



**Municipality of Middlesex Centre  
By-Law 2022 – 037**

**Being a By-Law to adopt Amendment No. 59 to the Official Plan of Middlesex Centre**

**WHEREAS** the Council of the Municipality of Middlesex Centre deems it advisable to amend the Middlesex Centre Official Plan;

**AND WHEREAS** this amendment is consistent with the Provincial Policy Statement, 2020 and is in conformity with the County of Middlesex Official Plan;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Middlesex Centre enacts as follows:

The document known as the Municipality of Middlesex-Centre Official Plan, as amended, is hereby further amended:

- 1) By deleting schedules 'A' through 'D' and replacing them with Schedule 'A' through 'D' dated April 20, 2022;
- 2) In Section 1.3, by deleting both instances of the number "20" and replacing it with "25", and by deleting "2011-2031" and replacing it with "2021 to 2046";
- 3) In the third paragraph of Section 1.4, by adding the following sentence before the final sentence: "Hamlet area designation boundaries are to be interpreted to align with existing lot lines and physical and natural features."
- 4) In the final paragraph of Section 1.4, by deleting "on native reserves" and replacing it with "outside the corporate boundary of the Municipality";
- 5) By deleting existing Section 1.6 in its entirety and replacing it with the following:

"In 2020, Council adopted a new Strategic Plan for the years 2021-2026, which includes Municipal Vision and Mission Statements. These Statements are worded as follows:

Vision:

A thriving, progressive and welcoming community that honours our rural roots and embraces our natural spaces.

Mission:

To deliver the highest standard in municipal services in a sustainable, professional and innovative manner.

These Statements, along with additional sections of the Strategic Plan, have acted as a guide in the establishment of the policy included in this Official Plan. The Vision and Mission Statements may be updated by the Municipality from time to time without amendment to this Official Plan. Significant changes to the Vision Statement, Mission Statement or Strategic Plan may be considered justification for consideration of a general update to the Official Plan, in the context of one of the Official Plan's five-year review periods."

- 6) In Section 1.7, the first two paragraphs are deleted and replaced with the following:

"During the creation of the Municipality's Strategic Plan, five priorities were developed with specific initiatives and objectives associated with each. The five priorities were, Engaged Community, Balanced Growth, Vibrant Local Economy, Sustainable Infrastructure and Services, and Responsive Municipal Government.

It is the intent of this Official Plan to apply the broad concept of traditional town and country planning, while achieving the objectives of these priorities. It should be noted that for the purposes of this Plan, the term, "traditional" is not meant to describe "business as usual", but rather a more community-oriented planning and design approach reflective of the established form of the Municipality's urban areas.";

- 7) In Section 1.7 b), by deleting the sentence "this will be accomplished in part through the minimization of" and replacing it with "To minimize", by moving the new sentence "To minimize land use and conflicts and the prevention of non-agricultural urban uses outside of settlement areas" to create a new section 1.7 c) and all subsequent sections are renumbered as appropriate;
- 8) In Section 1.7 b), by adding to the end, "This will include encouraging a wide range and scale of on-farm diversified uses and agriculture-related businesses.";
- 9) In Section 1.7 c), by deleting "and the discouragement of urban uses 'blending into' rural or agricultural areas on the edge of settlements", and replacing it with "urban densities to reduce the amount of land required to accommodate population growth, and the prohibition of small and incremental expansions of defined hamlet boundaries.";
- 10) In Section 1.7 e), by deleting the words "and character";
- 11) By adding a new Section 1.7 g) and renumbering all subsequent sections as appropriate: "To manage the pace of new residential development and encourage the complementary availability of commercial, school, and public amenities as population increase.";

- 12) By deleting existing Section 1.7 i) in its entirety and replacing it with the following: “To provide a full range and diversity of housing types and tenures for residents at all stages of life, including rentals, affordable housing and seniors housing throughout the municipality”;
- 13) In Section 1.7 k), by deleting the word “develop” and replacing it with the word “revitalize”;
- 14) In Section 1.7 l), by deleting the word “settlement” and replacing it with “complementary subdivision and site plan”;
- 15) In Section 1.7 n), by deleting the words “encourage appropriate infilling” and replacing it with “permit redevelopment within”, and by deleting the words “is compatible with existing development and the existing character of neighbourhoods” and replacing it with “reflects the needs of a growing community”;
- 16) In Section 1.7 s), by deleting the words “wherever possible and appropriate” and by adding the words “and between” between the words “within” and “settlement areas”;
- 17) The following are inserted as new Sections subsequent to the existing Section 1.7 s) and all subsequent sections are renumbered as appropriate: “to explore and facilitate the servicing and development of a municipal business park and a municipal industrial park” and “to facilitate the expansion of high speed internet, electric vehicle charging stations, and other emerging technological infrastructure”;
- 18) In Section 1.8 c), by adding the words “in the form of infilling and redevelopment of existing properties” before the words “subject to issues of servicing”,
- 19) In Section 1.8 e), by deleting the words “is compatible with existing neighbourhoods, and the traditional character of” and replacing them with the words “avoids or minimizes land use compatibility issues and supports”;
- 20) By adding a new Section 2.1 g): “to promote and encourage a wide range and scale of on-farm diversified uses and agriculture-related businesses, in accordance with provincial guidelines, which provide the opportunity for farm operators to earn a supplementary income in a manner that minimizes the use of prime agricultural lands”;
- 21) In Section 2.3, by deleting the first instance of “and” and by adding the words “uses and On-Farm Diversified uses” after “agriculture-related”;
- 22) In Section 2.3, by deleting the first bullet and replacing it with the following: “Agriculture-related commercial or industrial activities subject to Section 2.4 and as defined in Section 12.0.”;

- 23) By adding a new second bullet point in Section 2.3: “On-Farm Diversified uses subject to Section 2.5, as defined in Section 12.0.”;
- 24) In Section 2.3, by deleting “Bed and Breakfast Establishments” and “Home Occupations” from the list;
- 25) In Section 2.3, by deleting the word “areas” in the second to last bullet point and replacing it with “uses which may include trails and open spaces, but not campgrounds or mobile home parks,”;
- 26) By deleting “Agriculturally-Related” from the heading of Section 2.4, and replacing it with “Agriculture-Related”;
- 27) In Section 2.4, by deleting the first five paragraphs and replacing them with the following:

“Agriculture-Related Uses are farm-related commercial and farm-related industrial uses that are compatible with and do not hinder surrounding agricultural operations, are directly related to agriculture, support agriculture, benefit from being, and required in close proximity to farming operations, provide direct products and/or services to farm operations as a primary activity in accordance with OMAFRA Guidelines on Permitted Uses in Ontario’s Prime Agricultural Area.

Proposals for Agriculture-Related Uses within the Agriculture designation shall require a zoning by-law amendment to permit the specific use proposed and to establish development standards appropriate for the proposal. Proposals shall be compatible with surrounding agricultural areas and shall be subject to Site Plan Control under Section 10.5 of this Plan, having regard for the Municipality’s Site Plan Manual and Urban Design Guidelines.

A justification report may also be required by the Municipality to demonstrate how the proposal meets the definition of an Agriculture-Related Use and the criteria described below.

When considering the establishment of new agriculture-related commercial or industrial uses, or the expansion of existing uses of this type, Council will consider the following criteria:”

- 28) In Section 2.4 b), by deleting the words “the amount of land devoted to the use shall include only” and replacing it with the words “New lot creation for Agriculture-Related uses shall be limited to”, and by adding the word “size” between “minimum” and “necessary”;
- 29) By adding a new Section 2.4 e) and renumbering all subsequent sections as appropriate: “The nature of the use shall be directly related to farm operations in the area and shall provide direct products or services to farm operations as a primary activity (e.g., food processing, grain drying facility, mill, abattoir, etc.).”;

- 30) In Section 2.4, by deleting all instances of the word “agriculturally-related” and replacing them with the word “agriculture-related”;
- 31) By adding a new section 2.5 and renumbering all subsequent sections as appropriate:

### **“2.5 ON-FARM DIVERSIFIED USES**

Non-agricultural uses may be permitted in the form of On-Farm Diversified Uses within the Agricultural Area, subject to the policies below and provided they satisfy the PPS definition of On-Farm Diversified Uses and the OMAFRA guidelines on permitted uses in Ontario’s Prime Agricultural Areas. The intent is to allow farm operators to supplement their income through a secondary use or activity provided it does not become the primary use of the property.

- a. On-Farm Diversified Uses may include the following, provided the criteria set out below are met:
  - Home occupations;
  - Home industries (e.g., sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair, seasonal storage of boats or trailers);
  - Small-scale retail, café, or bakery;
  - Agri-tourism uses such as bed and breakfast establishments, seasonal attractions (e.g., corn maze, pick-your-own, hayrides), but not including permanent event facilities;
  - Value-added agricultural uses;
  - Farm market; and
  - Farm winery, cidery, brewery or distillery.
- b. Any other non-agricultural use located on a farm that meets the criteria set out in Section 2.5.1 may be permitted.
- c. All On-Farm Diversified Uses shall be subject to applicable policies related to that use elsewhere in this Plan.
- d. Certain On-Farm Diversified Uses (such as Home Occupations) may be permitted as-of-right by the Zoning By-law, however a Zoning By-law Amendment may be required to permit uses that are not generally permitted within, or accessory to, a residential dwelling.
- e. All On-Farm Diversified Uses shall be subject to site plan control.
- f. Proponents may be required to enter into an agreement with the Municipality to ensure the use adheres to the requirements of this plan.

- g. Examples of uses that would not be considered On-Farm Diversified Uses may include: equipment or vehicle dealerships, hotels, landscape businesses, manufacturing plants, trucking yards, full-scale restaurants, banquet halls, recurring events with permanent structures, large scale active-recreational uses or spectator sports facilities, among others.

### **2.5.1 CRITERIA FOR ASSESSING ON-FARM DIVERSIFIED USES**

A proposed On-Farm Diversified Use must demonstrate that it will:

- a. Be secondary to the principal agricultural use of the property;
- b. Be limited in area to a maximum of 2% of the property on which the uses are located, to a maximum of 1 ha;
- c. Not prevent or preclude the on-going agricultural use of the property;

Agriculture related tourism or recreational uses may also be permitted, subject to the policies of Section 2.0 of this Plan, and further subject to consideration of issues including the proposed scale of the use; a determination that no negative impacts on nearby agricultural operations will result; and a determination that the use is well removed from potential land use conflicts.

Site specific zoning and Site Plan Control may be required to establish limits to the proposed use, location and time periods of operation, or other elements to ensure the proposed use meets the policies of this plan.

- 32) In Section 2.6, by inserting the following after the first paragraph:

“Limited non-agricultural uses specifically permitted in this Plan may be permitted provided that the following are demonstrated:

- a. The land does not comprise a specialty crop area;
- b. The proposed use complies with the minimum distance separation formulae;
- c. There is an identified need within the planning horizon for additional land to accommodate the proposed use; and
- d. 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.”

- 33) In Section 2.6, by appending the following paragraph to the end: “Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.”

- 34) In Section 2, by inserting the following as a new Section 2.7 and renumbering the following sections as appropriate:

#### “2.7 RURAL COMMERCIAL AND INDUSTRIAL USES

Certain Rural Commercial and Rural Industrial uses outside of Municipal settlement boundaries are permitted due to previous designations in former Official Plans. Existing Commercial and Industrial Uses are permitted to continue. It is not intended that new commercial uses or industrial uses will be permitted outside of settlement areas except in accordance with the policies for Agriculture-related uses. Applications to expand or change the use of existing rural commercial or rural industrial uses shall be reviewed in the context of policies for legal non-conforming uses and the following:

- a) Uses that would meet the definition of Agriculture-Related will be preferred.
- b) Site plan considerations must also be addressed.
- c) Such applications will be considered based on justification, as well as issues relating to adjacent land uses.
- d) Proposals of this type that result in intermittent locations of industrial and commercial lands along rural corridors, will be discouraged.

##### 2.7.1 General Rural Commercial and Industrial Uses Goals

The following goals relate to Rural Commercial and Industrial Uses:

- a) To permit existing commercial-related uses and existing industrial uses to continue in areas outside of designated settlement areas;
- b) To achieve a high standard of site development and design in keeping with the design policies included in Section 6.0 of this Plan, having regard for the Municipality’s Urban Design Guidelines, and to consider environmental and agricultural heritage issues;
- c) To ensure that such development is adequately serviced;
- d) To limit or mitigate any adverse impacts to surrounding agricultural operations or opportunities and to ensure that adjacent lands or uses are adequately buffered to minimize conflict with incompatible Rural Commercial and Industrial Uses.

##### 2.7.2 General Rural Commercial and Industrial Uses Policies

When considering expansions to existing Rural Commercial and Industrial Uses, the following policies shall apply:

- a) Proposed uses shall meet requirements, and obtain necessary approvals, with respect to water supply, waste water disposal and solid waste

disposal. Certain uses or expansions to existing uses may be restricted as a result of their servicing requirements.

- b) Such applications will require site plan approval under Section 41 of the Planning Act, in accordance with Section 10.5 of this Plan, shall have regard for the Municipality's Site Plan Manual, and will require execution of a corresponding site plan agreement.
- c) A drainage plan and/or additional servicing reports may be required by Council or staff. Consideration of the site plan application will relate to design policies included in Section 6.0 of this Plan and having regard for the Municipality's Urban Design Guidelines
- d) Access shall be available from a public road of reasonable construction and year round maintenance. Access to provincial highways will be subject to the review and approval of the Ministry of Transportation (MTO). At staff's, Council's or the MTO's discretion, such applications may require submission of transportation or traffic analysis establishing that the proposal will not generate conditions that are considered to be hazardous to traffic movement on the surrounding network.
- e) Adequate off-street parking, loading and unloading facilities shall be provided.
- f) Adequate buffering shall be provided where such proposals are adjacent to residential or other sensitive land uses.
- g) The design policies in Section 6.0 of this Plan and regard for the Municipality's Urban Design Guidelines shall apply.
- h) Industrial applications must make efficient use of land resources. Proposals that are inefficient or wasteful of such land uses will be discouraged.
- i) Any lands to be developed for rural industrial purposes south of the Ilderton Urban Settlement Area, will ultimately be serviced by municipal water and sanitary sewage, where economically and physically feasible. As an interim measure and where environmental conditions permit, rural industrial uses which are "dry" in nature may be considered where municipal services are not provided, or where municipal water services only are provided. Such "dry" rural industrial uses shall not require large volumes of water or generate large volumes of effluent. Effluent generated shall be from domestic sources only and not as a result of any industrial processes. If full municipal services are ultimately provided, industrial uses which are not "dry" in nature may be considered without amendments to this Plan.
- j) Industrial uses shall be limited to dry industrial uses (as defined in Section 11), including manufacturing, processing, assembling, wholesaling, warehousing, distributing, repair, servicing and storage of goods and



materials. Uses accessory to industrial operations such as offices and factory retail outlets accessory and subordinate to an industrial use are also permitted. Research facilities, public facilities and recycling operations are also permitted.

- k) Commercial uses shall be limited to those uses which exhibit a strong orientation to vehicular traffic and single purpose shopping trips, or commercial uses which by nature of the size of product sold, require large selling areas. Without limiting the generality of the foregoing, such uses shall include commercial establishments which are oriented to vehicular traffic such as automobile sales establishments, automobile service stations and gas bars, public garages, building supply outlets or lumber yards, motels and accessory restaurants, farm machinery and equipment sales and service, farm supplies, and drive in restaurants.”

35) In Section 3.2, by deleting every instance of the term, “Natural Area” and replacing it with “Natural Heritage Systems”, and by deleting every instance of the term, “Natural Hazard” and replacing it with “Hazardous Lands”;

36) The following is inserted as Sections 3.2 j) through 3.2 m):

- j. “The Municipality will ensure the protection of the Natural Heritage System from public infrastructure project impacts wherever possible. Infrastructure projects within the Natural Heritage System will be primarily limited to crossings (i.e., gas line, electricity lines, etc.) provided impacts are minimized and sensitive features are avoided to the extent possible.
- k. The ecological health of the Natural Heritage System will be monitored whenever possible and feasible.
- l. The Municipality will ensure that the planning of the Natural Heritage System is consistent at multiple levels including at the regional, watershed, sub-watershed and/or secondary plan levels, as appropriate.
- m. Additional features, functions, and linkages not identified within the Natural Heritage System of this Plan may still need to be addressed and protected. Further studies and assessments may identify these features in greater detail, and when appropriate, these boundaries may be included as amendments to this Plan.”;

37) In Figure 1, by deleting the number “100” in the third row, second column and replacing it with the number “120”, and by deleting the text in the cell in the third row, third column and replacing it with “Permitted only in accordance with Provincial and Federal requirements.”;

- 38) In Section 3.6, by inserting the following paragraph after the second paragraph: “New buildings and structures are prohibited in areas subject to the Conservations Authorities’ Fill, Construction and Alteration to Waterways Regulation.”;
- 39) In Section 3.6, by deleting “Figure 3” and replacing it with “Figure 2”;
- 40) In Section 3.6.1 and Section 3.6.2, by adding the words “Floodplain Areas” to the beginning of the heading;
- 41) In Section 3.6.1, by deleting “Within” and replacing it with “Development within Floodplain Areas on”, and by deleting the words “of the Municipality, development”;
- 42) In Section 3.6.1, by inserting following words after the words “or other agencies can and will be met”: “, including the requirement for a development permit from the conservation authority”.
- 43) In Section 3.6.2, by deleting “within identified settlement areas the uses listed in Section 3.6.1 are also permitted. Within settlements, alternative” and replacing it with “The uses permitted in Section 3.6.1 are also permitted within Floodplain Areas on lands identified within settlement areas. Additionally, alternative”, and by deleting the second instance of “Development Assessment Report” and replacing it with “DAR”;
- 44) In Section 3.8 d), by adding the following sentence to the end: “These actions may be required / implemented through Zoning By-law Amendment and/or Site Plan Control.”;
- 45) In Section 3.8 e), by adding the following to the end of the final list bullet: “These may include setbacks, buffers, landscaping, special measures to be taken during construction or other measures to reduce or eliminate negative impacts on the identified features.”;
- 46) In Section 3.10, by adding the words “mitigate climate change” between “improve water quality,” and “reduce soil erosion”;
- 47) In Section 4.1, by inserting the following sentence after the lettered list: “Any development standards or performance measures to be imposed on new Aggregate and Petroleum Resource applications should be addressed through the submission of a Planning Justification Report required as part of a complete application.”;
- 48) In Section 5.0, by deleting the first instance of the word “settlements” in the second paragraph and replacing it with “settlement areas”;
- 49) In the first paragraph of Section 5.1, by inserting the word “categorized” before “as follows”, by deleting the words “with their 2007-2016 estimated population”, and by deleting the numbers following the Urban Settlement Areas, Community Settlement Areas, and Hamlets;
- 50) In Section 5.1, by deleting the paragraph following the list of Settlement Areas and Hamlets that begins with “presently, only Ilderton, Komoka-Kilworth and Arva”, and replacing it with the following: “Presently only Ilderton, Komoka-Kilworth and Arva

are serviced with municipal water and sewage services. Five additional settlement areas are serviced with municipal water but have private individual sewage services. These are Ballymote, Birr (partial water), Delaware, Denfield, and Melrose (partial water). The remaining three settlement areas (Bryanston, Lobo and Poplar Hill-Coldstream) are on full private individual services. The Municipality intends to provide full municipal sewer and water services to Delaware within the next 25 years.”;

- 51) In Section 5.1, by deleting the population, housing and employment projections table and replacing it with the following tables and paragraph:

<b>Population</b>							
	<b>2016</b>			<b>2046</b>			
<b>Ilderton</b>	3,500			7,100			
<b>Komoka-Kilworth</b>	4,600			15,900			
<b>Arva</b>	500			1,000			
<b>Delaware</b>	1,600			3,600			
<b>Hamlets &amp; Remaining Rural Areas</b>	7,600			8,000			
<b>Total Population</b>	<b>2016</b>	<b>2021</b>	<b>2026</b>	<b>2031</b>	<b>2036</b>	<b>2041</b>	<b>2046</b>
<b>Population</b>							
<b>Total Population</b>	17,800	20,100	23,400	26,700	29,600	32,900	35,500
<b>Residential Units</b>							
<b>Total Residential Units</b>	5,990	6,760	7,950	9,160	10,380	11,630	12,750
<b>Employment</b>							
<b>Total Employment</b>	5,800	6,600	7,600	8,700	9,900	10,900	11,700

\*Note: Numbers may not add-up due to rounding

“It is expected that for projected housing growth to the year 2046, Komoka-Kilworth will accommodate approximately 63% of the total housing growth, Ilderton will accommodate 20%, for a total of 84%. Community settlement areas including Arva (3%), Delaware (11%), and remaining hamlets and rural areas (2%) account for the remaining 16% of overall housing growth over the same period.”;

- 52) In the last paragraph of Section 5.1.1, by deleting the words “and will be”, and by adding the following sentence to the end: “Adjustments to a settlement boundary may be permitted outside of a comprehensive review subject to requirements of

Section 5.1.5, and will be subject to the various policies, goals and objectives of this Plan, including Section 5.1.4.”;

- 53) In the fourth paragraph of Section 5.1.2, by deleting the sentence “If such services are not available, communal services may be considered if appropriate justification is provided” and replacing it with “if such services are not available or planned, communal services may be considered subject to requirements under Section 9.3.3,” and by deleting the words “interim development” following “staff may consider the approval of” and replacing them with the words “low intensity development on existing, vacant lots of record or under-utilized property, where it does not conflict with any Special Policy Areas,”;
- 54) In the final paragraph of Section 5.1.2, by adding a period following “amendment to this Plan”, and adding “Adjustments to a settlement boundary may be permitted outside of a comprehensive review subject to requirements of Section 5.1.5,” and by deleting “its” and replacing it with “the”;
- 55) In the fourth paragraph of Section 5.1.3, by deleting the words “it is further not expected that Hamlet Areas will”, and replacing them with the words “*Hamlet Area* boundaries may be adjusted outside a comprehensive review, provided there is no net increase to the area of the *Hamlet* and subject to requirements of Section 5.1.5. Hamlet area designation boundaries are to be interpreted to align with existing lot lines and physical and natural features. *Hamlet Areas* are however not expected to”;
- 56) In the fifth paragraph of Section 5.1.3, by adding the sentence “Private Communal Services may be appropriate subject to the requirements of Section 9.3.3” after the first sentence, and by deleting the sentence “Significant or major new development, such as the development of more than three new lots through plan(s) of subdivision, will require provision of full municipal services.”;
- 57) The following is inserted as a new Section 5.1.4 e) and all subsequent sections are renumbered as appropriate: “Adjustments to settlement area boundaries may be considered outside of a comprehensive review, provided there is no net increase to the area, subject to the requirements of Section 5.1.5.”;
- 58) In Section 5.1.4 f), by deleting the word “Municipality” and by deleting the word “preserve” and replacing it with “reflect”;
- 59) The following is inserted as a new Section 5.1.5:

**“5.1.5 Adjustments to Settlement Area Boundaries**

Adjustments to settlement area boundaries may be proposed outside of a comprehensive review provided:

- a. The adjustment would not result in a net increase of land within the settlement area;

- i. Areas proposed to be removed from the settlement area may not include parks, employment lands, or lands with existing development
- b. The adjustment would support the Municipality's ability to meet intensification and redevelopment targets established in this Plan;
- c. Policies in the PPS related to Prime Agricultural Areas are addressed; and,
- d. The settlement area to which the lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands."

60) The following is inserted as new Sections 5.2 and 5.3, and all subsequent sections are renumbered as appropriate:

**“ 5.2 SETTLEMENT AREA EXPANSION REQUESTS**

The Middlesex County Official Plan includes policies that allow municipalities to adjust or expand settlement areas at the time of a local Official Plan Review. Section 1.1.3.8 of the Provincial Policy Statement, 2020 requires that settlement area expansions may only occur where it has been demonstrated that:

- a. sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the 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;
- 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 (MDS) formulae; and

- e. impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

Each request for lands to be added to a settlement area must be assessed in accordance with the criteria set out in the Provincial Policy Statement and considered in the context of other policies of this Plan that relate to development within settlement areas. This includes the servicing hierarchy established in Section 1.6.6 as discussed in section 9.3 of this report.

- 61) In Section 5.2.1 d), by deleting the word “ten” and replacing it with “fifteen (15)”;
- 62) In Section 5.2.1 e), by deleting the last sentence, starting with “Specifically, the Municipality”, and replacing it with “Specifically, the Municipality shall require that 10 percent of development in Community Settlement Areas occur by way of intensification, and that 20 percent of development in Urban Settlement Areas occur by way of intensification. Delaware may not achieve the 10% target until servicing constraints are resolved.”;
- 63) In Section 5.2.1 f), by deleting the words “reflect a high quality of residential and neighbourhood design” and replacing it with the words “allow for a full range and mix of housing types” and by adding the following sentence to the end: “A mix of housing types and options includes consideration for purpose-built rental units, secondary suites, supportive housing, rooming houses, and units with more than two bedrooms.”;
- 64) In Section 5.2.1 g), by replacing the first sentence with the following: “The Municipality shall encourage that 20 percent of new housing is accessible to lower and moderate income households in accordance with the County of Middlesex’s Official Plan.” and by deleting the second sentence;
- 65) In Section 5.2.1 g), by adding the word “comparable” before the words “resale unit”, and by adding the words “for the previous year” to the end of the third sentence and deleting the subsequent sentences, which start with the words “This ‘benchmark’ purchase price figure”;
- 66) In Section 5.2.2, by deleting the words “low\medium rise apartments” and replacing it with the words “low to mid-rise apartment dwellings”, and by deleting the last sentence in the first paragraph that starts with “Residential units, other than single detached”;
- 67) In Section 5.2.2 a), by deleting the word “churches” and replacing it with the term “places of worship”;
- 68) The following is inserted as a new permitted use as Section 5.2.2 e): “Small-scale neighbourhood commercial”;
- 69) In Section 5.2.3, by deleting the words “low-medium rise apartments” and replacing it with the words “apartment dwellings”;

- 70) By deleting existing Sections 5.2.3 b) and 5.2.3 d) in their entirety and renumbering all subsequent sections as appropriate;
- 71) In Section 5.2.3 e), by deleting the words “Notwithstanding Subsection (d) above,”;
- 72) The following is inserted as a new Section 5.2.3 g): “The Municipality’s zoning by-law shall establish appropriate zoning standards such as setbacks and maximum heights for apartment dwellings and other uses.”;
- 73) In Section 5.3.1 d), by adding the words “and medium to high residential density development” to the end of the sentence;
- 74) The following is inserted as a new Section 5.3.1 f): “To encourage and facilitate the clustering of synergistic industries and land uses, including knowledge-based sectors.”
- 75) In Section 5.3.3 a), by adding the words “, small-scale department stores,” after “convenience retail”, and by adding to the end the sentence “This does not include major retail, auto-oriented commercial such as gas stations and drive-throughs and automotive sales and service establishments” to the end of the section;
- 76) In Section 5.3.3 b), by adding the words “compatibly scaled” before the word “entertainment” and in Section 5.3.3 c), by deleting the second and third commas;
- 77) By deleting the text in Section 5.4.3 in its entirety and replacing it with the following: “Uses permitted within Settlement Commercial areas include retail, department stores, general merchandise stores, personal services, recreational uses, restaurants and office uses. Examples of other permitted uses may include gas stations, micro breweries, low-impact employment uses, etc.”;
- 78) In Section 5.5.1 c), by deleting the words “residential uses or other”;
- 79) The following is inserted as a new Section 5.5.1 e) and all subsequent sections are renumbered as appropriate: “Cannabis production facilities may only be permitted through a site-specific zoning by-law amendment and where facilities are entirely indoors”;
- 80) The following is inserted as the final letter section of Section 5.5.1: “Major retail uses having a gross leasable area of 2,000 square metres or greater shall not be permitted in employment areas.”;
- 81) In Section 5.5.2, by deleting the first sentence, “Permitted uses within the settlement area designation include the following:” and replacing it with the sentence “This section outlines the uses permitted within the Settlement Employment Area designation, which contemplates the development of both industrial and business uses.”;
- 82) The following uses are inserted as new Sections 5.5.2 c) and 5.5.2. d) and all subsequent sections are renumbered as appropriate: “Trucking Terminal”, and “Contractors Yard”;

- 83) In Section 5.5.2 d), by adding the following sentence to the end of the Section: “Limited retail uses do not include large-scale or large format and stand-alone retail centres having a gross leasable area of 2,000 square metres or more, that have the primary purpose of commercial activities.”;
- 84) In Section 5.6, by deleting the words “Proposals to permit the” and replacing it with “The”;
- 85) In section 5.6, by deleting both instances of “-Strategic Employment”
- 86) In Section 5.6, by deleting “, 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.” And replacing it with the following:

“, subject to the following criteria:

- a) The site does not offer direct access to major transportation corridors (e.g., highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g., airports, intermodal yards, and rail).
  - b) The site is not part of a larger employment area.
  - c) The site offers limited market supply potential for employment areas development due to size, configuration, access, physical constraints, and servicing constraints, etc.
  - d) The proposed conversion to non-employment uses is compatible with surrounding land uses and/or could be mitigated from potential land use conflicts.
  - e) The conversion of the proposed site to non-employment uses would not compromise the Municipality’s overall supply of large employment land sites.
  - f) The conversion of the site to a non-employment use would not conflict with municipal interests and policies.
  - g) A Pre-Consultation shall be required prior to the submission of a formal application.
  - h) There is an identified need for the conversion and the land is not needed for employment purposes over the long term.”
- 87) In Section 5.7.1 g), by deleting the words “strategic employment” and replacing it with “Settlement Employment Area”;



- 88) In Section 5.7.2 a), by deleting the words “Strategic employment area” and replacing it with “Settlement Employment Area”;
- 89) In Section 5.7.4 a), by replacing the words in the table, “Net Density”, with the words “Gross Density”;
- 90) In Section 5.7.11.f i), by adding the words “Potential Expansion of the” and deleting the words “environmental assessment”;
- 91) By deleting existing Section 5.7.11.f ii) in its entirety;
- 92) In Section 5.7.11 h), by deleting the words “Schedule A” and replacing it with “Schedules A-1 through A-11, where applicable”;
- 93) By deleting existing Section 5.7.11 j) in its entirety and renumbering all subsequent sections as appropriate;
- 94) The following is inserted as a new Section 6.1 a) and all subsequent sections are renumbered as appropriate: “To recognize the increased importance placed on infill and intensification within the Urban and Community Settlement Areas, to support local businesses, provide a range of housing options for every stage of life and make efficient use of existing infrastructure.”
- 95) The following is inserted as a new Section 6.1 b) and all subsequent sections are renumbered as appropriate: “To promote sustainable architecture and development practices that help achieve the Municipality’s sustainability objectives;
- 96) In Section 6.1 f), by deleting the word “churches” and replacing it with the term “places of worship”;
- 97) The following is inserted as a new Section 6.1 j) and all subsequent sections are renumbered as appropriate: “To address the interface between the Municipality’s agricultural and settlement areas and the need to transition between these areas”;
- 98) In section 6.2, by adding the following preamble: “The following policies apply, with necessary modifications, to Plans of Subdivision and Plans of Condominium, as well as Site Plan applications for Land Lease Developments and cluster development such as townhouse and apartment complexes.”;
- 99) In Section 6.2 c), by deleting the sentence “where new plans of subdivision are proposed next to a roadway reserve, a connection to the roadway reserve is required”, and replacing it with “New development shall include sidewalks, other active transportation infrastructure and traffic calming measures as deemed appropriate by the municipality.”;
- 100) The following is inserted as a new Section 6.2 h) and all subsequent sections are renumbered as appropriate: “Developments shall be required to comply with the Municipality’s current infrastructure design standards as may be amended from time to time.”;

- 101) In Section 6.3 a), by deleting the words “compatibly scaled and designed”, and by deleting the word “which” and replacing it with the word “that”;
- 102) In section 6.3 b), by deleting the words “is compatible with” and replacing it with “complements”;
- 103) In section 6.3 c) by deleting the word “compatible with” and replacing it with “that compliment”, and by deleting the words “and character”;
- 104) In Section 6.3 d), by deleting the word “churches” and replacing it with “places of worship”;
- 105) In Section 6.3 f), by deleting the word “should generally” and replacing them with the word “shall”, by changing the word “to” into “towards”, by deleting the words “in harmony and”, by deleting the word “compatible” and replacing it with “complementary”, by adding the word “the” before the words “surrounding neighbourhood”, and by deleting the word “character”;
- 106) The first two subsections of Section 6.4 are deleted and replaced with the following:
  - a) Streetscaping that is complementary to the existing built form of the neighbourhood is encouraged. In particular, traditional streetscaping in Village Centres is encouraged. Accessible sidewalks and low impact development standards should be incorporated to minimize the impacts of climate change and reduce stormwater management costs. A coordinated approach should be taken in the planning and design of streetscape improvements in commercial areas, including the upgrading of building facades, signage, sidewalks, lighting, parking areas and landscaping.
  - b) Surface parking shall be located behind buildings, away from the street to provide a continuous streetscape. Where this is not possible/feasible, other locations and reduced parking requirements may be considered where appropriate and to the satisfaction of the Municipality. Appropriate design treatments and buffering is encouraged to screen parking areas from the public realm.
- 107) In Section 6.4 f), by adding the following sentence to the end: “Connectivity of municipal trails to these spaces will be encouraged.”;
- 108) In Section 6.4 g), by adding the following sentence to the end: “Connectivity of municipal trails to these parks will also be encouraged”;
- 109) The following is inserted as a new Section 6.4 i): “Where they are proposed, electric vehicle charging stations shall be located in a manner that cables and charging infrastructure shall not create a hazard for pedestrians or cyclists”;
- 110) By deleting Section 7.0 in its entirety and all subsequent sections are renumbered accordingly;

- 111) The following is inserted as new Sections 8.1 h) and 8.1 i):
- h) To promote equitable access to recreational experiences for all residents including connections with the Trails Master Plan (2014), where possible.
  - i) To encourage public municipal facilities as part of mixed-use private development, particularly within Urban Settlement Areas, to support the diversification of housing opportunities.
- 112) The following is inserted as new sections 8.3 e) through 8.3 j) and all subsequent sections are renumbered as appropriate: “Pedestrian walkways and bicycle paths; playgrounds and picnic areas; Municipally owned recreational facilities (swimming pools, sports fields, community centres, arenas etc.); Farmers market; Tourist information centres; Museums; and”;
- 113) In Section 8.4 d), by deleting the number “300” and replacing it with the number “500”;
- 114) In Section 8.4 f), by adding the sentence “Council may also accept payment of cash-in-lieu of parkland dedication where the dedication of parkland location and shape renders the remainder of the site unsuitable or impractical for development” following the sentence that ends with “even in combination with adjoining lands”, and by adding the words “that meets the goals for parkland established in Section 8.1” to the end of the last sentence.
- 115) The following is inserted as a new Section 8.4 k):
- “k) At its discretion, the Municipality may acquire new parks and recreation spaces where they are needed and provide amenities in existing parks where population is increasing.”
- 116) In Sections 9.0 and 9.1, by deleting every instance of the word “churches” and replacing it with the term “places of worship”;
- 117) In the heading of Section 9.2.1, by adding the word “Policies” to the end;
- 118) The following is inserted as new sections 9.2.1 j) through 9.2.1 l):
- “j) The Municipality will encourage mixed-use areas in its Village Centres and Settlement Commercial areas.
  - k) The Municipality will consider the economic development priorities outlined in the Middlesex Centre Strategic Plan in its policies and decisions.
  - l) The Municipality will promote and encourage on-farm diversified uses and agriculture-related uses to support the agricultural economy.”;

- 119) In Section 9.2.3 d), by deleting the words “Agriculturally-related and ecologically-related tourism” and replacing them with the word “Agri-tourism”;
- 120) In Section 9.3.1 a), by deleting the words “on private sanitary service systems” and replacing them with the words “serviced by private individual sewage treatment systems”;
- 121) By deleting Section 9.3.1 b) in its entirety and replacing it with the following: “Six of the eleven settlement areas within the Municipality are on full municipal water services (Ilderton, Komoka-Kilworth, Delaware, Arva, Denfield and Ballymote). Melrose and Birr have partial services (municipal water only) and Bryanston, Lobo and Poplar Hill-Coldstream have private individual services only.”
- 122) The following is inserted as a new Section 9.3.1 e) and all subsequent sections are renumbered as appropriate: “Where municipal services are not available or planned, development may be approved on the basis of Private Communal Servicing subject to the policies of Section 9.3.3.”;
- 123) In Section 9.3.2 b), by deleting the word “the” and replacing it with the words “a conventional private individual”, and by adding the words “area in compliance with Provincial guidelines” at the end of the first sentence.
- 124) The following is inserted as a new Section 9.3.3 and all subsequent sections are renumbered as appropriate:

#### “9.3.3 Private Communal Servicing

- a) The Municipality may permit private communal servicing as an alternative to private wells and septic tanks, only where it is deemed feasible, and is supported by the Ministry of Environment, Conservation, and Parks. Proponents shall fully satisfy all financial, technical, and other requirements of this Plan and other relevant approval authorities.
- b) Development on private communal services may only be permitted within the Hamlets of Ballymote, Birr, Bryanston, Poplar Hill & Coldstream, Denfield, Lobo, and Melrose.
- c) Development on private communal services shall only be considered for a plan of condominium.
- d) Any such system shall meet the requirements of the approval processes under the Environmental Assessment Act, the Ontario Water Resources Act, the Safe Drinking Water Act, and the Planning Act.
- e) The Municipality shall require a responsibility agreement to be established between the proponent and the Municipality. In approving any private communal servicing system, the Municipality shall require

financial securities to ensure that all operational, maintenance, and administration costs associated with the private communal services will not create an unacceptable financial burden for the Municipality in the event of default by the owner-operator of the services.

- f) Pre-consultation with the Municipality is required for any proposal for a private communal services system. In reviewing proposals for development on private communal systems, the Municipality will determine the number and types of communal systems that will be deemed acceptable by the Municipality.
  - g) An application submitted on the basis of private communal servicing must demonstrate conformity with the above requirements before it will be accepted as complete.”;
- 125) In Section 9.4.1 f), by adding the words “and cycling” after the words “convenient and visually appealing pedestrian”, and by adding the words “by providing paved shoulders, sidewalks, and bicycle parking.”;
- 126) In Section 9.4.1 h), by deleting the words “private ownership or to public”, and replacing it with the words “publicly accessible”;
- 127) The following is inserted as a new section 9.4.1 o): “To support the installation of infrastructure related to electric vehicles.”;
- 128) In Section 9.4.3 d), by deleting the word “Implementing”;
- 129) In Section 9.4.3 f), by deleting the word “visual”;
- 130) The following is inserted as a new Section 9.4.3 h): “Electric vehicle charging stations shall be permitted in all land use designations (except natural heritage and hazard lands), subject to site plan control. The Municipality’s Zoning By-law may establish electric vehicle equipment requirements where private parking is provided for larger-scale mixed-use, medium-high density residential uses, office and industrial developments.”
- 131) In Section 9.4.6 a). iv), by deleting the words “should be discouraged” and replacing them with “shall be prohibited”;
- 132) By deleting existing Section 0.4.6. a). vii) in its entirety and renumbering all subsequent sections as appropriate;
- 133) The following is inserted as a new Section 9.5.2 e) and all subsequent sections are renumbered as appropriate: “The engagement and partnering of indigenous communities is encouraged to consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.”
- 134) Existing Sections 9.6 and 9.7 are deleted in their entirety and replaced by the following:

## **“9.6 SECONDARY UNITS**

### ***9.6.1 Additional Residential Units***

Additional Residential Units are permitted in all designations where single detached, semi-detached, and rowhouse (townhouse) dwelling units are permitted subject to the requirements of the implementing Zoning By-law. Additional Residential Units are permitted within the principal dwelling and a detached building or structure accessory to the principal dwelling. Additional Residential Units within a detached accessory building or structure shall not be severed from the principal dwelling lot.

Proponents are advised that the following may be required prior to issuance of a building permit:

- a) A maximum of two Additional Residential Units will be permitted on a lot, one within the principal dwelling and one within a detached accessory building or structure. A garden suite shall not be permitted where an existing Additional Residential Unit is located within a detached building or structure.
- b) Demonstration of adequate sewer and water servicing capacity;
- c) Demonstration that the Additional Residential Unit is not located within the natural heritage system, floodplain areas, or other hazardous lands.
- d) Demonstration that the proposal complies with the Minimum Distance Separation formulae, where applicable.
- e) Demonstration that the Additional Residential Unit has a floor area of 49% or less of the principal dwelling.
- f) Demonstration that the Additional Residential Unit is in full compliance with the Ontario Building Code and fire code.
- g) Notwithstanding section 9.6.1 e), further limitations on the maximum permissible size of an additional residential unit may be identified in the Municipality's Zoning By-law.
- h) The Zoning By-law will establish provisions for the accommodation of Additional Residential units, including requirements for detached Additional Residential Units.
- i) For Additional Residential Units in a detached accessory building or structure in Agricultural Areas, the clustering of buildings is encouraged

to minimize the impact on agricultural land and co-locate services, where possible.

## 9.7 GARDEN SUITES

Garden suites are single-unit detached residential structures containing bathroom and kitchen facilities, designed to be portable and are accessory to an existing residential structure. Garden suites are not considered Additional Residential Units and may be permitted through a temporary use by-law for a period of up to 20 years. Extensions to the Temporary use by-law may be granted for periods of up to three years at a time.

The following policies shall apply to garden suites:

- a) A single garden suite shall be permitted on a lot in conjunction with a permitted single-detached dwelling provided there is no existing Additional Residential Unit within a detached building on the same lot.
- b) A garden suite may only be permitted through the passing of a temporary use by-law under Section 39 of the *Planning Act*. The use shall not exceed twenty (20) years from the date of passing the by-law.
- c) Garden suites shall be permitted where there is adequate water and sewage capacity on the lot to service the suite.
- d) Garden suites must comply with the setbacks for accessory buildings, as set out in the Zoning By-law.
- e) As per the *Planning Act* provisions for garden suites, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
  - The installation, maintenance, and removal of the garden suite;
  - The period of occupancy of the garden suite by any of the persons named in the agreement; and
  - The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite.”;

135) The following is inserted as a new Section 9.8 and all subsequent sections are renumbered as appropriate:

## **“9.8 MODULAR / PRE-FABRICATED HOUSING AND TINY DWELLINGS**

The Municipality supports housing development that is innovative and compact in its design and may represent non-traditional additions to the Municipality’s housing stock. Modular / Pre-Fabricated Housing and Tiny dwellings represent housing types that promote affordability, increased homeownership opportunities, diversity of housing stock, and availability to a broader range of demographics than traditional housing types, including young individuals and families, aging residents, and residents seeking to down-size to a smaller housing type.

A Modular / Pre-Fabricated Housing or Tiny dwelling means a dwelling structure which is or has been constructed off-site and cannot move (and was not designed to be moved) under its own power. These dwelling types do not include a mobile home or a recreational vehicle/trailer.

Modular / Pre-Fabricated Housing or Tiny dwellings may be permitted subject to the following:

- a) As a principal dwelling or additional residential unit subject to the other policies of this Plan, as applicable.
- b) Considered a detached additional residential unit for the purposes of Section 9.6.1 when it is not the principal dwelling on the lot.
- c) A maximum of one (1) shall be permitted on a lot.
- d) Regardless of dwelling size, minimum lot size requirements shall be maintained, as established in the Zoning By-law
- e) The use shall comply with the requirements of the Ontario Building Code and Fire Code, the Municipality’s Zoning By-law, and other Municipal or County By-laws.”;

136) The following is inserted as new Sections 10.1.1 and 10.1.2:

### *“10.1.1 Settlement Area Adjustments*

Proposals to adjust Settlement Areas outside a comprehensive review shall be subject to the requirements of Section 1.1.3.9 of the PPS, 2020 and the following:

- a) A Pre-Application Consultation submission shall be required prior to the submission of a formal application;



- b) The proposal shall identify the lands to be added as well as the lands proposed to be removed from the Settlement Area; and
  - c) The lands proposed to be added to the Settlement Area must abut the existing boundary of the Settlement Area and have frontage on a public road leading to the Settlement Area.
- 137) In Section 10.3.1 a), by adding the words “, or private communal services” after the words “extension of municipal streets and/or services”, and by adding the words “and/or condominium“ in the last line;
- 138) In Section 10.3.1 b), by deleting the word “appropriate” and replacing it with the word “conventional”;
- 139) By deleting existing Section 10.3.1 d) in its entirety and replacing it with the following: ““Flag-shaped” lots with narrow road frontage that provides access to a larger backlot area behind an abutting lot will not be permitted within the Settlement Areas and will be discouraged outside of settlement areas.”;
- 140) In Section 10.3.2, by adding the following words at the end of the first sentence: “in addition to policies in Section 4.5.3.4 of the County Official Plan”;
- 141) By deleting existing Section 10.3.2.1 b) in its entirety and replacing it with the following: “Severance for Agriculture-Related Uses may be permitted, subject to additional policies of this Plan in Section 2.3. Applications must demonstrate that the proposed lot area for a new Agriculture-Related Use is the minimum size required to accommodate the use and appropriate sewage and water services can be provided.”;
- 142) In Section 10.3.2.1 c), by deleting the word “considered” and replacing it with the word “permitted”;
- 143) The following is inserted as a new Section 10.3.2.1 d) and all subsequent sections are renumbered as appropriate: “Severances for Agricultural Uses must be a minimum of approximately 40 hectares in area with a frontage on an open, public road.”;
- 144) By deleting existing Section 10.3.2.1 f) in its entirety and replacing it with the following:
- “Consent to sever a residence surplus to a farming operation as a result of farm consolidation may be permitted, subject to all requirements of the County Official Plan, and the following:
- i. For the purposes of this policy, farm consolidation occurs when the owner of a farm property purchases an additional farm property to be added to the farming operation;

- ii. For the purposes of this policy, a residence becomes surplus to a farming operation (Surplus Residence) when a farm property with an existing, habitable dwelling, is consolidated with another farm property or operation with an existing, habitable dwelling;
- iii. The surplus residence is determined to be habitable by the Municipality's Chief Building Official;
- iv. A new residence shall be prohibited (through a Zoning By-law Amendment) on any remnant parcel of farmland created by a surplus residence severance;
- v. The lot for the surplus residence shall be the minimum size necessary to accommodate the residential use, water and sewage services;
- vi. The boundaries of the severed lot shall be generally regular in shape except to avoid fragmentation of environmental and topographic features. The loss of agricultural land shall be avoided wherever possible when determining an appropriate size and shape;
- vii. Additional severances shall be prohibited on lots that have been severed as a result of being a residence surplus to a farming operation;
- viii. The residential lot and the remnant farm lot shall meet the minimum standards of the Comprehensive Zoning By-law;
- ix. Lot creation for the Residence Surplus to a farm operation shall comply with Minimum Distance Separation Formulae (MDS);
- x. Livestock shall be prohibited (through the Comprehensive Zoning By-law) on the severed residential lot.
- xi. A notice shall be registered on the title of the residential lot specifically notifying future owners about normal farm practices, as outlined in the *Farming and Food Production Protection Act, 1998*, as amended.
- xii. Safe ingress/egress is required for both resulting lots. Where a new road entrance or driveway is required, environmental features, including but not limited to natural heritage features and natural hazards, will be avoided. Improvements to existing driveways may be required as a condition of approval.
- xiii. If required, a revised assessment schedule in accordance with the Drainage Act, as amended, shall be commissioned and paid for by the applicant."

- 145) In Section 10.4 a), by adding into the last sentence, after "a plan of subdivision", the words "and/or condominium";
- 146) In Section 10.4 f), by deleting the word "preserved" and replacing it with the word "conserved";

- 147) In Section 10.5.1 a), by adding the following onto the end: “Except where an agriculture-related use, on-farm diversified use or cannabis production facilities are proposed.”;
- 148) In Section 10.0, by adding the following as a new Section 10.6 and renumbering all subsequent sections accordingly:

“10.6 LAND USE COMPATIBILITY

Managing noise, vibration and odour levels is important to ensuring health and well-being, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation system.

It is the policy of the Municipality that:

- a) New industrial uses proposed in proximity to sensitive land uses, including, but not limited to, residential dwellings or institutional uses, shall submit a land use compatibility study demonstrating that the proposed use will comply with Provincial land use compatibility guidelines.
- b) New residential or other sensitive uses will not be located in noise sensitive areas unless noise abatement techniques are employed to reduce the noise to comply with the Ministry of the Environment sound level criteria/guidelines.
- c) New residential or other sensitive uses will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Ministry of the Environment sound level criteria and/or guidelines.
- d) Only those new commercial or employment uses that can meet Provincial sound level criteria will be permitted.
- e) The development of new employment uses and sensitive land uses will have regard for Provincial guidelines respecting separation distances between industrial uses and sensitive land uses.
- f) For any proposed development of a sensitive land use in proximity to a Provincial Highway, a noise and vibration study will be required to be submitted by a proponent, prepared by a qualified acoustical consultant, in accordance with the appropriate provincial guidelines, to the satisfaction of the County and/or local municipalities, and/or other jurisdiction prior to development approval. The

recommendations of the approved noise and vibration report will be incorporated in the development agreement for implementation, as approved.”

- 149) In the second sentence of Section 10.11, by adding the following to the end: “(Garden Suites may be permitted through a temporary use by-law for up to 20 years)”;
- 150) In Section 10.16, by adding the words “portions of settlement areas, or lands to be added to settlement areas” to the end of the first sentence, in the first paragraph by deleting “or could” and replacing it with the words “and may”;
- 151) In the second paragraph of Section 10.16, by adding the following to the end: “In the event of a conflict between the Secondary Plan and any other section of the Official Plan, the policies of the secondary plan shall apply.”
- 152) The following is inserted as new Sections 10.16.1 and 10.16.2

“10.16.1 At a minimum, Secondary Plans shall:

- a) Provide a statement of objectives and goals specific to the Secondary Plan Area;
- b) Provide a land use plan for the Secondary Plan Area;
- c) Provide policies related to land use designations, parks and open spaces, transportation, infrastructure, servicing related to water, wastewater and stormwater and urban design;

10.16.2 Privately-initiated Secondary Plans in support of large-scale development or redevelopment may be considered by the municipality, subject to the following:

- a) The proponent has engaged the municipality in pre-application consultation;
- b) The proposal is supported by studies related to growth management, natural heritage, transportation, and infrastructure related to water, wastewater and stormwater, prepared by qualified professionals to a standard acceptable to the Municipality, demonstrating the following:
  - i) The proposed development will satisfy unmet demand in the municipality for a full range and mix of housing options;
  - ii) The natural heritage features have been assessed and there shall be no negative impacts on significant natural heritage features or their ecological functions;
  - iii) The proposed transportation plan will integrate with the existing network without unacceptable impacts;

- iv) There is sufficient servicing capacity available to accommodate the proposed development.”;
- 153) The following is inserted as a new Section 10.19 j): “To encourage consultation with Indigenous communities including the need to confirm the preferred level of consultation.”;
- 154) The following is inserted as a new Section 10.19.1 with the heading title “Ministerial Zoning Orders”: “Section 47 of the *Planning Act* Permits the Minister of Municipal Affairs and Housing to enact, by order, zoning and Site Plan Approval without the need for public consultation or Council support. The Municipality shall provide notice and seek public input in accordance with the public consultation requirements of a Zoning By-law Amendment prior to making a decision on whether to endorse a proposed Minister’s Zoning Order.”;
- 155) In Section 10.20.2, by adding the following sentence after the first sentence: “The required supporting studies will be identified through pre-consultation with the municipality, and those that have been identified will be required as part of a complete application.”;
- 156) The following is added to Section 11:

“SPA#29

Lands identified as SPA #29 on Schedule A may continue to be used for legally existing uses established prior to the adoption of this policy. New development shall occur in accordance with the underlying land use designations and subject to the following:

- a) New lot creation, including consents to sever and plans of subdivision, shall not be permitted until such time as municipal sewer and water services are available.
- b) All new development shall be required to connect to municipal sewer and water services;
- c) An Official Plan Amendment shall be required to remove the SPA #29 designation prior to, or as part of, a development proposal.
- d) New development proposals shall demonstrate conformity with policy 5.2 of this plan (Settlement Expansion Requests) prior to approval to ensure appropriate phasing of growth.
- e) The Municipality may undertake the preparation of a Secondary Plan(s) to guide land use within this area in accordance with the policies of this plan.

- f) Landowners are encouraged to coordinate phasing of development and cost-sharing for the extension of municipal services.”
- 157) In the definition of Institutional Uses in Section 12.0, by deleting the word “churches” and replacing it with the term “places of worship”;
- 158) In the definition of Agriculture-related Uses in Section 12.0, by deleting the words “to a farm operation”, and replacing it with “to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, provide direct products and/or services to farm operations as a primary activity”;
- 159) In Section 12.0, by removing the quotation marks around “Value-Added” in the Term “Value-Added Agriculturally Related Uses”;
- 160) In Section 12.0, by inserting the following definitions as appropriate alphabetically:  
“*Major Retail* is defined as a large-scale or large-format stand-alone retail store or retail centre, having a gross leasable area of 2,000 square metres or greater, that have the primary purpose of commercial activities.”

“***Ecological Function*** is defined as 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.”

“***On-Farm Diversified Uses*** is defined as 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. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.”

“***Prime Agricultural Area*** is defined as 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*** is defined as 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.”;

- 161) All references to the land use schedules are replaced as follows:

- a. "Schedule A-1: Ilderton Urban Settlement Area" is replaced with, "Schedule A-7 Ilderton Urban Settlement Area";
- b. "Schedule A-2: Komoka-Kilworth Urban Settlement Area and Secondary Plan" is replaced with "Schedule A-8 Kilworth Urban Settlement Area and A-9 Komoka Urban Settlement Area";
- c. "Schedule A-3: Arva Community Settlement Area" is replaced with "Schedule A-1: Arva Community Settlement Area";
- d. "Schedule A-4: Delaware Community Settlement Area" is replaced with "Schedule A-5 Community Settlement Area";
- e. "Schedule A-5: Ballymote Hamlet Area" is replaced with "Schedule A-2 Ballymote Hamlet Area";
- f. "Schedule A-6: Birr Hamlet Area" is replaced with "Schedule A-3 Birr Hamlet Area";
- g. "Schedule A-7: Bryanston Hamlet Area" is replaced with "Schedule A-4: Bryanston Hamlet Area";
- h. "Schedule A-8: Poplar Hill and Coldstream Hamlet Area" is replaced with "Schedule A-12: Poplar Hill/Coldstream Hamlet Area";
- i. "Schedule A-9: Denfield Hamlet Area" is replaced with "Schedule A-6 Denfield Hamlet Area";
- j. "Schedule A-10: Lobo Hamlet Area" is replaced with "Schedule A-10: Lobo Hamlet Area";

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 20<sup>th</sup> day of April, 2022.

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Aina DeViet, Mayor

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James Hutson, Municipal Clerk