



Municipality of Mississippi Mills

SPECIAL COUNCIL AGENDA

Tuesday, June 19, 2018

6:00 p.m.

Council Chambers, Municipal Office

PLEASE REMEMBER TO SET YOUR CELL PHONE TO SILENT AND THAT NO RECORDING DEVICES ARE PERMITTED.

- A. CALL TO ORDER (6:00 p.m.)
- B. O CANADA
- C. ATTENDANCE
- D. APPROVAL OF AGENDA
- E. DISCLOSURE OF PECUNIARY INTEREST
- F. REPORTS

Planning and Development

- a. Community Official Plan - Public Comments

Pages 2-16

Recommendation

That the comments received at the Public Meeting of May 22, 2018 respecting Draft II of the Community Official Plan be received.

- G. CONFIRMATORY BY-LAW - 18-60
- H. ADJOURNMENT

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 19, 2018
TO: Committee of the Whole
FROM: Niki Dwyer, Director of Planning
**SUBJECT: Draft II Community Official Plan Summary of Public Meeting
Comments**

RECOMMENDATION:

THAT the comments received at the Public Meeting of May 22, 2018 respecting Draft II of the Community Official Plan be received.

BACKGROUND:

The Municipality of Mississippi Mills adopted the current *Community Official Plan* (the COP) in December 2005 and received Ministry approval of the plan in August 2006. In accordance with Section 26(1) of the *Planning Act*, the Municipality shall undertake a conformity and consistency review of the COP every five (5) years. The 5 year review was initiated in 2009 to review and update existing land use policies and examine the consistency of development within the first four years of the plan with the projected growth targets.

This report relates to the ongoing consistency and conformity amendment of the Mississippi Mills Community Official Plan which commenced in 2009. Specifically, it is considered an addendum to the Staff Report presented to Council on April 24th, 2018, where copies of public comments submitted in writing were summarized and responded to by JL Richards and Associates.

On May 1st, 2018, the Municipality released Draft II of the Community Official Plan in accordance with Section 17(19.1):

“The information and material referred to in clause (15) (c), including a copy of the current proposed plan, shall be made available to the public at least 20 days before the public meeting required under clause (15) (d) is held.”

The second draft responded to comments received from the Public during the initial public consultation process (December 14th, March 21st, 27th, 28th, 29th) and resulted in the following meaningful changes:

- Removal of Natural Heritage Features in Ecoregion 6E from Schedule A1;

- Removal of Tree Preservation and Vegetation Compensation Plans;
- Removal of “other” wetland mapping on Schedule A1 and companion policies;
- Introduction of Scoped EIS provisions;
- Removal of the LEAR analysis of agricultural lands (now as per 2006 COP);
- Mapping of Scenic or Heritage Roads in Schedule A and softening of policy 4.3.7 language;
- Mapping of the OVRT as parkland in all applicable schedules;
- Introduction of Section 3.9 – Consideration of Future Development Plans;
- Removal of Section 5.14 regarding the Ontario Municipal Board;
- Removal of definitions already defined in the PPS;

The release was followed by the Statutory Public Meeting, conducted at Old Almonte Town Hall on May 22nd, 2018, where approximately 89 people attended the meeting and 20 individuals made oral submissions (see minutes attached). Many of the individuals who spoke also provided submissions in writing for consideration by the consultants, staff and Council. All hard copy comments received by staff have been previously conveyed electronically to the Mayor, Council and Clerks office for consideration. These hard copy submissions will also be included as copies in the adopting Bylaw.

DISCUSSION:

In conformity with Section 26(5) of the *Planning Act*:

“Council shall have regard to any written submission about what revisions may be required and shall give any person who attends the special meeting an opportunity to be heard on that subject”.

The purpose of this report is to provide public regard for all comments received during both the statutory and supplemental consultation processes conducted to-date. Attachment 1 is a summary table of all comments received.

SUMMARY:

The analysis of public comments represents a vital step prior to the drafting of the new COP. Staff and the consultants have worked diligently in recent weeks to gather a fluid understanding of the community values before revising the draft of the COP. A thorough and comprehensive consultation process becomes imperative to receiving community buy-in to the plan and ensuring that the policies are reflective of the local community context.

Council has directed staff to prepare and bring forward a Bylaw for adoption of the Amendment on June 26th, 2018. Following the adoption of the Bylaw, the local municipality will forward a completed Official Plan Amendment application package to the County of Lanark for review and final decision. In accordance with Section 16(40) of the Planning Act the County will have 210 days to issue a decision respecting the adoption of the Official Plan Amendment. The County may choose to approve, approve

with modifications, or deny the Official Plan Amendment. Any party wishing to receive notice of the OPA review by the County is asked to contact the County Planner Directly.

Members of the public with questions or concerns pertaining to the summary table of comments or the COP are invited to contact the Planning Department or schedule a drop-in session with the Director.

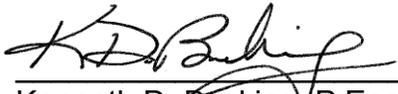
Respectfully submitted by,

Reviewed by:



Niki Dwyer, MCIP, RPP
Director of Planning





Kenneth D. Becking, P.Eng
Chief Administrative Officer

ATTACHMENT 1 – SUMMARY OF COMMENTS RECEIVED

MUNICIPALITY OF MISSISSIPPI MILLS 5 YEAR OFFICIAL PLAN REVIEW

Prepared by: JL Richards and Associates

MUNICIPALITY OF MISSISSIPPI MILLS 5 YEAR OFFICIAL PLAN REVIEW

No.	Person/Public Body	Comment Summary	Response
1	Tracy Julian	Request to keep the existing definition of <i>Affordable Housing</i> as part of subsection 3.6.3 – Affordable Housing	All the definitions in the COP which were removed are those that are already included in the Provincial Policy Statement. We must have regard for the definition you have sourced above, and will continue to do so until the PPS is updated to include a new definition.
2		The draft COP does not provide any guidance regarding Affordable Housing in relation to average incomes in the community, the actual selling price of homes or the cost of rental properties. What are the justifications for the changes to subsection 3.6.3 – Affordable Housing?	<p>Affordable Housing is a dynamic target, it is hard for municipalities to fix a particular number to “affordability” as the plan is intended to stand over a 20 year term. As a result, many municipalities have removed quantifiable targets and have moved to a principled approach to ensuring affordable housing targets can be met. The introduction of alternative housing forms – ie second dwelling units has been included in the amendment.</p> <p>The Province is also currently making major policy changes respecting inclusionary zoning– as means of increasing general housing affordability in the market. The result of which will be new local policies for implementation in the near future.</p>
3		How does the Municipality propose to monitor whether or not new development is meeting affordable housing goals (25%) and rental unit goals (30%)?	The COP has goals, objectives, and policies to support / promote affordable housing. The County and municipality will be working on inclusionary policies / implementation strategy in the near future.

4	Sylvia Sirett	Request to amend the date of July 1 st 1973 as that qualifying date to define a holding/parcel/lot of record .	The direction from Municipal Council and Staff was to keep status-quo in regards to severance policies. A detailed inventory of consent activities dating back to July 1, 1973 was mapped using GIS. In addition, potential consent activity was reviewed based on current policy with the conclusion that there are sufficient opportunities throughout the municipality for rural consent activity.
5	Steve Maynard	Natural Heritage: Request to remove references to <i>locally significant wetlands</i> in the COP.	Locally significant wetlands (in and around the Burnt Lands) were included in the current 2006 COP. The proposed amendment has not introduced any new locally significant features (ie wetlands, woodlands, etc.)
6		Parkland Acquisition: The proposed amendments to subsection 3.8.5, will see the requirement for conveyance of Parkland to be "land in an amount not exceeding" 5%, which means there is potential for 0% of land to be conveyed as Parkland at the time of plan of subdivision, development or redevelopment of land. Request to set a minimum Parkland conveyance.	The proposed parkland dedication is per the Planning Act. ..."shall impose... an amount not exceeding" 5% (residential) or 2% (commercial or industrial). Current COP indicated 5% for residential (only).
7		Heritage Resources: Request to lessen the development constraints on lands adjacent to <i>Heritage Resources</i> proposed in Section 4.3; and to allow property owners to opt out of the heritage designation.	The proposed changes to the Heritage Resources section were provided by the previous Town Planner in collaboration with its Heritage Committee. The revised policy dealing with development adjacent to a designated heritage resource includes a series of compatibility criteria for the municipality to consider as part of the development review process. Property owners may appeal a heritage designation application to the Conservation Review Board.

8		Economic Development: Request to add language in support of the Ottawa Valley Recreational Trail to increase tourism in the Municipality.	To be reviewed by municipality.
9		Affordable Housing: How does the Municipality propose to monitor whether or not new development is meeting affordable housing goals (25%) and rental unit goals (30%)? Affordable Housing is not defined in the COP.	See items 1-3 above.
10		The Accessibility section of the proposed Community Official Plan amendments refers only to the Ontarians with Disabilities Act. Mississippi Mills needs to state Goals and Objectives that make compliance with the Accessibility for Ontarians with Disabilities Act mandatory.	Compliance with AODA 2005 regulations are met via the building permit phases of development.
11		Site Alteration is still heavily regulated in the proposed amendments and is not limited to site alteration on a development site. Request to lessen the constraints related to <i>Site Alteration</i> .	Development and site alteration are defined in the PPS. A Municipality can regulate Site Alteration by means of a Site Alteration by-law under the <i>Municipal Act</i> . As part of 'development' (planning act approval) site alteration (like development) will need to be evaluated by the approval authority per Section 2.1 of the PPS to demonstrate no negative impacts.
12	PRATAC (web posting)	Natural Heritage: Request to remove references to remove <i>locally significant wetlands</i> in the COP.	See comment 5 above.

13		Heritage Resources: Request to remove all changes and expansions to Section 4.3 – Heritage Resources, especially for non-heritage structures; allow opt-outs.	See comment 7 above.
14		Agricultural Lands: Request that agricultural operations will be permitted with no changes to buffers. Where prime agricultural use can be expanded, it will be encouraged in recognition and preservation of the rural character of the Municipality.	As per Council resolution, no changes are proposed at this time to the AG policies or mapping. A new policy was added indicating that Council will undertake an agricultural policy and mapping review in the near future.
15		Economic Development: Request to add language in support of the Ottawa Valley Recreational Trail to increase tourism in the Municipality.	See comment 8 above.
16		Future Expansion Areas: Request to remove Section 3.9 – Future Expansion Areas Almonte Ward. In its place, include language indicating that settlement area expansion is to be reviewed throughout the Municipality.	Per current policy and Planning Act, a comprehensive review would need to be completed supporting the expansion of a settlement area. Future Expansion Areas are shown as an overlay over rural and/or agricultural parcels. An OPA would be required to include these lands into the settlement area. Section 3.9 provides direction on matters to consider as part of a future development application for these lands – items that would normally be reviewed to ensure a sustainable and integrated community.
17	Connie Jackson	How does the Municipality propose to monitor whether or not new development is meeting affordable housing goals?	See items 1-3 above.

18	Jackie Brophy	Request that the lands in the northwestern extent of Almont (Brown's Lands) are not removed from the Urban Settlement Area.	No changes to the Urban Settlement boundary are proposed by this Official Plan Amendment.
19	John Levi	The population/growth forecast in the background report is not a true representation of the Municipality.	Background report was initially prepared in December 2010 and revised/updated to April 2017. The report's findings and conclusions were presented to Council prior to moving forward with the OPA. Consent activity, subdivision activity, building permit activity, etc. were provided based on municipal / county records.
20		Request to amend the date of July 1 st 1973 as that qualifying date to define a <i>holding/parcel/lot of record</i> .	See comment 4 above.
21		Request to permit rural subdivisions.	See comment 4 above.
22		Request to reduce the requirement that the parent property from which the cluster lot development proposal is severed has a minimum lot area of 25 acres.	See comment 4 above.
23		Request to permit the expansion of settlement area boundaries.	The expansion of settlement areas is permitted in the COP provided that it is supported by a Comprehensive Review. See comment 19 above.
24	Jan Maydan	<p>Natural Heritage: Request to remove references to remove <i>locally significant wetlands</i> in the COP.</p> <p>The Municipality/Government should provide evidence that negative effects will come from a proposed development prior to requesting for an EIS from a resident. The costs associated to an</p>	<p>See comment 5 above.</p> <p>The PPS 2014 does not permit development or site alteration unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Municipality's use Environmental Impact Studies per the Natural Heritage Reference Manual as the tool to assist</p>

	EIS should be shared between the proponent and the Municipality/Government.	approval authority's in making this determination. Known matters of provincial interest have been identified on the various maps and policies have been formulated around these (consistent with Lanark County's Sustainable Community Official Plan and PPS 2014). Traditionally, an application is responsible to demonstrate that their application will conform to applicable policies. The COP amendment has included a simplified Scoped EIS approach. Furthermore, EIS requirements will be per approved guidelines which can be adapted for a specific project.
25	Heritage Resources: Request to remove all changes proposed in Section 4.3 – Heritage Resources; and to allow property owners to opt out of the heritage designation.	See comment 7 above.
26	Agricultural Lands: Request that agricultural operations will be permitted with no changes to buffers. Where prime agricultural use can be expanded, it will be encouraged in recognition and preservation of the rural character of the Municipality.	See comment 14 above.
27	Economic Development: Request to add language in support of the Ottawa Valley Recreational Trail and its to increase tourism in the Municipality .	See comment 8 above.
28	Future Expansion Areas: Request to remove Section 3.9 – Future	See comment 16 above.

		Expansion Areas Almonte Ward. In its place, include language indicating that settlement area expansion is to be reviewed throughout the Municipality.	
29	Brian Gallagher	During the review process, Council and Staff should have made better efforts of public consultation and communication.	Noted.
30		Request for incentives to promote infill development.	The COP supports / promotes intensification (infill). The current COP includes a section dealing with increased height and density provisions as incentives to promote various forms of development (including intensification).
31		Request to amend the date of July 1 st 1973 as that qualifying date to define a holding/parcel/lot of record .	See comment 4 above.
32		Request to revisit/permit rural subdivisions	See comment 4 above.
33	Fotenn (for Houchaimi Holdings Inc.)	Request for Council to reconsider their decision to maintain the 'Prime Agriculture' designation applied to the expansion lands located immediately outside of the south-east corner of the Almonte Ward boundary. It is our professional opinion that the 'Rural' designation described in Scenario 2 of the 'Agriculture Lands Study' is the most appropriate designation for the land.	See comment 14 above. A LEAR study will be completed in the near future.
34		Request that the Urban Settlement Area be modified to include the expansion lands located immediately outside of the south-east corner of the Almonte Ward boundary.	As per the findings of the Background Report (Comprehensive Review) prior to undertaking of the Official Plan Review, it was found that there was sufficient opportunity for growth within the existing Urban Settlement Area. County have initiated their 5-

			Year review and population projections and settlement area boundaries will need to be revised as part of the process.
35		Request that the surplus of employment lands (determined by the Background Report) be evaluated to explore their potential to serve other land uses.	Background Report has proposed to maintain employment lands with the goal that the municipality seeks economic development opportunities to increase its local activity rate.
36	ZanderPlan	Request that the Urban Settlement Area be modified to include the expansion lands located on the adjacent lands north of the Almonte Ward boundary, east of Martin Street North.	See comment 34 above.
37	Gregory Bowes	Request for the controlled addition of severances, select strip development and more estate lots on private services should all be part of the solution to meeting the population growth of the Municipality.	See comment 4 above.
38		Request to permit additional (more than 2) severances in the Rural Policy Area.	See comment 4 above.
39		Request to increase the maximum lot sized created via severances in rural areas.	See comment 4 above – no changes no rural lot sizes proposed.
40	Tineke Kuiper	Request for policies that would prevent all development within an ANSI.	The PPS 2014 does not permit development or site alteration unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Municipality's use Environmental Impact Studies per the Natural Heritage Reference Manual as the tool to assist approval authority's in making this determination. The LCSCOP Section 5.5.3.2 reads "Development may be permitted in significant areas of natural and scientific

			<p>interest (ANSIs), or on adjacent lands within 120 metres, only if it has been demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.” The DRAFT OPA indicates that the Natural Heritage System consists of (amongst other features) the various natural heritage features (including ANSI’s). Draft policy 3.1.4.7 reads “Generally, the Municipality will not support the extension of the public road system within lands that create the Natural Heritage System. Minor extensions, including private roads, will only be entertained when supported by an EIS that demonstrates that there will be no negative impacts on the natural features or their ecological functions.”</p>
41		<p>The Natural Heritage Reference Manual recommends that Natural Heritage Systems should be made up of Core Areas and Linkages. Request for the COP to take this approach in describing its Natural Heritage System.</p>	<p>Section 3.1.3 of the Draft OPA includes a new section describing the NHS. Until a County-wide NHS Strategy is developed, the NHS for MM will consist of natural heritage features identified in this policy, as well as their adjacent lands, which provide for linkages.</p>
42	Ann & John O’Dacre	<p>Request for the removal of the sentence “and reflects the collective views and values of the community” (in Section 1.1).</p>	<p>Noted – this is not a NEW COP but an update to the existing COP.</p>
43		<p>Request to amend subsection 1.5.1 – Policy (Interpretation Section), as follows: “where there is a conflict between two policies, the more restrictive of the two policies shall apply”</p>	<p>Because there are overlapping matters of provincial interest (ie woodlands and wetlands) the more restrictive policies must be applied per PPS.</p>

44		Request to add the following text to the Goals and Objectives (2.5.1) of the Growth and Settlement Section (2.5): “Work collaboratively with rural landowners who wish to build or construct buildings or structures adjacent to a NHS that are incidental, accessory or essential to permitted land use to avoid unnecessary delay and minimize costs.”	Noted – for Council consideration as not a matter of consistency.
45		Request for development and site alteration to be allowed on properties carrying out a permitted use adjacent to natural heritage system areas or features.	Per the PPS and the LCSCOP, development within and adjacent to a natural heritage features needs to demonstrate that there will be no negative impacts on the natural features or their ecological functions. The current MM COP Section 3.1.5.1.1.6 reads “All development within 120m of provincially significant wetlands or 50 m of a locally significant wetland shall be subject to site plan control.” This is not being proposed as per of this OPA.
46		Site Plan Control is not appropriate in cases where a landowner wishes to carry out development of a permitted uses on lands adjacent to a Natural Heritage System (ex: 120 m buffer adjacent to a PSW). Request to include the appropriate policies to allow rural landowners to develop permitted uses without the Site Plan process.	The 2006 MM COP Section 3.1.5.1.1.6 reads “All development within 120m of provincially significant wetlands or 50 m of a locally significant wetland shall be subject to site plan control.” Altering these provisions were not within the scope of the review and no direction from Council was provided to expand the review to include these provisions.
47		Request to amend the PSW boundaries.	Provincially Significant Wetlands (PSWs) are those identified by the province as being the most valuable. They are determined by a science-based ranking system known as the Ontario Wetland Evaluation

			System (OWES). The Ministry of Natural Resources and Forestry (MNRF) is responsible for the identification of PSWs. OWES recognizes wetlands can change over time and thus the wetland evaluation files maintained by the MNRF are considered “open files”.
48		When consultation with the MVCA and/or MNRF is prescribed by the COP, who is responsible for initiating/organizing and carrying it out?	If in in relation to a Planning Act approval the municipality would invite / consult the MVCA and/or MNRF as part of the pre-consultation. The MVCA and/or MNRF would also be circulated (where required) planning files for their review / comments.
49		Who decides when an Environmental Impact Statement is required?	Per the PPS and the Planning Act, the planning authority’s (ie Municipality, Consent Approval Authority, etc.) decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. The PPS and the LCSCOP requires that development within and adjacent to a natural heritage features demonstrate that there will be no negative impacts on the natural features or their ecological functions. Negative impacts should be assessed through environmental studies (in accordance with provincial standards). Therefore, the approval authority decides when and the type of study that needs to be completed in order to be able to make its decision on a planning matter.
50		Why does the municipality expect the property owner to pay for a peer review of an EIS?	When an EIS is required as part of a development application / planning act decision is the applicant’s responsibility to demonstrate compliance with applicable policies and regulations.
51		Request for the COP to include language/policies that would reduce costs/fees associated to Site Plan Control.	The current COP has requirements for Site Plan Control. In addition, the municipality has a Site Plan Control By-law that describes the types of development that are subject to site plan approval.

			The municipal Council establishes user fees for things such as planning applications. A reduction of fees could be requested of Council.
52		The term "site alteration" used throughout the COP requires clarification.	The PPS defines "site alteration" to include activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. Site Alteration (like development) would be reviewed as part of the EIS where development is proposed (planning act decision) to demonstrate no negative impacts to the natural heritage feature. The Municipality does not regulate site alteration (no Site Alteration by-law) unless there is an application for development approval.

(17 submissions)

ⁱ Updating official plan

26 (1) If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it,

(a) conforms with provincial plans or does not conflict with them, as the case may be;

(b) has regard to the matters of provincial interest listed in section 2; and

(c) is consistent with policy statements issued under subsection 3 (1). 2015, c. 26, s. 24 (1).