

## ELGIN COUNTY COUNCIL

### MINUTES

**February 25, 2021**

Council Present: Warden Tom Marks (in-person)  
Deputy Warden Dave Mennill (electronic)  
Councillor Duncan McPhail (electronic)  
Councillor Bob Purcell (electronic)  
Councillor Sally Martyn (electronic)  
Councillor Grant Jones (electronic)  
Councillor Mary French (electronic)  
Councillor Dominique Giguère (electronic)  
Councillor Ed Ketchabaw (electronic)

Staff Present: Julie Gonyou, Chief Administrative Officer (in-person)  
Brian Lima, Director of Engineering Services (electronic)  
Stephen Gibson, County Solicitor (electronic)  
Nancy Pasato, Manager of Planning (electronic)  
Katherine Thompson, Supervisor of Legislative Services (electronic)  
Carolyn Krahn, Legislative Services Coordinator (in-person)

#### 1. CALL TO ORDER

Elgin County Council met this 25<sup>th</sup> day of February, 2021 in the Council Chambers, at the County Administration Building, St. Thomas at 7:00 p.m. with Warden Marks in the chair. Some Councillors and staff participated electronically by video conference.

#### 2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

#### 3. PUBLIC MEETING

##### 4.1 Introduction – Warden Marks

The Warden welcomed everyone to the Special Public Meeting of Elgin County Council and informed them that the purpose of the meeting is to launch the Official Plan Review process and to hear from members of the public regarding what they would like to see prioritized during the review process.

##### 4.2 Official Plan Overview – Manager of Planning

The Manager of Planning provided an overview of the County's Official Plan, how it affects communities, and items to consider during the review process.

##### 4.3 Registered Delegations

WRITTEN COMMENTS RECEIVED ARE ATTACHED IN FULL.

##### 4.3.1. John Armstrong, Armstrong Strategy

John Armstrong presented feedback on behalf of the Ontario Masonry Association known as Masonry Works and was joined by Andrew Payne, Executive Director of Masonry Works. John Armstrong presented information on the Masonry Works' initiative, Building Tomorrow's Heritage Neighbourhoods Today. This initiative encourages municipalities across the province to include language in their Official Plan Reviews that ensures builders who build in their communities build to a higher standard. While upper

tier governments are not responsible for urban design guidelines, John Armstrong encouraged the County to work with its local municipal partners to develop sample urban design guidelines.

4.3.2. Gary Blazak

Gary Blazak, a consulting planner with over thirty (30) years of planning experience in Elgin County, highlighted the importance of the identification of settlement areas and the designation of lands to support orderly growth in the west parts of the County, particularly in Dutton Dunwich and West Elgin. Since the Official Plan was approved in 2013, much advance local planning and engineering has been completed in these areas. These efforts were completed by private interests in the absence of supporting designations in the County's Official Plan. Gary Blazak encouraged the County to update the Official Plan to reflect the current realities.

4.3.3. Leith R.A. Coughlin, EnPointe Public Affairs

Leith Coughlin, Managing Director of EnPointe Public Affairs, encouraged County Council to conduct the Official Review process with attentiveness, precision and transparency. He noted that agriculture and development have often been viewed as exclusive but need not be and that protecting both agricultural and sensitive lands must be reconciled through collaboration, consultation, and correction. Managing growth smartly will involve targeted intensification and acceptance that planning and its standards must be consistent and fairly applied. Mr. Coughlin expressed concerns that the review process has been launched without sufficient definition or scope. He encouraged Council and staff to be prepared to return to the drawing board where necessary, amend where prudent and rescind where warranted. If done correctly, Mr. Coughlin argued that Elgin County will be well equipped for the post-pandemic environment.

4.3.4. Ted Halwa, Port Stanley Village Association Inc.

Ted Halwa expressed the Port Stanley Village Association's (PSVA) support for development intensification and redevelopment in settlement areas in accordance with the Provincial Policy Statement and the County's Official Plan. However, Mr. Halwa stated that the PSVA does not support high density commercial or residential development in Port Stanley because it is out of character with the existing built environment. He noted the County's current official plan was insufficient to stop a recent high-density development and advocated for the implementation of planning measures and tools to prevent the future approval of high-density residential and commercial developments in Port Stanley.

4.3.5. Donna Lunn, Elgin Federation of Agriculture

Donna Lunn presented information about the importance of agriculture to Elgin County and asked that the agricultural community, in particular the Elgin Federation of Agriculture, be included in the review process. She highlighted the significant role that agriculture plays in the local economy, expressed concerns that farmland in Elgin County has become a shrinking resource, and observed that the County's prime farmland must be protected to address the emerging issue of food security.

4.3.6. Bonnie Rowe, Dutton/Dunwich Opponents of Wind Turbines

Bonnie Rowe, Secretary/Treasurer for the Dutton/Dunwich Opponents of Wind Turbines, provided comments with respect to language around renewable energy systems in the current Official Plan. Ms. Rowe encouraged the County to remove section E4.2 from the Official Plan and to further research this section's claim that renewable energy systems "significantly reduce the amount of harmful emissions to the environment when compared to conventional energy systems." On behalf of the Dutton/Dunwich

Opponents of Wind Turbines, Ms. Rowe expressed their hope that Elgin County will consider the diverse views of all municipalities in Elgin County before including any language around renewable energy in the Official Plan and that the Official Plan will allow municipalities discretion and final authority with respect to the placement of any renewable energy facilities.

4.3.7. MaryAnne Van de Gevel – Great Lakes Farms

MaryAnne Van de Gevel observed that there has been a lot of development happening around agricultural areas in Elgin County. She expressed concerns that many people moving to these developments were unaware of the smells, sounds, and inconveniences that go with agriculture. The result can be both difficult and uncomfortable for local farmers and their new neighbours. Ms. Van de Gevel encouraged the County to recommend that real estate transactions include language regarding the realities of living in an agricultural community.

**4. COMMITTEE OF THE WHOLE**

Moved by: Councillor Purcell  
Seconded by: Councillor Ketchabaw

RESOLVED THAT we do now move into Committee of the Whole Council.

**Recorded Vote**

		Yes	No	Abstain
Malahide	Dave Mennill	Yes		
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Central Elgin	Warden Marks	Yes		
		9	0	0

- Motion Carried.

**5. REPORTS OF COUNCIL, OUTSIDE BOARDS AND STAFF**

5.1 Official Plan Review Next Steps – Manager of Planning

The Manager of Planning provided information regarding the next steps of the Official Plan Review Process including meetings with local municipal partners and stakeholders, population projections, online surveys, and future meetings.

Moved by: Councillor Mennill  
Seconded by: Councillor Jones

RESOLVED 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 the Communication and Engagement Plan be reviewed by the Rural Initiatives and Planning Advisory Committee; and

THAT Council approve the next steps in the Official Plan Review Process as identified by the Manager of Planning.

**Recorded Vote**

		Yes	No	Abstain

Malahide	Dave Mennill	Yes		
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Central Elgin	Warden Marks	Yes		
		9	0	0

- Motion Carried.

## 6. COUNCIL CORRESPONDENCE

### 7.1 Items for Consideration

None.

### 7.2 Items for Information (Consent Agenda)

None.

## 7. OTHER BUSINESS

### 8.1 Statements/Inquiries by Members

None.

### 8.2 Notice of Motion

None.

### 8.3 Matters of Urgency

None.

## 8. CLOSED MEETING ITEMS

None.

## 9. MOTION TO RISE AND REPORT

None.

## 10. MOTION TO ADOPT RECOMMENDATIONS FROM THE COMMITTEE OF THE WHOLE

Moved by: Councillor French

Seconded by: Councillor McPhail

RESOLVED THAT we do now adopt recommendations of the Committee Of The Whole.

### Recorded Vote

		Yes	No	Abstain
Malahide	Dave Mennill	Yes		
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Central Elgin	Warden Marks	Yes		
		9	0	0

- Motion Carried.

**11. CONSIDERATION OF BY-LAWS**

**12.1 By-Law 21-07 – Confirming all Actions and Proceedings**

BEING a By-law to Confirm Proceedings of the Municipal Council of the Corporation of the County of Elgin at the February 25, 2021 Meeting.

Moved by: Councillor Martyn  
Seconded by: Councillor Mennill

RESOLVED THAT By-Law No. 21-07 be now read a first, second and third time and finally passed.

**Recorded Vote**

		<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Malahide	Dave Mennill	Yes		
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Central Elgin	Warden Marks	Yes		
		9	0	0

- Motion Carried.

**12. ADJOURNMENT**

Moved by: Councillor Jones  
Seconded by: Councillor Purcell

RESOLVED THAT we do now adjourn at 8:09 p.m. to meet again on March 9, 2021 at 9:00 a.m.

**Recorded Vote**

		<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Malahide	Dave Mennill	Yes		
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Central Elgin	Warden Marks	Yes		
		9	0	0

- Motion Carried.

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Julie Gonyou,  
Chief Administrative Officer.

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Tom Marks,  
Warden.

## COUNTY OF ELGIN OFFICIAL PLAN REVIEW

FEBRUARY 25, 2021

GARY BLAZAK MA, RPP, MCIP

- Thank you for the opportunity to provide comments at this early stage of the Official Plan review process.
- By way of introduction, I am a consulting planner with over 30 years of professional experience in Elgin County. I have worked extensively with several of the lower tier municipalities, primarily in the East and West Elgin areas, as well as with private sector clients throughout the entire County. As such, I am very familiar with the 2013 Official Plan and how it applies in the context of planning decisions and approvals.
- My particular interests at this point relate to the identification of settlement areas, and the designation of lands capable of supporting orderly growth in the west part of the County, namely in the Municipalities of Dutton Dunwich and West Elgin.
- A great deal of advanced local planning and engineering has been completed in these municipalities since the original Official Plan of the County of Elgin was prepared and approved. This work has been largely driven by private interests who are very committed to investment in development, and its associated economic impacts, in these two lower tier municipalities. These interests and investments have been made, in some cases, in the absence of supporting designations in the County's Official Plan.
- For example, the preparation of a Secondary Plan for Port Glasgow by the Municipality of West Elgin, and two associated draft plans of subdivision on and adjacent to these lands have been completed and are either approved or very close to approval. Yet Port Glasgow has never been recognized as a

Settlement Area in the County's Official Plan. In my opinion, this should be addressed in the Official Plan review.

- Similarly, the Dutton Dunwich Official Plan includes detailed policies for the preparation of a Secondary Plan in Port Talbot. The Secondary Plan anticipates both land and water-based tourism and recreational development, and an application for a major marina development here has already been submitted to the Ontario Ministry of Natural Resources and Forestry. Yet, like Port Glasgow, Port Talbot has never been recognized as a Settlement Area in the County's Official Plan. This also should be rectified in the next iteration of the County's Official Plan.
- Thirdly, I will make reference to the Village of Dutton in the Municipality of Dutton Dunwich as an area of substantial recent investment in land and infrastructure by private development interests. The success of one particular subdivision development has led that consortium to acquire additional lands in, and adjacent to the designated settlement area of the Village. This type of expressed confidence and investment by private interests is vital to the economic survival and quality of life in these municipalities.
- Future iterations of the County's Official Plan therefore should be both flexible and responsive to serious investment opportunities. When these opportunities represent bona fide examples of logical and orderly growth as defined in the Provincial Policy Statement, the County, through its Official Plan needs to support and encourage these investments which are vital to both lower and upper tier community interests.
- Thank you for your time and for your consideration.

Thank you for including the virtual public meeting during this initial step of the County of Elgin OP Review despite the Covid-19 pandemic.

As it is the first step in the review, I did want to ensure the inclusion of Agriculture and in particular the Elgin Federation of Agriculture. The EFA is the largest general farm organization in the County with 1112 members of approximate 1300 farmers today.

Reviewing the 2015 official OP I am enforcing our support for the policy and will highlight certain areas of the document such as *“The agricultural sector has long been and is expected to continue being the most dominant sector in the local economy. A significant portion of Elgin County’s land base is farmed on some of the highest quality soils in Ontario.”* (Part 2, Part A. A1)

I also agree with your goal - *“To protect as much of the County’s prime agricultural area as possible and to encourage the development of a broad range of agricultural uses, agriculture related uses and secondary uses to ensure that the agricultural industry can continue to thrive and innovate”.* (Goals, A3.4)

Elgin’s farm land is a shrinking resource, and if we are to accomplish our common goals and to move forward with the emerging issue of improving food security, we need to ensure the operation of such resources.

One aspect of protection is agreement with your *objective “to protect the County’s prime agricultural area from fragmentation, development and land uses unrelated to agriculture; (C2.1.c)*

We are in agreement with your Growth Management Plans to concentrate all development in settlement areas and with the direction of lots created in the agricultural area. (E.1.2.3.4.)

Recently there was activity in a Lower Tier OP process that involved the term ‘land swap’ for a change of settlement area. As noted in the County OP, *“An amendment to this Plan will be required for a settlement area expansion or for the establishment of a new settlement area. An amendment to this Plan may not be required in conjunction with an Amendment to a local Official Plan that provides for a minor settlement area boundary adjustment”* (B2.8.4)

What is the definition of 'minor'? This recent 'land swap' involved a potential of 250 new units on agriculturally zoned property. Certainly, we would agree that a public comprehensive review would be in order for this magnitude of development.

EFA is also looking for inclusive language in the OP for direction to Municipalities regarding the increasing pressure from urban residential use that seems to extend to interfering with agricultural operations. Non-farming neighbours may not understand normal farm practices, and may object to odour, noise, dust, animal use, or other realities of farming. This may result in negative interactions or neighbour disputes about normal farm practices.

Indeed, the significance of this is demonstrated with the passing of Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019* which is to protect farms, farm families, and the safety of the entire food value chain by addressing the ongoing threat of unwanted trespassing and activists who disrupt Ontario farms and the safety of the food system.

Municipalities need to be clear in their by-laws to ensure residents abide by The Farming and Food Production Protection Act. EFA can engage with Municipalities to help them with recognition that agriculture is a complex and constantly evolving industry. We need to promote awareness among new non-farming neighbours about the realities of living in an agricultural area.

EFA also supports the County OP with the Economic Strategy to diversify and allow value added activities; *“support opportunities for farmers to protect, diversify and expand their operations through initiatives such as: crop diversification; conservation farming practices; promotion and encouragement of associated food processing and value added technology facilities and encouraging bed and breakfast operations, farm vacation facilities, roadside markets and related activities, provided that they are located in a land use designation that permits the activity and that they do not conflict with agricultural operations”*. (A5.2.c)

Donna Lunn, Elgin Federation of Agriculture

On-farm diversification (e.g. food processing, retail farm markets, agri-tourism, etc.) is growing in Ontario and Elgin. Promoting farm business diversification through on-farm processing and agri-tourism is a way to mitigate risk for farmers while enhancing rural economic development that enhances opportunities for small-scale food processing, retail, and foodservice operations to thrive on farms and meet the urban demand for local food.

Thank you for listening to my comments this evening and know that the elected EFA Board who farm throughout Elgin are able to work with the County and Municipalities on interests of agriculture.

Donna Lunn, Director, Elgin Federation of Agriculture  
Past President, EFA  
Past Board Member, OFA

TO: Warden Tom Marks and Elgin County Council

FROM: Port Stanley Village Association Inc. (“PSVA”)

DATE: 23 February 2021

SUBJECT: Elgin County Official Plan Review

1. The PSVA (a not for profit corporation under the laws of Ontario) makes this submission for the Elgin County Official Plan Review meeting scheduled for February 25, 2021.
2. The PSVA supports development in the village of Port Stanley that (a) satisfies the Provincial Policy Statement (reflected in the current Elgin County Official Plan) to encourage development, intensification and redevelopment in settlement areas such as the village but (b) would not include high density commercial/residential development that is out of character (due to the development’s magnitude or character) with existing residences and/or commercial buildings in the village. The PSVA is concerned that high density residential/commercial development is totally out of character with the traditional character of Port Stanley which is strong, identifying and cherished.
3. The concern of the PSVA was illustrated in the recent case of Prespa Construction Limited and the Municipality of Central Elgin (case PL180077) before the Local Planning Appeal Tribunal (“LPAT”). It became apparent at the hearing in that case that the provisions of the Central Elgin Official Plan and Zoning Bylaw and the provisions of the Elgin County Official Plan were inadequate to prevent the approval by LPAT of a high density commercial/residential development that was opposed overwhelmingly by the general public.
4. Accordingly the PSVA will be seeking revisions to strengthen the Central Elgin Official Plan and Zoning By-law (currently on hold by the Municipality as a result of the current County Official Plan Review). The PSVA will also advocate for the implementation of such other planning measures and tools as may be appropriate to prevent the approval of high density residential/commercial development in the village in the future. In addition, the PSVA requests revisions to the County Official Plan be made to ensure the Plan is supportive and aligned with the policies of local official plans which it itself has approved.
5. At the same aforementioned LPAT hearing, the issue of “compatibility” featured prominently. In the absence of a definition in the Central Elgin Official Plan, LPAT deferred to the definition found in the County Official Plan (Appendix ‘A’). It is only logical to assume that the County never intended its definitions of terms to apply to anything more than the County Plan and not the official plans of its lower tier municipalities. The PSVA therefore also respectfully requests the County consider a disclaimer in the County Official Plan to that purpose and effect.

6. The PSVA is also concerned about the ultimate growth and size of the village. We understand that any boundary expansion would have to be approved by the County in accordance with carefully considered criteria stipulated in the County Official Plan (Section B2.8). Conspicuously absent, however, from the list of criteria (Section B.2.8.1) is a requirement for a consideration of the views and input of the community on any proposed boundary expansion. The PSVA asks that the County Plan be revised to reflect this.

All of which is respectfully submitted,

Port Stanley Village Association Inc.

Copies to:

Sally Martyn, Mayor of Central Elgin

Paul Shipway, Chief Administrative Officer, Central Elgin

Lou Pompilli, Director of Planning Services, Central Elgin

Jim McCoomb, Manager of Planning Services, Central Elgin

Nancy Pasato, Director of Planning, County of Elgin

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 today's 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 within 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**

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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 polices 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)

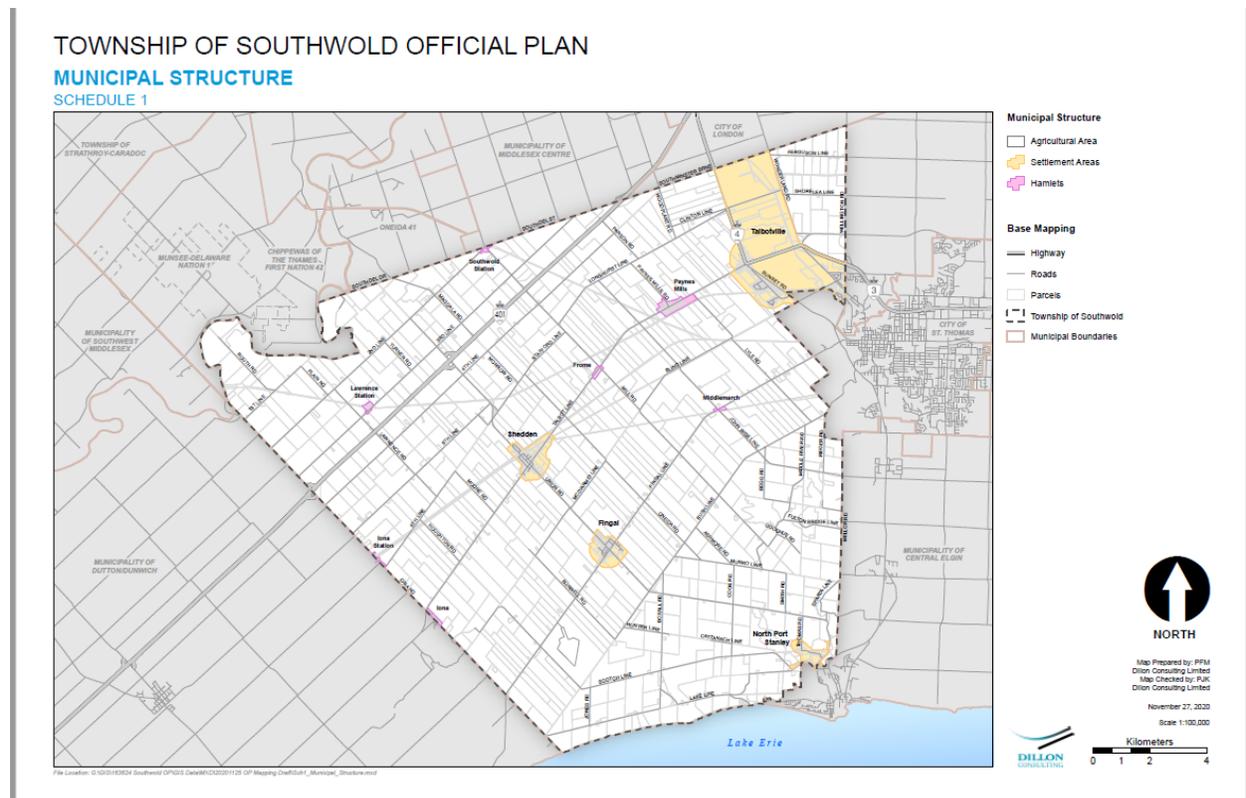
**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural

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

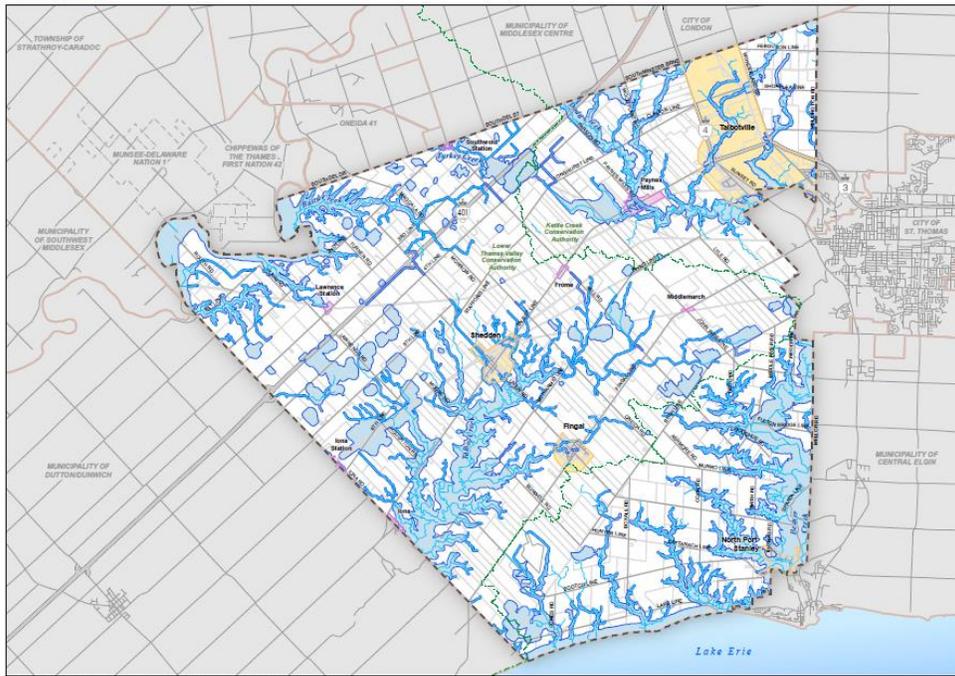
**Flood plain:** for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*. (p.77)

**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



- Natural Hazards**
- Hazardous Lands
  - Conservation Authority Regulation Limit Area
  - Conservation Authority Jurisdictions
- Base Mapping**
- Highway
  - Roads
  - Watercourses
  - Parcels
  - Settlement Areas
  - Hamlets
  - Township of Southwold
  - Municipal Boundaries

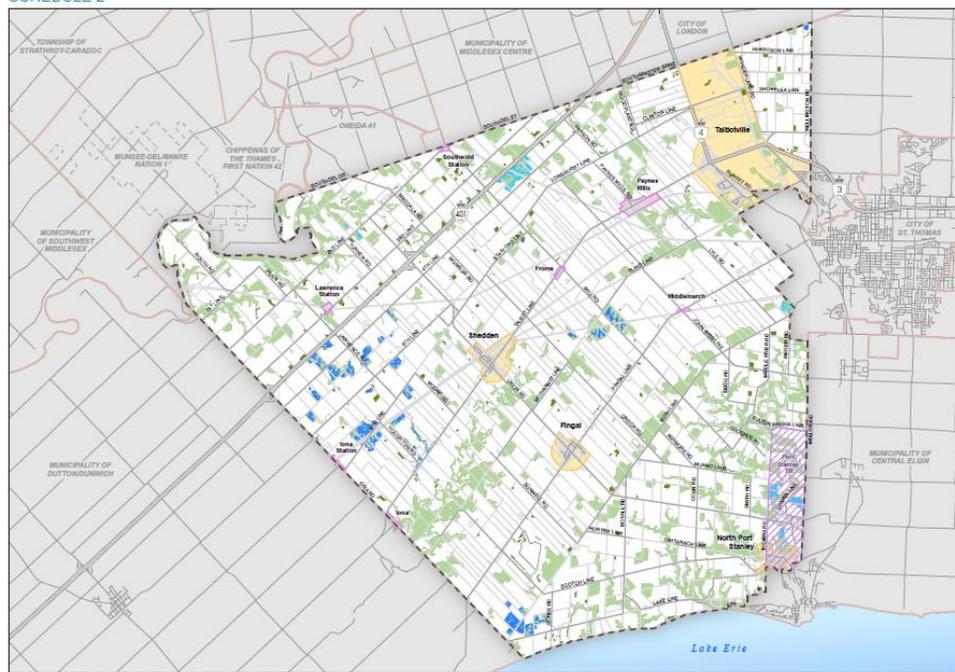


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 Map Checked by: PJK  
 Dillon Consulting Limited  
 November 27, 2020  
 Scale 1:100,000



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TOWNSHIP OF SOUTHWOLD OFFICIAL PLAN  
**NATURAL HERITAGE FEATURES**  
 SCHEDULE 2



- Natural Heritage Features**
- Significant Woodlands
  - Woodlands
  - Provincially Significant Wetlands
  - Wetlands
  - Areas of Natural and Scientific Interest
- Base Mapping**
- Highway
  - Roads
  - Watercourses
  - Parcels
  - Settlement Areas
  - Hamlets
  - Township of Southwold
  - Municipal Boundaries



Map Prepared by: PFM  
 Dillon Consulting Limited  
 Map Checked by: PJK  
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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 Van de 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.