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April 3, 2020

Sent via email only

Justin Miller
Planner
1 Main Street South, Hagersville, ON N0A 1H0
jmiller@haldimandcounty.on.ca

Dear Justin Miller,

**Re: One Window Provincial Review Comments
Draft Official Plan Amendment PLOP-HA-2020-037 & Draft Zoning By-Law
Amendment PLZ-HA-2020-036**

Thank you for circulating proposed Haldimand County Official Plan Amendment file no. PLOP-HA-2020-037 and Zoning By-Law Amendment file no. PLZ-HA-2020-036 to the Ministry of Municipal Affairs and Housing (MMAH). This matter was further circulated through the One Window Planning Service to the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ministry of the Environment, Conservation and Parks (MECP) for their review and comment. It is recognized that the Official Plan Amendment is exempt from the Minister's approval and the following One Window comments are provided to the County for its consideration in making a decision on these matters.

Provincial staff have completed their review of the above noted proposal to establish a site-specific policy in the 'Agricultural' and 'Hazard Lands' designations to permit a seasonal residential development consisting of 173 seasonal cottages, a community center, and outdoor facilities. The accompanying rezoning application proposes to establish a site-specific policy in the 'Agriculture (A)' zone to allow a seasonal residential development as a permitted use on the subject property.

Consideration has been given to this matter in terms of the criteria and policies of the Provincial Policy Statement, 2014 (PPS), as well as A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow).

A new Provincial Policy Statement was released on February 28, 2020 and will come into effect on May 1, 2020. The proposal for revisions to the PPS was posted on the Environmental Registry of Ontario for consultation from July 22, 2019 - October 21, 2019. You can download a copy of the new PPS at <https://www.ontario.ca/page/provincial-policy-statement-2020>.

Key changes to the PPS include:

- a) Adding further references to support a changing climate and green infrastructure;
- b) Adding policy direction that is responsive to the recommendations of the province's special advisor on flooding;
- c) Increasing the minimum requirement for housing land supply to 15 years;
- d) Clarifying the policies related to market-based housing by adding a reference to affordable housing;
- e) Enhancing land use compatibility policies for sensitive land uses; and,
- f) Increased flexibility to permit residential development, including lot creation, on rural lands.

The comments provided are based on the currently in-effect 2014 PPS. If the County were to adopt this OPA post May 1, 2020, the policies in the 2020 PPS would apply. MMAH staff are available to work with the County to reflect the 2020 PPS prior to municipal adoption.

The subject lands are located within a prime agricultural area. The Planning Justification Report and the Agricultural Impact Assessment (AIA) describe the use as limited non-residential and apply PPS policy 2.3.6.1 b). However, as the application proposes the development of seasonal residential land uses, the policies of PPS sections 2.3.4 and 2.3.5 apply. PPS policy 2.3.4.3 does not permit residential lot creation in prime agricultural areas except in accordance with policy 2.3.4.1 c), which only permits the severance of a residence surplus to a farming operation.

Rural areas and rural lands are specifically defined terms in the PPS. As the subject parcel is not rural land, PPS policy 1.1.5 is not applicable. In addition, A Place to Grow policy 2.2.9.3 applies exclusively to rural lands and is also not applicable to prime agricultural areas.

PPS policy 2.3.3.3 requires that new land uses, including the creation of lots, comply with the minimum distance separation formulae. The AIA identifies livestock facilities that are considered to be remnant or retired facilities. In accordance with Guideline # 20 of the Minimum Distance Separation (MDS) Document, MDS I setbacks are not required when a municipal building official has deemed a structure to no longer be capable of housing livestock. However, sufficient information has not been provided to assess the appropriate application of MDS to all livestock facilities, specifically #1, #17, and #21.

Pursuant to the policies in PPS section 1.6.6, MECP undertook a review of the Source Protection Plan and supporting documents submitted with these applications. The level of detail provided in the supporting documents is insufficient to enable MECP staff to undertake a thorough review of the development proposal. Additional technical assessment is requested to determine the viability and environmental sustainability of the proposed servicing.

We trust that these comments are helpful to the county in its consideration of these applications. Provincial staff are available to discuss these comments. If you have any questions or concerns, please contact the undersigned. By copy of this letter, MMAH requests that the county provides the undersigned with notice of the decisions for these matters.

Kind regards,

A handwritten signature in black ink, appearing to read "David Stubbs". The signature is fluid and cursive, with the first name "David" being larger and more prominent than the last name "Stubbs".

David Stubbs
Planner
Ministry of Municipal Affairs and Housing
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Cc (e-mail only): Anneleis Eckert, OMAFRA
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