

APPENDIX: A

Recommended Policy Changes
Township of Malahide Official Plan



Current Policy Language	Rationale for Change	Proposed Language
1..0 Introduction to the Plan		
<p><u>1.5 Official Plan Review</u> The Township undertook a Five Year Official Plan Review in accordance with Section 26 of the <u>Planning Act</u>, in 2009 in order to ensure the document was consistent with the Provincial Policy Statement and changes that had occurred through Provincial legislation since the Official Plan was approved in 2003. Population projections were undertaken at this time to determine the need for any additional growth lands. The projected population by the year 2029 is 10604 based on extrapolation of recent growth rates.</p>	<p>-provides an update and reflects the current situation and the most recent population projections</p>	<p>Delete Section 1.5 and replace with the following: <u>1.5 Official Plan Review</u> In 2018, the Township initiated a five year review of the Official Plan in accordance with Section 26 of the <u>Planning Act</u>. The last review of the Plan was approved by the Ministry of Municipal Affairs and Housing on September 25, 2013. Population projections have been updated with the population now expected to reach 11,860 by the year 2045. The increased population will generate a demand for approximately 800 new dwellings by the same year.</p>
<p>n/a</p>	<p>-acknowledges the hierarchy of the County of Elgin Official Plan</p>	<p>Create the following new section: <u>1.6 County of Elgin</u> The first ever County of Elgin Official Plan was approved by the Ministry of Municipal Affairs and Housing and came into effect on October 9, 2013. The Plan became operative following the last update to the Township of Malahide Official Plan It constitutes an upper tier plan whereas the Township of Malahide Official Plan constitutes a lower tier plan. As such, this Official Plan is required, under the <u>Planning Act</u>, to conform with the County of Elgin Official Plan. In the event of a conflict between official plans, the County Plan prevails to the extent of such conflict. In all other respects, this Plan remains in full force and effect. The County of Elgin Official Plan is currently the subject of a five-year review. Any modifications to the County Plan arising from this review shall be assessed to determine whether any issues of conformity arise with respect to the Malahide Official Plan and, if necessary, the Plan shall be amended accordingly.</p>

Current Policy Language	Rationale for Change	Proposed Language
n/a	<p>-sets out the matters for which the Township must have regard to in reviewing any planning related applications and issues governed by the <u>Planning Act</u></p> <p>-provides Council with a level of policy “reinforcement” in dealing with planning related issues</p>	<p>Create the following new section:</p> <p><u>1.7 Matters of Provincial Interest</u></p> <p>The Township, in carrying out its responsibilities under the <u>Planning Act</u>, is required to have regard to ‘matters of provincial interest’ as declared by the Act. These matters are as follows:</p> <ul style="list-style-type: none"> (a) the protection of ecological systems, including natural areas, features and functions; (b) the protection of the agricultural resources of the Province; (c) the conservation and management of natural resources and the mineral resource base; (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; (e) the supply, efficient use and conservation of energy and water; (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; (g) the minimization of waste; (h) the orderly development of safe and healthy communities; (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies; (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities; (j) the adequate provision of a full range of housing, including affordable housing; (k) the adequate provision of employment opportunities; (l) the protection of the financial and economic well-being of the Province and its municipalities; (m) the co-ordination of planning activities of public bodies; (n) the resolution of planning conflicts involving public and private interests; (o) the protection of public health and safety; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; (r) the promotion of built form that, <ul style="list-style-type: none"> (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. <p>These matters of provincial interest are further elaborated upon in the Provincial Policy Statement. They shall be a consideration by the Township in the evaluation of any amendment to this Plan, any amendment or variance to the Zoning By-law, the approval of a plan of subdivision or condominium, the granting of a consent, permission or any other planning-related approval regulated or required under the <u>Planning Act</u></p>

Current Policy Language	Rationale for Change	Proposed Language
n/a	-reflects the latest population and housing projections to the year 2045.	<p>Create the following new section:</p> <p><u>1.8 Population and Housing</u></p> <p>The Township remains committed to understanding its present and future land use needs in the face of the changing community demographics. The Provincial Policy Statement 2020 (PPS) now directs that “Sufficient lands shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines”. Given timelines established for the Development Charges (DC) Study prepared by Watson & Associates (2019), it was determined that growth projections for the Township would be completed as part of that exercise and utilized as part of the Official Plan review and update. Based on the DC study, 9,820 people residing in the Township of Malahide in 2019. The 10-year and 20-year long-term population forecasts anticipate a steady growth of approximately 0.9% annually, ultimately reaching a population of 10,780 by 2029. The population is expected to increase to 11,450 by the year 2039.</p> <p>Current projections indicate that there will be demand for 327 new dwelling units between 2019 and 2029, and an additional 230 dwellings between 2029 and 2039. The demand will increase by an additional 241 dwellings to 2045. In total for the period 2019-2045, there will be a demand for approximately 800 new dwellings with an additional 2,040 new residents.</p> <p>While there is expected to be a modest increase in the growth rate for the Municipality over the next 25 years, the average household size is expected to continue to decline. Together, these trends will continue to fuel the need for additional housing options and opportunities in the Township to maintain housing attainability and diversity.</p>
2.0 Resource Policies		
<p><u>2.1 Agricultural Resources</u></p> <p><u>2.1.6 Land Division</u></p> <p>It is a policy of this Plan to discourage the subdividing of large farms into smaller holdings and to encourage continued farm use. The enforcement of this policy and stipulation of a minimum lot size for agricultural uses will be detailed in the Zoning By-law. The creation of agricultural parcels of land which deviate from the minimum lot size prescribed in the Zoning By-law will be permitted subject to the following policies:</p> <p>a) Both the retained and severed parcel shall be for agricultural purposes and comply with the following: the lots are of a size appropriate for the type of agricultural uses common for the area; the size of the parcels are sufficiently large to permit making changes to the type of farming; compliance with the M.D.S. formula I; and that both parcels are viable agricultural units or will contribute to agricultural viability by means of farm consolidation;</p> <p>b) Building improvements or new construction on the undersized parcel shall be for farming purposes;</p>	-acknowledges the unique and diverse farm community in Malahide, and the desirability of remaining flexibility with respect to minimum farm parcel size where the division or splitting of agricultural parcels is proposed	<p>Add the following text at the end of Section 2.1.6 Land Division:</p> <p>In the Township of Malahide, it is acknowledged that a number of agricultural holdings are operated as independent and viable farm parcels by Amish and Mennonite families accustomed to an absence of, or otherwise greatly reduced level of, the mechanization otherwise required and utilized by modern-day farm operators managing large acreages. In such cases, the creation of smaller farm lots provides for the separation of operational farms and the recognition of existing conditions. The severance of farms held by the Amish and Mennonite communities presents challenges in applying official plan policies which do not take into account or acknowledge the nuances of a typical Amish or Mennonite farm operation and the benefits of permitting a smaller farm size in instances where family members wish to continue a livelihood in agriculture. It would be unreasonable to expect a rigid application of a minimum farm parcel size in such cases where the splitting of agricultural lands is proposed. Accordingly, if the Township and Land Division Committee are satisfied that the resulting smaller parcels could continue to function as independent and viable agricultural operations, severances of this nature may be permitted subject to the usual conditions being imposed and subject to all other applicable policies of this Plan.</p>

Current Policy Language	Rationale for Change	Proposed Language
<u>n/a</u>	<p>-provides direction on the use and development of existing lots of record</p> <p>-MDS 1 is <u>not</u> applied to lots of record as per Section 2.1.3.2 of the Plan</p>	<p>Create the following new section:</p> <p><u>2.1.8 Existing Vacant Lots</u></p> <p>Existing vacant lots (i.e. lots of record) may be used for the purposes of a single unit dwelling provided they are capable of being serviced by an adequate and potable water supply and an approved on-site sanitary waste disposal system.. Where such lots are not zoned for residential purposes, an amendment to the Zoning By-law shall be required.</p>
<u>n/a</u>	<p>-provides further direction and clarification for permitting animal kennels in agricultural areas</p>	<p>Create the following new section:</p> <p><u>2.1.10 Animal Kennels</u></p> <p>Animal kennels shall be permitted subject to appropriate measures being taken to eliminate or effectively mitigate any adverse impacts on neighbouring land uses, to ensure the safety of neighbouring residents and to ensure the proper disposal of animal waste. Lands shall be sufficiently large to provide adequate space for outdoor exercise areas and provide adequate buffering from neighbouring properties. Animal kennels shall only be permitted by means of 'site-specific' zoning in the Township's Zoning By-law, and a minimum separation distance from neighbouring dwellings shall be prescribed. Maximum noise levels at the property line, and other sound mitigation measures, may also be regulated. Site plan control shall apply to ensure adequate buffering measures, sound attenuation, security fencing and other site improvements are undertaken and satisfactorily maintained. A license to operate shall be obtained from the Township.</p>
<u>n/a</u>	<p>-reinforces a municipal-wide prohibition on the keeping of exotic animals</p>	<p>2.1.11 Keeping of Exotic Animals</p> <p>The keeping of exotic animals shall be prohibited in accordance with the Township's <u>By-law to Prohibit the Keeping of Exotic Animals in the Township of Malahide</u> passed under the <u>Municipal Act</u> and regulations thereto.</p>
<u>n/a</u>	<p>-provides reinforcing policy as set out in the Provincial Policy Statement 2020 regarding the promotion and protection of normal farm practices (Section 2.3.3.2)</p>	<p>Create the following new section:</p> <p><u>2.1.12 Right-to-Farm</u></p> <p>The Township acknowledges that in agricultural areas, agricultural uses and normal farm practices be promoted and protected in a way that balances the needs of the agricultural community with provincial health, safety and environmental concerns. Nothing in this Plan shall prevent normal farm practices that are conducted in a manner consistent with proper and acceptable customs and standards. The Township remains committed to upholding the principle of normal farm practice when addressing complaints with respect to noise, odours and dust and similar nuisances brought against the farming community. Accordingly, the Township may participate at any proceeding called to resolve such complaints under the <u>Farming and Food Production Protection Act</u>.</p>

Current Policy Language	Rationale for Change	Proposed Language
n/a	<p>-Planning Act [Section 16(3)] permits the establishment of a second dwelling unit in a single detached dwelling or within an accessory building. The Act does not distinguish between agricultural areas or settlement areas as to where second dwelling units may be permitted;</p> <p>-current OP policy (Section 4.1.5) only addresses and permits second dwelling units in designated settlement areas;</p> <p>-planning inquiries (and several applications) have been received by the Township expressing interest in having a second permanent “accessory dwelling unit” on a farm parcel or on an existing residential lot of record;</p> <p>-a severance to sever the second dwelling unit from the lot is not permitted by the PPS and this prohibition is stated in the interests of greater clarity.</p>	<p>Create the following new section:</p> <p><u>2.1.13 Second Dwelling Units</u></p> <p>A second dwelling unit shall be permitted within a single detached dwelling unit or within an accessory building situated on the same lot subject to the provisions of the Zoning by-law and in accordance with the requirements of the Ontario Building Code. Where a second dwelling unit is located within an accessory building, the building shall:</p> <p>a) be situated within or in close proximity to the clustering of existing farm buildings and structures and/or the main dwelling on the lot as the case may be;</p> <p>b) be of a size and design to render it clearly accessory and secondary to the main dwelling. A maximum floor area shall be stipulated in the Zoning By-law;</p> <p>c) be serviced by the existing on-site water supply and existing sanitary waste disposal system serving the main dwelling;</p> <p>d) be subject to the Minimum Distance Separation (MDS I) requirements such that the second dwelling unit shall not further contravene a non-complying MDS I setback that already exists in the case of the main dwelling.</p> <p>A severance of the second dwelling unit from the balance of the lot will not be permitted.</p>
<p><u>2.1 Agriculture Resources</u></p> <p><u>2.1.2 Land Use</u></p> <p>2.1.2.5 Several small scale institutional uses such as churches, cemeteries and schools exist within the Agriculture designation. These existing uses typically serve local rural populations and do not usually create land use conflicts with adjacent agricultural uses. These uses will be zoned in a site-specific fashion consistent with their low building coverage to lot area ratio. However, further expansion of these small-scale institutional uses beyond the existing zoned areas will only be considered by Official Plan Amendment in the context of Section 2.1.2.4.</p>	<p>-unduly onerous requirement for an official plan amendment in cases where an expansion to an existing institutional use is proposed.</p> <p>-proposed expansions of existing institutional uses (or any existing use for that matter) are appropriately evaluated under the recommended “conforming uses” and “non- conforming uses” policies of the Plan</p>	<p>Delete Section 2.1.2.5 in its entirety</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>2.1.4 Secondary Uses and Agricultural Related Uses</u></p> <p>2.1.4.1 In accordance with Section 2.1.2.2, secondary uses will be permitted as of right on farm properties. Permitted uses and sizes of such uses will be clearly defined in the Zoning By-law.</p> <p>2.1.4.2 In accordance with Section 2.1.2.2, farm-related commercial and industrial uses may be permitted within the “Agriculture” designation through an amendment to the Zoning By-law. In order to differentiate from large-scale uses addressed in Section 3.0 of the Plan, Council shall use the following criteria to define scale:</p> <p>a) Such uses shall generally not exceed 557 m² (6000 ft²) in ground floor area;</p> <p>b) Such uses shall not exceed two (2) storeys in height; and</p> <p>c) Such uses will be characteristic of the farm buildings in the area.</p>	<p>-PPS does not specifically address conforming and non-conforming uses. The Planning Act acknowledges that all uses zoned to their existing conditions are “deemed to conform”</p> <p>-existing criteria regarding size and height of farm-related commercial and industrial uses is appropriately addressed in the Zoning By-law. Numerical values should be generally avoided in the Official Plan</p> <p>-recommended policy regarding on-farm diversified uses will provide the Township with greater flexibility when assessing the types of uses permitted and the standards applying to such uses – an amendment to the Zoning By-law will be required to add the necessary standards applying to on-farm diversified uses</p>	<p>Delete Section 2.1.4 in its entirety</p> <p>Add the following new section:</p> <p><u>2.1.4 On-Farm Diversified Uses</u></p> <p>The Township acknowledges the importance to the agricultural community of enabling farm operators to diversify while at the same time supplement income from the farm operation. A variety of uses may qualify as on-farm diversified uses provided such uses are related to agriculture, supportive of agriculture or are able to co-exist with agriculture without conflict. The following general criteria shall apply:</p> <p>a) such uses shall be located on a farm property which is actively used for agricultural purposes;</p> <p>b) such uses shall be clearly secondary to the principal agricultural use of the lands;</p> <p>c) such uses shall be limited in size and lot coverage as more specifically defined and regulated in the Zoning By-law;</p> <p>e) such uses may be permitted subject to the approval of ‘site-specific’ zoning;</p> <p>d) such uses shall be compatible with, and shall not hinder, neighbouring agricultural operations;</p> <p>Proposals to establish on-farm diversified uses will be evaluated in consultation with the <u>Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas</u> (Publication 851) authored by the Ministry of Agriculture, Food and Rural Affairs.</p>
<p><u>2.5 Natural Heritage Resources</u></p>	<p>-Kettle Creek Conservation Authority has provided written comments (dated Dec 15, 2020 and received on Feb 17, 2021) advising of some changes. A further review of these changes will be required.</p> <p>-comments from the Catfish Creek CA and Longpoint Region CA are still pending</p>	
3.0 General Land Use Policies		
	<p>-granny flats or garden suites are not specifically addressed in the Official Plan although they are recognized in the <u>Planning Act</u> (Section 39) under a temporary use by-law</p> <p>-likely to be continued interest by property owners in the ability to provide for temporary accommodation for family members residing on the same lot in both agricultural and settlement areas</p>	<p>Create the following new section:</p> <p><u>3.9 Granny Flats</u></p> <p>A ‘granny flat’, garden suite or similar temporary secondary dwelling may be permitted for up to 20 years for family members provided such units are designed to be portable and removed from the lands, or readily converted to non-residential use, upon no longer being required for their intended occupants. The lands shall be sufficiently large to accommodate the dwelling and its required services. Measures will be taken, if necessary, to ensure compatibility with neighbouring uses. A Temporary Use By-law shall be required in accordance with the <u>Planning Act</u> along with an agreement with the Township which clearly specifies the terms and conditions with respect to, amongst other matters, occupancy of the dwelling and its removal or conversion to other uses at the end of the prescribed period..</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>3.4 Employment Areas</u></p>	<p>-the new policy would permit the conversion of employment areas outside a comprehensive review subject to sufficient planning justification being provided and as now permitted under the PPS 2020 (Section 1.3.2.5)</p>	<p>Create the following new section and re-number subsequent sections accordingly:</p> <p><u>3.4.1 Conversion of Employment Areas</u></p> <p>Where lands are designated for industrial, commercial or other employment purposes and are proposed to be converted to non-employment purposes, an amendment to the Plan in accordance with a comprehensive review as set out in the Provincial Policy Statement shall be required. The lands shall not be required for employment purposes over the long term and the need for the conversion shall be justified.</p> <p>The conversion of employment areas to a designation that permits non-employment uses by means of an amendment to the Plan may be permitted outside a comprehensive review provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:</p> <ul style="list-style-type: none"> a) there is an identified need for the conversion and the land is not required for employment purposes over the long run. b) the proposed uses would not adversely affect the overall viability of the employment area; and c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses..
<p><u>3.4.3 Industrial – Small Scale</u></p> <p>3.4.3.1 The following policies apply to small-scale industrial uses located in the “Hamlets” designation, or industrial uses permitted through a site-specific Official Plan amendment to an “Industrial” land use designation on Schedule “A1” in accordance with all the applicable policies of the Plan. In general, industrial uses shall be encouraged to be located in designated settlement areas and shall include warehousing, processing, manufacturing, assembling and storage. In addition, certain other compatible uses may be permitted, including truck terminals, commercial uses accessory to an industrial use and commercial uses primarily serving the industrial area, a caretaker’s residence that is structurally attached to the industrial use, and compatible public or institutional uses.</p>	<p>Provide flexibility in the policy language, do not think it was the intent of the policy that small scale industrial uses are <u>required to contain all</u> aspects of industrial production including warehousing, processing, manufacturing, assembling and storage.</p>	<p>Amend the section as follows:</p> <p><u>4.3 Industrial – Small Scale</u></p> <p>3.4.3.1 The following policies apply to small-scale industrial uses located in the “Hamlets” designation, or industrial uses permitted through a site-specific Official Plan amendment to an “Industrial” land use designation on Schedule “A1” in accordance with all the applicable policies of the Plan. In general, industrial uses shall be encouraged to be located in designated settlement areas and shall may include warehousing, processing, manufacturing, assembling and storage.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>3.4 Employment Areas</u></p> <p><u>3.4.4 Industrial – Large Scale</u></p> <p>3.4.4.1 The Township of Malahide supports the development of large scale industrial uses which rely on, collaborate with, and benefit the existing agricultural economies found within the Township. The preferred locations for such shall be in the “Suburban Areas” land use designation or within lands designated “Industrial” in the Village of Springfield. Such uses may be permitted on a site specific basis outside of these areas, in accordance with Section 2.1 of this Plan.</p> <p>3.4.4.2 Within the areas designated “Industrial” on Schedule “B”, the primary use of land shall be for industrial purposes including manufacturing, processing, assembling, repairing, wholesaling, warehousing, storage, and trucking. Those uses involving manufacturing, processing and fabricating operations generating noise, odour, vibrations and particulate emissions at levels likely to result in the loss of enjoyment of normal use of adjoining residential properties or other sensitive land uses, should be buffered with appropriate separation distances determined by the Ministry of the Environment’s “Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses” or its successor document in order to ensure land use compatibility. Commercial uses accessory to an industrial use shall be permitted as well as an accessory living space for a caretaker or security guard provided such living space is structurally attached to the industrial use.</p>	<p>Section will need to be revised to describe where the industrial designation is located if it is not part of the Springfield Settlement Area</p>	<p>Delete Section 3.4.4.1 & 3.4.4.2 in their entirety, and replace with the following:</p> <p><u>3.4.4 Industrial – Large Scale</u></p> <p>3.4.4.1 The Township of Malahide supports the development of large scale industrial uses which rely on, collaborate with, and benefit the existing agricultural economies found within the Township. The preferred locations for such shall be in the “Suburban Areas” land use designation or within lands designated “Industrial” <u>on Schedule “A1” or Schedule “B” in the Village of Springfield</u>. Such uses may be permitted on a site specific basis outside of these areas, in accordance with Section 2.1 of this Plan.</p> <p>3.4.4.2 Within the areas designated “Industrial” on <u>Schedule “A1” or</u> Schedule “B”, the primary use of land shall be for industrial purposes including manufacturing, processing, assembling, repairing, wholesaling, warehousing, storage, and trucking. Those uses involving manufacturing, processing and fabricating operations generating noise, odour, vibrations and particulate emissions at levels likely to result in the loss of enjoyment of normal use of adjoining residential properties or other sensitive land uses, should be buffered with appropriate separation distances determined by the Ministry of the Environment’s “Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses” or its successor document in order to ensure land use compatibility. Commercial uses accessory to an industrial use shall be permitted as well as an accessory living space for a caretaker or security guard provided such living space is structurally attached to the industrial use.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>3.4 Employment Areas</u></p>	<p>-a new designation is introduced to permit the development of a home-based industrial park following on a similar theme as the Silvermoon Innovation Park lying adjacent to Highway No. 401 in the Municipality of Thames Centre</p>	<p>Create the following new section: <u>3.4.5 Home –Based Industrial Park</u> The ‘Home-Based Industrial Park’ designation applies to lands lying generally north of Talbot Line (Highway No. 3) and west of Hacienda Road (Aylmer East Area), and lands lying east of Dorchester Road and south of Ron McNeil Line (west of Kingsmill Corners), for development of a creatively-designed mix of home-based industrial uses. The combination of uses in the industrial park would have the outward appearance of a typical residential subdivision. Lands designated “Home Based Industrial Park’ may be used for the purposes of an integrated industrial-residential park subject to the following criteria:</p> <ul style="list-style-type: none"> (a) Development of the subject lands shall take place in a manner whereby industrial are balanced with residential uses and recognising the fact that there will be some impacts from industrial uses will exist which are not typical of a residential subdivision; (b) The floor area of the main building used for residential purposes shall be less than the floor area of the building used exclusively for industrial purposes or uses accessory thereto; c) A wide range of industrial uses, including offices and certain related sales will be permitted. Provisions will be contained in the Zoning By-law and may be included as restricted covenants in property deeds to minimize conflicts between industrial uses and residential uses, and performance standards for industrial uses shall be incorporated into the Zoning By-law; e) A high degree of site design and amenity will be expected. The Township shall encourage development proposals which demonstrate unique and innovative features, and are designed to provide thoughtful integration of residential and industrial uses in a subdivision-style setting.

Current Policy Language	Rationale for Change	Proposed Language
n/a	<p>-a new section intended to provide direction on the regulation of cannabis operations resulting from several inquiries received by the Municipality since the Federal government issued sweeping approvals for the industry</p> <p>-several cases are currently before the courts or are awaiting final disposition, the outcome of which may require further review and refinement of the policies.</p> <p>-MBPC had originally recommended, in a Memorandum dated July 24, 2019, <i>“That Cannabis growing and harvesting facilities <u>not</u> be considered or otherwise interpreted as constituting an “agricultural use” as commonly referenced and permitted in the Township of Malahide Official Plan and as defined, regulated and permitted in the Township of Malahide Zoning By-law;”</i></p> <p>-Chatham Kent Official Plan permits cannabis operations within an ‘Employment Area’, ‘Agricultural Area’ and the ‘Rural Industrial’ designation</p>	<p>Insert the following new section following 3.7 and renumber the subsequent section</p> <p><u>3.8 Cannabis Production and Processing Facilities</u></p> <p>The Ontario Ministry of Agriculture, Food & Rural Affairs (OMAFRA) has taken the position that facilities for the production and processing of Cannabis constitute an “agricultural use” for land use planning purposes within the meaning of the Provincial Policy Statement. Notwithstanding this position, the Township remains cognizant of the profound and significant land use planning issues associated with Cannabis growing and harvesting facilities. These issues include, but are not limited to, light pollution, odour impacts, power and water requirements (sustainable private services) and increased traffic on local roads.</p> <p><u>3.8.1 Locations</u></p> <p>Cannabis Production and Processing Facilities shall only be permitted areas of the Township designated as ‘Agriculture’ and ‘Industrial’.</p> <p><u>3.8.2 Policies</u></p> <p>Cannabis production and processing facilities shall only be permitted within the locations described in 3.8.1 subject to the following:</p> <ol style="list-style-type: none"> a) Supporting documentation from the proponent including, but not necessarily limited to, a planning justification report, odour and dust impact assessment, light impact assessment, transportation impact study and hydrogeological study; b) A clear and definitive demonstration by the proponent, based on the supporting documentation noted in part a), that the proposed facility is compatible with neighbouring properties and land uses. Where land use compatibility is not capable of being established, such facilities shall, under no circumstances, be permitted; c) Adoption of a ‘site-specific’ amendment to the Zoning By-law to establish minimum separation distances from neighbouring residential and/or institutional uses, and the application of a maximum lot coverage standard on a case-by case basis; d) Site plan control shall apply and an agreement shall be entered into and registered on title to the satisfaction of the Township; e) Cannabis Production and Processing Facilities shall be located, designed and operated in accordance with all applicable Federal regulations, and shall be registered or licensed by Health Canada.
<u>3.8 Specific Policy Areas</u>	Add previously approved policies for Site Specific Policy Areas	Insert the new subsections for Site Specific Policy Areas approved since the last update of the Official Plan
<u>3.8 Specific Policy Areas</u>	<p>-a request by Civic Planning Solutions on behalf of Shackelton Auctions (51570 Lyons Line) to permit an expansion of the existing auction establishment. The use is considered to be consistent with the intent and purpose of this Official Plan, but additional application will be required under the planning act to permit its expansion.</p> <p style="background-color: yellow;">Further discussion of the policy language is required</p>	<p>Insert the following new subsection following 3.8.12 (which is to be re-numbered 3.9.12):</p> <p><u>3.9.13 Specific Policy Area No. 13</u></p> <p>The lands situated on the west side of Putnam Road and north side of Lyons Line, in Part Lot 4, Concession 10 South, municipal address 51570 Lyons Line, and designated “Specific Policy Area” on Schedule “A1”, may be used, developed and zoned to permit an auction house establishment, which may include the outdoor display and storage of items for sale in the auction.</p>

Current Policy Language	Rationale for Change	Proposed Language
4.0 Settlement Areas		
<p><u>4.1 General</u></p>	<p>-the new policy would mirror the policies in the PPS which permit the expansion of settlement boundaries at the time of a comprehensive review, and adjustments to settlement area boundaries outside a comprehensive review subject to sufficient planning justification being provided as now permitted under the PPS 2020 (Section 1.1.3.9)</p>	<p>Create the following new subsections:</p> <p>4.1.4.4 A new settlement area may be identified or the expansion of a settlement area boundary allowed only at the time of a comprehensive review and only where it has been demonstrated that:</p> <ul style="list-style-type: none"> a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon; b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment; c) in prime agricultural areas: <ul style="list-style-type: none"> 1. the lands do not comprise specialty crop areas; 2. alternative locations have been evaluated, and <ul style="list-style-type: none"> i. there are no reasonable alternatives which avoid prime agricultural areas; and ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible. <p>4.1.4.5 Notwithstanding policy 1.1.4.4, adjustments of settlement area boundaries may be permitted outside a comprehensive review provided:</p> <ul style="list-style-type: none"> a) there would be no net increase in land within the settlement areas; b) the adjustment would support the municipality’s ability to meet intensification and redevelopment targets established by the Township; c) prime agricultural areas are addressed in accordance with 1.1.4.4 c), d) and e); and d) the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.
<p><u>4.4 Village of Springfield</u> <u>4.4.2 Residential</u> 4.4.2.1 Within the areas designated “Residential” on Schedule “B”, the primary use of land shall be for single detached dwellings, two unit dwellings and multiple unit dwellings in order to ensure a diversity of housing types capable of meeting the needs of the community. The type of dwelling units permitted in the “Residential” designation will be dependent on the availability of services and will be specified and regulated by the Zoning By-law.</p>	<p>Allow and encourage a greater variety of dwelling types</p>	<p>Revise Section 4.4.2.1 to read as follows:</p> <p><u>4.4.2 Residential</u> 4.4.2.1 Within the areas designated “Residential” on Schedule “B”, the primary use of land shall be for single detached dwellings, two-unit semi detached dwellings, duplex, triplex, fourplex, townhouse and multiple-unit apartment dwellings in order to ensure a diversity of housing types capable of meeting the needs of the community. The type of dwelling units permitted in the “Residential” designation will be dependent on the availability of services and will be specified and regulated by the Zoning By-law.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p>4.4.2.6 Proposals for new single-detached and two-unit dwellings in the designated “Residential” areas should target a gross density of twenty (20) units per hectare and shall meet the following criteria:</p> <p>a) Lot frontage, depth and size: The lot frontage, lot depth, and lot size of any lots proposed to be used or created for residential purposes shall be appropriate to the development being proposed and consistent in size and shape, wherever possible, to adjacent and surrounding lots. In no case shall lots be created or dwelling units constructed which do not conform to the provisions of the Zoning By-law unless the Zoning By-law is otherwise amended or a variance granted.</p> <p>[...]</p>	<p>Allow greater flexibility and not prescribe <u>consistency</u> with existing lot sizes.</p>	<p>Revise Section 4.4.2.6 to read as follows:</p> <p>4.4.2.6 Proposals for new single-detached and two-unit dwellings in the designated “Residential” areas should target a gross density of twenty (20) units per hectare and shall meet the following criteria:</p> <p>a) <u>Lot frontage, depth and size</u>: The lot frontage, lot depth, and lot size of any lots proposed to be used or created for residential purposes shall be appropriate to the development being proposed and consistent in size and shape, wherever possible, to <u>should give consideration to, and be compatible with</u> adjacent and surrounding lots. In no case shall lots be created or dwelling units constructed which do not conform to the provisions of the Zoning By-law unless the Zoning By-law is otherwise amended or a variance granted.</p>
<p><u>4.4.3 Central Business District</u></p> <p>4.4.3.2 Secondary uses may also be permitted in the “Central Business District” and may include residential uses in accordance with Section 4.5.1, public parks and open space; off street parking, repair, storage and small scale manufacturing uses. These secondary uses, as permitted, will be regulated by the Zoning By-law.</p>	<p>-reference to Section 4.5.1 should read Section 4.4.2</p>	<p>Revise Section 4.4.3.2 to read as follows:</p> <p>4.4.3.2 Secondary uses may also be permitted in the “Central Business District” and may include residential uses in accordance with Section 4.4.2, public parks and open space; off street parking, repair, storage and small scale manufacturing uses. These secondary uses, as permitted, will be regulated by the Zoning By-law.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>4.4 Village of Springfield</u></p>	<p>Create a new Future Urban Growth designation for lands which are envisioned to be developed for urban uses over the long term, but are not anticipated to be developed in the short to medium term. These lands are lands which have been reallocated to Springfield corresponding to the amount of land that is recommended for removal from unserved, or partially served, hamlets within the Township. The lands are recommended to be reallocated to Springfield to support Council’s desire to extend municipal water services to the community. It is also anticipated that if and when full municipal services are extended to Springfield, then the demand for housing will increase significantly, and maintain these lands within the Settlement Area Boundary will help maintain sufficient supply of residential land.</p> <p>The lands would permit existing uses and non-intensive agricultural uses but would prohibit livestock facilities and other intensive agricultural uses which may produce negative impacts on nearby sensitive land uses.</p> <p>Prior to development, an Official Plan Amendment would be required to comprehensively plan these lands for urban land uses including, residential, commercial, institutional, and parks and open space. Applicants will be required to justify the need for the lands to be added to the land supply.</p>	<p>Create the following new section:</p> <p><u>4.4.4 Future Urban Growth</u></p> <p>4.4.4.1 Within areas designated “Future Urban Growth” on Schedule “B” it is the intent for urban development to occur at some point in the future. The Future Urban Growth designation establish this intent, while ensuring that development does not occur until such time as the necessary background studies and justification are completed and a coordinated plan is prepared which supports the vision for Springfield in this plan.</p> <p>4.4.4.2 Lands designated Future Urban Growth will be zoned to allow a limited range of uses based on the nature of their existing use. Agricultural uses will be permitted in the “Future Urban Growth” designation provided they are compatible with residential dwellings and other sensitive uses, and do not contribute to land use conflicts.</p> <p>4.4.4.3 Prior to permitting new development within lands designated Future Urban Growth, the following conditions must be satisfied:</p> <ul style="list-style-type: none"> a) <u>Land Needs Justified</u>: There is less than a 25 year supply of vacant, unconstrained land designated and suitable to accommodate the expected type of growth based on population, household and/or employment projections within Springfield. b) <u>Servicing Strategy</u>: A functional servicing report shall be prepared which demonstrates that the proposed development can be provided with municipal water and sewage services, and that uncommitted reserve capacity exists within the municipal infrastructure. c) <u>Land Use Planning</u>: The preparation of a comprehensive plan for the lands which addresses the proposed land use mix, including community facilities, parks and open space; the compatibility between different land uses and development at different densities, road alignment, and the effect on environmental features.
8.0 Implementation		
<p><u>8.2 Interpretation</u></p>	<p>-provides some flexibility in dealing with land use situations which may not be specifically addressed but are still capable of maintaining the intent and purpose of the Plan</p>	<p>Create the following new section:</p> <p><u>8.2.3 Unexpected Situations</u></p> <p>Where a situation or circumstance arises not specifically addressed or anticipated by the policies of this Plan, the general intent and purpose of the Plan shall be determining factors and benchmarks in establishing general conformity with the Plan.</p>
	<p>-provides clarification on references to Provincial doctrine</p>	<p>Create the following new section after 8.2.3 Unexpected Situations:</p> <p><u>8.2.4 References to Statutes, Policies and Guidelines</u></p> <p>Where any Act, Provincial Policy or Guideline (or portion of any Act, Provincial Policy or Guideline) enacted or published by the Province of Ontario is referred to in this Plan, such references shall be interpreted as referring to any and all subsequent amendments or revisions to the Act, Policy or Guideline as the case may be.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>8.4.2 Non-conforming Uses</u></p> <p>Some uses of land existing at the date of adoption of this Plan may not satisfy all the land use policies set out in the Plan. In response to these situations and notwithstanding the land use policies and designations, such uses may be zoned in the Zoning By-law in accordance with their present use provided that:</p> <ul style="list-style-type: none"> a) The zoning will not allow any change of use which will be detrimental to adjacent complying uses; b) The use does not constitute a danger or a nuisance to surrounding uses by the traffic, noise, odours, dust or visual impact which the use may generate; c) Where the use is discontinued, rezoning may only take place if the new use is more compatible with or is in accordance with the policies and the spirit and intent of this Plan. 	<p>-simplifies and consolidates the conforming use and non-conforming use policies of the plan</p> <p>-similar policies are in effect in the Southwest Middlesex Official Plan in response to the “deemed to conform” provisions of the Planning Act.</p> <p>(see following row...)</p>	<p>Delete Section 8.4.2 and Section 8.9 Non-conforming Uses and replace with the following:</p> <p><u>8.4.2 Conforming Uses</u></p> <p>Some existing uses of land may not be recognized or permitted under the land use designations and policies of this Plan. To prevent undue hardship and protect the land use rights of the owner, such uses may be zoned as conforming uses in the Zoning By-law (i.e. “deemed to conform”) provided:</p> <ul style="list-style-type: none"> a) The use does not constitute a danger, nuisance, or a blight with respect to neighbouring uses by virtue of its operating characteristics including noise and traffic generation; b) Any proposed extension or enlargement of the use shall not be detrimental to neighbouring uses; c) Any change of use is compatible with the quality and character of neighbouring uses; d) Where a building or structure is located on lands subject to natural hazards, any reconstruction, extension or enlargement of the building or structure shall comply with the relevant policies of this Plan.

Current Policy Language	Rationale for Change	Proposed Language
<p><u>8.9 Non-Conforming Uses</u></p> <p><u>8.9.1 Policies</u></p> <p>8.9.1.1 Existing land uses which do not conform with the policies of the Official Plan or the land use designations shown on Schedule “A1”, “A2”, “B” and “C” to the Official Plan may be recognized on specific sites as permitted uses in the Zoning By-law provided they comply with policies a, b, c, of subsection 8.4.2 of this Plan. In addition, uses which conform to the policies and land use designations of the Official Plan shall also be permitted on these sites.</p> <p>8.9.1.2 Where an existing use is discontinued, new uses of land on these sites which do not conform to the policies and land use designations of the Official Plan may be permitted if they are in greater conformity with the Plan than the previous uses. All such new uses will be subject to an appropriate amendment to the Zoning By-law.</p> <p>8.9.1.3 Where it is not appropriate or desirable to recognize existing land uses which do not conform with the Official Plan in the Zoning By-law, such uses shall be zoned in accordance with the designations and policies of the Official Plan. Provided these land uses legally exist at the date of the passage of the Zoning By-law, the land uses would be legal non-conforming uses. Any extension, enlargements or changes of non-conforming uses will be subject to the provisions of the Planning Act, and the policies of this Plan.</p> <p>8.9.1.4 Legal non-conforming uses which have been destroyed or partially destroyed by fire, flood or other natural disaster, may be replaced or repaired provided that written permission is received from Township Council, and, in the case of areas designated as Hazard Lands, Flood Fringe or Floodway, in accordance with the policies for those land use designations in this Plan.</p> <p>8.9.1.5 Prior to granting permission to repair or replace a non-conforming use and in order to minimize the detrimental effects of the non-conforming use, Council may enter into agreement with the owner as to:</p> <ul style="list-style-type: none"> a) The size and siting of the building or structure; b) The mitigating of any adverse environmental impacts such as odours, dust, noise, drainage; c) The lighting and landscaping of the site including the provision of buffer planting; d) The provision of parking and loading facilities including the design of entrances and exits to the site. <p><u>e) Council shall not be obligated to grant permission to replace or repair a non-conforming use under any circumstances.</u></p>	<p>-although not common, the non-conforming use provisions provide for a degree of flexibility in instances where the non-conforming use is capable of continuing without disruption or conflict with neighbouring conforming uses. One example would be an existing single detached dwelling on a lot designated 'Industrial'. The owner wishes to place an addition on the detached garage. In order to prevent undue hardship, the Committee could consider an application for permission to extend the garage provided, amongst other matters, it is satisfied the extension satisfies all the criteria listed.</p>	<p><u>8.4.3 Non-Conforming Uses</u></p> <p>Existing uses of land which do not satisfy the requirements of Section 8.4.2 shall not be recognized as conforming uses in the Zoning By-law. While such uses should cease to exist in the long term, it may be desirable to permit their extension, enlargement or conversion to a new use. Permission to extend, enlarge or convert such uses shall be considered by the Committee of Adjustment or Council in accordance with the provisions of the <u>Planning Act</u> based on the following considerations:</p> <ul style="list-style-type: none"> a) There are compelling and supportable reasons and justification to warrant an extension or enlargement of the use; b) The change in use is similar to the existing non-conforming use or is more compatible with neighbouring uses than the existing non-conforming use; c) The proposed extension or enlargement will not unduly aggravate the situation created by the existence of the use particularly in regard to neighbouring uses, the applicable policies of this Plan and the requirements of the Zoning By-law; d) The proposed extension or enlargement is in appropriate proportion to the size of the non-conforming use as it existed on the date of passing of the Zoning By-law; e) The characteristics of the non-conforming use and the proposed extension or enlargement with regard to noise, vibration, fumes, smoke, dust, odour, lighting, traffic generation or any other site features shall not add significantly to the incompatibility of the use with the surrounding area; f) Neighbouring uses shall be protected, where deemed necessary, by landscaping; buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and by regulations for alleviating adverse impacts caused by outside storage, lighting, signs and other similar devices. Such provisions and regulations shall be applied as conditions to the proposed extension or enlargement and may also be extended to the established use in order to improve its compatibility with the surrounding area; g) Traffic and parking conditions in the vicinity shall not be adversely affected. Traffic hazards shall be kept to a minimum by the appropriate design of ingress and egress points to and from the site. Additional traffic safety measures may be required where warranted, including improvements to sight conditions especially in proximity to traffic intersections; h) Adequate provisions shall be made for parking and loading facilities where deemed necessary or desirable; i) Existing or proposed services and utilities shall be adequate or be made adequate. <p>The Committee of Adjustment or Council shall not be obligated to grant permission to replace or repair a non-conforming use under any circumstances.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>8.4.3 Committee of Adjustment</u> The Township Council shall appoint a Committee of Adjustment pursuant to the Planning Act, to deal with minor variances to its Zoning By-law.</p>	<p>-expands upon the reasons or “tests” for granting a minor variance or permission by the Committee of Adjustment under Section 45 of the <u>Planning Act</u> and the ability to impose conditions</p>	<p>Delete Section 8.4.3 Committee of Adjustment and replace with the following: <u>8.4.4 Minor Variances and Permission</u> The Township shall appoint a Committee of Adjustment pursuant to the <u>Planning Act</u> to consider minor variances and permissions to the Zoning By-law. Applications shall be evaluated by the Committee in accordance with the following:</p> <ul style="list-style-type: none"> a) whether the variance is minor; a) whether the general intent and purpose of this Plan and the County Plan is maintained; b) whether the general intent and purpose of the Zoning By-law are maintained; c) whether the variance is desirable for the appropriate use and development of the subject lands and neighbouring lands; d) whether compliance with the Zoning By-law would be unreasonable, undesirable or would impose undue hardship; e) whether the variance would result in a substantial detriment, hazard or nuisance that would detract from the enjoyment or use of neighbouring lands. <p>In granting applications for minor variances or permissions, conditions may be imposed where the Committee deems it advisable to ensure the intent of the above-noted criteria are satisfied or are capable of being satisfied.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>8.5 Amendments, Notice Requirements, Public Participation and Appeals</u></p>	<p>-simplifies and consolidates 4 sections of the Plan into 2 sections. Notification and circulation requirements will be in accordance with the <u>Planning Act</u> and regulations thereto. The value of including specific timelines is not apparent insofar as these may be subject to change at any time</p> <p>-a list of supporting documentation is included to provide proponents with the information required to submit a complete application</p>	<p>Delete Section 8.5 and replace with the following:</p> <p><u>8.5 Amendments and Public Consultation</u></p> <p><u>8.5.1 Amendments</u></p> <p>Amendments to this Plan shall be considered in response to changing or evolving circumstances and conditions within, or affecting, the Township; changes in policy, legislation and guidelines of other levels of government which may have a bearing on existing uses or the future development of the Township and in direct response to applications advanced by landowners and developers.</p> <p>Where a person or public body requests an amendment to the Plan, the Township may require additional information and supporting documentation that it considers necessary to make a decision on the request over and above what is required by the <u>Planning Act</u> and regulations thereto.</p> <p>Without limiting the generality of the foregoing, supporting documentation may include any or all of the following:</p> <ul style="list-style-type: none"> • Topographic Survey • Servicing Report • Hydrogeological Report • Land Use Compatibility • Geotechnical Report • Environmental Impact Study (E.I.S.) • Traffic Impact Study • Conceptual Stormwater Management Plan • Tree Survey and Preservation Plan • Archeological Assessment • Natural Heritage Assessment • Natural Hazards • Noise Analysis • Vibration Analysis • Odours, Dust and Nuisance Impacts • Cultural Heritage Impact Analysis • Built Heritage Impacts • Record of Site Conditions (RSC) • Planning Justification Report
		<p><u>8.5.2 Public Consultation</u></p> <p>The Township shall comply with the minimum notification and circulation requirements of the <u>Planning Act</u> for informing the public of matters requiring approval under the Act. Where significant public interest or concern is apparent, the Township may undertake additional measures to increase public awareness and opportunities for engagement, to inform the public of emerging planning issues, to facilitate access to planning-related information and to convene non-statutory public open houses, forums and ‘town-hall’ meetings where considered appropriate.</p>

Current Policy Language	Rationale for Change	Proposed Language
		<p><u>8.5.3 Pre-Consultation</u> Prior to filing applications for an Official Plan and/or Zoning By-law amendment, plan of subdivision or condominium, consent, or minor variance or permission, the proponent shall arrange a pre-consultation meeting with the Township to review the application and identify any additional information required. The Township may pass a by-law requiring applicants to consult with the Municipality in accordance with the Planning Act.</p>
<p><u>8.6 Plans of Subdivision/Condominium</u></p>	<p>-recognizes the deeming provision of the Planning Act [Section 50(4)]</p> <p>-recognizes the part lot control provisions of the Planning Act and the ability of Council to pass a part lot control by-law [Section 50(5)(7)]</p>	<p>Create the following new subsections:</p> <p><u>8.6.2 Deeming By-laws</u> The Township may deem plans of subdivision (or parts thereof) more than eight years of age not to be plans of subdivision within the meaning of the <u>Planning Act</u> where development of such plans would not be in conformity with this Plan or where such plans comprise lots having substantially less frontage and/or area than required by the Zoning By-law and where development would be detrimental to and not in keeping with neighbouring uses.</p> <p><u>8.6.3 Part Lot Control</u> Where lands comprise part of a registered plan of subdivision, the Township may, in accordance with the <u>Planning Act</u>, adopt a part lot control by-law to create new lots where it can be demonstrated that any conditions appropriate to the creation and development of such lots are capable of being implemented.</p>

Current Policy Language	Rationale for Change	Proposed Language
<p><u>8.15 Temporary Use By-laws</u></p> <p><u>8.15.1 Policies</u></p> <p>8.15.1.1 The Township Council may, from time to time, pass Temporary Use By-laws in accordance with the Planning Act, and the applicable policies of this Plan.</p> <p>8.15.1.2 Temporary Use By-laws may be passed to allow land, buildings and structures to be zoned for temporary uses for renewable periods of up to three years. These by-laws may also be extended indefinitely, at the discretion of Council, providing that each extension is effected by an appropriately approved by-law pursuant to the Planning Act. Upon the expiration of the time period(s) authorized by the by-law, the uses, buildings and structures that were permitted under the by-law cannot be continued as legally non-conforming uses, buildings and structures.</p> <p>8.15.1.3 Temporary Use By-laws may be passed for temporary periods the length of which shall be determined by Township council, but not to exceed three years, to allow the establishment of:</p> <ul style="list-style-type: none"> a) A mobile home for temporary residential accommodation pending the completion of a permanent dwelling; b) A mobile home or travel trailer to be used as a site office, or for accommodation for a caretaker or watchman during a large construction project. <p>8.15.1.4 In evaluating a proposal for a Temporary Use By-law, Council will consider the following evaluation criteria:</p> <ul style="list-style-type: none"> a) That the proposed unit is temporary in nature and will not be difficult to terminate when the authorizing by-law expires; b) That the proposed unit is not incompatible with adjacent land uses; c) That parking required by the proposed unit will be provided on-site; and d) That the proposed unit will be located as close to the existing dwellings or dwelling as possible and so that it does not directly front on a public road allowance. 	<p>-the current Official Plan policies limit temporary use by-laws to those which permit either mobile homes or travel trailers;</p> <p>-under the <u>Planning Act</u> [Section 39(1)], temporary use by-laws may be passed for any purpose which is otherwise prohibited by the Zoning By-law,</p> <p>-considered appropriate to pass temporary use by-laws for all uses (subject to the recommended criteria, not just confining them to certain residential uses.</p>	<p>Delete Section 8.15 and replace with the following:</p> <p><u>8.15 Temporary Use By-laws</u></p> <p>The temporary use of land, buildings and structures may be authorized by the Township, for renewable periods of up to three years, through a temporary use by-law adopted in accordance with the <u>Planning Act</u>. Such uses may be permitted in all land use designations with the exception of lands designated as 'Natural Heritage' without an amendment to this Plan. The temporary use by-law shall reference the area affected and specify the duration of time for which the use will be permitted by the by-law. Upon the expiration of the time period(s) authorized by the by-law, the uses, buildings and structures that were permitted under the by-law cannot be continued as legally non-conforming uses, buildings and structures. For applications to permit the temporary use of land, the Township shall have regard to the following circumstances and criteria:</p> <ul style="list-style-type: none"> a) proposed buildings and structures and changes to the lands affected; b) existence of adequate and approved services where required; c) satisfactory and approved vehicular access to a public road of reasonable construction and maintenance to permit year round access; d) compatibility with adjacent and surrounding uses; e) effect on possible and probable future uses in the immediate area; f) land use and constraints as set out in this Plan; g) satisfactory assurances that the land will be returned to its previous state and all buildings and structures removed (where deemed appropriate) upon the lapsing of the period stipulated in the by-law or upon the lapsing of any extension period that may be granted. h) where a mobile home is permitted for temporary residential accommodation pending completion of a permanent dwelling, or where a travel trailer is permitted for use as a site office, or for accommodation for a caretaker or watchman during a construction project, satisfactory assurances that the mobile home or travel trailer will be removed upon completion of construction.
<p><u>8.16 Site Plan Control</u></p>		<p>Create the following new subsections:</p> <p>8.16.1.3 The Township shall, as a condition of site plan approval, require the design of facilities having regard for accessibility for persons with disabilities in accordance with the Planning Act.</p>