



## **SPECIAL PUBLIC COUNCIL MEETING – FEBRUARY 25, 2021**

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## **ORDERS OF THE DAY**

### **SPECIAL PUBLIC COUNCIL MEETING**

**FOR THURSDAY, FEBRUARY 25, 2021 – 7:00 PM**

#### **ORDER**

- 1<sup>st</sup> Meeting Called to Order
- 2<sup>nd</sup> Disclosure of Pecuniary Interest and the General Nature Thereof
- 3<sup>rd</sup> Public Meeting
  - Introduction – Warden Marks
  - Official Plan Review Overview – Manager of Planning
  - Registered Delegations
- 4<sup>th</sup> Motion to Move Into “Committee Of The Whole Council”
- 5<sup>th</sup> Reports of Council, Outside Boards and Staff

#### **Staff Report**

Official Plan Review Next Steps – Manager of Planning

#### **6<sup>th</sup> OTHER BUSINESS**

- 1) Statements/Inquiries by Members
- 2) Notice of Motion
- 3) Matters of Urgency

7<sup>th</sup> Closed Meeting Items

8<sup>th</sup> Recess

9<sup>th</sup> Motion to Rise and Report

10<sup>th</sup> Motion to Adopt Recommendations from the Committee Of The Whole

11<sup>th</sup> Consideration of By-law

12<sup>th</sup> ADJOURNMENT

**Video Conference Meeting – IN-PERSON PARTICIPATION RESTRICTED**

#### **NOTE FOR MEMBERS OF THE PUBLIC:**

Please click the link below to watch the Council Meeting:

<https://www.facebook.com/ElginCountyAdmin/>

*Accessible formats available upon request.*

# Official Plan Review

County of Elgin



**ElginCounty**  
*Progressive by Nature*

# Elgin County is:

- Comprised of 7 local partner municipalities:
  - Municipality of Bayham
  - Township of Malahide
  - Town of Aylmer
  - Municipality of Central Elgin
  - Township of Southwold
  - Municipality of Dutton Dunwich
  - Municipality of West Elgin
- Has a population of 50,069 (2016 Census)
- Predominately agricultural, but also includes: rural and urban settlements, 85 km of Lake Erie shoreline, and significant natural heritage.

# What is an Official Plan?

- ▶ It is a road map for development over the next 20-30 years
- ▶ It is a legal document that is legislated by the [Planning Act](#)
- ▶ All Regions, Counties, and Local Municipalities have an official plan
- ▶ [Elgin County's Official Plan](#) was approved by the Ministry of Municipal Affairs and Housing on October 9, 2013 and was consolidated in February 2015.

# The County Official Plan impacts your communities

- ▶ It protects agriculture
- ▶ It promotes new housing, employment and retail in settlement areas
- ▶ It protects natural heritage
- ▶ It plans for County roads and infrastructure

# We update the Official Plan every 5 years

- ▶ That way we can make sure it reflects the needs of our communities
- ▶ To ensure the Official Plan complies with any changes to the [Provincial Policy Statement](#).

# Official Plan Review - Items for Consideration

- Provincial Policy Statement changes, 2020 include:
  - Increasing the supply and mix of housing;
  - Protecting the environment and public safety;
  - Reducing barriers and costs;
  - Supporting rural, northern and Indigenous communities; and
  - Supporting certainty and economic growth
- Other staff considerations:
  - Population and employment projections and land needs assessment for the County
  - Settlement Expansions - define “minor” better; land “swap” considerations for the local level
  - Partial servicing - still require full services, minor infilling and rounding out when partial services available; communal servicing next option; directs the County to work with its local municipalities to assess the long-term impacts
  - Indigenous consultation
  - Climate change and impacts
  - Secondary dwelling units
  - Elgin Natural Heritage Study
  - Source water Protection
  - Condominium types and requirements
  - Severance policies review - consistent criteria for all municipalities; surplus farm dwelling - limitations?
- Other?

# We are starting the review process, and we want to hear from you!

- ▶ Visit: [www.elgin.ca/officialplanreview](http://www.elgin.ca/officialplanreview)
- ▶ Email: [opreview@elgin.ca](mailto:opreview@elgin.ca)
- ▶ Survey on webpage!
- ▶ Call: 519-631-1460
- ▶ Mail: OP Review, 450 Sunset Drive, St. Thomas, ON, N5R 5V1

**SPECIAL PUBLIC COUNCIL MEETING – February 25, 2021**

**DELEGATIONS**

1. Gary Blazak
2. Leith R.A. Coghlin, EnPointe Public Affairs
3. Ted Halwa, Port Stanley Village Association Inc.
4. Bonnie Rowe, Dutton/Dunwich Opponents of Wind Turbines
5. Shirley Schuurman
6. MaryAnne Van de Gevel, Great Lakes Farms

**SPECIAL PUBLIC COUNCIL MEETING – February 25, 2021**

**WRITTEN COMMENTS**

1. Shirley Schuurman – Review of Strategy Corp Consultation re Long-Term Care Homes
2. MaryAnne Van de Gevel – Concern of Southwold Official Plan and 4509 Union Rd.
3. MaryAnne Van de Gevel – Wording for Buying Property in Active Agricultural Communities

To: Elgin County Council

Re: O P Review

Review of Strategy Corps Consultation re Long Term Care Homes

From: Shirley Schuurman  
Aylmer

I have been retired from Long Term Care for 12 years. I worked as a charge Nurse for 22 years at Caressent Care Nursing Home, Bonnie Place. for 22 years. Since the'90's, I have been active re advocating for our publicly funded health care, unable to walk away from this need despite getting older.

Thank you for a few minutes.

Having seen an article in the Aylmer Express, re the possibility of Council divesting of some of its assets that are long Term Care Homes, I determined I had to speak up. And I read the Strategycorp report. It seems most of the difficulties for retention of your Homes are within the report. I understand you have not followed all the recommendations. I am here to beg you never to divest of these assets.

As I read it, the purpose of a Service/Municipal Board for LTC administration, would be to get the financials trimmed to such an extent that the Homes would be attractive to a private sector buyer. Also, no longer the need for the Board, the Directors, their staff, nor the Corporation formed, further savings result.

However, page 23, left column, does finally admit, for the first time, that the facilities service levels would be affected, as previous references claimed to maintain quality levels of care.

The report encourages Council to seek partnering with a private sector health care company for expertise in reducing per bed costs, and gave an example of a seemingly successful model. I beg you not to enter into this.

The last year, has been devastating to residents and families of LTC, as you all know. We are all thankful that Elgin County congregate living places have not been adversely affected. However, recently, there was tragedy in Oxford.

Throughout the year, I've followed the unconscionable statistics, the suffering and grief of residents and their families, and observed the parts of the sector worse affected. The private sector of Long Term Care. The virus has revealed the deficiencies of staffing policy, which has been known to each relevant provincial government department for a very long time. Years and years of efforts to insist on reform went unanswered, unacknowledged.

Regulations, standards, required inspections by various government departments were not enforced, fell off, and findings of the inspections that were carried out, were not rectified. If existing regulations of the Ministry of Health, of Labour, of the Departments of Health, had been followed, this history would not be.

I can provide statistics to back up the above statements.

Therefore, for I beg you, not to be in partnership with any for profit company. If you ever consider this, take time to research the company to

determine the track record of resident care, of working conditions for staff. You will be shocked with your findings. Perhaps you already are. I was saddened when, just prior to the pandemic declaration, the current government announced cuts to Long Term Care funding. I saw what it would cost Elgin County. So unfair. Your Homes have excellent reputation in the community, and to maintain that, you would have had to provide more funds, though you have done nothing to deserve that burden, and done much to provide and ensure Homes to be proud of. I see Long Term Care as existing with bare bones—bare bones--there is no fat to trim, and I heard the Premier say that there was.

The reports of LTC difficulties, recalls memories that I and the staff of all categories dealt with daily. Steadily, over the years, the acuity & complexity of the health of the residents increased, with no adjustments of staffing ratios, despite adhering to Ministry requirements for 'charting for dollars'. Even a few years ago, when I met staff I'd worked with, in the community, they told me it was so much worse than when I was there, giving me a look that said I could not imagine. But we were never afraid to come to work in flu outbreaks. Now I am worried for the staff as this virus can be an illness with extended and/or lifelong consequences.

Thank you for your time. I wish you well with managing the budget.

February 16, 2021

The Elgin County Council  
450 Sunset Dr.  
St. Thomas ON  
N5R 5V1

Dear Elgin County Council,

This letter is to address concern about the lands at 4509 Union Rd (Turville farm). It is currently zoned agriculture, and at Southwold's Official Plan open house as well as todays public council meeting the maps of the North Port Stanley settlement area have this land outside of the residential development and zoned agriculture as per Schedule A-4 D. Today during the meeting, item 4 in the public comments section of the Planners report, a request was presented from Domus Developments (London) Inc. to have 4509 Union Rd considered for designation as Residential and incorporated withing the Township of Southwold's North Port Stanley settlement area. It further explains that if extension of municipal sanitary services is extended to this property it would be a prime candidate for development. I have three concerns with this request.

First, this is a large change to the North Port Stanley Settlement area, and it has not been presented to the public as part of Southwold's Official Plan. It has not been a part of the Official Plan review process, so it should not be considered at the last minute as part of the Township of Southwold's Official Plan.

Second, in the request it states, "If full municipal services can be secured, we respectfully suggest that the site be a strong candidate" (letter to Ken Loveland Feb 8,2021 from Barbara G. Rosser Planning Consultant, link attached). Since the sanitary sewer service has not been finalized by Central Elgin and Southwold, Zoning this land for development in the Official Plan is premature.

Lastly, there is no need to expand the current settlement area (3.2.2.4 of Southwold Official Plan) and this land is not a good candidate for development because it is valuable agricultural land (section 5.1.3.3 of Southwold Official Plan, better than 4485 Thomas rd. according to Elgin County soil Maps), it is identified as an Area of Natural and Scientific Interest (Schedule 2 of the Official Plan) in the Natural Heritage System and identified as a natural hazard under the category of floodplain (Section 4.2.1.5 and Schedule 3 of the Official Plan), all of which should make this area unsupported for development.

I have provided the relevant sections of the Official Plan below. Please feel free to contact me if you have any further questions. Thank you for taking the time to read my

concerns I hope you will take them into consideration as you review the Southwold's Official Plan.

Thanks,



**MaryAnne Van de Gevel**  
**519-782-7549**  
**[maryanne@greatlakesfarms.ca](mailto:maryanne@greatlakesfarms.ca)**

|

Draft official plan link <https://www.southwold.ca/draft-official-plan> p105 Schedule 4D

4. Domus Developments (London) Inc. c/o Barbara G. Rosser, land use planner has submitted a request to add a portion of the lands, 10.9 ha (26.94 ac.) in area from 4509 Union Road to the settlement area for North Port Stanley and designate the lands as Residential (see attached letter and lands identified below). In exchange, 10.0 ha (24.7 ha) of land located at 4485 Thomas Road would be removed from the settlement area and designated Agricultural. Page 8 Proposed New Township of Southwold Official Plan Comment: A land swap of roughly equal area would need to occur in order to accommodate this request. As well, municipal sewer services would also be required in order for large-scale residential development to occur.

The link to the agenda minutes. <https://www.southwold.ca/agendas-minutes> Feb. 16, 2021.

The letter by Barbra G. Rosser Planning Consultant is on pg 14 of the agenda.

### 3.2.2.4 Settlement Area Expansions

At the time that this Plan was prepared it was determined that there is a sufficient supply of land within

the settlement areas to accommodate the 2041 growth forecast and that there was no need for settlement area expansions. The current settlement area boundaries are shown on Schedule 1 (with

additional details depicted on Schedule 4A-4E). Future settlement area expansions shall only be considered through a municipal comprehensive review which examines the following:

a) The land capacity within the existing settlement areas to determine whether there is sufficient

supply of land to accommodate future growth through greenfield and intensification

- development over the planning horizon;
- b) The availability of existing or planned infrastructure and public service facilities which are planned or available to accommodate growth;
  - c) Infrastructure and financial implications of growth;
  - d) Where an expansion is located in prime agricultural areas:
    - i. the lands do not comprise specialty crop areas;
    - ii. alternative locations have been evaluated and there are no reasonable alternatives which avoid prime agricultural areas and there are also no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
    - iii. the new or expanding settlement area is in compliance with the minimum distance separation formulae; and,
    - iv. impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.
  - e) Implications for natural heritage features and/or any natural hazards. (p.8)

### 3.2.4 Agricultural Area

In general, the Agricultural Area is inclusive of all lands outside Settlement Areas. The Agricultural Area

is characterized primarily by agriculture and clusters of development of insufficient size and variety of

uses, to warrant designation as Settlement Areas. Any new servicing shall be through private sewage disposal and water supply, or by municipal piped water, provided that such development is consistent with natural heritage and resource protection policies and does not increase the overall density in the

Agricultural Area. Additional policies for guiding development within the Agricultural Area are provided in Section 5.1 of this Plan. (p.9)

## 4.1 Natural Heritage

### 4.1.1 General Policies

#### Natural Heritage Features

Natural Heritage Features are to be protected for the long term and include: Significant Wetlands,

Significant Coastal Wetlands, Significant Habitat of Endangered Species and Threatened Species,

Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Fish Habitat, and Significant

Areas of Natural and Scientific Interest (ANSIs). Known Natural Heritage Features within the Township

include Provincially Significant Wetlands, Areas of Natural and Scientific Interest (ANSIs) and Significant

Woodlands. (p.15)

#### 4.1.2.1 Permitted Uses in Natural Heritage Features

Permitted uses on lands identified as Natural Heritage Features include open space uses, conservation uses, forestry uses, fish and wildlife management uses, passive outdoor recreational uses and existing agricultural uses. Marine facilities, such as docks and boat ramps may also be permitted. (p. 16)

#### 4.2.1.4 Development in Significant Woodlands and ANSIs

Proposed development and site alteration within lands identified as Significant Woodlands and ANSIs

will not be permitted unless it can be demonstrated that there will be no negative impacts on the

natural features or their ecological functions through the completion and approval of an Environmental

Impact Study. Where development and site alteration within lands identified as Significant Woodlands

and Significant ANSI are being proposed, the Township will consult with the appropriate Conservation

Authority, the County and the Province (where required) regarding the scope of the Environmental

Impact Study. (p.16-17)

#### 4.2.1.5 Direct Development Away from Hazardous Lands

Development shall be directed away from areas identified as hazardous lands as it could result in the

loss of lives, damage to private and public property and undue financial burdens for the Township. (p.20)

#### 4.2.3 Flooding Hazard

One Zone Concept

The Flood Hazard Limit for watercourses is subject to the One Zone Concept as defined by the Regulatory Flood Standard which will be determined in consultation with the appropriate Conservation

Authorities.(p.22)

#### 4.2.3.3 Development within Floodplain

Development within the floodplain is not permitted without written approval from the appropriate

Conservation Authority having jurisdiction and in accordance with Development, Interference with

Wetlands and Alterations to Shorelines and Watercourses Regulations which are administered by the

relevant Conservation Authority. (P. 22)

### **5.1 Agricultural Area**

#### 5.1.1 Planned Function

The Agricultural Area in Southwold is part of a broader inter-connected system of elements which spans

across the County of Elgin and southwestern Ontario more generally. This broader agricultural system is

the foundation for Ontario's vibrant and thriving agricultural sector. Accordingly, lands designated as

Agriculture are intended to support a broad range of economic development activities related to

farming and include the following elements:

- a) Agricultural Uses;
- b) Agricultural Related Uses; and,
- c) On-Farm Diversified uses. (p.32)

#### 5.1.3.3. Residential Permissions within the Agricultural Area

Residential dwellings within the Agricultural Area are limited to:

- a) New single-detached dwellings accessory to an agriculture use;
- b) Existing single-detached non-farm dwellings;
- c) New single-detached non-farm dwellings, constructed on vacant lots existing on the date of adoption of this Plan, and held in distinct and separate ownership from abutting lands, subject to the requirements of the Zoning By-law; and
- d) Temporary residences for seasonal farm labour may be permitted or one permanent second farm residence may be permitted for full-time farm labour where the size and nature of the operation requires additional farm related employment. (p.34)

### **7.13 Official Plan Amendments**

Council may adopt amendments to the Plan for implementation of a comprehensive review, implementation of changes to and new provincial or regional policies and plans or implementation of

planning studies for specific area needs. In general, Official Plan Amendments within 2 years of the

completion of this Official Plan are not permitted, however Council may consider amendments within

this timeframe provided that:

- a) the original intent and purpose of the Plan is not radically altered;
- b) the amendment is needed and can be justified in light of accepted planning principles;
- c) adequate and full participation of the general public in the deliberations on the merits of the amendment are undertaken; and
- d) the amendment creates an appropriate precedent.

In preparing and adopting all amendments to this Plan, notice of all public meetings shall be given in

accordance with the *Planning Act*.

#### **7.21.4 Agricultural Consent Policies**

Land severances in the Agricultural Area may be permitted:

- a) To create rights-of-way;
- b) To enlarge lots provided that:
  - i. The viability of the retained lot as a farm parcel is not threatened;
  - ii. Where the proposed enlargement is for a non-farm use, justification through an amendment to this Plan is required to demonstrate that the land does not comprise a specialty crop area, there is a need within the planning horizon for additional land and there are no reasonable alternative locations for the expansion which avoid prime

- agricultural areas; and
- iii. The proposed severance must merge with the lot being enlarged in accordance with Sections 50(3) and (5) of the *Planning Act*.
- c) To consolidate farm holdings;
  - d) To allow minor lot adjustments which do not result in the creation of a new lot;
  - e) A habitable farm dwelling made surplus to the needs of a farm operation, as a result of farm consolidation, subject to the following conditions:
    - i. The retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
    - ii. The non-farm parcel will be zoned to recognize the non-farm residential use; and
- iii. Minimum Distance Separation I provisions can be met;
  - f) For agricultural-related uses, in accordance with Section 4.1.

## **7.22 Capital Works**

The construction of all public works within the Township shall be carried out in accordance with the policies of this Plan and within the financial capacity of the Township. Future development will be regulated by this Plan to ensure that the level of expenditure and debt, as compared to revenue and equalized assessment is maintained at equitable levels. Council may:

- b) Delay any proposed development where it becomes necessary to carry out large scale public works in order to adequately service such developments. (p. 71)

## **8 DEFINITIONS**

### **Adjacent lands:** means

- b. for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature* or area where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives; (p. 72)

**Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (p. 73)

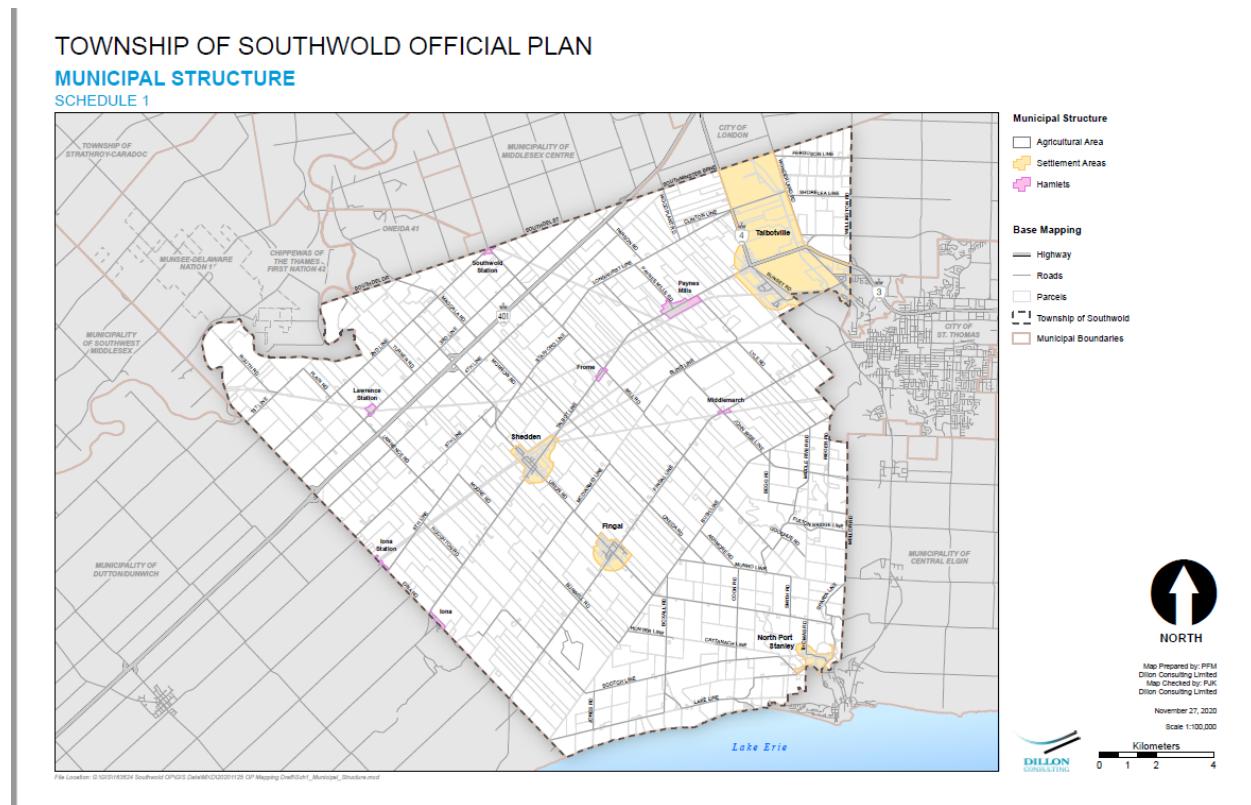
**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural

landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. (p.74)

**Flood plain:** for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*. (p.77)

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

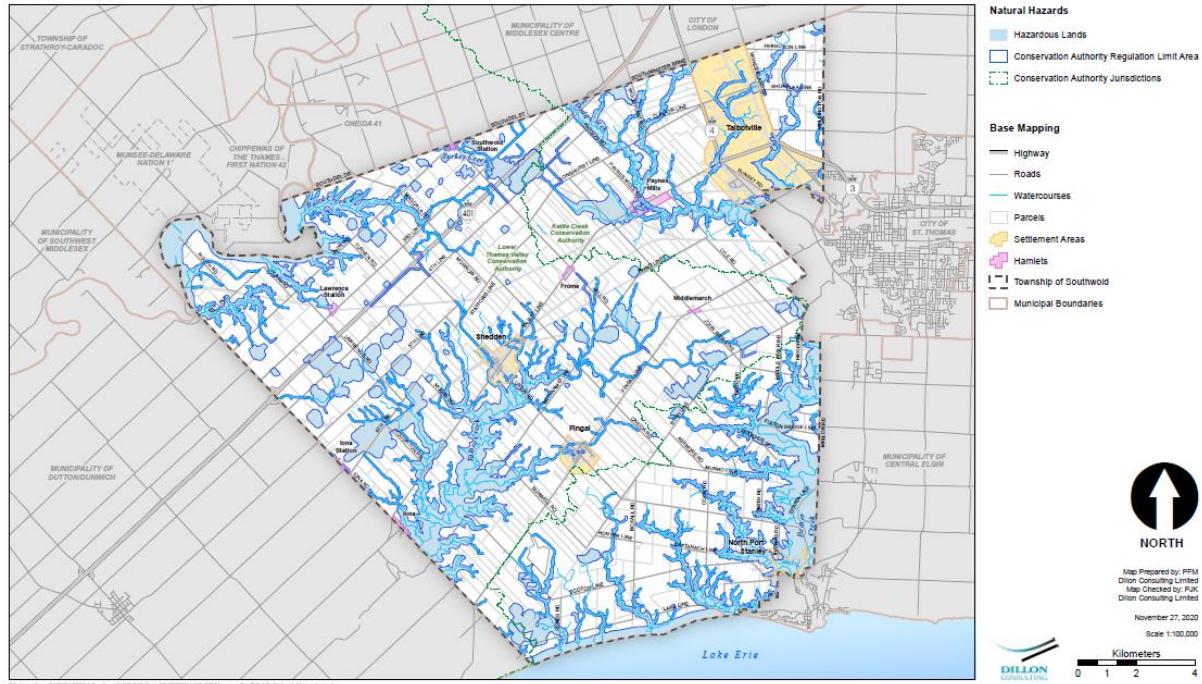
Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.(p. 78)



## TOWNSHIP OF SOUTHWOLD OFFICIAL PLAN

### NATURAL HAZARDS

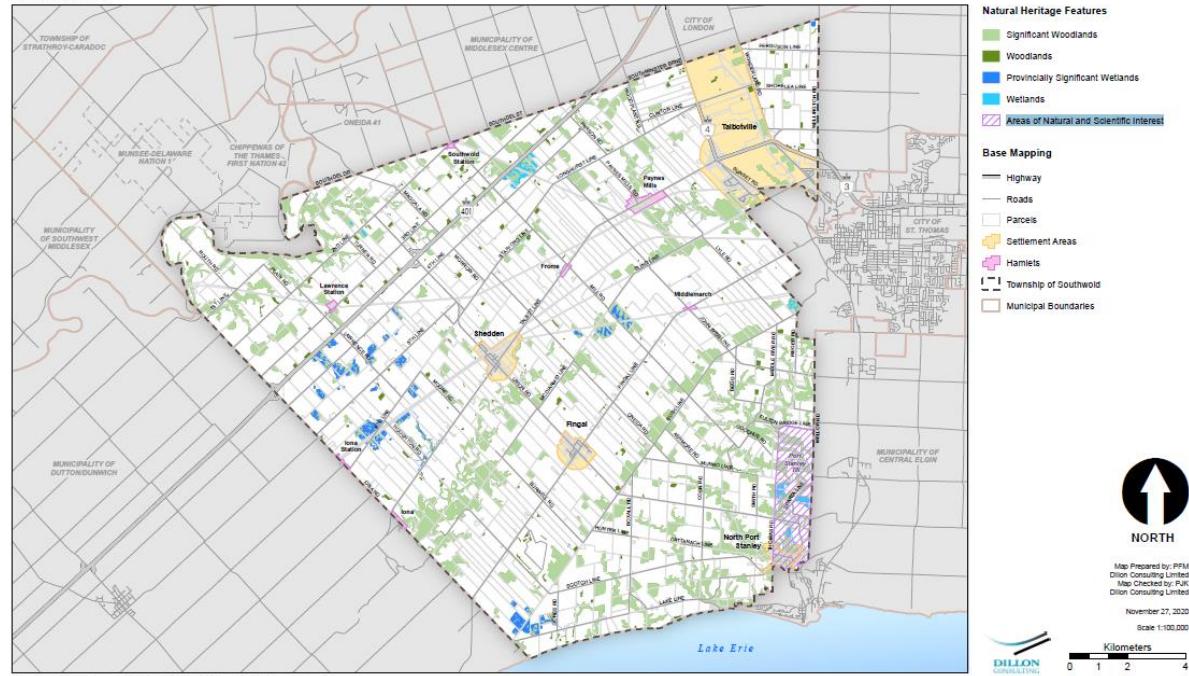
SCHEDULE 3



## TOWNSHIP OF SOUTHWOLD OFFICIAL PLAN

### NATURAL HERITAGE FEATURES

SCHEDULE 2



Nancy,

Hope you are great! My family farms in Southwold and since official plans are being worked on at the Township and County level, I am not sure where this request falls. I have brought this idea to Southwold in the past, but perhaps it was at the wrong time. Wondering if you could provide me with some advice as to where it would fit now.

We have been farming for over 10 years and have had many new homes go up around us during that time. Many of our new neighbours were unaware of all of the smells, sounds, and inconveniences that go with agriculture. It often creates a difficult uncomfortable situation. I have looked at other Counties and up north (I think this may be from Grey-Bruce) they have wording put into real estate transactions. I have attached the wording I found. I am wondering if this is something our Country could do, and if so, what is the process? I thank you for your hard work and look forward to hearing from you soon.

Thank you,  
MaryAnne Vande Gevel

The Buyer acknowledges that the property lies within, partially within, adjacent to or within two kilometres of an area zoned, used or identified for agricultural and food production activities and that such activities occur in the area. These activities may include intensive operations that cause discomfort and inconveniences that involve, but not limited to dust, noise, flies, light, odour, smoke, traffic, vibration, operating of machinery during any 24 hour period, storage and utilization of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. One or more of these inconveniences have protection in Ontario under the Farming and Food Production Protection Act.

# Official Plan Review Process Next Steps

Nancy Pasato, Manager of Planning

February 25, 2021



**ElginCounty**  
*Progressive by Nature*

# Next Steps

- ▶ Meetings with Local Municipal Partners - March
- ▶ Meetings with local stakeholders - March/early April
- ▶ Consultant for population projections - end of March/mid April
- ▶ On-line survey results - mid April
- ▶ Report on issues identification for OP Review and recommendations on issues to look at - end of April/May

# Future meetings

- ▶ Report to Council on Issues and Topics for review - April/May
- ▶ Elgin County Natural Heritage Study - June/July

# Recommendations

- ▶ THAT the delegation presentations and written comments received at the February 25, 2021 Special Public Meeting of Council be received and filed and, furthermore, forwarded to the Manager of Planning for her consideration as part of the Official Plan Review Process; and,
  
- ▶ THAT Council approve the next steps in the Official Plan Review Process as identified by the Manager of Planning.