



Report to County Council

From: Paul Hicks, Acting Manager of Planning
Mat Vaughan, Director of Planning and Development

Date: July 23, 2024

Subject: Township of Malahide Official Plan Amendment No. 24, Part of Lots 31 and 32, Concession 5, Township of Malahide. Applicant: Esher Planning Inc.; Municipality Township of Malahide; Owner: 1875455 Ontario Inc.; File No. MA OPA 1-24

Recommendation(s):

THAT the Council of the Corporation of the County of Elgin approves Official Plan Amendment No. 24 to the Official Plan of the Township of Malahide; and

THAT staff be directed to provide notice of this decision in accordance with the requirements of the Planning Act.

Introduction:

The Council of the Township of Malahide has adopted an amendment to their official plan, known as Official Plan Amendment No.24 (OPA No. 24) and they have subsequently forwarded the amendment to the County of Elgin for approval (see attachment). In accordance with Section 17 of the Planning Act, the Council of the County of Elgin, as “Approval Authority,” is required to make a decision on the adopted amendment in which Council may approve, modify, or refuse to approve the amendment. If Elgin County fails to make a decision within 120 days after the amendment is received, any person or public body may appeal to the Ontario Land Tribunal.

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

Discussion:

OPA No. 24 was adopted by Township Council on May 16, 2024 (By-law No. 24-21). The purpose of the amendment is to re-designate certain lands with the Township of ‘Agriculture’ on Schedule A1 of the Malahide Official Plan to ‘Mineral Aggregate Resources’ to facilitate the use of the subject lands for mineral aggregate extraction. The proposed amendment would only change the land use designation of the subject

lands and would not change any policy wording in the Official Plan. A concurrent zoning by-law amendment application has also been submitted to the Township to implement the proposed changes in Township OP. Additionally an Aggregate Resources Act licence application for the extraction operation has been submitted to the Ministry of Natural Resources and Forestry to operate the extraction operation.

The proposal has proceeded through the standard application process, including the preparation, review, and acceptance of required technical studies and reports, as well as a technical circulation to statutory review agencies. The application submission included a planning justification report, archaeological assessment, environmental impact statement, hydrogeological assessment, and proposed site plan. A Public meeting required under the Planning Act was subsequently held prior to Township Council's adoption of OPA No. 24. No concerns were raised with respect to the supporting materials provided, and no objections to the proposal were received by the Township prior to making a decision. The Long Point Region Conservation Authority provided written comments with respect to the proposed OPA advising they had no concerns.

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

Financial Implications:

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

Alignment with Strategic Priorities:

Serving Elgin	Growing Elgin	Investing in Elgin
<ul style="list-style-type: none"> <input type="checkbox"/> Ensuring alignment of current programs and services with community need. <input type="checkbox"/> Exploring different ways of addressing community need. <input checked="" type="checkbox"/> Engaging with our community and other stakeholders. 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Planning for and facilitating commercial, industrial, residential, and agricultural growth. <input type="checkbox"/> Fostering a healthy environment. <input type="checkbox"/> Enhancing quality of place. 	<ul style="list-style-type: none"> <input type="checkbox"/> Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future. <input type="checkbox"/> Delivering mandated programs and services efficiently and effectively.

Local Municipal Partner Impact:

This amendment will directly impact the Township of Malahide.

Communication Requirements:

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

Conclusion:

Based on the above analysis it is recommended that County Council approve OPA No. 24 of the Official Plan of the Township of Malahide in its entirety, as the adopted amendment:

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

All of which is Respectfully Submitted

Approved for Submission

Paul Hicks
Acting Manager of Planning

Blaine Parkin
Chief Administrative Officer/Clerk

Mat Vaughan
Director of Planning and Development