REPORT TO COUNTY COUNCIL

FROM: Paul Hicks, Acting Manager of Planning

DATE: August 8, 2023

SUBJECT: Township of Malahide Official Plan Amendment No. 22, Part of Lot 21, Concession 3 South, Part 1 of Registered Plan 11R-10194, Geographic Township of Malahide, 50896 Vienna Line

Applicant: Strik Baldinelli Moniz Ltd.
Municipality: Township of Malahide
Owner: PH Engineering Solutions Inc.
File No.: MA OPA 2-23

RECOMMENDATION:

1. THAT the Council of the Corporation of the County of Elgin approves Official Plan Amendment No. 22 to the Official Plan of the Township of Malahide, File No. MA OPA 2-23; and
2. THAT staff be directed to provide notice of this decision in accordance with the requirements of the Planning Act.

INTRODUCTION:

The Council of the Township of Malahide has adopted an amendment to their official plan, known as Official Plan Amendment No.22 (OPA No.22) and they have subsequently forwarded the amendment to the County of Elgin for approval (see attachment). In accordance with Section 17 of the Planning Act, the Council of the County of Elgin, as “Approval Authority,” is required to make a decision on the adopted amendment in which Council may approve, modify, or refuse to approve the amendment. If Elgin County fails to make a decision within 120 days after the amendment is received, any person or public body may appeal to the Ontario Land Tribunal.

This report is intended to provide County Council with the information required to make a decision on the adopted amendment.

DISCUSSION:

PH Engineering Solutions is a control system design company that provides automation products and solutions to manufacturing companies. They are currently located in a former Township Fire Station that has been repurposed for the business and are seeking to expand their operation by enlarging the existing lot to the east by 2,945 m^2 (0.7 acres) and constructing a new building. As the expansion lands to the east are currently designated ‘Agriculture’ in both the County and Township Official Plans, an amendment to the Township’s Official Plan is required. Section C2.9 of the County Official Plan permits such amendments, and states that a corresponding amendment to the County Official Plan is not necessarily required.

OPA No. 22 was adopted by Township Council on June 15, 2023 (By-law No. 23-48). The purpose of the amendment is to re-designate the above-noted lands from 'Agriculture' to 'Specific Policy Area No. 14' to permit the lands to be used for "a business or professional office for performing engineering work in the automation and electrical fields including, but not limited to, testing, debugging drives, autonomous vehicles, control plans, and similar equipment."

A concurrent zoning by-law amendment (ZBLA) was submitted to the Township to reflect the proposed changes in Township OP land use permissions and a severance application was submitted to the County for the expansion lands. It should be noted that a holding zone applies to the subject lands, which will require execution of a site plan agreement prior to being lifted. Matters of site plan control and zoning will be addressed at the Township level.

The proposal has proceeded through the standard application process, including the preparation, review, and acceptance required technical studies and reports, as well as a technical circulation to statutory review agencies. A Public meeting required under the Planning Act was subsequently held prior to Township Council's adoption of OPA No. 22. No concerns were raised with respect to the supporting materials provided, and no objections to the proposal were received by the Township prior to making a decision.

County staff have had the opportunity to review the proposal and associated materials against the requirements of the Planning Act, the Provincial Policy Statement, the County Official Plan, and Township of Malahide Official Plan, and are satisfied that the proposal meets all relevant requirements and is appropriate for the context of the subject lands.

FINANCIAL IMPLICATIONS:

There are no identified direct financial implications to the County with respect to the approval of the proposal.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Serving Elgin	Growing Elgin	Investing in Elgin
☐ **Ensuring alignment of current programs and services with community need.** ☐ **Exploring different ways of addressing community need.** ☒ **Engaging with our community and other stakeholders.**	☒ **Planning for and facilitating commercial, industrial, residential, and agricultural growth.** ☐ **Fostering a healthy environment.** ☐ **Enhancing quality of place.**	☐ **Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future.** ☐ **Delivering mandated programs and services efficiently and effectively.**

LOCAL MUNICIPAL PARTNER IMPACT:

This amendment will directly impact the Township of Malahide.

COMMUNICATION REQUIREMENTS:

The Notice of Decision will be sent to the applicant, Township of Malahide and those prescribed under the Planning Act.

CONCLUSION:

Based on the above analysis it is recommended that County Council approve OPA No. 22 of the Official Plan of the Township of Malahide in its entirety, as the adopted amendment:

- Is consistent with the Provincial Policy Statement;
- Conforms to the County of Elgin, and Township of Malahide Official Plans; and
- Constitutes good planning and is in the public interest.

All of which is Respectfully Submitted:

Paul Hicks
Acting Manager of Planning

Reviewed & Approved for Submission:

Don Shropshire
Chief Administrative Officer