

Appendix 'A': Staff Report, Elgin County Official Plan Submission Summary

The following chart summarizes all submissions (written and oral) received by the County of Elgin during the statutory approvals process for the Official Plan (February 14 to March 26, 2024). Please note that the comment/submission has been summarized for brevity and clarity. Should the reader require greater clarification on the contents of the submission made, they should refer to the original correspondence or the minutes of the public meeting, for the original text.

County OP Section	Comment / Submission by Agency, Municipality, or Public	County Staff Response	Recommended Action in Official Plan
Town of Aylmer			
2.0 a)	Regular monitoring and updating of population and employment projections needs to be further defined. Does regular monitoring and updating mean yearly? If so, then it should be specified.	Yes, the intention is that regular monitoring of population and land needs be conducted by the County. Section 13.6 outlines that this will be conducted yearly by the County	No change is recommended / needed.
2.0 b)	New growth and development need to be directed completely to settlement areas that can accommodate it with sufficient levels of servicing and infrastructure, as per Policy 1.1.3 of the Provincial Policy Statement.	County Staff do not share the same interpretation of Section 1.1.3 of the PPS and are of the opinion that it is not feasible nor good planning to direct all growth to serviced settlement areas as the County has both housing and economic development objectives that will be achieved in the Rural Area as well as all settlement areas.	No change is recommended / needed.
Table 1	Aylmer does not have sufficient residential lands to accommodate the projected growth. Aylmer is currently preparing a population growth study. County staff are aware of this study, yet there is no mention of the need for a study in the proposed County OP, nor is there any mention in the proposed County OP that the County would work with a local municipality to support them in meeting their gross developable land needs. This needs to be addressed in the proposed Official Plan.	The Plan explicitly recognizes that that the Town of Aylmer does not have sufficient land to accommodate its projected population growth however the Town's corporate municipal boundary appears to be a primary cause of this situation and an issue that is beyond the ability of the County Official Plan to address (i.e. the County Official Plan cannot restructure the Town's municipal boundary). Notwithstanding this, it would be appropriate to more explicitly state that the County will work cooperatively with local municipalities to ensure they have sufficient land to accommodate their projected land needs.	To address the Town's submission, it is recommended that a new be inserted after Section 2.2 which states: "It is recognized that having significant over or under supplies of urban lands can negatively impact a local municipality's ability to accommodate growth, or efficiently service it, and can inadvertently encourage land speculation and other negative land development practices. To that end, the County will cooperatively work with local municipalities to assist in managing their land supplies with the goal of ensuring that all municipalities have a sufficient land supply located and serviced appropriately."
2.2	Recommend adding a policy after this sentence that states the County will support and assist a local municipality in adding additional lands to meet their projected land needs.	Please see above.	Please see above.
3.2	Aylmer requests that the adequate supply of designated and serviced employment lands be primarily located in fully serviced settlement areas.	Employment uses are currently directed to fully-serviced settlement areas however the Plan does recognize that there are a number of existing employment areas located in un-serviced settlement areas, or the Rural Area, that will continue to play an important economic development role across the County for the foreseeable future.	No change is recommended / needed.
3.3	Strategic employment areas should only be located in Tier 1 settlement areas and should only be permitted with full municipal services. Why is Aylmer not included as a strategic employment area on Schedule 'A' County Structure Map as the Town has two existing industrial business parks and one proposed business park (AIM Park) to be developed in 2024 and meets the criteria of proposed policy 3.3?	County Staff are aware of the Town's fully-serviced employment areas and their strategic importance to the County's economic development. The Town's two areas were not identified in the OP to provide the Town with greater flexibility to address their deficit land needs. After reviewing the matter further, Town of Aylmer staff have advised they are satisfied that their employment areas do not require a strategic employment area designation	No change is recommended / needed.
6.5 b)	The Town of Aylmer requests that the proposed policy 6.5 b) be removed. The Town is not supportive of providing any infrastructure (i.e. municipal water, municipal sewer and stormwater management) to the neighbouring Township of Malahide. The Town does not support development adjacent to	The intention of this policy is to ensure that existing areas of urban development in the Township of Malahide located at the urban fringe of the Town of Aylmer, are coordinated and reflect the character of development in the Town. The policy does not establish new development areas in Malahide, nor does it encourage the establishment of new areas. County Staff believe	No change is recommended / needed.

	the municipal boundary as it is parasitic, creates urban fringe development and does not represent good land use planning.	that it is important to consider how abutting developments are coordinated and designed from both a functional and aesthetic perspective and that addressing cross-jurisdictional issues is a primary consideration of a county official plan.	
All	In his February 28, 2024 correspondence to County Council, the Town's CAO outlined his disappointment with multiple sections of the draft OP primarily related to growth management and servicing and opining that the proposed OP appears to be designed to "avoid upsetting the majority of lower-tier municipalities" as opposed to providing a "leadership role" for the County.	<p>County Staff have discussed these comments with the CAO to determine what specific sections of the OP they wish to see revised or revisited and while specific sections of the Plan were not identified by the CAO, he advised he had a greater level of comfort with the policy directions contained in the draft OP after discussing it with County Staff.</p> <p>County Staff would also note to County Council that the draft official plan was prepared based on: the principles of good planning; the provincial planning framework; the direction received from County Council with respect to the scope / focus of the review; and feedback received from members of the public and other stakeholders. Considerations such as 'avoiding politically upsetting local councils' was not a consideration in the development of the Plan.</p>	No change is recommended / needed.
Township of Malahide			
4.6	While the Provincial Policy Statement identifies the provision of affordable housing as a priority, the requirement for 55% of all development to be affordable would be an ambitious target and may be challenging to implement, particularly for small-scale or infill development proposals. It is recommended that the Township provide comments to the County to further examine its affordable housing targets to ensure that they are able to be effectively implemented.	<p>The intention of this policy is that 55% of <u>cumulative</u> residential development the County be targeted as affordable housing, as 55% of the County's households are low- and moderate-income households (i.e. households who require affordable housing). The policy also outlines four actions related to how the County will work towards this target. It is recognized that this target is aspirational, and in some cases, it may not be practical or feasible to incorporate affordable housing into certain developments, while in other cases developments may be completely composed of affordable housing.</p> <p>Ultimately if an individual housing proposal does not include affordable housing, there is nothing in the Plan that requires a council to refuse the development or mandate that the applicant provided it, but what is required as an explanation of why it is not appropriate to include it. Tracking progress towards a target that is based in the socio-economic realities of the County's households and the instances when affordable housing is, or is not, provided will give both County and local councils valuable information as to how to better provide affordable housing options in the County.</p>	<p>To address the Township's submission, it is recommended that Section 4.6 be revised by replacing the first paragraph with the following:</p> <p>"Affordable housing is defined by provincial policy and its provision ensures that low- and moderate-income households can access both appropriately priced rental units and homeownership in the County. Based on the definitions under provincial policy, approximately 55% of the County's households are considered to be low- or moderate- income households and as such, a cumulative total of 55% of new residential units developed across the County shall be targeted as affordable under provincial policy. To assist in reaching this target the County will:"</p>
5.4	The current County Official Plan contains policies for agricultural severances that require a minimum lot area of 40 hectares or as permitted in the local Official Plans. The Township's current Official Plan and Zoning allow for some agricultural lots to have a minimum lot area of 20 hectares. It is recommended that the Township provide comments to the County seeking further justification for the removal of the County's current minimum agricultural lot area policy.	It is noted that the Township does not appear to be opposed to the proposed change, but is seeking clarification on the rationale behind the policy change. To that end: the minimum 40 ha is an established minimum that is regularly mandated by the Province and is included in many (if not most) upper tier official plans regionally. Most local official plans in Elgin already establish a minimum 40 ha lot area for farm parcels with the exception of Malahide and Bayham which both only rely on the Zoning By-law to establish a minimum lot area. There is nothing to prohibit the consideration of an alternative minimum lot size by a local municipality if they presented an analysis demonstrating an	No change is recommended / needed.

		alternative size to be more appropriate (and many jurisdictions across Ontario have undertaken similar analyses). However, at this time no analysis has been presented as to why an alternative smaller minimum lot size is appropriate in light the current standard practice.	
6.8 and 6.9	The Provincial Policy Statement and the Malahide Official Plan both require an Environmental Impact Study to be completed where development is proposed within 120 metres of a designated natural heritage feature. This requirement is to ensure that new developments do not negatively impact the natural environment. Additionally, the Official Plan requires tree removal to be subject to the County of Elgin Woodlands Conservation By-law. The proposed County policy does not define what is “mature vegetation” and planning staff have concerns of how this policy will be implemented and regulated through the development approvals process. It is recommended that the Township provide comments that the policy be amended from “shall demonstrate” to “shall encourage”.	<p>These policies of the Official Plan are intended to ensure the protection of mature vegetation on a development site that does not form part of a protected natural heritage feature such as a significant wetland or woodland (in other words, stand-alone mature trees). County Staff agree that the current wording of the policy does not clearly recognize that in some cases it may not be feasible to preserve all on-site mature vegetation, and that greater explanation of the tools to accomplish this may be required.</p> <p>Notwithstanding this, the second part of the submission requests that these policies remove the words “shall demonstrate” and replace them with “shall encourage”. County Staff believe this will result in a dilution of the proposed policy and believe that applicants should be required to demonstrate to both local and county councils how their proposals proposed to meet the policies of an OP as opposed to only encouraging conformity with the OP.</p>	To address the Township’s submission, it is recommended that Sections 6.7 c), 6.8 d), and 6.9 c) be revised to read: “where feasible, retain and integrate, mature trees into the development through the preparation of tree preservation plan and/or landscape plan, regardless of whether the trees form part of the designated Natural System”.
Schedule ‘A’	The County Official Plan currently designates lands identified as “Suburban Areas” in the Malahide Official Plan as “Agriculture”. While the “Suburban Area” permits existing agricultural uses, it also permits industrial, commercial, institutional, and residential uses, as well as contains tracts of land that are too fragmented to be considered viable for agricultural uses. As a result, it is recommended that the Township provide comments to have these areas recognized for non-agricultural development within the County’s Official Plan.	The approach to the proposed Schedule ‘A’ of the Official Plan is a carry-over of the approach used in the existing Official Plan and recognizes that many of the individual non-agricultural designation across the County are site-specific and not legible on county-wide maps. Notwithstanding this, Sections 5.1 b), 5.2, 5.4, 5.16, and 5.17 all recognizes these designations as conforming designations and have associated policies that take these designations into account.	No change is recommended / needed.
Municipality of Central Elgin			
2.5	General comment that the Community of Union has an approved Environmental Assessment to provide full municipal services to the settlement are in the future. It is intended to be a Tier I settlement area within the lifespan of the County Plan.	While it does not appear that the Municipality is asking for the redesignation of Union as a Tier I settlement area, staff note that the designation of municipalities as a Tier I, II, or III settlement area is based on servicing available in that settlement, regardless of what its designation is on the County OP schedules. When a settlement area becomes fully serviced it <i>de facto</i> takes on the designation as of a Tier I settlement area until such time as the County updates the schedule through a housekeeping exercise.	No change is recommended / needed.
2.11	There are several sections of the County’s Official Plan that require local municipalities to report annually to the County. More information is required on what the reporting structure will be and how the information is to be submitted.	As a County Official Plan administered by the County of Elgin, it is intended that County Staff will conduct all reporting to County Council. County Staff are of the opinion that Section 13.6 already provides sufficient clarity on this matter.	No change is recommended / needed.
3.2	There are several sections of the County’s Official Plan that require local municipalities to report annual to the County. More information is required on what the reporting structure will be and how the information is to be submitted.	As a County Official Plan administered by the County of Elgin, it is intended that County Staff will conduct all reporting to County Council. County Staff are of the opinion that Section 13.6 already provides sufficient clarity on this matter.	No change is recommended / needed.
3.18	Staff is supportive of policy direction on Community Improvement and the important role it can play in advancing municipal goals and objectives through incentives. However, it is Staff’s understanding that the County of Elgin does not have the power to create and/or administer Community Improvement	After reviewing the provisions of the Planning Act, County Staff agree that this Section of the Plan should be revised to accurately reflect the County’s powers under Section 28 of the Act.	To address the Municipality’s submission, it is recommended that first paragraph of Section 3.18 be revised to read: “The community improvement powers under Section 28 of the Planning Act provide a wide range of powerful tools for local

	Planning on its own accord under the Planning Act. If there are agreements in place between the lower-tiers and the County to perform this function, this section should be revised to acknowledge those agreements.		municipalities, including the ability to provide financial incentives that would be otherwise prohibited by the Municipal Act. While the County does not have the authority to create its own Community Improvement Plan (CIP), to support general physical improvement in the County and economic development, the County may consider funding or administering a CIP or multiple CIP with local municipalities that address the County's strategic economic development priorities including:"
4.6	Through a discussion with the County, there is clarity around the establishment of the 55% target, however, it is recommended that the wording be revised in the policy itself to alleviate a need for future clarification by users of the Official Plan document and to remove any ambiguity. There are several sections of the County's Official Plan that require local municipalities to report annual to the County. More information is required on what the reporting structure will be and how the information is to be submitted.	It is not entirely clear what additional clarifications Central Elgin is requesting be provided. Notwithstanding this, at the public open house the County was questioned as to whether each individual development proposal will be required to incorporate 55% or whether it is an aggregate of all residential development. It is the intent that this is 55% of the <i>cumulative total</i> of all residential development be targeted as affordable and to that end, clarity on this matter should be provided. Further with respect to reporting to County Council, as noted previously, it is intended that County Staff will conduct all reporting to County Council. County Staff are of the opinion that Section 13.6 already provides sufficient clarity on this matter.	See changes proposed to Section 4.6 to address submission by Malahide.
5.7	Staff understand the rationale behind limiting Additional Residential Units within Rural Areas, however, it is unclear whether this restriction can be applied given the direction within the Planning Act.	County Staff are satisfied with their interpretation of the Planning Act and have employed similar policies in other jurisdictions.	No change is recommended / needed.
6.4	This Section of the County's Official Plan provides direction on "Protecting Urban Character" and would part of its recommendations / direction on urban design. While Staff agree that urban design and the articulation of these elements are important with Official Plan documents, there are some concerns with respect to the how they are communicated within this section. Specifically, the provision of "small-town appearance and character" and using "design concepts that reference or reflect the historic character of the settlement area". It is understood that this is providing general direction to local municipality's, and that local variation and circumstances can be addressed in local official plans, however, the subjectiveness of some of the terminology that is provided in this section raises concerns.	County Staff appreciate that these policies have a level of subjectiveness to them but are confident they are no more subjective than most policies contained in an OP. It will always remain incumbent on a development proponent to demonstrate to the County and local municipality, how they have addressed these policies. To provide some additional flexibility and further clarity some changes should be incorporated into the policy to: <ul style="list-style-type: none"> • Recognize that in some cases urban character should be enhanced not just protected; • That urban design elements can be just as effective as architectural elements in preserving/enhancing character; • That it is incumbent on an applicant to demonstrate compliance with this policy and that the relevant approval authority shall determine compliance; and, • That industrial / employment uses should be exempt to recognize their unique development requirements. 	To address the Municipality's submission, it is recommended that Section 6.4 be revised by replacing the policy with the following two policies: "Protecting & Enhancing Urban Character – Elgin County's urban character is defined by small, human scale communities centred on a crossroads, main street, or small commercial core composed of concentrations of pedestrian-friendly (often older) built form, with a variety of retail, employment, residential, and civic uses. The land use patterns of Elgin's settlement areas have created largely walkable communities that encourage social interaction, the patronage of local businesses, and community-centric lifestyles. Development in Elgin County's Settlement Areas will protect and enhance this character and will prevent the suburbanization of the County's urban areas. To that end, urban character will be protected and/or enhanced by: <ol style="list-style-type: none"> a) Enhancing the pedestrian-friendly nature of the settlement area; b) Reinforcing and enhancing the sense of community through connectivity and integration with existing built areas, and the provision of community spaces and facilities; c) Using massing, scale, architectural, and/or urban design elements to reinforce the character of the settlement; d) Respecting the role and primacy of the settlement area's main street or commercial core and encouraging the development and/or retention of local retail and commercial amenities; and

			<p>e) Using design concepts that reference or reflect the history and/or historic character of the settlement area.</p> <p>Protection and enhancement of urban character is not intended to require historic reproduction or to limit intensification or higher density development, rather innovative architectural styles and urban forms that protect and enhance the County's urban character and assist in sensitively integrating higher density development are encouraged. It shall be incumbent on an applicant to demonstrate how their proposal protects and enhances urban character, and to that end, an urban design brief may be required for certain proposals. It shall be at the discretion of the relevant approval authority to determine the need for an urban design brief and compliance with this policy.</p> <p>Protecting & Enhancing Urban Character, Exceptions – While the protection and enhancement of Elgin's urban character is a primary consideration when evaluating new development, it is recognized that some flexibility in implementing these policies is desirable to reflect the individual circumstances of development proposals, and differences in local character. To that end, the policies of Section 6.4 shall not apply:</p> <ul style="list-style-type: none"> a) where a local municipality has defined a settlement area or neighbourhood's character in a local official plan, secondary plan, or through the adoption of urban design guidelines; or b) to industrial / employment uses. <p>In the case of proposals for industrial / employment uses, applicants shall be encouraged to demonstrate how their proposal will be sensitively integrated with adjacent non-industrial / employment uses where applicable."</p>
7.17	<p>The policy section would appear to be inconsistent with Provincial Policy and the protection of Natural Heritage Systems. While it is understood that there may be limited site-specific circumstances where appropriate situations may exist, there is a question of appropriateness for a general policy to permit land division within a natural heritage feature. This would include examples where a feature exists outside of a settlement area and/or where natural hazard features may be coincident with that heritage feature.</p>	<p>The intent of this section to is encourage the good management of the Natural System and is two-part:</p> <ul style="list-style-type: none"> • It requires that applications for land division demonstrate regard for the effective management and stewardship of the Natural System and <u>minimize division</u> of the Natural System; and • Permits applications for land division to facilitate its protection, subject to the other policies of the OP <p>It is unclear to County Staff how this section is inconsistent with Provincial Policy.</p>	<p>No change is recommended / needed.</p>
8.8	<p>The County provides a linkage to the Elgin County Transportation Master Plan as the basis for the construction and design of County Road. Further, within Table 3, the County provides road characteristics by functional road classification of urban roads. Staff request that the County require curb and gutter on urban collectors and urban roads in settlement areas. Further, the Municipality discourages rear lotting of development on roads as this creates visual and maintenance concerns. This also supports</p>	<p>The Municipality's submission with respect to this policy is two-part, requesting that the County incorporates a policy:</p> <ul style="list-style-type: none"> • that requires curb and gutter (i.e. an urban cross-section) on all urban roads in settlement areas; • that discourages rear-lotting of development on county roads. <p>With respect to the first request, County Staff do not believe it is appropriate to incorporate a detailed engineering / design</p>	<p>To address the Municipality's submission, it is recommended that a new policy be introduced into Section 8.0 as follows:</p> <p>"Development Adjacent to a County Road – The primary role of the County Road Network is to accommodate high volumes of traffic (including truck traffic) at reasonably high rates of speed in a safe, efficient, and convenient manner. Notwithstanding this, the County Road Network also functions as a primary gateway to and from the County, and as the main street and gateway to the</p>

	<p>the creation of “window streets”, etc. It is requested that wording be provided to prohibit/discourage rear lotting on County Roads.</p>	<p>consideration in an OP, rather that it is appropriate to incorporate such a requirement in the County’s Engineering Standards and/or Transportation Master Plan where there is greater flexibility in its application.</p> <p>With respect to the second request, County Staff are not opposed to incorporating a policy that discourages rear-lotting onto county roads. In discussion with the County’s Director of Engineering Services and new policy has been developed for Chapter 8.</p>	<p>county’s settlement areas. To that end, the following shall apply to the design of development abutting a county road:</p> <ol style="list-style-type: none"> a) Development shall respect the role and function of the county road that it is located on from a use, access, visibility, and design perspective (including both engineering and site design); b) Development shall be setback a sufficient distance based on local context, ultimate planned build-out of the road, and rates of speed; c) Potential negative impacts from the County Road Network such as noise and lighting on sensitive land uses shall be mitigated through site and building design; d) Development should be sited in ways that creates a welcoming and visually appealing experience for both pedestrians and drivers through the use of landscaping, window streets, or other similar approaches, while complementing and respecting the road’s primary function; e) Development should generally avoid rear-lotting or backing onto county roads; and, f) Surface parking lots should be sited and designed to reduce the visual dominance of paved areas along county roads.”
8.18	<p>This policy provides that, “no approval by the County shall be granted until the County has reasonable assurances, and a commitment from the local municipality, that the establishment or expansion of servicing infrastructure will commence imminently, and the proposed development will be coordinated with the installation of servicing”. To ensure that this policy is being applied consistently across the County and is not subjective, “reasonable assurances” need to be defined.</p>	<p>What constitutes as a ‘reasonable assurance’ in this section is established by the Ministry of the Environment’s D-5 Guideline which states that:</p> <p>“the Province considers capacity to be committed when draft approval is granted to a development in a fully serviced municipality. In circumstances where capacity is tied to the construction of new or expanded treatment facilities, the capacity will be considered available once:</p> <ul style="list-style-type: none"> o <i>Environmental Assessment Act</i> approval has been given; and, o the municipal council responsible for financial decisions regarding sewage and water services has passed a council resolution approving a specific budget item that dedicates capital for the completion of facilities (such that the facilities are completed prior to the commencement of construction of development).” <p>Notwithstanding that this guideline is publicly available and is a long-standing guideline dating back to the mid-1990s, County Staff have received numerous inquiries from both local municipalities and developers and to that end, it would appear that greater clarity may be required.</p> 	<p>To address the Municipality’s submission, it is recommended that Section 8.18 be revised as follows:</p> <p>“For new development proposed to be connected to municipal water and/or sanitary sewage services, no approval by the County shall be granted until the local municipality has confirmed that there is sufficient uncommitted reserve capacity in the system to accommodate the proposed development. In cases where development is proposed in response to the planned establishment or expansion of municipal servicing, no approval by the County shall be granted until:</p> <ol style="list-style-type: none"> a) an Environmental Assessment Act approval has been given for the facilities; and, b) the facilities are completed or near completion, prior to the commencement of construction of the development. <p>Notwithstanding the above, it is recognized that in certain circumstances the construction of municipal servicing is dependent on development being approved concurrently, in which case, the County must have reasonable assurances in place that the proposed development will be fully coordinated with the installation of servicing and that sufficient protections are in place to prevent premature development or occupancy of the proposed development.”</p>
12.5	<p>Through discussions with County Staff, it is understood that there may be instances where a technical severance may be appropriate due to an inadvertent merger of land. While this may be appropriate, and supported through recent legislative changes, the wording of this policy raises concerns that “new lots” may also be created, which Staff do not believe is the case. Further, there</p>	<p>This policy is a carry-over from the existing Official Plan and the wording has not changed (see Policy E1.2.3.3 of the existing Plan). Further this policy has not been identified by County Staff as a problematic policy.</p>	<p>No change is recommended / needed.</p>

	may be other instances where lot creation may not be appropriate regardless of historical situation (e.g. hazard lands) and this should be accounted for as well.		
13.6	There are several sections of the County's Official Plan that require local municipalities to report annual to the County. More information is required on what the reporting structure will be and how the information is to be submitted.	As a County Official Plan administered by the County of Elgin, it is intended that County Staff will conduct all reporting to County Council. Section 13.6 already provides sufficient clarity on this matter.	No change is recommended / needed.
Schedule 'D'	Former landfill within the Community of Belmont (Schedule "B" in the Municipality's Official Plan) is not identified in the County's Official Plan. This should be included.	County Staff agree that this error should be corrected.	To address the Municipality's submission, it is recommended that Schedule 'D' be revised to illustrate the former landfill site located in the Community of Belmont as illustrated on Schedule 'B' of the Central Elgin Official Plan.
Kettle Creek Conservation Authority			
Unspecified	Please be advised that we have no objection to the approval to the Final Draft Official Plan	None.	No change is recommended / needed.
Unspecified	On February 16, 2024, a new Minister's regulation (Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits) under section 28 of the Conservation Authorities Act was approved by the Province. This regulation will replace individual regulations held by each Conservation Authority. (ie. the former Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation). Moving forward, O. Reg. 41/24 will be used by all Conservation Authorities (CA). The regulation's effective date is April 1, 2024. The enactment of O. Reg. 41/24 will also coincide with the proclamation of associated sections within the Conservation Authorities Act. While O. Reg. 41/24 represents a single regulation for all CAs, much of the CA regulatory process remains the same. The administration of O. Reg. 41/24 is a Mandatory Program and Service of the Conservation Authorities as per Section 21.1.1 of the Conservation Authorities Act and as stipulated in O. Reg. 686/21: Mandatory Programs and Services. There are no changes to CA planning services at this time. Conservation Authorities continue to provide mandatory or Category 1 programs or services related to reviewing and commenting on applications and other matters (e.g., planning document updates) under the Planning Act, and for proposals under Acts referred to in Section 6 (2) of Ontario Regulation 686/21: Mandatory Programs and Services.	There are no direct references to the regulations of individual conservation authorities in the Official Plan. It is understood that this comment is likely more advisory in nature.	No change is recommended / needed.
7.7	O.Reg.41/24 reduces the Conservation Authority's jurisdiction around wetlands to 30 metres for all wetlands, including provincial significant and coastal wetlands. Therefore, Development and site alteration to wetlands section 7.7 of the official plan should be updated to state "Development proposed within 30 metres of a significant wetland or coastal wetland is also regulated by conservation authorities..."	As O. Reg. 41/24 reduces Conservation Authority regulated area around wetlands from 120 to 30 metres. However, while CA regulated area may have been reduced, the PPS still mandates that planning authorities prohibit development within 120 metres of a significant wetland unless it can be demonstrated that the development will have no negative impacts on the wetland. It is noted however that conservation authorities no longer regulate development adjacent to wetlands and as such, the policy should be updated to reflect this recent change.	To address the CA's submission, it is recommended that Section 7.7 be revised as follows: " Development In & Adjacent to Wetlands – Development and site alteration in significant wetlands and coastal wetlands is prohibited and, is regulated by conservation authorities under the Conservation Authorities Act, with specific regard to interference with their hydrogeological function. Development proposed within 120 metres of a significant wetland or coastal wetland shall only be permitted subject to demonstrating, through an environmental impact statement, that there will be no negative impacts on the wetland's ecological features and functions, and a demonstration that the regulatory/permitting requirements of the conservation authority having jurisdiction can be met."

10.3	<p>Role of Conservation Authorities section 10.3 within the official plan should also be updated to reflect the recent changes to regulations under the Conservation Authorities Act. Specifically, “It is the policy of this Plan to recognize and respect the role that conservation authorities play, through their legislative mandate and authority in regulating <i>development and alteration activities</i> within natural hazards. This is often referred to as a ‘regulation area or limit’, being the area subject to <i>Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits</i> under the Conservation Authorities Act. As such, it is the policy of the County to generally defer to, and implement, the requirements of the conservation authority having jurisdiction with respect to <i>development and alteration activities</i> in hazardous lands and sites.”</p>	<p>The CA is requesting that the subject section be revised to address recent changes to the Conservation Authorities Act. This change should be made to reflect the proper legislative references in the document and avoid confusion by the reader.</p>	<p>To address the CA’s submission, it is recommended that Section 10.3 be revised as follows:</p> <p>“Role of Conservation Authorities – It is the policy of this Plan to recognize and respect the role that conservation authorities play, through their legislative mandate and authority in regulating development and alteration activities within natural hazards. This is often referred to as a ‘regulation area or limit’, being the area subject to the Prohibited Activities, Exemptions and Permits Regulation under the Conservation Authorities Act. As such, it is the policy of the County to generally defer to, and implement, the requirements of the conservation authority having jurisdiction with respect to development and alteration activities in hazardous lands and sites.”</p>
10.6	<p>We recommend that the introductory statement of the Hazardous Lands and Sites section 10.6 of the official plan be replaced with the following: “Development in which may be permitted in hazardous lands and sites must demonstrate and achieve the following:...”</p> <p>It is the opinion of KCCA staff that the existing language in section 10.6 may be perceived or interpreted as all development may be permitted in hazardous lands if the listed criteria can be demonstrated and achieved.</p>	<p>County Staff appreciate the concern of the CA with respect to the interpretation of this policy and agree that the policy should be revised to provide greater clarity. In keeping with the policy wording of the PPS, staff are recommending a different revision to the wording of the policy that achieves the same goals.</p>	<p>To address the CA’s submission, it is recommended that Section 10.6 be revised to read:</p> <p>“Development in hazardous lands and sites shall generally not be permitted and only considered where the following are demonstrated and achieved:</p> <ul style="list-style-type: none"> a) a valid justification is provided as to why it is not possible to locate the development outside of the hazard; b) development and site alteration is carried out in accordance with erosion and floodproofing standards, protection works standards, and access standards of the conservation authority having jurisdiction; c) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; d) new hazards are not created, and existing hazards are not aggravated; and e) no adverse environmental impacts will result.”
Lake Huron & Elgin Area Primary Water Supply Systems			
Unspecified	<p>Please ensure the importance of source water protection is appropriately acknowledged in the Official Plan and in subsequent planning and development activities, with consideration of applicable aspects of relevant Source Protection Plans including, but not limited to, the Kettle Creek Source Protection Plan.</p>	<p>Section 8.21 and Schedule ‘B’ of the proposed Official Plan identify the County’s source water protection areas and include policies that mandate conformity with the relevant source water protection plans. Further, Sections 7.12 and 7.13 also incorporate source water protection considerations into decision-making with respect to development using surface or groundwater as a drinking water source. To that end, County Staff are satisfied that proper consideration of the EAPWSS has been included in the draft OP.</p>	<p>No change is recommended / needed.</p>
Unspecified	<p>Please ensure any subsequent County and/or municipal planning, development and design projects consider the importance and location of EAPWSS treatment, pumping, storage and transmission infrastructure, and includes applicable consultation and coordination with the EAPWSS.</p>	<p>Section 8.0 d) states that the County will ‘ensure the safe and effective operation of the County’s ... infrastructure systems, by respecting the standards, requirements, and guidelines of the authorities that operate and/or regulate these systems. Further Section 8.1 recognizes municipal drinking water systems (which includes the EAPWSS) as part of the County’s infrastructure network. To that end, County Staff are satisfied that proper consideration of the EAPWSS has been included in the draft OP.</p>	<p>No change is recommended / needed.</p>
Elgin Federation of Agriculture			

2.0 d)	The EFA appreciates the measures to preserve and safeguard agricultural lands and natural heritage systems throughout the Elgin County Official Plan. We support the Growth Management Section, 2.0 d) which restricts non-agricultural and non-resource extraction development outside settlement areas. These clauses benefit long-term agricultural land preservation and encourage economic growth for our robust and vibrant agricultural community.	None.	No change is recommended / needed.
5.6	We acknowledge the inclusion of Minimum Distance Separation (MDS) Formulae I and II requirements in rural areas. The need for compliance throughout the document will allow for continued growth and development of new livestock facilities and anaerobic digesters.	None.	No change is recommended / needed.
5.11	We further support the continued recognition of our agri-economy in Section 5.11, on-farm diversified uses, including agri-tourism operations directly related to a farming operation.	None.	No change is recommended / needed.
Unspecified	The EFA suggests enhancing the safety and security of farm operations near rural residential developments. One way to achieve is by using subdivision agreements and including a notice or warning clause in each purchase and sale agreement between local municipalities and property owners adjacent to agricultural zones.	County Staff support the use of development agreements and the use of warning clauses on title to assist in notifying non-farming populations of compatibility issues between residential uses and farming operations. Notwithstanding this, County Staff are of the opinion that, as the County does not administer development agreements, such a policy is best left to be incorporated into a local official plan as opposed to the County Official Plan.	No change is recommended / needed.
6.7 d)	The EFA appreciated the need for growth and development; as such we support achieving a minimum net density of 20 units / net hectare where residential development in settlement areas promoting infill land usage.	None.	No change is recommended / needed.
Thames Talbot Land Trust			
General	We are pleased to see that the new draft includes language to encourage and permit the expansion of natural habitats and natural heritage systems connectivity.	None.	No change is recommended / needed.
7.15	Satisfied to see the proposed policy included in the OP	None.	No change is recommended / needed.
7.16	Satisfied to see the proposed policy included in the OP	None.	No change is recommended / needed.
7.17	Satisfied to see the proposed policy included in the OP	None.	No change is recommended / needed.
7.18	Satisfied to see the proposed policy included in the OP	None.	No change is recommended / needed.
Province of Ontario			
2.9	This policy is missing a reference to PPS policy 1.1.3.9 c and 1.1.3.9 d). Proposed revision: The County is encouraged to add new policy 2.9 g) and h) g. there are no reasonable alternatives which avoid prime agricultural areas or lower priority agricultural lands; and h: the settlement area to which lands would be added is appropriately serviced, and there is sufficient reserve infrastructure capacity to service the lands.	These provisions are already included in Section 2.7 e) and g).	No change is recommended / needed.
4.4	This policy uses the term “low-density residential zones” when describing locations where additional dwelling units may be permitted. The Planning Act stipulates that Official Plans permit up to 2 additional residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land. The County is encouraged to update policy 4.4. so that it reads:	County Staff agree that it is appropriate to provide the clarification proposed by the Province.	To address the Province’s submission, it is recommended that Section 4.4 be revised to read: “Additional dwelling units are smaller apartments contained within a dwelling or accessory building on the same property and are referred to by various names including secondary suites, accessory apartments, or ‘granny flats’. Local municipalities shall permit a minimum of two additional residential units as-of-right

	4.4 Additional Dwelling Units – Additional dwelling units are smaller apartments contained within a dwelling or accessory building on the same property and are referred to by various names including secondary suites, accessory apartments, or ‘granny flats’. Local municipalities shall permit a minimum of two additional residential units as-of-right within low-density residential zones in settlement areas containing a detached house, semi-detached house or rowhouse , subject to appropriate land use, size, and locational criteria, including servicing and access requirements.		within residential zones in settlement areas where single detached, semi-detached, and/or rowhouse dwellings are permitted, subject to appropriate land use, size, and locational criteria, including servicing and access requirements.”
5.8	The County is encouraged to identify that lot adjustments in agricultural lands can be considered for legal or technical reasons.	Section 12.4 and 12.5 of the draft OP establish the policies for the consideration of legal or technical severances throughout the entire county, whether on agricultural lands or otherwise.	No change is recommended / needed.
5.10	The Plan allows for the establishment of accommodation for farm labour provided four conditions (a to d) can be demonstrated. None of these conditions relate to groundwater supply or sewage disposal. The County is encouraged to add a condition that requires it be demonstrated that there is sufficient groundwater resources to provide an adequate water supply, and that the soils can accommodate the volume of sewage and the subsurface disposal of sewage will not cause unacceptable impacts to the groundwater.	Section 5.4 of the draft OP already establishes the need to address on-site sewage and water considerations for all development in the Rural Area, including farm labour accommodations. These policies are further elaborated on in Section 8.0, which addresses the servicing of all development, including farm labour accommodations. To that end, County Staff are satisfied that this issue is adequately addressed in the draft OP.	No change is recommended / needed.
7.0	To bring the Official Plan closer into conformity with source protection plan policies and to be consistent with PPS policy 2.2, objective c) should be revised to include consideration of water quantity. The County is encouraged to update policy 7.0 c) so that it reads: “c) Minimize negative changes to the quality, quantity , and hydrological/hydrogeological functions of watercourses, lakes, aquifers, and wetlands; and”	County Staff agree that it is appropriate to include the proposed revision by the Province.	To address the Province’s submission, it is recommended that Section 7.0 c) be revised to read: “Minimize negative changes to the quality, quantity, and hydrological/hydrogeological functions of watercourses, lakes, aquifers, and wetlands; and”
7.10, 12.0	The County could include a specific policy that ensures that development or site alteration proposals include a screening for species at risk and require an appropriate level of site assessment for new development or site alteration proposals to identify potential presence of endangered or threatened species and/or their potential habitats. For example: “The County will assess and accept as part of planning applications information regarding endangered and threatened species from credible resources and will use this information, in confidence, to assess all planning applications for potential development constraints.”	County Staff generally agree that additional clarity is needed regarding how species at risk should be identified and assessed but do not agree with the proposed wording from the Province.	To address the Province’s submission, it is recommended that Section 7.10 be revised to include the following at the end of the policy: “Where the habitat of threatened or endangered species is suspected or known, applicants shall be required to conduct a species at risk (SAR) assessment prior to any development approvals being granted and any required mitigation measures or other recommendations shall be carried out as a condition of any development approval.” Further it is recommended that Section 12.10 be revised by including the following study to the list: Species at Risk Assessment.
7.12	To bring the Plan closer into conformity with source protection plan policies and to be consistent with PPS policy 2.2, this policy should be revised to include the Great Lakes (i.e., Lake Erie). The County is encouraged to update policy 7.12 so that it reads: 7.12 Development & Surface Water Features – “Surface water features refer to water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, the Great Lakes , seepage areas, recharge/discharge areas, springs,	County Staff are satisfied that it is generally recognized that the Great Lakes constitute a surface water body.	No change is recommended / needed.

	wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics.”		
7.12 a), b)	To bring the Plan closer into conformity with source protection plan policies and to be consistent with PPS policy 2.2, bullets (a) and (b) should be revised to explicitly mention water quality and quantity. The County is encouraged to update bullets a) and b) of policy 7.12 c) so that they read: a) Development and site alteration shall be restricted on or near sensitive surface water features as recommended in any relevant sub-watershed study, environmental impact statement, or as detailed in the relevant source water protection plan (see Subsection 8.20 for further information), such that these features and their related hydrologic functions including water quality and quantity will be protected, improved, or restored; and b) Mitigative measures and/or alternative development approaches may be required to protect, improve, or restore sensitive surface water features, and their hydrologic functions including water quality and quantity and shall be implemented through the development approvals process.	County Staff agree with the proposed clarifications to ensure consistency with the PPS.	To address the Province’s submission, it is recommended that Section 7.12 a) and b) be revised as follows: “a) Development and site alteration shall be restricted on or near sensitive surface water features as recommended in any relevant sub-watershed study, environmental impact statement, or as detailed in the relevant source water protection plan (see Subsection 8.20 for further information), such that these features and their related hydrologic functions including water quality and quantity will be protected, improved, or restored; and b) Mitigative measures and/or alternative development approaches may be required to protect, improve, or restore sensitive surface water features, and their hydrologic functions including water quality and quantity and shall be implemented through the development approvals process.”
8.15	The County is encouraged to ensure that the Official Plan identifies that where communal services are proposed. MECP requires either municipal ownership of the services or a Municipal Responsibility Agreement (e.g., for condominium development) whereby the municipality accepts ownership in the event of default.	What the Province is proposing is not a ‘policy’, but a recognition that communal services require municipal ownership or a municipal responsibility agreement. While County Staff do not believe this is entirely necessary, it is recognized that this clarification may be helpful for applicants and local municipalities considering communal services	To address the Province’s submission, it is recommended that new section be added to Section 8.0 of the OP as follows: “ Communal Servicing, Municipal Responsibility – For new development proposed to be connected to communal sewage services, where municipal ownership of the communal service or services is not proposed, the applicant and the local municipality will be required, in accordance with the requirements of the Province, to enter into a municipal responsibility agreement whereby the local municipality accepts ownership of the communal service in the event of default by the private owner.”
8.15	This policy should be revised to add that partial services are only permitted where they are necessary to address failed individual on-site water and sewage services in existing development. They are also permitted within settlement areas to allow for infilling and minor rounding out of existing development on partial services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.	County Staff agree with the proposed clarifications to ensure consistency with the PPS.	To address the Province’s submission, it is recommended that new section be added to Section 8.0 of the OP as follows: “ Partial Servicing, When & Where Permitted – In accordance with provincial policy, partial services are only permitted a) where they are necessary to address failed individual on-site water and sewage services in existing development; or b) Within settlement areas to allow for infilling and minor rounding out of existing development, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.”
8.16	The Plan should include policies to address the proper assessment of servicing needs for industrial and commercial uses that are not connected to full municipal sewage and water services. These policies should restrict industrial and commercial uses to dry uses only, unless it is appropriately demonstrated that adequate on- site sewage and/or water services can be provided without unacceptable impacts. The County is encouraged to include the following policy in section 8.16.	County Staff agree that additional policy wording regarding private servicing is warranted however, County Staff are of the opinion that, to ensure consistent application, more general policy wording that addresses all forms of development on private services is warranted.	To address the Province’s submission, it is recommended that new section be added to Section 8.0 of the OP as follows: “ Private Servicing, Confirmation of Suitability – For new development proposed to be connected to private water and/or sanitary sewage services, confirmation that on-site conditions are suitable for the long-term provision of such services, with no negative impacts, is generally required. In undertaking any assessment or analysis of on-site conditions, the level of detail

	<p>“Where industrial or commercial uses are proposed on the basis of private on-site sewage services or private on-site water services, these uses shall be restricted to dry industrial and commercial uses, unless demonstrated, through a hydrogeological assessment, prepared to the satisfaction of Council by a qualified professional in accordance with applicable MECP guidelines, procedures, and standards, that adequate on-site sewage and water services can be provided without unacceptable impacts”.</p>		<p>should correspond with the scale and intensity of the proposed use. It shall be at the general discretion of the local municipality, in consultation with the County, to determine the need for any analysis and its scope based on the policies of this Plan and the local official plan.”</p>
8.21	<p>The policy should be revised to reference the applicable legislation that governs the protection of the sources of drinking water. The County is encouraged to update the first sentence of policy 8.21 so that it reads: “The Ontario Drinking Water Act Clean Water Act, 2006 mandates the creation and maintenance of regional source water protection plans.”</p>	<p>County Staff agree with the proposed update.</p>	<p>To address the Province’s submission, it is recommended that Section 8.21 of the OP be revised by updating the existing legislative reference to: “The Clean Water Act”.</p>
8.21	<p>Section 40 of the Clean Water Act, 2006 explicitly requires that municipalities amend their official plans to conform with the significant threat policies set out in source protection plans (SPPs). Policies that affect land use planning decisions under the Planning Act, 1990 or the Condominium Act, 1998 are included in List A and List B of each applicable SPP. These policies address (manage or prohibit) future threat activities through land use planning decisions. To implement SPP policies, official plan policies should provide sufficient direction to ensure that land uses or developments associated with threat activities will be prohibited or managed as specified by the SPP policies that rely on Planning Act tools, as outlined in Lists A and B. The County is encouraged to update Section 8 to include policies that conform with all applicable significant drinking water threat SPP policies that rely on Planning Act tools (i.e., List A): Thames-Sydenham and Region Source Protection Plan: <ul style="list-style-type: none"> • 1.06 General Land Use Planning • 1.07 Section 59 Restricted Land Uses • 1.08 Section 59 Restricted Land Uses for Event Based Modeled Threats • 1.11 Definition of Existing and Future • 2.15 Future Septic Systems – Prohibition Land Use Planning Catfish Creek Source Protection Plan: <ul style="list-style-type: none"> • No applicable policies Kettle Creek Source Protection Plan: <ul style="list-style-type: none"> • KCSPA-CW-1.2 Uses and Areas designated as Restricted Land Uses • KCSPA-1.1 Implementation and Timing Long Point Source Protection Plan: <ul style="list-style-type: none"> • No applicable policies. However, there are land use planning policies directed at lower-tier municipalities of the County of Elgin (i.e., Municipality of Bayham) to implement. </p>	<p>The current wording of Section 8.21 clearly references the existence of Sourcewater Protection Plans and how they are administered. This section also includes an explicit statement that: “In no case shall the County grant any approval in contravention of an applicable source water protection plan, or implementing policies or regulations contained within a local official plan or zoning by-law.”</p> <p>As ground conditions and drinking water threats vary from municipality to municipality, County Staff are of the opinion that more detailed source water protection policies are more appropriate included in local official plans. Recognizing the Province’s submission, County Staff are recommending that some additional clarity be provided requiring the incorporation of relevant sections of these plans into local official plans.</p>	<p>To address the Province’s submission, it is recommended that a new policy be included immediately following Section 8.21 as follows: “Source Water Protection, Local Official Plans – To ensure that the directives of the applicable source water protection plan are appropriately implemented all local official plans shall identify any source water protection intake areas and incorporate any policies mandated by the relevant source water protection plan, to provide sufficient direction ensuring that land uses or developments associated with threat activities will be prohibited or managed.”</p>
8.21	<p>The County is encouraged to update the last sentence in Section 8.21 to read as follows for clarity:</p>	<p>County Staff believe that the existing wording the draft OP is adequate and achieves the same purpose as the proposed revised wording by the Province.</p>	<p>No change is recommended / needed.</p>

	<p>The County shall not grant any approval or implement policies or regulations within the local official plan or zoning by-law that contravenes applicable source protection plan policies directed at subject municipalities within any of the applicable source protection plans that are in effect In no case shall the County grant any approval in contravention of an applicable source water protection plan, or implementing policies or regulations contained within a local official plan or zoning by-law.</p>		
8.24, 8.25	<p>MECP recommends that for sensitive developments, noise be assessed within 500 metres of a principal main railway line. MECP recommends that this policy also reference MECP's Environmental Noise Guideline, NPC- 300. The County is encouraged to update policy 8.24 and 8.25 to include the following: "Planning for land uses in the vicinity of rail facilities (including rail corridors, rail sidings, rail yards, and associated uses) shall be undertaken so that their long term operation and economic role is protected, and rail facilities, industrial uses and residential or other sensitive land uses are appropriately designed, buffered and/or separated from each other so as to minimize risk to public health and safety, and prevent or mitigate adverse effects.</p> <p>Where planning approvals are required to facilitate residential or other sensitive uses in proximity to rail facilities, or within 500 metres of a principal main railway line, 250 metres of a secondary main railway line, or 100 metres of other railway lines, proposals will be assessed to ensure applicable sound level limits, as set out in MECP's Environmental Noise Guideline NPC-300, can be achieved, Detailed noise studies, prepared by qualified acoustical consultants may be required to address all potential noise sources which impact the site. Where required, detailed noise studies will be completed in accordance with the requirements of MECP's Environmental Noise Guideline NPC-300 and will be subject to the review and approval of Council."</p> <p>The County is also encouraged to update the second sentence of 8.25 as follows: Where sensitive land uses are proposed within 500 75 metres of an active railway the County will require a noise vibration study to be completed, in accordance with the requirements of MECP's Environmental Noise Guideline NPC-300 and will be subject to the review and approval of Council.</p>	<p>The existing policies of the draft OP were prepared in accordance with 'Guidelines for New Development in Proximity to Railway Operations' and have been reviewed and subject of significant revisions as requested from Canadian National Railways. Further it is the opinion of County Staff that reference to specific guidelines from external organizations (i.e. MECP, CA, MTO, etc.) should be addressed generically as these guidelines are subject to regular change by public authorities.</p> <p>Notwithstanding the above, it appears that the Province is requiring that the noise studies be required for:</p> <ul style="list-style-type: none"> • development within 500 metres of a principle main line, as opposed the national guideline recommendation of 300 metres; • development with 100 metres of a secondary branch or spur, as opposed to the national guideline recommendation of 75 metres. 	<p>To address the Province's submission, it is recommended that Section 8.25 be revised by including a specification that noise studies shall be "completed in accordance with provincial guidelines". Further that Section 8.25 be revised to require a noise study for development within 500 metres of a principle main line and 100 metres of a secondary branch or spur.</p>
9.0	<p>Policy direction must be included in the County OP for rehabilitation of petroleum extraction as per PPS policy 2.4.3.1, and for rehabilitation of mineral aggregate resources as per PPS policies 2.5.3.1 and 2.5.3.2. The County is encouraged to add the following rehabilitation policies to Section 9. "Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have</p>	<p>County Staff generally agreed with the proposed rewording to ensure consistency with the policies of the PPS.</p>	<p>To address the Province's submission, it is recommended that a new section be incorporated into Section 9.0 as follows: "Rehabilitation of Extraction Operations – Where a natural resource extraction operation has ceased, rehabilitation to accommodate subsequent land uses shall be required to promote land use compatibility, recognize the interim nature of the</p>

	<p>ceased. Progressive rehabilitation should be undertaken wherever feasible.”</p> <p>“Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.</p> <p>Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.”</p>		<p>extraction operation, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration. Progressive rehabilitation should be undertaken wherever feasible and comprehensive rehabilitation planning is encouraged where there is a concentration of natural resource extraction operations. To that end, a rehabilitation plan shall be required in advance of any municipal planning approvals for new or expanding extraction operations.”</p> <p>Further that Section 12.10 be revised to add: “rehabilitation plan (natural resource extraction)” to the list of studies.</p>
9.8	<p>Bullet c) of this policy should be updated to be consistent with PPS policies 1.6.6.1 and 2.2. The County is encouraged to update policy 9.8 c) so that it reads:</p> <p>c) where residential and other sensitive land uses are proposed adjacent to an extraction operation, the applicant shall demonstrate that the quality and quantity of groundwater is and will be suitable for the proposed development considering the current and fully approved capacity and extent of the adjacent extraction operation.”</p>	<p>County Staff agree with the proposed rewording to ensure consistency with the policies of the PPS.</p>	<p>To address the Province’s submission, it is recommended that Section 9.8 c) be revised as follows:</p> <p>“where residential and other sensitive land uses are proposed adjacent to an extraction operation, the applicant shall demonstrate that the quality and quantity of groundwater is, and will be, suitable for the proposed development considering the current and fully approved capacity and extent of the adjacent extraction operation.”</p>
9.9	<p>While this policy generally aligns with the PPS policy 2.5.5.1 by permitting wayside pits and quarries as well as portable asphalt and concrete plants, it does not explicitly exempt these uses from planning applications specified in this PPS policy. Further, draft OP policy 9.9 does not include the qualifier outlined in PPS policy 2.5.5.1. The County is encouraged to revise policy 9.9 to clarify that wayside pits and quarries, portable asphalt plants and portable concrete plants on public authority contracts are exempt from requiring an official plan amendment, rezoning, or development permit under the <i>Planning Act</i> as per PPS policy 2.5.5.1.</p> <p>Further, it is encouraged that the term ‘public authority contract’ be considered in place of ‘public road works’ in this OP policy. Revising the term would ensure all works that require a wayside pit and quarry, portable asphalt plant or portable concrete plant by a public authority are exempt from official plan amendments, zoning, or development permit under the <i>Planning Act</i> as per PPS policy 2.5.5.1.</p>	<p>County Staff generally agree with the proposed rewording to ensure consistency with the policies of the PPS. Notwithstanding this, County Staff have struggled with whether this long-standing policy constitutes ‘good planning’ and whether this policy is in the best interests of the County and its residents. To that end, County Staff would recommend incorporating the PPS wording as submitted by the Province, but including a statement specifying that this is a policy of the Province of Ontario and not the County of Elgin, and further that it shall be the policy of the County to require restoration of the land where possible.</p>	<p>To address the Province’s submission, it is recommended that Section 9.9 be revised as follows:</p> <p>“Wayside Pits and Quarries – In accordance with provincial policy, wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need amendment, rezoning, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined by the County or local municipality to be incompatible with extraction and associated activities. Further, it is the policy of the County to require restoration of the site when such facilities are not longer required.”</p>
10.0	<p>Human-made Hazards</p> <p>The PPS provides policy direction for human- made hazards, which must be incorporated into the Official Plan to be consistent with PPS policy 3.2.1.</p>	<p>County Staff generally agree with the proposed rewording to ensure consistency with the policies of the PPS.</p>	<p>To address the submission made by the Province it is recommended that Section 10.1 be modified by adding:</p> <ul style="list-style-type: none"> • Oil, gas, and salt hazards • Wildland fire hazards • Former natural resource extraction operations <p>Further that a new policy be included in Section 10.0 as follows:</p> <p>“Oil, Gas, and Salt Hazards & Former Natural Resource Extraction Operations – Development on, abutting, or adjacent to lands affected by an oil, gas, or salt hazard or a former natural resource extraction operation may be permitted only if</p>

			<p>rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. The County shall encourage, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.”</p>
<p>10.0</p>	<p>The draft Official Plan does not contain policy direction addressing areas that are unsafe due to the presence of hazardous forest types for wildland fire, and risk mitigation and assessment in accordance with provincial standards as of PPS policy 3.1.8.</p> <p>Wildland fire mitigation measures are subject to natural heritage policies including PPS policies 2.1.4, 2.1.5, and 2.1.8. The County should also ensure that mitigation measures do not negatively impact natural heritage features as per the PPS policy direction referenced above.</p> <p>MNRF data to support identifying potential hazardous forest types for wildland fire can be downloaded from the Land Information Ontario (LIO) Warehouse. The data class is called “Fire – Potential Hazardous Forest Types for Wildland Fire” (https://geohub.lio.gov.on.ca/).</p> <p>It is recommended that the County incorporate policy direction which considers development in the context of wildland fire risk in PPS policy 3.1.8. It is also recommended that the County consider mapping the presence of hazardous forest types for wildland fire using MNRF’s dataset to support the implementation of PPS policy 3.1.8.</p> <p>Also, recognizing that MNRF’s mapping of these hazardous forest types is coarse and may not confirm the presence of the hazard, it is recommended that the County consider the following policy direction (from section 7.2.4.5 of the ‘Wildland Fire Risk Assessment and Mitigation Reference Manual’) to support the implementation of PPS policy 3.1.8, including: “Applicants may be required to undertake a site review to assess (to the extent possible) the level of wildland fire hazard and associated risk on and in the vicinity of the subject lands. Applicants pursuing development in lands with hazardous forest types may be required to identify measures that need to be taken to mitigate the risk in accordance with standards.”</p> <p>Further, the County may wish to consider including policy direction that clarifies the relationship between the policies that protect natural heritage policies and potential wildland fire mitigation measures.</p>	<p>County Staff agree that a new policy should be developed, and mapping incorporated, to address wildland fire hazards to ensure consistency with the PPS.</p>	<p>To address the submission made by the Province it is recommended that Section 10.0 be modified by adding a new policy as follows:</p> <p>“Wildland Fire Hazards – Wildland fire hazards refers to areas, assessed as being associated with the risk of high to extreme wildland fire by the Province. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of wildland fire hazards and may only be permitted where the risk is mitigated in accordance with wildland fire assessment and mitigation standards. Where development is proposed within a wildland fire hazard, applicants may be required to undertake a site review to assess, to the extent possible, the level of wildland fire hazard and associated risk on and in the vicinity of the subject lands. Applicants pursuing development in lands with hazardous forest types may be required to identify measures that need to be taken to mitigate the risk in accordance with standards.”</p>

11.0	<p>A new policy should be included to be consistent with PPS Section 2.6.2. The County is encouraged to include the following additional policy under OP Section 11.0:</p> <p>“When development has the potential to impact a known or suspected cemetery or burial site, local municipalities shall require an archaeological assessment by a licensed consultant archaeologist. Provisions under both the <i>Ontario Heritage Act</i> and the <i>Funeral, Burial and Cremation Services Act</i> shall apply. Development shall be guided by this legislation and any direction from the Ministry of Public and Business Service Delivery.”</p>	<p>County Staff generally agree with the proposed rewording to ensure consistency with the policies of the PPS.</p>	<p>To address the submission made by the Province it is recommended that Section 11.0 be modified introducing a new policy as follows:</p> <p>“Cemeteries & Burial Sites – Where development has the potential to impact a known or suspected cemetery or burial site, the relevant approval authority shall require an archaeological assessment by a licenced archaeologist. Provisions under both the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply. Development shall be guided by this legislation and in accordance with any directives from the Province.”</p>
11.0	<p>The term “cultural heritage resources” includes archaeological resources, built heritage resources and cultural heritage landscapes. The correct terminology should be used when referring to each one, and the term “cultural heritage resources” should be used when referring to all three types.</p> <p>In addition, these policies should be consistent with the PPS definition of the term “conserved”.</p> <p>The County is encouraged to update the following policies so that they read:</p> <p>Delete first paragraph of Section 11.0 and replace with the following: The County recognizes the importance of cultural heritage resources within local municipalities. Therefore, Council will encourage the conservation of cultural heritage resources, which includes their identification, protection, management, and use. Cultural heritage resources include archaeological resources, built heritage resources, and cultural heritage landscapes. The County will work collaboratively with Indigenous communities to conserve cultural heritage resources.</p>	<p>This introductory policy statement is intended to express County Council’s goals and objectives as they relate to cultural heritage in the County and is not intended to be a restating of provincial policy.</p>	<p>No change is recommended / needed.</p>
11.2	<p>11.2 General Policy – It is the intent of this Plan that the County’s built heritage resources, cultural heritage landscapes, and archaeological resources be identified, conserved, and enhanced, and that all new development occur in a manner that respects the County’s rich cultural heritage.</p>	<p>County Staff agreed with the recommended wording change.</p>	<p>To address the submission made by the Province it is recommended that Section 11.2 be modified as follows:</p> <p>Deleting the term “cultural landscapes” and replacing it with “cultural heritage landscapes”.</p>
11.3	<p>11.3 Cultural Heritage Resources & Local Official Plans – As noted above, while it is the intent of this Plan to require the conservation and protection of cultural heritage resources, it is recognized that this role largely rests with local municipalities. To that end, local official plans shall include policies to protect and conserve cultural heritage resources, including requirements for cultural heritage impact assessments or heritage conservation plans prior to developing lands on or adjacent to cultural heritage resources technical cultural heritage studies (e.g., conservation plan, heritage impact assessment, and/or archaeological assessment) to be conducted by a qualified professional whenever a development or site alteration has the potential to affect lands adjacent to or that</p>	<p>County Staff would put forward that the proposed change in language is more editorial than a substantive change in policy, however Staff take no issue with the recommended wording.</p>	<p>To address the submission made by the Province it is recommended that Section 11.3 be modified as follows:</p> <p>“Cultural Heritage Resources & Local Official Plans – As noted above, while it is the intent of this Plan to require the conservation and protection of cultural heritage resources, it is recognized that this role largely rests with local municipalities. To that end, local official plans shall include policies to protect and conserve cultural heritage resources, including requirements for technical cultural heritage studies (e.g. conservation plan, heritage impact assessment, and/or archaeological assessment) to be conducted by a qualified professional when development or site alteration has the potential to affect a protected heritage</p>

	include a protected heritage property or a property with potential cultural heritage value or interest.		resource, a resource with potential cultural heritage value or interest, or for development proposed adjacent to a protected heritage resource or a resource with potential cultural heritage value or interest.”
11.8	11.8 Engaging with Indigenous Communities – The County shall engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources.	County Staff agreed with the recommended wording change.	To address the submission made by the Province it is recommended that Section 11.8 be modified as follows: “ Engaging with Indigenous Communities – The County shall engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources.”
12.10	12.10 - Complete Application Requirements – o) Heritage Impact Statement Assessment	County Staff agreed with the recommended wording change.	To address the submission made by the Province it is recommended that Section 12.10 be modified as follows: “o) Heritage Impact Assessment”
11.4	The language of OP Section 11.4, 11.6, and 11.7 should be updated to align with the PPS and the Ontario Heritage Act (OHA). The County is encouraged to replace OP Section 11.4 with the following: “ Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved. Any alterations to known archaeological sites will only be performed by licensed archaeologists. Council shall require archaeological assessments to be carried out by consultant archaeologists licensed under the Ontario Heritage Act, as a condition of any development proposal affecting areas containing an archaeological site or considered to have archaeological potential. ”	County Staff would put forward that the proposed change in language is more editorial than a substantive change in policy, however Staff take no issue with the recommended wording.	To address the submission made by the Province it is recommended that Section 11.4 be modified as follows: “ Development in Areas of Archaeological Potential – Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only when the archaeological resources have been assessed, documented, and conserved. Archaeological assessments must be carried out by licenced archaeologists, prior to the permitting of development and any alterations to known archaeological sites will only be performed by licensed archaeologists.”
11.6	The County is encouraged to update the last sentence of policy 11.6 so that it reads: Where one or more provincial criteria have been met the applicant shall be required to engage a licensed archaeologist to prepare an archaeological assessment prior to any ground disturbing activities. ”	County Staff agreed with the recommended wording change.	To address the submission made by the Province it is recommended that Section 11.6 be modified as follows: By deleting the last sentence of the policy and replacing it with: “Where one or more provincial criteria have been met the applicant shall be required to engage a licensed archaeologist to prepare an archaeological assessment prior to any ground disturbing activities.”
11.7	The County is encouraged to replace OP Section 11.7 with the following: “When an archaeological assessment is required, development and site alteration shall not proceed until archaeological reports have been entered into the Ontario Public Register of Archaeological Reports, where these reports recommend that: 1. the archaeological assessment of the area is complete, and 2. all archaeological sites identified by the assessment are either of no further cultural heritage value or interest or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.”	County Staff agreed with the recommended wording change.	To address the submission made by the Province it is recommended that Section 11.7 be modified as follows: “ Preparation of Archaeological Assessments – Where an archaeological assessment is required, development and site alteration shall not proceed until the assessment or assessments have been entered into the Ontario Public Register of Archaeological Reports, and where these reports conclude that: a) the assessment of the area is complete; and, b) all archaeological sites identified by the assessment are either of no further cultural heritage value or interest, or

			that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.”
11.5	<p>The language of OP Section 11.5 should be revised to align with the PPS definition of “archeological resources” and the OHA.</p> <p>The County is encouraged to update policy 11.5 so that it reads: If there is potential for the presence of partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft or other artifacts items of cultural heritage value or interest, a marine archaeological assessment shall be conducted by a licensed archaeologist pursuant to the <i>Ontario Heritage Act</i>.</p>	County Staff agreed with the recommended wording change.	To address the submission made by the Province it is recommended that Section 11.5 be modified as follows: “Marine Archeological Resources – If there is potential for the presence of partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft or other artifacts items of cultural heritage value or interest, a marine archaeological assessment shall be conducted by a licenced archaeologist pursuant to the Ontario Heritage Act.”
11.11	<p>For consistency with PPS 2.6, this policy should also encourage local municipalities to use cultural heritage conservation tools under the OHA and <i>Planning Act</i>.</p> <p>The County is encouraged to update policy 11.11 so that it reads: Role of Local Municipalities – Local municipalities are encouraged to support conservation of archaeological resources by reviewing public works projects, regardless of whether they are subject to the Environmental Assessment Act, to determine impacts upon potential archaeological resources, conducting an archeological assessment if the lands are located within an area of archaeological potential, or where an archaeological site has been previously registered on the property.</p> <p>Local municipalities are also encouraged to use the tools under the <i>Ontario Heritage Act</i> (such as individual property and heritage conservation district designation) as well as under the <i>Planning Act</i> (such as secondary plans and zoning by-laws).</p>	This section of the OP is intended to encourage local municipalities to have regard for the conservation of archaeological resources when undertaking public works. The proposed wording is not consistent with the subject matter of the policy. Notwithstanding this, the intent of the proposed modification has merit for inclusion as a separate enabling policy.	To address the submission made by the Province it is recommended that a new policy be introduced in Section 11.0 as follows: “Supporting Local Cultural Heritage Conservation – As cultural heritage conservation is largely anticipated to occur at the local level, it is the policy of the County to support local efforts to conserve cultural heritage resources through the designation process under the Ontario Heritage Act, and the use of authorities under the Planning Act such as zoning to conserve cultural heritage resources.”
Schedule ‘B’	The County is encouraged to include an additional map of all designated vulnerable areas, specifically: Wellhead Protection Areas (WHPAs) since there appears to be at least two groundwater systems: the Richmond and the Belmont drinking water system, with their vulnerable areas delineated with the Long Point, Catfish Creek and Kettle Creek Source Protection Areas, respectively. These groundwater drinking water systems should also be reflected in Schedule B.	These features are already illustrated on Schedule ‘B’.	No change is recommended / needed.
Susanne Schlotzhauer			
Schedule ‘C’	There appears to be no central repository or online interactive mapping tool available to display Elgin County’s natural system, as identified under Section 7.1. Elgin County property owners, developers, watershed planners and environmental land stewards should have ease of access to this information via a county-level interactive online mapping tool. I also recommend the natural system components of the County’s mapped ‘Natural Heritage’ system be clearly defined.	<p>County Staff are supportive of Ms. Schlotzhauer’s request to develop an online interactive mapping tool to illustrate the County’s natural system, but this exercise is outside the scope of the development of the County OP.</p> <p>With respect to the submission that individual natural heritage components be mapped on Schedule ‘C’, County Staff have concerns over the legibility of mapping all these features on the OP’s schedules and would note that provincial policy requires the protection of the feature, not the protection of a feature mapped on an OP schedule. The purpose of the Natural System</p>	No change is recommended / needed.

		designation on Schedule 'C' is to advise the reader of a potential protected feature, it is not intended to definitively designate all protected features. For example, the habitat of threatened or endangered species are protected by the OP but are not mapped on the land use schedules because of the sensitivity of sharing this information publicly, and because species habitat can move seasonally.	
7.13	Replace the word 'may' with 'shall' when requiring a hydrogeological assessment for development serviced by groundwater to ensure the integrity of these studies and prevent potential misuse.	County Staff are generally satisfied with the current wording the proposed policy as it recognizes that water use and risks to water supply will vary greatly depending on the type and scale of development proposed (e.g. a food processing plant will have significantly different implications on groundwater features than the creation of one single detached dwelling). County Staff did meet with representatives from MAH and MOE to discuss the wording of this policy and they concurred with staff's assessment, but also noted that MOE staff are available to discuss individual development proposals.	To address the submission, it is recommended that Section 7.13 be revised by adding the following sentence at the end of the policy: "The need for a hydrogeological study, cumulative groundwater impact assessment, geotechnical report, or any other report or plan required to demonstrate suitability of development will be determined by the relevant approval authority in consultation with the Province."
Schedule 'D'	Create a central repository and an accessible online interactive mapping tool can ensure regional mapping consistency and accuracy, providing a common baseline for all stakeholders. There is a mapping discrepancy within the Regulated Areas in the Municipality of Bayham. This discrepancy should be addressed prior to the final approval of the Official Plan.	The regulated areas illustrated on Schedule 'D' have been provided by, and reviewed by, all conservation authorities have jurisdiction in the County. Additionally, the illustration of these areas on the schedules is not intended to definitively identify these areas but provide guidance as to what lands fall within a CA's regulated area. The Official Plan does not establish regulated areas, these are created and administered under the authority of the Conservation Authorities Act. While these maps have been reviewed by the conservation authorities already, if there is an error in mapping, it does not negate the existence of the regulated area and the policies impacting regulated areas still exist and are still applicable.	No change is recommended / needed.
Curtis Hay (represented by Ted Halwa)			
General	Curtis and Christine Hay are landowners in the Municipality of West Elgin. The Hays requested a minor boundary expansion to include frontage along the south side of Marsh Line in the recently adopted West Elgin Official Plan. The boundaries shown for West Lorne on Schedule A of the draft Elgin County OP do not include the Hays' lands on the south side. Mr. Hays is concerned that proceeding with the adoption of the new Official Plan before the resolution of this issue, would make it difficult to include this change without an Official Plan Amendment. The request is to wait to adopt the Plan until this matter has been resolved.	Mr. Hay's property has not been incorporated into the West Lorne urban boundary on Schedule 'A' as the West Elgin OP has not been approved at this time. There is no basis for halting the adoption of the County OP until the West Elgin OP has been approved. Further, County Staff have advised that the approval of a local official plan has never required an amendment to the County OP and this remains the case, as these matters are addressed as a housekeeping matter by the County. Notwithstanding this, County Staff are of the opinion that further clarification of this practice may be warranted in the OP.	To address the submission, it is recommended that Section 13.10 be revised by replacing the existing policy with the following: "Interpretation, Settlement Area Boundaries – The boundaries of the settlement areas identified on the schedules of this Plan are intended to be representative of the boundaries as delineated in local official plans. As such, local official plans should be consulted for the most accurate delineation of a boundary. Where a settlement area boundary has been revised in a local official plan, Schedule 'A' of the County Official Plan shall be updated by way of amendment except: a) where the settlement area boundary in a local official plan has been determined to be a conceptual boundary, in which case, it may be refined without amendment to this Plan so long as the total existing area of the settlement is not increased as a result of the revision; or b) where a revised settlement area boundary has been approved by the County of Elgin as a result of the adoption of a new official plan by a local municipality, or a statutory update of a local official plan.

			In such cases the County shall update Schedule 'A' through a housekeeping exercise either independently, or as part of a statutory update to this Plan. Until such time as the County Plan has been updated, the revised boundary as illustrated in the local official plan shall be deemed to conform to this Plan."
General	There are three policies in the new Official Plan that establish benchmarks that will affect the development of Mr. Hays lands. The request being that flexibility be granted for the following three provisions so they do not hinder development should they not be obtainable: 1. The 55% affordable housing target 2. The requirement for 70% maximum single detached dwellings in a development 3. The 20 units per net requirement	At this time, the County has received no proposal from Mr. Hays for the development of his lands and to request an interpretation for the three noted provisions on a development proposal which staff have not seen is premature.	No change is recommended / needed.
Port Stanley Village Association (represented by Ted Halwa)			
6.4	It is uncommon to see language like this in a County plan and the County is commended on the inclusion of this language. The Port Stanley Village Association is supportive of this inclusion but thinks it will be difficult to make this work on a case-by-case basis without the support of the lower tier municipalities.	County Staff recognize that all policies of the County OP are difficult to implement on a case-by-case basis without the support of local municipal partners. The County will continue to work with its partner municipalities to ensure that County OP policies are implemented in a reasonable and consistent manner.	See changes proposed to Section 6.4 to address submission by Central Elgin.
Ted Chyc			
5.0	Mr. Chyc expressed that as a Farmer and Realtor he is aware of many locations that he feels houses could be built. The zoning is A1 but these locations are not being farmed or are too small to be farmed. Because of the A1 zoning, a house cannot be built on this land. Mr. Chyc inquired as to whether the County could change this or if the province needed to make this change.	The Provincial Policy Statement (PPS) includes very specific and restrictive policies as it related to lot creation and residential development in the Rural Area, specifically in prime agricultural areas. These policies are intended to protect agricultural operations from incompatible development and to preserve agricultural lands for agricultural purposes. The proposed County OP maintains the minimum policy requirements as mandated by the PPS and does not introduce additional lot creation restrictions.	No change is recommended / needed.
Jim Crane			
5.0	Mr. Crane advocated for more housing to be built in Elgin County and in Malahide Township in particular. He cited the VW Plant currently being built in St. Thomas as the reasoning behind the need for more housing. He believes that Malahide Township needs an additional 150-200 lots which are not available right now. He stated that the current provincial government seems more flexible than previous governments in regards to lot creation on private services.	The County undertook a population and land needs assessment to assess the amount of residential and industrial lands that are needed by all local municipalities over the next 20-years, and this assessment was revised following the VW Plant announcement in the City of St. Thomas. Due to existing substantial oversupplies of residential lands in most local municipalities, the County was advised that no additional lands are needed to be designated for residential purposes. The County's land needs assessment noted that Malahide has a surplus of approximately 30 ha of lands already designated for residential purposes. Depending on the density of the proposed development, this amounts to the ability to accommodate 300 to 600 additional residential units above the projected number of required units. With respect to Mr. Crane's position that a more flexible approach is needed to servicing, neither the OP or PPS prohibit development on private services and staff are aware of greatly improved technologies with respect to both well and septic systems. In County Staff's experience, lack of development on private or partial services (when fully serviced land is available in close proximity) is more often an issue of land economics on the	No change is recommended / needed.

		part of developers, and consumer preference on the part of home purchasers for development on full municipal services.	
County Staff			
4.5	After further review of the proposed OP, it was noted by County Staff that the wording of Section 4.5 suggests that the County has the authority to prevent the demolition of rental housing units when it does not have such authority (i.e. the County does not administer the Building Code Act) and nor was this the intent of the policy. As such, staff are proposing a rewording of this policy to state that demolition of rental housing units is strongly discouraged (except where it is required to address life safety issues and where the units will be replaced / reconstructed).		<p>To address the matter, it is recommended that Section 4.5 be revised, and a new section be inserted as follows:</p> <p>“Demolition or Conversion of Rental Housing Units – Rental units are a key supply of affordable housing in the County and are an important to ensuring the County has a diverse supply of housing to meet the needs of its citizens. As such, the County strongly discourages their demolition or removal except where the demolition is required to address existing health and safety issues and will result in the reconstruction or replacement of the demolished units. The County shall not permit the conversion of rental units to ownership tenure through a plan of condominium, except where:</p> <ul style="list-style-type: none"> a) it has been determined through a market impact study that the rental unit(s) are not required to satisfy housing need in the local municipality; or, b) the conversion to ownership housing would result in the creation of affordable housing.”
5.3	To address submissions made with respect to the protection of urban character (Section 6.4) County Staff are proposing revisions to introduce additional clarity and flexibility into the policy. While no equivalent submissions were made with respect to Section 5.3 (the Rural Area’s corresponding policy), County Staff are proposal similar wording to ensure the same flexibility and clarity are provided in the Rural Area.		<p>To address the matter, it is recommended that Section 5.3 be revised by including the words “and enhancing” after the word “protecting” and that a new section be inserted immediately following Section 5.3 as follows:</p> <p>“Protecting & Enhancing Rural Character, Exceptions – While the protection and enhancement of Elgin’s rural character is a primary consideration when evaluating new development, it is recognized that some flexibility in implementing these policies is desirable to reflect the individual circumstances of development proposals, and differences in local character. To that end, the policies of Section 5.3 shall not apply:</p> <ul style="list-style-type: none"> a) where a local municipality has defined rural character in a local official plan, secondary plan, or through the adoption of rural design guidelines; or b) to agricultural or resource-extraction uses, not subject to site plan control.” <p>In the case of proposals for agricultural or resource-extraction uses not subject to site plan control, applicants shall be encouraged to demonstrate how their proposal will be sensitively integrated with the surrounding context.”</p>