



TOWNSHIP OF SOUTHWOLD

PLANNING REPORT

Application: New Southwold Official Plan

Report No.: PLA 2021-07

Date: February 16, 2021

TO: Mayor and Council of the Township of Southwold

FROM: Heather James, MCIP, RPP, Planner

SUBJECT: Proposed New Township of Southwold Official Plan.

REASONS FOR AND NATURE OF THE APPLICATION:

The proposed new Official Plan for the Township of Southwold will replace the existing Official Plan. The new Official Plan is based on the existing Official Plan and has been updated to address recent changes to the new Provincial Policy Statement 2020, to respond to recent provincial guidance documents, align with the County of Elgin Official Plan and respond to emerging growth pressures identified by Council. As well, the province requires municipalities to update their Official Plan 5 to 10 years (dependent on when the plan came into effect). The current Township of Southwold Official Plan was adopted by Council in 2011 and approved by the Ministry of Municipal Affairs and Housing in 2013.

BACKGROUND INFORMATION:

In December 2018, Dillon Consulting was hired to undertake the preparation of the new Official Plan. On August 22, 2019, the key findings from the Policy Background Report were presented to Council. On October 15, 2019, a second presentation was made to Council on the Official Plan review to confirm the growth management directions for the Plan. From January 2020 to the summer of 2020, Dillon Consulting prepared the proposed chapters and mapping for the Official Plan. As chapters and maps were submitted, the Township planner, the Manager of Planning for Elgin County and staff at both Lower Thames Valley Conservation Authority and Kettle Creek Conservation Authority were reviewing and providing comments to Dillon Consulting on the proposed Official Plan.

On February 13, 2020, a public information session was held to provide the public with an opportunity to review and provide input on the existing Official Plan boundaries for the settlement areas of Talbotville, Shedden, Fingal and North Port Stanley. A public notice was published in the West Elgin Chronicle prior to the information session. Property owners who own land within the boundaries of the settlement areas were also notified. In December 2020, the draft Official Plan was posted to the Township's website for Council and public review.

PUBLIC MEETING NOTICE:

The open house and public meeting notices were published in the West Elgin Chronicle and the St. Thomas-Times Journal on January 21, 2021. Both notices met the requirements under the Planning Act, which states the notice of a public meeting for an Official Plan must be circulated no less than 20 days prior to the public meeting. The notice along with the proposed Official Plan

was also posted on the Township’s website for the public’s review. Property owners who attended the public information session on February 13, 2020 as well as all property owners who have expressed interested in the new Official Plan were also notified of the open house and public meeting.

OPEN HOUSE:

A virtual open house was held on February 9, 2021 to provide the public with information on the proposed Official Plan and to receive input from the public. There were 20 participants who attended the open house.

Below is a summary of the questions received from the open house and response:

#	Question / Comment	Response
1	Will the slides be available online for review?	The slides presented at the Public Open House on February 9, 2021 will be available on the Township website under Planning > Official Plan Review as of February 10, 2021.
2	How is the growth between the Settlement Areas divided? Is there a majority in one rather than another?	This version of the Plan does not provide a detailed breakdown of growth per Settlement Area, in order to avoid limiting growth unintentionally. Based on the Background Report findings and growth forecasting by Watson & Associates, it is noted that Talbotville is expected to experience the greatest majority of growth.
3	What is counted for growth in terms of new developments?	Forecast demand for growth considered a wide range of factors, both local and regional. Local land supply was considered in this estimate.
4	What has been considered for aging in place and seniors living in the Township?	Affordable housing and options for infill developments are considered in the Draft Official Plan. The Township understands this is an important topic for many residents. It is noted that the County will be considering this topic in their Regional Official Plan Review that began in 2020.
5	How are Settlement Area boundary changes considered?	All Settlement Area boundary requests will be presented to Council on February 16 th in the Statutory Public Meeting.
6	Curious about the settlement area around Port Stanley North. It would appear that the settlement area is relatively unchanged from the 2013 OP. Did I see that correctly?	All Settlement Area boundaries and Hamlet boundaries were received from the County of Elgin. There were minor refinements made to better align with parcel fabric. There will be a version of the map uploaded to show the 2013

		Official Plan boundaries and proposed Draft Official Plan boundaries.
7	Is there any update on the Ford Plant redevelopment?	These lands are still for sale. There is nothing new to report on buyers. These lands are remaining as Industrial in the Official Plan.
8	Does the Official Plan provide any detail on the future of community transportation such as bus service?	The Official Plan offers high-level guidance on the options for transportation and direction. The land use pattern is intended to be designed in a way that is supportive of future transit. A detailed study on the existing road network and surrounding land uses would be required for any future changes.
9	Are higher resolution maps made available?	Higher resolution maps will be uploaded to the Township's website.
10	A comment was raised to clarify the infill and new development policies included on Hamlets.	The Draft Official Plan intends to clarify the policy section on Hamlets from the previous Official Plan. The policies offer direction on compatibility with new development, the planned function, and permitted uses.
11	Where would I find info on the buffer strips. What section is it under?	In the Draft Official Plan Section 5.2.2.5 has information on buffers for land uses in the Settlement Areas and agricultural areas. Section 4.1.3 on Watercourses offers information on buffers in this context.
16	Will there be any changes to this plan prior to approval? If so, how will Southwold residents be notified?	All updates will be posted on the Township's website. All participants of Public Open House will be emailed with a notification for the decision. All questions can be emailed to planning@westelgin.net
17	Has there been consideration for active living / bike lanes along Wonderland Road (and Sunset) - similar to bike lanes from Elgin County boundary / City of London boundary into London?	This comment has been taken into consideration and further information from the County of Elgin's Transportation Master Plan will be shared.
18	Will there be additional traffic studies by the township completed prior to new subdivision development?	All new developments will require a Traffic Impact Study to be completed as part of the application at the Site Plan or Draft Plan of Subdivision stage. The Township's Transportation and Engineering staff will be engaged for a detailed review.

19	Does the Official Plan speak to the landfill?	Yes. The Draft Official Plan Section 5.6 speaks to the policy. Additional text can be added to this section to reflect general updates to Environmental Assessments, engagement of the Township is there is any changes to area and associated studies may be required.
20	When looking over the procedures for subdivision approvals Section 7.19.1, the details are not very specific. i.e. fences don't have specific measurements. (height). When does that get decided?	In the Township, fencing requirements are often part of subdivision agreements. At the public consultation stage, there is an opportunity for input from residents. In the Official Plan there are policies on buffering between land uses. The Official Plan is intended to cover a range of items that will be considers in a subdivision approval.

CIRCULATION OF THE PROPOSED OFFICIAL PLAN:

The proposed Official Plan was circulated to the applicable commenting agencies a minimum of 20 days prior to the public meeting. Comments received from the Manager of Planning for Elgin County, Lower Thames Valley Conservation Authority and Kettle Creek Conservation Authority have been incorporated into the draft Official Plan document and they have no further concerns. No comments were received from other commenting agencies. Comments from Township planner have been incorporated into the draft document. No other comments were submitted by Township staff.

The proposed Official Plan was also circulated to the Township’s Economic Development Committee for review. At the January 19, 2021 Economic Development Committee meeting, the Township planner attended and was provided comments on the plan from the committee. The committee’s two main concerns with the plan were: 1) lack of additional alternative accommodations permissions in the agricultural area to support agri-tourism; and 2) lack of opportunities for live/work, industrial/residential uses in the Township. At the meeting, the Township planner advised that additional alternative accommodations in the agricultural area could not be added to the agricultural policies of the proposed Official Plan as the County’s Official Plan does not include such as policies. As the Township’s Official Plan is required to conform to the County’s Official Plan, such policies cannot be added at this time until the policies are added to the County’s plan to support this. In regard to the lack of opportunities for live/work, industrial/residential uses, the Provincial Policy Statement 2020 has become more restrictive in permitting these types of uses (Section 1.3.2.3). Should Council desire to support the requests from the Economic Development Committee to add these policies to the Official Plan, it is recommended that they engage in discussion with the Manager of Planning for Elgin County to determine what is the best approach to do so.

PUBLIC COMMENTS:

Throughout the past year, property owners and the public have submitted comments on the plan. In particular there have been requests made to expand settlement area boundaries in Shedden, hamlet of Middlemarch and North Port Stanley.

Below are the requests:

1. Brent Fulton and Barbara Strickland c/o David Roe, Land Use Planner, owners of 36427 Talbot Line have requested to add 5.7 ha (14.0 ac.) of their property (outlined in orange solid line below) to the Shedden settlement area to be designated as Residential with single detached residential units and home industry uses.

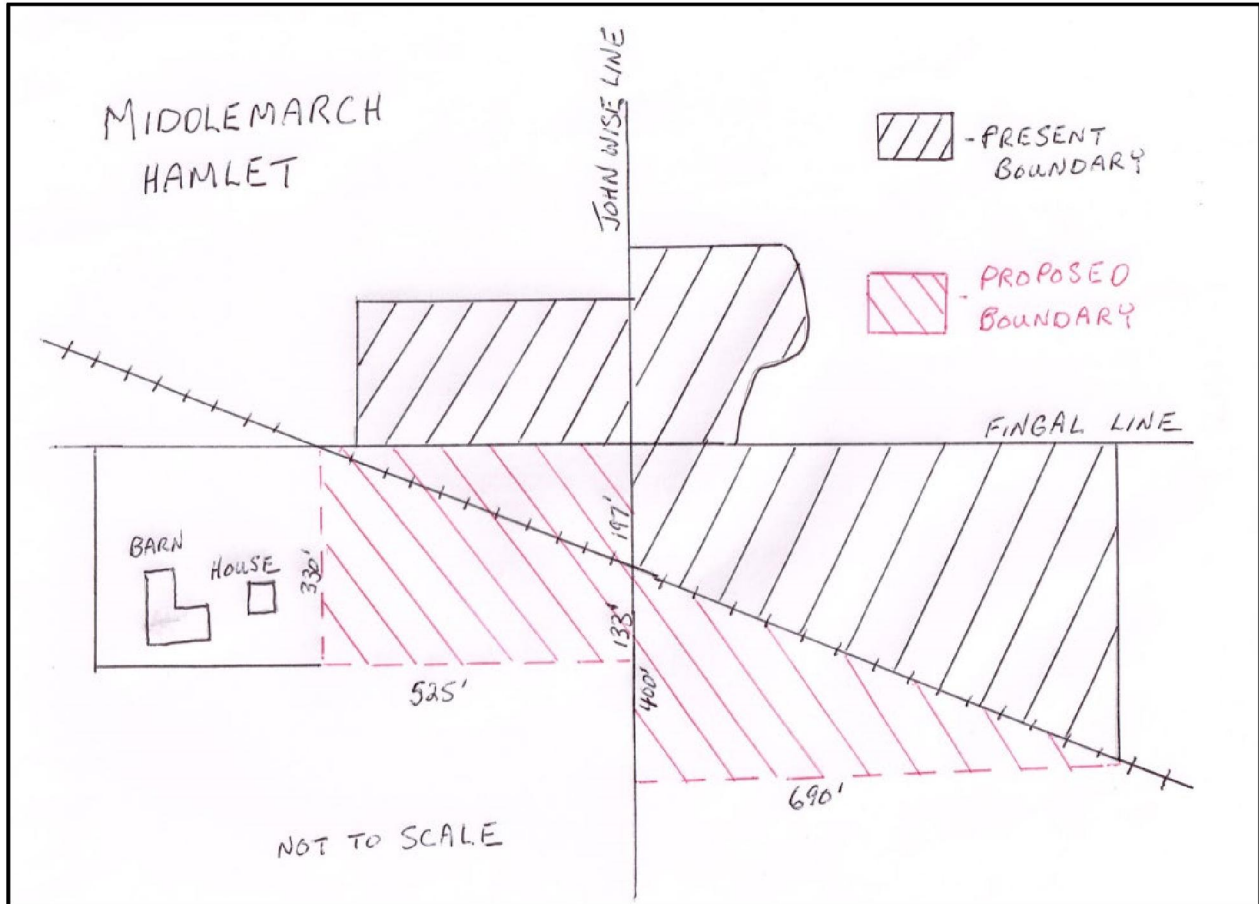
Comment: Dillon Consulting has further refined the settlement area boundary for Shedden by removing undevelopable and natural hazard lands. Due to the proposed revision to the Shedden settlement area, it is possible that a land swap could proceed, the amount of land to be determined.



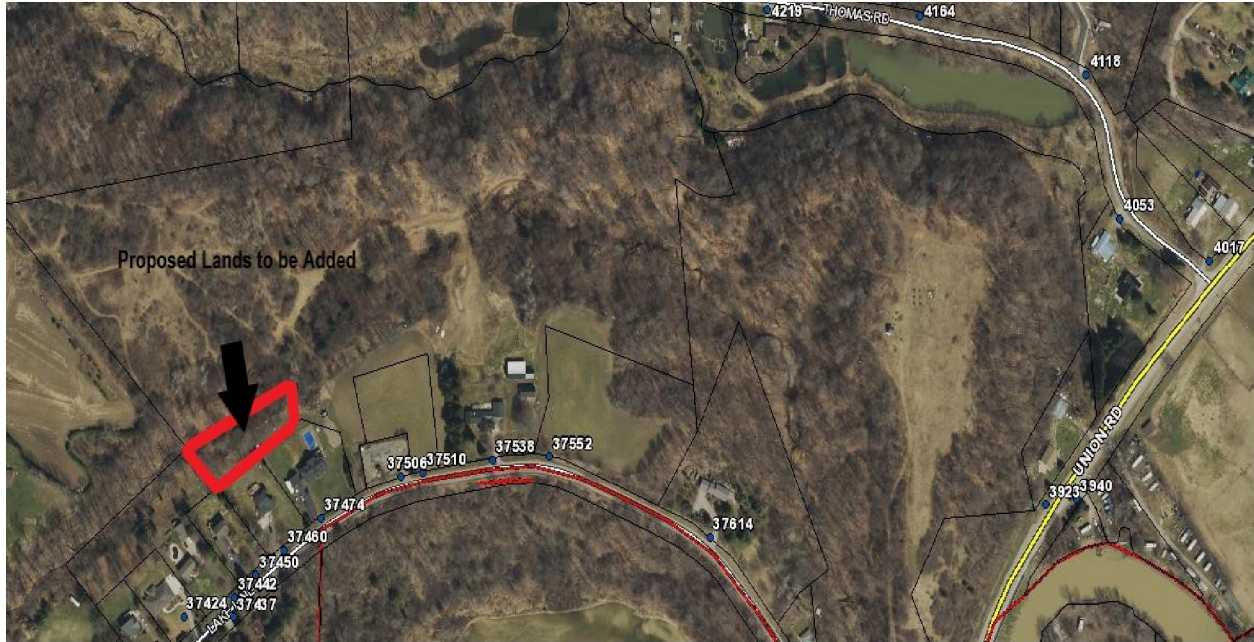
2. Jay and Lorrie Fitcher, owners of two parcels shown below that surround the southern boundary of the hamlet of Middlemarch have requested for Council to consider expanding the hamlet boundary of Middlemarch, 4.17 ha (10.3 ac.) in area to permit small scale residential development (see attached letter).

Comment: At this time, expansions to our hamlet areas are not being considered as we have sufficient lands within our settlement areas of Shedden, Fingal, Talbotville and North Port Stanley to meet our projected housing needs over the next 25 years. This was

determined through a comprehensive review as part of the Policy Background Report through the Official Plan process. If Council desires to add these lands to the hamlet boundary of Middlemarch, lands in other settlement areas will need to be considered for removal.

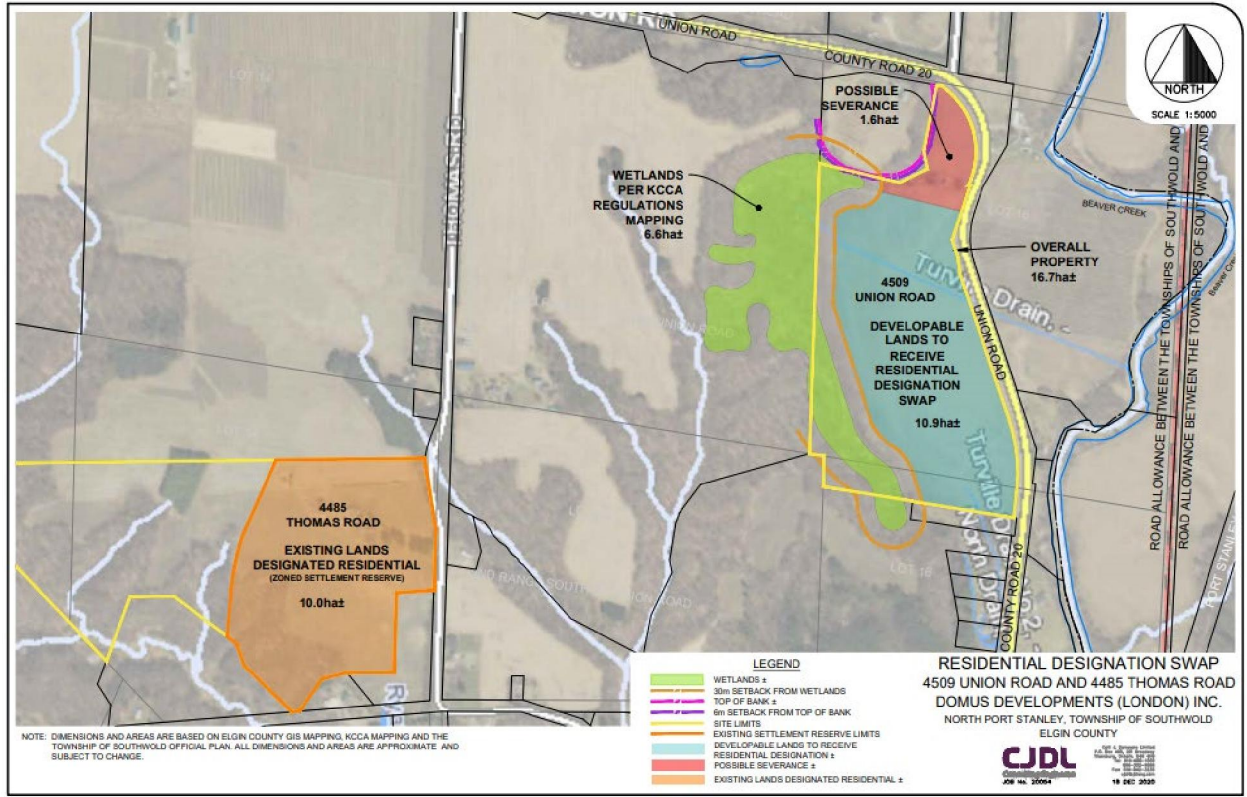


3. Harry Wismer, owner of 37538 Lake Line is requesting to expand the settlement area of North Port Stanley and designate the lands as Residential to permit lot additions for two residential lots, 37460 and 37474 Lake Line, total area of 3,100.00 m² (0.77 ac.) (outlined in red solid line below).



Comment: Dillon Consulting has further refined the settlement area boundary for North Port Stanley by removing undevelopable and natural hazard lands and by using lot lines where appropriate to define the settlement area. Due to the proposed revision to settlement area, this request can be accommodated without adding additional lands to the settlement area.

4. Domus Developments (London) Inc. c/o Barbara G. Rosser, land use planner has submitted a request to add a portion of the lands, 10.9 ha (26.94 ac.) in area from 4509 Union Road to the settlement area for North Port Stanley and designate the lands as Residential (see attached letter and lands identified below). In exchange, 10.0 ha (24.7 ha) of land located at 4485 Thomas Road would be removed from the settlement area and designated Agricultural.



Comment: A land swap of roughly equal area would need to occur in order to accommodate this request. As well, municipal sewer services would also be required in order for large-scale residential development to occur.

Three letters of concern have been submitted regarding the proposed Official Plan. The first letter was submitted by Fingal Farm Supply Limited c/o Harm Spangenberg, vice-president, for their operation located 7655 Union Road, which is adjacent to the Fingal settlement area (see attached letter). Due to the nature of their business as agricultural industrial, there is a fair amount of heavy traffic, noise, and dust during peak farming times in the year. They are required to meet minimum distances with some of the products they carry and residential housing adjacent to their operation could conflict with the ability to meet compliance requirements. They are requesting for Council to provide industrial land with appropriate buffer zones to residential properties.

Comment: The compliance requirements come from the Technical Standards and Safety Authority (TSSA). I have been in contact with TSSA about the concern raised by Fingal Farm Supply Limited and I am awaiting a response at this time.

The second set of similar letters were submitted by Rene Brooymans and MaryAnne Van de Gevel, owners of several farm properties in Southwold, in particular apple orchards. Mr. Brooymans and Mrs. Van de Gevel are interested in policies permitting non-permanent structures for 10 people or less, in particular for seasonal farm workers for his farming operations in the agricultural area. As well, Mr. Brooymans and Mrs. Van de Gevel are also interested in alternative accommodations for agricultural farms for agri-tourism uses.

Comment: The draft Official Plan has been updated to permit temporary residences for seasonal farm labour. The type of temporary residences will need to be further specified through an

amendment to the Township's comprehensive zoning by-law once the Official Plan is in force and effect. The request for alternative accommodations for agri-tourism has already been addressed in this report.

The third letter was submitted by MaryAnne Van de Gevel, apple orchard co-farm owner located at 5111 Union Road and 4602 Thomas Road (see attached letter). Mrs. Van de Gevel has the following concerns:

- Prefer no more development in their area as they have already experienced a lot of development which has been done prematurely, causing problems after;
- Potential development of 4509 Union Road for residential use and the need to educate new residents about agriculture;
- Ensure developer provides appropriate fencing to prevent disturbance to neighbouring wildlife; and,
- Council needs to make sure that the developer pays for the added costs of the developing the lands including all drainage and site upgrades

Comment: These concerns will need to be addressed at the time of planning applications, should the potential residential development at 4509 Union Road proceed.

A fourth letter was also submitted by MaryAnne Van de Gevel. Mrs. Van de Gevel is also requesting that wording be included in the Official Plan to advise new residents that reside adjacent to agricultural farm operations to acknowledge the potential inconveniences that may arise such as noise, dust, and late working hours during peak agricultural time periods.

Comment: The request will need to be reviewed with the Manager of Planning for Elgin County.

PLANNING POLICY REVIEW:

Provincial Policy Statement 2020 (PPS)

Under Section 3(5) of the *Planning Act*, the Township "shall be consistent with" matters of provincial interest as set out in the Provincial Policy Statements (PPS). Section 1.1.3.8 states a planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where a list of specified criteria have been met. Further, Section 1.1.3.9 states notwithstanding Section 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review where a list of specified criteria have been met.

Comment: The Township's Official Plan is required to be consistent with the PPS. The proposed Official Plan has been updated to reflect the recent policy changes in the new Provincial Policy Statement 2020 and is consistent with the PPS. Should Council wish to expand or adjust the settlement area boundaries, consistency with Sections 1.1.3.8 and/or 1.1.3.8 will be required.

County of Elgin Official Plan

Section F3 Local Official Plans states it is the intent of the County, and a requirement of the Planning Act, that local Official Plans shall conform to the County Plan and be one of the primary means of implementing the policies.

It is recognized, however, that some time may elapse between the adoption of the Plan and the modification of the local official plans to ensure conformity. The modifications may be part of the

statutory review process, as defined under the Planning Act. In the event of a conflict between the provisions of a local Official Plan and the provisions of this Plan in the interim period, the provisions of this Plan shall prevail to the extent of that conflict.

Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan, provided such policies are consistent with the general intent of this Plan.

Comment: The draft Official Plan has been reviewed to ensure conformity with the County's Official Plan. The Manager of Planning for Elgin County has extensively reviewed this plan and comments submitted on the plan have incorporated into the draft. At this time, the Manager of Planning has no concerns. The draft Official Plan is in conformity with the County of Elgin Official Plan.

SUMMARY/CONCLUSION:

The current draft Official Plan for the Township of Southwold is consistent with the Provincial Policy Statement and conforms to the County of Elgin Official Plan.

RECOMMENDATION:

THAT Council of the Township of Southwold receives the report from Heather James regarding the proposed new Township of Southwold Official Plan;

THAT Council receives and reviews comments from the public during the public meeting;

THAT Council reviews the comments received from the open house, comments received from the Township's Economic Development Committee, requests for revisions to settlement area boundaries and submitted letters from the public; and,

THAT Council considers adoption of the new Township of Southwold Official Plan at a future meeting.

Respectfully submitted by:

Heather James, MCIP, RPP, Planner
"Submitted electronically."

Approved by:

Ken Loveland
CAO/Clerk