In areas where livestock operations and off-site residential uses are in proximity, land use conflicts and nuisance complaints from odour have a tendency to occur. In an attempt to reduce the potential for conflicts and complaints, the Province has developed Minimum Distance Separation (MDS) formulas that are used to determine recommended distances between a livestock or permanent manure storage facility and other land uses.

The Provincial Policy Statement requires that new land uses, such as the creation of lots and new or expanding livestock facilities, comply with the MDS formulas. These formulas rely on farm and livestock data to determine potential impacts. Essentially, the larger the livestock operation, the larger the setback requirement will be; and the more intense or sensitive the non-livestock use, the larger the setback requirement will be.

### 1.6 Issues Identified in Public Consultation

A number of issues were raised at public meetings related to agricultural use policies. The most common concern about Official Plan policies dealing with the agricultural use areas were questions about lot creation.

Many members of the public expressed concern that farmers should have additional flexibility to sell farmland while keeping their existing homes; that there should be policies permitting the severance of dwellings surplus to farm needs; that temporary dwellings (granny flats) should be permitted in the rural area. These members of the public seemed to generally agree that portions of larger parcels that are poorly suited to agriculture, and can accommodate housing with minimal impacts, should have the ability to be severed.

In contrast to those members of the public which indicated a preference for limited residential lot creation in the agricultural areas, some members of the public indicated their preference that residential growth be limited to the identified settlement areas, and restricted from agricultural areas.

Additional concerns by the public with potential impacts for agricultural uses include:

- concern that abandoned rail corridors are being used as trails for all-terrain-vehicles (ATVs);
- the suggestion that ‘granny-flats’ should be provided for in the Plan;
- that lot-creation policies take into effect public health concerns;
- that limited livestock (horses) accommodation should be permitted on small rural lots (1 acre).

Financial pressure on farm operators is contributing to an overall increase in average farm sizes, as the farming industry seeks dividends from ‘economies of scale.’ As farmers seek ‘economies of scale’ in farm area, they also seek the same type of benefit in livestock activities. As the number of livestock operations slowly drops, the total number of animals has stayed the same or risen. New
livestock facilities tend to be much larger than those built 20 or 30 years ago with greater potential impacts on neighbours. The financial incentive has been a strong motivator for farm operators and rural land owners to seek property consolidations and large format livestock facilities.

1.7 Policy Direction

The agricultural policies should provide a framework for the protection of agricultural land primarily for farming. Policies should also address aggregate and petroleum extraction activities which support the agricultural community, and compatible uses such as forestry, environmental areas, passive recreation, open space and conservation uses. The following explains the intent of these policies:

- Identify and protect prime agricultural areas: to protect their land base and features (e.g. soil productivity) for present and long-term use; require appropriate lot size; encourage farm retention and/or consolidation; discourage farm fragmentation; restrict non-farm severances, in accordance with Provincial Policy.

- Support on-farm business activity and farm related commercial and industrial operations: support and strengthen the traditional family farm; encourage new types of primary and secondary farm operations; expand the range of permitted uses that do not have adverse land use impacts; protect and enhance existing farm related commercial and industrial operations.

- Minimize conflict with farm operations: prevent land use conflicts in the agricultural designations by careful management of non-farm uses.

- Protect the Environment: promote proper farm management, conservation tillage, reduced use of and reliance on chemicals, proper manure storage and field application, water quality, encourage reforestation, stewardship programs.

- Growth, Development and Servicing: direct non-farm development to settlement areas where services are available in order to reduce development pressures in the agricultural areas, prevent farm fragmentation and land use conflict. Direct non-farm institutional, commercial, industrial, and recreational uses to settlement areas and identify areas where limited growth may occur, infilling and rounding out in existing settlement areas.

- Minimize land use conflict by compliance with Provincial Minimum Distance Separation Formulas and encourage the use of the Guide to Agricultural Land Use.
Establish farm size which can be justified based on compatibility, suitability, flexibility and viability criteria. Notwithstanding a minimum farm size requirement, recognize that different types of agricultural use could require different farm sizes. For proposals having less than the specified farm size, evaluation by the Ministry of Agriculture, Food and Rural Affairs or other professionals knowledgeable in farm economics and management should be required to determine viability.

1.7.1 Severances in Agricultural Areas

Severance in the prime agricultural area should be considered for the new Plan in accordance with the Provincial Policy Statement 2005:

- To consolidate farm holdings;
- To enlarge existing farm lots;
- For rights-of-way and easements;
- For residences made surplus to farming operations through consolidation.

1.7.2 On-Farm Economic Diversification

The Official Plan should contain policies that are supportive of on-farm economic diversification. The Plan should encourage flexibility for the range of permitted uses while maintaining limitations to keep an activity small in scale and secondary to the main farm operation. The Township may consider the following as a means of controlling uses:

- the types of and scale of uses that are permitted, especially for uses not primarily related to agriculture;
- ensure that the home business/industry is secondary to the main farm operation and all subject lands remain in agricultural designations;
- the location of buildings on the property, and within which buildings the use may occur;
- parameters for the expansion of farm businesses;
- location of the business on the property to discourage possible severances in the future;
- the scale of farm-based commercial/industrial business should be controlled so as not to undermine the Township's commercial or industrial areas;

1.7.3 Environment and Agriculture

The Official Plan should include general policies that support the work of the Ontario Ministry of Agriculture, Food and Rural Affairs and farm interest groups, to provide education, information and research support to the agricultural community.
Farm related best management practices cited in the Guide to Agricultural Land Use can be generally addressed in the Official Plan.

The Plan should encourage land owners to seek the advice of the Ministry of Agriculture, Food and Rural Affairs, the Conservation Authorities, the Ministry of Natural Resources and the Ministry of Environment regarding a range of activities such as:

- proper construction of tile outlets to minimize erosion along watercourses;
- cultivation practices aimed at minimizing erosion;
- the planting of vegetation to stabilize creek flats and slopes, buffer and prevent erosion; restricting livestock access to watercourses;
- grading of slopes along watercourse to minimize erosion;
- appropriate application of fertilizers and herbicides to minimize chemical run-off;
- the proper storage, handling and disposal of hazardous agricultural pollutants including liquid manure, dry manure, storage and silage run-off, fertilizers, pesticides, herbicides and other toxic substances;
- planting wind breaks, hedgerows;
- proper installation, use and maintenance of septic systems;
- establishing stewardship incentive programs;
- farm ponds for fire insurance purposes and for livestock watering;
- tree planting programs;
- to safeguard against large-scale earth moving in sensitive soils.
2.0 Mineral Resources

In section 2.4, Mineral and Petroleum Resources, the PPS requires that municipalities are to identify and protect as much mineral aggregate as is practicable. Development of other uses in areas of known deposits or in areas of mineral potential will only be permitted if the resource use is not feasible, the proposed use or development serves a greater long-term provincial interest or issues of health, safety and environmental impact.

The Ministry of Natural Resources was unable to provide mapping showing the location and type of mineral aggregate resources. Ministry staff stated that there is no mineral aggregate mapping for Elgin County. Further, no licensed operations exist in Southwold. Nonetheless, policies are required to anticipate the potential for mineral aggregate or petroleum operations.

3.0 Natural Heritage

In section 2.1, Natural Heritage of the PPS provides policy direction for the protection of natural heritage features and functions and the biodiversity and connectivity of features. Natural Heritage features and areas will be protected for the long term (PPS section 2.1.1). The maintenance of biodiversity and the protection, improvement and restoration of natural features and areas, linkages between features, lands adjacent to features and areas, surface and ground water features continue to be key aspects of Provincial policy. Development will not be permitted if it adversely affects the integrity of features, functions and adjacent land (PPS sections 2.1.2 and 2.1.6). New infrastructure should also be located away from significant features.

The PPS states where development and site alteration may be permitted. Development and site alteration is not permitted in significant wetlands and significant habitat of endangered species and threatened species (PPS sections 2.1.3 a and b). Development and site alteration may be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest if it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions (PPS sections 2.1.4 b to e). Development and site alteration may be permitted in fish habitat, in accordance with provincial and federal requirements (PPS section 2.1.5).

Figure 5, Natural Heritage identifies the elements of a natural heritage system in the Township comprised of features (wetlands, one area of natural and scientific interest-ANSI, five life science natural heritage areas, woodlands and the Lake Erie shoreline). The Conservation Authority Regulation Limit areas form the primary links between features. The features are based on information obtained from the Ministry of Natural Resources Centre Website. The location of the wetlands was provided by the Kettle Creek Conservation Authority. There are no Provincially Significant wetlands identified in Southwold.
In Section 2.2, Water, the PPS states that planning authorities shall protect, improve or restore the quality and quantity of ground water and surface water. The policies require identifying water features, hydrologic functions and natural heritage features and areas which are necessary for the ecological integrity of the watershed. Restrictions on development and site alteration are required to protect drinking water supplies and vulnerable surface and ground water features and functions. The policy requires that stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.

4.0 Cultural Heritage and Archaeological Resources

The Ontario Heritage Act gives municipalities the ability to appoint and fund Heritage Advisory Committees (HAC). The role of a HAC is to advise Councils on Heritage matters. There is no appointed HAC in the Township.

In section 2.6, Cultural Heritage and Archaeology, the PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Examples of built heritage features include buildings, structures monuments or remains associated with architectural, cultural, social, political, economic or military history which
are of importance to the community. How many of these features exist in Southwold is unknown.

Development and site alteration may be permitted on lands containing archaeological resources provided the significant archaeological resource has been conserved. In circumstances where resources must be preserved on site only development and site alteration which maintains the heritage integrity of the site may be permitted. The PPS (section 2.6.3) also requires consideration of the impact of development on adjacent lands to protected heritage property. Development and site alteration must demonstrate that the heritage attributes of the protected heritage property will be conserved.

The Official Plan can emphasize the importance of cultural heritage in the community and provide for its preservation where appropriate and feasible. As a general principle new development should be encouraged to blend with desirable elements of existing streetscapes.

Design policies that incorporate provisions intended to ensure that new development is sympathetic to and in character with existing buildings are required to be consistent with the PPS.

5.0 Infrastructure

Infrastructure includes physical structures (facilities and corridors) that form the foundation for development and includes sewage and water services, septage treatment systems, waste management systems, electric power generation and transmission, communication/telecommunication, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. Figure 6 shows existing infrastructure in the Township.
5.1 Sewer and Water

In section 1.6.4, Sewage and Water, the PPS states that full municipal sewage and water services are the preferred form of servicing for settlement areas. Communal services are preferred where full municipal services are not provided. Individual on site servicing may be used where the use of public commercial systems is not feasible and where site conditions are feasible for this type of servicing over the long term. Partial services are permitted within settlement areas to allow for infilling and rounding out of existing development provided that the development is within the reserve sewage capacity system and reserve water system and site conditions are suitable for the long term provision of such services.

One settlement area is serviced by the City of St. Thomas municipal sewage system. This area (Ferndale and Lynhurst) is located adjacent to the City of St. Thomas. The remainder of the municipality is serviced either by individual on-site sewage services and individual on-site water services or partial services.
Partial services means municipal water service and individual on-site sewage services.

The Township has pursued improvements to its water system. Figure 7 (prepared by KMK Consultants Limited, January 2007) shows the existing and proposed water system. The existing settlement areas of Talbotville, Paynes Mills, Frome, Shedden, Fingal, Iona, Iona Station, Lawrence Station and Southwold Station have municipal water.

5.2 Transportation

In section 1.6.5, Transportation Systems, the PPS states that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs. Section 1.6.6, Transportation and Infrastructure Corridors requires the protection of corridors and rights-of-way for significant transportation and infrastructure facilities.

6.0 Protecting Public Health and Safety

Section 3, Protecting Public Health and Safety in the PPS provides policy direction for the development in proximity to natural hazards and human man-made hazards.
Development adjacent to the hazardous portions of the shorelines of the Great Lakes-St. Lawrence River system will be directed to other areas. Development may be permitted only if the hazards can be safely addressed including safe emergency access and provided no adverse environmental effects result. Development is not permitted within the defined portions of the one hundred year flood level along the riverine environments of the Kettle Creek and the Upper Thames River Watersheds and within the erosion hazard areas along the Lake Erie shoreline. This includes the areas where development or site alteration would impede water flows which accompany a one in one hundred year flood.

Institutional or essential emergency services, hazardous waste and sewage treatment facilities are not permitted within hazardous areas. Development will be directed away from lands affected by past landfill activities. Development may be permitted on hazardous or contaminated sites if no hazard would result or if site rehabilitation has been undertaken.

Most of the areas that are hazardous are subject to regulation under the Conservation Authorities. These areas are shown on Figure 5, Natural Heritage. Figure 6, Infrastructure, identifies closed waste disposal sites, the Port Stanley (operational) sewage treatment site and the City of Toronto waste management facility.

7.0 Summary

The purpose of this report was to provide information on matters that are important to the Township and to address these in the context of the Provincial Policy Statement 2005. This report establishes the importance of resources locally and to the Province. The Township's new Official Plan will provide for appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural environment.