



Agenda
The Township of Cavan Monaghan
Regular Council Meeting

Monday, May 15, 2023

12:00 p.m.

Council Chambers

Members in attendance are asked to please turn off all electronic devices during the Council Meeting. Any special needs requirements pertaining to accessibility may be directed to the Clerk's Office prior to the meeting. A link to the livestreaming is available at www.cavanmonaghan.net. Council Members may be participating remotely.

Pages

1. Call to Order

2. Land Acknowledgement

We respectfully acknowledge that the Township of Cavan Monaghan is located on the Treaty 20 Michi Saagiig territory, in the traditional territory of the Michi Saagiig Anishnaabeg. We offer our gratitude to First Nations for their care for and teachings about these lands. May we honour these teachings.

3. Approval of the Agenda

4. Disclosure of Pecuniary Interest and the General Nature Thereof

5. Closed Session

5.1 Resolution to move into Closed Session

5.2 Minutes of the Closed Session held May 1, 2023

5.3 Report - Public Works 2023-14 Proposed Property Acquisition (WH)

a proposed or pending acquisition or disposition of land by the municipality or local board

6. Report from Closed Session

7. Delegations

7.1 Rod Dew, Service Concerns

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19.	Adjournment	
20.	Upcoming Events/Meetings	
20.1	Millbrook Valley Trails Advisory Committee Meeting Monday, May 15, 2023 at 4:00 p.m., Council Chambers	
20.2	Cavan Monaghan Public Library Board Meeting Tuesday, May 16, 2023 at 7:00 p.m., Millbrook Branch	
20.3	Millbrook Downtown BIA Board of Management Meeting Thursday, June 1, 2023 at 8:00 a.m., Council Chambers	
20.4	Regular Council Meeting, Monday, June 5, 2023 at 1:00 p.m.	

- 20.5 **Municipal Revitalization and Heritage Advisory Committee Meeting
Thursday, June 15, 2023 at 9:00 a.m., Council Chambers**
- 20.6 **Regular Council Meeting, Monday, June 26, 2023 at 1:00 p.m.**
- 20.7 **Canada Day Celebration Cavan Monaghan Community Centre,
Saturday, July 1 from 11:00 a.m. - 2:00 p.m.**
- 20.8 **Regular Council Meeting, Monday, August 14, 2023 at 1:00 p.m.**

From: noreply@esolutionsgroup.ca
To: [Cindy Page](#); [Karlie Cornish-Tkalec](#)
Subject: New Response Completed for Council Delegation Form
Date: May 3, 2023 6:32:51 PM

Hello,

Please note the following response to Council Delegation Form has been submitted at Wednesday May 3rd 2023 6:30 PM with reference number 2023-05-03-008.

- **Date:**
5/3/2023
- **Meeting Date:**
5/15/2023
- **Subject:**
Nor receiving service requested over numerous years
- **Name of Delegate:**
Rod Dew
- **Name of the Community Group/Organization:**
Municipality Of Cavan Monaghan
- **Address:**
927 Hutchison Drive
- **City:**
Fraserville
- **Province:**
ON
- **Postal Code:**
K0L 1V0
- **Phone Daytime:**
7059326029
- **Email:**

scoobydew@nexicom.net

- **Do you require any Accessibility Accommodation?**

No

- **Detailed statement of what you are seeking from Council.**

The township of Cavan Monaghan lack of services when requested.

- **Do you have a presentation i.e. Powerpoint that you would like to make to Council**

No

[This is an automated email notification -- please do not respond]



Regular Council Meeting

To:	Mayor and Council
Date:	May 15, 2023
From:	Karen Ellis, Director of Planning
Report Number:	PEB 2023-22
Subject:	Kennedy Official Plan and Zoning By-law Amendments Public Meeting Report- File Nos. OPA-01-23 and ZBA-01-23

Recommendations:

1. That Council review and consider all verbal and written comments received at the public meeting; and
2. That the draft Official Plan Amendment and Zoning By-law Amendment be presented to Council at a future date for consideration.

Overview:

On behalf of Bob Kennedy, Marnie Saunders of D.M. Wills Associates Limited submitted Official Plan Amendment and Zoning By-law Amendment applications to the Township of Cavan Monaghan. The Applications pertain to an existing agricultural land holding at 1657 Mount Pleasant Road in part of Lot 22, Concession 13 (Cavan). A key map showing the location of the subject lands is provided as Attachment No. 1 to this Report.

The proposed development includes the establishment of two (2) on-farm diversified uses. The proposed uses include a light metal working shop and an electrician's shop. The proposed uses are to be established in an existing building on the property with a gross floor area of approximately 429 square metres (4,618 square feet). The proposed uses are anticipated to operate on a regular 9 a.m. to 5 p.m. Monday to Friday schedule. Additional use may occur for special events on an in-frequent basis such as emergency repairs.

Together with the building space, a dedicated parking area is proposed. The existing gravel driveway will be used to access the parking area and building. The total lot area dedicated to proposed on-farm diversified uses (building and parking area) is approximately 0.17 hectares (0.43 acres).

A concept plan of the site is provided as Attachment No. 2.

The Township received the Applications on March 6, 2023 and deemed them complete on April 6, 2023. File numbers OPA-01-23 and ZBA-01-23 were assigned to the Applications.

The purpose and effect of the Official Plan Amendment is to add a policy to the Agricultural designation in the Township Official Plan, as it affects the subject lands, to permit the establishment of two (2) on-farm diversified uses in an existing building on the property.

A Zoning By-law Amendment application is required to implement the Official Plan Amendment. The purpose of the Zoning By-law Amendment is to change the zoning on a portion of the property from the Agricultural (A) Zone to the Agricultural Exception Nineteen (A-19) Zone. Special regulations for the proposed on-farm diversified uses are included in the A-19 Zone.

Background:

The property subject to the Application is approximately 27.29 hectares (67.43 acres) in size with approximately 664 metres (2181 feet) of frontage on Mount Pleasant Road. The property is currently developed with a single residential dwelling and four (4) agricultural buildings. The house is serviced with private well and sewage disposal systems. Information provided with the Application indicates that the agricultural building to be used for the on-farm diversified uses is also serviced with private well and septic systems.

A pre-consultation meeting for this Application was held with Township Planning, Building, Fire and Public Works Staff and Otonabee Conservation Staff and Mr. Kennedy on March 24, 2022. Township Staff confirmed the need for official plan and zoning by-law amendment applications and the supporting planning justification report, archaeological assessment, and traffic impact study that addresses Provincial, County and Township policy frameworks.

ORCA Staff confirmed that the area of the property to be used for on-farm diversified uses is beyond 120 metres (400 feet) of natural heritage features or key hydrologic features. As such, an environmental impact study is not required for these Applications.

Supporting documentation for the Applications includes a Planning Justification Report (PJR) prepared by D.M. Wills Associates Limited and dated February 2023, a Traffic Impact Study prepared by D.M. Wills Associates Limited dated October 2022, and a Stage 1 and 2 Archaeological Assessment prepared by Northeastern Archaeological Associates Ltd. and dated January 17, 2023. The Township also received a letter from the Ministry of Citizenship and Multiculturalism letter confirming that the Archaeological Report was entered into the Ontario Public Register of Archeological Reports without technical review.

The Reports, excepting the Archaeological information, can be found on the Township website at:

<https://www.cavanmonaghan.net/en/news/official-plan-amendment-op-05-22-and-zoning-by-law-amendment-zba-07-22.aspx>

Official Plan Amendment

The subject lands are currently designated Agricultural, Natural Core and Natural Linkage in the Cavan Monaghan Official Plan. An official plan amendment is required to permit on-farm diversified uses in the Agricultural designation.

As drafted, Official Plan Amendment No. 13 amends Section 5.1 (Agricultural Areas) of the Official Plan for the Township of Cavan Monaghan by adding a new subsection, namely subsection 5.1.6 b) that will read as follows:

- “ b) 1657 Mount Pleasant Road
Part of Lot 22, Concession 13 (Cavan)
(Kennedy)

In addition to the uses permitted in Section 5.1.2, small-scale on-farm diversified uses may be permitted subject to the following:

- i) remains secondary to the principal agricultural use of the property and are limited in area, up to 2% of a farm parcel, to a maximum of 1 hectare;
- ii) require that the buildings and structures housing the on-farm diversified use(s) are located within the existing farm building cluster;
- iii) must be compatible with surrounding land uses, in accordance with the policies of this Plan, and shall not conflict or interfere with the principal agricultural uses on the property or normal farm practices in the area;
- iv) permanently displace little agricultural land;
- v) require minimal site grading and/or drainage unless it improves conditions for agricultural production;
- vi) may be required to demonstrate that there is sufficient quality and quantity of water supply to serve the proposed use;
- vii) mitigate impacts to the site itself and surrounding agricultural operations, including but not limited to compaction, drainage, and trespassing;

- c) Notwithstanding the provision of Footnote (1) g) of Table 7A, an on-farm diversified use may be operated by a person whose principal residence is not the dwelling on the lot, and a maximum of four (4) persons other than residents of the dwelling on the lot, are permitted to be employed in the business of the uses.”

The draft Zoning By-law is provided as Attachment No. 4 to this Report.

Response to Notice

Notice of the Official Plan Amendment application was circulated, by first class prepaid mail, to all assessed persons within 120 metres (400 feet) of the lands affected by the Official Plan Amendment and Zoning By-law Amendment applications, to all required ministries and agencies and to all Township Department Directors. A sign was posted on the Mount Pleasant Road lot frontage of the property. The Notice of Public Meeting was posted on the Township website. The notice complies with the requirements of the Planning Act.

As of the date of the writing of this Report, Township Staff received two (2) telephone inquiries about the Applications.

Township Staff have no objections to the Applications. The Building and Fire Departments noted that a building permit will be required for the change of use and renovation. On-site water for firefighting may be required depending on the Ontario Building Code classification of the building. Peterborough Public Health has confirmed that there is no record of a permit for a private septic system for the agricultural building. The servicing of the building will be reviewed at the site plan approval and building permit stages of the approvals processes.

The Kawartha Pine Ridge District School Board reviewed the Applications and did not identify any concerns or issues related to their mandate.

Peterborough County Public Works require the completion of a peer review of the Traffic Impact Study (TIS). The signing of a peer review agreement by the Applicant is required to initiate the peer review. The County is waiting for the Applicant to sign the required Agreement and provide the necessary financial deposit. County Public Works Staff will provide comments to the Township when the peer review process is complete.

Otonabee Conservation no longer provides review or comment on applications filed after January 1, 2023 with regard to conformance to natural heritage policy. The Authority has confirmed that the Applications are consistent with Section 3.1 of the Provincial Policy Statement (PPS) regarding natural hazards. The subject lands are not located in a vulnerable area as per the Source Protection Plan. A permit is not required from the Authority for the new development. And, the Authority is satisfied that the proposed development/changes will not have any impacts on the adjacent Authority owned lands.

Analysis

Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The subject lands are subject to the policies in Section 1.1.4 Rural Areas in Municipalities of the PPS. Rural areas are “a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas”. Healthy, integrated and viable rural areas should be supported by providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3 (Agriculture).

Prime agricultural areas are to be protected for long-term use for agriculture (S. 2.3.1). Permitted uses include agricultural uses, agriculture-related uses, and on-farm diversified uses (S. 2.3.3). On-farm diversified uses are defined as “uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products”.

The proposed uses satisfy the PPS criteria to qualify as on-farm diversified uses in the prime agricultural area in that the uses are located on a farm, the uses are secondary to the principal agricultural use of the property, the area of the farm devoted to the uses is limited and are compatible with and will not hinder surrounding agricultural operations.

New land uses in prime agricultural area must comply with Minimum Distance Separation formulae (S. 2.3.3.3). To date, the Application submission does not address the MDS issue.

The Applications are not consistent with the PPS until the MDS requirements are satisfactorily addressed.

A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2020 (GPGGH)

A Place to Grow is the Ontario Government’s plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Growth Plan guides decisions in the Greater Golden Horseshoe Region.

The subject property is part of the “Rural Area” and are subject to the policies of Section 2.2.9.

Section 2.2.9 of the Plan contains policies related to Rural Areas. Development outside of settlement areas may be permitted on rural lands for:

- a) the management or use of resources;
- b) resource-based recreational resources; and
- c) other rural land uses that are not appropriate in settlement areas provided they are compatible with the rural landscape and surrounding local land uses, can be sustained by rural service levels, and do not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

File information indicates that the property is actively used for the growing of rotational field crops. The dominant use of the property remains agriculture. The proposed on-farm diversified uses will be located in an existing, underutilized agricultural building on site. No agricultural land will be removed from active production. The Traffic Impact Study concluded that the new trips generated by the proposed development will not have any impact on County Road 9. (Note: To date, the peer review of the TIS has not been completed by the County).

Section 4.2.6 contains policies related to the Agricultural System established for the Greater Golden Horseshoe. These policies do not apply at this time because the system has not been implemented in the Peterborough County Official Plan or the Township of Cavan Monaghan Official Plan..

The Applications conform to the Growth Plan.

County of Peterborough Official Plan (COP)

The subject lands are part of the Rural and Cultural Landscape. The goal of this designation is to preserve and enhance the rural character of the County as a cultural resource and ensure the viability of the agricultural industry (S. 4.3.1).

The objectives of this designation relative to agriculture are:

- to ensure the agricultural industry remains viable;
- to reserve prime agricultural soils and protect farms, where possible, from activities and land uses which would limit productivity or efficiency; and
- to preserve the farm community as an important social resource (S. 4.3.2).

Section 4.3.3.2 of the COP outlines policies with regards to the development of land designated Agricultural. In accordance with this Section, agriculture is encouraged and protected as an identifiable industry and cultural resource in Peterborough County. Local Official Plans, like the Township of Cavan Monaghan Official Plan, must restrict the uses of prime agricultural areas and may restrict uses of other agricultural areas as follows;

- prime agricultural areas shall be protected for long-term use for agriculture;
- agricultural uses, secondary uses, and agricultural-related uses as defined in the PPS are permitted in prime agricultural areas and other agricultural areas; all other uses and activities are prohibited in prime agricultural areas and may be prohibited in other agricultural areas;
- in prime agricultural areas, agricultural uses and normal farm practices will be promoted and protected; and
- any proposed new secondary uses and agriculture-related uses as defined in the PPS will be compatible with, and will not hinder, surrounding farm operations. These uses shall be limited in scale and the local plans will include criteria for the uses.

The development proposed by the Official Plan and Zoning By-law Amendment applications are generally compatible with the existing property and the surrounding lands. The uses, other than parking, will occur inside an existing underutilized agricultural building. The building is serviced with an existing entrance to County Road 9, private well and septic systems. Some site alteration will be required to accommodate parking for the proposed businesses but no productive agricultural land will be affected by the proposal. The proposed OPA requires the use remain secondary to the principal agricultural use of the property and be limited in area to 2% of the farm parcel to a maximum of one (1) hectare.

In considering development in prime agricultural areas and other agricultural areas, local municipalities must consider:

- maintaining the identified agricultural areas and encouraging these areas for future agricultural expansion;
- maintaining the viability of farm units; and
- the existing character of the agricultural community.

All development near livestock barns and manure storage must comply with MDS formulae. As indicated in the PPS section, the Applicant has not provided any information or commentary related to the MDS.

A site plan approval application is required to implement the proposed official plan policies and zoning by-law regulations. Through the site plan approval process, the Township together with the Applicant will ensure that the viability of the agricultural parcel is maintained and that the site development (i.e. parking and landscaping) are sensitive to the existing community.

The Applications do not conform to the Peterborough County Official Plan until the MDS requirements are satisfactorily addressed.

Township of Cavan Monaghan Official Plan

The Official Plan provides detailed policies and mapping to guide the decisions of public authorities and private interests to maintain the Township as a liveable and attractive community.

The subject property is designated Agricultural, Natural Core and Natural Linkage in the Township's Official Plan. The proposed Official Plan and Zoning By-law Amendments affect the portion of the property within the Agricultural designation only. The subject property is also within Special Study Area No. 1 as shown on Schedule 'A' to the Official Plan.

The objectives of the Agricultural designation are to:

- a) Recognize agriculture as the primary activity and land use;
- b) Maintain and preserve the agricultural resource base of the Township and encourage the consolidation of agricultural farm parcels;
- c) Protect land suitable for agricultural production from fragmentation, development and land uses unrelated to agriculture;
- d) Promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Township;
- e) Preserve and promote the agricultural character of the Township and the maintenance of the natural countryside as an open space areas; and
- f) Provide for opportunities for further aggregate and possible mineral extraction in the Township.

Farm related industrial uses that directly service and support the agricultural industry and require locations in close proximity to farming operations are permitted uses in the Agricultural designation (S. 5.1.2 f)). The designation does not, however, contain policies for on-farm diversified uses. As such, Official Plan Amendment No. 13 is required to permit the proposed uses on the property.

In accordance with Section 2.2.2 of the Plan, agricultural lands are an integral part of the economy of the Township. As such, the Township will continue to protect agriculture and promote value-added agricultural operations and resources. This goal will be achieved by:

- a) Protecting prime agricultural lands and ensuring that non-agricultural uses that may have an impact on the viability of farm operations are not permitted;
- b) Prohibiting fragmentation of agricultural lands and encouraging the consolidation of farming parcels to improve efficiency and productivity; and
- c) Encouraging small-scale secondary uses to develop on farm properties to ensure value-added operations and to improve the livelihood of area farmers.

The proposed on-farm diversified uses are considered small-scale secondary uses. The uses are limited to a maximum of 2% of the farm area or one (1) hectare (2.5 acres). The proposed uses will occupy approximately 0.49 hectares (1.2 acres) of the property. The Applications do not change the lot fabric nor the land devoted to the growing of crops. The proposed on-farm diversified uses also provide the Owner with the opportunity to lease existing underutilized space and provide a supplementary income to assist with the carrying cost of the agricultural lands.

Section 2.4 of the Plan contains policies related to economic development. Subsection e) recognizes the importance of agriculture to the local economy and providing opportunities to improve and enhance the quality of agriculture and value-added agricultural industries in the Township.

Section 3.27 speaks to Minimum Distance Separation (MDS) Formulae. New land uses must comply with the MDS. A calculation of MDS I is always required for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designed for agricultural use. As indicated in previous sections of this Report, the Application submission does not address the MDS issue.

The subject property is within Special Study Area No. 1 (SSA-1). Section 2.6 of the Official Plan states that “this area is...where future growth in the Township of Cavan Monaghan is anticipated to occur if and to the extent demonstrated by the municipal comprehensive review...”. Section 2.6(e) permits applications for minor official plan and zoning by-law amendment applications within SSA-1 without the need for Secondary Plan(s) referred to in this Section of the Official Plan.

A portion of the subject lands are part of a provincially significant wetland called the Cavan Bog Wetland Complex. The Wetland and associated vegetation protection zone are currently designated and zoned Natural Core and Natural Linkage. No changes to these designations are proposed at this time. In addition, no new development or change in land use is proposed within 120 metres (400 feet) of the wetland boundary.

The Applications do not conform to the Cavan Monaghan Township Official Plan until the MDS policy and associated zoning by-law regulations are satisfactorily addressed.

Township of Cavan Monaghan Zoning By-law

The Township of Cavan Monaghan Zoning By-law No. 2018-58, as amended contains regulations for on-farm diversified uses in the Agricultural (A) Zone. A zoning by-law amendment is required to provide specific regulations for the proposed uses. In addition to the standard regulations for on-farm diversified uses, the proposed By-law adds special regulations for the minimum lot area requirement, the total gross floor area devoted to on-farm diversified uses, and the number of employees, who do not live on site, that may be employed in the businesses.

Financial Impact:

None at this time. The Township has received the required official plan and zoning by-law amendment application fees.

Attachments:

- Attachment No. 1: Key Map
- Attachment No. 2: Concept Plan
- Attachment No. 3: Draft Official Plan Amendment No. 13
- Attachment No. 4: Draft Zoning By-law

Respectfully Submitted by,

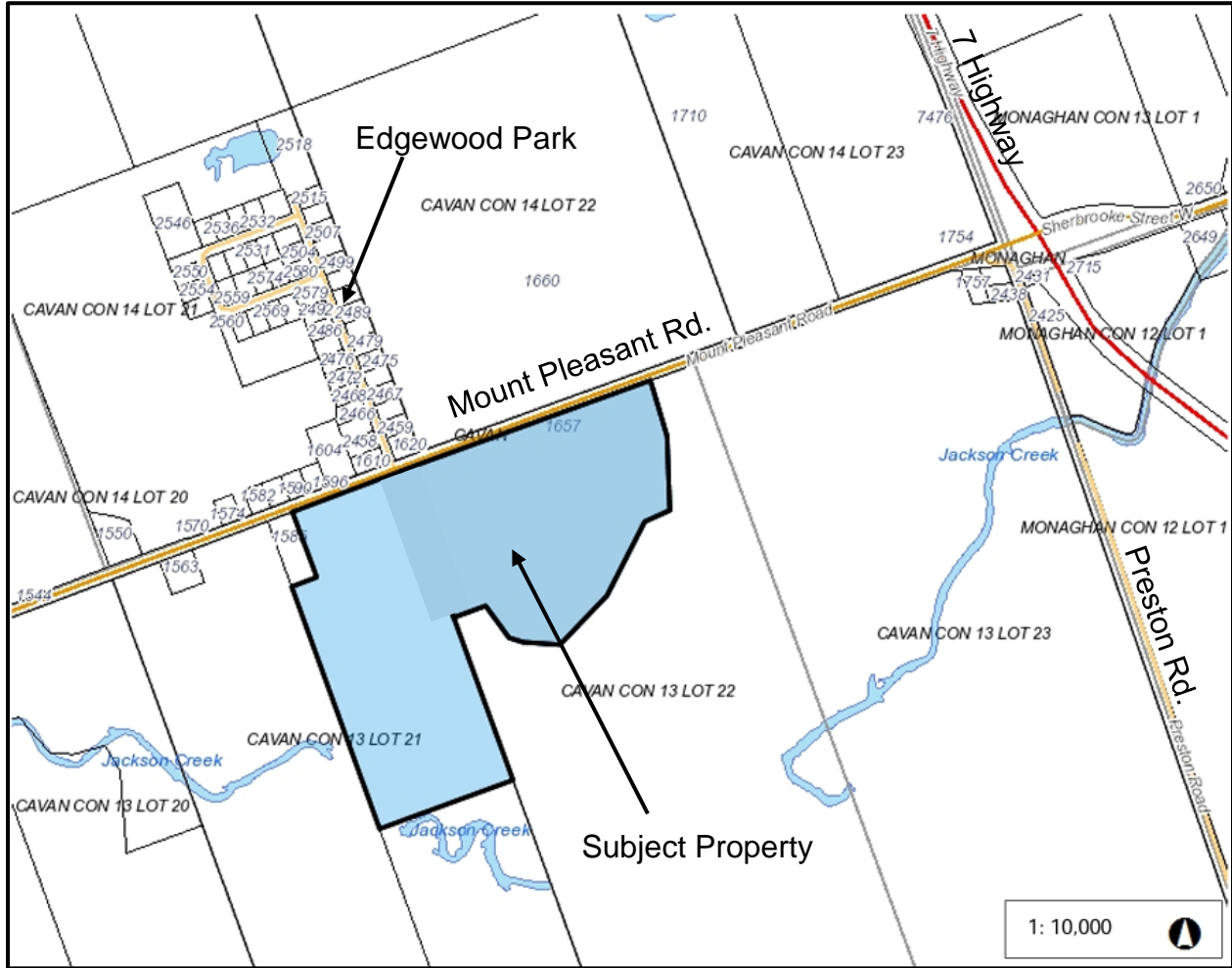
Reviewed by,

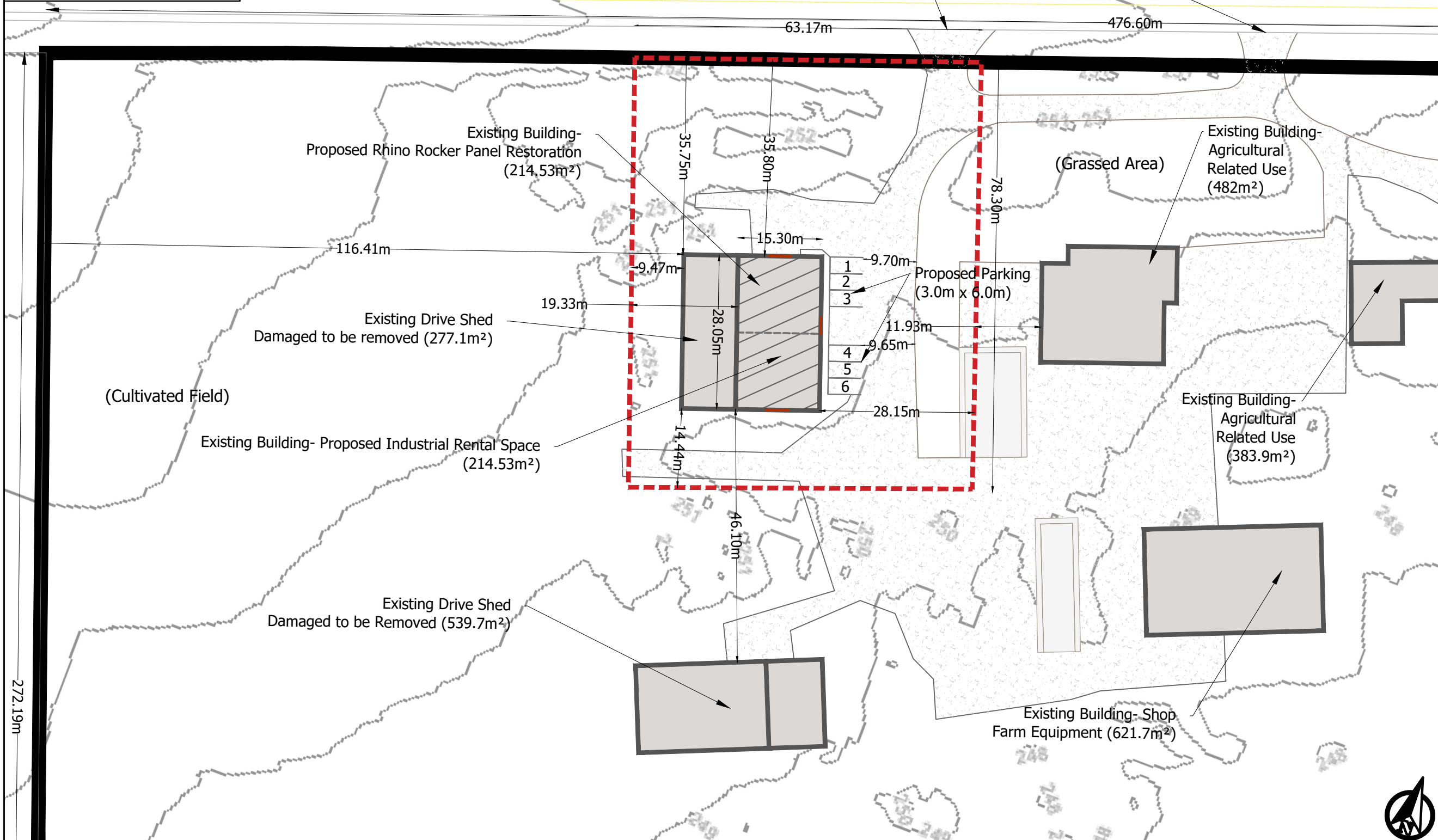
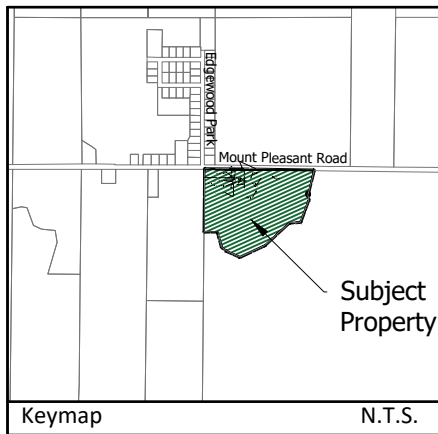
Karen Ellis
Director of Planning

Yvette Hurley
Chief Administrative Officer

Attachment No. 1: Key Map

Key Map





Concept Plan and Zoning By-law Amendment Sketch
 1657 Mont Pleasant Road
 Part of Lot 22, Concession 13
 Cavan Monaghan
 County of Peterborough

- Legend**
- Subject Property (13.65ha)
 - Existing Features**
 - Existing Overhead/Sliding Door
 - Existing Hydro Overhead Wires
 - Existing Concrete Pad
 - Existing Gravel Driveway
 - Existing Building
 - Existing Building Subject to Proposed Use
 - Zoning By-law**
 - Land subject to proposed zoning by-law amendment (0.49ha)

Scale: 1:750 m
 NAD 1983 UTM Zone 17N

Data Sources:

Created In:	AutCAD 2019
Drawn By:	JW
Checked By:	MS
Map Date:	October 11, 2022
Project Number:	85287
Map File Number	



D.M. Wills Associates Limited
 150 Jameson Drive
 Peterborough, Ontario
 Canada K9J 0B9
 P. 705.742.2297
 F. 705.748.9944
 E. wills@dmwills.com

Official Plan Amendment No. 13
(Kennedy)

to the

Official Plan for the Township of Cavan Monaghan

DRAFT

May 2023

Part “B” – The Amendment

Introductory Statement

All of this part of the document entitled Part “B” – The Amendment consisting of the following text and attached map designated as Schedule “1” constitute Amendment No. 13 to the Official Plan for the Township of Cavan Monaghan.

Details of the Amendment

The Official Plan for the Township of Cavan Monaghan is amended as follows:

1. Schedule A to the Official Plan for the Township of Cavan Monaghan is amended by adding a text box reference for Section 5.1.6 b) as it applies to lands located at 1657 Mount Pleasant Road in part of Lot 22, Concession 13 (Cavan) as shown on Schedule “1”, attached.
2. Section 5.1 of the Official Plan for the Township of Cavan Monaghan is amended by adding a new subsection, namely subsection 5.1.6 b) that shall read as follows:

“ b) 1657 Mount Pleasant Road
 Part of Lot 22, Concession 13 (Cavan)
 (Kennedy)

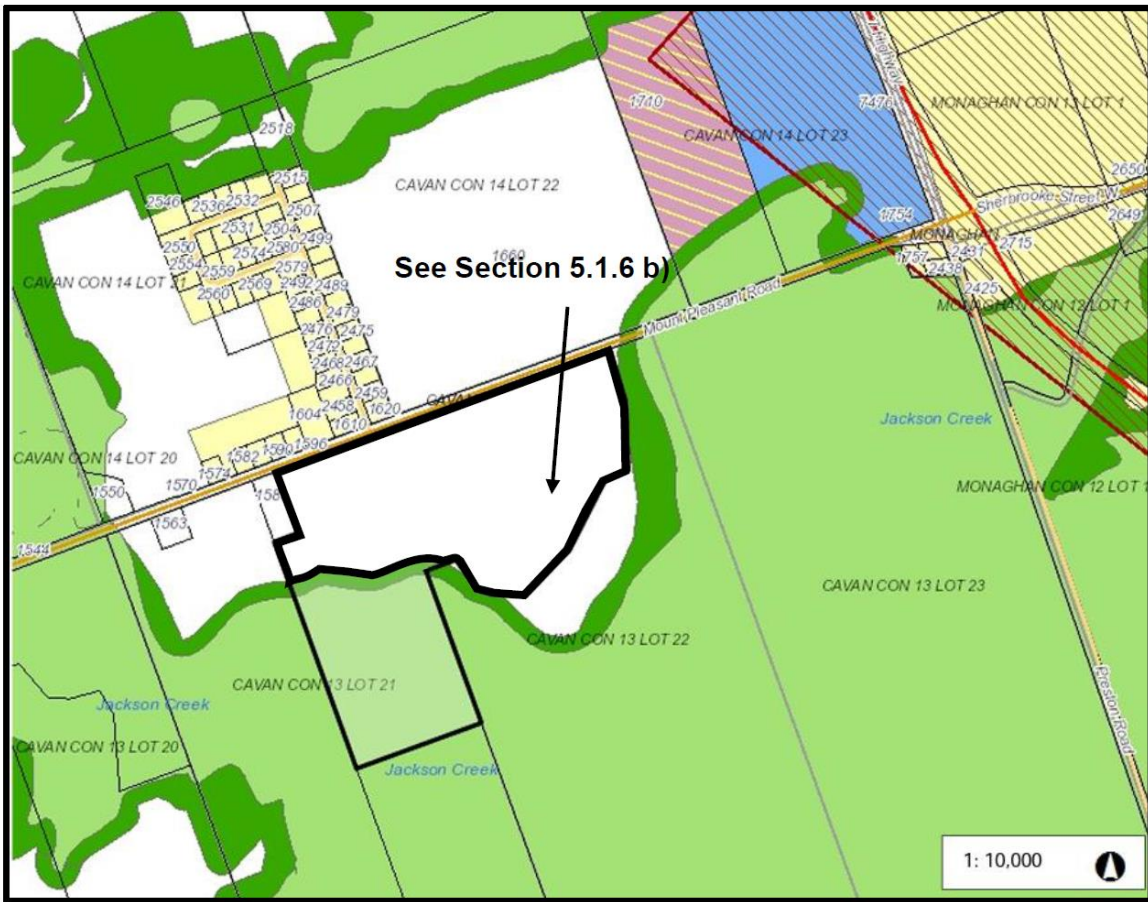
In addition to the uses permitted in Section 5.1.2, small-scale on-farm diversified uses may be permitted subject to the following:

- i) remains secondary to the principal agricultural use of the property and are limited in area, up to 2% of a farm parcel, to a maximum of 1 hectare;
- ii) require that the buildings and structures housing the on-farm diversified use(s) are located within the existing farm building cluster;
- iii) must be compatible with surrounding land uses, in accordance with the policies of this Plan, and shall not conflict or interfere with the principal agricultural uses on the property or normal farm practices in the area;
- iv) permanently displace little-to-no agricultural land;
- v) require minimal site grading and/or drainage unless it improves conditions for agricultural production;
- vi) may be required to demonstrate that there is sufficient quality and quantity of water supply to serve the proposed use;








- vii) mitigate impacts to the site itself and surrounding agricultural operations, including but not limited to compaction, drainage, and trespassing;
- viii) meet the requirements of Sections 3.27 (Minimum Distance Separation), 7.3 (Road Network) and 8.7 (Site Plan Control);
- ix) meet any other requirement deemed necessary by the Township of Cavan Monaghan, Peterborough County, and/or commenting agency;
- x) where there is more than one on-farm diversified use, the combined area of all uses shall not exceed the lot area criteria outlined above; and
- xi) the applicant must demonstrate that they are a bona-fide farmer by providing their Farm Business Registration number.”

DRAFT

Schedule '1'



Legend

-  CM OP Special Section
- CM OP Land Use
 -  Hamlet
 -  Agricultural
 -  Rural
 -  Natural Linkage Area
 -  Natural Core Area
 -  CM OP Special Study Area

Attachment No. 4: Draft Zoning By-law

The Township of Cavan Monaghan

By-law No. 2023-xx

Being a by-law to amend By-law No. 2018-58, as amended, otherwise known as “The Township of Cavan Monaghan Zoning By-law”

Whereas the Township of Cavan Monaghan received an application to amend Zoning By-law No. 2018-58, as amended;

And Whereas, the Council of the Township of Cavan Monaghan adopted Official Plan Amendment No. 13 to the Township of Cavan Monaghan Official Plan to set the policy context for the proposed rezoning;

And Whereas the Council of the Township of Cavan Monaghan reviewed the proposed rezoning and now deems it advisable to further amend By-law No. 2018-58, as amended.

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Map A-4 of Schedule “A” to By-law No. 2018-58, as amended, is hereby amended by rezoning certain lands in part of Lot 22, Concession 13 (Cavan), being property assessment roll numbers 1509-010-050-130-00 and 1509-010-050-131-00, to the Agricultural Exception Nineteen (A-19) Zone as shown on Schedule “1” attached hereto and forming part of the By-law.
2. Section 7.4 of By-law No. 2018-58, as amended, is further amended by the addition of Section 7.4.29 that shall read as follows:

“7.4.29 A-19 Map A-4 on Schedule A (2023-xx Kennedy)

- a) Minimum lot area 18 ha
- b) Notwithstanding the provisions of Footnote (1) c) (ii) of Table 7A, the total gross floor area that is permanently, temporarily or seasonally devoted to on-farm diversified uses, farm businesses or agri-tourism uses shall not exceed 550 square metres including the gross floor areas used within all principal buildings or structures and accessory buildings or structures on the lot;
- c) Notwithstanding the provision of Footnote (1) g) of Table 7A, an on-farm diversified use may be operated by a person whose principal residence is not the dwelling on the lot, and a maximum of four (4) persons other than residents of the dwelling on the lot, are permitted to be employed in the business of the uses.”

4. All other relevant provisions of By-law No. 2018-58, as amended, shall apply.

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective on the date of passing.

If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

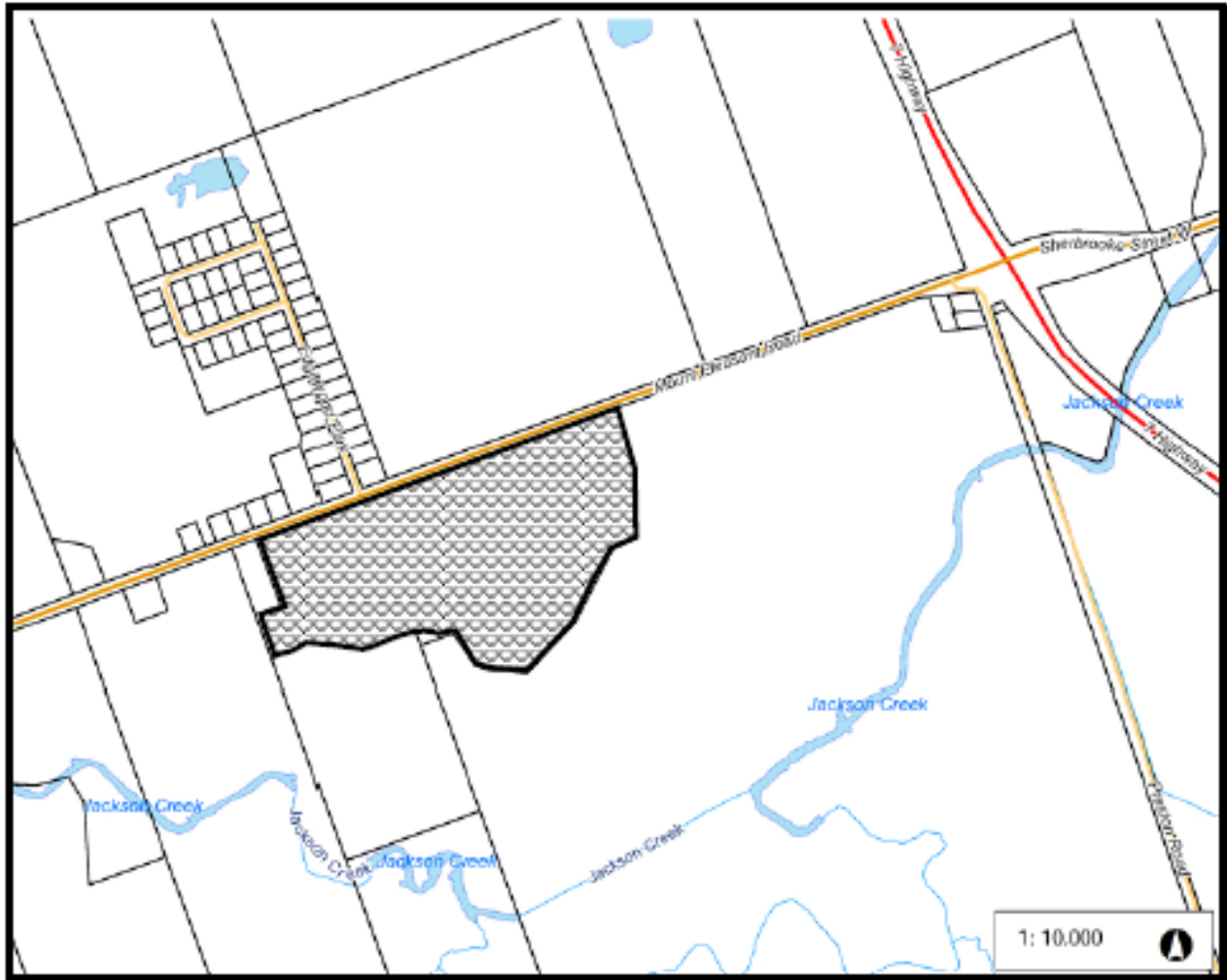
Read a first, second and third time and passed this xxx day of xxxxx 2023.

Matthew Graham
Mayor

Cindy Page
Clerk

DRAFT

Schedule "1" to By-law No. 2023 - XX



Area Affected by this By-law
Part Lot 21 and 22, Concession 13
(Cavan)
1657 Mount Pleasant Rd.
Roll Number 1509-010-050-13000
and
Roll Number 1509-010-050-13100
Township of Cavan Monaghan

Certificate of Authentication
This is Schedule "1" to By-law No.
2023 - XX
passed this XXth day of XX, 2023.



Rezoned to the Agricultural Exception Nineteen (A-19) Zone.

Mayor

Clerk

Complying with Bill 109 & Bill 23

Amendments to Official Plan, Zoning & Select By-laws



Outline

- Background on Bill 109
- Background on Bill 23
- Official Plan Amendments
- Zoning Amendments
 - Zoning By-law No. 2018-58
- Other By-laws
 - Site Plan Control By-law No. 2007-20
 - Pre-Consultation By-law No. 2013-53
 - Delegations By-law No. 2021-64
 - User Fee and Charges By-law No. 2022-71

Bill 109 Impact - Highlights

- Delegation of Site Plan Control
- Site Plan Approval not required for under 10 residential dwellings
- Application Fee Refunds

Bill 23 - Highlights

- Additional Units (ADUs)
- Parkland
- Heritage
- Accessory Dwelling Units

Official Plan Amendments



Official Plan Amendments - Summary

- Proposed Changes:
 - Delegate the power of site plan control to staff;
 - Allow the Executive Director, Planning & Development or Chief Administrative Officer to remove the holding provision;
 - Increase the number of accessory apartments allowed in serviced urban areas;
 - Create a pro-rated refund for development applications if not marked complete; and
 - Reduce the land dedication for parkland from 1ha per 300 units to 1ha per 600 units.

Zoning By-law Amendments



Zoning By-law No. 2018-58 - Summary

- Proposed Changes:
 - Increase the number of accessory dwelling units in a serviced urban area to two; and
 - Amend the definition of Accessory Apartment to allow for accessory dwellings to be placed in accessory buildings.

Other By-law Amendments



Site Plan Control By-law No. 2007-20 - Summary

- Proposed Changes:
 - Delegate Site Plan Control from Council to Staff.

Pre-Consultation By-law No. 2013-53 - Summary

- Proposed Changes:
 - Separate Pre-Consultation by minor and major applications; and
 - Introduce a Pre-Application Process.

Delegation By-law No. 2021-64 - Summary

- Proposed Changes:
 - Delegate Site Plan Approval and Control from Township Council to Staff; and
 - Allow the CAO or designate to lift the Holding By-law.

User Fee & Charges By-law No. 2022-71 - Summary

- Proposed Changes:
 - Create a Pre-Consultation Fee;
 - Create a Pre-Application Fee; and
 - Addition of a refund of development schedule.

Questions?





Regular Council Meeting

To:	Mayor and Council
Date:	May 15, 2023
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2023-23
Subject:	Bill 109 and Bill 23 – Official Plan and Zoning By-law Amendments Public Meeting Report – File Nos. OPA-02-23 and ZBA-023

Recommendations:

1. That Council review and consider all verbal and written comments received at the public meeting; and
2. That the draft Official Plan Amendment, Zoning By-law and other by-law amendments be presented to Council at a future date for consideration.

Overview

At the Regular Meeting of December 5, 2022, Council adopted the following resolutions:

R-2022-400
 Moved by: Huntley
 Seconded by: Nachoff

That Council receive Report Planning 2022-50 Bill 109 — Update (the More Homes for Everyone Act, 2022) for information; and That Council direct Staff to develop a comprehensive set of administrative policies, processes and procedures to implement the changes as provided under Bill 109 and those pending under Bill 23 (Report Planning 2022-51) and report back to Council in 2023.

Carried

R-2022-401
 Moved by: Graham
 Seconded by: Huntley

That Council receive Report Planning 2022-51 Bill 23 — Update (the More Homes Built Faster, 2022) for information; That Council direct Staff to provide an update and detailed analysis of the implementation matters (financial, human, operational) related to Bill 23 (including Bill 109); and That Staff send a letter outlining Council's comments to the Environmental Registry of Ontario (ERO) as

the Township's written submission regarding Bill 23 and its associated changes prior to the (amended) commenting deadline of December 9, 2022.

Carried

Additionally, at the Regular Meeting of February 21, 2023, Council received an update on some of the Bill 23 changes as they apply to Development Charges through Report Finance 2023-02. Watson & Associates and Finance Staff provided a detailed analysis of some of the implementation and financial impacts of these changes – specifically with respect to revenues that will be impacted due to reduced Development Charges.

The Township retained the consultant firm Biglieri Group Ltd. to assist the Planning, Economic Development & Building Department with support on a number of planning projects while the Planner position remains vacant. Consultants from the Biglieri Group have been working with Staff in the development of the proposed suite of changes to implement changes through Bill 109 and Bill 23. This Report outlines the most recent set of proposed operational changes which are the subject of this public meeting.

Background

The development of a comprehensive set of administrative policies, processes and procedures required a review of the existing Official Plan, Zoning By-law and any other related by-laws and the impact of these legislative changes. In this case, amendments need to be made to the Official Plan, the Zoning By-law as well as select by-laws respecting Site Plan Control, Pre-consultation, Delegation and User Fees and Charges. These amendments are being initiated by the Township and as they will apply to all lands in the Township if approved will bring its Official Plan, Zoning By-law and select by-laws into conformity with recent legislative changes.

Under Bill 109, More Homes for Everyone Act (2022), the most significant legislative and policy impacts focused on the delegation of Site Plan Control from Council to Staff, that Site Plan Approval was not required for ten (10) or fewer residential units and the pro-rated refund for a set of development application fees. Under Bill 23, More Homes Built Faster Act (2022), the most significant changes include a provision recognizing additional residential units (accessory apartments) in serviced urban areas; changes to the amount of parkland dedication; designated heritage policies and “as of right” accessory dwelling units in serviced urban areas.

Official Plan Amendment

The Official Plan Amendment (OPA) will address changes between the existing Official Plan and legislative changes brought about through the passing of Bill 109 and Bill 23 which are now Provincial law. The changes outlined in Attachment No. 1 will, if approved, bring the Official Plan and its policies into compliance. These changes apply to the following sections of the Official Plan: General Development Criteria; Site Plan Control; Parkland Dedication; Holding Provisions; Accessory Units; and Pre-Consultation.

The proposed changes will:

- Delegate the power of Site Plan Control from Council to designated Township Staff (i.e., CAO and designate (ED, Planning & Development));
- Permit the CAO and designate (ED, Planning & Development) to remove Holding provisions;
- Increase the number of accessory apartments (additional dwelling units) permitted in conjunction with dwelling units in serviced urban areas;
- Create a pre-application and process as part of the mandatory pre-consultation process;
- Create a pro-rated refund for development applications; and
- Reduce the land dedication for parkland from 1 ha per 300 units to 1 ha per 600 units.

Zoning By-law Amendment

The proposed amendments to Zoning By-law 2018-58, as amended focus on the legislative changes through Bill 23 (see Attachment No. 2). More specifically, the definition of Accessory Apartment will be changed to expand the meaning to include an apartment within the primary dwelling or an accessory building or structure to a detached, semi-detached or townhouse dwelling. This change will also reinforce that this accessory apartment is subordinate to that primary dwelling. There will also be other details with respect to the gross floor area of the apartment and where it may be located on the lot.

The most significant change in the ZBA will be a recognition that in the serviced urban area of the Township (i.e., Millbrook), that up to but no more than three (3) units will be permitted but up to that many will be permitted on a serviced urban lot.

Site Plan Control By-law Amendment

The proposed amendments to the Site Plan Control By-law (see Attachment No. 3) will recognize the changes to the Planning Act now delegate power for Site Plan Control from Council Township Staff. In Cavan Monaghan, this delegation is to the Chief Administrative Officer (CAO) and/or the designate which is the Executive Director, Planning & Development as implemented through the Township's Delegation By-law.

Pre-Consultation By-law Amendment

The Official Plan contains policies require the submission of any development application in the Township (where it has authority) to be subject to mandatory pre-consultation. The amended provisions of that pre-consultation are detailed in the Pre-Consultation By-law (2013-53) (see Attachment No. 4).

These amendments reinforce the other proposed changes outlined in OPA-02-23 (as noted above). More specifically, there will be a provision to separating development applications as either minor or major in nature as well as introducing a Pre-Application process prior to the Pre-Consultation process.

Minor applications include in those of a minor nature such as minor variances, rezoning (as part of an approved subdivision) and consent applications. Major applications would be all other planning permissions and include Official Plan Amendments, Zoning By-law Amendments and Plans of Subdivision. Generally speaking, major applications require a great deal of Staff time, often peer review of technical studies, commenting from agencies, consultation with the public and often numerous re-submissions to get to a final development proposal for decision. As a result, the corresponding fee and timing of decisions would take this into consideration and vary depending on the nature of the application.

By introducing these provisions, it will allow applications that are straight forward to proceed quickly to a decision. For more complex applications and are more involved, the new process will require the “front ending” of many of the steps that now occur once an application is deemed complete.

The proposed Pre-application process would precede the Pre-consultation process that is currently in place by requiring the applicant to identify and compile the materials requested at the beginning of the process. This will require the applicant to host a public information meeting, collect feedback on the application and attempt to address any concerns. The formal Pre-Application along with materials would then be circulated to appropriate departments and agencies for comment. These comments will be compiled by the Township and provided to the applicant (and consultant(s)) to be revised accordingly based on these comments. Once this process has been cleared, then the formal application can be submitted.

The Formal Application submission will then follow defined (and tighter) timelines to determine if the application is complete or not. Once deemed complete, then it will follow what is anticipated to be faster and more efficient development approval process.

By moving the circulation, commenting and re-submission stages of the current application process forward, this will allow for quicker decisions once an application has been further refined. Agencies and Township Departments will have the benefit of reviewing a more refined and complete application which will have been revised by public input, technical studies and agency/Township comments. This will have the advantage of allowing for quicker decisions as well as possibly reducing the possibility of having to refund application fees as prescribed in Bill 109. This will also allow for greater predictability with respect to successful applications and timing of decisions.

Delegation By-law Amendment

As noted above under the Site Plan Control By-law amendments section, these changes will ensure consistency amongst Township by-laws to reflect that under changes to the Planning Act delegate powers for Site Plan Control from Council to Staff (see Attachment No. 5). The proposed amendment is going further to extend this authority to include the lifting of the Holding provision by Township Staff consistent with the proposed changes outlined in the associated OPA.

User Fees and Charges By-law Amendment

To implement the proposed changes under the Consultation By-law and other changes outlined in OPA-02-23, the User Fee and Charges By-law (see Attachment No. 6) will be amended to introduce new fees for the Pre-Application, Pre-consultation as well as a schedule (as prescribed under Bill 109) for a refund of development application fees with associated timing.

Response to Notice

Notice of the Official Plan and Zoning By-law Amendments along with the selected by-laws were circulated to all required ministries, agencies and Township Department Directors. The Notice of Public Meeting was also posted on the Township website and published in the Peterborough Examiner and Millbrook Times. The notice complies with the requirements of the Planning Act.

As of the date of writing this Report, Township Staff have not received any telephone or email inquiries about the Applications.

The Kawartha Pine Ridge District School Board reviewed the Applications and did not identify any concerns or issues related to their mandate. Enbridge Gas indicated that it has no objections but reserves the right to amend their development conditions.

Township Staff have no objections to the Applications.

Conclusion

Consultants from the Biglieri Group will be providing a presentation that expands on the proposed amendments and will be available to answer any questions as part of the public meeting. As outlined in the Recommendations section of the Report, the Official Plan Amendment, Zoning By-law and other by-law amendments will be presented to Council at a future date for consideration.

Once approved by Township Council, the Official Plan and Zoning By-law Amendments will be submitted to the County of Peterborough for final approval. If approved and not appealed within 20 days of the County's decision, the OPA, ZBA and associated by-laws will be in force.

Financial Impact:

Over and above the reduced Development Charges outlined in the February Report to Council, there will be other resource and financial impacts resulting from implementing the necessary changes outlined in Bill 109 and Bill 23.

If Council adopts this comprehensive set of policy and procedural changes, there will be increased fees through the introduction of a Pre-Application process and a fee associated with the Pre-Consultation process which has been free (to date). However,

any increases may be off-set by the legislated pro-rated application refunds if decisions aren't made within prescribed decision timelines.

This set of amendments has been developed to not only reflect the recent Provincial legislated changes but also develop a streamlined and more efficient development approval process by providing greater transparency and accountability.

A more detailed financial impact analysis will be provided when this package of amendments comes forward for approval by Council.

Attachments:

- Attachment No. 1 – Official Plan Amendment – OPA-02-23
- Attachment No. 2 – Zoning By-law Amendment – ZBA-02-23
- Attachment No. 3 – Site Plan Control By-law Amendment
- Attachment No. 4 – Pre-Consultation By-law Amendment
- Attachment No. 5 – Delegation By-law Amendment
- Attachment No. 6 – User Fee and Charges By-law Amendment

Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

Yvette Hurley
Chief Administrative Officer

Attachment No. 1 – Official Plan Amendment OPA-02-23

Attachment No. 2 – Zoning By-law Amendment ZBA-02-23

Attachment No. 3 – Site Plan Control By-law Amendment

Attachment No. 4 – Pre-Consultation By-law Amendment

Attachment No. 5 – Delegation By-law Amendment

Attachment No. 6 – User Fee and Charges By-law Amendment

**Amendment No. 14
to the
Official Plan of the
Township of Cavan Monaghan**

Bill 109 and Bill 23 Conformance

Prepared For:

The Corporation of the Township of Cavan Monaghan

Prepared By:

The Biglieri Group

April 26, 2023

**Adoption By-law for Official Plan No. 14
By-law No. 2023-XX**

Being a By-law passed pursuant to the provisions of Section 21 of the Planning Act, R.S.O. 1990, as amended.

The Council of the Corporation of the Township of Cavan Monaghan, in accordance with the provisions of Section 21 of the Planning Act, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No. xx to the Official Plan of the Township of Cavan Monaghan, consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Peterborough for approval of Amendment No. XX to the Official Plan of the Township of Cavan Monaghan.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the Planning Act.
4. This By-law shall come into force and take effect on the day of final passing thereof subject to the approval of Peterborough County.

Enacted and passed this ____ day of _____, 2023.

Signed: _____
Matthew Graham, Mayor

CORPORATE SEAL OF
MUNICIPALITY

Signed: _____
Cindy Page, Clerk

Certified that the above is a true copy of By-law No. 2023-xx, as enacted and passed by the Council of the Township of Cavan Monaghan on the ____ day of _____, 2023.

Signed: _____
Cindy Page, Clerk

**Certificate
Amendment No. XX
Official Plan of the
Township of Cavan Monaghan**

The attached explanatory text constituting Amendment No. xx to the Official Plan of the Township of Cavan Monaghan, was prepared by the Council of the Township of Cavan Monaghan and was adopted by the Council of the Township of Cavan Monaghan by By-law No. 2023-XX in accordance with the provisions of Sections 21 of the Planning Act, R.S.O. 1990, on the ____ day of _____, 2023.

Signed: _____
Matthew Graham, Mayor

CORPORATE SEAL OF
MUNICIPALITY

Signed: _____
Cindy Page, Clerk

This amendment to the Official Plan of the Township of Cavan Monaghan, which has been adopted by the Council of the Township of Cavan Monaghan, is hereby approved in accordance with the provisions of Section 21 of the Planning Act, R.S.O. 1990 as Amendment No. 14 to the Official Plan of the Township of Cavan Monaghan.

Date

Iain Mudd, Director Planning

**Amendment No. 14
Official Plan of the
Township of Cavan Monaghan**

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DRAFT

**Amendment No. 14
to the
Official Plan of
The Township of Cavan Monaghan**

Introduction

Statement of Components

- Part “A” The Preamble does not constitute part of this Amendment.
- Part “B” The Amendment, consisting of the following text constitutes Amendment No. xx to the Official Plan of the Township of Cavan Monaghan.
- Part “C” The Appendices do not constitute part of Amendment No. 14 to the Official Plan of the Township of Cavan Monaghan, and contain background information and public and agency comments pertaining to the Amendment as well as the draft implementing Zoning By-law Amendment.

Part “A” -- The Preamble

1.0 Purpose of the Amendment

The Township of Cavan Monaghan Official Plan currently is in compliance with recent provincial legislative changes through Provincial Bill 109, *More Homes for Everyone Act, 2022* and Bill 23, *More Homes Built Faster Act, 2022*. Therefore, the purpose of Amendment No. 14 to the Township of Cavan Monaghan Official Plan is to:

1. Amend Section 3.5.2 ‘Cultural Landscapes’ to delegate the authority of site plan control from Council to delegated Staff;
2. Amend Section 3.9 a) to allow accessory apartments as secondary to the primary residential use of the property, and is permitted in serviced urban areas in conjunction with single-detached, semi-detached and townhouse dwellings. No more than two (2) accessory apartments are permitted per property;
3. Amend Section 4.1.2.b ‘Settlement Area’ Permitted Uses section to allow accessory apartments without the need for a temporary use bylaw;
4. Amend Section 4.1.3.e ‘Settlement Area’ General Development Policies section to allow two accessory apartments in residential designations and include townhouse dwellings as part of the list of residential designations
5. Amend Section 4.8.5.c ‘Implementation’ to delegate the authority of site plan control from Council to delegated Staff;
6. Amend Section 5.1.4.b to delegate the authority of site plan control from Council to delegated Staff;
7. Amend Section 5.1.4.c to delegate the authority of site plan control from Council to delegated Staff;
8. Amend Section 6.7.4.c to delegate the authority of site plan control from Council to delegated Staff;
9. Amend Section 8.4 to add that applicants are entitled to a pro-rated refund if an application is determined as complete after 60-120 days based on the type of application;
10. Amend Section 8.5 to add that a pre-application process can be a tool used during the pre-consultation process;

11. Amend Section 8.6.2 'Holding Provisions' to allow the Executive Director, Planning & Development or Chief Administrative Officer to remove the holding provision;
12. Amend Section 8.7 'Site Plan Control' to increase the threshold for Site Plan Control Area for residential buildings containing more than ten units; and
13. Amend Section 8.12 'Parkland Dedication' to increase the land dedication for public recreation from 1.0 hectare per 300 dwelling units to 1.0 hectare per 600 dwelling units.

These amendments apply to the entirety of the Township of Cavan Monaghan.

2.0 Location:

The Amendment applies to all lands located within the Township of Cavan Monaghan.

3.0 Basis of the Amendment

Official Plan Amendment No. 14 has been initiated by the Township of Cavan Monaghan to bring its Official Plan, Zoning By-law and select By-laws to reflect recent Provincial legislation. Currently, the Township Official Plan does not comply with recent changes made through Provincial Bill 109, *More Homes for Everyone Act, 2022* and Bill 23, *More Homes Built Faster Act, 2022*. Consequently, a number of the policies governing General Development Criteria, Site Plan Control, Parkland Dedication, Holding Provisions, Accessory Units, and Pre-Consultation have to be amended to amend the Official Plan into conformity with Provincial legislation.

Part “B” – The Amendment

1.0 Introductory Statement

All of this part of the document entitled Part “B” – The Amendment, consisting of the following text, constitutes Amendment No. 14 to the Official Plan of the Township of Cavan Monaghan.

2.0 Details of the Amendment

The Official Plan of the Township of Cavan Monaghan is hereby amended as follows:

1. Section 3.5.2 (Cultural Landscapes) is hereby replaced with the following wording which delegates the authority of site plan control from Council to Township Staff:

Cultural landscapes include natural and man-made features that define the character of the Township. The rolling hills associated with the Oak Ridges Moraine and the historic agricultural buildings and landscapes in Cavan Monaghan create a cultural landscape that defines much of the character of the rural areas of the Township.

All development shall be designed in a manner that is sensitive to the cultural landscapes in the Township. Historic buildings, trails and roadways shall be preserved wherever possible. New structures built in the area of these features shall be designed to reflect the surrounding landscape and built form. The Township will use site plan control to ensure that new development is sited and designed to complement the historic and natural character of the Township.

2. Section 3.9 a) is replaced with the following wording which increases the number of accessory apartments (ADUs) permitted in conjunction with a single-detached dwelling unit, semi-detached and townhouse dwellings, within the serviced urban area.

Garden suites and accessory apartments shall be permitted in all designations that permit residential units (with the exception of the Oak Ridges Moraine). A Temporary Use By-law will be required for garden suites for a maximum of 20 years. When considering such uses, Council shall be satisfied that:

- a) The ADU is being permitted in conjunction with a single-detached dwelling unit and will remain secondary to the single detached dwelling. The accessory apartment will be secondary to the primary residential use of the property, and is permitted in conjunction with single-detached, semi-detached and townhouse dwellings. No more than two (2) accessory apartments are permitted per property within the serviced urban area.

3. Section 4.1.2 (Settlement Area Permitted Uses) is hereby amended by splitting subsection b) into b) and c) and updating subsections c), d), and e) to be renamed as d, e and f as follows:

- b) Accessory apartments;
 - c) Garden Suites on a temporary basis;
 - d) Complementary uses such as home-based businesses subject to Section 3.11 of this Plan;
 - e) Institutional uses which serve the needs of the surrounding residential areas such as private and public schools, places of worship and daycare centres; and,
 - f) Local commercial uses which serve the needs of the surrounding residential areas, which include small scale retail uses, convenience stores, personal services and personal commercial uses intended to meet the day-to-day needs of residents.
4. Section 4.1.3e) (General Development Policies) is hereby replaced with the following wording which allows two (2) accessory apartments to be developed in association (/) with residential dwelling and to include townhouse units in the list of residential dwellings.

Two (2) accessory apartment units (over and above) may be permitted in conjunction with a single-detached, semi-detached, or townhouse dwelling in the Residential designation subject to the regulations of the Zoning By-law and the following criteria:

5. Section 4.8.5 (Millbrook Special Policy Area - Implementation) subsection c) is hereby replaced with the following wording which delegates site plan control from Council to delegated Township Staff:

Where required by Council, the proponent of any new development or redevelopment, may be required to submit CAO and the Executive Director, Planning and Development for approval, site plans in accordance with Section 8.7 Site Plan Control in this Plan, and Section 41 of the Planning Act, R.S.O. 1990;

6. Section 5.1.4 (Countryside Areas General Development) subsection b) is hereby replaced with the following wording which delegates site plan control from Council to Township Staff, and subsection c) is hereby replaced with the following wording which delegates site plan control from Council to Township Staff:

- b) Home-based industries operated outside of a dwelling are permitted subject to Site Plan Control. Prior to approving a Site Plan Application, the

Township shall be satisfied that, in addition to those criteria for home-based businesses, in Section 3.11 the following criteria shall apply:

- c) Farm related commercial tourism establishments on farm properties are permitted subject to Site Plan Control. Prior to approving such an application, the Township shall be satisfied that:
7. Section 6.7.4 (General Development Criteria Lands in Proximity of a Key Natural Heritage Feature and Hydrologically Sensitive Feature) subsection c) is hereby replaced with the following wording which delegates site plan control from Council to Township Staff:

When applying Site Plan Control to implement this policy, the Township may:

8. Section 8.4 (Complete Application) is hereby amended by adding the following subsection h) as follows:

h) If an application is submitted and no decision is made with respect to a complete application within: 60 days for Site Plan Control applications; 90 days for zoning by-law amendment application and 120 days for Official Plan Amendments and Official Plan and Zoning Bylaw Amendments, applicants may be entitled to a pro-rated refund as outlined in the User Fees and Charges Bylaw.

9. Section 8.5 (Pre-Consultation) is hereby amended by adding pre-application as a method that can be used during the pre-consultation process:

Prior to the submission of any development application for which the Township is the approval authority, proponents shall consult with the Township in accordance with the provisions of this Plan and the Township's Pre-consultation By-law. The County of Peterborough is encouraged to participate in the Township's pre-consultation process as appropriate. The pre-consultation process is intended to address the requirements for a complete application and may require the applicant to go through the pre-application process and/or more than one pre-consultation meeting involving other agencies and Township Departments

Where development proposals are located within 1.0 km of the City of Peterborough the proponents shall also consult with the City.

10. Section 8.6.2 a) (Holding Provisions) is hereby replaced with the following wording which allows planning staff, in addition to council, to use and remove holding provisions as follows:

a) Council and delegated Township Staff may utilize Holding provisions as provided for under Section 36 of the Planning Act to establish zoning

provisions prior to completing technical, administrative, or financial aspects of the development. Where Council or delegated Township Staff uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:

11. Section 8.7 a) (Site Plan Control) subsection (v) is hereby replaced with the following wording which increases the minimum dwelling units that can be developed without requiring site plan control as follows:

v) A residential building containing less than ten dwelling units, except those dwellings designated under the Ontario Heritage Act;

12. Section 8.12 (Parkland Dedication) subsection b) parts i), iii), and v) are hereby replaced with the following wording which decreases the amount of land dedication required per dwelling unit;

i) For residential development, redevelopment or plans of subdivision providing for low, medium and/or high density uses, conveyance or dedication shall be either equal to 5 percent of the land proposed for development, redevelopment or subdivision or 1.0 hectare per 600 dwelling units, whichever is greater;

iii) For mixed-use development, conveyance or dedication requirements will only apply to the residential portion of the development proposal in the amount equal to 1.0 hectare per 600 dwelling units. However, in no instance shall the contribution be less than 2 percent of the land area or the equivalent cash-in lieu value;

v) For residential plans of subdivision, the standard of 1.0 hectare per 600 dwelling units may be applied to blocks within the plan of subdivision, provided such blocks are excluded from the calculation for the 5 percent of the land proposed for subdivision.

3.0 Implementation and Interpretation

The Implementation and Interpretation of Official Plan Amendment No. 14 shall be in accordance with the respective policies of the Official Plan of the Township of Cavan Monaghan.

Part “C” – The Appendices

The following appendices do not constitute part of Official Plan Amendment No. xx, but are included as information supporting the Amendment.

- **Appendix No. 1 - Zoning By-law Amendment**
- **Appendix No. 2 – Public and Agency Comments**
- **Appendix No. 3 – Minutes of Public Meeting**

Draft

**The Corporation of the Township of
Cavan Monaghan**

By-law No. 2023-XX

Being a By-law to Amend the Township of Cavan Monaghan Zoning By-law No. 2018-58, as amended.

Whereas Section 34 of the Planning Act, R.S.O. 1990, c. P13, as amended, provides that the Council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

And Whereas the Council of the Corporation of the Township of Cavan Monaghan further deems it necessary and in the public interest to regulate the use of lands in the Township;

Now Therefore, the Council of the Township of Cavan Monaghan as amended and subsequently amends By-law No. 2018-58, as amended as set out herein.

1. In this By-law the following amendments shall be made:

a) Replace Section 11.2 with the following section;

Where permitted, a maximum of two accessory apartments are permitted per lots within the serviced urban boundary developed with single-detached, semi-detached, or townhouse dwellings, and provided that the maximum floor area used for an accessory apartment shall not exceed 45 percent of the gross floor area of the primary dwelling unit. The accessory apartment may be located in the main building or an accessory dwelling, so long as there are no more than three units total per lot.

b) Section 11.8.1; removing the word “one” and replacing with “one primary dwelling unit and two accessory apartments”; adding an “s” to the word unit; removing “is” and adding “are” to the following:

A maximum of one primary dwelling unit and two accessory apartments are permitted per lot, except:

c) Replace Section 11.8.1a) & b) with the following subsections:

a) In the case of a lot which contained more than one primary dwelling unit and two accessory apartments legally established dwelling units on the date of passing of this By-law, in which case the maximum number of dwelling units permitted on such lot shall be the number of existing dwelling units on the said lot; or,

b) in a Zone where more than one primary dwelling unit and two accessory apartments within the serviced urban areas are specifically permitted hereby.

- d) Section 11.39, subsection l) be removed;
- e) Section 13 – Definitions; amend *Accessory apartment* to add the following words, “the primary dwelling or an accessory building or structure” in the following:

Accessory apartment: a separate dwelling unit, which is located within the primary dwelling or an accessory building or structure and subordinate to a detached, a semi-detached, or townhouse dwelling.

- 2. All other relevant provisions of By-law No. 2018, 58, as amended, shall apply.

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective on the date of passing.

If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

Read a first, second and third time and passed this _____ day of _____, 2023.

Matthew Graham, Mayor

Cindy Page, Clerk

**The Corporation of the Township of
Cavan Monaghan**

By-law No. 2023-XX

Being a By-law to Amend the Township of Cavan Monaghan Site Plan Control By-law No. 2007-20, as amended.

Whereas under the provisions of Section 41 of the Planning Act, R.S.O., 1990, as amended, authority is granted to Councils of Municipalities to designate a site plan control area, where an Official Plan is in effect;

And Whereas the Official Plan for the Township of Cavan Monaghan designates that site plan control shall apply to all lands within the Township of Cavan Monaghan;

And Whereas Section 41 of the Planning Act provides that no person shall undertake any development in an area designated under a by-law passed under that section without first having received approval;

Therefore the Council of the Township of Cavan Monaghan, pursuant to Section 41 of the Planning Act, enacts as follows:

1. In this By-law:
 - (a) Section 3 (a) of the By-law shall have the following two amendments. These amendments include the removal of the words: “single unit residential development” and the words “save and except for those circumstances in which a formal agreement is required, the Director of Planning and Building Services shall refer such matters to Council for approval.” as shown below:

Approval of site plans and elevation drawings for agricultural buildings and commercial, industrial and non-residential buildings additions under 100 square metres is hereby delegated to the Executive Director, Planning & Development or Chief Administrative Officer for the Corporation of the Township of Cavan Monaghan.
 - (b) Section 3 (b) of the By-law shall be amended by removing subsection (b) section and renaming Section 3 (a) Section 3.
 - (c) Section 5 of the By-law shall be amended by removing the words “the Council of the Corporation of the Township of Cavan Monaghan or” as shown below:

No buildings permit shall be issued within the site plan control area unless the plans and drawings for such development have been approved by the Executive Director, Planning & Development or Chief Administrative Officer as provided for in this By-law.

- (d) Section 6 of the By-law shall be amended by removing the words: “the Township of Cavan Monaghan Council or” as shown below:

No person shall undertake any development in the site plan control area unless the Executive Director, Planning & Development or Chief Administrative Officer, as provided for in this By-law, have approved of the following:

2. This By-law comes into force and effect on the date it is enacted by Council.

Read a first, second and third time and passed this _____ day of _____, 2023.

Matthew Graham, Mayor

Cindy Page, Clerk

**The Corporation of the Township of
Cavan Monaghan**

By-law No. 2023-XX

Being a By-law to Amend the Township of Cavan Monaghan Pre-Consultation By-law No. 2013-53.

Whereas Sections 22(3.1), 34(10.0.1), 41(3.1), and 51(16.1) of the Planning Act R.S.O 1990 c. P.13, as amended, allow municipalities to pass by-laws to require applicants to consult with the Municipality prior to the submission of an application made under the Act for an amendment to the Official Plan or Zoning By-law, plans of subdivision, plans of condominium, site plan control or consent;

And Whereas Section 8.5 of the Cavan Monaghan Township Official Plan requires applicants to consult with the Township prior to the submission of any development application;

And Whereas the Council of the Township of Cavan Monaghan wishes to require consultation with the Township prior to the submission of applications made to the Township under the Planning Act;

Now Therefore the Council of the Township of Cavan Monaghan hereby enact as follows:

1. In this By-law the following amendments shall be made:
 - a) Section 2; that the following word “are encouraged to” be removed and the word “must” be added as well as the sentence “At this time the Executive Director, Planning & Development can determine if the application is minor in nature resulting in the pre-consultation fee being waived or major in nature which will result in a pre-consultation fee being assessed.” Subsection i), and ii) will include the following sentences, “i) Minor Applications includes minor variances, rezoning as part of an approved plan of subdivision and consent applications; and ii) Major Applications included any item not outlined as a Minor Application.” as shown in the following section:

That persons intending to make application to the County of Peterborough for an amendment to the County of Peterborough Official Plan, a plan of subdivision, plan of condominium or consent must consult with Peterborough County Planning Staff and Township Staff prior to the submission of the application(s). At this time the Executive Director, Planning & Development can determine if the application is minor in nature resulting in the pre-consultation fee being waived or major in nature which will result in a pre-consultation fee being assessed.

- i) Minor Applications include minor variances, rezoning as part of an approved plan of subdivision and consent applications; and
 - ii) Major Applications included any item not outlined as a Minor Application.
 - b) Section 5 be renamed as Section 3.
 - c) Section 3 (see below)
 - d) Section 6 be removed.
 - e) Section 7 be renamed as Section 6.
2. In this By-law the following additions shall be made:
- a) Section 3; be renamed as Section 5 keep the current wording and add the following sentence and subsequent points at the end of the section:
“and determine if a pre-application process is required or if the applicant can submit a formal application to the Township:
 - i) Pre-Application Process:
 - a. A pre-consultation checklist or letter will be provided by the Township Executive Director, Planning & Development or designate and forwarded to the applicant and other affected agencies after the Pre-Consultation meeting is held. This checklist or letter will clearly identify that the applicant must compile the materials requested on the list and provide to the Township and go through the Pre-Application process.
 - b. A pre-application fee must be paid as part of the pre-application submission, this fee will be deducted from the total application fee if submitted within a year of the pre-application being paid;
 - c. The applicant will host a public information meeting to provide information to the public, collect feedback on the application and address any concerns;
 - d. The applicant will submit a formal pre-application to the Township at which time materials will be circulated to appropriate departments and agencies. The Township will provide comments to the applicant and their consultants, and the applicant will be required to revise and update the required materials based on the comments until the application has been given a letter of clearance by the Township stating that the application has cleared the pre-application process; and
 - e. After the letter of clearance is provided by the, the applicant can submit the formal application.

- ii) Formal Application Submission: A pre-consultation checklist or letter will be provided by the Township Executive Director, Planning & Development or designate and forwarded to the applicant and other affected agencies after the Pre-Consultation meeting is held. This checklist or letter will clearly identify that the applicant can proceed directly to a formal application. The formal application process will include the following steps:
 - a. Once the formal application has been submitted it will be reviewed within the 30-day period provided by the Planning Act;
 - b. If further information is required for the application and is not provided by the applicant to the Township within the 30-day period, the application will be deemed incomplete.”
 - c. A pre-consultation fee must be paid as part of the pre-consultation submission, this fee will be deducted from the total application fee if submitted within a year of the pre-consultation being provided;

This By-law comes into force and effect on the date it is enacted by Council.

Read a first, second and third time and passed this _____ day of _____, 2023.

Matthew Graham, Mayor

Cindy Page, Clerk

**The Corporation of the Township of
Cavan Monaghan**

By-law No. 2023-XX

**Being a By-law to Amend the Township of Cavan Monaghan User Fees and Charges
By-law No. 2022-71.**

1. In this By-law: the following additions should be made to the Planning Department Services Section.

Amend the Planning Fee Section to add the following rows.

Planning Fees

Application Type	Fee		
Pre-consultation (Minor Applications*)	\$0	xx	xx
Pre-Consultation	\$500	xx	xx
Pre-Application – OPA/ZBA/	\$1,500	xx	xx
Pre-Application – Draft Plans	\$1,500	xx	xx

*Definition of minor and major applications can be found in By-law 2023-XX – delegation.

Add the following Table X to the Planning Fee Section

Table X Refund of Development Fees Timeline

Refund	Zoning & OPA Combined	Zoning	Site Plan
No Refund	Decision is made within 120 days	Decision is made within 90 days	Plans are approved within 60 days
50%	Decision made within 121 days and 179 days	Decision made within 91 days to 149 days	Plans are approved between 61 days and 89 days
75%	Decision made within 180 and 239 days	Decision made 150 days and 209 days	Plans are approved 90 days and 119 days
100%	Decision made 240 days and later	Decision made 210 days and later	Plans are approved 120 days and beyond

2. This By-law comes into force and effect on the date it is enacted by Council.

Read a first, second and third time and passed this _____ day of _____, 2023.

Matthew Graham, Mayor

Cindy Page, Clerk

Draft



**Minutes
The Township of Cavan Monaghan
Regular Council Meeting**

**Monday, May 1, 2023
11:00 a.m.
Council Chambers**

Those members in attendance were:

Council	Matthew Graham	Mayor
	Ryan Huntley	Deputy Mayor
	Nelson Edgerton	Councillor
	Gerry Byrne	Councillor
	Lance Nachoff	Councillor
Staff	Yvette Hurley	CAO
	Cindy Page	Clerk
	Karlie Cornish-Tkalec	Deputy Clerk/Corporate Services Administrator
	Drew Hutchison	Engineering Technician
	Wayne Hancock	Director of Public Works
	John Connolly	Executive Director of Planning and Development
	Chris Allison	Park & Facilities Manager
	Brigid Ayotte	Economic Development Communications Officer

1. Call to Order

Mayor Graham called the meeting to order at 11:00 a.m.

2. Land Acknowledgement

Mayor Graham recited the Land Acknowledgement.

3. Approval of the Agenda

R-2023-114

Moved by: Huntley

Seconded by: Nachoff

That the agenda for the Regular Council meeting be approved as presented.

Carried

4. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

5. Closed Session

5.1 Resolution to move into Closed Session

R-2023-115

Moved by: Huntley

Seconded by: Nachoff

That the Council for the Township of Cavan Monaghan move into Closed Session under Section 239(2) of the Municipal Act (2001), as amended, to consider:

a proposed or pending acquisition or disposition of land by the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

5.2 Minutes of the Closed Session held March 20, 2023

5.3 Aird & Berliss LLP, RE: Sale and Redevelopment of Municipally-owned lands 1066 Syer Line

Council adjourned until 1:00 p.m. (12:02 p.m.)

Council reconvened at 1:00 p.m.

6. Report from Closed Session

There was no report from Closed Session.

7. Delegations

7.1 Nancy Hurley - Old Millbrook School EarlyON Child and Family Centre

R-2023-116

Moved by: Byrne

Seconded by: Huntley

That Council receives the delegation from Nancy Hurley on behalf of Old Millbrook School EarlyON Child and Family Centre for information and add the request for a Shade Structure to the 2024 Capital Budget for discussion and that Staff explore a temporary option for 2023.

Carried

8. Minutes

8.1 Minutes of the Regular Meeting held April 3, 2023

R-2023-117

Moved by: Huntley

Seconded by: Nachoff

That the minutes of the Regular Meeting held April 3, 2023 be approved as presented.

Carried

9. Reports

9.1 Report - Finance 2023-05 Actual to Budget, January to March 2023

R-2023-118

Moved by: Huntley

Seconded by: Edgerton

That Council receives the Actual to Budget Report, for the period of January 1 to March 31, 2023.

Carried

9.2 Report - Parks and Facilities 2023-02 Parks and Recreation Plan - Phase One Community Engagement and Millbrook Arena Update

R-2023-119

Moved by: Nachoff

Seconded by: Huntley

That Council allow Robert Lockhart of Rethink Group to speak to the process around the Community Forum for the Park and Recreation Vision 2035 being held May 10.

Carried

R-2023-120

Moved by: Huntley

Seconded by: Nachoff

That Council receive the report Parks and Facilities 2023-02 on the Phase One Community Engagement for information.

Carried

9.3 Report - PEB 2023-17 Springville Heights Subdivision (Woodview Properties Inc.) Pre-Servicing Agreement

R-2023-121

Moved by: Nachoff

Seconded by: Huntley

That By-law No. 2023-29 be approved to authorize the Mayor and Clerk to sign the Pre-Servicing Agreement between Woodview Properties Inc. and the Township of Cavan Monaghan with the insertion of final financial numbers authorized by the Township Solicitor and/or C.A.O.

Carried

9.4 Report - PEB 2023-18 First Quarter Activity Report - Planning, Economic Development and Building

R-2023-122

Moved by: Edgerton

Seconded by: Nachoff

That Council receive Report PEB 2023-18 First Quarter Activity Report –

Planning, Economic Development & Building (PEB) for information.

Carried

9.5 Report - Public Works 2023-12 County of Peterborough Cooperative Tender T-02-2023 Surface Treatment

R-2023-123

Moved by: Nachoff

Seconded by: Edgerton

That Council award the Cavan Monaghan portion of Peterborough County cooperative Tender T-02-2023 to Dufferin Construction Company at the lowest tender amount of \$372,736.00 with H.S.T. of \$48,455.62. The total tender amount with the net municipal H.S.T. is \$379,296.15; and

That Council approves a 10% Contingency in the amount of \$37,929.62 for this project. The total amount for approval including contingencies is \$417,225.77; and

That Council receives this report as per the approved amount of \$385,000.00 in the 2023 Capital Budget for Surface Treatment and approves the surplus funds transfer of \$19,232.85 (Slurry Seal 2023 Capital Budget), and transfer \$12,992.92 from the CCBF - Canada Community-Building Fund (formerly Federal Gas Tax) revising the total available budget for Surface Treatment to \$417,225.77.

Carried

9.6 Report - Public Works 2023-02 Request to Stop Up, Close and Sell Township Road Allowance – Described as Former Jamieson Street and Former Workman Street

R-2023-124

Moved by: Byrne

Seconded by: Nachoff

That Council deem the Township road allowance described as Part 4 on the draft plan as surplus; and

That Council deem the Township road allowance described as the former Jamieson Street and the former Workman Street as surplus; and

That Council hereby stop up and close these unopened road allowances as described on the draft reference plan and as described on Service Ontario plan and that a By-law be brought forward when this reference plan is registered to stop up, to close and to sell the road allowance in accordance with the requirements of the Municipal Act; and

That Council direct staff to not proceed with a formal appraisal for these lands; and

That Council direct staff to sell the property at the value of \$11,000.00. This land value is based on the land area of 1.1 acres and the real estate valuation of \$10,000.00 per acre for agricultural land value for this area; and

That all of the costs associated with stopping up, closing and selling the

road allowance be the sole responsibility of the purchaser.

Carried

9.7 Report - Corporate Services 2023-04 4th Line Theatre 2023 Summer Season - Community Festival Designation

R-2023-125

Moved by: Nachoff

Seconded by: Huntley

That the Township of Cavan Monaghan designate the 4th Line Theatre's 2023 Summer Season as a Community Festival and municipally significant; and

That Council direct staff to send a letter with the following information included; 4th Line Theatre Company is a not-for-profit summer theatre company whose summer season events have attracted thousands of tourists to our municipality, a number which has grown every year since 1992, when 4th Line Theatre was founded. 4th Line Theatre is requesting more than 12 days of special occasion permits from the Alcohol and Gaming Commission in order to serve alcohol for all 42 performances this 2023 Summer Season at the Winslow farm, as they have successfully secured and managed more than 12 special occasion permits without fault each summer season for several years running. The proceeds raised by the sale of alcohol during 4th Line Theatre's 2023 Summer Season event is crucial to the financial success of the event, and ultimately, the company itself, which, in turn, directly affects the economic growth of our municipality. 4th Line Theatre's 2023 Summer Season event consists of 42 performance dates, which are: June 27, June 28, June 29, June 30, July 1, July 4, July 5, July 6, July 7, July 8, July 11, July 12, July 13, July 14, July 15, July 17, July 18, July 19, July 20, July 21, July 22, August 1, August 2, August 3, August 4, August 5, August 8, August 9, August 10, August 11, August 12, August 15, August 16, August 17, August 18, August 19, August 21, August 22, August 23, August 24, August 25, August 26.

Carried

9.8 Report - Corporate Services 2023-05 Financial Compliance Report - 2022 Municipal Election

R-2023-126

Moved by: Edgerton

Seconded by: Nachoff

That Council receive report Corporate Services 2023-05 for information.

Carried

9.9 Report - Corporate Services 2023-06 172nd Millbrook Fair - Community Festival Designation

R-2023-127

Moved by: Huntley

Seconded by: Nachoff

That the Township of Cavan Monaghan designate the 172nd Millbrook Fair as a Community Festival and municipally significant; and That the Millbrook Agricultural Society be responsible for policing costs during the hours of operation of the Beer Barn and Traxside Lounge; and That the Community Festival Designation be conditional upon written approval from the Peterborough Police with the minimum police presence on the Fairgrounds being as follows:

Two (2) Officers on June 8th from 5:00 p.m. to 12:00 a.m.

Four (4) Officers on June 9th from 5:00 p.m. to 2:00 a.m.

Four (4) Officers on June 10th from 12:00 p.m. to 2:00 a.m.

Two (2) Officers on June 11th from 12:00 p.m. to 5:30 p.m.

Carried

9.10 Council/Committee Verbal Reports

Councillor Nachoff provided the status update on the Ganaraska Forest reopening since the storm in 2022 noting that 95% of the trails are open to the public and the remaining 5% are private owners.

Mayor Graham spoke to the first dedicated meeting of the Cavan Monaghan Public Library Board to review the Library's Strategic Plan with the new Board member and his attendance in the absence of Councillor Nachoff at the Millbrook Valley Trails Advisory Committee meeting noting that May 6 is the Work Day.

R-2023-128

Moved by: Nachoff

Seconded by: Huntley

That Council receive the Council/Committee verbal reports for information.

Carried

10. General Business

There was no general business.

11. Correspondence for Information

There was no correspondence for information.

12. Correspondence for Action

12.1 Peterborough County Plowmen's Association Letter of Request

R-2023-129

Moved by: Byrne

Seconded by: Edgerton

That Council support the success of the Peterborough County Plowmen's Association 2023 Plowing Match and make a donation of \$200 to be

funded from the GL # 01-4780-3150.

Carried

12.2 Cavan Calling Festival in Cavan, Ireland from 26th to 30th July 2023

R-2023-130

Moved by: Byrne

Seconded by: Huntley

That Staff send a letter of thanks for the invitation to Cavan Calling Festival in Cavan, Ireland from 26th to 30th July 2023 along with a photograph from their visit to our Township as we want to wish our friends in Ireland great success in bringing everyone together to celebrate our ancestry.

Carried

13. By-laws

13.1 By-law No. 2023-29 being a by-law to authorize the execution of a Pre-Servicing Agreement between Woodview Properties Inc. (Subdivider) and the Township of Cavan Monaghan (Municipality)

R-2023-131

Moved by: Huntley

Seconded by: Nachoff

That By-law No. 2023-29 being a by-law to authorize the execution of a Pre-Servicing Agreement between Woodview Properties Inc. (Subdivider) and the Township of Cavan Monaghan (Municipality) be read a first, second and third time and passed this 1st day of May signed by the Mayor and Clerk and the Corporate Seal attached.

Carried

14. Unfinished Business

There was no unfinished business.

15. Notice of Motion

There were no notices of motion.

16. Confirming By-law

16.1 By-law No. 2023-30 being a by-law to confirm the proceedings of the meeting held May 1, 2023

R-2023-132

Moved by: Byrne

Seconded by: Nachoff

That By-law No. 2023-30 being a by-law to confirm the proceedings of the

meeting held May 1, 2023 be read a first, second and third time and passed this 1st day of May signed by the Mayor and Clerk and the Corporate Seal attached.

Carried

17. Adjournment

R-2023-133

Moved by: Edgerton

Seconded by: Nachoff

That the Regular Council Meeting of the Township of Cavan Monaghan adjourn at 2:19 p.m.

Carried

Matthew Graham
Mayor

Cindy Page
Clerk



**Minutes
The Township of Cavan Monaghan
Special Council Meeting**

**Thursday, May 4, 2023
9:00 a.m.
Council Chambers**

Those members in attendance were:

Council	Matthew Graham	Mayor
	Ryan Huntley	Deputy Mayor (joined 9:07 a.m.)
	Gerry Byrne	Councillor
	Lance Nachoff	Councillor
Staff	Yvette Hurley	CAO
	Cindy Page	Clerk
	Karlie Cornish-Tkalec	Deputy Clerk/Corporate Services Administrator
	Drew Hutchison	Engineering Technician
	Wayne Hancock	Director of Public Works
	Chris Manduca	Public Works Clerk

Those members absent

Nelson Edgerton Councillor

1. Call to Order

Mayor Graham called the meeting to order at 9:01 a.m.

2. Land Acknowledgement

Mayor Graham recited the Land Acknowledgement.

3. Approval of the Agenda

R-2023-134

Moved by: Nachoff

Seconded by: Byrne

That the agenda for the Special Council Meeting be approved as presented.

Carried

4. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

5. Closed Session

There was no closed session.

6. Municipal Roads Tour

Council left the Council Chambers and boarded a bus for the Roads Tour at 9:02 a.m.

Council returned from the Roads Tour and reconvened in the Council Chambers at 12:24 p.m.

7. Confirming By-law

7.1 By-law No. 2023-31 being a by-law to confirm the special meeting held May 4, 2023

R-2023-135

Moved by: Huntley

Seconded by: Nachoff

That By-law No. 2023-31 being a by-law to confirm the special meeting held May 4, 2023 be read a first, second and third time and passed this 4th day of May signed by the Mayor and Clerk and the Corporate Seal attached.

Carried

8. Adjournment

R-2023-136

Moved by: Nachoff

Seconded by: Byrne

That the Special Council Meeting of the Township of Cavan Monaghan adjourn at 12:29 p.m.

Carried

Matthew Graham
Mayor

Cindy Page
Clerk



Minutes
The Township of Cavan Monaghan
Millbrook Valley Trails Advisory Committee
Monday, February 27, 2023
4:00 p.m.

Those members in attendance:

Robert Jackson Chair
Maureen McDonald Vice Chair
David D'Agostino
John Fallis
Kirk Hillsley
Gary Wall
Meredith Carter, ORCA
Lance Nachoff

Those members absent:

Gillian di Petta (with regrets)

Those members in attendance:

Cindy Page Clerk
Karlie Cornish-Tkalec Deputy Clerk/Corporate Services Administrator
Chris Allison Parks and Facilities Manager

1. Call to Order

Ms. Karlie Cornish-Tkalec, Deputy Clerk called the meeting to order at 4:07 p.m. and the Committee members introduced themselves.

2. Approval of Agenda

Moved by: Fallis

Seconded by: Nachoff

That the agenda for the Millbrook Valley Trails Advisory Committee meeting held February 27, 2023 be approved as presented

Carried

3. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

4. Closed Session

There was no closed session.

5. Committee Orientation

Ms. Cornish-Tkalec reviewed the Millbrook Valley Trails Advisory Committee orientation package.

Moved by: Fallis

Seconded by: Jackson

That the Committee Orientation for the Millbrook Valley Trails Advisory Committee be received for information.

Carried

6. Election of Officers

6.1 Appointment of the Chair

Moved by: Fallis

Seconded by: McDonald

That the Millbrook Valley Trails Advisory Committee appoint Robert Jackson as the Chair for the 2022-2026 term.

Carried

6.2 Appointment of the Vice-Chair

Moved by: Jackson

Seconded by: Fallis

That the Millbrook Valley Trails Advisory Committee appoint Maureen McDonald as the Vice-Chair for the 2022-2026 term.

Carried

Ms. Cornish-Tkalec transferred the Chair to Robert Jackson at 4:13 p.m.

7. 2023 Meeting Schedule

2023 meeting schedule was discussed with item 9.3 Trail Report

8. Minutes

8.1 Minutes of the meeting held September 26, 2022

Moved by: Nachoff

Seconded by: McDonald

That the minutes for the Millbrook Valley Trails Advisory Committee meeting held September 26, 2022 be approved as presented.

Carried

8.2 Minutes of the meeting held October 20, 2022

Moved by: Nachoff

Seconded by: Wall

That the minutes for the Millbrook Valley Trails Advisory Committee meeting held October 20, 2022 be approved as presented.

Carried

9. Reports

9.1 Financial Report – Karlie Cornish-Tkalec

Karlie Cornish-Tkalec advised the approved 2023 budget for the Committee is \$ 4,800 for Materials and Supplies and \$ 1,500 for Contracted Services.

Moved by: Fallis

Seconded by: Nachoff

That the Millbrook Valley Trails Advisory Committee receive the Financial Report for information.

Carried

9.2 ORCA Update – Meredith Carter

Meredith Carter updated the Committee that the tree seedling sales have started and that the office is open to the public. ORCA is currently putting together their watershed report.

Moved by: Hillsley

Seconded by: McDonald

That the Millbrook Valley Trails Advisory Committee receive the ORCA Update for information.

Carried

9.3 Trail Report – Karlie Cornish-Tkalec

Karlie Cornish-Tkalec presented the 2023 meeting schedule and the Committee assigned members to trail reports.

Moved by: Nachoff

Seconded by: 'Agostino

That the Millbrook Valley Trails Advisory Committee approve the 2023 meeting schedule and trail reports.

Carried

10. General Business

10.1 Millbrook MTB Update

David D'Agostino provided an update regarding current group rides, workshops, projects, trail maintenance and construction on MNR property, and that they are working on updating signage along the MTB trails system. MTB is interested in partnering for annual spraying.

Moved by: Nachoff

Seconded by: Hillsley

That David D'Agostino and Robert Jackson meet with Staff at the Township to discuss permitted use of the Millbrook Valley Trails.

Carried

10.2 ORCA Seedling Order

Moved by: Nachoff

Seconded by: Wall

That Maureen McDonald work with Meredith Carter to place a seedling order through ORCA for an upset limit of \$ 350.00

Carried

10.3 2023 Workplan

There were no new updates to the workplan at this time.

Moved by: Fallis

Seconded by: Nachoff

That the Millbrook Valley Trails Advisory Committee approve printing brochures for an upset limit of \$ 500.00

Carried

10.4 Items for next meeting

- Bridge Update

11. Adjournment

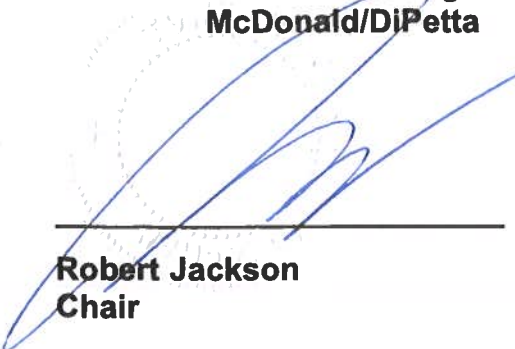
Moved by: Nachoff

Seconded by: Fallis

That the Millbrook Valley Trails Advisory Committee adjourn at 5:24 p.m.

Carried

**11.1 Next meeting date March 27, 2023 and Trail Report -
McDonald/DiPetta**



**Robert Jackson
Chair**



**Karlie Cornish-Tkalec
Deputy Clerk**



Minutes
The Township of Cavan Monaghan
Millbrook Valley Trails Advisory Committee
Monday, March 27, 2023
4:00 p.m.

Those members in attendance:

Robert Jackson Chair
Maureen McDonald Vice Chair
David D'Agostino
John Fallis
Kirk Hillsley
Gary Wall
Meredith Carter, ORCA
Lance Nachoff (4:35 p.m.)

Those members absent:

Gillian di Petta (with regrets)

Those members in attendance:

Karlie Cornish-Tkalec Deputy Clerk/Corporate Services Administrator
Chris Allison Parks and Facilities Manager
Yvette Hurley C.A.O.

1. Call to Order

Mr. Robert Jackson called the meeting to order at 4:10 p.m.

2. Approval of Agenda

Moved by: Hillsley

Seconded by: Fallis

That the agenda for the Millbrook Valley Trails Advisory Committee meeting held March 27, 2023 be approved as presented

Carried

3. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

4. Closed Session

There was no closed session.

5. Minutes

5.1 Minutes of the meeting held February 27, 2023

Moved by: Fallis

Seconded by: McDonald

That the minutes for the Millbrook Valley Trails Advisory Committee meeting held February 27, 2023 be approved as presented.

Carried

6. Reports

6.1 Financial Report – Chris Allison

Chris Allison advised the Committee budget is \$ 4,800 for Materials and Supplies and \$ 1,500 for Contracted Services for a total amount of \$ 6,300. The seedling order from ORCA has been placed in the amount of \$ 268.38 and \$ 500.00 is allocated for pamphlets.

Moved by: Fallis

Seconded by: Hillsley

That the Millbrook Valley Trails Advisory Committee receive the Financial Report for information.

Carried

6.2 ORCA Update – Meredith Carter

Meredith Carter updated the Committee that the tree seedling order was received, pickup is April 27 or 28, 2023. The watershed report card was released on World Water Day.

Moved by: Fallis

Seconded by: Hillsley

That the Millbrook Valley Trails Advisory Committee receive the ORCA Update for information.

Carried

6.3 Trail Report – McDonald/DiPetta

Maureen McDonald advised the trails are snow and ice covered throughout except for Baxter Creek trail and portions of the Railbed. Ice cleats are still recommended. Several of the pamphlet holders need replacement, including those at the Railbed gate and the Fairground trail head and all will need replenishment. Specific areas identified are a sag in the last bridge from the library onto the Medd and brush leaning over the boardwalk from the library. The boardwalk could use more shingle added this summer. The new bridge on Baxter Creek is already seeing appreciative use. Areas of Baxter Creek trail are already muddy. There is damage to areas of boardwalk that were already compromised by beaver flooding as well as some to newer boardwalk by the 4th line. The section of fence on Zion that was removed for construction staging remains open should be closed as soon as possible. The Fairground hill staircase is in urgent need of repair.

Moved by: Fallis

Seconded by: D'Agostino

That the Millbrook Valley Trails Advisory Committee received the Trail Report for information.

Carried

7. General Business

7.1 Update on MTB Discussion

Robert Jackson advised that David D'Agostino met with Township staff regarding group rides, workshops, projects, trail maintenance along the MTB trails system. MTB will provide Township staff with a list of their planned event details/dates. Township staff will coordinate scheduling of user group requests to ensure appropriate approvals and usage of trails system.

7.2 Appointment of Ganaraska Forest Recreational Users Committee Representative

Moved by: Fallis

Seconded by: Nachoff

That Millbrook Valley Trails Committee appoint Maureen McDonald as the Township of Cavan Monaghan Representative of the Ganaraska Forest Recreational Users Committee.

Carried

7.3 Bridge Update

Chris Allison advised the installation of the new floating bridge is complete. An official grand opening will be scheduled for a later date.

7.4 2023 Workplan

- Add Medds Bridge
- Add Annual Workday May 6, 2023
- Update No. 7 Trail Maintenance and Repairs
- Add exploration of Trails system to Downtown Millbrook
- Add design of pamphlet and bag dispensers

7.5 Items for next meeting

- Workday May 6, 2023
- Bridge Recognition
- Trail Signage

8 Adjournment

Moved by: Fallis

Seconded by: D'Agostino

That the Millbrook Valley Trails Advisory Committee adjourn at 5:15 p.m.

Carried

8.4 Next meeting date April 24, 2023 and Trail Report – Wall/D'Agostino



Robert Jackson
Chair



Karlie Cornish-Tkalec
Deputy Clerk



**Minutes
The Township of Cavan Monaghan
Millbrook Downtown BIA Board of Management**

**April 6, 2023
8:00 a.m. – 10:00 a.m.
Council Chambers Meeting Room -
Hybrid**

Those members in attendance were:

Committee:	Sherri Soucie:	Chair
	Kathie Lycett:	Vice Chair
	Chloe Dewhurst:	Secretary
	Sarah Cooling:	Treasurer
Council:	Ryan Huntley:	Council Representative
Staff:	Brigid Ayotte:	Economic Development & Comm. Officer

Those members absent were:

Committee:

- 1. Open Session**
- 2. Call to Order**

The Chair called the meeting to order at 8:04 a.m.

- 3. Approval of the Agenda:**

Moved by: Kathie Lycett

Seconded by: Sarah Cooling

That the agenda for the April 6, 2023 meeting be approved with additions.

Carried

- 4. Disclosure of Pecuniary Interest and the General Nature Thereof:**

There were no pecuniary interested noted.

- 5. Closed Session:**

There was no closed session.

6. Election of Officers

6.1. Welcome New Member Timmi Brady

6.2. Resignation of the Chair

Moved by: Sarah Cooling

Seconded by: Ryan Huntley

That the Committee accepts the resignation of the Chair, Sherri Souci.

Carried

6.3. Resignation of the Vice Chair

Moved by: Sarah Cooling

Seconded by: Timmi Brady

That the Committee accepts the resignation of the Vice Chair, Kathie Lycett.

Carried

6.4. Resignation of the Treasurer

Moved by: Kathie Lycett

Seconded by: Sherri Souci

That the Committee accepts the resignation of the Treasurer, Sarah Cooling.

Carried

6.5. Appointment of New Chair

Moved by: Sarah Cooling

Seconded by: Sherri Soucy

That the Committee appoints Kathie Lycett as Chair of the Executive Committee

Carried

6.6. Appointment of New Vice Chair

Moved by: Kathie Lycett

Seconded by: Sherri Soucie

That the Committee appoints Sarah Cooling as the Vice Chair of the Executive Committee.

Carried

6.7. Appointment of New Treasurer

Moved by: Kathie Lycett

Seconded by: Sherri Soucie

That the Committee appoints Sherri Soucie as Treasurer of the Executive Committee.

Carried

6.8. Recruitment of new members

Brigid Ayotte suggested that board members canvas local business owners to sit on the Committee to fulfill the full compliment. Brigid will send out the member list to Committee. The Committee will bring forward a recruitment strategy as an agenda item for next meeting.

7. Delegations/Presentations

None

8. Minutes

8.1. Minutes of the Executive Committee Meeting Thursday, March 2, 2023

Moved by: Sarah Cooling

Seconded by: Sherri Soucie

That the minutes from the Executive Committee Meeting held March 2, 2023 be adopted as presented.

Carried.

9. Business arising from the Minutes:

10. Reports

10.1. Decorating Committee Report

Moved by: Ryan Huntley

Seconded by: Sherri Soucie

That \$3600 be moved from the BIA reserves to GL 01-4750-3224 to enable the Decorating Committee to purchase décor.

Carried

Chloe Dewhurst reviewed correspondence from Decorating Committee. The Decorating Committee inquired about ownership of the summer hanging baskets. Staff confirmed that the Township owns them and they are seeking estimates for replacement. Decorating Committee inquired about the possibility of sponsorship for the eight bridge planter boxes. The Committee discussed some options. They will leave it with the Decorating Committee to approach them for sponsorship.

10.2. Treasurer's report:

Moved by: Kathie Lycett

Seconded by: Sarah Cooling

That expenses incurred by Decorating Committee for \$505.30 be reimbursed from GL 01-4750-3224.

Carried

11. General Business

Moved by: Ryan Huntley

Seconded by: Sherri Soucie

That all items discussed as part of 11 be received.

11.1. Confirmation of event dates from Council

Brigid Ayotte updated the Committee that Council supported the Road Occupancy Permit report taken to Council on April 3, 2023 (which included the requested event dates by the BIA).

11.2. Budget breakdown for each event.

Deputy Mayor Huntley and the Treasurer will meet to review the budget allocations for each event.

11.3. Summer Event Contracts

Deputy Mayor Huntley will review summer event contracts with the Treasurer and Louise Bedford.

11.4. Vendor Applications – submission process

The Treasurer is seeking out vendors for the upcoming events. She will meet with Brigid Ayotte to ensure that the online application form is directed to the events@millbrookbia address.

11.5. Sub-committees for the events

Moved by: Chloe Dewhurst

Seconded by: Timmi Brady

That the Treasurer, Sherri Soucie, be appointed as a liaison for the different event sub-committees and will pull in members as need. Louise Bedford has volunteered to be on the summer and fall sub-committees.

Carried.

11.6. Signing authority has to be arranged with the bank

Moved by: Ryan Huntley

Seconded by: Sarah Cooling

That both the Chair and Treasurer will have signing authority with the bank.

Carried

11.7. Website Updates

Brigid Ayotte updated the events page to include information about the upcoming June event. Brigid did some training with E-solutions, and recordings are available online for anyone interested in the training. Timmi Brady and Sherri Soucie will be Social Media Administrators going forward.

12. Correspondence:

There was no correspondence for consideration or action.

13. Adjournment

Moved by: Sherri Soucie

Seconded by: Sarah Cooling

That the Executive Committee Meeting for April 6, 2023 be adjourned.

Carried.

Next Meeting Date – May 4, 2023 at 8:00 a.m.

Washo Opet
Chair

J. D. J.
Treasurer & Secretary



Regular Council Meeting

To:	Mayor and Council
Date:	May 15, 2023
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2023-24
Subject:	Bill 97 – Helping Homebuyers, Protecting Tenants Act, 2023 – ERO Posting Comments

Recommendations:

1. That Council receive Report Planning 2023-24 Bill 97 – Helping Homebuyers, Protecting Tenants Act, 2023 for information;
2. That Council direct Staff to provide correspondence (a letter to the ERO) outlining Council’s concerns with respect to Bill 97; and
3. That a letter outlining Council’s comments be submitted to the Environmental Registry of Ontario (ERO) as the Township’s formal written submission regarding Bill 97 prior to the commenting deadline of June 5, 2023.

Overview

On April 6, 2023, the Province introduced Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023 representing the province’s most recent installment of wide ranging and sweeping changes to the land use planning process in Ontario. Bill 97 received first and second reading in April and is currently being considered before the Standing Committee on Heritage, Infrastructure and Cultural Policy.

Previous Provincial legislation (Bill 109 & Bill 23) contained numerous changes that are still being implemented at the local level (refer to Planning Report 2023-23 on today’s agenda). These initiatives made substantial and significant changes with how planning and development occurs in the Province, especially at the local level. Staff provided a series of Reports in 2022 and 2023 outlining the legislative impacts and implementation requirements of these proposals. Bill 97 builds on those changes, amends existing legislation (again) and proposes a new set of land-use planning policies that will govern planning at the provincial, upper- and lower- tier levels.

Most significantly, Bill 97 follows up on the Province’s decision to combine and replace the existing Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe (ERO Posting #019-6177). This is the subject of this Report.

Background

Part of Bill 97 will make a number of minor changes to existing legislation that were mostly “clean-up” of previous legislated changes including the implementation date of July 1, 2023 as outlined in Bill 109 (i.e., fee refunds - see Report Planning 2023-23 on today’s agenda).

The most locally relevant aspect of these changes (noted above) is the introduction of new Ministerial Powers that will require landowners and municipalities to enter into agreements where the Provincial Land Development Facilitator has been appointed. According to Bill 97, these agreements could go beyond just provisions outlined in the Planning Act and Development Charges Act. These new powers also allow the Minister to exempt lands that are subject to a Minister’s Zoning Order (MZO) from complying with provincial policies and official plans when other planning approvals are being applied (i.e., such as plans of subdivision). This means that the Minister now has the authority to address situations where an MZO permits residential development in an area where the Official Plan (or the previous PPS/Growth Plan) did not. For Cavan Monaghan, this is potentially relevant to the MZOs approved by the previous Council.

The current Environmental Registry of Ontario (ERO) #019-6813 (see Attachment No. 1) was posted on April 6, 2023 for a sixty (60) day commenting period ending just before midnight on June 5, 2023. The province has also provided a fact sheet outlining anticipated implementation and timing (see Attachment No. 2).

Practically, for Township Staff, the sixty (60) day commenting period is actually reduced to thirty-three (33) days. This abridged timing is due to the deadline for reports to be completed to meet the May 15, 2023 Council rather than having this come forward to the June 5, 2023 Regular Council Meeting. Waiting until the June 5, 2023 meeting would not give Council (and Staff) enough flexibility to make any changes (should Council choose to do so) without running the risk of losing the window of opportunity to submit comments to the ERO Posting.

This posting, its proposals and implementation represent a profound change for how land use planning in the Province has been governed since the first Provincial Policy Statement (PPS) in 1996 and the original Growth Plan for the Greater Golden Horseshoe in 2005. If approved, the new PPS (see Attachment No. 3) will likely come into force this Fall and all planning decisions made on or after that date must be “consistent with” the new policies.

Proposed Provincial Policy Statement - Summary

According to provincial briefing documents, this new policy document (Provincial Planning Statement (2023) – see Attachment No. 3), is intended to make land use planning easier to follow. By combining these two (2) existing documents (PPS and Growth Plan), the intent is to simplify land use planning rules and make it easier to build more homes. The Province maintains that by streamlining land-use planning policy, growth in large and fast growing municipalities will be supported and more homes will be allowed to be built in rural areas. It will also give municipalities greater flexibility to expand settlement area boundaries at any time (not just through a municipal comprehensive review (MCR) or the one-time 40 ha expansions rules now in place).

This is being achieved by making planning policies simpler and more flexible especially opening up policies that will allow more housing to be built in rural areas and on the edges of settlement areas (and cities).

Bill 97 & Provincial Policy Statement (2023) - Highlights:

Housing

- Identify large and fast-growing municipalities are identified as strategic growth areas;
- Remove intensification and density targets as a mandatory requirement for all municipalities;
- Maintain established Growth Plan targets to 2051 but allow municipalities to establish higher forecasts;
- Require planning for a 25-year growth horizon;
- Expand definition of housing options;
- Remove definition of affordable housing (i.e., 30% income rent/own criteria); and
- Increase additional housing options for rural housing (i.e., permitting up to three new residences on existing property – multi-generational farming families, enhance lot creation).

Settlement Area Expansion

- Remove need for a municipal comprehensive review (MCR) to expand boundary;
- Expand settlement area boundaries any time (can be application driven); and
- Permit identification of new settlement areas (different from previous rules of no new settlement areas in Growth Plan).

Employment Protection & Conversion

- Protect employment areas from permitting commercial uses not associated with primary employment use and institutional uses;
- Clarifies circumstances of employment conversions; and
- Removes previous Provincially Significant Employment Zones (PSEZ).

Schools

- Direct greater collaboration between planning authorities and school boards; and
- Permit innovative approaches to designing schools.

Land Use Compatibility

- Keep protection of existing or planned industrial and manufacturing and other major facilities;
- Increase uses permitted in employment areas;
- Remove requirement for proponent of sensitive land uses to demonstrate need/evaluate alternative locations where avoidance of adverse effects is not possible; and
- Encourage industrial, manufacturing & small-scale manufacturing in strategic growth areas and other mixed-use areas where frequent transit service available.

Natural Heritage

- Natural heritage policies and related definitions are still under consideration;
- Possible relaxed/reduced considerations with respect to housing supply; and

- Balance housing needs with resource use and management.

Agriculture

- Eliminate alternatives evaluations for settlement area expansions;
- Less (possibly) protection of specialty crops;
- Eliminate requirement to use provincially mapped Agricultural System;
- Permit additional dwelling units on farm operations;
- Permit land-extensive energy facilities (i.e., solar, battery storage); and
- Eliminate alternative evaluations for aggregate extraction rehabilitation (not require complete rehabilitation to agricultural condition).

Minister's Powers

- Authority to make regulations and orders related to planning functions that used to be only for local municipalities;
- Municipalities cannot enact policies that are more restrictive than PPS policies;
- Increase authority and role for Minister's Zoning Orders (MZOs); and
- Require all municipal decisions including zoning by-laws and permitting processes must be consistent with PPS – even before a municipality's Official Plan has been updated.

Analysis

Unfortunately, these wide-ranging and sweeping changes to the planning system continue to challenge how Staff can provide Council with a comprehensive breakdown and analysis as to the local implications and gauge the impacts of such policy changes. The Province continues to introduce legislative and policy changes that build upon each other and leave local municipalities struggling to implement measures before pivoting to the next set of changes. To complicate matters further, in this set of changes, the Province identifies gaps in the key information being provided (i.e., natural heritage policies) within an abbreviated time frame in which to provide comments to the ERO Posting. As a result, Staff's ability to analyze and provide detailed recommendations continues to be hampered and, as such, will focus on those highlighted changes with a meaningful local context and impact.

There are a number of instances where Staff may recommend to Council it be supportive of some of the proposed legislative changes and (in some cases) possibly encourage some of the amendments and outright elimination of other land-use planning policies in the new proposed PPS (2023). However, in the absence of natural heritage policies which are still under consideration, any analysis will be flawed and incomplete. Staff are challenged to provide a meaningful analysis weighing the pros and cons of these legislative and policy considerations because some of the implications are unknown and/or yet to be determined.

From a discipline perspective, planners provide professional opinions to clients and decision makers based on a number of factors not the least of which considers the balance of social, economic and environmental considerations. These are the three pillars of sustainable development first published in 1987 in the Brundtland Report (Our Common Future). The suite of changes proposed in Bill 97 and the PPS (2023) are

extensive, major and in some instances represent a significant departure from how land-use planning has been practiced in the Province for past four decades.

Staff have examined the foregoing in light of the most recent local land-use planning exercises, initiatives and decisions including: approval of the City of Peterborough Official Plan (with modifications); participation and contributions to the County Municipal Comprehensive Review (Official Plan MCR); development of the original and updated Growth Management Strategy (GMS) with Watson & Associates; ongoing Water & Wastewater Master Servicing Study; approval of three (3) Minister's Zoning Orders; and various development and infrastructure proposals concerning the airport, airport lands, cross-border servicing and possible annexation.

As a result, Staff are providing the following recommendations for Council's consideration to be included in a letter as its formal submission to the ERO:

- The Township supports the removal of mandatory intensification and density targets as they have proven to guide but also be a barrier to consistent growth and land-use planning policy as illustrated through the most recent County of Peterborough MCR;
- The Township supports the ability to provide residential intensification through the conversion of commercial and institutional buildings for residential uses;
- The Township supports the expansion of the definition of housing options to provide a range of housing arrangements and forms;
- The Township does not support the elimination of the definition of "affordable" as this term is used in its current Official Plan and the use of inclusionary zoning (which is not in the OP) may not provide the much needed housing options at the local level;
- The Township is concerned that multi-residential development on rural lands may result in the loss of agricultural land and land use compatibility through lot creation and permission of up to two additional residential units per rural lot;
- The Township supports the flexibility to expand the settlement area boundary outside of an MCR but is concerned of the possible implications of removing a "needs test" and criteria as part of that expansion as this may create undue pressure on existing settlement areas and encourage the creation of possible new serviced settlement areas in the Township including the impacts of expansion on agriculture;
- The Township supports the promotion of mixed-use development while promoting the protection and conversion of employment areas;
- The Township supports the explicit collaboration of school boards and planning authorities to ensure schools are planned as part of development;
- The Township is concerned about removing the requirement that a proponent demonstrate need or look at alternatives when siting sensitive land uses to avoid adverse effects;
- The Township supports strengthening the list of prohibited uses in employment areas;
- The Township does not support the significant weakening of the Natural Heritage System established through the Growth Plan;
- The Township is concerned that in the absence of specific natural heritage policies and regulations, the PPS only focused on balancing natural resource use and management with housing supply and there has been the removal of reference to conserving biodiversity and protecting ecological processes;

- The Township is concerned about the possible threat to prime agricultural land lost through settlement area expansions that do not fully consider alternative locations of expansion outside of a comprehensive review which may lead to the loss of prime agricultural land;
- The Township supports the elimination of requiring the use of the provincially mapped Agricultural System;
- The Township does not support permitting up to two additional residential units in addition to the principal dwelling in an agricultural operation in prime agricultural area or the creation of up to three residential lots from an existing agricultural parcel;
- The Township does not support the expanded Ministerial authority to make orders that provincial policy, plans and official plans do not apply with respect to a license, permit, approval or permission;
- The Township does not support restricting its ability to enact more restrictive policies than the PPS 2023 as local autonomy is important;
- The Township supports the inclusion of MZO's as additional projected growth to be included in the municipality's next official plan update;
- The Township does not support the implementation provision that decisions must be consistent with the PPS 2023 before such time as its Official Plan and Zoning By-law have been updated; and
- The Township continues to be of the opinion that these sweeping changes along with other recent legislated amendments (i.e., Bill 109 & 23) continue to introduce uncertainty in the local land use planning process while placing a financial burden on municipal resources (financial, human resources) already dealing with operational constraints.

Staff anticipate even more announcements and changes to various aspects of the land use planning process(es) as well as supporting legislation in the future. Staff are of the opinion that these policies and measures will have a direct and measurable impact on the natural heritage and agricultural landscape of the Township. There will be financial implications resulting from rural development that could threaten economic associated with its agricultural sector, the potential loss of agricultural land, food insecurity and impacts to local jobs if employment and agricultural lands are converted to residential.

Financial Impact:

From an organizational standpoint, there will be increased workloads, reduced timelines and significant impact on municipal resources (human and financial) as the Township responds to increased demand for its services. In addition, there will be increased demand on servicing infrastructure as well as meeting the demand of a growing and developing urban and rural population requiring hard and soft services.

Attachments:

Attachment No. 1 – ERO Posting #019-6813 Proposed PPS 2023

Attachment No. 2 – Implementing Bill 97 - Summary

Attachment No. 3 – Proposed Provincial Planning Statement

Attachment No. 4 – ERO Letter with Township Comments

Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

Yvette Hurley
Chief Administrative Officer

Attachment No. 1 – ERO Posting #019-6813 Proposed PPS 2023

Attachment No. 2 – Implementing Bill 97 - Summary

Attachment No. 3 – Proposed Provincial Planning Statement

Attachment No. 4 – ERO Letter with Township Comments

Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument.

ERO.(Environmental Registry.of.Ontario) number	019-6813
Notice type	Policy
Act	Places to Grow Act, 2005
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	April 6, 2023
Comment period	April 6, 2023 - June 5, 2023 (60 days) Open
Last updated	April 6, 2023

This consultation closes at 11:59 p.m. on:

June 5, 2023

Proposal summary

The Ministry of Municipal Affairs and Housing (MMAH) is consulting on proposed policies for an integrated province-wide land use planning policy document. MMAH (Ministry of Municipal Affairs and Housing) is seeking input on a proposed Provincial Planning Statement that takes policies from A Place to Grow and the Provincial Policy Statement to support the achievement of housing objectives.

Proposal details

Context

The Provincial Policy Statement, 2020 (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow) 2019 both provide comprehensive, integrated, whole-of-government policy direction on land use planning matters including:

- Growth management, housing and economic development;
- Infrastructure planning, including sewage, water and stormwater management services, transportation, transit, energy supply and corridor protection;
- Protection and management of resources, including prime agricultural areas, aggregates, natural heritage, water, and cultural heritage; and
- Protection of public health and safety, such as mitigating potential risks due to natural and human-made hazards.

Both policy documents aim to support the achievement of liveable communities, a thriving economy, a clean and healthy environment and social equity, improving the quality of life for all Ontarians.

The PPS (Provincial Policy Statement) is issued under the *Planning Act* and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the *Places to Grow Act, 2005*. It provides a more detailed framework for where and how growth should be accommodated in the Greater Golden Horseshoe and it works with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. The Provincial plans build upon the policy foundation of the PPS (Provincial Policy Statement), providing additional land use policy direction to address issues facing specific geographic areas of Ontario. All provincial plans are to be read in conjunction with the PPS (Provincial Policy Statement).

Under the *Planning Act*, planning decisions shall be consistent with policy statements such as the PPS (Provincial Policy Statement) and shall conform with provincial plans like A Place to Grow.

Given the importance of the PPS (Provincial Policy Statement) and A Place to Grow in guiding land use planning decisions in Ontario, ensuring that the policy framework is housing-supportive is integral to the implementation of the Housing Supply Action Plan and meeting the target to construct 1.5 million new homes by 2031.

In 2022, the government initiated a review on approaches for leveraging the housing supportive policies of both documents, removing barriers and continuing to protect the environment through a streamlined province-wide land use planning policy framework.

The government received feedback on the following six themes:

- Residential land supply.
- Attainable housing supply and mix
- Growth management
- Environment and natural resources
- Community infrastructure
- Streamlined planning framework

The input and recommendations received from Indigenous communities, the public, municipalities and stakeholders helped shaped the development of streamlined and housing-focused, land use planning policies. ERO.# (Environmental Registry of Ontario number) 019-6177 (<https://ero.ontario.ca/notice/019-6177>) provides an overview of issues raised.

The Province is now seeking input on a proposed Provincial Planning Statement, that would replace the existing Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

Proposal

Based on what the government has heard, the Province has combined the elements of A Place to Grow and the PPS (Provincial Policy Statement) into a new land use policy document that the Province is proposing for public feedback. Through this proposed new Provincial Planning Statement, the government is proposing policies grouped under five pillars:

- Generate an appropriate housing supply
- Make land available for development
- Provide infrastructure to support development
- Balance housing with resources
- Implementation

1. Generate an appropriate housing supply

The proposed policies would:

- Identify large/fast-growing municipalities, with specific directions to plan strategically for growth:
 - Establish and meet minimum density targets for: major transit station areas, other strategic growth area (e.g. (for example), nodes and corridors), urban growth centres (transitioned from A Place to Grow)
 - Encourage to plan for transit-supportive greenfield density targets

- Require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit types (laneway, garden suites, low and mid-rise apartments) and typologies (multi-generational, student)
- Require all municipalities to implement intensification policies
- Provide flexibility for municipalities to allow for more residential development in rural settlements and multi-lot residential development on rural lands, including more servicing flexibility (e.g. (for example), leveraging capacity in the private sector servicing
- Require municipalities to permit more housing on farms, including residential lot creation subject to criteria, additional residential units and housing for farm workers
- Require municipalities to align land use planning policies with housing policies, including addressing homelessness and facilitating development of a full range of housing options and affordability levels to meet local needs

2. Make land available for development

The proposed policies would:

- Provide flexibility for municipalities to use government or municipally established forecasts (at minimum), with a transition phase for municipalities in the Greater Golden Horseshoe
- Require municipalities to plan for a minimum 25-year horizon, maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units
- Provide a simplified and flexible approach for municipalities to undertake settlement area boundary expansions. Municipalities would be allowed to create new Settlement Areas and would not be required to demonstrate the need for expansion
- Require municipalities to plan for and protect industrial and manufacturing uses that are unsuitable for mixed use areas, using a more narrowly scoped definition of “area of employment” limited to these uses and preserving large, contiguous areas of land
- Encourage municipalities to preserve employment areas close to goods movement corridors, coordinating across administrative boundaries and consider opportunities to densify
- Provide municipalities with greater control over employment area conversions to support the forms of development and job creation that

suit the local context

3. Provide infrastructure to support development

The proposed policies would:

- Require municipalities to plan for stormwater management, water and wastewater infrastructure, and waste management systems to accommodate growth
- Require municipalities to protect corridors for major infrastructure, such as highways, transit, transmission systems and encourage municipalities to provide opportunities for the development of energy supply to accommodate current and projected needs
- Require the integration of land use planning and transportation with encouragement for freight-supportive and transit-supportive development to move goods and people
- Require municipalities and school boards to integrate planning for schools and growth

4. Balance housing with resources

The proposed policies would:

- Require municipalities to designate specialty crop areas and prime agricultural areas, eliminating the requirement to use the provincially-mapped Agricultural System
- Require municipalities to protect specialty crop areas and maintain minimum separation distances between livestock operations and houses, and promote an agricultural systems approach to support the agri-food network
- Require municipalities to facilitate access to aggregate resources close to market and to protect minerals, petroleum and mineral aggregate resources
- Require municipalities to protect water resources and features and encourage watershed planning
- Update the cultural heritage policies to align with *Ontario Heritage Act* (OHA) amendments through Bill 108 and Bill 23, with a focus on conserving protected heritage properties
- Require municipalities to prepare for the impacts of a changing climate and develop approaches to reduce greenhouse gas emissions and improve air quality

- Require municipalities to direct development outside of hazardous lands and sites
- As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government. Once proposed policies and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario. This posting (ERO.#.(Environmental.Registry.of.Ontario.number) **019-6813** (<https://ero.ontario.ca/notice/019-6813>)) will be updated with a link to the relevant posting once it is available.

5. Implementation

The proposed policies would:

- Align with recent legislative amendments
- Require municipalities to undertake early engagement with Indigenous communities and coordinate with them on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights
- Affirm that efficient land-use patterns contribute to increased equitable access to housing, employment, parks and transportation, and encourage municipalities to apply an equity lens on planning matters and engage stakeholders early in the process.
- Encourage coordination, particularly on intermunicipal topics

The government is also proposing an approach to implementation of the new document, if approved. These include the proposed approach to the following:

- Effective date and transition
- Timing for official plan updates
- Various matters specific to the Greater Golden Horseshoe

Should the government adopt the policies, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (*O. Reg. (Ontario Regulation) 416/05* and *O. Reg. (Ontario Regulation) 311/06*) under the Places to Grow Act, 2005.

The government welcomes your feedback on the proposed policy concepts and proposed wording in the land use policy document. When reviewing the document, some questions for consideration may include:

1. What are your thoughts on the policies that have been included from the PPS.(Provincial Policy Statement) and A Place to Grow in the proposed policy document, including the proposed approach to implementation?
2. What are your thoughts on the proposed policy direction for large and fast-growing municipalities and other municipalities?
3. What are your thoughts regarding the proposed policies to generate housing supply, including an appropriate range and mix of housing options?
4. What are your thoughts on the proposed policies regarding the conservation of agriculture, aggregates, natural and cultural heritage resources?
5. What are your thoughts on the proposed policies regarding planning for employment?
6. Are there any other barriers to, or opportunities for, accelerating development and construction (e.g. (for example), federal regulations, infrastructure planning and approvals, private/public partnerships for servicing, provincial permitting, urban design guidelines, technical standards, zoning, etc. (et.cetera))?

Relationship to Greenbelt Plan (2017)

The government is proposing an administrative and housing keeping amendment to the Greenbelt Plan so that that policies in the current Greenbelt Plan are maintained should the PPS.(Provincial Policy Statement), 2020 and A Place to Grow be revoked.

This scoped policy change would maintain the existing Greenbelt Plan standards and clarifies that the existing policy connections in the Greenbelt Plan (2017) to the PPS.(Provincial Policy Statement), 2020 and A Place to Grow remain in effect.

[Proposed Provincial Planning Statement, April 6](https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed%20Provincial%20Planning%20Statement,%20April%206,%202023%20-%20EN.pdf) (<https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed Provincial Planning Statement, April 6, 2023 - EN.pdf>)
pdf.(Portable Document Format file) 672.14 KB

[Proposed Approach to Implementation of the proposed Provincial Planning Statement](https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed%20Approach%20to%20Implementation,%20April%206,%202023%20-%20EN.pdf) (<https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed Approach to Implementation, April 6, 2023 - EN.pdf>)
pdf.(Portable Document Format file) 175.92 KB

Related links

[More Homes, More Choice: Ontario's Housing Supply Action Plan \(2019\)](https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan)
(<https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>)

[More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022–2023](https://www.ontario.ca/page/more-homes-built-faster) (<https://www.ontario.ca/page/more-homes-built-faster>)

[Planning Act](https://www.ontario.ca/laws/statute/90p13) (<https://www.ontario.ca/laws/statute/90p13>)

[Provincial Policy Statement, 2020](https://www.ontario.ca/page/provincial-policy-statement-2020)
(<https://www.ontario.ca/page/provincial-policy-statement-2020>)

[Places to Grow Act, 2005](https://www.ontario.ca/laws/statute/05p13) (<https://www.ontario.ca/laws/statute/05p13>)

[A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019](https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe)
(<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>)

[Greenbelt Plan \(2017\)](https://www.ontario.ca/document/greenbelt-plan-2017) (<https://www.ontario.ca/document/greenbelt-plan-2017>)

View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](/page/commenting-privacy)

Submit by mail

growthplanning@ontario.ca
Provincial Land Use Plans Branch
13th Flr, 777 Bay St
Toronto, ON
M7A 2J3
Canada

Connect with US

Contact
growthplanning@ontario.ca

Proposed Approach to Implementation of the proposed Provincial Planning Statement

This document outlines the proposed approach to implementation of the new policy document, if approved. These include the proposed approach to the following:

- Effective date and transition
- Timing for official plan updates
- Employment area changes
- Various matters specific to the Greater Golden Horseshoe, including:
 - Continued implementation of forecasts to 2051
 - Timing for changes to upper-tier planning responsibilities
 - Go-forward approach to Provincially Significant Employment Zones
 - Approach to maintain existing Greenbelt policies

The Ministry of Municipal Affairs and Housing welcomes your feedback on the following proposed approach to key aspects of implementation.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs (such as Building Code Act, Endangered Species Act, Ontario Heritage Act, Clean Water Act, etc.) may apply to decisions with respect to Planning Act applications and affect planning matters, and assist in implementing these interests.

Effective Date and Transition

The effective date would be the date specified through an order in council approved by the Lieutenant Governor in Council pursuant to section 3 of the Planning Act. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the Ministry is proposing to release the final policies for a short period of time before they take effect (targeting fall 2023).

Any decision on a planning matter made on or after the effective date of the new policy document would be subject to the new policies. The only exception would be if a transition regulation were made under a new authority proposed in the *Helping Homebuyers, Protecting Tenants Act, 2023* (if passed). The government is seeking feedback on any specific transition issues anticipated to be associated with these proposed new policies that could be mitigated through the use of this proposed new regulation-making authority (including any potential issues associated with the repeal of the existing Growth Plan transition regulation O. Reg. 311/06).

Timing for Official Plan Updates

The Planning Act requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary to implement these new policies at the time of their ordinary review cycle.

Official Plan Updates related to Change to the Definition of “Area of Employment”

The *Helping Homebuyers, Protecting Tenants Act, 2023* will, if passed, change the definition in the *Planning Act* of “area of employment” to scope them to only those uses that cannot locate in mixed-use areas and require protection against conversion (e.g., heavy industry, manufacturing, large-scale warehousing, etc.). This change is proposed to take effect on proclamation, to facilitate alignment with the new policy document.

As many municipalities’ existing employment areas currently allow a range of uses, including a mix of office, retail, industrial, warehousing, and other uses, time-sensitive official plan updates will be needed to align with the new definition. Once the proposed legislative and policy changes (if approved) take effect, areas that do not meet the definition would no longer be subject to policy requirements for “conversions” to non-employment uses.

To maintain the integrity of employment areas that are intended to remain protected over the long-term, municipalities should update their official plans to explicitly authorize the site-specific permission of any existing uses that do not align with the new definition.

Continued Implementation of 2051 Forecasts (at minimum)

A Place to Grow currently requires municipalities in the Greater Golden Horseshoe to plan for specific population and employment forecasts to 2051. These have been implemented in many, but not all, municipal official plans throughout the region.

Where an upper- or single-tier municipality’s official plan is still in progress, it is expected that the municipality would continue to use the 2051 forecasts provided by the province (at a minimum) or a higher forecast as determined by the municipality. Lower-tier municipalities would be expected to meet or exceed the growth forecasts allocated to them by the upper-tier.

As time passes and it becomes necessary to update the forecasts and extend their horizon beyond 2051, it is expected that municipalities in the Greater Golden Horseshoe would move towards doing their own forecasting of population and employment growth (as is the approach for all other municipalities in the province).

Timing for Changes to Upper-tier Planning Responsibilities

Bill 23, the *More Homes Built Faster Act, 2022* made changes to the *Planning Act* that, upon proclamation, will remove statutory approval authorities under the *Planning Act* from 7 upper-tier municipalities. The timing for proclamation of these changes is a government decision. It is anticipated that the changes would not take effect until winter 2024 at the earliest.

Go-Forward Approach to Provincially Significant Employment Zones

In 2019, the Minister of Municipal Affairs and Housing, in consultation with municipalities in the Greater Golden Horseshoe, established [31 Provincially Significant Employment](#)

[Zones \(PSEZs\)](#), pursuant to A Place to Grow: Growth Plan for the Greater Golden Horseshoe for the purpose of long-term planning for job creation and economic development.

Notwithstanding the proposal to revoke A Place to Grow: Growth Plan for the Greater Golden Horseshoe pursuant to section 7(7) of the Places to Grow Act, 2005, including PSEZs, the government is seeking feedback on the need to identify select PSEZs or portions of PSEZs for the sole purpose of protecting lands exclusively for employment uses through an alternative approach (e.g., section 47 of the Planning Act).

Protections would be consistent with the proposed definition of areas of employment under the Planning Act and would ensure the highest priority locations, such as sites for heavy industry and other uses that cannot be located near sensitive uses (e.g., the Ontario Food Terminal: PSEZ 30, Sanofi Canada's Toronto biopharmaceutical facility: PSEZ 9, Stelco's Hamilton Works: PSEZ 25 and Lake Erie Works: PSEZ 28) would receive elevated levels of protection from conversion to non-employment uses.

Approach to maintain existing Greenbelt policies

Should the proposed Provincial Planning Statement come into effect, there is the potential for the revocation of A Place to Grow and the changes made to the Provincial Policy Statement policies to affect the implementation of the policies in the Greenbelt Plan. To address this issue, an amendment is being proposed to the Greenbelt Plan that would indicate that the previous policies in A Place to Grow and the Provincial Policy Statement would continue to apply in those cases where the Greenbelt Plan refers to them. This would ensure that there would be no change to how the Greenbelt Plan policies are implemented if the proposed Provincial Planning Statement comes into effect.



PROPOSED PROVINCIAL PLANNING STATEMENT

April 6, 2023

Environmental Registry of Ontario Posting # 019-6813

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**PROPOSED
PROVINCIAL PLANNING STATEMENT
APRIL 2023**

Environmental Registry of Ontario
Posting # 019-6813

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Preface

Proposed Provincial Planning Statement

April 2023

The Ministry of Municipal Affairs and Housing (MMAH) is seeking input on proposed policies for an integrated province-wide land use planning policy document. This proposed Provincial Planning Statement takes policies from both A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2020 to support the achievement of housing objectives across Ontario.

The Provincial Policy Statement, 2020 is issued under the *Planning Act* and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the *Places to Grow Act, 2005*. The Province is now seeking input on a proposed Provincial Planning Statement that would replace the existing Provincial Policy Statement and A Place to Grow.

Should the government adopt the proposed Provincial Planning Statement, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (O. Reg. 416/05 and O. Reg. 311/06) under the Places to Grow Act, 2005.

Seeking Feedback

Please submit written comments or questions on the [Environmental Registry of Ontario](#) (ERO) in response to posting [#019-6813](#). The deadline for written comments is June 6, 2023.

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Chapter 1: Introduction

Preamble

The proposed Provincial Planning Statement (or “Policy Statement”) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, this Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The proposed Provincial Planning Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. This Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The proposed Provincial Planning Statement also provides policy direction on matters applying only to Ontario’s largest and fastest growing municipalities with the greatest need for housing. *Large and fast-growing municipalities* is a defined term and the list of these municipalities is identified in Schedule 1 of this Policy Statement.

The policies of this Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Zoning and development permit by-laws are also important for the implementation of this Policy Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

The Province’s rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of

Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

Legislative Authority

The proposed Provincial Planning Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on [effective date]. This Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after [effective date].

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with this Policy Statement.

How to Read this Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. This Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Policy Statement

This Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read this Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying this Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

This Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While this Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. This Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of this Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of this Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in this Policy Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

Provincial Guidance

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of this Policy Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Policy Statement.

Relationship with Provincial Plans

This Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Growth Plan for Northern Ontario, build upon the policy foundation provided by this Policy Statement. They provide additional land use

planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with this Policy Statement. They take precedence over the policies of this Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of this Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of this Policy Statement. In contrast, where matters addressed in this Policy Statement do not overlap with policies in provincial plans, the policies in this Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with this Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Vision

Ontario is a vast province with a diversity of urban, rural and northern communities that is distinguished by different populations, economic activity, pace of growth, and physical and natural conditions.

The long-term prosperity and social well-being of Ontario depends on celebrating these differences and planning for complete communities for people of all ages, abilities and incomes. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. In addition, a prosperous Ontario will support a strong and competitive economy, and a clean and healthy environment.

Ontario will increase the supply and mix of housing options and address the full range of housing affordability needs. Every community will build homes that respond to changing market needs, and local needs and demand. Providing a sufficient supply with the necessary range and mix of housing options will support a diverse and growing population and workforce, now, and for many years to come.

A successful Ontario will also be one with a competitive advantage of being investment-ready and celebrated for its influence, innovation and cultural diversity. The Ontario economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this Province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. While progress has been made, equity-deserving groups still face a complex range of challenges. Municipalities will work with the Province to design complete communities with increased access to housing, employment, schools, transportation options, recreation and public spaces, and services that are equitable and sustainable for all Ontarians.

Land use will be managed to accommodate appropriate development to meet the full range of current and future needs. Efficient land use and development patterns will contribute to achieving equitable outcomes for all Ontarians by design. Downtowns, main streets and rural

areas will be vital and viable. Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.

Housing must be built in the right places so that Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the Province's economic prosperity and overall identity. Growth and development will be focused within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production and the agri-food network.

The wise use and management of resources will be encouraged including natural areas, agricultural lands and the Great Lakes while providing attention to appropriate housing supply and public health and safety. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated. This will require the Province, planning authorities, and conservation authorities to work together.

Across rural Ontario, local circumstances vary by region. Northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of the southern regions of the Province. The Province will continue to ensure northern communities are supported and economic growth is promoted so that the region remains strong, while protecting its natural features.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

1. At the time of each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 25 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

2. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

3. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.2 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

4. Planning authorities should support the achievement of *complete communities* by:

- a) accommodating an appropriate range and mix of land uses, *housing options, transportation options with multimodal access, employment, public service facilities* and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
 - a) coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including housing affordability needs;
 - b) permitting and facilitating:
 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 2. all types of residential *intensification*, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment* which results in a net increase in residential units in accordance with policy 2.3.3;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
 - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;
 - c) support *active transportation*;
 - d) are *transit-supportive*, as appropriate; and
 - e) are *freight-supportive*.
3. Planning authorities should support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.

4. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities should consider the following:
 - a) that there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - b) the applicable lands do not comprise *specialty crop areas*;
 - c) the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - d) impacts on agricultural lands and operations which are adjacent or close to the *settlement area* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
 - e) the new or expanded *settlement area* provides for the phased progression of urban development.
5. Planning authorities are encouraged to establish density targets for new *settlement areas* or *settlement area* expansion lands, as appropriate, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a minimum density target of 50 residents and jobs per gross hectare.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

1. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, planning authorities may, and *large and fast-growing municipalities* shall, identify and focus growth and development in *strategic growth areas* by:
 - a) identifying an appropriate minimum density target for each *strategic growth area*; and
 - b) identifying the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas.
2. Any reduction in the size or change in the location of *urban growth centres* identified in an in effect official plan as of [effective date] may only occur through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*.

2.4.2 Major Transit Station Areas

1. *Large and fast-growing municipalities* shall delineate the boundaries of *major transit station areas* on *higher order transit* corridors through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within a 500 to 800 metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit* corridors, *large and fast-growing municipalities* shall plan for a minimum density target of:

- a) 200 residents and jobs combined per hectare for those that are served by subways;
 - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
 - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional inter-city rail.
3. For any particular *major transit station area*, *large and fast-growing municipalities* may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
- a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
 - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.
4. Planning authorities that are not *large and fast-growing municipalities* may plan for *major transit station areas* on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
- a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
- a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment* of *brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

- g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
- a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation and multi-lot residential development, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

3. The establishment of new permanent townships shall not be permitted.
4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and
 - d) encouraging *intensification* of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement of *complete communities*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. On lands for employment outside of *employment areas*, and taking into account the transition of uses to prevent *adverse effects*, a diverse mix of land uses, including residential, employment, *public service facilities* and other institutional uses shall be permitted to support the achievement of *complete communities*.
4. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 2.8.1.3 except for purposes of public health and safety.
5. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas*:
 - a) for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs; and
 - b) that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
2. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
 - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to the primary employment use; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility.
3. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*.
4. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
 - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
 - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5; and
 2. maintaining access to *major goods movement facilities and corridors*;
 - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
 - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
 - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
 - c) support energy conservation and efficiency;
 - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
 - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure* and *public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs.
2. Planning and investments in *infrastructure* and *public service facilities* should be prioritized to support *strategic growth areas* as focal areas for growth and development.
 3. Before consideration is given to developing new *infrastructure* and *public service facilities*:
 - a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
 4. *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
 5. *Public service facilities* should be co-located to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
 6. Planning authorities, in consultation with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
3. As part of a *multimodal* transportation system, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) discouraging land uses which may cause a potential aviation safety hazard.

3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that proposed adjacent *sensitive land uses* are only permitted if potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
 - b) ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
 4. considers comprehensive municipal planning for these services, where applicable.
 - c) promote water and energy conservation and efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process;
 - e) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5; and
 - f) integrate with source protection planning.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.
3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
 - b) 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*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5 (a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.
8. Planning for stormwater management shall:
 - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
 - b) minimize, or, where possible, prevent increases in contaminant loads;
 - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
 - d) mitigate risks to human health, safety, property and the environment;
 - e) maximize the extent and function of vegetative and pervious surfaces;
 - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
 - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
 - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government. Once proposed policies and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario. ERO# 019-6813 will be updated with a link to the relevant posting once it is available.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development* and *site alteration* to:
 1. protect drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are encouraged to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation may be permitted in *prime agricultural areas* as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1 b).
5. Subordinate to the principal dwelling, up to two additional residential units may be permitted in *prime agricultural areas*, provided that:
 - a) any additional residential units are within, attached to, or in close proximity to the principal dwelling;
 - b) any additional residential unit complies with the *minimum distance separation formulae*;
 - c) any additional residential unit is compatible with, and would not hinder, surrounding agricultural operations; and
 - d) appropriate *sewage and water services* will be provided.

The additional residential units may only be severed from the lot containing the principal dwelling in accordance with policy 4.3.3.1.

4.3.3 Lot Creation and Lot Adjustments

1. Residential lot creation in *prime agricultural areas* is only permitted in accordance with provincial guidance for:
 - a) new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:
 1. agriculture is the principal use of the existing lot or parcel of land;
 2. the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;
 3. any residential use is compatible with, and would not hinder, surrounding agricultural operations; and
 4. any new lot:
 - i. is located outside of a *specialty crop area*;
 - ii. complies with the *minimum distance separation formulae*;
 - iii. will be limited to the minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*;
 - iv. has existing access on a public road, with appropriate frontage for ingress and egress; and
 - v. is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.
 - b) a *residence surplus to an agricultural operation* as a result of farm consolidation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.
2. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 4.3.3.1 (a) except to address public health or safety concerns.
3. Non-residential lot creation in *prime agricultural areas* is discouraged and may only be permitted, in accordance with provincial guidance, for:
 - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
 - c) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
4. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.4.

4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon provided for in policy 2.1.1 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on surrounding agricultural lands and operations are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

4.4 Minerals and Petroleum

4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

4.5 Mineral Aggregate Resources

4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.5.3 Rehabilitation

1. 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.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
 - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
 - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1 (b), complete rehabilitation to an *agricultural condition* is not required if:
 - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) agricultural rehabilitation in remaining areas is maximized.

4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan 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 to be incompatible with extraction and associated activities.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.

4. Planning authorities are encouraged to develop and implement:
 - a) archaeological management plans for conserving *archaeological resources*; and
 - b) proactive strategies for identifying properties for evaluation under the *Ontario Heritage Act*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.
5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor

additions or passive non-structural uses which do not affect flood flows.

6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept for flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. 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*.

Chapter 6: Implementation and Interpretation

6.1 General Policies for Implementation and Interpretation

1. This Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. This Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. This Policy Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing this Policy Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Policy Statement. The policies of this Policy Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Policy Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with this Policy Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with this Policy Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

9. To assess progress on implementation of this Policy Statement, the Province may:
 - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in this Policy Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
 - b) monitor and assess the implementation of this Policy Statement through the

- collection and analysis of data under each indicator; and
- c) consider the resulting assessment in each review of this Policy Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, and data standards and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
- a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
 - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement this Policy Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient

communities.

6. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
7. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
 - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
 - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
 - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
 - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
8. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.7 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

7: Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards* and/or *other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional needs housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- c) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*.

Adverse effect: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

Agricultural impact assessment: means the evaluation of potential impacts of non-*agricultural uses* on agricultural lands and operations and, where applicable, the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

Agricultural system: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base, based on mapping provided by the Province where mapping is available and requested, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

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

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as *regional infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Compact built form: means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Complete communities: means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker.

Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the *Drainage Act*.

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

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

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave effects* and other water-related hazards along the shorelines of the *Great Lakes - St. Lawrence River System*

and *large inland lakes*, and *flooding hazards along river, stream and small inland lake systems*.

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

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels,

permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter or regional inter-city rail), light rail, and buses in dedicated rights-of-way.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.1.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the

same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means
a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;

- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by

the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 4.2, degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- c) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of

innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Land-extensive energy facilities, such as ground-mounted solar or battery storage are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs, or by a planning authority based on provincial guidance.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means

- property designated under Part IV or VI of

the *Ontario Heritage Act*;

- property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*;
- property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*;
- property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under Part III.1 of the *Ontario Heritage Act* and the heritage standards and guidelines;
- property with known *archaeological resources* in accordance with Part VI of the *Ontario Heritage Act*;
- property protected under federal heritage legislation; and
- UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands

for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water*

services or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is

concentrated and which have a mix of land uses; and

- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means in regard to mineral potential, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.

Criteria for determining significance is provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, *urban growth centres* and other areas where growth or development will be focused, that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service

routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban growth centres: means areas originally delineated in the official plan in effect as of [effective date] that were required to be identified as a result of the urban growth centre policies of the Growth Plan for the Greater Golden Horseshoe, 2019. It is anticipated that no new *urban growth centres* will be identified.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one

or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), natural heritage features and areas, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

8: Appendix – Schedule 1: List of Large and Fast Municipalities

- Town of Ajax
- City of Barrie
- City of Brampton
- City of Brantford
- City of Burlington
- Town of Caledon
- City of Cambridge
- Municipality of Clarington
- City of Guelph
- City of Hamilton
- City of Kingston
- City of Kitchener
- City of London
- City of Markham
- Town of Milton
- City of Mississauga
- Town of Newmarket
- City of Niagara Falls
- Town of Oakville
- City of Oshawa
- City of Ottawa
- City of Pickering
- City of Richmond Hill
- City of St. Catharines
- City of Toronto
- City of Vaughan
- City of Waterloo
- Town of Whitby
- City of Windsor

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May 15, 2023

Township of Cavan Monaghan
988 County Road 10
Millbrook, ON
L0A 1G0

Re: ERO Number: #019-6813

To whom it may concern:

At the Regular Council Meeting of May 15, 2023, the Township of Cavan Monaghan Council received a Report regarding Bill 97, Helping Homebuyers, Protecting Tenants Act, 2022. Council discussed this matter and passed the following motion:

That Council receive Report Planning 2022-51 Bill 23 – Update (the More Homes for Everyone Act, 2022) for information;

That Council direct Staff to provide correspondence (ERO Letter) outlining Council’s concerns with respect to Bill 97; and

That Report Planning 2023-24 and the above noted ERO letter be submitted to the Environmental Registry of Ontario (ERO) as the Township’s written submission regarding Bill 97 prior to the commenting deadline of June 5, 2023

Consistent with the motion, Staff are providing the following comments on behalf of Township Council and submitting to the Environmental Registry of Ontario (ERO):

- The Township supports the removal of mandatory intensification and density targets as they have proven to guide but also be a barrier to consistent growth and land-use planning policy as illustrated through the most recent County of Peterborough MCR;
- The Township supports the ability to provide residential intensification through the conversion of commercial and institutional buildings for residential uses;
- The Township supports the expansion of the definition of housing options to provide a range of housing arrangements and forms;
- The Township does not support the elimination of the definition of “affordable” as this term is used in its current Official Plan and the use of inclusionary zoning (which is not in the OP) may not provide the much needed housing options at the local level;

- The Township is concerned that multi-residential development on rural lands may result in the loss of agricultural land and land use compatibility through lot creation and permission of up to two additional residential units per rural lot;
- The Township supports the flexibility to expand the settlement area boundary outside of an MCR but is concerned of the possible implications of removing a “needs test” and criteria as part of that expansion as this may create undue pressure on existing settlement areas and encourage the creation of possible new serviced settlement areas in the Township including the impacts of expansion on agriculture;
- The Township supports the promotion of mixed-use development while promoting the protection and conversion of employment areas;
- The Township supports the explicit collaboration of school boards and planning authorities to ensure schools are planned as part of development;
- The Township is concerned about removing the requirement that a proponent demonstrate need or look at alternatives when siting sensitive land uses to avoid adverse effects;
- The Township supports strengthening the list of prohibited uses in employment areas;
- The Township does not support the significant weakening of the Natural Heritage System established through the Growth Plan;
- The Township is concerned that in the absence of specific natural heritage policies and regulations, the PPS only focused on balancing natural resource use and management with housing supply and there has been the removal of reference to conserving biodiversity and protecting ecological processes;
- The Township is concerned about the possible threat to prime agricultural land lost through settlement area expansions that do not fully consider alternative locations of expansion outside of a comprehensive review which may lead to the loss of prime agricultural land;
- The Township supports the elimination of requiring the use of the provincially mapped Agricultural System;
- The Township does not support permitting up to two additional residential units in addition to the principal dwelling in an agricultural operation in prime agricultural area or the creation of up to three residential lots from an existing agricultural parcel;
- The Township does not support the expanded Ministerial authority to make orders that provincial policy, plans and official plans do not apply with respect to a license, permit, approval or permission;
- The Township does not support restricting its ability to enact more restrictive policies than the PPS 2023 as local autonomy is important;
- The Township supports the inclusion of MZOs as additional projected growth to be included in the municipality’s next official plan update;
- The Township does not support the implementation provision that decisions must be consistent with the PPS 2023 before such time as its Official Plan and Zoning By-law have been updated; and
- The Township continues to be of the opinion that these sweeping changes along with other recent legislated amendments (i.e., Bill 109 & 23) continue to introduce uncertainty in the local land use planning process while placing a financial burden on municipal resources (financial, human resources) already dealing with operational constraints.

Sincerely,

[ORIGINAL SIGNED BY]

John F. Connolly, RPP MCIP
Executive Director, Planning & Development
Township of Cavan Monaghan
Work: 705-932-9329
jconnolly@cavanmonaghan.net

Report and Capital Project Status

Report Status

Priority	Directed By	Date Requested	Resolution or Direction	Staff Responsi	Est. Report Date	% Complete
High	Council	2020-12-10	Fire Station / Operations Centre and Millbrook Yard	B. Balfour / K. Pope / W. Hancock	2023	25%
Normal	Council	2021-10-18	Noise By-law Review	C. Page / K. Philips	2023	75%
Normal	Council	2022-02-22	Disposition of Land By-law	C. Page / J. Connolly	2023	
Normal	Council	2022-02-07	Investigate Advantages and Disadvantages for a delegated authority by-law as it applies to OPA's and Sub divisions	Y. Hurley / J. Connolly	2023	

Report and Capital Project Status

Capital Project Status

Project List	Department	Status	Est. Report Date	% Complete
IT Infrastructure	Information Technology		2023	
IT Modernization Plan Phase 1	ECD	In Progress	2023	
IT Modernization Plan Phase 2	ECD		2023	
Baxter Creek Floodplain SSA (Special Study Area)	Planning	In Progress	2023	
Employment Lands Marketing	ECD		2023	
2019-2022 Downtown CIP	ECD	In Progress	2023	25%
Downtown Mural	ECD		2023	
Corporate Strategic Plan Update	C.A.O		2023	
Official Plan Updates & Studies	Planning	In Progress	2023	
Zoning By-law Review	Planning		2023	

Project List	Department	Status	Est. Report Date	% Complete
SCBA Units	Fire	In Progress	2023	
Bunker Gear	Fire		2023	
Hoses	Fire		2023	
Parks and Recreational Plan	Parks and Facilities	In Progress	2023	
Maple Leaf Park Shelter Concreate	Parks and Facilities		2023	
Millbrook Depot Storage	Parks and Facilities		2023	
Municipal Office HVAC	Parks and Facilities		2023	
Cavan Depot Roof and Siding	Public Works		2023	
Intersection Replacement with County of Peterborough	Public Works		2023	
Street Light Replacement	Public Works		2023	

Operating duties are not included
Committee of Councils - MVT, MRHAC, BIA



May 4, 2023

Dear Colleague:

Ontario has been experiencing an outbreak of spongy moth (previously referred to as gypsy moth and LDD) since 2017, particularly in southern Ontario and parts of the northeast region of the province. The outbreak peaked in 2021 and declined significantly in 2022.

Last year, the Ministry of Natural Resources and Forestry (MNRF) conducted aerial and ground surveys to map damaged areas and [forecast](#) defoliation for 2023. The results suggest the outbreak area and severity will continue to decline in 2023. Some areas, mostly in the southwestern part of the province, may still experience severe defoliation, but it's expected that large contiguous areas of defoliation will be limited.

Severe spongy moth infestations are cyclical, occurring every seven to 10 years, and usually last three to five years. The ministry will continue to monitor spongy moth throughout the current outbreak cycle.

Although the ministry conducts pest management programs on Crown land to protect foliage of high value stands (e.g., jack pine and spruce budworm programs), management of spongy moth on private land is the responsibility of the landowner or municipality. The ministry supports these efforts by providing [information on forest pests](#) and options for reducing defoliation by spongy moth. [Ontario's Invasive Species Centre](#) also offers resources and information to help people prevent spongy moth from damaging their trees.

In the spring and early summer, spongy moth larvae consume leaves, defoliating trees and leaving them looking nearly dead. Spongy moth prefer oak trees, but during severe outbreaks other hardwoods and, in some cases, conifer will be defoliated. Hardwood trees can produce a second crop of leaves during the growing season allowing them to continue growing and storing nutrients into the fall and winter months. Since conifers can't produce a second crop of foliage, they may be impacted by severe defoliation. Healthy growing trees can withstand a few seasons of severe defoliation before branch and twig dieback start to occur.

In the spring, landowners can put bands of burlap around their trees. This gives the larvae a place to congregate during warm days and they can be physically removed and killed. In the fall, landowners can remove and destroy egg masses.

Landowners wishing to reduce impacts on their property can also have trees sprayed with registered pesticide in the spring by a licensed insecticide application company. This is best carried out by coordinating efforts with other local landowners.

If landowners are considering having their property sprayed, it is best to engage a licensed insecticide application company as early as possible.

There are also natural controls on spongy moth populations in Ontario:

- Cool, wet conditions provide an ideal environment for a natural fungus (*Entomophaga maimaiga*) known to contribute to spongy moth population collapse.
- A viral infection (nuclear polyhedrosis virus or NPV) also kills spongy moth larvae.
- There are other natural enemies of spongy moth as well, including parasitic insects and predators such as birds and mammals.

I have attached a fact sheet and a roles and responsibilities document to help your office assist your constituents who may have questions about managing spongy moths during the outbreak period.

Sincerely,

A handwritten signature in black ink, appearing to read 'Graydon Smith', written in a cursive style.

The Honourable Graydon Smith
Minister of Natural Resources and Forestry

Attachments

Spongy moth (*Lymantria dispar dispar*) in Ontario

Spongy moth (*Lymantria dispar dispar*, formerly known as LDD moth or gypsy moth) is an invasive species that is native to Europe. It was first detected in Ontario in 1969. This defoliator feeds on a variety of hardwood species, preferring oak, birch, and aspen. During severe outbreaks, softwoods such as eastern white pine, balsam fir, and Colorado blue spruce may be affected. Spongy moth outbreaks have become cyclical, typically occurring every seven to 10 years, with outbreaks lasting three to five years.



What does spongy moth do to forests?

- Larvae (caterpillars) feed on new foliage.
- After defoliation, hardwood trees can produce a second crop of leaves during the growing season enabling them to continue to grow.
- Conifers can't produce a second crop of foliage but healthy trees can withstand repeated years of defoliation before branch and twig dieback start to occur.
- Defoliation stresses trees making them more susceptible to damage from secondary pests, drought, and poor growing conditions.

Spongy moth life cycle

1. Overwinters in the egg stage — tan-coloured masses — often on the bark of trees.
2. In spring, eggs hatch and larvae ascend the trees to feed on the new foliage. Initially, larvae feed during the day but as they mature feeding occurs mainly at night.
3. Mature larvae, seen in early summer, are about 50 mm long, dark-coloured, hairy, with a double row of five pairs of blue spots down their backs followed by a double row of six pairs of red spots.
4. By July, the larvae are done feeding, pupate for 1 to 2 weeks, then hatch into moths.
5. Male moths are light brown and slender-bodied, while females are white, wingless, and heavy-bodied. They live only long enough to mate and lay eggs.





Control methods

The ministry does not manage spongy moth on private land. Landowners can find licensed insect control service providers with experience in controlling spongy moth populations by checking their local listings.

In spring, placing burlap bands around the tree stem gives the travelling larvae a place to congregate during warm days. The larvae can then be removed and killed.

After larvae have emerged, registered insecticides can also be applied to help protect trees from defoliation. Landowners considering spraying their property should engage a licensed insecticide application business as early as possible, as commercial capacity may be limited.

In fall and winter, removal of egg masses is also effective.

Tip: During a drought year, help your trees by watering them into the fall where appropriate to do so (ornamental or open grown trees). In a woodlot setting, manage trees to allow proper spacing and light to promote a healthy forest. Plant a diversity of species for a forest that is more resilient to insect and disease disturbances!

Ontario's forest health monitoring

The ministry monitors forest health across the province every year. Previous years' spongy moth defoliation information is included in our annual Forest Health Conditions in Ontario reports, available at ontario.ca/page/forest-health-conditions.

Related information

ontario.ca/page/spongy-moth

Invasive Species Centre

invasivespeciescentre.ca/invasive-species/meet-the-species/invasive-insects/gypsy-moth/

Invading Species Awareness Program

invadingspecies.com/invaders/forest/spongy-moth/



Provincial forest health monitoring

Forest health is monitored every year by the Ministry of Natural Resources and Forestry (MNRF). The ministry conducts ground and aerial surveys to map major forest health disturbances on the landscape. When pest populations reach outbreak levels, MNRF may complete pest-specific surveys to help predict defoliation for future years.

The forest health monitoring program provides scientific advice and supports training and interpretation of forest health disturbances.

Spongy moth information

MNRF provides information on spongy moth (previously referred to as LDD and gypsy moth), defoliation maps and forecasts, and control options at www.ontario.ca/page/spongy-moth.

Spongy moth monitoring

MNRF's aerial forest health surveys include determining the severity and extent of the spongy moth defoliation. The ministry also conducts egg mass surveys to collect forecast data to guide activities, including monitoring of virus and fungus impacts on the population.

In 2023, MNRF expects a continuing decline in the total area and severity of the outbreak. Some areas, particularly in southwestern Ontario may still experience severe defoliation, but large contiguous areas of defoliation are expected to be limited.

As part of the annual monitoring program, the ministry also works with the Canadian Food Inspection Agency to deploy pheromone traps outside the area where spongy moth infestations are known to occur. These traps are used as an early detection tool.

The forest health program will continue to conduct surveys to monitor this pest throughout the duration of its outbreak cycle.

MNRF works with Canadian Forest Service (CFS, Natural Resources Canada) to support the development of science and evaluate sampling methodologies.

Federal regulation and enforcement

Spongy moth is a regulated pest by the [Canadian Food Inspection Agency \(CFIA\)](#). The CFIA is responsible for establishing and maintaining standards to prevent the introduction and spread of plant pests in Canada.

Pesticide regulation

The Health Canada Pest Management Regulatory Agency (PMRA) is responsible for pesticide regulation in Canada. Pesticides are stringently regulated in Canada to ensure they pose minimal risk to human health and the environment. Under authority of the Pest Control Products Act, Health Canada requires thorough scientific evaluation to determine that pesticides are acceptable for a specific use and that registered pesticides remain acceptable for use once on the market.

Ministry of the Environment, Conservation and Parks (MECP) regulates the sale, storage, use, transportation and disposal of pesticides in Ontario. Ontario regulates pesticides by placing appropriate education, licensing and/or permit requirements on their use under the Pesticides Act and Ontario Regulation 63/09 (O. Reg. 63/09).

Insect management on Crown land

In Ontario, to achieve sustainable forest management on Crown land, there is a forest management planning system under the Crown Forest Sustainability Act (CFSA). For more information about this process visit [Sustainable forest management](#).

The CFSA and the Forest Management Planning Manual dictate acceptable forest management activities on Crown land in Ontario. Decisions to conduct an insect control program on Crown land are science-based and involve MNRF staff and local forest managers.

Some insect outbreaks can cause extensive tree mortality on high-value stands that may lead to significant economic and cultural impacts and increase the risk of fire to northern communities. During these outbreaks, usually in Northern Ontario, an insect pest management program is developed as required in the Forest Management Planning Manual to evaluate all options. If the pest management program involves aerial application of insecticides, the Forest Management Planning Manual outlines a specific process which includes creating project proposals, First Nation and Métis community involvement, and public consultation.

Currently, there is no alternative process for private landowners to request permission to spray on Crown land.

Insect management on private land

MNRF does not manage spongy moth on private land; insect management on private land is the responsibility of property owner. The ministry does provide information on forest pests that includes suggestions for landowners on how to control localized populations. The ministry also leverages partners such as [Ontario's Invasive Species Centre](#), and the [Ontario Federation of Anglers and](#)

[Hunters' Invading Species Awareness Program](#) to provide information to landowners, and to assist with tracking citizen reports of spongy moth.

Municipalities and conservation authorities may choose to develop integrated pest management plans to manage trees, parks and other green spaces within their jurisdiction.

The Township of Cavan Monaghan

By-law No. 2023-32

Being a by-law to authorize the execution of the Agreement for Contract No. T-PW-23-04 for the Main Street Reconstruction capital project between the Corporation of the Township of Cavan Monaghan and Behan Construction Limited.

Whereas Behan Construction Limited was awarded the tender T-PW-23-04 during the April 3, 2023 Regular Council Meeting; and

Whereas the Township of Cavan Monaghan desires to reconstruct Main Street watermains and road surfaces through Behan Construction Limited as further defined in the Agreement and tender document T-PW-23-04; and

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. That Council authorizes an agreement to pay for Behan Construction Limited to complete the works set in Contract No. T-PW-23-04 for the Main Street Reconstruction capital project; and
2. That the Mayor and Clerk are hereby authorized to execute such agreement attached as Schedule 'A'.

Read a first, second and third time and passed this 15th day of May, 2023.

Matthew Graham
Mayor

Cindy Page
Clerk

Schedule 'A' to By-law 2023-32

The Corporation of the Township of Cavan Monaghan



**Contract Documents
for
Contract No. T-PW-23-04
Main Street Reconstruction**

The Corporation of the Township of Cavan Monaghan

Contract # T-PW-23-04

Articles of Agreement

This Agreement made the _____ day of _____, 2023.

Between

The Corporation of the Township of Cavan Monaghan

hereinafter called the "**Township**"

and

Behan Construction Limited

hereinafter called the "**Contractor**"

In consideration of the covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Work

The Contractor shall:

- (a) Perform the Work required by the Contract Documents for Contract No. **T-PW-23-04** for the **Reconstruction of Main Street**
- (b) Do and fulfil everything indicated by the Contract Documents; and
- (c) Schedule of work:

Anticipated Start Date – May 15, 2023

Contract Completion – September 22nd, 2023

subject with the provisions of the Contract Documents.

2. Contract Documents

The following is an exact list of the Contract Documents referred to in “# 1. The Work” of this Agreement.

1. This Agreement;
2. Drawing Nos. 1 through 23 “21076-Main Street Watermain Replacement & Road Rehabilitation” dated March 3rd, 2023;
3. Tender Documents for Tender No. **T-PW-23-04** ‘Main Street Reconstruction’
4. Tender Addendum No.1 dated March 3rd, 2023;
5. Tender Submission dated March 9th, 2023;
6. Ontario Provincial Standards as per contract drawings and tender;
7. Book 7 Traffic Standards.
8. Appendix A – Behan Submission (Unit Rates)

3. Contract Price

The Contract Price is **\$1,366,146.72 (excluding HST)** in Canadian funds, which price shall be subject to adjustments as may be required in accordance with the provisions of the Contract Documents.

The Contractor shall provide a Pre-Construction survey with an up-set limit of \$7,475 (**excluding HST**) as per email correspondence dated April 24, 2023.

4. Time Schedule

The Contractor shall perform the Services with the utmost dispatch and, subject to delays beyond its control, shall complete the Services in accordance with the Tender.

5. General Specifications

The Contractor shall schedule and coordinate all onsite testing and sampling as per the Contract Documents. The costs associated with the Geo-technical Consultant shall be paid by the Contractor. In the event re-sampling or re-testing are required due to rejectable material, the costs shall be the responsibility of the Contractor.

The Contractor shall make the material available for testing and sampling and reasonably aid the Geo-technical Technician during testing. At no time shall a material be placed prior to the material being field tested and approved by the Geo-technical Consultant.

It shall be the Contractor's responsibility to obtain the latest edition of the Ontario Provincial Standard Specifications and Drawings. Only the municipal and provincial common standards in OPS Volumes 1 to 4 and the municipal-oriented specifications in OPS Volumes 7 and 8 apply to this Contract, unless specified

otherwise in the Contract Documents. The Ontario Provincial Standards in effect immediately prior to the pricing for this Contract shall apply for the duration of the Contract.

6. OPS General Conditions

Wherever in this Contract reference is made to the General Conditions it shall be interpreted as meaning the OPSS MUNI 100 General Conditions of Contract, November 2019.

7. Insurance

The Contractor shall take out and keep in force while under Contract with the Township, a comprehensive policy of public liability and property insurance acceptable to the Township. The insurance policy shall provide coverage in respect of any one accident to the limit of at least five million dollars (\$5,000,000.00) exclusive of interest and cost against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property.

The policy shall name **The Corporation of the Township of Cavan Monaghan & Engage Engineering Ltd.** as additional insured thereunder and shall protect the Township against all claims for all damage or injury including death to any person or persons for damage to any property of the Township or any other public or private property resulting from or arising out of any act or omission on the part of the Contractor or any of his servants or agents during the execution of the Contract.

The Contractor is required to file the pertinent certificates of insurance at the time of execution of the Contract and to maintain them while under contract for the Township. Failure to provide or maintain adequate insurance shall result in cancellation of the contract.

The Insurance Certificate must include a clause requiring thirty (30) days notice be given to the Township prior to expiry.

8. Workplace Safety and Insurance Board

The Contractor shall be responsible for and shall pay dues and assessments payable under the Workers Compensation Act, the Unemployment Insurance Act or any other Act, whether Provincial or Dominion, in respect to all his employees or operations, and shall furnish the Township with satisfactory evidence that he, the Contractor, has complied with the provisions of any such Act.

The Contractor will provide W.S.I.B. Clearance Certificate and five million dollars (\$5,000,000.00) Certificate of Insurance naming The Corporation of the Township of Cavan Monaghan as additionally insured at the time of execution of the Contract and to maintain them while under contract for the Township and the duration of the Contract.

9. Contractor's Health and Safety Policy

The Contractor shall submit the latest edition of their Health and Safety Policy prior to commencement of work. The Health and Safety Policy shall include the latest updates with relation to the ongoing Covid-19 restrictions and policies as updated by Ontario Health and the local Health Unit. The Contractor shall update and submit revised policies as they are updated throughout construction.

10. Payment

- A) Provided that the Contractor is not in default under the Contract Documents, the Township shall pay the Contractor in Canadian funds for the performance of the Contract, subject to acceptance of the Contractor's Services.
- B) Subject to applicable legislation and the provisions of the Contract Documents and in accordance with legislation and statutory regulations respecting holdback percentages, the Township shall:
 - i.) Make monthly payments to the Contractor on account of the Work performed, subject to acceptance of the Contractor's Services;
 - ii.) Pay to the Contractor the unpaid balance of all holdback monies when permitted by law to do so; and
 - iii.) Upon Completion of the Contract, pay to the Contractor the unpaid balance of monies then due.
- C) A twelve month warranty period will be in effect upon acceptance or termination of the work.

11. Rights and Remedies

- A) The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law.
- B) No action or failure to act by the Township or the Contractor shall constitute a waiver of any right or duty afforded under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

12. Implied Contract

No implied contract of any kind whatsoever by or on behalf of the Township shall arise or be implied from anything in this contract contained, nor from any position or situation of the parties at any time, it being clearly understood that the express covenants and agreements herein contained made by the Township shall be the only covenants and agreements upon which any rights against the Township may be founded.

13. Warranty Period

The warranty period shall be twenty-four (24) months from the date of Total Performance of the Work or such longer periods as may be specified for certain Products or work.

Substantial Performance of Work shall be granted upon final inspection of the completed works, completion of any known deficiencies of the project and receipt of the as-constructed drawings from the Contractor.

14. Receipt of and Addresses for Notices

Any notices, requests, demands or other communications (a "notice") required or permitted to be given hereunder shall be in writing and delivered by hand as follows:

The Corporation of the Township of Cavan Monaghan,
988 County Road 10,
Millbrook, ON, L0A 1G0

Behan Construction Ltd.,
P.O. Box 596
Cobourg, ON, K9A 4L3

or at such other address as may from time to time be designated by notice given in the manner herein provided. Such notice shall be deemed to have been given when delivered, provided that if notice is delivered by telecopier or by hand on a day other than a Working Day or after 3:00 p.m. on a Working Day, then the same shall be deemed to have been given on the next Working Day.

15. Law of the Contract

The law of the Province of Ontario shall govern the interpretation of the Contract Documents referred to in #2 of this Agreement.

16. Language of the Contract

This Agreement is drawn in English at the request of all parties hereto.

17. Succession

The General Conditions of the Contract hereto annexed, and the other aforesaid Contract Documents, are to be read into and form part of this Agreement and the whole shall constitute the Contract between the parties and subject to law and the provisions of the Contract Documents shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, legal representatives, successors and assigns.

18. Severability

Each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. If any provision of this Agreement or the application thereof to

any person or circumstance is determined to be invalid or unenforceable to any extent:

- A) The remainder of this Agreement or the application of such provision to any other person or circumstance shall not be affected thereby; and
- B) The parties shall negotiate in good faith to amend this Agreement to implement the provisions set forth.

19. Termination

If the Contractor fails in the Township's reasonable opinion to give satisfactory service to the Township in accordance with the terms of this Agreement and the Tender forms and specifications attached to this Agreement, or if for any other reason the Contractor's services are no longer required, then the Township may terminate this Agreement on giving 60 days notice in writing to the Contractor.

20. Termination for Non-Compliance

In the event that it should come to the attention of the Township that:

- The Contractor has failed to comply with any terms of this Agreement; or
- The Contractor has failed to comply with any terms of any applicable license, law, regulation; or
- The Contractor or any employee of the Contractor has conducted themselves in an inappropriate or unbecoming manner;

then the Township may notify the contractor in writing of the Township's concern, and if the matter is not corrected to the satisfaction of the Township within five (5) days of such notice, then the Township may unilaterally terminate this Agreement and the Contractor shall have no recourse against the Township by reason of such termination save and except for the collection of any outstanding payment obligations due to the date of termination only.

21. Arbitration and Mediation

Despite anything contained in this Agreement to the contrary, in the event that a dispute or difference arises with respect to this Agreement that cannot be resolved by negotiation between the parties and the parties agree that they do not wish to terminate this Agreement, then in such event the parties agree to use the services of an experienced, qualified mediator to attempt to resolve their dispute or difference and, failing agreement on the procedure to be followed, the mediation shall be conducted in accordance with the "Rules of Procedure for the Conduct of Mediations" of the Arbitration and Mediation Institute of Ontario.

22. Indemnity

The Contractor shall be responsible for and shall give adequate attention to the faithful prosecution and completion of all matters pursuant to this Agreement. In addition to the protection provided, the Contractor shall promptly indemnify and

save harmless the Township from all suits and actions for damages and costs to which the Township might be put by reason of injury to or death of persons and damage to property resulting from negligence, breach, fault, act, omission, default, carelessness or any other cause in the performance of this work. The indemnity obtained in this Agreement shall not be prejudiced by, and shall survive, the termination of this Agreement.

In witness whereof the parties hereto have executed this Agreement under their respective corporate seals and by the hands of their proper officer's thereunto duly authorized.

Dated at _____, this _____ day of _____, 2023.

Behan Construction Ltd.

Per: _____
(signature) (print name – title)

Witness as to Signature
Or Seal Affixed Contractor I/we have the authority to bind the Corporation or
Business

Per: _____
(signature) (print name – title)

Dated at Milbrook, this _____ day of _____, 2023.

**The Corporation of the
Township of Cavan Monaghan**

Mayor, Matthew Graham

Clerk, Cindy Page

APPENDIX A – BEHAN SUBMISSION (UNIT PRICES)

Item No.	Item	Quantity	Unit	Behan Construction	
				Unit Price	Total Construction Cost
1.0 Site Preparation, Removals, Earthworks and Erosion Control					
1.01	Insurance and Bonding	1.00	LS	\$ 16,952.19	\$ 16,952.19
1.02	Mobilization / Demobilization	1.00	LS	\$ 5,537.87	\$ 5,537.87
1.03	Erosion & Sediment Control	1.00	LS	\$ 3,833.16	\$ 3,833.16
1.04	Concrete Sidewalk Removal	680.00	m ²	\$ 12.51	\$ 8,506.80
1.05	Concrete Curb Removal	32.00	m	\$ 14.75	\$ 472.00
1.06	Asphalt Removal	6090.00	m ²	\$ 1.96	\$ 11,936.40
1.07	Culvert Removal	218.00	m	\$ 28.89	\$ 6,298.02
1.08	Watermain Removal	880.00	m	\$ 21.94	\$ 19,307.20
1.09	Water Service Removal	28.00	ea	\$ 188.59	\$ 5,280.52
1.10	Tree Clearing and Grubbing	1.00	LS	\$ 2,991.26	\$ 2,991.26
1.11	Strip and Export Topsoil	3500.00	m ²	\$ 3.80	\$ 13,300.00
1.12	Earth Excavation	3000.00	m ³	\$ 17.32	\$ 51,960.00
1.13	Traffic Control	1.00	LS	\$ 3,192.54	\$ 3,192.54
				SUBTOTAL	\$ 149,567.96
2.0 Storm Sewer					
2.01	300mm HDPE Culvert	102.80	m	\$ 200.10	\$ 20,570.28
2.02	375mm HDPE Culvert	192.70	m	\$ 218.33	\$ 42,072.19
2.03	450mm HDPE Culvert	80.20	m	\$ 299.07	\$ 23,985.41
2.04	1200mm Manhole c/w frame and grate	1.00	ea	\$ 7,274.64	\$ 7,274.64
				SUBTOTAL	\$ 93,902.53
3.0 Watermain					
3.01	250mm DR18 Watermain	625.00	m	\$ 463.24	\$ 289,525.00
3.02	150mm DR18 Watermain	295.00	m	\$ 336.59	\$ 99,294.05
3.03	250mm Valve	10.00	ea	\$ 3,486.59	\$ 34,865.90
3.04	Hydrant Set	8.00	ea	\$ 8,525.82	\$ 68,206.56
3.05	19mm Water Service Long	11.00	ea	\$ 3,341.54	\$ 36,756.94
3.06	19mm Water Service Short	18.00	ea	\$ 2,430.24	\$ 43,744.32
3.07	Testing and Commissioning	1.00	LS	\$ 14,497.78	\$ 14,497.78
3.08	Temporary Watermain	1.00	LS	\$ 49,460.22	\$ 49,460.22
				SUBTOTAL	\$ 636,350.77
4.0 Road Construction					
4.01	Granular 'B' (250mm depth-Main Street)	5050.00	m ²	\$ 10.95	\$ 55,297.50
4.02	Granular 'B' (150mm depth-side streets)	2700.00	m ²	\$ 6.78	\$ 18,306.00
4.03	Granular 'A' (150mm depth) Roadway	7400.00	m ²	\$ 10.33	\$ 76,442.00
4.04	Granular 'A' (200mm depth) - Driveway	680.00	m ²	\$ 15.69	\$ 10,669.20
4.05	Hot Mix HL4 Asphalt (60mm depth-Main Street)	4960.00	m ²	\$ 22.47	\$ 111,451.20
4.06	Hot Mix HL4 Asphalt (50mm depth-side streets)	2440.00	m ²	\$ 18.40	\$ 44,896.00
4.07	Hot Mix HL3 Asphalt (50mm depth) Driveways	625.00	m	\$ 46.89	\$ 29,306.25
4.08	Concrete Curb and Gutter	32.00	m ²	\$ 186.37	\$ 5,963.84
4.09	Concrete Sidewalk incl. Granular 'A'	680.00	m ²	\$ 107.07	\$ 72,807.60
4.10	Topsoil and Seed	5250.00	LS	\$ 7.63	\$ 40,057.50
4.11	Pavement Markings / Signage	1.00	ea	\$ 6,032.76	\$ 6,032.76
4.12	Adjust Existing Structures, c/w New Frame and Grate (Type A)	9.00	ea	\$ 1,196.20	\$ 10,765.80
4.13	Tactile Walking Surface Indicators	8.00	LS	\$ 540.84	\$ 4,326.72
				SUBTOTAL	\$ 486,322.37
SUBTOTAL (ALL SECTIONS)					\$ 1,366,143.63
				HST (13%)	\$ 177,598.67
CONSTRUCTION COST TOTAL					\$ 1,543,742.30
5.0 Provisional					
5.01	25mm Water Service - Long	1	ea	\$ 3,500.00	\$ 3,500.00
5.02	25mm Water Service - Short	1	ea	\$ 2,600.00	\$ 2,600.00
5.03	Remove and Replace Existing Sanitary Sewer Services	6	m	\$ 450.00	\$ 2,700.00
5.04	Removal/Disposal of Existing Boulders	3	m ³	\$ 100.00	\$ 300.00
5.05	Hydro-Vac for Site Exposures	12	hr	\$ 400.00	\$ 4,800.00
5.06	Dust Suppression (Calcium Chloride)	400	kg	\$ 2.00	\$ 800.00

The Township of Cavan Monaghan

By-law No. 2023-33

Being a by-law to confirm the proceedings of the regular meeting of the Council of the Township of Cavan Monaghan held on the 15th day of May 2023.

Whereas the Municipal Act, 2001, S.O., 2001, c.25, S.5, S. 8 and S. 11 authorizes Council to pass by-laws;

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. That the actions of the Council at its regular meeting held on the 15th day of May 2023, in respect to each recommendation and action by the Council at its said meetings except where prior approval of the Local Planning Appeal Tribunal or other statutory authority is required are hereby adopted ratified and confirmed.
2. That the Mayor and Clerk of the Township of Cavan Monaghan are hereby authorized and directed to do all things necessary to give effect to the said actions or obtain approvals where required, and to execute all documents as may be necessary and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents. Read a first, second and third time and passed this 15th day of May 2023.

Matthew Graham
Mayor

Cindy Page
Clerk