

**STAFF REPORT: ADMINISTRATION**

**REPORT TO:** Council

**MEETING DATE:** August 30, 2010

**REPORT NO.:** SPS.10.13

**SUBJECT:** County of Grey Official Plan

**PREPARED BY:** Peter Tollefsen, Director of Special Projects (Sustainability)

**A. Recommendations**

THAT Council receive the Staff Report SPS.10.13 “County of Grey Official Plan”.

**B. Background**

County of Grey Council adopted Official Plan Amendment No.80 (OPA#80) on March 3, 2009. OPA#80 proposes a number of amendments to the current County Official Plan including policy revisions as well as revisions to the schedules and appendices. The Ministry of Municipal Affairs and Housing (MMAH) circulated the adopted OPA#80 to provincial ministries and agencies for review and comment.

The MMAH issued a draft decision on OPA#80 dated July 30, 2010 (see Attachment 1). Before a final decision is made, MMAH has indicated that they wish to advise the County of the modifications and to obtain the concurrence and input of County Council in advance of the final decision.

There is a covering County Staff report dated Aug 12, 2010 to the County Planning and Community Development (see Attachment 1) which gives a summary and comments on the proposed modifications from MMAH.

Of particular concern is Modification No 4 & 51 which modifies the definition for “agriculture-related uses” by removing the word “or” and replacing it with “and”. Essentially this change would require agriculture-related uses to be directly related to the farm operation and required in close proximity to farm operations, which decreases flexibility in the rural area for economic activity.

Another concern is Modification No 7 & 8 related to wineries as a permitted use in the Special Agricultural designation. MMAH is proposing to delete the policy regarding the detailed development criteria in local official plans and to include the following policy under the permitted use section; “A winery shall only be permitted if it is secondary to the principal use(s) of the property and produces value-added agricultural products from the farm operation”. This decreases flexibility somewhat in the rural area for economic activity.

The County Planning and Community Development Committee at the Aug 12, 2010 meeting gave direction to staff to incorporate wording to clarify the policy change proposed by MMAH and the County staff report regarding the draft decision has been revised (see Attachment 2).

The Report now reads, regarding Modification 4 & 51 that County staff recommend that the proposed modification be revised to include the words “and/or”, which Town staff would agree with and support.

Regarding Modification 7 & 8 the report now reads- County staff recommends that Modification #7 be revised by deleting the word “property” and replacing it with “farm operation”. This wording change would be consistent with the terminology used throughout the County Official Plan. Town staff would agree and support this wording.

This Committee Report and Recommendation now goes to the Sept 7, 2010 County Council meeting for adoption then back to MMAH.

### **C. The Blue Mountains' Strategic Plan**

A supportable County Official Plan will help with the Goal – *Managing growth to ensure the ongoing health and prosperity of the community.*

### **D. Environmental Impacts**

Not measurable yet.

### **E. Budget Impact**

None.

### **F. Attached**

Attachment 1 – Committee Report to the County Planning and Community Development Committee August 12, 2010.

Attachment 2 – revised Committee Report to the County Planning and Community Development Committee August 12, 2010.

Respectfully submitted,

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Peter Tollefsen, Director of Special Projects (Sustainability)

For more information, please contact:

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*CORPORATION OF THE  
COUNTY OF GREY*



**COMMITTEE REPORT**  
PDR-PCD-27-10

**TO:** Chair Mullin and Members of the Planning and Community Development Committee

**FROM:** Randy Scherzer, Director of Planning

**MEETING DATE:** August 12, 2010

**PURPOSE:** The purpose of this report is to provide the County's Planning and Community Development Committee with an overview of the draft decision for Official Plan Amendment No. 80 (5 Year Review) issued by the Ministry of Municipal Affairs and Housing.

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**RECOMMENDATION**

**WHEREAS** County Council adopted Official Plan Amendment No. 80 on March 3, 2009;

**AND WHEREAS** the Ministry of Municipal Affairs and Housing has issued a draft decision which includes modifications to Official Plan Amendment No. 80 adopted by County Council;

**NOW THEREFORE BE IT RESOLVED THAT** the County Planning and Community Development Committee receives Report PDR-PCD-27-10 for information purposes;

**AND THAT** the Ministry be notified that the County Planning and Community Development Committee concurs with the proposed modifications subject to the recommended revisions to Modifications 19, 34, 39, 53 & 56 identified in this Report, and subject to a final determination regarding the settlement area changes for Chatsworth and Dundalk.

## **OVERVIEW**

County Council adopted Official Plan Amendment No. 80 (OPA#80) on March 3, 2009. OPA#80 proposes a number of amendments to the current Official Plan including policy revisions as well as revisions to the schedules and appendices. The Ministry of Municipal Affairs and Housing (MMAH) circulated the adopted OPA#80 to the provincial ministries, the Niagara Escarpment Commission, the conservation authorities and the Saugeen Ojibway Nation for review and comment. After much dialogue between the partner ministries, agencies and County staff, MMAH issued a draft decision on OPA#80 dated July 30, 2010 (see attachment). The proposed modifications reference the modification numbers adopted by County Council and therefore it may be necessary to refer back to the adopted OPA#80 which can be found on the County website at the following location:

[https://greydocs.greycountry.ca/ucm/groups/public/documents/plwebdocuments/gc\\_019185.pdf](https://greydocs.greycountry.ca/ucm/groups/public/documents/plwebdocuments/gc_019185.pdf)

Before a final decision is made, MMAH has indicated that they wish to advise the County of the modifications and to obtain the concurrence and input of Council in advance of the final decision. MMAH indicates that the proposed modifications are to implement the PPS and other modifications are for clarification/interpretation purposes.

## **Modification Summary and Comments**

Many of the modifications proposed by MMAH are minor changes to the wording of the policies and therefore these modifications have not been summarized below. The following highlights some of the key modifications being proposed by MMAH:

### **Modification No.4 & 51**

Modification No. 4 makes changes to the permitted uses for the Agricultural designation. The main change proposed to this section is that the term 'small scale' has been replaced with 'agriculture-related uses'. Modification No. 51 modifies the definition for 'agriculture-related uses' by removing the word 'or' and replacing it with an 'and'. Essentially this change would require agriculture-related uses to be directly related to the farm operation and required in close proximity to farm operations. It should be noted that the definition for agriculture-related uses references small scale and the definition of small scale as adopted by County Council will remain unaltered. MMAH has indicated this change is necessary in order to be consistent with the PPS. It should be noted that the County's comments regarding the five year review of the Provincial Policy Statement (PPS) asks that the related policies be clarified in the PPS to allow for agriculture-related uses to be allowed to service farm operations in the area and not just THE farm operation. Based on the above, and the minor nature of the proposed amendments, County staff do not have concerns with the proposed modifications.

#### Modification No.5

Modification No. 5 is with respect to conservation severances. MMAH is proposing to modify the adopted polices by removing conservation severances as a permitted use in the Agricultural designation and Special Agriculture designation, however conservation severances will still be permitted in the Rural designation. The policy adopted by OPA#80 already excluded conservation severances in the Special Agriculture designation. County staff do not have concerns with respect to this proposed modification.

#### Modifications No. 7 & 8

These modifications are related to wineries as a permitted use in the Special Agriculture designation. In the adopted version, the term “wineries” was included as a permitted use and a policy was added indicating “wineries shall only be permitted in accordance with detailed development criteria contained within the applicable local official plan”. In the draft decision, MMAH is proposing to delete the policy regarding the detailed development criteria in local official plans and to include the following policy under the Special Agriculture permitted uses section: “A winery shall only be permitted if it is secondary to the principal use(s) of the property and produces value-added agricultural products from the farm operation”. County staff do not have concerns with the proposed modification as a winery will still be a permitted use and the policy remains flexible enough to allow local municipalities to include further detailed development criteria in the local official plan.

#### Modification No. 21, 42 & 55

There are a number of modifications being proposed which relate to the adopted servicing policies. Most of these policies add clarification to the adopted policies which will assist in the interpretation of the policies. For example, policies were adopted by County Council with respect to a Settlement Capability Study which is a study that would be required to consider development beyond 5 lots on private services in Secondary Settlement Areas. Part of Modification No. 21 and Modification No. 55 propose to add wording indicating that the Settlement Capability Study “shall assess the entire settlement area and shall address the cumulative effects of new development on the natural environment and the surrounding land uses”. County staff are of the opinion that this sentence captures the original intent of the Settlement Capability Study and therefore staff do not have concerns with the proposed modifications. Similarly, Section 5.3.2(11)(b) as adopted by Council indicates that partial services shall only be permitted “within Settlement Areas, to allow for development on partial services”. Modification 42 proposes to clarify the wording to read that partial services shall be permitted “within Settlement Areas, to allow for development where partial services exist”. County staff do not have concerns with the proposed modifications as the proposed wording maintains the original intent of the adopted policy.

#### Modification 16

The policies adopted in OPA#80 included intensification targets for each municipality. During discussions with Ministry staff, it was indicated that an overall intensification target needs to be established for the County as a whole. As such, County staff took the average of the local municipal intensification targets adopted by County Council and determined that an overall intensification target for new growth would equal approximately 15%.

Modification 16 proposes to add the overall intensification target to be 15% and therefore County staff do not have any concerns with the proposed modification.

#### Modifications 28, 29 & 30

A number of aggregate policy changes were adopted by County Council as part of OPA#80. The intent of the adopted aggregate policies was to ensure that the study requirements for aggregate applications were consistent with the requirements of the provincial standards. For the most part, the draft decision proposes to keep the majority of the aggregate policies intact. Proposed Modifications 28, 29 & 30 clarify this intent and propose minor modifications to the adopted policies. For example, with respect to the adopted policies regarding the study requirements for asphalt plants and concrete batching plants, MMAH is proposing to add that “noise, odour and dust studies be provided to satisfy the Ministry of the Environment’s standards”. County staff are satisfied with the proposed modifications.

#### Modification 34

Section 2.8.3(3) as adopted by County Council states that “development and site alteration in the Provincially Significant Wetlands designation or the adjacent lands requires the approval of the appropriate Conservation Authority”. The proposed modification would delete this section and replace it with the following: “changes to the Provincially Significant Wetlands designation or the adjacent lands requires the approval of the appropriate Conservation Authority”. The changes are being proposed by MMAH as a result of the provincially significant wetlands and the adjacent lands being part of the regulated areas administered by the Conservation Authority. The Provincial Policy Statement indicates that the Ministry of Natural Resources is responsible for identifying provincially significant wetlands. As such, County staff recommends that the wording proposed by MMAH be slightly modified by deleting the words “the approval of” and replacing it with “consultation with” so that the section reads as follows: “changes to the Provincially Significant Wetlands designation or the adjacent lands requires consultation with the appropriate Conservation Authority”.

#### Modifications 39 & 47

Saugeen Ojibway Nations (SON) provided comments to the MMAH requesting modifications to OPA#80. Modifications 39 & 47 are being proposed by MMAH to address the concerns raised by SON. A policy was adopted by County Council indicating that the County may undertake an Archaeological Management Plan. Modification#39 proposes to add wording to the policy indicating that the County will consult with First Nations and Metis when developing the Terms of Reference for the Archaeological Master Plan. County staff do not have any concerns with the proposed modification. However, County staff recommend that the term “Archaeological Master Plan” be changed to “Archaeological Management Plan” to be consistent with the terminology used in Section 3(11) as adopted by County Council.

County Council adopted Section 6.13(8) which indicates that consultation with First Nations shall be required for applications to be approved by the County. Section 6.13(8) also

indicates that the County will work with First Nations to develop a consultation protocol. Modification#47 adds more detail as to when consultation will be required with First Nations. A map has been provided by First Nations which identifies the traditional territory of SON. MMAH is proposing to add this map as Appendix C, however the proposed policy indicates that Appendix C would not constitute part of the Official Plan. The proposed policy states that “SON shall be consulted for those lands identified in Appendix C and in accordance with any consultation protocol developed in consultation with the Saugeen Ojibway Nation”. The proposed modification also proposes to add the following: “The Saugeen Ojibway Nation is preparing a study of traditional interior routes, former settlements and land uses” and that “this Study shall be taken into consideration when it is available”. County staff are satisfied with the proposed modifications.

#### Modification 40

County Council adopted a number of policies with respect to alternative and renewable energy systems. As a result of the Green Energy Act removing the abilities to have policies in official plans regarding alternative and renewable energy systems, MMAH is proposing to delete the adopted policies. County staff do not have concerns with the proposed modification.

#### Modification 53

Modification#53 proposes to make a minor edit to the definition of Natural Heritage Features in order to be consistent with the wording found throughout the rest of the Official Plan. However, County staff recommends that revisions be made to the modification in order to make the wording more consistent with the existing terminology. County staff recommends that the second “significant wetlands” reference in the definition be deleted and replaced with “other identified wetlands” which is consistent with the terminology used in the Official Plan.

#### Modification#56

Modification#56 proposes to add the wording from the “Adjacent Lands” definition adopted by County Council and include it within Section 2.8.1 of the County Official Plan. Although County staff do not have any concerns with the proposed modification, County staff suggest that the reference to “Other Wetlands” be changed to “Other Identified Wetlands” to be consistent with the terminology used throughout the Plan. County staff also recommends that the same wording be changed in the definition of “adjacent lands” which would be a revision to Modification#293.

#### Settlement Area Expansions

MMAH has reviewed the five Comprehensive Reviews for settlement area expansions, as well as the Town of Hanover’s request for an expansion. At this time, MMAH is considering the approval of expansions to Durham and Markdale in their Draft Decision. Chatsworth and Dundalk are also being considered for expansion, subject to some specific issues being resolved prior to a final decision. At this time expansions to Hanover and Springmount are not being considered for approval, and any expansions would warrant a

future County Official Plan Amendment. It should be noted that based on the most recent changes to the Planning Act, it appears that there is no appeal mechanism for refusing or failing to adopt/approve an amendment which alters all or any part of the boundary of an area of settlement in a municipality or to establish a new area of settlement in a municipality. However it is unclear as to whether or not a person or public body could appeal a modification made by an approval authority to a settlement area boundary. Additional details are provided below for each of the settlement areas discussed above.

### Durham

After further review, and consultation with the Ontario Ministry of Food, Agriculture and Rural Affairs (OMAFRA), MMAH has recommended approval for the expansion to Durham, as shown on Secondary Schedule 3I. MMAH has accepted the boundaries proposed by the Municipality of West Grey in their revised Comprehensive Review dated March 8, 2010, which were reduced from what was initially adopted in OPA 80. It should be noted however, that under Modification # 19 by MMAH, a secondary plan will be required prior to new development in the expansion area. County staff would recommend that the wording of this modification be amended to reference a secondary plan, a Municipality of West Grey Official Plan, or an updated Town of Durham Official Plan, be prepared prior to new development in the expansion area.

### Markdale

The expansion area for Markdale, shown on Secondary Schedule 2f, has been modified slightly from what the Municipality of Grey Highlands proposed in their March 2010 Comprehensive Review, and the County's adopted OPA 80 (see Appendix A). A small section of land, approximately 6 hectares, in the north-west of the proposed expansion area has been removed, based on a Minimum Distance Separation (MDS) conflict to a barn on the south side of Highway 10. Based on initial concerns by OMAFRA, further MDS calculations were completed by Municipal Staff. The updated calculations resulted in the identification of a MDS arc from the neighbouring barn, which extends into the proposed expansion area. In order to be consistent with Provincial Policy, MMAH have proposed to shrink the expansion area along an existing tree-line, so that the expansion area remains outside of the MDS setback.

In order to be consistent with the requirements MMAH has proposed for Durham, County staff would recommend a modification to the draft decision which requires an amendment to the Municipality of Grey Highlands Official Plan, prior to development being considered in the expansion lands. It should be noted that whether this modification is included by MMAH or not, the Municipality of Grey Highlands would still need to update their Official Plan to include policy and revised land use designations for the expansion lands.

### Chatsworth

Chatsworth is slightly different than the other settlement areas seeking expansion. Although the boundaries of the Village of Chatsworth are proposed to expand into areas not previously within the settlement area, the Township is also proposing to remove lands equal to that which it is expanding by. As such, the Village of Chatsworth will not be

gaining any additional development land, rather it will be realigning growth areas to locations which are suitable for such purposes. The proposal by the Township would see a net balance between lands being removed and those to be added.

MMAH has reviewed the documentation provided by the Township and is generally satisfied; however OMAFRA has identified some MDS issues with proposed expansion areas 6 & 7 (See Appendix B). Based on OMAFRA's MDS concerns Township staff have now provided the Province with additional MDS calculations and information. The Province has not yet had an opportunity to review this additional material, which is why the existing Chatsworth boundaries are being shown in the Draft Decision on Secondary Schedule 3a.

Based on the MDS information which has now been supplied to the Province, County staff would speculate that proposed expansion areas 6 & 7 will be modified out of the settlement area boundaries. However, expansion area 8 should remain in the settlement area, as the Province appears to have no concerns with these lands. If this scenario were to occur the way County staff speculate, then the Village of Chatsworth would actually be facing a net reduction in lands within the settlement area boundaries i.e. areas 1-5 are being removed, while only area 8 is being added. If Township Council and staff are supportive of this approach, then County staff would speculate that such an approach would be acceptable to the Province. However, one further option may be to look at including additional lands within the settlement area boundaries, to compensate for the removal of areas 6 & 7, and thereby achieving a net balance between those lands which are being removed versus those lands which are being added. County staff would not recommend adding any new lands which were not previously considered under OPA 80, as further work would need to be done as well as further public consultation. However, what may be an option is to consider not removing some of area 2 along the north and south side of Sideroad 1, as well as potentially adding in the remainder of the Township owned property at the south end of area 8. The Province may be able to consider such an approach as area 2 is already within the settlement area boundaries, and the Township property was initially entirely included in the adopted OPA 80.

County staff would generally defer to the wishes of Township Council as to what modifications are acceptable to the Village boundaries, should areas 6 & 7 not be included based on MDS concerns. The only recommendation County staff would make to the Province would be to ensure that the remainder of the draft approved Taylor subdivision lands are included in the Secondary Settlement Area boundaries. Currently based on the 'blob-like' Hamlet boundaries a very small portion of the subdivision actually extends into the Rural designation.

#### Dundalk

Similar to Chatsworth, the Province appears willing to approve a partial expansion to the Village of Dundalk; however the size of that expansion remains undetermined at this point. Unlike Chatsworth however, an expansion to Dundalk is not proposed as a net balance, rather it would be a net expansion. In their revised Comprehensive Review, dated March 2010, the Township of Southgate significantly reduced the proposed expansion area, from

what was adopted in OPA 80. As part of the justification in their report, the Township noted that approximately 27.5 hectares of land, which was previously thought to be developable, have now been deemed undevelopable based on updated mapping from the Grand River Conservation Authority (GRCA). MMAH is currently attempting to determine how much of this 27.5 hectares needs to be 'netted out' from development, and whether any those lands could be developable based on further study or engineering. MMAH is currently working with the GRCA and the Ministry of Natural Resources in order to resolve the matter. In discussions on the matter, County staff have made the Province aware of the importance of the Highway 10 corridor to the Township, and the Province will take this into consideration, should the boundaries be modified from what was included in the revised Comprehensive Review. At this point County staff would speculate that a portion of the Dundalk expansion area will be approved, but cannot speculate on exactly how many hectares will be approved. MMAH have noted, and GRCA staff have recommended, that should an expansion to Dundalk be approved, that a similar clause to Modification # 19 (relating to Durham) would need to be added requiring either a secondary plan or a comprehensive amendment to the Township of Southgate Official Plan.

### Springmount

In the covering letter to the Draft Decision MMAH notes that an expansion to the boundaries of Springmount may be premature, based on the what the Township is considering in their upcoming Township Official Plan. Based on discussions with MMAH staff it would appear that the Ministry is not considering an expansion to the boundaries of Springmount at this time. Provincial staff have also identified further issues, outside of what is in the covering letter, including servicing and Ministry of the Environment (MOE) concerns which should be addressed as part of a future amendment process.

In this regard, it may be appropriate for the Township to continue working on their Township Official Plan, to further determine exactly what would be needed from an employment lands and servicing perspective across the entire Township. As the Township Plan nears an adoption date, the Township could consider coming forward with a stand-alone County Official Plan Amendment should an expansion be warranted. It should be noted the County would be the approval authority for the future Township Official Plan as well as a future County Official Plan Amendment, done outside of the Five Year Review process. A similar process was followed by the Township of Southgate in the approval of their Township Official Plan. After having prepared the background work and draft policy for the Southgate Official Plan, the Township realized there was a need to apply for a County Official Plan Amendment, in order to implement some unique policy and boundary changes in the Township Plan. County Official Plan Amendment # 66 was subsequently passed which facilitated the approval of the Southgate Official Plan.

### Hanover

As explained in the covering letter, MMAH notes that they cannot consider a boundary expansion to the Town of Hanover at this time, based on what the County adopted in OPA 80, and based on further resolutions passed by County Council. Although a boundary expansion is not being considered by the Province, this would not prejudice the Town of

Hanover, or the Municipality of West Grey from coming forward with a County Official Plan Amendment for a boundary expansion in the future. Through the amendment process a comprehensive review would need to be prepared justifying the expansion based on Provincial and County policy.

#### Other changes to Schedules

There were a number changes made to the schedules and appendices adopted by County Council, most of which were recommended by County staff. The following highlights the changes made to the Schedules/Appendices:

- All Schedules and Appendices have been reduced from 36X48 to 24X36. This makes the schedules more manageable and reduces the use of paper and ink.
- The dates on all of the Schedules and Appendices have been changed to June 25, 2010. The Secondary Schedules are now dated April 2010 or June 2010.
- As a result of comments from the Niagara Escarpment Commission, the boundary of Balmy Beach on Schedule A Map 1 as well as Secondary Schedule 1e have been slightly altered to match the settlement area boundary identified in the Niagara Escarpment Plan.
- The Schedules and the Secondary Schedules would need to be updated to reflect MMAH's final decision with respect to the settlement area expansions.
- The legends on Schedule A - Maps 1, 2 & 3 have been revised to reflect the changes as requested by the Niagara Escarpment Commission in order to be more consistent with the terminology used in the Niagara Escarpment Plan. The 'Niagara Escarpment Plan Area' is proposed to be called the 'Niagara Escarpment Development Control Area'. The 'Niagara Escarpment Area Boundary' is proposed to be called 'Niagara Escarpment Plan Boundary' and a footnote has been added indicating that "certain settlement areas within the Niagara Escarpment Plan Boundary may be subject to Development Control".
- Schedule A – Map 2 – a wetland boundary in the Silver Creek Wetland Complex has been adjusted to reflect changes supported by the Ministry of Natural Resources and to recognize the changes to this wetland complex as approved by County Council through Official Plan Amendment No. 85.
- Some minor Hazard Land boundary adjustments were made in the Township of Southgate on the lands known as the Hoffman subdivision. These boundaries are supported by the Saugeen Valley Conservation Authority and are currently in the Township of Southgate Zoning By-law.
- Schedule B – Map 2 & Map 3 – two licensed pits/quarries were removed as requested by the Ministry of Natural Resources as a result of the aggregate licenses being surrendered.
- Appendix A – the legend for the wellhead protection areas has been revised to only show Zone A, B, C & D to be consistent with how these are being mapped by the Sourcewater Protection Authorities. It should be noted that the boundaries of the wellhead protection areas have not changed.

County staff support the above noted modifications to the schedules and appendices.

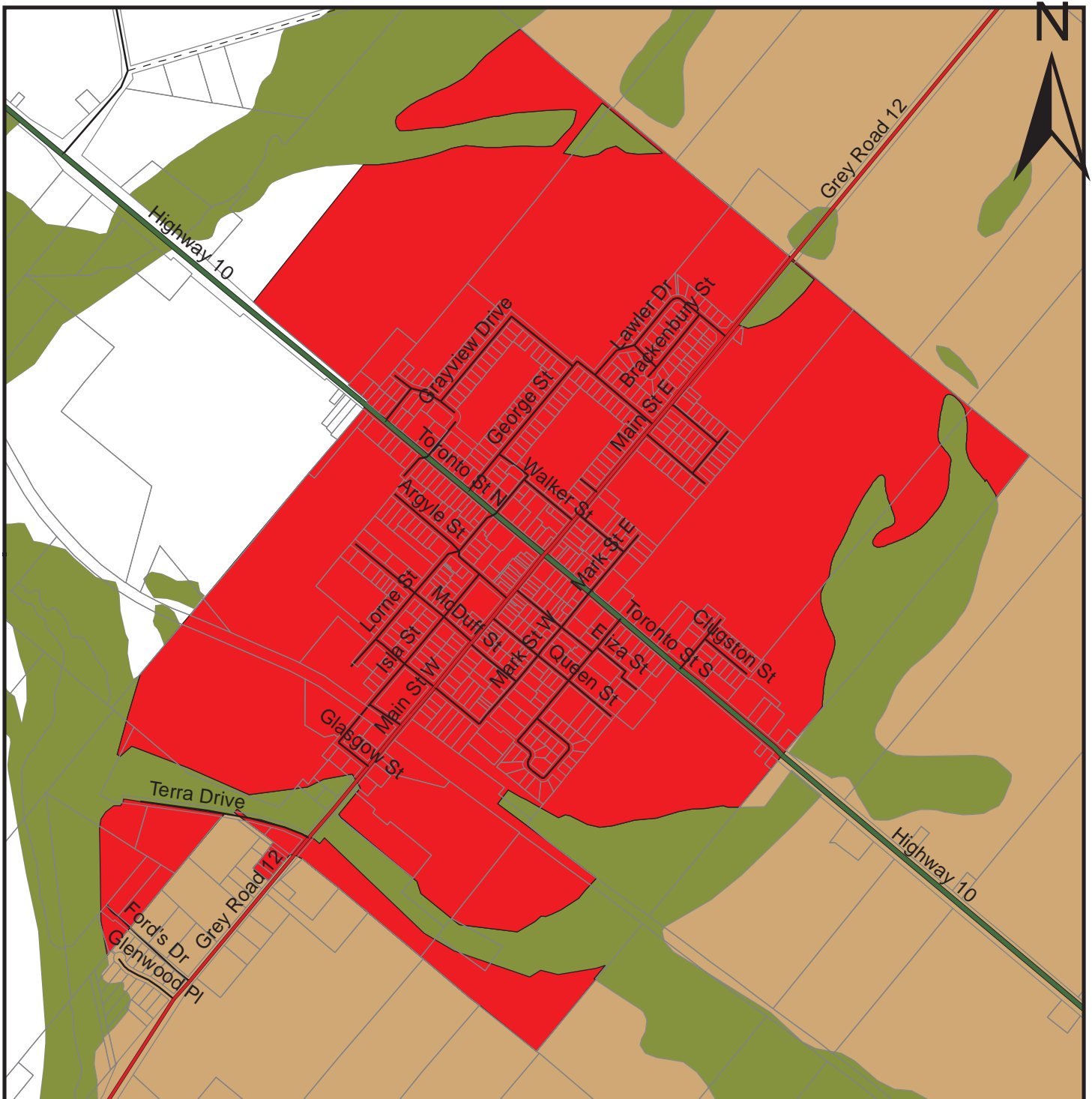
**FINANCIAL / STAFFING / LEGAL/ IT CONSIDERATIONS**

At this point there are no financial, staffing, legal or IT considerations with respect to this matter. Following a decision from the Ministry on OPA#80, there could be increased financial or legal costs/needs should the decision be appealed

**SUMMARY**

County Council adopted Official Plan Amendment No. 80 (OPA#80) on March 3, 2009. OPA#80 proposes a number of amendments to the current Official Plan including policy revisions as well as revisions to the schedules and appendices. The Ministry of Municipal Affairs and Housing (MMAH) circulated the adopted OPA#80 to the provincial ministries, the Niagara Escarpment Commission, the conservation authorities and the Saugeen Ojibway Nation for review and comment. After much dialogue between the partner ministries, agencies and County staff, MMAH issued a draft decision on OPA#80. MMAH indicates that the proposed modifications are to implement the PPS and other modifications are for clarification/interpretation purposes. Other than the proposed revisions to Modifications 19,34, 39, 53 and 56 described in this Report, and subject to a final determination with respect to the settlement area changes for Dundalk and Chatsworth, County staff support the proposed modifications included in the draft decision.

Respectfully Submitted,  
Randy Scherzer, Director of Planning



**LEGEND**

-  Provincial Highway
-  County Road
-  Local Road
-  Seasonal Road
-  Agricultural
-  Special Agriculture
-  Rural
-  Primary Settlement Area
-  Secondary Settlement Area
-  Tertiary Settlement Area
-  Inland Lakes & Shoreline
-  Recreational Resort Area
-  Space Extensive Commercial
-  Space Extensive Industrial
-  Hazard Lands
-  Provincially Significant Wetlands
-  Niagara Escarpment Plan Boundary \*\*
-  Niagara Escarpment Development Control Area
-  Escarpment Recreation Area

\*\* certain settlement areas within the Niagara Escarpment Plan Boundary may be subject to Development Control.

THE COUNTY OF GREY OFFICIAL PLAN

**SECONDARY SCHEDULE  
Land Use Designations**

**MAP 2f**

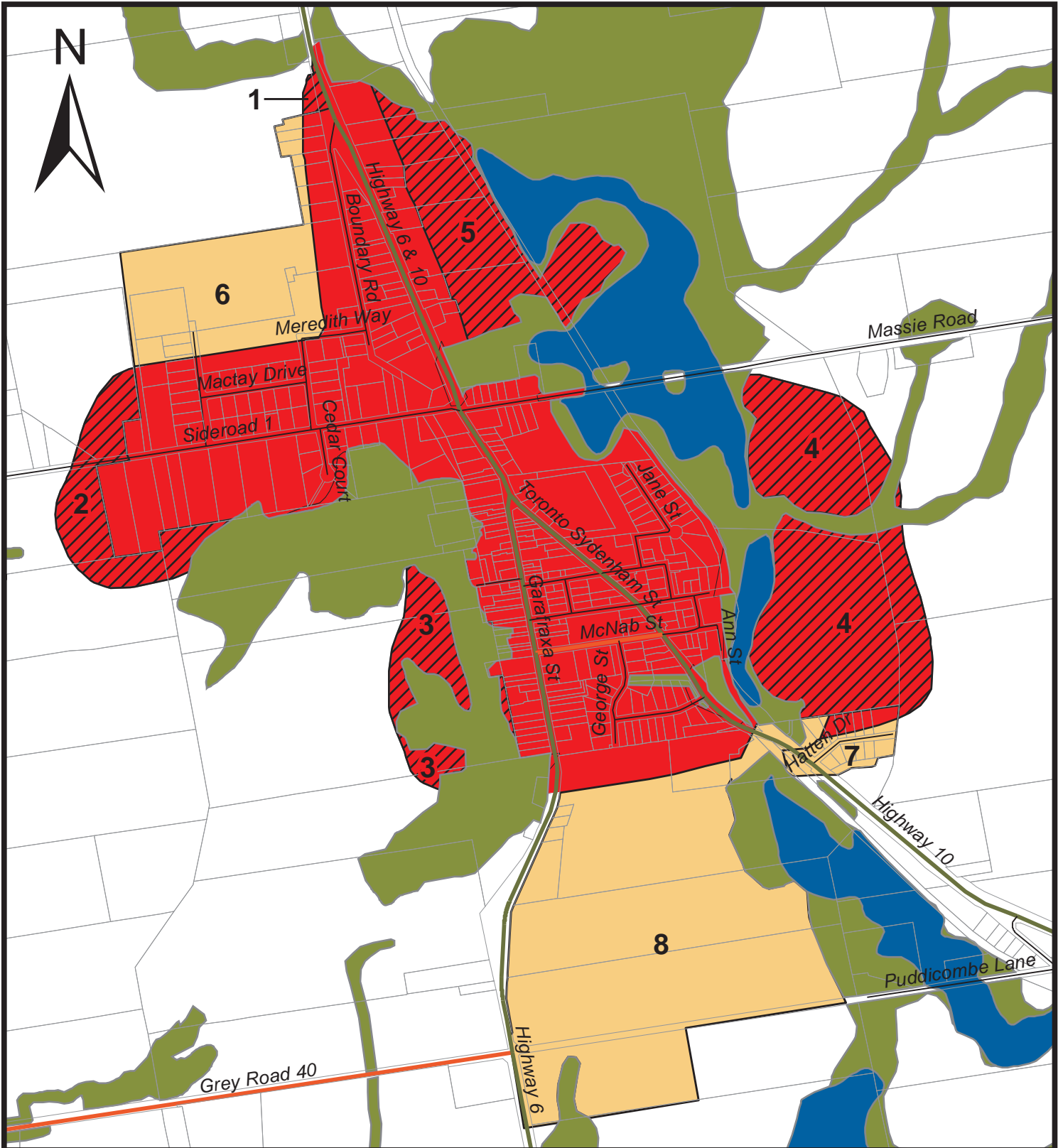
**MARKDALE**

**SCALE 1:15 000**

**INTERACTIVE MAP:** [gis.greycounty.ca](http://gis.greycounty.ca)

**DOWNLOAD PDF:** [greyc.ca](http://greyc.ca)

GR\_OP\_SecSched\_Map2fMarkdaleX11\_June2010.mxd



**LEGEND**

- Hazard Lands
- Wetlands
- Rural
- Settlement Area
- Lands to be Removed
- Lands to be Added

**COUNTY OF GREY OFFICIAL PLAN**

**SETTLEMENT AREA**  
 Lands to be Removed  
 Lands to be Added

**CHATSWORTH**

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Municipal Affairs  
and Housing

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July 30, 2010

Mr. Randy Scherzer  
Director of Planning and Development  
County of Grey Planning Dept  
595 9<sup>th</sup> Ave. East  
Owen Sound, ON  
N4K 3E3

Dear Mr. Scherzer,

Re: **Official Plan Amendment No. 80 (5 Year Review)**  
**Draft Decision**  
**County of Grey**

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As you are aware, Council adopted Official Plan Amendment No. 80 for the County of Grey which was then circulated by this Ministry to Provincial Ministries and the Conservation Authorities for review and comment. The circulation and review of the document has been completed and we are now in a position to proceed to finalize a decision on this Plan pursuant to Section 26 and subsection 17 (34) of the *Planning Act*. However, before a decision is made, we wish to advise you of the modifications so that you may obtain the concurrence and input of Council in advance of such a decision.

The Official Plan Amendment is a forward-looking document and is thorough in its approach. We congratulate the County of Grey for undertaking this important initiative.

At this time, we would also like to thank you and your colleagues for working with us in preparing this draft decision. The opportunities to discuss the rationale for the proposed changes and to obtain the County's planning staff response on each modification has been very beneficial. We certainly appreciate the time and effort that yourself, Mr. Scott Taylor, and former County Planning Director Ms. Janice McDonald have expended throughout the Official Plan review process. This has enabled staff to come to agreements on many of the modifications.

The Provincial review focused primarily on those matters of Provincial interest as they relate to land use planning, as set out in the *Planning Act* and the Provincial Policy Statement, 2005 (PPS, 2005). In their review of the Official Plan Amendment No. 80, Provincial Ministries, the Niagara Escarpment Commission and local Conservation Authorities have considered matters of Provincial interest and where

possible, have recommended changes to bring the Official Plan into conformity with the PPS, 2005, where appropriate. Changes have also been recommended to avoid potential conflict with the Niagara Escarpment Plan.

The proposed modifications are attached for Council's consideration. Some of the modifications are to implement the PPS and other modifications are for clarification and/or to add information to enhance the interpretation of the Plan. One of the more discussed items relates to the proposed urban boundary expansions for Chatsworth, Dundalk, Durham, Hanover, Markdale and Springmount. We offer the following.

As stated in our previous letter dated September 23, 2009, Section 1.1.3.9 of the PPS permits planning authorities to expand the boundary of a settlement area at the time of a comprehensive review provided a number of policy requirements have been met. In 2007, the County of Grey retained Malone Given Parsons Ltd to prepare a Growth Management Strategy for the County's consideration. The Strategy was commissioned to identify areas in the County where a shortfall of available land for development may exist and to provide policy direction regarding growth. The Strategy concluded that Hanover, Owen Sound, The Blue Mountains, Meaford, Southgate, Chatsworth and Georgian Bluffs have a sufficient amount of land and/or residential units available to accommodate projected permanent residential growth to the year 2031. The Strategy also concluded that Durham (Municipality of West Grey) and Markdale (Municipality of Grey Highlands) have an insufficient amount of available land. Local municipalities were responsible for justifying the proposed urban boundary expansions by satisfying the policy requirements of Section 1.1.3.9 of the PPS.

Comprehensive reviews to justify the proposed urban boundary expansions were submitted by the local municipalities. Correspondence was also received from the City of Owen Sound expressing concerns regarding the proposed urban boundary expansion for Springmount. Further, the Ministry received a copy of County Council's resolution passed on June 1, 2010, which requested as follows "the Ministry of Municipal Affairs and Housing give final approval with respect to the settlement area expansions given the information supplied by the municipalities to date". It is noteworthy the Town of Hanover requested an urban boundary expansion however, this request was not adopted by Council through Official Plan Amendment No. 80 (March 3, 2009 and reiterated at the February 2, 2010 Council meeting). As such, the Ministry is not in a position to consider an urban boundary expansion for the Town of Hanover at this time.

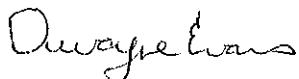
Based on the available information, the Ministry is considering approving urban boundary expansions for Durham and Markdale. However, as discussed, a modification to the proposed urban boundary expansion for Markdale is being proposed to resolve a minimum distance separation issue. A copy of the proposed revised boundary is attached for Council's consideration. Further, an urban boundary expansion for Township of Chatsworth is still being considered however, as you are aware the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has identified concerns regarding the minimum distance separations. County planning staff has requested additional time to address these concerns. Similarly, an urban boundary expansion for Dundalk is still being considered. As you are aware, which

natural heritage features are to be netted out to calculate the amount of developable land remains an item of discussion.

Regarding the proposed urban boundary expansion for the settlement area of Springmount, the Ministry notes the Growth Management Strategy for the County suggests the Township of Georgian Bluffs has a sufficient amount of vacant designated employment land to meet projected demand. Further, on page 11 of the revised Comprehensive Review Report submitted by the Township, the Ministry notes the report states, "The original area to be added was larger, however through further review and keeping mind a twenty year time frame the boundaries as shown on OPA 80 were deemed acceptable. New information may come forward through the new Township Official Plan that suggest enlarged settlement area boundaries be reconsidered". This statement appears to suggest the Township of Georgian Bluffs is still in the process of determining what additional land, if any, is needed. Finally, there are local issues between the Township of Georgian Bluffs and the City of Owen Sound regarding Springmount which remain unresolved.

We respectfully request that Grey County planning staff ask Council to consider the proposed modifications for Official Plan Amendment No. 80 at your earliest convenience. We are hopeful that after we receive Council's response, we will be able to recommend approval of the Plan in a timely manner. If you require any clarification, or have any questions, please do not hesitate to give me a call at (519) 873-4695 or by email at: [Dwayne.Evans@ontario.ca](mailto:Dwayne.Evans@ontario.ca).

Yours truly,



Dwayne Evans, M.A., MCIP, RPP  
Planner  
Municipal Services Office – Western

c.c. Amanda McLachlan, MNR (Midhurst)  
Bill Armstrong, MOE (London)  
Ragini Dayal, MCL (Toronto)  
Heather Doyle, MTO (St. Catharines)  
Ian Smyth, MTO (London)  
Carol Neumann, OMAFRA (Elora)  
Debbie Laidlaw, MNDM (Toronto)  
Fred Natolochny, GRCA (Cambridge)  
Chris Hibberd, NVCA (Utopia)  
Gary Senior, SVA (Hanover)  
Andrew Sorensen GSCA (Owen Sound)  
Lynne Richardson, NEC (Thornbury)

# DRAFT DECISION

**With respect to Grey County Official Plan Amendment #80  
(County's 5 Year Review)  
Subsections 17(34) and 26 (1) of the *Planning Act***

I hereby approve Official Plan Amendment No. 80 to the Official Plan for the County of Grey, as adopted by By-law 4574-09, save and except for the provisions set out at the end of this decision, and subject to the following modifications:

1. Modification #17 of Official Plan Amendment No. 80 is hereby amended by deleting the tenth bullet point of Section 1.6.3 and replacing it with "To require the progressive rehabilitation of areas for aggregate extraction and to protect the quality and quantity of groundwater in and adjacent to areas undergoing mineral aggregate extraction using mitigative measures when required".
2. Modification #20 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase 'heritage features' in the fourth paragraph of Section 1.7 and replacing with 'natural heritage features and areas'.
3. Modification #21 of Official Plan Amendment No. 80 is hereby amended by deleting the last sentence in Section 1.8 'The County and/or local municipalities may undertake a Housing Study in order to develop a comprehensive strategy to deal effectively with affordable housing' and replacing with 'The County will undertake a Housing Study in order to develop a comprehensive community strategy to deal effectively with housing issues throughout the County. The matter of affordability will be addressed and the findings and recommendations of the Study will be incorporated in this Plan through an amendment.'
4. Modification #23 of Official Plan Amendment No. 80 is hereby amended by deleting the second sentence of Section 2.1.2(1) and replacing with "The uses permitted include all types and sizes of agricultural uses, the related buildings and structures, market gardening, nurseries, secondary uses, *agriculture-related uses*, forestry and reforestation, and/or gravel operations proposed with Aggregate Resources Areas identified on Schedule B, licensed aggregate operations identified as Mineral Resource Extraction on Schedule B, and wayside pits and quarries in accordance with Section 2.7.2 of this Plan."
5. Modification #34 of Official Plan Amendment No. 80 is hereby amended by the addition of the following:

"(d) Severances for conservation purposes by an approved conservation organization shall not be permitted in the Agricultural and Special Agricultural designations and further, shall not result in the creation of a new building lot".

6. Modification #35 of Official Plan Amendment No. 80 is hereby deleted in its entirety.
7. Modification #36 of Official Plan Amendment No. 80 is hereby amended by deleting the word 'wineries' from Section 2.2.2(1) and adding the following to Section 2.2.2:  
  
“(3) A winery shall only be permitted if it is secondary to the principal use(s) of the property and produces value-added agricultural products from the farm operation.”
8. Modification #38 of Official Plan Amendment No. 80 is hereby deleted in its entirety.
9. Modification #39 of Official Plan Amendment No. 80 is hereby deleted in its entirety.
10. Modification #41 of Official Plan Amendment No. 80 is hereby amended by adding the word 'Provincial' between the word 'the' and 'Minimum' in the first sentence of Section 2.2.3(6). Further, Modification #41 of Official Plan Amendment No. 80 is hereby amended by adding the phrase "proposed through building permit" between the words 'development' and 'on' in the second sentence of Section 2.2.3(6).
11. Modification #56 of Official Plan Amendment No. 80 is hereby amended by adding the word 'Provincial' between the word 'the' and 'Minimum'. Further, Modification #56 of Official Plan Amendment No. 80 is hereby amended by adding the phrase "proposed through building permit" between the words 'development' and 'on'.
12. Modification #57 of Official Plan Amendment No. 80 is hereby amended by deleting the following phrase in the second paragraph "(or any municipal procedure that achieves the same objective) and the regulatory requirements of the Ontario Building Code" and replacing it with the following: "or the Ontario Building Code, where applicable". Further, Modification #57 of Official Plan Amendment No. 80 is hereby amended by deleting the term "MOE Guideline B-7" and replacing it with "Ministry of the Environment Guidelines".
13. Modification #74 of Official Plan Amendment No. 80 is hereby amended by adding the phrase "proposed through building permit" between the words 'development' and 'on' in the third sentence.
14. Modification #76 of Official Plan Amendment No. 80 is hereby amended by deleting the following paragraph from Section 2.5.1:  
  
“From time to time the Niagara Escarpment amends, by regulation, the Niagara Escarpment Plan and removes areas from Development Control, in

those areas more detailed policies implemented through a local official plan or zoning by-law would apply to development proposals”.

15. Modification #83 of Official Plan Amendment No. 80 is hereby amended by deleting the comma between the words ‘reduced’ and ‘or’ in Section 2.5.3(2).
16. Modification #88 of Official Plan Amendment No. 80 is hereby amended by deleting and replacing the first sentence of Section 2.6.2(1) with the following: “In order to support achieving the growth allocation targets established in Table 4, this Plan sets an overall intensification target for new growth at 15%. Table 7 establishes residential intensification targets for Primary Settlement Areas and Secondary Settlement Areas within local municipalities. Intensification is defined in Section 6.19 of this Plan.”
17. Modification #92 of Official Plan Amendment No. 80 is hereby amended by deleting Section 2.6.2(5)(h) in its entirety and renumbering the subsequent sections and further, the phrase ‘as defined in Section 2.8 of this Plan’ is added in Section 2.6.2(5)(g) after the phrase ‘the Natural Environment’.
18. Modification #102 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase ‘growth projected up to a maximum of 20 years within these communities’ and replacing with ‘the growth projected in Tables 1, 2 and 3 of this Plan.’
19. Modification #106 of Official Plan Amendment No. 80 is hereby amended by inserting a new Clause (8) which reads as follows:

(8) Prior to any new development occurring on Part Lot 24, Concession 1, EGR (geographic Township of Glenelg), a secondary plan shall be completed. All new development north of Durham Road East in the settlement area of Durham (Municipality of West Grey) must adhere to the secondary plan requirements.”
20. Modifications #109 and #117 are hereby amended by inserting the following to Sections 2.6.4.3 and 2.6.5.3, respectively:

“(c) providing the development is within the existing settlement area”.
21. Modification #111 of Official Plan Amendment No. 80 is hereby amended by adding the phrase ‘as defined in Section 2.8 of this Plan’ after the phrase ‘the natural environment’ and further, deleting the sentence “Section 2.8 of this Plan shall be used as the basis for this assessment;” in Section 2.6.4(5)(f). In addition, modification #111 of Official Plan Amendment No. 80 is hereby amended by adding the following sentence after the first sentence of Section 2.6.4 (5): “The Study shall assess the entire settlement area and shall address the cumulative effects of new development on the natural environment and surrounding land uses”.

22. Modification #121 of Official Plan Amendment No. 80 is hereby amended by adding the phrase 'as defined in Section 2.8 of this Plan' after the phrase 'the natural environment' in Section 2.6.7.3 (b).
23. Modification #123 of Official Plan Amendment No. 80 is hereby amended by changing the reference to the subsection which reads "Buildings containing space extensive..." to subsection (g) and changing the reference to the subsequent sections accordingly. Further, Modification #123 of Official Plan Amendment No. 80 is hereby amended by the addition of the following to Section 2.9(3):

"(k) the establishment of a new or the expansion of a space extensive commercial area into the Agricultural designation or the Special Agriculture designation must demonstrate that there is a need for additional land to be designated to accommodate the proposed use; and there are no reasonable alternative locations outside of the Agricultural designation and the Special Agriculture designation".
24. Modification #128 of Official Plan Amendment No. 80 is hereby amended by the addition of the following to Section 2.10(3):

"(l) the establishment of a new or the expansion of a space extensive industrial area into the Agricultural designation or the Special Agriculture designation must demonstrate that there is a need for additional land to be designated to accommodate the proposed use; and there are no reasonable alternative locations outside of the Agricultural designation and the Special Agriculture designation".
25. Modification #132 of Official Plan Amendment No. 80 is hereby amended by adding following to Section 2.7.2:

"(3) Clauses (1) and (2) above do not apply to lands within the Niagara Escarpment Plan Area as shown on Schedule A-Maps 1, 2 and 3. The policies of the Niagara Escarpment Plan would apply."
26. Modification #137 of Official Plan Amendment No. 80 is hereby amended by adding the phrase 'as defined in Section 2.8 of this Plan' after the phrase 'natural environment' in Section 2.7.3(7) (iii).
27. Modification #143 of Official Plan Amendment No. 80 is hereby amended by adding the following phrase after the words 'County Official Plan' in Section 2.7.4(1):

"except for those proposed within the Niagara Escarpment Plan Area as shown on Schedule A-Maps 1, 2 and 3".
28. Modification #137 of Official Plan Amendment No. 80 is hereby amended by addition of the following to Section 2.7.3 (7)"

“(iv) noise, odour and dust studies are provided which satisfy the Ministry of the Environment’s standards”.

29. Modification #145 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase “shall be provided where a sensitive receptor (e.g. residential dwelling is found within 150 metres of a proposed extraction area and/or processing facilities for a sand and gravel operation, or 500 metres of the proposed extraction area and/or processing facilities for a quarry operation’ in Section 2.7.4.(3) (c) and replacing with “which satisfies the Ministry of the Environment’s standards”.

30. Modification #145 of Official Plan Amendment No. 80 is hereby amended by deleting the second, third and fourth sentences of Section 2.7.4 (3) (f) starting with “The Hydrogeological Study...” and ending with “will not occur”.

31. Modification #150 of Official Plan Amendment No. 80 is hereby deleted in its entirety and replaced with the following:

“Provincially Significant Wetlands are taken from mapping provided by the Ministry of Natural Resources. Development and site alteration is not permitted within Provincially Significant Wetlands, as designated on Schedule A. No development or site alteration is permitted within the lands adjacent to Provincially Significant Wetlands, unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or on their ecological functions. ”

32. Modification #152 of Official Plan Amendment No. 80 is hereby amended by adding the following sentence at the end of the paragraph: “The cumulative effects of new development on the natural environment as defined in Section 2.8 of this Plan, and surrounding land uses shall also be addressed”.

33. Modification #153 of Official Plan Amendment No. 80 is hereby amended by deleting the sentence “Limited mapping from the Ministry of Natural Resources showing areas of endangered or threatened species is available” in the ninth paragraph of Section 2.8.1 and replacing with:

“The Endangered Species Act, 2007, which came into effect on June 23, 2007 provides protection for significant endangered, threatened and extirpated species and habitat. The Act applies to all projects including infrastructure, development, maintenance, and Planning Act Applications. Limited mapping from the Ministry of Natural Resources showing areas of significant endangered or threatened species is available.”

34. Modification #163 hereby deleted in its entirety and replaced with the following in Section 2.8.3:

“(3) Changes to the Provincially Significant Wetlands designation or the adjacent lands requires the approval of the appropriate Conservation Authority”.

35. Modification #165 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase 'or barn' in the first sentence and further, deleting and replacing the phrase 'trained municipal official or third party consultant' in the second sentence with 'qualified municipal official or qualified third party consultant.'
36. Modification #172 of Official Plan Amendment No. 80 is hereby amended by deleting the word 'buffer' and the second 'identified' from Section 2.8.6(7).
37. Modification #179 of Official Plan Amendment No. 80 is hereby amended by adding the following paragraph:
- "The County may allow for the waiving of the requirement for the preparation of an Environmental Impact Study when one or more the following applies:
- (a) a development is subject to a duplicate or similar environmental assessment process;
  - (b) a development is minor in nature; or
  - (c) the site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of significant environmental features.

The County may seek outside independent advice as to whether: the proposed development is minor in nature; an Environmental Impact Study would serve any useful purpose; and/or the adequacy of a duplicate environmental assessment process".

38. Modifications #182 and #154 of Official Plan Amendment No. 80 are hereby amended by adding the phrase "that relates specifically to natural heritage features and areas" after the phrase 'in Section 2.8' in Section 2.8.7 (6) and the last paragraph in Section 2.8.1.
39. Modification #194 of Official Plan Amendment No. 80 is hereby amended by adding the following sentence after the first sentence of Section 3(11): "The County will consult with First Nations and Metis when developing the Terms of Reference for the Archaeological Master Plan".
40. Modifications #204 to #213, inclusive, of Official Plan Amendment No. 80 are hereby deleted in their entirety. Further, all references to the term "alternative or renewable energy systems" shall be deleted from the Official Plan.
41. Modification #230 of Official Plan Amendment No. 80 is hereby amended as follows:
- (1) adding the following sentence to the end of the second paragraph of Section 5.3.2(1):  
"Municipalities shall require the entering into of a responsibility agreement between the owner/operator and the municipality in order to ensure perpetual

maintenance of these systems in order to avoid adverse human health and environmental impacts.”

(2) adding the phrase ‘as defined in Section 2.8 of this Plan’ after the phrase ‘natural environment’ in Section 5.3.2 (1);

(3) adding the phrase “of the appropriate approval authority” after the phrase ‘all regulatory requirements’ in Section 5.3.2 (1).

42. Modification #238 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase ‘to allow for development on partial services provided that’ in Section 5.3.2(11)(b)” and replacing with “to allow for development where partial services exist provided that”.
43. Modification #243 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase “certain requirements” in Section 5.3.4.1(1) and replacing with “the requirements of Section 5.3.4.1(3)”.
44. Modification #246 of Official Plan Amendment No. 80 is hereby amended by deleting the word ‘to’ and adding the phrase “and obtain approval of” after the word ‘application’ in Section 5.4.2 (3).
45. Modification #261 of Official Plan Amendment No. 80 is hereby amended by adding the following after the last sentence in Section 6.4(1): ‘It is important to monitor and collect information to determine whether or not the policies in the Plan are being effective. The monitoring results will be summarized in an annual report to the Planning and Development Committee”.
46. Modification #282 of Official Plan Amendment No. 80 is hereby amended by adding the phrase ‘as defined in Section 2.8 of this Plan’ after the phrase ‘natural environment’ in Section 6.12.1 (viii). Modification #282 is hereby further amended by adding the phrase “design measures such as LEED (Neighborhood) and Low Impact Development” after the word ‘efficiency’ in Section 6.12.1 (vii).
47. Modification #287 of Official Plan Amendment No. 80 is hereby amended by adding the following paragraph after the first paragraph in Section 6.12 (8): “The Saugeen Objway Nation shall be consulted for those land identified in Appendix C and in accordance with any consultation protocol development in consultation with the Saugeen Objway Nation. The Saugeen Objway Nation is preparing a study of traditional interior routes, former settlements and land uses. This Study shall be taken into consideration, when it is available. Appendix C does not constitute part of this Official Plan”. Further, the phrase ‘and Metis’ is hereby added after the phrase ‘First Nations’ in all sections amended by Official Plan Amendment No. 80.
48. Modification #290 of Official Plan Amendment No. 80 is hereby amended by adding the following sentence at the end of Section 6.16.3: “The County may provide grants, loans or other assistance as County Council deems

appropriate for the purposes of carrying programs as described in lower tier municipal Community Improvement Plans”.

49. Modification #293 of Official Plan Amendment No. 80 is hereby amended by adding the following definitions to Section 6.19:

“Residence Surplus to a Farming Operation-shall mean an existing farm residence which meets the criteria of Section 2.1.4(1)(b) or Section 2.3.4(1) and is rendered surplus as a result of farm consolidation(the acquisition of additional farm parcels to be operated as one farm operation)”

“Qualified individual-shall mean an individual with qualifications and/or credentials related to a field of study and who is therefore appropriate for conducting a study and/or providing an expert opinion that has been required by the County. The qualifications and credentials of the qualified individual must be to the satisfaction of the County or review agencies, or where appropriate, are defined by relevant legislations, regulation and standards.”

“Underutilized Lot-shall mean a parcel of land which is currently, or was previously developed, but has the ability to permit a higher intensity of land uses.”

50. The definition for ‘Adjacent Lands’ in modification #293 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase ‘cultural heritage feature or area’ and replacing with ‘protected heritage property’ and further, adding the phrase “, or protected heritage property’ after the phrase ‘impact on the feature or area’.
51. The definition for ‘Agricultural-Related Uses’ in modification #293 of Official Plan Amendment No. 80 is hereby amended by deleting the word ‘or’ and replacing with ‘and’.
52. The definition for ‘Environmental Impact Study’ and ‘Conservation Organization’ in modification #293 of Official Plan Amendment No. 80 are hereby amended by adding the phrase ‘as defined in Section 2.8 of this Plan’ after the phrase ‘natural environment’ in the first bullet point of Section 6.19. Further, the definition for ‘Environmental Impact Study’ is hereby amended by adding the following after the first sentence: “The purpose of the EIS is to assess whether or not the development as proposed can integrate into the natural environment and if not, whether or how it can be modified or, where necessary, mitigated to better fit into the natural environment as defined in Section 2.8 of this Plan.
53. The definition for ‘Natural Heritage Features and Areas’ in modification #293 of Official Plan Amendment No. 80 is hereby amended by adding the word ‘other’ in front of the second ‘significant wetlands’ in the second line.

54. The definition for 'Negative Impacts' in modification #293 of Official Plan Amendment No. 80 is hereby amended by deleting the word 'individual' in the third sentence of the first paragraph in Section 6.19.
55. The definition for 'Settlement Capability Study' in modification # 293 of Official Plan Amendment No. 80 is hereby amended by adding the following sentence after the first sentence: "The Study shall assess the entire settlement area and shall address the cumulative effects of new development on the natural environment and surrounding land uses".
56. Modification #153 of Official Plan Amendment No. 80 is hereby amended by adding the following wording into Section 2.8.1 after the paragraph ending 'with advice from the Ministry of Natural Resources':

"For the purposes of Section 2.8 of this Plan, 'adjacent lands' means 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 adjacent lands widths listed below are approximate values to be used in this Plan unless different values are established by amendment to this Plan or in a local official plan supported by a technical study prepared by a qualified professional knowledgeable on natural resources:

<u>Feature or Area</u>	<u>Adjacent Land Width</u>
Significant Habitat of Threatened or Endangered Species	50 metres
Significant Wetlands	120 metres
Other Wetlands	30 metres
Fish Habitat	50 metres
Significant Woodlands	50 metres
Significant Valleylands	50 metres
Significant Wildlife Habitat	50 metres
Areas of Natural and Scientific Interest	50 metres"

57. Modification #190 of Official Plan Amendment No. 80 is hereby amended by deleting the last sentence of the first paragraph of Section 3.7 and adding a third paragraph as follows:"

"For the purposes of Section 3 of this Plan, 'adjacent lands' means those lands, contiguous to a specific protected heritage property, where it is likely that development or site alteration would have a negative impact on protected heritage property. The adjacent lands widths listed below are approximate values to be used in this Plan unless different values are established by amendment to this Plan or in a local official plan supported by a technical study prepared by a qualified professional knowledgeable on cultural heritage resources:

<u>Feature or Area</u>	<u>Adjacent Land Width</u>
Protected Heritage Property	50 metres"

58. Modification #40 of Official Plan Amendment No. 80 is hereby amended by deleting the phrase “the 1<sup>st</sup> sentence as well as the word ‘If’ at the beginning of the 2<sup>nd</sup> sentence resulting in the capitalization of the word “Where” and replacing with the phrase “the 1<sup>st</sup> and 2<sup>nd</sup> sentence in Section 2.2.3 (5) is hereby deleted in it entirety”.
59. The definitions for ‘Flooding Hazard’ and ‘Floodproofing Standard’ in modification #293 of Official Plan Amendment No. 80 are hereby amended by deleting the phrase “and large inland lakes” in Section 6.19.
60. The definition for ‘Hazard Lands’ in modification #293 of Official Plan Amendment No. 80 is hereby amended by deleting the sentence: “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.”
61. The following land use schedules of Official Plan Amendment # 80 are deleted in their entirety and replaced, as appropriate, as follows:

<b>Land Use Scheduled Deleted</b>	<b>Land Use Schedule Inserted</b>
Schedule A: Land Use Designations Map 1 to 3 Dated: Feb 2009	Schedule A: Land Use Designations Map 1 to 3 Dated: June 25 2010
Schedule B: High Potential Mineral Aggregate Resources Map 1 to 3 Dated: Feb 2009	Schedule B: High Potential Mineral Aggregate Resources Map 1 to 3 Dated: June 25 2010
Secondary Schedule Land Use Designations: 1a to 1r Dated: Feb 2009	Secondary Schedule Land Use Map: 1a to 1r Dated: April 2010 (1i June 2010)
Secondary Schedules Land Use Designations: 2a to 2t Dated: Feb 2009	Secondary Schedule Land Use Designations: 2a to 2t Dated: April 2010 (2f,q June 2010)
Secondary schedules Land Use Designations: 3a to 3o Dated: Feb 2009	Secondary schedules Land Use Designations: 3a to 3o Dated: April 2010 (3a June 2010)
Appendix A Constraint Mapping Map 1 to 3 Dated: Feb 2009	Appendix A Constraint Mapping Map 1 to 3 Dated: June 25 2010
Appendix B Constraint Mapping Map 1 to 3 Dated: Feb 2009	Appendix B Constraint Mapping Map 1 to 3 Dated: June 25 2010
	The attached ‘Traditional Territories of the Saugeen Objiway Nations’ map is attached as Appendix C to the County of Grey Official Plan to fulfil modification #46.

Dated at London this    day of    , 2010

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Micheline Riopelle  
Director, Municipal Services Office-Western  
Ministry of Municipal Affairs and Housing

*CORPORATION OF THE  
COUNTY OF GREY*



**COMMITTEE REPORT**  
PDR-PCD-27-10

**TO:** Chair Mullin and Members of the Planning and Community Development Committee

**FROM:** Randy Scherzer, Director of Planning

**MEETING DATE:** August 12, 2010

**PURPOSE:** The purpose of this report is to provide the County's Planning and Community Development Committee with an overview of the draft decision for Official Plan Amendment No. 80 (5 Year Review) issued by the Ministry of Municipal Affairs and Housing.

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**RECOMMENDATION**

**WHEREAS** County Council adopted Official Plan Amendment No. 80 on March 3, 2009;

**AND WHEREAS** the Ministry of Municipal Affairs and Housing has issued a draft decision which includes modifications to Official Plan Amendment No. 80 adopted by County Council;

**NOW THEREFORE BE IT RESOLVED THAT** the County Planning and Community Development Committee receives Report PDR-PCD-27-10 for information purposes;

**AND THAT** the Ministry be notified that the County Planning and Community Development Committee concurs with the proposed modifications subject to the recommended revisions to Modifications 7, 19, 34, 39, 51, 53 & 56 identified in this Report, and subject to a final determination regarding the settlement area changes for Chatsworth and Dundalk.

## **OVERVIEW**

County Council adopted Official Plan Amendment No. 80 (OPA#80) on March 3, 2009. OPA#80 proposes a number of amendments to the current Official Plan including policy revisions as well as revisions to the schedules and appendices. The Ministry of Municipal Affairs and Housing (MMAH) circulated the adopted OPA#80 to the provincial ministries, the Niagara Escarpment Commission, the conservation authorities and the Saugeen Ojibway Nation for review and comment. After much dialogue between the partner ministries, agencies and County staff, MMAH issued a draft decision on OPA#80 dated July 30, 2010 (see attachment). The proposed modifications reference the modification numbers adopted by County Council and therefore it may be necessary to refer back to the adopted OPA#80 which can be found on the County website at the following location:

[https://greydocs.greycountry.ca/ucm/groups/public/documents/plwebdocuments/gc\\_019185.pdf](https://greydocs.greycountry.ca/ucm/groups/public/documents/plwebdocuments/gc_019185.pdf)

Before a final decision is made, MMAH has indicated that they wish to advise the County of the modifications and to obtain the concurrence and input of Council in advance of the final decision. MMAH indicates that the proposed modifications are to implement the PPS and other modifications are for clarification/interpretation purposes.

## **Modification Summary and Comments**

Many of the modifications proposed by MMAH are minor changes to the wording of the policies and therefore these modifications have not been summarized below. The following highlights some of the key modifications being proposed by MMAH:

### **Modification No.4 & 51**

Modification No. 4 makes changes to the permitted uses for the Agricultural designation. The main change proposed to this section is that the term 'small scale' has been replaced with 'agriculture-related uses'. Modification No. 51 modifies the definition for 'agriculture-related uses' by removing the word 'or' and replacing it with an 'and'. Essentially this change would require agriculture-related uses to be directly related to the farm operation and required in close proximity to farm operations. It should be noted that the definition for agriculture-related uses references small scale and the definition of small scale as adopted by County Council will remain unaltered. MMAH has indicated this change is necessary in order to be consistent with the PPS. County staff recommend that the proposed modification be revised to include the words "and/or". It is important to allow for economic development opportunities that are required in close proximity to farm operations and service farm operations in the Agricultural area to support agriculture. It should be noted that the County's comments regarding the five year review of the Provincial Policy Statement (PPS) asks that the related policies be clarified in the PPS to allow agriculture-related uses to service farm operations in the area and not just THE farm operation. Based on the above, County staff recommends that Modification No. 51 be revised.

### Modification No.5

Modification No. 5 is with respect to conservation severances. MMAH is proposing to modify the adopted policies by removing conservation severances as a permitted use in the Agricultural designation and Special Agriculture designation, however conservation severances will still be permitted in the Rural designation. The policy adopted by OPA#80 already excluded conservation severances in the Special Agriculture designation. County staff do not have concerns with respect to this proposed modification.

### Modifications No. 7 & 8

These modifications are related to wineries as a permitted use in the Special Agriculture designation. In the adopted version, the term “wineries” was included as a permitted use and a policy was added indicating “wineries shall only be permitted in accordance with detailed development criteria contained within the applicable local official plan”. In the draft decision, MMAH is proposing to delete the policy regarding the detailed development criteria in local official plans and to include the following policy under the Special Agriculture permitted uses section: “A winery shall only be permitted if it is secondary to the principal use(s) of the property and produces value-added agricultural products from the farm operation”. County staff recommends that the Modification#7 be revised by deleting the word “property” and replacing it with “farm operation”. This wording change would be consistent with the terminology used throughout the County Official Plan.

### Modification No. 21, 42 & 55

There are a number of modifications being proposed which relate to the adopted servicing policies. Most of these policies add clarification to the adopted policies which will assist in the interpretation of the policies. For example, policies were adopted by County Council with respect to a Settlement Capability Study which is a study that would be required to consider development beyond 5 lots on private services in Secondary Settlement Areas. Part of Modification No. 21 and Modification No. 55 propose to add wording indicating that the Settlement Capability Study “shall assess the entire settlement area and shall address the cumulative effects of new development on the natural environment and the surrounding land uses”. County staff are of the opinion that this sentence captures the original intent of the Settlement Capability Study and therefore staff do not have concerns with the proposed modifications. Similarly, Section 5.3.2(11)(b) as adopted by Council indicates that partial services shall only be permitted “within Settlement Areas, to allow for development on partial services”. Modification 42 proposes to clarify the wording to read that partial services shall be permitted “within Settlement Areas, to allow for development where partial services exist”. County staff do not have concerns with the proposed modifications as the proposed wording maintains the original intent of the adopted policy.

### Modification 16

The policies adopted in OPA#80 included intensification targets for each municipality. During discussions with Ministry staff, it was indicated that an overall intensification target needs to be established for the County as a whole. As such, County staff took the average of the local municipal intensification targets adopted by County Council and determined that an overall intensification target for new growth would equal approximately 15%.

Modification 16 proposes to add the overall intensification target to be 15% and therefore County staff do not have any concerns with the proposed modification.

#### Modifications 28, 29 & 30

A number of aggregate policy changes were adopted by County Council as part of OPA#80. The intent of the adopted aggregate policies was to ensure that the study requirements for aggregate applications were consistent with the requirements of the provincial standards. For the most part, the draft decision proposes to keep the majority of the aggregate policies intact. Proposed Modifications 28, 29 & 30 clarify this intent and propose minor modifications to the adopted policies. For example, with respect to the adopted policies regarding the study requirements for asphalt plants and concrete batching plants, MMAH is proposing to add that “noise, odour and dust studies be provided to satisfy the Ministry of the Environment’s standards”. County staff are satisfied with the proposed modifications.

#### Modification 34

Section 2.8.3(3) as adopted by County Council states that “development and site alteration in the Provincially Significant Wetlands designation or the adjacent lands requires the approval of the appropriate Conservation Authority”. The proposed modification would delete this section and replace it with the following: “changes to the Provincially Significant Wetlands designation or the adjacent lands requires the approval of the appropriate Conservation Authority”. The changes are being proposed by MMAH as a result of the provincially significant wetlands and the adjacent lands being part of the regulated areas administered by the Conservation Authority. County staff, and the County Planning Committee, recommends that the policy regarding development and site alteration and the changes to the Wetland designation are two different matters. Therefore, County staff recommends that the proposed modification to Section 2.8.3(3) include the terms “development and site alteration” as well. Also, the Provincial Policy Statement indicates that the Ministry of Natural Resources is responsible for identifying provincially significant wetlands. As such, County staff recommends that the wording for Section 2.8.3(3) be slightly modified from the wording proposed by MMAH by deleting the words “the approval of” and replacing it with “consultation with”. Based on the above noted revisions, County staff recommends that Section 2.8.3(3) be revised as follows: “Development and site alteration in the Provincially Significant Wetlands designation or the adjacent lands, or changes to the Provincially Significant Wetlands designation or the adjacent lands, requires consultation with the appropriate Conservation Authority”.

#### Modifications 39 & 47

Saugeen Ojibway Nations (SON) provided comments to the MMAH requesting modifications to OPA#80. Modifications 39 & 47 are being proposed by MMAH to address the concerns raised by SON. A policy was adopted by County Council indicating that the County may undertake an Archaeological Management Plan. Modification#39 proposes to add wording to the policy indicating that the County will consult with First Nations and Metis when developing the Terms of Reference for the Archaeological Master Plan. County staff do not have any concerns with the proposed modification. However, County staff

recommend that the term “Archaeological Master Plan” be changed to “Archaeological Management Plan” to be consistent with the terminology used in Section 3(11) as adopted by County Council.

County Council adopted Section 6.13(8) which indicates that consultation with First Nations shall be required for applications to be approved by the County. Section 6.13(8) also indicates that the County will work with First Nations to develop a consultation protocol. Modification#47 adds more detail as to when consultation will be required with First Nations. A map has been provided by First Nations which identifies the traditional territory of SON. MMAH is proposing to add this map as Appendix C, however the proposed policy indicates that Appendix C would not constitute part of the Official Plan. The proposed policy states that “SON shall be consulted for those lands identified in Appendix C and in accordance with any consultation protocol developed in consultation with the Saugeen Ojibway Nation”. The proposed modification also proposes to add the following: “The Saugeen Ojibway Nation is preparing a study of traditional interior routes, former settlements and land uses” and that “this Study shall be taken into consideration when it is available”. County staff are satisfied with the proposed modifications.

#### Modification 40

County Council adopted a number of policies with respect to alternative and renewable energy systems. As a result of the Green Energy Act removing the abilities to have policies in official plans regarding alternative and renewable energy systems, MMAH is proposing to delete the adopted policies. County staff do not have concerns with the proposed modification.

#### Modification 53

Modification#53 proposes to make a minor edit to the definition of Natural Heritage Features in order to be consistent with the wording found throughout the rest of the Official Plan. However, County staff recommends that revisions be made to the modification in order to make the wording more consistent with the existing terminology. County staff recommends that the second “significant wetlands” reference in the definition be deleted and replaced with “other identified wetlands” which is consistent with the terminology used in the Official Plan.

#### Modification#56

Modification#56 proposes to add the wording from the “Adjacent Lands” definition adopted by County Council and include it within Section 2.8.1 of the County Official Plan. Although County staff do not have any concerns with the proposed modification, County staff suggest that the reference to “Other Wetlands” be changed to “Other Identified Wetlands” to be consistent with the terminology used throughout the Plan. County staff also recommends that the same wording be changed in the definition of “adjacent lands” which would be a revision to Modification#293.

### Settlement Area Expansions

MMAH has reviewed the five Comprehensive Reviews for settlement area expansions, as well as the Town of Hanover's request for an expansion. At this time, MMAH is considering the approval of expansions to Durham and Markdale in their Draft Decision. Chatsworth and Dundalk are also being considered for expansion, subject to some specific issues being resolved prior to a final decision. At this time expansions to Hanover and Springmount are not being considered for approval, and any expansions would warrant a future County Official Plan Amendment. It should be noted that based on the most recent changes to the Planning Act, it appears that there is no appeal mechanism for refusing or failing to adopt/approve an amendment which alters all or any part of the boundary of an area of settlement in a municipality or to establish a new area of settlement in a municipality. However it is unclear as to whether or not a person or public body could appeal a modification made by an approval authority to a settlement area boundary. Additional details are provided below for each of the settlement areas discussed above.

#### Durham

After further review, and consultation with the Ontario Ministry of Food, Agriculture and Rural Affairs (OMAFRA), MMAH has recommended approval for the expansion to Durham, as shown on Secondary Schedule 3l. MMAH has accepted the boundaries proposed by the Municipality of West Grey in their revised Comprehensive Review dated March 8, 2010, which were reduced from what was initially adopted in OPA 80. It should be noted however, that under Modification # 19 by MMAH, a secondary plan will be required prior to new development in the expansion area. County staff would recommend that the wording of this modification be amended to reference a secondary plan, a Municipality of West Grey Official Plan, or an updated Town of Durham Official Plan, be prepared prior to new development in the expansion area.

#### Markdale

The expansion area for Markdale, shown on Secondary Schedule 2f, has been modified slightly from what the Municipality of Grey Highlands proposed in their March 2010 Comprehensive Review, and the County's adopted OPA 80 (see Appendix A). A small section of land, approximately 6 hectares, in the north-west of the proposed expansion area has been removed, based on a Minimum Distance Separation (MDS) conflict to a barn on the south side of Highway 10. Based on initial concerns by OMAFRA, further MDS calculations were completed by Municipal Staff. The updated calculations resulted in the identification of a MDS arc from the neighbouring barn, which extends into the proposed expansion area. In order to be consistent with Provincial Policy, MMAH have proposed to shrink the expansion area along an existing tree-line, so that the expansion area remains outside of the MDS setback.

In order to be consistent with the requirements MMAH has proposed for Durham, County staff would recommend a modification to the draft decision which requires an amendment to the Municipality of Grey Highlands Official Plan, prior to development being considered in the expansion lands. It should be noted that whether this modification is included by MMAH or not, the Municipality of Grey Highlands would still need to update their Official

Plan to include policy and revised land use designations for the expansion lands.

### Chatsworth

Chatsworth is slightly different than the other settlement areas seeking expansion. Although the boundaries of the Village of Chatsworth are proposed to expand into areas not previously within the settlement area, the Township is also proposing to remove lands equal to that which it is expanding by. As such, the Village of Chatsworth will not be gaining any additional development land, rather it will be realigning growth areas to locations which are suitable for such purposes. The proposal by the Township would see a net balance between lands being removed and those to be added.

MMAH has reviewed the documentation provided by the Township and is generally satisfied; however OMAFRA has identified some MDS issues with proposed expansion areas 6 & 7 (See Appendix B). Based on OMAFRA's MDS concerns Township staff have now provided the Province with additional MDS calculations and information. The Province has not yet had an opportunity to review this additional material, which is why the existing Chatsworth boundaries are being shown in the Draft Decision on Secondary Schedule 3a.

Based on the MDS information which has now been supplied to the Province, County staff would speculate that proposed expansion areas 6 & 7 will be modified out of the settlement area boundaries. However, expansion area 8 should remain in the settlement area, as the Province appears to have no concerns with these lands. If this scenario were to occur the way County staff speculate, then the Village of Chatsworth would actually be facing a net reduction in lands within the settlement area boundaries i.e. areas 1-5 are being removed, while only area 8 is being added. If Township Council and staff are supportive of this approach, then County staff would speculate that such an approach would be acceptable to the Province. However, one further option may be to look at including additional lands within the settlement area boundaries, to compensate for the removal of areas 6 & 7, and thereby achieving a net balance between those lands which are being removed versus those lands which are being added. County staff would not recommend adding any new lands which were not previously considered under OPA 80, as further work would need to be done as well as further public consultation. However, what may be an option is to consider not removing some of area 2 along the north and south side of Sideroad 1, as well as potentially adding in the remainder of the Township owned property at the south end of area 8. The Province may be able to consider such an approach as area 2 is already within the settlement area boundaries, and the Township property was initially entirely included in the adopted OPA 80.

County staff would generally defer to the wishes of Township Council as to what modifications are acceptable to the Village boundaries, should areas 6 & 7 not be included based on MDS concerns. The only recommendation County staff would make to the Province would be to ensure that the remainder of the draft approved Taylor subdivision lands are included in the Secondary Settlement Area boundaries. Currently based on the 'blob-like' Hamlet boundaries, a very small portion of the subdivision actually extends into the Rural designation.

### Dundalk

Similar to Chatsworth, the Province appears willing to approve a partial expansion to the Village of Dundalk; however the size of that expansion remains undetermined at this point. Unlike Chatsworth however, an expansion to Dundalk is not proposed as a net balance, rather it would be a net expansion. In their revised Comprehensive Review, dated March 2010, the Township of Southgate significantly reduced the proposed expansion area, from what was adopted in OPA 80. As part of the justification in their report, the Township noted that approximately 27.5 hectares of land, which was previously thought to be developable, have now been deemed undevelopable based on updated mapping from the Grand River Conservation Authority (GRCA). MMAH is currently attempting to determine how much of this 27.5 hectares needs to be 'netted out' from development, and whether any those lands could be developable based on further study or engineering. MMAH is currently working with the GRCA and the Ministry of Natural Resources in order to resolve the matter. In discussions on the matter, County staff have made the Province aware of the importance of the Highway 10 corridor to the Township, and the Province will take this into consideration, should the boundaries be modified from what was included in the revised Comprehensive Review. At this point County staff would speculate that a portion of the Dundalk expansion area will be approved, but cannot speculate on exactly how many hectares will be approved. MMAH have noted, and GRCA staff have recommended, that should an expansion to Dundalk be approved, that a similar clause to Modification # 19 (relating to Durham) would need to be added requiring either a secondary plan or a comprehensive amendment to the Township of Southgate Official Plan.

### Springmount

In the covering letter to the Draft Decision, MMAH notes that an expansion to the boundaries of Springmount may be premature based on what the Township is considering in their upcoming Township Official Plan. Based on discussions with MMAH staff it would appear that the Ministry is not considering an expansion to the boundaries of Springmount at this time. Provincial staff have also identified further issues, outside of what is in the covering letter, including servicing and Ministry of the Environment (MOE) concerns which should be addressed as part of a future amendment process.

In this regard, it may be appropriate for the Township to continue working on their Township Official Plan, to further determine exactly what would be needed from an employment lands and servicing perspective across the entire Township. As the Township Plan nears an adoption date, the Township could consider coming forward with a stand-alone County Official Plan Amendment should an expansion be warranted. It should be noted the County would be the approval authority for the future Township Official Plan as well as a future County Official Plan Amendment, done outside of the Five Year Review process. A similar process was followed by the Township of Southgate in the approval of their Township Official Plan. After having prepared the background work and draft policy for the Southgate Official Plan, the Township realized there was a need to apply for a County Official Plan Amendment, in order to implement some unique policy and boundary changes in the Township Plan. County Official Plan Amendment # 66 was subsequently

passed which facilitated the approval of the Southgate Official Plan.

### Hanover

As explained in the covering letter, MMAH notes that they cannot consider a boundary expansion to the Town of Hanover at this time, based on what the County adopted in OPA 80, and based on further resolutions passed by County Council. Although a boundary expansion is not being considered by the Province, this would not prejudice the Town of Hanover, or the Municipality of West Grey from coming forward with a County Official Plan Amendment for a boundary expansion in the future. Through the amendment process a comprehensive review would need to be prepared justifying the expansion based on Provincial and County policy.

### Other changes to Schedules

There were a number changes made to the schedules and appendices adopted by County Council, most of which were recommended by County staff. The following highlights the changes made to the Schedules/Appendices:

- All Schedules and Appendices have been reduced from 36X48 to 24X36. This makes the schedules more manageable and reduces the use of paper and ink.
- The dates on all of the Schedules and Appendices have been changed to June 25, 2010. The Secondary Schedules are now dated April 2010 or June 2010.
- As a result of comments from the Niagara Escarpment Commission, the boundary of Balmy Beach on Schedule A Map 1 as well as Secondary Schedule 1e have been slightly altered to match the settlement area boundary identified in the Niagara Escarpment Plan.
- The Schedules and the Secondary Schedules would need to be updated to reflect MMAH's final decision with respect to the settlement area expansions.
- The legends on Schedule A - Maps 1, 2 & 3 have been revised to reflect the changes as requested by the Niagara Escarpment Commission in order to be more consistent with the terminology used in the Niagara Escarpment Plan. The 'Niagara Escarpment Plan Area' is proposed to be called the 'Niagara Escarpment Development Control Area'. The 'Niagara Escarpment Area Boundary' is proposed to be called 'Niagara Escarpment Plan Boundary' and a footnote has been added indicating that "certain settlement areas within the Niagara Escarpment Plan Boundary may be subject to Development Control".
- Schedule A – Map 2 – a wetland boundary in the Silver Creek Wetland Complex has been adjusted to reflect changes supported by the Ministry of Natural Resources and to recognize the changes to this wetland complex as approved by County Council through Official Plan Amendment No. 85.
- Some minor Hazard Land boundary adjustments were made in the Township of Southgate on the lands known as the Hoffman subdivision. These boundaries are supported by the Saugeen Valley Conservation Authority and are currently in the Township of Southgate Zoning By-law.

- Schedule B – Map 2 & Map 3 – two licensed pits/quarries were removed as requested by the Ministry of Natural Resources as a result of the aggregate licenses being surrendered.
- Appendix A – the legend for the wellhead protection areas has been revised to only show Zone A, B, C & D to be consistent with how these are being mapped by the Sourcewater Protection Authorities. It should be noted that the boundaries of the wellhead protection areas have not changed.

County staff support the above noted modifications to the schedules and appendices.

### **FINANCIAL / STAFFING / LEGAL/ IT CONSIDERATIONS**

At this point there are no financial, staffing, legal or IT considerations with respect to this matter. Following a decision from the Ministry on OPA#80, there could be increased financial or legal costs/needs should the decision be appealed

### **SUMMARY**

County Council adopted Official Plan Amendment No. 80 (OPA#80) on March 3, 2009. OPA#80 proposes a number of amendments to the current Official Plan including policy revisions as well as revisions to the schedules and appendices. The Ministry of Municipal Affairs and Housing (MMAH) circulated the adopted OPA#80 to the provincial ministries, the Niagara Escarpment Commission, the conservation authorities and the Saugeen Ojibway Nation for review and comment. After much dialogue between the partner ministries, agencies and County staff, MMAH issued a draft decision on OPA#80. MMAH indicates that the proposed modifications are to implement the PPS and other modifications are for clarification/interpretation purposes. Other than the proposed revisions to Modifications 7, 19, 34, 39, 51, 53 and 56 described in this Report, and subject to a final determination with respect to the settlement area changes for Dundalk and Chatsworth, County staff support the proposed modifications included in the draft decision.

Respectfully Submitted,  
Randy Scherzer, Director of Planning