Roll Call

Disclosure of Pecuniary Interest and the General Nature Thereof

Delegation(s)

3-7 1. Proposed Severance - 10343 Yarmouth Centre Road
   Steve Coad, 10343 Yarmouth Centre Road, will be in attendance to discuss
   surplus dwelling severance at 10343 Yarmouth Centre Road.

8-30 2. Proposed Change of Use - 44892 Talbot Line
   Michelle Myszko, will be in attendance to discuss a proposed change of use at
   44892 Talbot Line (Winery)
   Map of property here

Correspondence (Action)

31-32 1. 2014 Earth Hour
   Correspondence received from WWF Canada seeking participation in 2014 Earth
   Hour - Saturday, March 29, 2014.

Correspondence (for Council's Information)

33 1. George Street Development
   Correspondence received from Jeff Yurek, MPP, Elgin-Middlesex-London regarding
   Rowena Williams and her concerns respecting drainage issues and new
   development on George Street in Port Stanley.

34-35 2. Craigholme Estates Limited - 34-T-01002
   Correspondence received from Ontario Municipal Board advising of approval for
   draft plan 34-T-01002 is extended for 2 (two) years up to and inclusive of April 21,
   2016.

36-38 3. Notice of Decision - County of Elgin Land Division Committee
   Notice of Decision from County of Elgin Land Division Committee - Application E
   94/13 - Pentecostal Assemblies of Canada

39-40 4. Joint and Several Liability
   Correspondence received from Randy Pettapiece, MPP, Perth-Wellington thanking
   Council for support of his resolution respecting Joint and Several Liability.

41-96 5. 2014 Provincial Policy Statement
   Copy of 2014 Provincial Policy Statement
Reports

Central Elgin Planning Office

97-98
CEP 11-14 Application for a Consent No. E5/14 - Gotzmeister Farms Limited - 6174 Pulley Road

99-103
CEP 17-14 Application to Amend the Village of Belmont By-law 91-21 - 8655720 Ontario Inc. 143 Borden Avenue

104-105
CEP 18-14 Application for a Consent No. E10/14 - Walter Hayhoe, 6569 Sunset Road

106-107
CEP 19-14 Application for a Consent No. E11/14 - A.F. Kosynski Farms Ltd. - Frank Hough, 43746 Dexter Line

108-109

110-111
CEP 21-14 Application to Amend the Municipality of Central Elgin Official Plan and the Township of Yarmouth By-law 1998 - Peter North, 117 St. George Street

Chief Administrative Officer

Director of Physical Services

By-law(s)

112
By-law 1673 Official Plan Amendment - 117 St. George Street

113-116
By-law 1674 Zoning By-law Amendment - 117 St. George Street

117
By-law 1701 Confirmatory By-law

Resolutions

Public Notice

New Business

Unfinished Business

Closed Session

CS1 Litigation or Potential Litigation (s.239(2)(e)) - Estate of Joseph William Corner - severance (verbal report)

CS2 Personal Matters About an Identifiable Individual (s.239(2)(b)) - (verbal report)

Adjournment
Hello Diane,

I would like to request that I be added to the agenda for the March planning meeting. I would like to speak to council members regarding the surplus dwelling severance at 10343 Yarmouth Centre Rd. I will send you some more information before the meeting date. Can you please confirm the date of the next meeting?

Regards,

Steve Coad
Date: March 12, 2014

To: Members of Council - Municipality of Central Elgin

From: Elsie Coad, Steve and Shanna Coad

Re: UPDATE: Surplus Dwelling - Land Severance at 10343 Yarmouth Centre Rd.

Since the Planning Meeting that I attended on November 18th, 2013 when we were seeking council member’s support and approval of a land severance, we have made an investment in another farm located in the Municipality of Central Elgin. We feel that since conditions have now changed, this should meet the requirements of a farm consolidation allowing us to move forward with a severance application as a surplus dwelling.

We are once again seeking support and approval from council and the planning department so that we may be able to move forward with a land severance application.

Please see the accompanying photos and sketch of the farm and area we would like severed.

Regards,

Steve Coad
OFFICIAL PLAN AMENDMENT PROPOSAL

Applicant:
Dr. Michelle Myszko, ND
Trillium Health Clinic

Applicant:
Walter Myszko, Owner

Property:
44892 Talbot Line RR#3,
St. Thomas, On, N5P 3S7

Current Zoning  Agricultural Commercial
Proposed Zoning Change  Professional Offices – Naturopathic Doctor &
Wellness Clinic
And
Agricultural

SUMMARY:
- Requesting permission to change the zoning of 44892 Talbot Line R.R.#3, St. Thomas from Agricultural Commercial (Winery operations) to allow a professional office space for a Naturopathic Medicine and Wellness Clinic, using the existing building.
PROPERTY:
- 44892 Talbot Line is located just east of St. Thomas on Highway 3, across from the St. Thomas Municipal Airport.
- This property was purchased in 1998 by my father Walter Myszko to establish his business Meadow Lane Winery.
- In 1998 the current building (40’x60’) was built as a winery consisting of a manufacturing area (40’x40’) and a retail showroom and office (40’x 20’) in the south of the building.
- There is ample parking spaces that surrounds the building.
- The front 10 acres had been converted to vineyards to support the winemaking business.
- The remaining property has maintained the agricultural usage in the north end of the property.

PROPOSED CHANGES:
- The proposed changes are to change the building into a Naturopathic Health Clinic. The renovations will convert the current show room into 3 new office spaces and a new washroom facility. The manufacturing area will also be divided and a section in the north end will be maintained for farm usage and storage. The remaining manufacturing area will be used as clinic space, including one seminar room (16’x13’) and the rest of the space will be utilized for clinic staff only. The unused section is where I plan to expand the clinic in the future (5-10 years) to contain more clinic rooms, yoga space or personal training area, depending on the future needs of Trillium Health Clinic.
- Please see attached blueprint drawing of proposed changes.
- The exterior will remain relatively similar, but will be resurfaced and updated and an enclosed entryway will be added under the existing front porch.
- New signs will be attached to the front exterior of the building and a new road sign will use the existing structure and replacing the old signs.
- The current renovations plans takes into account and maintains all structural integrity of the building and incorporates them into the design. All additional rooms and washroom are wheelchair accessible.
- There are no current plans to change the remaining property usage and it will still be used for agricultural purposes.

HISTORY OF PROPERTY & PLAN:
- The current zoning was commercial/agricultural to allow the operations of a Winery, this business is no longer operational and no longer fits our business plan and we request consideration to change the zoning to permit Trillium Health Clinic a Naturopathic Medicine and Wellness Clinic owned and operated by Dr. Michelle Myszko, ND.
- This property was purchased by my family in 1998 with the aspirations of opening a Winery and with a lot of grueling hard work, effort and money invested into it, my parents succeeded in opening Meadow Lane Winery. But due to the high taxation rate of a winery and the decline in the economy, the winery was closed because it was no longer self-sustainable in 2011.
- Walter Myszko still maintains ownership of this property and we have decided to keep the usage of this property in the family by allowing his daughter Michelle the opportunity to open Trillium Health Clinic. The building has ample space for the business to start
with four offices, a new bathroom and a seminar room, but also has enough room for future expansions in 5 to 10 years.
  - This allows Dr. Myszko to establish at one location for the duration of her career and holds the potentials for growth and expansion
  - Prevents loss of patients and business which occurs during any change of location.
  - Mutually beneficial for all parties involved:
    - Walter Myszko: Generates property revenue, increasing property value, and contributes to the cost of the property (mortgage, taxes and property maintenance).
    - Michelle Myszko: Provides a building to renovate and open Trillium Health Clinic, with flexibility in lease agreement
    - Central Elgin: Increases property value and demonstrates support for small businesses.

LOCATION:
  - This location allows the business to be centrally located to St. Thomas, Aylmer, Central Elgin and surrounding municipalities. These communities are all within a 10 km radius or a 10 minute drive.
  - Currently St. Thomas, Aylmer and Central Elgin populations are estimated at 60,000 people which are currently underserved by Naturopathic Doctors in the area. Currently there is only one full time ND and two other part time ND’s, which are all located in St. Thomas.

NATUROPATHIC MEDICINE:
  - Naturopathic medicine is a significant part of the complementary and alternative medicine (CAM) industry which is growing exponentially. According to statistics Canada, 3.8 million Canadians aged 18 or over has visited a CAM care provider in the last 12 months.
  - Naturopathic Doctors are trained, regulated and licensed as medical experts in preventative and natural medicine. Naturopathic Medicine is a multidisciplinary holistic approach to health care which blends centuries old natural, nontoxic therapies and current evidence based medicine in the study of health and human systems, covering all aspects of family health from prenatal to geriatric care on the physical, mental and emotional level.
  - The Six Principles of Naturopathic Medicine (See attached page)
    - First Do No Harm
    - The Healing Power of Nature
    - Identify and Treat the Cause
    - Treat the Whole Person
    - Doctor as Teacher
    - Disease Prevention and Health Promotion
  - Naturopathic Modalities:
    - Nutrition
    - Botanical Tincture and Herbs
    - Lifestyle Counseling (stress reduction)
TRILLIUM HEALTH CLINIC:
- Grand opening is scheduled for May 1, 2014.
- Will be St. Thomas & Central Elgin’s newest Naturopathic Medicine and Wellness Clinic and will provide a variety of services to an underserviced communities.
- This wellness center will feature a Naturopathic Doctor and auxiliary health professionals, including a registered massage therapist, an osteopath and a nutritionist. Health seminars will also be offered.
- This will create one new office administration full time position and create a full time self-employment position for Michelle Myszko and potentially three other health professionals.
- This property also has all the natural elements that support the six guiding principles of Naturopathic Medicine (see attachment).
  - It connects people with the healing power of nature by:
    - Reducing patients stress by removing them from the hectic environment of the city and creating the healing space in a calm and relaxing environment.
    - Being in the country will also assist people to reconnect agriculture and where their food comes from.
    - Allowing people the opportunity to obtain the healing power of nature by providing a location for nature walks, guided botanical walks or yoga in the meadow.
- See Business plan attached for more information.

LOCAL BUSINESSES NEARBY:
- Surrounding the property which are zoned for other purposes outside of agricultural:
  - Gammon’s RV Parts & Service
    - 44415 Talbot Line, RR#3, St. Thomas, On, N5P 3S7
    - This business is 2 properties away.
  - Borhog Power Sports
    - 45025 Talbot Line, R.R. #3, St. Thomas, On, N5P 3S7
    - This business was across the road.
Naturopathic Medicine
Guiding Principles

Naturopathic doctors are guided by six principles. This set of principles, emphasized throughout a naturopathic doctor's training, outlines the naturopathic approach to health and healing and forms the foundation of this distinct form of health care.

1. First Do No Harm (Primum Non Nocere)

Naturopathic medicine follows three principles to avoid harming the patient:
   1. Utilize methods and medicinal substances which minimize the risk of harmful side effects;
   2. Avoid, when possible, the harmful suppression of symptoms;
   3. Acknowledge and respect the individual's healing process, using the least force necessary to diagnose and treat illness.

Your naturopathic doctor chooses remedies and therapies that are safe and effective, to increase your health and decrease harmful side effects.

2. The Healing Power of Nature (Vis Medicatrix Naturae)

Your naturopathic doctor works to restore and support the powerful and inherent healing ability of your body, mind and spirit and to prevent further disease from occurring. Naturopathic doctors identify and remove obstacles to recovery, facilitating and augmenting this ordered and intelligent healing ability.

3. Identify and Treat the Cause (Tolle Causam)

The primary goal of your naturopathic doctor is to determine and treat the underlying cause rather than simply managing or suppressing the symptoms. The underlying cause may be due to diet, lifestyle habits, life events, posture or environment. Symptoms are viewed as expressions of the body's natural attempt to heal.

4. Treat the Whole Person

Each person is unique and requires individualized care. In treating the cause of any condition your naturopathic doctor takes into account not only your physical symptoms, but also mental, emotional, genetic, environmental, social, spiritual and other factors. Disease affects the entire person, not just a specific organ or system. Your nutritional status, lifestyle, family history, feelings, environmental stresses, and physical health are all carefully evaluated and addressed.
5. Doctor as Teacher (Docere)

Your naturopathic doctors will assist you in understanding health and illness. He/she will provide with an understanding of the factors that affect your health and help you balance and become more capable of maintaining your own health. Naturopathic doctors also acknowledge the therapeutic value inherent in the doctor-patient relationship.

6. Disease Prevention and Health Promotion

Your naturopathic doctor applies all of the above principles in a proactive form of disease prevention and health promotion. Naturopathic doctors emphasize healthy daily habits, they assess risk factors and hereditary susceptibility to disease and make appropriate interventions to prevent illness. Health is more than just the absence of disease. Health entails daily functioning on the highest possible levels, and is obtained by proper nutrition, exercise, a balanced lifestyle, positive emotions, thoughts and actions. The capacity for optimal wellness or an improved quality of life is inherent in everybody.

Adapted from the CAND:
http://www.cand.ca/index.php?49&L=0
Michelle Myszko, will be in attendance to discuss a
Trillium Health Clinic

Business Plan

Dr. Michelle Myszko ND, R.BIE
www.trilliumhealthclinic.com
44892 Talbot Line, St. Thomas, On, N5P3S7
March 2014

“Empowerment, Science, and Preventative Education”
SECTION ONE: EXECUTIVE SUMMARY

The market demand for complementary and alternative medicine (CAM) is growing exponentially and is now recognized by consumers and all levels of government as a viable and essential component to the health care of Canadians. According to Statistics Canada, 3.8 million Canadians aged 18 or over had consulted an alternative health care provider at least once during the previous 12 months. Naturopathic Doctors are a significant part of the CAM industry as they are trained, regulated and licensed as medical experts in preventative and natural medicine. Naturopathic Medicine is a multidisciplinary holistic approach to health care which blends centuries old natural, nontoxic therapies and current evidence based medicine in the study of health and human systems, covering all aspects of family health from prenatal to geriatric care on the physical, mental and emotional level.

The Trillium Health Clinic will address the growing needs by offering a general family practice with special interest in fertility, allergies and chronic illnesses. Trillium Health Clinic seeks an operating line of credit of $125,000 to complete the leasehold improvements estimated at $30,000; purchase a vehicle estimated at $20,000, purchase furniture and equipment estimated at $21,400; supplies estimated at $3600; $3,000 in opening inventory costs and to the remaining $22,000 to cover initial operating costs for the first six months of business.

Financial Projections for Trillium Health Clinic: Year running May → April

<table>
<thead>
<tr>
<th></th>
<th>Start Up cost</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Revenue</td>
<td>Loan $85,000</td>
<td>$160,089</td>
<td>$220,432</td>
<td>$256,474</td>
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<tr>
<td>Total Expenses</td>
<td>Renovation expenses $80,335</td>
<td>$90,334</td>
<td>$108,508</td>
<td>$125,273</td>
</tr>
<tr>
<td>Company Profit (before draws)</td>
<td></td>
<td></td>
<td>$111,924</td>
<td>$132,250</td>
</tr>
</tbody>
</table>

The one year projection is based on multiple income streams including: renting 3 clinic rooms for $3000/month, new patient revenue, return patient revenue, supplement revenue, seminars fees and lab fees.

The leasehold improvement period for the space is planned to begin in March 2014 with an opening date planned for May 1st, 2014. The marketing plan was launched in February 2014 to
establish the name in the St. Thomas and community and promote the business to ensure a successful launch of the clinic.

SECTION TWO: BUSINESS OVERVIEW

A. Trillium Health Clinic Direction

Trillium Health Clinic will provide accessible and affordable healthcare to an under-serviced regions. It will supplement the health and well-being of an under-serviced population with well-rounded healthcare and provide treatment for a wide variety of healthcare needs. Trillium Health Clinic will be a general family practice with special interest in allergies, fertility, and chronic illnesses treating all ages and all medical conditions. Trillium Health Clinic will consist of the following:

- It will be staffed by Dr. Michelle Myszko as a full-time Naturopathic physicians responsible for delivering the primary health care and overseeing the business operations and management.
- Dr. Michelle Myszko will also offer in home visits to provide care for people who are bedridden, non-ambulatory or who do not have access to transportation.
- Three complementary health care practitioners, such as massage therapists, osteopath and registered nutritionist will offer auxiliary health care support.
- The clinic will consist of four treatment rooms.
- The clinic will also have a large multi-purpose room which will be utilized to host health seminars or to rent out for other purposes (ie. personal trainer, seminars etc). This will also be used in the future to expand the number of clinic rooms in 5-10 years.
- Trillium Health Clinic will also provide an in-house dispensary consisting of nutritional supplements (vitamins / minerals), homeopathic remedies, botanical medicines and Naturopathic health products for patient which is accessibility at prices comparable to those of local merchants, with the assurance that these products have been researched, and are professional quality.

The first year revenue projections for Trillium Health Clinic is based on an average of roughly 60% utilization of clinic space and is projected to be $160,089 with a net profit before taxes of
$69,754. 40% of the net profit will be used to retire outstanding debt, 20% towards equipment and capital investment and 40% as an increase in take home pay.

The revenue streams include

- Naturopathic patient visits;
- In-house seminars;
- Lab fees
- Rent fees from other practitioners; and
- Sale of Naturopathic and natural health products.

**Trillium Health Clinic** will be located at 44892 Talbot Line, St. Thomas, Ontario N5P 3S7, Canada. There is ample free parking directly in front and beside the clinic. It is wheelchair accessible. The hours of operation are as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>9-5</td>
</tr>
<tr>
<td>Tuesday</td>
<td>10-7</td>
</tr>
<tr>
<td>Wednesday</td>
<td>9-5</td>
</tr>
<tr>
<td>Thursday</td>
<td>9-5</td>
</tr>
<tr>
<td>Friday</td>
<td>9-5</td>
</tr>
<tr>
<td>Saturday</td>
<td>9-12</td>
</tr>
</tbody>
</table>

The commercial lease agreement will be secured for a 5 year period with a 5 year renewal option.

**B. STRENGTHS OF TRILLIUM HEALTH CLINIC**

Dr. Michelle Myszko has had prior experience in business management from working as an office assistant for Meadow Lane Winery, managing a rental property and running a small personal business. She also has over 15 years of experience working in the customer service industry in a variety of positions, including management, where she demonstrated excellent customer service. Currently Michelle is practicing as a BioEnergetics practitioner and her current clients will be transferred to Trillium Health Clinic, to serve as initial patients and to help build awareness in the community.

Michelle Myszko was born and raised in Port Stanley (Central Elgin), and went to school in St. Thomas where she was active within the community. She many friends, family and acquaintances within the community, which will be an advantage to generate initial patients and
a referral base. Adding another Naturopathic Doctor to St. Thomas and area is beneficial since the community is currently underserviced by Naturopathic Doctors.

Most patients that seek alternative/complementary therapies utilize more than one form of treatment modality (Naturopathic, massage, nutritional support) and purchase natural health products as part of their treatment strategy. **Trillium Health Clinic** will offer an integrated treatment option and will ensure that there are strong relationships developed with other respected health providers and keep people visiting the clinic and staying connected. In addition, Naturopathic visits are now covered by most insurance companies as part of their benefit packages, which makes treatments more affordable for people. Naturopathic medicine is now HST exempt which makes the service fees more affordable for patients.

C. RISKS

Naturopathic services are currently not covered by OHIP. However, most insurance companies cover Naturopathic treatments and patients themselves are increasingly looking for alternatives to conventional medical treatments, especially in the area of chronic health care concerns.

There is a perceived high cost associated with Naturopathic treatments, but based on the local demographics of St. Thomas and area, there are many areas with above average family incomes with disposal income who could afford naturopathic care. In addition, Naturopathic care provides long-term health care savings due to preventative measures and increased education and training on healthy living.

Michelle Myszko wrote NPLEX and Ontario BDDT-N Exams in February 2014 and upon successful completion will obtain her Naturopathic License April 2014. Michelle has received result that she has already passed the Ontario BDDT-N exams and will receive NPLEX results shortly.

*Note: As of 2008 regulation of Naturopathic Medicine in Ontario switched from the Drugless Practitioners Act to the Regulated Health Practitioner's Act versus. This positions Naturopathic*
Medicine under the same provincial legislative body as Medical Doctors, Dentist, Pharmacist, and other conventional health care providers. This will also enhance the profile of Naturopathic Medicine from a governmental and insurance perspective and put additional emphasis on consumer demands and consumer safety. Overall, this legislative change is anticipated to further drive the demand for Naturopathic care.

SECTION THREE: FINANCIAL DATA

A. FINANCIAL BUSINESS ASSUMPTIONS

• Revenue for the first year is projected to be $160,089.
• Variable expenses are projected to increase by 10% in years 2 and 3.
• Revenue figures are based on 190 billable days and the detailed new patient and follow up patient assumption calculations. In year one Naturopathic care will be utilizing an average of 70% of time with patients and a steady utilization of 80-100% in years 2 and 3.
• Cost of an initial Naturopathic patient visit will be $180.00 for a 75 minute appointment which will consist of detailed patient intake, physical exam, naturopathic assessment and treatment plan.
• Cost of follow up Naturopathic appointments will be $125 for 1 hour and $65 for 30 minutes.
• The assumptions used to arrive at the anticipated revenue over the first three years were obtained by researching the growth of other multi-disciplinary clinics in Ontario and applying the researched busy and slow periods which is reflected in the number of new patients.
• The gross profit for product sales will average out to be about 65% based on standard market markup of 90% with 40% of patients spending on average of $50 per patient visit. (See follow up assumptions- below)
• All laboratory costs will consist of a 10% markup.
• Service contract with massage therapist, nutritionist based on $60 per day, averaging 25 days a month for 2 associates. In year 2 the daily rate will increase to $65 per day and $70 per day in year 3 which is the standard going rate for comparable services.
• The landlord will provide two months' rent free based on the current leasehold improvement plans.
The above assumptions are conservative for the following reasons:

- No escalation of service fees and patient rates within the 5 year period
- Utilization of space and time for the first year is based on an average of 70% for the Naturopathic physicians and roughly 55% for the auxiliary health care associates.
- The term and demand loans interest is calculated at 6% which allows for fluctuations within the 10 year period.

**Follow Up Assumptions:**

There will be 90% retention rate of new patients, since I will be offering a complimentary 15 minute consultation which will allow the patients an opportunity to meet the Doctor, learn about Naturopathic medicine, types of treatments offered and fees. This will reduce the rate of initial consults who do not return.

**Return Patients Assumptions:**
(see attached patient calculator- Appendix)

**1st follow up visit:** 90% of initial consults:
- 80% of new patients return for 1 hour follow up in 1 month
- 15% of new patients return for 1 hour follow up in 3 months
- 5% of retained new patients will come in 6 months for 1 hour follow up

**2nd follow up visit:** 80% of 1st follow up visit & 10% of 1st follow ups return monthly for 30 minutes visits.
- 60% will come for 1 hour visit
- 40% will come for a 30 minute visit

**3rd follow up visit:** 80% of 2nd follow up visits will require a 3rd visit
- 50% will come for 1 hour and
- 50% will come for a 30 minute visit

**6 months follow up:** 70% of 3rd visit will come for a 6 month f
- 40% will come for 1 hour visit
- 60% will come for a 30 minute visit
**Pillars of Health Programs:** 70% of all patients will be enrolled
Trillium Health Clinic will offer the 4 Pillars of health programs which will help people continue on their journey of health and keep people in close contact with the clinic.

- Quarterly, biannually or annually

**B. CURRENT ASSET LIST**

<table>
<thead>
<tr>
<th>Item</th>
<th>Date of Purchase</th>
<th>Approximate Value</th>
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</thead>
<tbody>
<tr>
<td>Medical Equipment</td>
<td>2010-2013</td>
<td>$3,000</td>
</tr>
<tr>
<td>Computer</td>
<td>2013</td>
<td>$2,000</td>
</tr>
<tr>
<td>Library</td>
<td>2009-2013</td>
<td>$3,000</td>
</tr>
<tr>
<td>GSR Machine</td>
<td>2012</td>
<td>$6,000</td>
</tr>
<tr>
<td>BIE Testing Kits</td>
<td>2012-2013</td>
<td>$2,500</td>
</tr>
<tr>
<td>BIE Business License</td>
<td>2012</td>
<td>$6,000</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td></td>
<td><strong>$22,500</strong></td>
</tr>
</tbody>
</table>

**C. OVERVIEW OF STARTUP COSTS**

The total startup costs are estimated to be $125,000. This includes $30,000 in leasehold improvements, $5,000 for signs, $7,300 in furniture and fixtures, $7,000 in equipment, $4,000 in supplies, $3,000 in inventory, $7,900 for expenses during renovations and the remaining $37,000 is to cover six months operating expenses, as a contingency. Startup costs have been determined by sourcing current suppliers and seeking professional advice.

<table>
<thead>
<tr>
<th>Initial Start Up Expenses</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Startup Expenses</td>
<td></td>
</tr>
<tr>
<td>Leasehold Improvements</td>
<td>$30,000</td>
</tr>
<tr>
<td>Vehicle</td>
<td>$20,000</td>
</tr>
<tr>
<td>Building &amp; Road Sign</td>
<td>$5,000</td>
</tr>
<tr>
<td>Furniture &amp; Fixtures</td>
<td>$7,300</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>$2,000</td>
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<tr>
<td>Computer</td>
<td>$2,000</td>
</tr>
<tr>
<td>Medical Equipment</td>
<td>$5,000</td>
</tr>
<tr>
<td>Medical Supplies</td>
<td>$2,000</td>
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<tr>
<td>Inventory</td>
<td>$3,000</td>
</tr>
<tr>
<td>Appliances</td>
<td>$2,800</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$80,100</strong></td>
</tr>
<tr>
<td>Expenses during Renovations</td>
<td>$7,900</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$88,000</strong></td>
</tr>
</tbody>
</table>
The current facilities at 44892 Talbot Line in St. Thomas, require minimal leasehold improvements and no major changes to electrical or heating systems that are currently in place. The $30,000 in leasehold improvements include the following: construction of three additional rooms; replacement of current carpet and tile with laminate flooring; upgrading of current lighting; installation of a wheelchair accessible bathroom; painting and the construction of a reception desks and counters in two rooms. Most of the required furniture and fixtures will be sourced through auctions and used furniture stores to maintain lower start-up costs. $5,000 will be necessary to obtain road side and building signage.

D. OVERVIEW OF PRODUCT INVENTORY
The startup inventory costs are estimated to be $3,000. All inventory will be kept in glass display cases or in a locked dispensary room to ensure tight inventory control. As most suppliers have distribution houses local to the Toronto area and the turnaround time is within 1-2 days inventory stock will be maintained at minimal level. The clinic will also use Healthwave.co, an online dispensary which supplies a wide variety of professional supplements, without the overhead costs associated, and ships directly to the patients.

Trillium Health Clinic will carry professional products that complement the treatment plans outlined to patients and professional health products that are not easily sourced at local drug stores and health food stores. The average markup on health products is 90%; to cover cost of inventory loss, sales discounts and promotions an average of 65% has been used in all gross profit calculations.

E. OVERVIEW OF INCOME STATEMENT PROJECTIONS
The attached income and expense projections show an anticipated net income before taxes in the first operating year is $69,754.
F. OVERVIEW OF CASH FLOW PROJECTIONS
A bank line of credit of $125,000 is requested, but for cash flow purposes a bank line of credit of $85,000 has been used to demonstrate tight financial control and to ensure an operating contingency. The cash flow maintains a positive monthly cash balance by August 2014 and an overall net cash balance of $69,754 at the end of the first operating year of business. As stated previously, 40% of the net profit will be used to retire outstanding debt, 20% towards equipment and capital investment and 40% as in increase in take home pay.

SECTION FOUR: MARKETING AND PERSONNEL
A. Local Demographics
Local Demographics for St. Thomas & Area:
The target marketing area will include St. Thomas, Aylmer and Central Elgin municipality that incorporates the surrounding area. St. Thomas has a population of 41,000 people, Aylmer has a population of 7,151 and Central Elgin has a population of 12,743 according to the 2011 Census report. The anticipated draw will include all these populations, which includes a wide variation of age categories.

![Graph of age demographics]

Figure 1. The Age Demographics of St. Thomas, Central Elgin and Aylmer Ontario Populations.
Trillium Health Clinic will be located is 6.9 km or 10 minutes from downtown St. Thomas and 10.0 km or 10 minutes from downtown Aylmer and the majority of St. Thomas, Aylmer and Central Elgin is within a 10 km radius of Trillium Health Clinic. Transportation to the clinic will not be problematic for most people according to the 2006 census report which states:

- The primary form of transportation in the working population is driving a personal vehicle as 78% of both St. Thomas and Aylmer residences. Most residence in the area own at least one vehicle within the family or have access to a vehicle, as public transportation is very limited. The majority of residence in these areas utilizes personal vehicles for commuting to work, getting groceries, and for medical care, so it is within reason that most people would be willing to drive to the business location for their medical care.

Financial Demographics:

With the more recent popularization of alternative medicine, the highest percentage of the population utilizing Naturopathic medicine is below 50 years of age, higher educational level and greater disposable income. The 2006 census report on financial income revealed that the area has disposable income, which does not demonstrate people who have insurance health coverage.

- The median household income in 2005 was $54,876 (St. Thomas) and $50,957 (Aylmer), and median household income in couple household with children was $82,839 (St. Thomas) and $73,619 (Aylmer).
B. The Market and Competition

Naturopathic Doctors in Ontario:

As of 2014 there are 1040 Naturopathic physicians in Ontario. The breakdown of Naturopathic doctors in a variety of regions in Ontario are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Population Size</th>
<th>Number of ND's</th>
<th>People/ND</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Thomas &amp; Area</td>
<td>60,894</td>
<td>4</td>
<td>15,223</td>
</tr>
<tr>
<td>London</td>
<td>366, 151</td>
<td>20</td>
<td>18,307</td>
</tr>
<tr>
<td>Mississauga</td>
<td>669,000</td>
<td>36</td>
<td>18,583</td>
</tr>
<tr>
<td>Guelph</td>
<td>115,000</td>
<td>30</td>
<td>3,833</td>
</tr>
<tr>
<td>Waterloo</td>
<td>98,000</td>
<td>20</td>
<td>4,900</td>
</tr>
<tr>
<td>Kitchener</td>
<td>204,668</td>
<td>20</td>
<td>10,233</td>
</tr>
<tr>
<td>Toronto</td>
<td>2.48 million</td>
<td>500</td>
<td>5,000</td>
</tr>
<tr>
<td>Markham</td>
<td>262,00</td>
<td>25</td>
<td>10,480</td>
</tr>
</tbody>
</table>

Concentrated Areas of NDs - Toronto:

Toronto, Ontario is one of the most concentrated areas of Naturopathic doctors in Ontario. The current population in Toronto is 2.48 million people. Currently there are 320 Naturopathic Doctors that are registered with the Canadian Association of Naturopathic Doctors (CAND), plus Canadian College of Naturopathic Medicine which currently has 120 interns at the teaching clinic for a total of around 500 ND. Although there is a lot of naturopathic doctors located in the Toronto, based on the population there is still roughly 5,000 people per ND. Although this market area is considered concentrated with ND's. New ND's are still setting up practice in the area and are able to sustain themselves. The profession is still relatively small and growing, and more ND's are needed to better supply the population of Ontario.

Naturopathic Doctors in St. Thomas:

Currently there are three Naturopathic Doctors that are located in St. Thomas which provide service for Central Elgin, and Aylmer, as there are no other Naturopathic Doctors in the surrounding region. The next closest area for an ND is London Ontario which is 26 km away and approximately a 30 minute drive. The Megan Soyol-Theils, ND is a very successful naturopathic doctor who generally works 3 to 4 days per week, and has a two month waiting list.
for patients. Christine Slonesky, ND works part time in both St. Thomas and London. Gerry Dergnaac, ND works full time in the nutraceutical industry and has a very small practice from home. With a population of St. Thomas and the surrounding area being 60,894, the market for ND is far from saturated. By adding Michelle Myszko, ND this will expanding the naturopathic doctors in St. Thomas thus increasing awareness about naturopathic medicine and providing more accessible service to the community. When you consider the size of the population and having 4 ND’s, there is still a 15,223 people per ND, which is a substantial market to be covered.

Naturopathic Doctors’ in London:
Currently in the city of London, Ontario the population is 366,151 people. Within this large population there are only 20 Naturopathic doctors working there. Due to the size of the population that equals to 18,307 people per ND, which is a substantial market to cover. These ND’s are not considered direct competition as London is located 26 km from St. Thomas.

Chiropractors:
There are currently 14 Chiropractors within St. Thomas, 4 Chiropractors in Aylmer and 1 in Belmont (Central Elgin). Chiropractors have a very limited scope of practice and are focused on pain management and ensuring that the body is in alignment and functioning at its best. Chiropractors are not considered competition for naturopathic doctors.

Medical Doctors:
Family doctors play a key role in the healthcare system and are very important for patients to get primary care, and referrals to specialists for chronic diseases. GP’s are especially limited in the amount of time that they are able to spend with patients and have little time to educated patients on their treatment plan and the disease that they may have. Medical doctors are overburdened with high patient volume and often have 2-3 weeks waiting times for their patients to get an appointment, so when acute condition occur, patients have to go to walk-in clinics and wait for several hours to see a doctor. There are currently 46 family doctors in St. Thomas, Aylmer and Central Elgin area and based on the population there is approximately 1323/MD. This a large population per medical doctor which can affect the quality of care that patients receive. Medical doctors are not considered competition and the goal is to develop working relationship with medical doctors on behalf of the patients, to ensure that the patient gets the best care.
C. Marketing Plan

The goal of *Trillium Health Clinic* is to offer the highest standard of Naturopathic medical care, in a comfortable and professional environment. We will offer this unique experience at competitive prices. As in most service based businesses, the most effective marketing is word of mouth. *Trillium Health Clinic* will focus on delivering quality service and patient care and will implement a referral recognition program.

The marketing strategy includes:

1. Grand opening planned for May 2014 to introduce *Trillium Health Clinic* to professional contacts, current clients and prospective patients to tour the new facilities, meet Michelle Myszko, ND and a brief seminar on Naturopathic Medicine.
2. Direct mailing and personal visits to all local physicians, health-related associations, health food stores/pharmacies, and support groups.
3. Ongoing educational seminars and introductory presentations to clients, local consumers, and professionals.
4. Teaching assignments, continuing to present at local conferences and attend relevant conferences as a means of referral and promotion of *Trillium Health Clinic*.
5. Referrals from the Canadian Naturopathic Association and Ontario Association of Naturopathic Doctors are based on postal code and are self-automated by a 1-800 line or Internet access.
6. Yellow page advertisements in the St. Thomas and surrounding areas.
7. Joining and participating in the local Chamber of Commerce.
D. BIOS ON NATUROPATHIC DOCTORS

Michelle Myszko

Naturopathic Doctor Graduate (Canadian College of Naturopathic Medicine)
Registered BIE Practitioner (Institute of Natural Health Technologies)
Honors BSc. (University of Western Ontario)

I grew up in Port Stanley Ontario, where I finished public school and then attended high school in St. Thomas Ontario. After graduation in 2003, I attended the University of Western Ontario and graduated in 2007 with Honors Bachelor of Science Specialization in Biology. I have always found science interesting, particularly the application to health and wellness. Upon graduation I worked as a Health Consultant at Herbal One Weight loss Center, motivating and helping people achieve their weight loss goals using herbal supplements and nutrition. This inspired me to follow my dream of becoming a doctor and allowed me to realize that I could make a difference in peoples’ lives.

In 2009, I began the intensive 4 year medical program at the Canadian College of Naturopathic Medicine. The first two years focus on core sciences and clinical sciences including anatomy, biochemistry, physiology, immunology, microbiology, embryology, pathology and diagnostics, health psychology, emergency medicine and pharmacology. In addition I learned all the naturopathic modalities including botanical medicine, clinical nutrition, traditional Chinese medicine and acupuncture, homeopathic medicine, hydrotherapy, physical medicine (massage and naturopathic manipulation), and lifestyle modifications. The last year of the medical program is focused on clinic training which Michelle completed at the Robert Schad Naturopathic Clinic and 4-month internship at Anishawabe Health Centre (Satellite Clinic) working with the native populations. Michelle also volunteered for a 10 day externship in Guatemala with Naturopaths for Global Health. In May 2013, Michelle graduated from CCNM and as a Naturopathic Medical Graduate, Michelle has completed over 1200 hours of clinical training, more than 3000 hours of classroom education, a 12-month internship at the Robert Schad Naturopathic Clinic. In addition to her naturopathic training, Michelle has taken a variety of courses including the intensive BioEnergetics training course in October 2012 at the Institute of Natural Health Technologies in Oakville.

I am enthusiastic to be able to provide effective treatment plans for people who are suffering from seasonal allergies, fertility and many chronic conditions. By developing well rounded treatment plans that include dietary and lifestyle modifications, occasional supplement recommendations in combination with BioEnergetic assessments and treatments, I can provide effective results and long term relief. I am
passionate about inspiring and empowering patients to take charge of the healing journey by promoting a stress free space that will provide a feeling of peace, security and wellbeing environment, so I can guide people in healing the body, mind and spirit.

**E. PROFESSIONAL RELATIONSHIPS**

*Trillium Health Clinic* is advised by the following professionals:

1. Ken Clarke CPA (Candidate)
   *Andrew Atlin Chartered Accountant*
   238 Queen Street East,
   St. Marys, Ontario, N4X 1B7
   519-284-2654

2. Megan Sooyol-Theils, ND & Clinic Owner
   *Silver Birch Naturopathic Clinic*
   196 Centre Street,
   St. Thomas, Ontario, N5R 3A5
   519-637-7277

3. Andre Belanger
   *Hero's Business Solutions*
   (Naturopathic Doctor Business Coach)
   p.o. Box 36554
   Seafair, Postal Outlet,
   Richmond BC
   http://www.hbbhealth.net/andre-belanger
   705-721-4016

4. Christine Vermeer
   Financial Advisor
Join WWF and hundreds of other municipalities across Canada for this year's Earth Hour, Saturday, March 29 at 8:30pm. Sign up here.

Earth Hour is a global movement that envisions a greener, cleaner planet. This year when cities turn off their lights, we want them to take A Moment of Darkness. That's a moment of reflection, introspection, a moment to choose a future where climate change is no longer a threat. Municipalities can lead the way when it comes to tackling climate change by driving local innovative solutions. They're powerful influencers for federal and global action.

Let us know that your city/town/municipality is doing its part by turning off non-essential lights at municipal buildings and landmarks on March 29. Visit our website for ideas on how your municipality can show its support. Please share your stories, pictures and videos with us – we would love to hear how your city or town marked Earth Hour this year.
February 14th, 2014

Mayor Walters & Council
Municipality of Central Elgin
450 Sunset Drive,
St. Thomas, Ontario
N5R 5V1

Dear Mayor Walters and Council,

I recently held a meeting in my office with a group of residents, headed by Rowena Williams, concerning a subdivision development near her property in Port Stanley, Ontario. Ministry representatives from Natural Resources, Environment, Municipal Affairs and Housing and a representative from the Kettle Creek Conservation Authority were also in attendance.

Ms. Williams and her group are concerned about the drainage issues that are occurring on lands owned by her and a soon to be built subdivision. Her group is also concerned about the reports used in the process that initially approved the project. Ms. Williams contends there are faults in several of the reports that led to the project's approval.

All representatives from the Ministries present, confirmed that the process to approve the subdivision was correctly followed and that some conditions of approval are to be met through the subdivision agreement. In particular, drainage management is a condition on the subdivision agreement on title and this condition is to be enforced by the municipality. The Ministry representatives also confirmed that they had no reason to question the reports used in the process.

I would suggest that the municipality, the developer and Ms. Williams's group meet and come to a resolution to ensure that the requirements of the conditions of the subdivision agreement on title are met so that flooding of the properties can be avoided. It is my hope that their reservations about the reports used in the planning process can be address to their satisfaction.

Sincerely,

Jeff Yurek, MPP,
Elgin-Middlesex-London
cc: Ms. Rowena Williams
Craigholme Estates Limited has appealed to the Ontario Municipal Board under subsection 51(43) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from conditions imposed by the Minister of Municipal Affairs and Housing with respect to proposed plan of subdivision on lands composed of Blocks 169, 172, 173, 179 and 180, Plan 33M-292 in the Municipality of Central Elgin
Approval Authority File No. 34-T-01002
OMB File No. S050043

BEFORE:

J. McKENZIE  
VICE-CHAIR  

Wednesday, the 26th day of February, 2014

THIS MATTER having come on for public hearing and the Board having issued its Decision on April 21, 2008 granting approval to the draft plan subject to conditions imposed;

AND THE BOARD having received a request from the applicant, Craigholme Estates Limited, for a three (3) year extension to draft plan approval; and the Board having granted said extension up to and inclusive of April 21, 2014;

AND THE BOARD having received a further request from the applicant for a two (2) year extension to draft plan approval;

AND THE BOARD having received consent of the Council of the Municipality of Central Elgin by letter dated December 18, 2013 for a two (2) year extension; consent of the Council of Elgin County by latter dated January 13, 2014 for a two (2) year extension; and a letter from the Ministry of Municipal Affairs and Housing dated November 19, 2013 confirming that approval authority for subdivision of land has been transferred to the County of Elgin and an email from the Council of Elgin dated March 17, 2014.

Correspondence received from Ontario Municipal
the Ministry of Municipal Affairs and Housing dated January 24, 2014 confirming they no longer have an interest as a party to this matter; and after reviewing the request;

THE BOARD ORDERS that approval for draft plan 34-T-01002 is extended for two (2) years up to and inclusive of April 21, 2016.

SECRETARY
ATTACHED is a certified copy of the decision of the Land Division Committee of the County of Elgin in the matter of an Application E 94/13 for a consent pursuant to Section 53 (17) of the Planning Act, R.S.O. 1990, as amended.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

ANY PERSON or public body may appeal the decision and/or any condition(s) imposed by the Committee to the Ontario Municipal Board by filing with the Secretary-Treasurer of the Land Division Committee, not later than the 27th day of March, 2014, a Notice of Appeal, accompanied by the Board’s fee, in the amount of $125.00 for the first appeal and $25.00 for each further appeal related to the same matter. (N.B. — Certified Cheques or Money Orders are to be made payable to the Minister of Finance). If you wish to appeal, a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca, or for pick-up at the County Municipal Offices, 450 Sunset Drive, St. Thomas.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

ADDITIONAL INFORMATION regarding this application for consent is available for inspection daily, Monday to Friday, between 8:30 A.M. and 1:30 P.M., at the County Municipal Offices, 450 Sunset Drive, St. Thomas.

Please note that these lands are subject to an application for a Zoning By-Law Amendment — Number unknown. For further information regarding this application please contact the Clerk of the Municipality of Central Elgin.

Dated at the Municipality of Central Elgin this 7th day of March 2014.

Susan D. Galloway
Secretary-Treasurer
Land Division Committee
450 Sunset Drive
St. Thomas, Ontario
N5R 5V1

Encl.
c.c.  Glenn Dolmage, Agent
       Municipality of Central Elgin
       Central Elgin Planning Office
       C. Watters, County Engineer
       Kettle Creek Conservation Authority
       Steve Evans, Manager of Planning, County of Elgin
DECISION

In the matter of an application for a consent pursuant to Section 53 (1) of the Planning Act, R.S.O. 1990, as amended, as it affects the following property:

PART LOT 24, CONCESSION 6, MUNICIPALITY OF CENTRAL ELGIN

of a severance of a portion of the above-mentioned premises as shown on a sketch attached to the application of an irregular shaped parcel of land with a frontage of 20.11 metres along Belmont Road, a rear width of 140 metres by a depth of 213 metres (south lot line), Area 3.222 hectares (7.95 acres) containing one vacant church, existing use institutional, proposed use agricultural. The owners are retaining 965.28 square metres containing one house, proposed to remain in residential use.

Consent requested by:  PENTECOSTAL ASSEMBLES OF CANADA

Consent granted to:  ROBINS RIDGE ESTATES LTD.

DECISION:  GRANTED

Conditions:  This decision will expire unless a deed is presented for stamping by:  MARCH 5, 2015.  Providing that the requirements of the Municipality of Central Elgin are met (Severed and retained parcels rezoned for intended use;  The payment of cash in lieu of the dedication of 5% of the land for parkland purposes;  The proponent enter into a development agreement with the Municipality to address administrative, technical and financial matters related to the development of the lot;  A copy of the reference plan be provided to the Municipality;  A drainage reassessment be done, if necessary at the owners expense) and written notice be received from same confirming the conditions prior to stamping the deed.

DEcision

Application #E 94/13

Members concurring in the above ruling:

[Signatures]

Where conditions have been imposed and the applicant has not, within a period of one year from the giving of the notice of decision pursuant to subsection (17) of Section 53 of the Act, fulfilled the conditions, the application for consent shall thereupon be deemed to be refused, but where there is an appeal under subsections (19) or (27), the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of a period of one year from the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under subsection (29) or (33).

CERTIFICATION

I, Susan D. Galloway, Secretary-Treasurer of the Land Division Committee of Elgin, certify that the above is a true copy of the decision of the Land Division Committee with respect to the application recorded herein.

Dated this 5th day of March 2014.

[Signature]

Secretary-Treasurer
Land Division Committee
Queen’s Park  
Toronto, Ontario  

March 5, 2014  

Dianne Wilson  
Deputy Clerk  
Municipality of Central Elgin  
450 Sunset Drive  
St. Thomas, ON N5R 5V1  

Dear Ms. Wilson:  

Re: Resolution on Joint and Several Liability  

On February 27, my private member’s resolution on joint and several liability was debated in the Ontario legislature. I am pleased that the resolution received all-party support, and every MPP who participated in the debate spoke in favour of it.  

I want to sincerely thank the council of the Municipality of Central Elgin for its support of my resolution. Prior to the debate, 187 municipalities submitted written resolutions of support. I am grateful for all of the feedback that I received.  

It is now up to the government to take the feedback they have received and take action by bringing forward a plan that is fair to all concerned.  

Again, I would like to thank the Municipality of Central Elgin for its support in this endeavour.  

Sincerely,  

Randy Pettapiece, MPP  
Perth-Wellington  

Enclosure
MPPs support Pettapiece motion on municipal liability insurance

(Queen's Park) – MPPs today supported a motion calling on the government to reform joint and several liability insurance. Perth-Wellington MPP Randy Pettapiece introduced the motion to protect municipalities facing dramatically higher premiums.

"Taxpayers and their municipalities can't afford premiums that keep growing with no end in sight," said Pettapiece after the debate. "I'm very pleased that MPPs from all parties agreed by supporting my motion."

MPPs supported the motion overwhelmingly, with every speaker supporting it. The motion called on the government to protect taxpayers from higher property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance by June 2014.

Pettapiece received 187 resolutions supporting his initiative from municipalities across Ontario.

"Municipal leaders from our area and across the province have spoken," he said. "I'm pleased that the legislature seems to be listening."

An AMO survey found that municipal insurance premiums have risen 22 percent over the last five years.

In Perth-Wellington, supporters of Pettapiece's motion included the County of Perth; the City of Stratford; the Town of St. Marys; the townships of Mapleton, Wellington North, and Perth South; the Town of Minto; and the municipalities of North Perth and West Perth.

Other supporters included the Association of Municipalities of Ontario (AMO) and the Insurance Bureau of Canada.

"The ball is in the Liberals' court," said Pettapiece. "We recognize it's a complex issue, but it's now up to the government to take the feedback they have already received from municipalities and the legal community, and come up with a plan that is fair to all concerned."

"We need them to do it now, before municipalities have no choice but to pass on further increases to taxpayers," he added, noting that it needs to happen in the current legislative session.

Steven Del Duca, the Liberal MPP for Vaughan, commended Pettapiece on the non-partisan tone of his motion. Wellington-Halton Hills MPP Ted Arnott also praised Pettapiece's actions, calling him persistent and trusted by his constituents.

- 30 -

Attached: Pettapiece resolution background information
Video of Debate: http://pettapiece.ca/?p=2467

Randy Pettapiece, MPP | 519-272-0660 | www.pettapiece.ca
February 28, 2014

Dear Head of Council:

RE: Provincial Policy Statement, 2014

I am pleased to provide you with the new Provincial Policy Statement, 2014 (PPS, 2014) that comes into effect on April 30, 2014.

The PPS, 2014 supports the government’s commitment to building more liveable and resilient communities. It provides a strong and clear foundation for land use planning and development in Ontario.

The new PPS, 2014 brings together all of the government’s policies concerning land use for Ontario. It provides policy direction on matters of provincial interest related to land use planning and development. It is the cornerstone of Ontario’s land use planning system, as all land use decisions are required to be consistent with these policies.

During the review of the Provincial Policy Statement, 2005, the government conducted two rounds of consultations which helped to shape the new policies. I would like to extend our thanks to everyone for their contribution and valuable suggestions which helped to inform the development of the PPS, 2014.

The new policies give better direction for supporting healthy active communities, strong economies and the responsible management of resources in a clean and healthy environment.

The PPS, 2014 recognizes that different regions of the province face different challenges and provides clear direction and additional flexibility to help all communities prosper, including northern and rural communities.

We have also prepared two complementary draft documents for discussion. These highlight the policies in the PPS, 2014 that affect planning in Northern Ontario and rural Ontario, particularly those that have been added or revised since the Provincial Policy Statement, 2005. The discussion period for these documents ends April 25, 2014.
For additional information on the PPS, 2014 and the draft northern and rural documents, please visit our website at Ontario.ca/PPS or call (416) 585-6014.

You may also wish to contact any of the Ministry of Municipal Affairs and Housing’s Municipal Services Offices closest to you:

Central (Toronto): (416) 585-6226 or 1-800-668-0230
Western (London): (519) 873-4020 or 1-800-265-4736
Eastern (Kingston): (613) 545-2100 or 1-800-267-9438
Northern (Sudbury): (705) 546-0120 or 1-800-461-1193
Northern (Thunder Bay): (807) 475-1651 or 1-800-465-5027

We look forward to continuing to work with you as we implement the new policies to support a strong, healthy and prosperous Ontario.

Thank you again for your continuing support in this important initiative.

Sincerely,

Linda Jeffrey  
Minister

Attachments

c. Members of Provincial Parliament
For more copies of this document, in either English or French, please contact:

Ministry of Municipal Affairs and Housing
Provincial Planning Policy Branch
777 Bay Street, 13th Floor
Toronto, ON M5G 2E5
Tel: 416-585-6014 or 1-877-711-8208
Website: Ontario.ca/PPS
Approved by the Lieutenant Governor in Council, Order in Council No. 107/2014

This Provincial Policy Statement was issued under section 3 of the Planning Act and came into effect April 30, 2014. It replaces the Provincial Policy Statement issued March 1, 2005.

Materials may be available to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Please visit the Ministry website at Ontario.ca/PPS for more information.
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Part I: Preamble

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may also affect planning matters, and assist in implementing these interests.

Part II: Legislative Authority

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on April 30, 2014.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Part III: How to Read the Provincial Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.
Read the Entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.
Policies Represent Minimum Standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

Guidance Material

Guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of the Provincial Policy Statement.

Relationship with Provincial Plans

Provincial plans, such as the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe and the Growth Plan for Northern Ontario, build upon the policy foundation provided by the Provincial Policy Statement. They provide land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.
Part IV: Vision for Ontario’s Land Use Planning System

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

Ontario’s rich cultural diversity is one of its distinctive and defining features. The Provincial Policy Statement reflects Ontario’s diversity, which includes the histories and cultures of Aboriginal peoples, and is based on good land use planning principles that apply in communities across Ontario. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their rights and interests.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They also support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

The Province’s natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, and meet its long-term needs.
It is equally important to protect the overall health and safety of the population. The Provincial Policy Statement directs development away from areas of natural and human-made hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.
Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

[g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and

h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.
1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure and public service facilities beyond a 20-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:
   1. efficiently use land and resources;
   2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
   3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
   4. support active transportation;
   5. are transit-supportive, where transit is planned, exists or may be developed; and
   6. are freight-supportive; and

b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:

a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and

b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified 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;
In prime agricultural areas:
1. the lands do not comprise specialty crop areas;
2. alternative locations have been evaluated, and
   i. there are no reasonable alternatives which avoid prime agricultural areas; and
   ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

c) in prime agricultural areas:
   1. the lands do not comprise specialty crop areas;
   2. alternative locations have been evaluated, and
      i. there are no reasonable alternatives which avoid prime agricultural areas; and
      ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario’s rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario’s natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;
b) promoting regeneration, including the redevelopment of brownfield sites;
c) accommodating an appropriate range and mix of housing in rural settlement areas;
d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
e) using rural infrastructure and public service facilities efficiently;
f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

h) conserving biodiversity and considering the ecological benefits provided by nature; and

i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On rural lands located in municipalities, permitted uses are:

   a) the management or use of resources;
   b) resource-based recreational uses (including recreational dwellings);
   c) limited residential development;
   d) home occupations and home industries;
   e) cemeteries; and
   f) other rural land uses.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

 Territory Without Municipal Organization

On rural lands located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).

Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The establishment of new permanent townsites shall not be permitted.

In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:

a) the area forms part of a planning area;
b) the necessary infrastructure and public service facilities are planned or available to support the development and are financially viable over their life cycle; and
c) it has been determined, as part of a comprehensive review, that the impacts of development will not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions and/or the Province.

Coordination

A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
a) managing and/or promoting growth and development;
b) economic development strategies;
c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
d) infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems;
e) ecosystem, shoreline, watershed, and Great Lakes related issues;
f) natural and human-made hazards;
g) population, housing and employment projections, based on regional market areas; and
h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement.

1.2.2 Planning authorities are encouraged to coordinate planning matters with Aboriginal communities.

1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

a) identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect provincial plans where these exist;
b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
c) identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8;
d) where transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and

e) identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.
1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
d) ensuring the necessary infrastructure is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.2 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

1.3.2.4 Planning authorities may plan beyond 20 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.
1.4 Housing

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and

b) the allocation of population and units by the upper-tier municipality shall be based on and reflect provincial plans where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

b) permitting and facilitating:
   1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
   2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use
of active transportation and transit in areas where it exists or is to be developed; and
e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
c) providing opportunities for public access to shorelines; and
d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning 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.

1.6.2 Planning authorities should promote green infrastructure to complement infrastructure.
Before consideration is given to developing new infrastructure and public service facilities:

a) the use of existing infrastructure and public service facilities should be optimized; and
b) opportunities for adaptive re-use should be considered, wherever feasible.

Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services.

Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

### Sewage, Water and Stormwater

Planning for sewage and water services shall:

a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:
   1. municipal sewage services and municipal water services; and
   2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;

b) ensure that these systems are provided in a manner that:
   1. can be sustained by the water resources upon which such services rely;
   2. is feasible, financially viable and complies with all regulatory requirements; and
   3. protects human health and the natural environment;

c) promote water conservation and water use efficiency;

d) integrate servicing and land use considerations at all stages of the planning process; and

e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5.

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Where municipal sewage services and municipal water services are not provided, municipalities may allow the use of private communal sewage services and private communal water services.
1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.

1.6.6.5 Partial services shall only be permitted in the following circumstances:

a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or

b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5 planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

1.6.6.7 Planning for stormwater management shall:

a) minimize, or, where possible, prevent increases in contaminant loads;

b) minimize changes in water balance and erosion;

c) not increase risks to human health and safety and property damage;

d) maximize the extent and function of vegetative and pervious surfaces; and

e) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

1.6.7 Transportation Systems

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

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1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

1.6.7.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

1.6.8 Transportation and Infrastructure Corridors

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.

1.6.8.2 Major goods movement facilities and corridors shall be protected for the long term.

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.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and infrastructure facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:

a) their long-term operation and economic role is protected; and
b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 **Airports** shall be protected from incompatible land uses and development by:

a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP;

b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport; and

c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 **Waste Management**

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.

*Waste management systems* shall be located and designed in accordance with provincial legislation and standards.

1.6.11 **Energy Supply**

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

1.6.11.2 Planning authorities should promote *renewable energy systems* and *alternative energy systems*, where feasible, in accordance with *provincial and federal requirements*.

1.7 **Long-Term Economic Prosperity**

1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;
b) optimizing the long-term availability and use of land, resources, *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities*;

c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;

e) promoting the redevelopment of *brownfield sites*;

f) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;

g) providing opportunities for sustainable tourism development;

h) providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts;

i) promoting energy conservation and providing opportunities for development of *renewable energy systems* and *alternative energy systems*, including district energy;

j) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and

k) encouraging efficient and coordinated communications and telecommunications infrastructure.

### 1.8 Energy Conservation, Air Quality and Climate Change

#### 1.8.1
Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;

b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;

d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities* and *marine facilities*;

e) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

f) promote design and orientation which:
1. maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and
2. maximizes opportunities for the use of renewable energy systems and alternative energy systems; and
   g) maximize vegetation within settlement areas, where feasible.
2.0 Wise Use and Management of Resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

2.1.4 Development and site alteration shall not be permitted in:

a) significant wetlands in Ecoregions 5E, 6E and 7E1; and
b) significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:

a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;
c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;
d) significant wildlife habitat;
e) significant areas of natural and scientific interest; and
f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

1 Ecoregions 5E, 6E and 7E are shown on Figure 1.
2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

2.1.9 Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.

2.2 Water

2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:

a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;

b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;

c) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;

d) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;

e) implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas; and

2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;

f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;

g) ensuring consideration of environmental lake capacity, where applicable; and
ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

2.3 Agriculture

2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

2.3.2 Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time.

2.3.3 Permitted Uses

2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.
2.3.4 Lot Creation and Lot Adjustments

Lot creation in prime agricultural areas is discouraged and may only be permitted for:

a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;

b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
   1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
   2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and

d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

2.3.4.3 The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c).

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 1.1.3.8.

2.3.6 Non-Agricultural Uses in Prime Agricultural Areas

2.3.6.1 Planning authorities may only permit non-agricultural uses in prime agricultural areas for:

a) extraction of minerals, petroleum resources and mineral aggregate resources, in accordance with policies 2.4 and 2.5; or
b) limited non-residential uses, provided that all of the following are demonstrated:
   1. the land does not comprise a specialty crop area;
   2. the proposed use complies with the minimum distance separation formulae;
   3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
   4. alternative locations have been evaluated, and
      i. there are no reasonable alternative locations which avoid prime agricultural areas; and
      ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

2.4 Minerals and Petroleum

2.4.1 Minerals and petroleum resources shall be protected for long-term use.

2.4.2 Protection of Long-Term Resource Supply

2.4.2.1 Mineral mining operations and petroleum resource operations shall be identified and protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 Known mineral deposits, known petroleum resources and significant areas of mineral potential shall be identified and development and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

   a) resource use would not be feasible; or
   b) the proposed land use or development serves a greater long-term public interest; and
   c) issues of public health, public safety and environmental impact are addressed.
2.4.3 Rehabilitation

2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

2.4.4 Extraction in Prime Agricultural Areas

2.4.4.1 Extraction of minerals and petroleum resources is permitted in prime agricultural areas provided that the site will be rehabilitated.

2.5 Mineral Aggregate Resources

2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.

2.5.2 Protection of Long-Term Resource Supply

2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

2.5.2.3 Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.
2.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or
b) the proposed land use or development serves a greater long-term public interest; and
c) issues of public health, public safety and environmental impact are addressed.

2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.3.2 Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

2.5.3.3 In parts of the Province not designated under the Aggregate Resources Act, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

2.5.4 Extraction in Prime Agricultural Areas

2.5.4.1 In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.

Complete rehabilitation to an agricultural condition is not required if:

a) outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;

b) in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;

other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources
on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and

d) agricultural rehabilitation in remaining areas is maximized.

2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

2.5.5.1 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 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.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.
3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Accordingly:

3.1 Natural Hazards

3.1.1 Development shall generally be directed to areas outside of:

a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;

b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and

c) hazardous sites.

3.1.2 Development and site alteration shall not be permitted within:

a) the dynamic beach hazard;

b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);

c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and

d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.
3.1.4 Despite policy 3.1.2, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems:

a) in those exceptional situations where a Special Policy Area has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or

b) where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;

b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or

c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

3.1.6 Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;

b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

c) new hazards are not created and existing hazards are not aggravated; and

d) no adverse environmental impacts will result.
3.1.8 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

3.2 Human-Made Hazards

3.2.1 Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.
4.0 Implementation and Interpretation

4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.

4.2 In accordance with section 3 of the Planning Act, a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.

4.4 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.

4.6 This Provincial Policy Statement shall be implemented in a manner that is consistent with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

4.7 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.
In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

4.8 Zoning and development permit by-laws are important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.

4.9 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.

4.10 A wide range of legislation, regulations, policies, and plans may apply to decisions with respect to Planning Act applications. In some cases, a Planning Act proposal may also require approval under other legislation or regulation, and policies and plans issued under other legislation may also apply.

4.11 In addition to land use approvals under the Planning Act, infrastructure may also require approval under other legislation and regulations. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation.

There may be circumstances where land use approvals under the Planning Act may be integrated with approvals under other legislation, for example, integrating the planning processes and approvals under the Environmental Assessment Act and the Planning Act, provided the intent and requirements of both Acts are met.

4.12 Provincial plans shall be read in conjunction with this Provincial Policy Statement and take precedence over policies in this Provincial Policy Statement to the extent of any conflict, except where legislation establishing provincial plans provides otherwise. Examples of these are plans created under the Niagara Escarpment Planning and Development Act, the Ontario Planning and Development Act, 1994, the Oak Ridges Moraine Conservation Act, 2001, the Greenbelt Act, 2005 and the Places to Grow Act, 2005.

4.13 Within the Great Lakes - St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes - St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario, Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.
4.14 The Province, in consultation with municipalities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

4.15 Municipalities are encouraged to establish performance indicators to monitor the implementation of the policies in their official plans.
5.0 Figure 1

Figure 1. Natural Heritage Protection Line

- Northern limit of Ecoregions* SE, SE and TE for the purposes of policies under 2.1
- Northern limit of Ecoregions* SE and TE for the purposes of policies under 2.1

Ecoregions* SE and TE for the purposes of policies under 2.1

Notes:

6.0 Definitions

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards*, *erosion hazards* and/or other water-related hazards.

**Active transportation:** means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Adjacent lands:** means

a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;

b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a negative impact on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and

d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

**Adverse effects:** as defined in the *Environmental Protection Act*, means one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;

b) injury or damage to property or plant or animal life;

c) harm or material discomfort to any person;

d) an adverse effect on the health of any person;

e) impairment of the safety of any person;

f) rendering any property or plant or animal life unfit for human use;

g) loss of enjoyment of normal use of property; and

h) interference with normal conduct of business.

**Affordable:** means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or

2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

**Agricultural condition:** means

a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and

b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

**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.

**Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Airports:** means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy system:** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:** includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Areas of archaeological potential:** means areas with the likelihood to contain archaeological resources. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

**Areas of mineral potential:** means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resource:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

**Coastal wetland:** means

a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or

b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Comprehensive rehabilitation:** means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations.

**Comprehensive review:** means

a) for the purposes of policies 1.1.3.8 and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;

2. utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;

3. is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;

5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and

6. considers cross-jurisdictional issues.

b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:

1. addresses long-term population projections, infrastructure requirements and related matters;

2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and

3. considers cross-jurisdictional issues.

In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated and available for the purposes of this definition.

Designated growth areas: means lands within settlement areas designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet
been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:

a) activities that create or maintain infrastructure authorized under an environmental assessment process;
b) works subject to the Drainage Act; or
c) for the purposes of policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion SE, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official Species at Risk list, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the Fisheries Act, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flood plain: for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions,
where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the one hundred year flood; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;
except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth’s subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means
a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.
Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

a) redevelopment, including the reuse of brownfield sites;

b) the development of vacant and/or underutilized lots within previously developed areas;

c) infill development; and

d) the expansion or conversion of existing buildings.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.
**Low and moderate income households:** means 
a) in the case of ownership housing, households with incomes in the lowest 60 percent of the 
income distribution for the regional market area; or 
b) in the case of rental housing, households with incomes in the lowest 60 percent of the 
income distribution for renter households for the regional market area.

**Major facilities:** means facilities which may require separation from sensitive land uses, 
including but not limited to airports, 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.

**Marine facilities:** means ferries, harbours, ports, 
ferry terminals, canals and associated uses, 
including designated lands for future marine facilities.

**Mine hazard:** means any feature of a mine as 
declared under the Mining Act, or any related 
disturbance of the ground that has not been 
rehabilitated.

**Minerals:** means metallic minerals and non-
metallic minerals as herein defined, but does not 
include mineral aggregate resources or petroleum resources.

Metallic minerals means those minerals from 
which metals (e.g. copper, nickel, gold) are 
derived.

Non-metallic minerals means those minerals that 
are of value for intrinsic properties of the minerals 
themselves and not as a source of metal. They are 
generally synonymous with industrial minerals 
(e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:** means 
a) lands under license or permit, other than for 
wayside pits and quarries, issued in 
accordance with the Aggregate Resources Act; 
b) for lands not designated under the Aggregate 
Resources Act, established pits and quarries 
that are not in contravention of municipal 
zoning by-laws and including adjacent land 
derelated to under agreement with or owned by the 
operator, to permit continuation of the 
operation; and 
c) associated facilities used in extraction, 
transport, beneficiation, processing or 
recycling of mineral aggregate resources and 
derived products such as asphalt and 
concrete, or the production of secondary 
related products.

**Mineral aggregate resources:** means gravel, sand, 
clay, earth, shale, stone, limestone, dolostone, 
sandstone, marble, granite, rock or other material 
prescribed under the Aggregate Resources Act 
suitable for construction, industrial, manufacturing 
and maintenance purposes but does not include 
metallic ores, asbestos, graphite, kyanite, mica, 
nepheline syenite, salt, talc, wollastonite, mine 
tailings or other material prescribed under the 
Mining Act.

**Mineral aggregate resource conservation:** means 
a) the recovery and recycling of manufactured 
materials derived from mineral aggregates 
(e.g. glass, porcelain, brick, concrete, asphalt, 
slag, etc.), for re-use in construction, 
manufacturing, industrial or maintenance 
projects as a substitute for new mineral 
aggregates; and 
b) the wise use of mineral aggregates including 
utilization or extraction of on-site mineral 
aggregate resources prior to development 
occuring.

**Mineral deposits:** means areas of identified 
minerals that have sufficient quantity and quality 
based on specific geological evidence to warrant 
present or future extraction.

**Mineral mining operation:** means mining 
operations and associated facilities, or, past 
producing mines with remaining mineral 
development potential that have not been 
permanently rehabilitated to another use.
Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

Natural heritage features and areas: means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. 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.

Negative impacts: means
a) in regard to policy 1.6.6.4 and 1.6.6.5, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;

b) in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

c) in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and

d) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

Normal farm practices: means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.
One hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means
a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means
a) municipal sewage services or private communal sewage services and individual on-site water services; or
b) municipal water services or private communal water services and individual on-site sewage services.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial plans, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ontario Ministry of Transportation is actively pursuing the identification of a corridor. Approaches for the protection of planned corridors may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility
a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure
a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that serves six or
more lots or private residences and is not owned by a municipality.

**Private communal water services:** means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

**Protected heritage property:** means property designated under Parts IV, V or VI of the *Ontario Heritage Act;* property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act;* property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

**Protection works standards:** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

**Provincial and federal requirements:** means

a) in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;

b) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including fish and fish habitat), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

c) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

**Provincial plan:** means a provincial plan within the meaning of section 1 of the *Planning Act.*

**Public service facilities:** means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities do not include infrastructure.*

**Quality and quantity of water:** is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

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

**Recreation:** means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites.*

**Regional market area:** refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area.* However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

**Renewable energy source:** means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

**Renewable energy system:** means a system that generates electricity, heat and/or cooling from a *renewable energy source.*

**Reserve sewage system capacity:** means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for
private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the Nutrient Management Act, or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:
   a) redevelopment, including the redevelopment of brownfield sites;
   b) the development of vacant or underutilized lots within previously developed areas;
   c) infill development;
   d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
   e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside settlement areas and which are outside prime agricultural areas.

Sensitive: in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

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.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:
   a) built up areas where development is concentrated and which have a mix of land uses; and
   b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

Sewage and water services: includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

Significant: means
   a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time; and
   b) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;
c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;

d) in regard to mineral potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Special Policy Area: means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;

b) farmers skilled in the production of specialty crops; and

c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Surface water feature: means water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources’ official Species at Risk list, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable and improves the quality of the experience of using
transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park’ n’ ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to flood plain management where the flood plain is differentiated in two parts: the floodway and the flood fringe.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the Forestry Act definition or the Province’s Ecological Land Classification system definition for “forest.”
Date: March 4, 2014

TO: His Worship the Mayor and Council

PREPARED BY: Steve Craig, Sr. Planning Technician
Central Elgin Planning Department

SUBJECT: Application for a Consent No. E5/14 – Gotzmieister Farms Limited
6174 Pulley Road

ATTACHMENTS: Location Plan
TO COUNCIL: March 17, 2014

Recommendation:
That Report CEP.11.14 be received for information;

And That: Should Council pass a resolution in support of consent application E5/14 to the Land Division Committee, staff recommends the following conditions:

- approval of a zoning by-law amendment to prohibit any new residential dwellings on the retained lands and bring the existing development on the severed lands into conformity with the zoning by-law;
- confirmation from the building official for the Municipality of Central Elgin that the severed lot complies with the Minimum Distance Separation requirements of the zoning by-law;
- the payment of cash-in-lieu of the dedication of 5% of the land for parkland purposes, and
- a copy of the reference plan be provided to the Municipality of Central Elgin.

Background:
Consent application E5/14 has been filed for the purpose of creating a lot containing a residence surplus to a farm operation.

Location:
The subject lands are located on the north east corner of Sparta Line and Pulley Road. The lands are described as, Concession 4, South Part of Lot 27 and 28, Municipality of Central Elgin.

Proposal:
Gotzmieister Farms Limited through consent application E5/14, is proposing to sever a parcel of land with frontage of 91.44m on Sparta Line, 121.9m on Pulley Road and an area of 11,146.53m², containing one dwelling, two barns and one greenhouse. It is proposed that the lands to be severed will be used for rural residential purposes. The applicant is proposing to retain a vacant parcel of land with frontage of 320.06m on Sparta Line, 640.1m on Pulley Road and an area of 30.24 hectares. It is proposed that the lands to be retained will continue to be used for agricultural purposes.

Staff Report

1. Official Plan
- The subject lands are located within the Agricultural, Natural Heritage and Natural Hazard designation in accordance with Schedule “A” – Land Use Plan to the Municipality of Central Elgin Official Plan.
- The Agricultural policies (Section 4.1) of the Official Plan permit a variety of agricultural activities. The Agricultural consent policies (Subsection 4.1.4) of the Plan provide that a consent for the purpose of creating a lot containing a residence surplus to a farm operation is permitted within the Agricultural designation.

Central Elgin Planning Office

Report No.: CEP-11-14

Application for a Consent
No. E5/14 - Gotzmieister

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A residence surplus to a farm operation dwelling is defined as an existing farm residence that is rendered surplus as a result of a farm consolidation. Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation. The following criteria shall apply:

1. The lot containing the residence surplus to a farm operation:
   a) Shall be in compliance with the regulations of the applicable zoning by-law;
   b) Shall be in compliance with the Municipality's property standards by-law;
   c) Shall be in compliance with the Municipality's property standards by-law;
   d) Shall not contain any buildings or structures deemed unsafe in accordance with the Ontario Building Code Act or its successor.

2. The lot that is being consolidated into the farm operation:
   a) Shall be in compliance with the regulations of the applicable zoning by-law for farm use;
   b) Shall be subject to alternative measures as deemed necessary by Council to ensure that no new dwelling unit is permitted.
   c) Shall be subject to alternative measures as deemed necessary by Council to ensure that no new dwelling unit is permitted.

3. Council may request that an applicant provide evidence as to the nature of the existing farm operation, including but not necessarily limited to applicable membership in a farm organization and/or evidence of farm business registration in accordance with the Farm Registration and Farm Organizations Funding Act, 1983 or its successor.

   a) The Natural Heritage policies (Section 3.1) of the Plan permit passive open space, walking/biking trails, forest and resource management uses, conservation uses, erosion and flood control, low-intensity public and private recreation uses, existing agricultural uses, necessary public utilities and services, and accessory buildings and structures thereon.
   b) The Natural Hazard policies (Section 3.2) provide that the Natural Hazards designation is not a specific land use category, but shall be interpreted as a performance category in which the Natural Hazard policies apply in conjunction with the policies of the underlying land use designation.
   c) Schedule "A1" – Roads Classification and Widening Plan to the Municipality of Central Elgin Official Plan has identified Pulley Road as a road for widening in accordance with the Road Widening policies of the Plan.

2. Zoning By-Law
   a) The subject lands are located within the Open Space Zone 1 (OS1) of the Township of Yarmouth Zoning By-Law 1998, as amended.
   b) The regulations of the Open Space Zone 1 (OS1) permit farm use, rural-residential use, institutional use, home occupations and accessory uses.
   c) The minimum lot area required for farm use is 10.11 hectares and the minimum lot frontage required is 30.48m.
   d) The minimum lot area required for rural residential use 1,856m², and the minimum lot frontage required is 30.48m.

3. County of Elgin Official Plan:
   a) The subject lands are located within the Agricultural Area designation in accordance with Schedule "A" - Land Use, to the County of Elgin Official Plan. In accordance with intent of the Official Plan to maintain and protect the agricultural resource of the County and direct the majority of new residential growth to settlement areas or existing vacant building lots, new lots may be permitted if the local Official Plan supports their creation and if:
      a) the lot is to be severed to create a new farm lot and both the retained and severed parcels each have a lot area of about 40 hectares as established in the local planning documents; or,
      b) the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farm land created by consent to sever, unless the retained parcel is the product of the merging in title of two adjacent agricultural parcels in which case a dwelling unit would be permitted as part of the operation; or,
      c) the lot is required for an agricultural-related use, as outlined in Section C2.2 of the Plan, provided the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services.

Comments:
- A zoning by-law amendment is required to prohibit any new residential dwellings on the retained lands and bring the existing development on the severed lands into conformity with the zoning by-law.
- There is a livestock barn located within 300m of the subject lands. Confirmation from the building official for the Municipality of Central Elgin is required to confirm that the severed lot complies with the Minimum Distance Separation requirements of the zoning by-law.
- The Director of Physical Services has confirmed that a road widening is not required along Pulley Road.

Respectfully submitted:

[Signature]
Sr. Planning Technician

[Signature]
CEO/Clerk

Central Elgin Planning Office

Report No.: CEP-11-14

Application for a Consent
No. E5/14 - Gotzmeister

Page 98 of 117
TO: His Worship the Mayor and Council

PREPARED BY: Jim McCoomb, Planner
Central Elgin Planning Department

SUBJECT: Application to Amend the Village of Belmont By-law 91-21 – 8655720 Ontario Inc., 143 Borden Avenue


TO COUNCIL: March 17th, 2014

RECOMMENDATION:

THAT Report CEP.17.14 be received;

AND THAT Council, pursuant to Section 34(10.4) of the Planning Act, R.S.O., 1990 as amended, directs the Clerk to notify the applicant (8655720 Ontario Inc.) that the information and material required under Subsections 34(10.1) and (10.2) of the Act has not been provided and the application is thereby not considered complete;

AND FURTHER THAT direction be given by Council for staff to consult with the applicant on the material and documentation required to be submitted in order to make the application complete.

ANALYSIS:

1) Location:
The subject lands, which are located on the south side of Borden Avenue, west of Belmont Road, have approximately 174.8 metres of frontage on Borden Avenue and are approximately 66,707.1 m² (16.48 acres) in lot area (see location plan).
Location Plan). Municipally known as 143 Borden Avenue, they may be legally described as being North Part of Lot 16 and Part of the Road Allowance between Lots 16 and 17, Concession 15, geographic Township of Yarmouth, now Municipality of Central Elgin.

2) Proposal: The applicant (8655720 Ontario Inc.) has applied for an amendment to the Village of Belmont Zoning By-law 91-21. The applicant filed an application with the Elgin County Land Division Committee in 2013 (LDC Application E63/13, see Report No. CEP45-13 in the September 16th, 2013 Planning Agenda) to sever the property known as 143 Borden Avenue into three lots. The subject lands comprise the westerly parcel from consent Application E63/13. These lands were placed in the Commercial - Industrial designation in the new Municipality of Central Elgin Official Plan. The applicant is seeking an amendment to the zoning by-law to permit Commercial - Industrial use, in keeping with the principle of use established in the new Official Plan.

Staff Comments: The applicants are currently marketing the subject lands for sale and do not have any specific development plan or use proposed. There is no site plan or background studies prepared that supports any specific development scenario for the subject lands. The application therefore amounts to pre-zoning the land for a fairly broad range of uses with no assessment as to the potential impacts the uses may have on matters such as traffic, services and compatibility with nearby existing uses.

The applicant is requesting that the Industrial Commercial (MC) zone from the Village of Belmont Zoning By-law 91-21 be applied to the subject lands. This zone would permit any use from the General Industrial (M) zone (manufacturing, warehousing, storage of goods, body shop, building supply yard, accessory business offices, fuel depot, industrial uses, motor vehicle repair, municipal works yard, warehouse) as well as business and professional offices, printing shop, custom workshops, showrooms and personal service shops. This broad range of uses includes some potential heavy traffic generators and uses that could impact services in terms of water supply and/or sewage capacity (both treatment and sewer capacity). There has been neither pre-consultation with the Municipality on this proposal, nor any supporting documentation to assess potential impacts and mitigation measures (i.e. traffic impact report, servicing report, planning impact analysis, environmental soils report, etc.). Staff has advised the applicant's planning consultant that the application is not complete relative to supporting documentation. The idea of the use of holding provisions to ensure that technical considerations supporting future development are satisfied before development takes place was discussed. However, in review of the potential impacts associated with the range of uses proposed and the Official Plan's policies regarding complete applications, staff are of the opinion that it would not be in the public interest to proceed with processing the application and setting a public meeting date without further information to support the proposal.

Staff are not suggesting the application be rejected by Council. Only that Council advise the applicant that it does not consider the application complete and that the Municipality is willing to consult further with the applicant and their consultants to identify the additional information that would be required in order to complete the application.

Respectfully submitted:

Jim McCooomb
Planer

Approved for submission:

Donald N. Leitch
CAO/Clerk

Central Elgin Planning Office

Report No.: CEP-17-14

Application to Amend the Village of Belmont By-law
Dianne Wilson, Deputy Clerk  
Municipality of Central Elgin  
450 Sunset Drive, 1st Floor  
St. Thomas, Ontario N5R 5V1

Jim McCoomb, Senior Planner  
Central Elgin Planning Office  
City of St. Thomas  
9 Mondamin Street  
St. Thomas, On

February 11, 2014

Subject: Application for Zoning By-law Amendment  
Rezoning of Neighbourhood Development Lands to INDUSTRIAL COMMERCIAL "MC" ZONE  
On lands at 143 Borden Avenue, Belmont ON  
By 8655720 Ontario Inc. (Kevin Fellner and Lloyd Boughner)

Dear Dianne and Jim:

Please find enclosed the Zoning By-law Amendment Application for the westerly 6.6 ha (16.3 acres) portion of the 143 Borden Avenue lands, the owner’s letter of authorization, a $750 cheque for the Zoning By-law Amendment Application fee, and attachments that help to explain the background of this application.

Background

The subject lands were part of the original land holdings comprising 143 Borden Avenue (see Elgin County Land Division Committee Decision E63/13). The lands are zoned Neighbourhood Development (ND) but are designated “Commercial-Industrial”. These lands are vacant and undeveloped. The proponent wishes to rezone the said Neighbourhood Development lands for Industrial Commercial (MC) to permit a broad range of industrial land uses and selected commercial uses.

These lands can be fully serviced and proximity to the Hwy 401 is likely to attract investors that will in turn contribute to the employment and economic yield.

The MC Zone requires a minimum lot frontage of 30.5m and a minimum lot area of 1000.0m². The subject lands have a lot frontage of 174.6m and a lot area of 66707.1m².
As such, the subject lands which have access to full municipal servicing should be able to accommodate the industrial uses discussed above.

Central Elgin Official Plan (OP)
The OP designates these lands and lands beyond, as COMMERCIAL INDUSTRIAL, and section 4.3.1 permit space extensive commercial uses and light industrial activities. The most corresponding implementing zone from the Zoning Bylaw is the INDUSTRIAL COMMERCIAL (MC) ZONE.

Provincial Policy Statement 2005 (PPS)
Sections 1.1, 1.3, and 1.7 related to the efficient use of land and resources, employment lands, and long-term prosperity are all helped by the subject rezoning application respectively.

Conclusion
Given the proposed rezoning is in conformity with the Central Elgin Official Plan, and is consistent with Provincial interests (Provincial Policy Statement 2005), the proposal represents sound land use planning that would contribute to the economic vitality of Central Elgin.

Should you have any questions, or require additional information, do not hesitate to contact me. I look forward to working with you in the next steps of the planning approvals process for this proposal.

Sincerely,

Kirkness Consulting Inc. Urban and Rural Planning
Per: Laverne Kirkness, BES.RPP.MCIP.

attached: Subject Lands Sketch
Elgin County Land Division Committee Decision E63/13
Zoning By-law Application

cc: 8655720 Ontario Inc.
New Industrial Parcel: Parts 1, 2, 3, 4, 5
- "Commercial-Industrial" designation
- Neighbourhood Development (ND) Zone

LANDS TO BE REZONED FROM Neighbourhood Development (ND) TO Industrial-Commercial I (MC)
The Corporation of the Municipality of Central Elgin

REPORT

DATE: March 12, 2014
TO: His Worship the Mayor and Council
PREPARED BY: Steve Craig, Sr. Planning Technician, Central Elgin Planning Department
SUBJECT: Application for a Consent No. E10/14 – Walter Hayhoe 6569 Sunset Road
ATTACHMENTS: Location Plan
TO COUNCIL: March 17, 2014

RECOMMENDATION:
THAT: Report CEP.18.14 be received for information;
AND THAT: Should Council pass a resolution in support of consent application E10/14 to the Land Division Committee, staff recommends the following conditions:
- the lot frontage for the severed lands be brought into conformity with the zoning by-law;
- the Solicitor for the applicant providing confirmation to the satisfaction of the Municipality of Central Elgin that Parts 1, 2, 3, 4, and part of Part 5 are merged in title;
- the payment of cash-in-lieu of the dedication of 5% of the land for parkland purposes; and
- a copy of the reference plan be provided to the Municipality of Central Elgin.

Background:
Consent application E10/14 has been filed for the purpose of creating one new rural residential building lot containing one rural residential dwelling. The balance of the lands will continue to be used for agricultural purposes.

Location:
The subject lands are located on the south west corner of Fruit ridge Line and Sunset Road. The lands are described as, Concession 4, Part of Lot 3 and 4, Municipality of Central Elgin.

Proposal:
Walter Hayhoe through consent application E10/14, is proposing to sever a lot with frontage of 25m on Sunset Road and an area of 3.10 hectares, containing one rural residential dwelling. It is proposed that the lot to be severed will be used for rural residential purposes. The applicant is proposing to retain a lot with frontage of 675.6m on Sunset Road, 401.2m on Fruit Ridge Line and an area of 39.1 hectares, containing on barn. It is proposed that the lot to be retained will continue to be used for agricultural purposes.

Staff Report
1. Official Plan
   - The subject lands are located within the Agricultural and Residential designation in accordance with Schedule “F” – Community of Union Land Use Plan to the Municipality of Central Elgin Official Plan.
   - The Community of Union is located in the south central area of the Municipality, approximately half way between the Community of Port Stanley and the City of St. Thomas. It is almost exclusively residential in terms of land use, with the exception of a strip along the east side of Sunset Road comprised of a mix of commercial and light industrial uses.
3. County of Elgin Official Plan:
   - The subject lands are located within the "Tier 2 Settlement Area" designation in accordance with Schedule "A" - Land Use, to the County of Elgin Official Plan.
   - Settlement Areas are the focus of urban development in the County Plan and within Tier 2 Settlement Areas limited development is permitted in these settlement areas given the absence of full municipal services. Development on partial services is permitted to allow for infilling and rounding out of existing development provided that:
     a) The proposed development is within the reserve sewage capacity sewage system capacity and reserve water system capacity; and
     b) Site conditions are suitable for the long-term provision of such services.

Comments:
   - According to the applicant Part 1, 2, 3, 4 and 5 on the proposed plan accompanying the application are merged in title. Approval of the application should be conditional on the Solicitor for the applicant providing confirmation of such, to the satisfaction of the Municipality of Central Elgin.

Respectfully submitted:

Steve Craig
Sr. Planning Technician

Approved for submission:

Donald N. Leitch
CAO/Clerk
The Corporation of the Municipality of Central Elgin

REPORT

DATE: March 12, 2014
TO: His Worship the Mayor and Council
PREPARED BY: Steve Craig, Sr. Planning Technician
Central Elgin Planning Department
SUBJECT: Application for a Consent No. E11/14 — A.F Kosynski Farms Ltd. — Frank Hough
43746 Dexter Line
ATTACHMENTS: Location Plan
TO COUNCIL: March 17, 2014

RECOMMENDATION:

THAT: Report CEP.19.14 be received for information;

AND THAT: Should Council pass a resolution in support of consent application E11/14 to the Land Division Committee, staff recommends the following conditions:
- the lot frontage for the severed lands be brought into conformity with the zoning by-law;
- the payment of cash-in-lieu of the dedication of 5% of the land for parkland purposes; and
- a copy of the reference plan be provided to the Municipality of Central Elgin.

Background:
Consent application E11/14 has been filed for the purpose of creating a lot containing a residence surplus to a farm operation.

Location:
The subject lands are located on the north side of Dexter Line, east of Fairview Road. The lands are described as, Concession 2, South Part of Lot 8 and 9, Municipality of Central Elgin.

Proposal:
A.F Kosynski Farms Ltd. through consent application E11/14, is proposing to sever a lot with frontage of 25m on Dexter Line, a depth of 268m and an area of 9,065.28m², containing one rural residential dwelling and one garage. It is proposed that the lot to be severed will be used for rural residential purposes. The applicant is proposing to retain a lot with frontage of 705m on Dexter Line, and an area of 61.51ha, containing one rural residential dwelling, three barns and one greenhouse. It is proposed that the lot to be retained will continue to be used for agricultural purposes.

Staff Report
1. Official Plan
- The subject lands are located within the Agricultural designation in accordance with Schedule "A" — Land Use Plan to the Municipality of Central Elgin Official Plan.
- The Agricultural policies of the Official Plan permit a variety of agricultural activities.
The Agricultural consent policies of the Plan provide that a consent for the purpose of creating a lot containing a residence surplus to a farm operation is permitted within the Agricultural designation. A residence surplus to a farm operation dwelling is defined as an existing farm residence that is rendered surplus as a result of a farm consolidation.

Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation. The following criteria shall apply:

1. The lot containing the residence surplus to a farm operation:
   - Shall be in compliance with the regulations of the applicable zoning by-law;
   - Should generally be no larger than what is required to meet the minimum requirements to provide access and satisfy the servicing policies as outlined in Subsection 2.8 of the Plan. Exceptions may be considered based on individual site circumstances. The loss of any additional productive farmlands will be avoided;
   - Shall be in compliance with the Municipality’s property standards by-law;
   - May contain accessory farm buildings and structures that are not deemed to be livestock facilities; and
   - Shall not contain any buildings or structures deemed unsafe in accordance with the Ontario Building Code Act or its successor.

2. The lot that is being consolidated into the farm operation:
   - Shall be in compliance with the regulations of the applicable zoning by-law for farm use;
   - Shall be rezoned to prohibit any new residential dwelling unit; and
   - May be subject to alternative measures as deemed necessary by Council to ensure that no new dwelling unit is permitted.

3. Council may request that an applicant provide evidence as to the nature of the existing farm operation, including but not necessarily limited to applicable membership in a farm organization and/or evidence of farm business registration in accordance with the Farm Registration and Farm Organizations Funding Act, 1993 or its successor.

- The wooded areas on the subject lands are within the Natural Heritage designation. The Natural Heritage policies of the Plan permit passive open space, walking/biking trails, forest and resource management uses, conservation uses, erosion and flood control, low-intensity public and private recreation uses, existing agricultural uses, necessary public utilities and services, and accessory buildings and structures thereto.

- Part of the wooded area is also within the Natural Hazards overlay designation. Permitted uses within the Natural Hazards designation are the same as those within the underlying land use designation, subject to the Natural Hazards policies of the Plan. No buildings or structures are permitted within the Natural Hazards designation without the approval of the Municipality and the conservation authority having jurisdiction in the area.

- Dexter Line is a County Road in accordance with Schedule "A" - Roads Classification and Widening Plan to the Municipality of Central Elgin Official Plan. Detailed policies and guidelines for the County road network are found in the County Roads Master Plan.

2. Zoning By-Law

- The subject lands are located within the Open Space Zone 1 (OS1) of the Township of Yarmouth Zoning By-Law 1998, as amended. The regulations of the Open Space Zone 1 (OS1) permit farm use, rural-residential use, institutional use, home occupations and accessory uses.

- The minimum lot area required for farm use is 10.11 hectares and the minimum lot frontage required is 30.48m.

- The minimum lot area required for rural residential use is 1,856 m², and the minimum lot frontage required is 30.48m.

3. County of Elgin Official Plan:

- The subject lands are located within the Agricultural Area designation in accordance with Schedule "A" - Land Use, to the County of Elgin Official Plan. In accordance with intent of the Official Plan to maintain and protect the agricultural resource of the County and direct the majority of new residential growth to settlement areas or existing vacant building lots, new lots may be permitted if the local Official Plan supports their creation and if:
  a) the lot is to be severed to create a new farm lot and both the retained and severed parcels each have a lot area of about 40 hectares as established in the local planning documents; or,
  b) the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farm land created by consent to sever, unless the retained parcel is the product of the merging in title of two or more agricultural parcels in which case a dwelling unit would be permitted as part of the operation; or,
  c) the lot is required for an agricultural-related use, as outlined in Section C.2.6 of the Plan, provided the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services.

Comments:

- The severed lot will insufficient frontage to meet the minimum standard of the Open Space Zone 1 (OS1). The lot frontage for the severed lands will need to be brought into conformity with the zoning by-law.

- According to the applicant's agent a second driveway will be constructed in order to access the existing development on the retained lot.

Respectfully submitted:

[Signature]

Steve Craig
Sr. Planning Technician

[Signature]

Donald N. Leitch
CAO/Clerk

Central Elgin Planning Office

Application for a Consent
No. E11/14 - A.F. Kosynski

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REPORT

DATE: March 7th, 2014
REPORT: CEP.20.14
CEPO FILE: 20

TO: His Worship the Mayor and Council

PREPARED BY: Jim McCoomb, Planner
Central Elgin Planning Department

SUBJECT: Municipality of Central Elgin Official Plan – Agricultural Consent Policies of the Official Plan

ATTACHMENTS:

TO COUNCIL: March 17th, 2014

RECOMMENDATION:
THAT Report CEP.20.14 be received.

REPORT:

Recent applications for the purposes of severing surplus farm dwellings have raised interest in the community with respect to agricultural severances. It has been brought to Council’s attention that there exist examples of properties with farm dwellings surplus to the farm operation, but not necessarily as a result of a farm consolidation. The recent deputation by Steve Coad at the November 18th, 2013 Planning Meeting is an example of just such a scenario.

In the Coad case it was suggested by Council that staff review the Official Plan severance policies to see if a severance might be supportable for heritage preservation purposes. Staff confirmed that there was no provisions in the agricultural severance policies or otherwise in the Official Plan to support this. It was further reported by the Mayor that staff from the Ministry of Municipal Affairs and Housing (MMAH) has suggested that an option might be a site specific amendment to the Official Plan for an exception to the agricultural severance policies so that the house in question could be severed. The matter was referred to the Official Plan Steering Committee for consideration.

It is noted that the Agricultural Consent Policies as found in Subsection 4.1.4 of the Official Plan are based on, and consistent with, Provincial interest as articulated within Subsection 2.3.4 of the Provincial Policy Statement. They are also generally consistent with the policies for lot creation on lands in the Agricultural Area found in Subsection E1.2.3.4 of the County of Elgin Official Plan. These policies, as well as the Agricultural designation land use policies, serve to
protect the primacy of agriculture as a predominant economic activity within Central Elgin. This is one of the stated goals of the Plan.

The Plan also recognizes that the policies contained within each Section are meant to be read together with, and be complimentary to, the other policies of the Plan. They are not intended to be applied in isolation of the balance of the policies. Policies are meant to guide consistent decision making, not prevent Council from making decisions that may otherwise be in the best public interest. The Committee believes that this was the basis behind the advice provided by the MMAH staff to the Mayor.

The suggestion from MMAH staff for an exception to the Agricultural Severance policies is an option that has always been open to Council. However, it is an option that should be used with a high degree of discretion and only when there are extenuating circumstances that warrant its consideration. Doing otherwise places Council at risk of being inconsistent in application of its severance policies, or being pressured into considering proposals it might not otherwise support because they are similar to scenarios supported through an exception.

The Committee therefore recommends that Council maintain its commitment to the severance policies of the Official Plan as approved and continue to apply them consistent with its previous decision making. Applicants who believe that they have a particular scenario that would warrant Council’s consideration of an exception to those policies would be expected to make that case to Council as part of an application for an amendment for a site specific exception. A complete application in that regard would be expected to include the specific rationale and justification for the request, which should be founded largely in respect of the other policy areas of the Plan. This would ensure that proposals aren’t brought forward for exceptions solely on the basis that they don’t meet the Plan’s severance policies and the applicants are looking for a way around them.

Respectfully submitted:

Sally Martyn, Chair
Official Plan Steering Committee
REPORT

DATE: March 12th, 2014
REPORT: CEP.21.14
CEPO FILE: Y2-11-13; 3-02-13

TO: His Worship the Mayor and Council

PREPARED BY: Jim McCoomb, Planner
Central Elgin Planning Department

SUBJECT: Application to Amend the Municipality of Central Elgin Official Plan and the
Township of Yarmouth By-law 1998 – Peter North, 117 St. George Street

ATTACHMENTS:

TO COUNCIL: March 17th, 2014

RECOMMENDATION:

THAT Report CEP.21.14 be received.

REPORT:

The public meeting on the proposed amendments by Peter North was held on December 16th, 2013. The draft zoning schedules, and in particular Schedule 72, were based on information available to staff at the time of the public meeting. Since that time the applicant's engineering consultant has provided updated drawings to confirm the limits of the building envelopes as per the recommendations of the geotechnical consultant. The northerly limits of the building envelopes on Parts 2 and 3 on Schedule 72 have been adjusted accordingly.

The applicant has provided further correspondence from the geotechnical engineer relative to the building envelope for Part 1 (the "upper" building area) that suggests that the building envelope could be modified (enlarged) by "benching" the slope. Benching would involve cutting down the top of the slope from the current elevation 228 contour to the 226 contour, which could accommodate a walkout basement and deck and, in the engineer's opinion, improve overall slope stability due to the reduction in slope height.

Staff have met with the applicant to explain that the by-law cannot be written with two possible building envelopes (one as drafted on Schedule 72 and the other based on a benched slope). Staff also could not support an expanded building envelope based on the benched slope approach without assurances that the benching and other recommendations of the geotechnical engineer would be carried out.
Staff have proposed a compromise solution through which a holding symbol is applied to the R1-72 zoning designation. The conditions for removal of the holding symbol include all provisions required to meet the geotechnical engineer’s recommendations:

(i) the Municipality is provided with an addendum to the July 20, 2013 (revised) Geotechnical Report by LVM, satisfactory to the Municipality and the Kettle Creek Conservation Authority, providing details as to how the top of slope for Part 1 may be benched from Elevation 228 to Elevation 226 to improve slope stability and accommodate a walkout basement;

(ii) the Municipality is provided with a lot grading and drainage plan, approved by the geotechnical engineer and satisfactory to the Municipality and the Kettle Creek Conservation Authority, showing the revised limits of the Building Area for Part 1 based on benching of the top of slope to elevation 226; existing and proposed grades; and, how surface drainage will be controlled on the lot; and

(iii) the Municipality is provided with foundation plans for the proposed dwelling, approved by the geotechnical engineer along with confirmation that the subgrades are suitable for the safe development of the lands.

Interim permitted uses are those uses, buildings and structures otherwise permitted by the R1-72 zone, within the limits of the currently defined Building Areas on Schedule 72.

In staff’s opinion, the proposed changes to the by-law do not materially change the intent of the amendment but only serve to clarify the potential building areas. Should Council concur, it should pass a resolution to that effect and confirm its opinion that no further public notice is required.

The proposed amendment, along with the concurrent amendment to adopt the required Official Plan amendment, appear on the March 17th, 2014 Council Agenda.

Respectfully submitted:

Jim McCoomb
Planner

Approved for submission:

Donald N. Leitch
CAO/Clerk
THE MUNICIPALITY OF CENTRAL ELGIN

BY-LAW NO. 1673

The Council of the Corporation of the Municipality of Central Elgin, pursuant to Section 17(22) of the Planning Act, R.S.O. 1990, as amended, hereby enacts as follows:

1. That Amendment No. 2 to the Municipality of Central Elgin Official Plan, consisting of the attached Schedules and Explanatory Text, is hereby adopted.

2. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 17th day of March, 2014.

R. William Walters
Mayor

Donald N. Leitch
CAO/Clerk

Certified that the above is a True Copy of By-law No. 1673 as enacted and passed by the Council of the Municipality of Central Elgin on March 17th, 2014.

Clerk of the Municipality

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MUNICIPALITY OF CENTRAL ELGIN

BY-LAW NO. 1674

A By-law to amend Township of Yarmouth Zoning By-law No. 1998

THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN

ENACTS AS FOLLOWS:

1. Township of Yarmouth Zoning By-law No. 1998 as amended, is further amended by adding to Section 3, which Section includes the Zoning Maps and Schedules, Schedule "A" to this By-law, which Schedule is attached to and forms part of this By-law, and such Schedule shall form part of By-law No. 1998 as amended, and shall be known as "Map Part 2(2am)" to By-law No. 1998 as amended.

2. Township of Yarmouth Zoning By-law No. 1998 as amended, is further amended by adding to Section 3, which Section includes the Zoning Maps and Schedules, Schedule "B" to this By-law, which Schedule is attached to and forms part of this By-law, and such Schedule shall form part of By-law No. 1998 as amended, and shall be known as "Schedule 72" to By-law No. 1998 as amended.

3. Township of Yarmouth Zoning By-law No. 1998 as amended, is further amended by designating the lands outlined in heavy solid lines on Schedule "A" hereto as "R1-72", and the provisions of subsection 9.2.1 of By-law No. 1998 as amended, shall apply to such lands, subject to the provisions of Section 4 of this By-law.

4. Township of Yarmouth Zoning By-law No. 1998 as amended, is further amended by adding thereto, after subsection 9.2.2.71 and before Section 9.3 the following new subsection:

"9.2.2.72

9.2.2.72.1 Defined Area: R1-72, as shown on Zoning Map, Part 2(2am).

9.2.2.72.2 Only Permitted Use:
   (a) Residential uses.
   (b) Accessory uses.

9.2.2.72.3 Only Permitted Buildings:
   Other Structures:
   (a) One single detached dwelling on one and lot.
   (b) Accessory buildings and structures.

9.2.2.72.4 Location of Permitted Buildings and Structures:
   Buildings and structures permitted by Subsection 9.2.2.72.3, with the exception of a permitted fence, shall only be erected within the area designated "Building Area" on Schedule 72.

9.2.2.72.5 Holding Zone:

   (i) Use of Zone Symbol:

      Notwithstanding any other provisions of Zoning By-law 1998, where the symbol "h" appears on Schedule "A" as a prefix to the R1-72 Zone applying to the area affected, the provisions of the R1-72 Zone shall apply subject to the requirements of (ii) and (iii) below.

   (ii) Holding Zone Provisions:

      (a) Modification to Building Area for Part 1 - to ensure the orderly development of the lands on Part 1 as shown on Schedule 72 to this By-law, the "h" symbol shall not be removed until:

         (i) the Municipality is provided with an addendum to the July 20, 2013 (revised) Geotechnical Report by LVM, satisfactory to the Municipality and the Kettle Creek Conservation Authority, providing details as to how the top of slope for Part 1 may be beached from Elevation 228 to Elevation 226 to improve slope stability and
accommodate a walkout basement;

(ii) the Municipality is provided with a lot grading and drainage plan, approved by the geotechnical engineer and satisfactory to the Municipality and the Kettle Creek Conservation Authority, showing the revised limits of the Building Area for Part 1 based on benching of the top of slope to elevation 226; existing and proposed grades; and, how surface drainage will be controlled on the lot; and

(iii) the Municipality is provided with foundation plans for the proposed dwelling, approved by the geotechnical engineer along with confirmation that the subgrades are suitable for the safe development of the lands.

The removal of the “h” symbol requires an amendment to this by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended.

(iii) Permitted Interim Uses:

Uses, buildings and structures permitted by Subsections 9.2.2.72.2, 9.2.2.72.3 and 9.2.2.72.4 of this by-law.

9.2.2.72.6 Exceptions: The provisions of subsections 9.2.1.1, 9.2.1.2 and 9.2.1.7, shall not apply to the area defined in subsection 9.2.2.72.1.”

5. (a) If no notice of objection to this By-law is filed with the Clerk of the Corporation of the Municipality of Central Elgin within the time prescribed by the regulations, this By-law shall thereupon come into effect.

(b) If notice of objection to this By-law is filed with the Clerk of the Corporation of the Municipality of Central Elgin within the time prescribed by the regulations, the By-law shall be submitted to the Ontario Municipal Board and the By-law does not come into effect until approved by the Ontario Municipal Board.

READ THREE TIMES AND FINALLY PASSED, this 17th day of March, 2014.

Donald N. Leitch                                      R. William Walters
Clerk                                              Mayor
TOWNSHIP OF YARMOUTH BY-LAW No. 1998
ZONING MAP AND SCHEDULES

SECTION 3

MAP PART 2(am)

TOWNHOLP OF SOUTHOLD

CITY OF ST. THOMAS

hR1-72

ST GEORGE STREET

TOWNHOLP OF SOUTHOLD

COMPILED PLAN PT LOTS 123, 34, 4-10, RANGE II & S OF EDGEWMAE ROAD

Cette IS SCHEDULE "A" TO BY-LAW No 1674
PASSED ON THIS 17th DAY OF MARCH, 2014.

CLERK

MAYOR

Zoning By-law Amendment -
117 St. George Street

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TOWNSHIP OF YARMOUTH BY-LAW No. 1998
ZONING MAP AND SCHEDULES

SECTION 3

SCHEDULE 72

THIS IS SCHEDULE "B" TO BY-LAW No. 1674
PASSED THIS 17th DAY OF MARCH, 2014.

CLERK                    MAYOR

Zoning By-law Amendment - 117 St. George Street

Page 116 of 117
BY-LAW 1701
Being a By-law to Adopt, Confirm and Ratify Matters Dealt
With by Resolution of
The Corporation of the Municipality of Central Elgin

WHEREAS Section 5(3) of the Municipal Act, 2001, c. 25, as amended, provides that the powers of every council are to be exercised by by-law;

AND WHEREAS in many cases, action which is taken or authorized to be taken by the Municipality of Central Elgin does not lend itself to passage of an individual by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Municipality of Central Elgin at a meeting be confirmed and adopted by by-law;

NOW THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Municipality of Central Elgin hereby enacts as follows:

1. THAT the actions of the Council of the Corporation of the Municipality of Central Elgin, at its regular meeting held on March 10th, 2014, in respect of each motion, resolution and other action taken by the Council of the Municipality of Central Elgin at such meeting is, except where the prior approval of the Ontario Municipal Board or other authority is required by law, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.

2. THAT the Mayor and the appropriate officials of the Corporation of the Municipality of Central Elgin are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Municipality of Central Elgin referred in the proceeding section.

3. THAT the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the Corporation of the Municipality of Central Elgin.

4. THAT this By-law shall come into force and take effect upon the final passing thereof.

READ a FIRST and a SECOND TIME this 17th day of March 2014.

READ a THIRD TIME and FINALLY passed this 17th day of March 2014.

Donald N. Leitch
CAO/Clerk

R. William Walters
Mayor