complete application; and

Where other planning approvals are required to facilitate a development, site plan applications shall not be deemed complete until such time that subsequent approvals are in force and effect.”

Additional Residential Units (Bill 108 “More Homes, More Choice” Act (2019))

The Municipality’s proposed official plan adequately addresses the Additional Residential Unit (ARU) requirements under Subsection 16.3 of the Planning Act. The proposed policies consider ARUs in settlement areas and agricultural areas and provide detailed policy direction outlining the requirements to establish ARUs. The proposed policies also distinguish between temporary garden suites and housing for farm labour, which is consistent with the direction provided in the County official plan.

It is noted that while the proposed policies do require on-site parking, they do not specifically define the parking requirements that are set out in the Act. While parking requirements will be included in any implementing zoning regulations, planning staff recommend including more specific policy direction that aligns with the wording in the Planning Act to ensure a concise and consistent approach.

Proposed Official Plan Wording:

2.5.11 g) Each additional residential unit shall have one parking space that is provided and maintained for the sole use of the occupant of the additional residential unit. A parking space that is provided and maintained for the sole use of the occupant of an additional residential unit may be a tandem parking space.

Delegation of Minor Zoning By-law Amendments (Bill 13 “Supporting People, Supporting Businesses” Act (2021))

The Municipality’s proposed official plan does not include any policy direction that would allow council to delegate the passing of minor zoning by-law amendments to a municipal committee, officer, employee or agent. It is recommended that the Municipality consider the addition of this policy direction given that official plan policies are required by the Act to give council the discretion to make this delegation.

Proposed Official Plan Wording:

“8.2.8 Delegation of Minor Zoning By-law Amendments

Council may, by by-law, delegate its authority to pass by-laws under Section 34 of the Planning Act that are of a minor nature to a committee of Council or to an individual who is an officer, employee or agent of the Municipality.

The following are considered by-laws under Section 34 of the Planning Act that are of a minor nature:

- 1) A by-law to remove a holding symbol;
- 2) A by-law to authorize the temporary use of land, buildings or structures;
- 3) An amending by-law under Subsection 34(10) of the Planning Act to permit the extension or enlargement of any land, building or structure that lawfully existed on the day that the Zoning By-law was passed, provided that such land, building or structure continues to be used in the same manner and for the same purpose; and
- 4) A by-law to which Section 43 of the Planning Act applies.”

Cancelling of a Consent (Bill 276 “Supporting Recovery and Competitiveness” Act (2021))

The Municipality’s official plan does not include any policy direction with respect to cancelling a consent. It is recommended that the Municipality consider the addition of a policy that speaks to this matter so that staff can appropriately evaluate requests to cancel consents.

Proposed Official Plan Wording:

“8.2.4.6 Cancelling of a Consent

When considering a request for the cancellation of a certificate of consent, Council shall have regard for the policies of this plan and the regulations of the Zoning By-law”

Hi,

I have a couple of thoughts about the official plan review.

According to the zoning by-law for C1 and C2 zonings, you are allowed to use the commercial space on the main level as a dwelling unit.

It says under the Core Commercial C1 Zone,

"To ensure commercial uses remain prominent at 'street level', residential uses are restricted to locations above the first floor with the exception of free-standing multiple unit dwellings."

Unfortunately in Wardsville, we do not have any contiguous buildings. They are all free standing. Which means any building with a second unit can all be used for multi-unit residential use.

Even if there is not a second suite though, under 7.1.1, you can use the commercial designation as a **single unit dwelling** (C2) or as a **dwelling unit** (C1 & C2).

Can we protect our commercial spaces a bit more? With the increase in multi-family rental rates and outside investors, I think communities like Wardsville may quickly lose the commercial spaces downtown as they may be converted to residential units. In Wardsville, we do not have parking for some of these newly converted residential units as it is and we lack accessible local resources.

ALSO

Little Kin Park in Wardsville has had restricted uses due the unmarked graveyard. Unfortunately Little Kin Park is the only public park in Wardsville and it has left the residents of this community with a lack of public land. While the children are able to play on the playground, the sports field is not able to be rented or used. Our community is growing and we need a park and we definitely need to be taking steps now to purchase land for a future second park. Are there any plans in place to purchase land for a second public park?

Regards,

Sarra Hare