

**DRAFT OFFICIAL PLAN AMENDMENT 32
FOR REVIEW AND COMMENT**

DRAFT

CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. xx-xxx

BEING a By Law to Adopt Amendment No. 32 to the Mississippi Mills Community Official Plan.

WHEREAS a virtual information session was held on January 18, 2024 to present the comprehensive review and draft by-law to the public and provide them with an opportunity to ask questions and provide comments;

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills held a public meeting on **DATE** respecting a proposal **to align the Community Official Plan with changes to the Planning Act resulting from Bill 23**;

AND WHEREAS Committee of the Whole held a meeting on **DATE** to consider Official Plan Amendment No. 32;

AND WHEREAS Committee of the Whole has recommended to Council to enact and pass Official Plan Amendment No. 32 at its **DATE** meeting;

AND WHEREAS the Council has reviewed the information and material and has considered public comments as they relate to this amendment and has passed Resolution No **XXX-XX** on **DATE** endorsing Committee of the Whole's recommendation;

AND WHEREAS the Council has given serious consideration for the need to adopt an amendment to the Official Plan of the Municipality of Mississippi Mills to permit said land use designation;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, hereby ENACTS as follows:

1. That Amendment No. 32 to the Mississippi Mills Official Plan, a copy of which is attached to and forms part of this By-law, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Lanark for the approval of Amendment No. 32 to the Mississippi Mills Community Official Plan.

BY-LAW read, passed, signed and sealed in open Council this **XX** day of **MONTH** 2024.

Christa Lowry, Mayor

Jeanne Harfield Clerk

**OFFICIAL PLAN AMENDMENT No. 32
TO THE COMMUNITY OFFICIAL PLAN OF THE
MUNICIPALITY OF MISSISSIPPI MILLS**

**“Aligning the Community Official Plan with Bill 23
and other Housekeeping Amendments”**

Municipality of Mississippi Mills

DRAFT: February 5, 2024

**AMENDMENT NO. 32
TO THE COMMUNITY OFFICIAL PLAN
MUNICIPALITY OF MISSISSIPPI MILLS**

The attached explanatory text constituting Amendment No. 32 to the Community Official Plan of the Municipality of Mississippi Mills was prepared for and recommended to the Council of the Corporation of the Municipality of Mississippi Mills.

This Amendment to the Community Official Plan of the Municipality of Mississippi Mills was adopted by the Corporation of the Municipality of Mississippi Mills in accordance with Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, c. P.13, by By-law No. XX-XXX passed on the day of MONTH 2024.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

DRAFT

**OFFICIAL PLAN AMENDMENT No. 32
TO THE COMMUNITY OFFICIAL PLAN OF THE
MUNICIPALITY OF MISSISSIPPI MILLS**

PART A - THE PREAMBLE, contains an explanation of the purpose and basis for the amendment, as well as the lands affected, but does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and schedule constitutes Amendment No. 32 to the Municipality of Mississippi Mills' Community Official Plan (COP).

PART C – COMPREHENSIVE REVIEW ADDENDUM

PART D – THE APPENDICES, which are listed or attached hereto, do not constitute a part of this amendment.

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PART A – THE PREAMBLE

BACKGROUND

The first Mississippi Mills Community Official Plan (COP) was adopted by Council on December 13, 2005, and approved with modifications by the Minister of Municipal Affairs and Housing on August 29, 2006.

Over the past decade, the Provincial Government has introduced several statutory changes to the Planning Act to permit new forms of housing and improve the planning approval process for housing developments. The Planning Act prescribes matters of Provincial Interest and establishes the ground rules for land use planning in Ontario; the Act includes policies, regulations and procedures related to Official Plans in Part III of the Act, and Zoning By-laws and other land use controls in Part V of the Act.

More specifically, the Planning Act was amended in 2022 as a result of [Bill 23 – More Homes Built Faster Act, 2022](#) which amended Ontario’s Planning Act along with a number of other Acts related to the development process including the Conservation Authorities Act, the Development Charges Act and the Heritage Act. As noted in the report presented to [Committee of the Whole on November 1, 2022](#), regarding Bill 23, there are a number of changes arising from Bill 23 that affect Mississippi Mills.

POLICY CHANGES AS A RESULT OF OFFICIAL PLAN AMENDMENT (OPA) 22:

OPA 22 was adopted by the Municipality of Mississippi Mills in 2021 and the County of Lanark subsequently approved the OPA with some modifications. OPA 22’s main purpose was to expand the urban boundaries focused primarily on residential and employment growth. It led to the expansion of the Almonte Ward Settlement Boundary by approximately 64 hectares. This enables the Municipality to have more land available for residential development which can be used to meet the much-needed housing needs in the Municipality.

The County of Lanark approved OPA 22 on October 13th, 2021, subject to the modification of a total of 73 ha being added to Almonte’s urban boundary and the modifications listed below:

1. **Schedule “A” Rural Land Use and Schedule ‘B’ - Almonte Land Use of the Municipality of Mississippi Mills Community Official Plan is hereby modified by:**
 - a. Changing the land use designation of the affected lands as indicated on the Schedules attached hereto.
 - b. Changing the land use designation of the affected lands from “Rural” to “Special Policy Area – Unevaluated Wetlands”.
2. **Insert a New Section in Section 3.1.4.1 Provincially and Locally Significant Wetlands:**
 - a. Adding a new Section 3.1.4.1.2 “Special Policy Area – Unevaluated

Wetland” immediately after Section 3.1.4.1 as follows:

“3.1.4.1.2 Special Policy Area – Unevaluated Wetlands”

- i. Lands designated as “Special Policy Area - Unevaluated Wetlands”, the unevaluated wetland is required to be assessed through an appropriate study / studies and shall be reviewed and approved by the appropriate authorities, (i.e. Mississippi Valley Conservation Authority), prior to any consideration for any development. The Special Policy Area - Unevaluated Wetland will only be considered for development through an amendment to the Official Plan when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of these unevaluated wetlands. The setback from the unevaluated wetland boundary shall be a minimum of 30 metres.

OPA 22 also changed the ratio of low density to medium density residential development in new subdivisions. Previously at a ratio of 70% low density and 30% medium density, and this ratio was changed to a 60% low density and 40% medium density ratio. This required developers to increase the amount of medium density housing they incorporated into their subdivision plans to provide a greater range of housing options. OPA 22 also revised the method of calculating density for new subdivisions requiring the above noted ratio, an average maximum density as well as a range for low density residential development and medium density residential development.

PURPOSE

It is important for the COP to remain relevant and up to date to ensure that it reflects the evolving needs of the Municipality, and broader policy change. This OPA will align the COP and Zoning By-law with recent policy changes at the provincial level, the most notable being Bill 23, More Homes Built Faster Act, which aims to increase the rate of housing development. On the local scale, the Municipality has seen changes to housing needs and as a result is proposing policy amendments that will accommodate for these changing needs now and in the future.

Some of these amendments are “housekeeping” which means that the amendments are necessary, but are more process-based changes, and do not especially alter the planning framework used to evaluate planning applications. Other amendments are more impactful by changing the planning framework or tools that are used to regulate land use and evaluate development in the Municipality.

Bill 23 has affected the scope and function of Conservation Authorities, which are an essential municipal planning resource. The introduction of new environmental policy into the COP is required to address the provincial legislation which places new limits on the jurisdiction of Conservation Authorities such as the MVCA.

Despite Mississippi Mills having many forms of missing middle housing, there are some notable types of housing forms which have become more commonplace in subdivisions across Ontario. Specifically, back-to-back townhomes and stacked townhomes are two

built forms that are becoming more common in new subdivisions. Introducing missing these types of built forms will provide necessary housing options for the community.

The Secondary Dwelling Unit policies in the COP and Zoning By-law will also be amended to align with the changes introduced in Bill 23. This OPA amends the wording to address Secondary Dwelling Units as Additional Residential Units (ARUs) and changes the number of ARUs permitted, in accordance with the Planning Act.

This OPA also resolves certain amendments from OPA 22 that proved to be problematic. Specifically, policies about density requirements are amended in this OPA for consistency and clarity.

LOCATION

The subject Official Plan Amendment and Zoning By-law Amendment are Municipality-wide Amendments. All lands within the Municipality are subject to this amendment – both in settlement areas and outside of settlement areas.

BASIS

The Background Report included as Schedule 'B' attached hereto forms the basis to this amendment.

PART B – THE AMENDMENT

All of this part of the document, entitled Part B – The Amendment, consists of the following text and schedule to Amendment No. 32, constitutes Amendment No. 32 to the Community Official Plan (COP) of the Municipality of Mississippi Mills.

DETAILS OF THE AMENDMENT

The Municipality of Mississippi Mills Community Official Plan (COP) is hereby amended as follows:

Item #: Delete Section 5.3.6 in it's entirety and replace with the following:

5.3.6 Site Plan Control

Under the authority of Section 41 of the Planning Act, the Municipality may, by by-law, designate certain areas or land uses as site plan control areas. The Municipality has the authority to require plans and studies which adequately address the proposed development.

The following policies shall apply to the use of Site Plan Control.

1. For the purpose of this Plan, the entire municipality shall be designated as a site plan control area. Site Plan Control applications will be circulated, in accordance with the Planning Act.
2. Generally, site plan control will apply to residential development in accordance with the Planning Act; non-residential development including commercial, industrial and institutional development; development which requires an Environmental Impact Statement or are within close proximity of a significant environmental feature; areas within Source Water Protection and high aquifer vulnerability; private recreational or tourist commercial development; and non-residential development on existing lots of record which are less than the minimum size required in this Plan or the Zoning By-law.
3. The Municipality may require plans or drawings and conditions for the approval of the plans or drawings in accordance with the Planning Act.
4. The Municipality may require the signing of a Site Plan Agreement as a condition of the development of the lands and the submission of performance deposits, securities, and other documents such as insurance certificates, which shall be required prior to the issuance of a building permit. Upon the execution of a Site Plan Agreement, the agreement may be registered on title of the lands and be binding on all future landowners.

Item #: Replace all references to Site Plan Control with the following:

“Site Plan Control, in accordance with the Planning Act” or “Site Plan Control, in accordance with the Development Agreement or similar agreement” as the case may be.

Item #: Modify Section 4.8.3.1 Public Sewer and Water Facilities, by deleting item 12 in its entirety and replacing it with the following:

12. The extension or enlargement of municipal water and sewer infrastructure to support planned development will be the sole responsibility of the developer, if the works are not identified in the Development Charges By-law. The Municipality shall pass by-laws and enter into front ending agreements or other similar agreements, including financial arrangements, with developers or property owners for the installation of municipal services which are completed ahead of the Municipality's long term financial plan. Generally, the installation of municipal services will be identified in the Development Charges By-law.

Item #: Modify Section 4.8.3.1 Public Sewer and Water Facilities, by adding item 13 as written below, and renumbering accordingly:

13. In the event that the extension or enlargement of municipal water and sewer infrastructure is the sole responsibility of the developer and another development can benefit from the infrastructure works, the Municipality or Council will not involve themselves in any negotiations between parties; however will do their best efforts to ensure that 'Latecomer' developers adequately compensate the developer who undertook the infrastructure works. The Best efforts can include the following:
 - i. Requiring that the Latecomer developer(s) provide to the Municipality a letter, signed by all parties, indicating that any applicable cost sharing between the parties is agreed upon; or
 - ii. Requiring that documentation from a third-party trustee is provided to the Municipality indicating that any applicable cost sharing between the parties is agreed upon.

The Municipality may develop a "Latecomer Policy" to provide clear guidance on the role of Council and staff in this process. Regardless of the status of any cost sharing agreements, Council may use its own discretion in the granting of any planning approvals to the Latecomer(s); however, generally Council will not proceed with granting any planning approvals to the Latecomer(s) until such time that all parties have agreed upon a cost sharing arrangement.

Item #: After the word "control" in Section 3.1.6.1.4 (2), add the following:

"in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the floodplain. in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the floodplain."

Item #: Amend Section 3.6.3 Affordable Housing by adding "reduction of municipal fees and charges" after the word "charges," in item 9.

Item #: Delete Section 3.6.6 Special Needs Housing in its entirety and replace it with the following:

3. The Municipality shall seek to improve access to housing for people with special needs, including assisted housing, seniors housing and housing for individuals with special needs and persons with disabilities.
4. The Municipality shall work with local groups to determine the demand for special needs housing and support appropriate applications and proposals for special needs housing.
5. The Municipality will consider alternative approaches to providing housing targeted specifically to the seniors' population such as co-housing and cooperative housing.

Item #: Delete Section 5.1 in its entirety and replace with the following:

Circumstances may arise where an individual proposes a development which does not conform to the policies of the Community Official Plan. In order to permit such a development, the individual must submit an application to amend the Community Official Plan. The Municipality will give fair consideration to all Community Official Plan Amendments and notify the County of Lanark, general public, government and technical agencies and ministries of the nature of the proposed amendment, in accordance with the requirements of the Planning Act.

1. The processing of Community Official Plan Amendments shall be in accordance with the relevant sections of the Planning Act.
2. The submission of a Community Official Plan Amendment to the Municipality shall be accompanied by a detailed concept plan of the proposed development and a Planning Rationale prepared by a Registered Professional Planner which addresses the following:
 - i. how the Amendment complies with the Vision for the Municipality of Mississippi Mills
 - ii. how the Amendment further the Goals and Objectives of the Plan?
 - iii. how the Amendment in keeping with the Provincial Policy Statement and new legislation in effect at other levels of government
 - iv. demonstrate the need for the proposed development
 - v. demonstrate how the development will be adequately serviced to accommodate the proposed development
 - vi. identify any improvements may be required to properly service the land

- vii. identify any impacts the development could have on surrounding land uses, transportation, servicing, built heritage and natural environment and how these impacts will be mitigated.

5.1.1 Review Procedure

Every five years, after the Official Plan comes into effect Council shall undertake a review of the Official Plan, hold a separate meeting open to the public and revise the Plan, as required, in accordance with the *Planning Act*. The revisions shall ensure that the Official Plan conforms to applicable provincial plans, has regard to matters of provincial interest, and is consistent with the policy statements issued under Section 3 of the *Planning Act*.

Item #: Delete Section 5.2 in its entirety and replace with the following:

There may be existing, legal non-conforming land uses within the Municipality which this Plan does not permit. Existing land uses which do not conform to the Community Official Plan and are considered incompatible with the surrounding uses, and it is the goal of the plan that these uses should cease to exist over time.

Item #: Delete Section 5.3.1 in its entirety and replace with the following:

The Municipality of Mississippi Mills Zoning By-law is the major tool available to the Municipality to implement the policies of the Community Official Plan. The Zoning By-law applies to the entire Municipality and sets out detailed provisions which implement the broader land use goals, objectives and policies of the Plan.

The Zoning By-law zones land and establishes regulations to control the use of land and location and use of buildings and structures in accordance with this Plan. The Municipality may establish a number of zones to classify and control land uses to implement this Plan.

1. When this Official Plan is approved, Council will enact a new Zoning By-law which will be in conformity with, and implement the provisions of, this Official Plan.
2. The Municipality will give consideration to all amendments to the Zoning By-law and provide notification, in accordance with the requirements of the *Planning Act*. The Municipality may provide alternative notification measures as detailed in Section 5.3.17. The Municipality will require an Official Plan Amendment for any amendment to the Zoning By-law which does not conform to this Plan.
3. Legal non-conforming uses may be placed in zones that do not correspond with the Land Use Designation of this Plan. The Zoning By-law may recognize existing uses, provided the following criteria are met:
 - i. the zone does not permit significant negative changes in the use of the property or negatively impacts on adjacent uses;
 - ii. the recognition of the legal non-conforming use does not represent a danger to surrounding uses or persons; and,

- iii. the legal non-conforming use does not interfere with the desirable development of the adjacent area.

Vacant land within the Municipality may be placed in the "Development" zone. The Development zone limits the use and development of vacant land until an appropriate Zoning By-law Amendment is approved. The Development zone may permit the continued use of the land including existing buildings and structures. All new uses shall require an amendment to the Zoning By-law.

Item #: Delete the contents of Section 5.3.2 in its entirety and replace with the following:

Council may consider increases in the height and/or density for a specific development permitted under the Zoning By-law where it is demonstrated that the development is advancing the goals and objectives of this Plan beyond the minimum requirements. In such cases the specific development proposal should advance the intent and purpose of the Community Official Plan and address the following provisions:

1. Increased height and density should only be granted to developments where such increased height and density does not have a negative impact on surrounding lands uses, can be appropriately serviced and where more than one of the following criteria are fulfilled beyond the minimum requirements of the Plan:
 - i. the development provides for assisted housing, seniors housing or special needs housing in accordance with the identified needs of the community, which can be located off-site in a location deemed appropriate by the Municipality;
 - ii. the development incorporates the preservation and restoration of buildings of historic or architectural value which will serve to meet the heritage resources goals and actions of this Plan;
 - iii. the development includes the provision for public art or significant community amenities and recreational facilities which serve the identified needs of the Municipality;
 - iv. the development provides walkways and connections to public trails and walkways and/or public access to significant water resources beyond what is required in this Plan or the Transportation Master Plan;
 - v. the development protects significant environmental and natural heritage areas beyond what is required;
 - vi. the development proposes innovative building design or sustainable building design which surpass the community design goals of this Plan and beyond minimum requirements of the Ontario Building Code;
 - vii. the development proposal incorporates efficient use or conservation of energy beyond the minimum requirements of the Ontario Building Code;

and,

- viii. the development implements the affordable housing policies of this Plan.
2. It is the policy of the Municipality that the owner of lands granted increased height and density shall enter into an agreement with the Municipality which stipulates the criteria which need to be met. Such agreements may be registered on title of the property, at the owner's expense.

Item #: Delete the contents of Section 5.3.3 in its entirety and replace with the following:

Council may consider increases in the height and/or density for a specific development permitted under the Zoning By-law where it is demonstrated that the development is advancing the goals and objectives of this Plan beyond the minimum requirements. In such cases the specific development proposal should advance the intent and purpose of the Community Official Plan and address the following provisions:

1. Increased height and density should only be granted to developments where such increased height and density does not have a negative impact on surrounding lands uses, can be appropriately serviced and where more than one of the following criteria are fulfilled beyond the minimum requirements of the Plan:
 - i. the development provides for assisted housing, seniors housing or special needs housing in accordance with the identified needs of the community, which can be located off-site in a location deemed appropriate by the Municipality;
 - ii. the development incorporates the preservation and restoration of buildings of historic or architectural value which will serve to meet the heritage resources goals and actions of this Plan;
 - iii. the development includes the provision for public art or significant community amenities and recreational facilities which serve the identified needs of the Municipality;
 - iv. the development provides walkways and connections to public trails and walkways and/or public access to significant water resources beyond what is required in this Plan or the Transportation Master Plan;
 - v. the development protects significant environmental and natural heritage areas beyond what is required;
 - vi. the development proposes innovative building design or sustainable building design which surpass the community design goals of this Plan and beyond minimum requirements of the Ontario Building Code;
 - vii. the development proposal incorporates efficient use or conservation of energy beyond the minimum requirements of the Ontario Building Code;

and,

viii. the development implements the affordable housing policies of this Plan.

2. It is the policy of the Municipality that the owner of lands granted increased height and density shall enter into an agreement with the Municipality which stipulates the criteria which need to be met. Such agreements may be registered on title of the property, at the owner's expense.

Item #: Delete the contents Section 5.3.7 in its entirety and replace with the following:

In certain instances, a proposal to construct a new structure or expand an existing structure may not be able to meet one or more of the provisions of the Zoning By-law. In such cases, an application for a minor variance to the Committee of Adjustment can be submitted to grant a "minor variance" from one or more of the requirements of the Zoning By-law in order to permit the development to proceed. The Committee of Adjustment will have regard for the four tests of a minor variance, in accordance with the Planning Act, as follows:

1. The minor variance is
 - i. in keeping with the intent of the Zoning By-law;
 - ii. in keeping with the intent of the Community Official Plan;
 - iii. appropriate and desirable use of land; and,
 - iv. minor in nature.
2. The Committee of Adjustment may impose conditions which may include entering into agreements with the Municipality which may be registered on title of the subject property, obtaining building permits within a certain timeframe of the granting of the minor variance and any other conditions that the Committee deems reasonable.
3. The Chief Building Official for the Municipality shall be satisfied that all the conditions of the minor variance are met prior to the issuance of a building permit.

Item #: Delete Section 5.3.8 in its entirety, and replace it with the following:

Certain uses, which legally existed prior to the passage of the Zoning By-law but are no longer permitted are referred to as "legal non-conforming". To obtain legal non-conforming status, the following conditions must be satisfied:

1. the use was legally established prior to the passing of the Zoning By-law; and,
2. the use has continued without interruption from the date of the establishment of the use or during a period of discontinuance there have been reasonable attempts to continue the use.
3. If documentation cannot be provided for condition #1 above, a statutory declaration detailing the legally established use can be an accepted, at the

discretion of the Municipality.

Legal non-conforming uses are allowed to continue to exist provided no enlargements, extensions or changes of use are made. Enlargements, extensions or changes in use require an application for permission from the Committee of Adjustment. The following policies will be considered by the Committee of Adjustment for permission applications:

1. Legal non-conforming uses should cease to exist over time. Additions, expansions or changes in use which do not meet the provisions of the Zoning By-law should be discouraged.
2. The Plan recognizes that circumstances may exist where additions or expansions to a use may be desirable.

A change in use from one legal non-conforming use to another use which is not permitted in the Zoning By-law, but which is equally or more compatible than the existing use, may be permitted.

1. The following criteria shall be used to assess a proposed addition, expansion or change of use:
 - i. the proposed development will not add to the non-conforming nature of the property;
 - ii. the features of the non-conforming use and proposed addition or expansion are compatible with adjacent uses;
 - iii. the the environmental policies of this Plan are met;
 - iv. the proposed development does not represent an unreasonable increase to the size and intensity of the existing use;
 - v. the proposed development will have minimal impact on the surrounding built environment, specifically with respect to projected levels of noise, vibration, fumes, smoke, dust, odours, lighting, outdoor storage and traffic generation;
 - vi. the proposed development will include landscaping, buffering or screening, appropriate setbacks for buildings and structures or other measures which improve compatibility with the surrounding area;
 - vii. traffic and parking conditions are not be adversely affected by the proposed development including entrance and exit points to and from the site, sightlines and pedestrian and vehicular safety;
 - viii. adequate off-street parking, loading and unloading facilities are provided; and,
 - ix. applicable municipal services are available or will be provided through the conditions of approval.

Failure to meet one or more of the criteria stated above may provide grounds for refusal of the application by the Committee of Adjustment.

2. The Committee of Adjustment may impose conditions which may include entering into agreements with the Municipality which may be registered on title of the subject property, obtaining building permits within a certain timeframe of the granting of the application and any other conditions that the Committee deems reasonable.

Item #: Delete the contents of Section 5.9 Public Consultation in its entirety and replace with the following:

The Planning Act sets out the minimum public notice requirements for all types of planning applications.

In order to ensure that the public has ample opportunity to be involved with planning matters, Council may establish alternative notification procedures for notification and consultation. The procedures outlined below provide for alternative notification procedures, in accordance with the Planning Act. Council may, in specific instances, establish consultative procedures which are supplementary to the procedures contained in this Plan.

5.9.1 Public Meetings

Council will hold statutory public meetings in accordance with the Planning Act. Council may hold statutory public meetings as part of a Council meeting, Committee meeting or alternative date and location as deemed appropriate.

5.9.2 Alternative Notification

1. Council may establish alternative public consultation measures to notify prescribed persons and public bodies of proposed development as corporate policies adopted by by-law outside of this Plan provided the by-law is approved by Council and addresses public notification and consultation.
2. Council may delegate its authority to administer these measures to an appointed Committee, officer, or employee identified by by-law.

5.9.3 Additional Notification and Consultation Procedures

1. Additional procedures for planning studies and major Official Plan and Zoning By-law Amendments are set out below. Council may choose to implement the procedures below or develop additional consultation strategies for certain planning studies.
 - a) Official Plan Review/Zoning By-law Review
 - i. public information meeting at the beginning of the review to inform the public of the topics being addressed in the review; or
 - ii. if required, establish a sub-committee of Council, key stakeholders or subject matter experts to participate in the

- development of Official Plan policies or Zoning By-law provisions; or
 - iii. public information meetings on each major amendment topic
- b) Official Plan Amendments/Zoning By-law Amendments
- i. for site specific amendments:
 - notification by newspaper; or
 - notification by mail to property owners within the prescribed area and notice on the subject property;
 - ii. for general amendments:
 - notification by newspaper; or
 - notification by email or mail to organized groups, stakeholders and individuals who have requested notice be given.
- c) Plans of Subdivision
- i. Prior to draft approval of a subdivision by the County, Council may choose to provide non-statutory notification by mail to property owners within 120 metres of the subject property advising of a non-statutory meeting at which Council will be given an overview of the plan of subdivision application.

Item #: Delete the contents of Section 5.3.17 in its entirety and replace with the following:

5.3.17.1 Pre-Consultation

1. The Municipality shall hold pre-consultations for all types of planning applications.
2. Council can, by by-law require that pre-consultations occur prior to the Municipality deeming an application complete, in accordance with the Planning Act.
3. The Municipality will provide an applicant with a list of plans and studies following a pre-consultation meeting for the applicant to use as a guide for the submission of a planning application.

5.3.17.2 Development Applications: Required Information and Material

As per the Planning Act, Council or their designate, may require applicants to provide additional information or material to accompany the planning applications, in addition to the plans and studies identified in the pre-consultation stage. The number and scope of studies and assessments required for the submission of a complete application shall be in keeping with the scope and complexity of the application.

5.3.17.3 Development Applications: Additional Studies and Assessments

Additional information in the form of the studies or assessments listed in this Section may be required prior to deeming a planning application complete to ensure that all relevant and required information and material pertaining to a planning application is

available at the time of submission.

1. The additional information or material that may be required includes, but is not limited to, the studies and assessments listed below:

- i. Aggregate Study / Impact Assessment;
- ii. Agricultural Soils Assessment / Impact Analysis;
- iii. Air Quality / Dust / Odour / Noise Study;
- iv. Archaeological Assessment;
- v. Compatibility Assessment;
- vi. Concept Plan;
- vii. Construction Management Plan;
- viii. Decommissioning Plan;
- ix. Dispute Resolution Protocol;
- x. Electromagnetic Interference Report;
- xi. Emergency Management Plan;
- xii. Environmental Impact Study / Audits / Previous Land
- xiii. Use Inventory / Site-Specific Risk Assessment;
- xiv. Financial Impact Assessment / Analyse;
- xv. Indigenous Consultation Strategy;
- xvi. Flood Plain Management / Slope Stability Report
- xvii. Forest Management Plan;
- xviii. Geotechnical Study;
- xix. Groundwater Nitrate Impact Assessment;
- xx. Cultural Heritage Impact Statement;
- xxi. Hydrogeological Report;
- xxii. Hydraulic Analysis
- xxiii. Ice Throw Report;
- xxiv. Influence Area Study;
- xxv. Lake Capacity Assessment;
- xxvi. Landscaping Plan;
- xxvii. Market Justification / Impact Assessment;
- xxviii. Micro-Climatic Impact Assessment;
- xxix. Minimum Distance Separation Formulae;
- xxx. Natural Heritage Evaluation / Impact Study;

- xxxi. Nutrient Management Plan;
- xxxii. Parking Study;
- xxxiii. Planning Brief / Rationale;
- xxxiv. Rural Design Study;
- xxxv. Servicing Report;
- xxxvi. Shadow Impact;
- xxxvii. Site Rehabilitation Plan;
- xxxviii. Stormwater Management / Master Drainage Plan;
- xxxix. Structural Engineering Analysis;
- xl. Transportation Impact Study / Traffic Brief ;
- xli. Tree Inventory / Tree Preservation / Tree Protection Plan;
- xlii. Urban Design Brief;
- xlili. Rural Design Brief; and
- xliv. Visual Impact Study

2. Notwithstanding the required studies and assessments listed above, Council may request additional information that is considered reasonable and necessary in order to make a decision on a planning application.

3. The Municipality may require any of the studies or assessments to be peer reviewed on behalf of the Municipality at the applicant's expense.

Item #: Delete the contents of Section 5.11 Cooperation with Adjacent Municipalities and replace with the following:

1. The policies, activities and services of adjacent municipalities may have impacts on the long-term planning goals of the Municipality of Mississippi Mills. Therefore, the Municipality adopts the following policies aimed at improving land use and servicing decisions by adjacent municipalities.
2. The Municipality shall notify adjacent municipalities of any planning application, in accordance with the Planning Act.
3. In order to ensure appropriate services to residents living within Mississippi Mills, the Municipality may enter into agreements that it finds advisable, relating to the sharing of community services. Such agreements may deal with roads servicing, recreation, library services, fire protection, garbage disposal and recycling.

Item#: Insert the following Section after 5.13 Development Charges Act and renumber accordingly:

5.14 DELEGATION OF AUTHORITY

1. Council may, by by-law, delegate the authority to pass by-laws under the authority

of the Planning Act that are of a minor nature to:

- a. Committee of council; or
- b. An individual who is an officer, employee, or agent of the Municipality.

2. Further, by-laws in policy 1 above that are deemed to be minor in nature may include:

- a. Zoning Amendments that are required as a condition of approval of a provisional consent application that received no objections from the public and agencies during the required circulation period.
- b. Zoning Amendments that are required as a condition of approval of a provisional consent for lot creation for a residence surplus to a farming operation.
- c. A by-law to remove a holding symbol under Section 36 of the Planning Act where the conditions to remove the holding symbol have been met and any required agreements have been executed.
- d. Temporary uses that are specified in the Municipality's delegation of authority by-law.
- e. Zoning Amendments to permit garden suites.

3. A by-law passed under the authority of must follow the public notice requirements of the Planning Act, which may include following alternative measures for consulting the public found in Section 5.9.

Item #: Section 3.1.4 is modified by adding the following sentence to the last paragraph:

"The MVCA regulates Provincially Significant Wetlands as well as other wetlands that meet certain criteria. MVCA should be contacted prior to conducting any work in or around any wetland in order to assess if permission required from the MVCA."

Item #: Section 3.1.4.1.1. is modified by deleting items 1 to 11 in their entirety and replacing with the following, and renumbering accordingly:

1. The boundaries of provincially significant and locally significant wetlands shall be derived from mapping provided by the Ministry of Natural Resources and Forestry (MNR). Where the actual location of the boundary line on the ground is uncertain, the Municipality shall consult the MNR in making such a determination.
2. For a wetland that is an unevaluated wetland regulated by the MVCA as and has characteristics or contains components that may be typical of a significant wetland (e.g. significant species or functions) the Municipality or the MVCA may require that a wetland evaluation is undertaken using the MNR guidelines.
3. No development or site alteration shall be permitted within provincially significant or locally significant wetlands, with the exception of sustainable

forestry, conservation, wildlife management, passive outdoor recreation and educational activities. This Plan encourages the owners of identified wetlands to retain these lands in their natural state.

4. Development within 120 m of provincially significant wetlands or 50 m of a locally significant wetlands may take place in accordance with the land use designation shown on land use Schedules to this Plan only when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of these wetlands. Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement, Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.
5. Notwithstanding policy #4 above, development shall not be permitted within a 30 metre setback from the highwater mark associated with a **water resource** or **watercourse**. Decreases to the 30 metre setback from the highwater mark shall only be considered for existing lots of record when it has been demonstrated that there is no other practical alternative for development of the land and does not result in any development within the floodway or flood fringe. Development shall only be permitted as part of Planning Act approval which shall require an Environmental Impact Study to demonstrate that there are no negative impacts on the natural features or ecological functions of the **water resource** or **watercourse**. Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement, Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.
6. Notwithstanding the above policy #4, the Zoning By-law may contain provisions which permit minor expansions or alterations to existing buildings or structures or the construction of accessory buildings or structures within the adjacent lands without an Environmental Impact Study. These minor expansions or alterations should be limited to not more than a 25% expansion of the existing footprint and located outside of the floodplain. Regardless of the size of expansion, any expansions will require an Environmental Impact Study or Scoped Environmental Impact Study to demonstrate that there are no negative impacts on the natural features or ecological functions of the water resource or watercourse. Any recommendations or implementation measures arising from an (Scoped) Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.
7. Notwithstanding the above policies, established agricultural uses, existing at the date of the adoption of this Plan, are permitted to continue within and adjacent to provincially and locally significant wetlands. New or expanded agricultural

structures or the clearing or draining of lands within the limits of wetlands are prohibited.

8. As additional wetlands are evaluated by the Ministry of Natural Resources and Forestry (MNRF), the Council shall incorporate the new wetlands into this Plan through an Official Plan Amendment.
9. This Plan shall require the retention and/or establishment of mature tree cover and native shrubs and vegetative cover on lands within 15 metres (49 feet) of a highwater mark of a water resource in order to protect the riparian and littoral zones and associated habitat, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of development. Notwithstanding the 15 metre vegetative buffer, a water access area of a maximum of 9 metres in width may be permitted provided the natural shoreline is disturbed as little as possible and the balance of the waterfront outside of the access area is maintained in a natural state. Within the natural vegetative buffer, the pruning of trees for viewing purposes or the removal of trees for safety reasons may be permitted provided the intent of the policy is maintained. All other policies and approvals for work near water resources shall apply.

Item #: Section 3.1.4.2 modified by deleting items 1 to 3 in their entirety and replacing with the following, and renumbering accordingly:

1. Subject to federal or provincial legislation, where an Ecological Site Assessment confirms the existence of habitat of endangered or threatened species, development and site alteration will be prohibited.
2. Notwithstanding subsection 1 above, development and site alteration may be permitted on lands within 120 metres of the habitat of endangered or threatened species provided it has been demonstrated through an Environmental Impact Statement or Ecological Site Assessment that there will be no negative impacts on the natural features or the ecological functions of the habitat . Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement, Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.

Item #: Section 3.1.4.4.1. is modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. The establishment of single dwellings on existing lots of record shall be permitted, subject to all other relevant policies of this Plan.
2. Development and site alteration within significant woodlands may take place in accordance with the underlying land use designation only when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of the woodland. Any recommendations or implementation measures arising from an

Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement, Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.

3. Development and site alteration within 120 m of a significant woodland, may take place in accordance with the land use designation shown on the Schedules to this Plan only when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of the woodland. Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement, Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.
4. Agricultural forestry activities such as maple syrup production and the harvesting of trees in accordance with accepted forestry practices, the use of properties as recreation hunt camps, the establishment of new recreational trails for non-motorized and motorized vehicles on existing roads or logging trails are considered as appropriate activities in woodlots and therefore are permitted without an environmental impact study. Such activities are to be carried out in an environmentally sensitive manner so as to preserve the overall woodlot function.
5. In rural areas, retaining existing natural vegetation along public roads is encouraged. Development shall demonstrate how native vegetation has been preserved as much as possible when establishing roads, entrances, building sites and private servicing. Specific provisions relating to protection of vegetation may be incorporated into site plan agreements as per the Planning Act.
6. In urban areas, selective protection of significant trees or shrubs shall be promoted. Provisions relating to protection of vegetation may be incorporated into subdivision or site plan agreements.
7. The Municipality shall ensure that native trees along municipal road allowances and on other municipal property are preserved while allowing appropriate maintenance and the removal of trees which may constitute safety hazard. Any private removal of trees on municipal property shall be regulated through applicable by-laws or may require the approval of Council.
8. Development applications shall be supported by a Landscaping Plan for those areas within 120 metres of a Significant Woodland or contains mature, native tree species. If an Environmental Impact Study, Tree Conservation Plan or other similar study includes recommendations, implementation or compensation measures, these measures will be implemented by the way of a Subdivision Agreement or Site Plan Agreement, in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.

Item #: Section 3.1.4.4, add “water features and” following “Lakes, rivers, and all other natural”.

Item #: Section 3.1.4.4, modified by delete items 1 to 4 in their entirety and replacing with the following:

1. The harmful alteration, disturbance or destruction of fish habitat without the authorization of the Department of Fisheries and Oceans, or their delegate, is prohibited as per the Fisheries Act. Applicants proposing development or site alteration should consult with the Department of Fisheries and Oceans, or their delegate, to determine if approval is required.
2. No development or site alteration shall result in a net loss of fish habitat, result in harmful alteration, disruption, degradation or destruction of fish habitat or restrict fish passage.
3. Development or site alteration shall be setback a minimum of 30 metres from fish habitat. Decreases to the 30 metre setback shall only be considered when it has been demonstrated that there is no other practical alternative for development of the land and only be permitted as part of Planning Act approval which shall require an Environmental Impact Study where it has been demonstrated that there shall be no net negative impact on the fish habitat. Near-shore or in- water development, such as docks, water access points and swimming areas shall be carefully assessed through the appropriate review process.
4. Development or site alteration within 30 m of fish habitat shall provide for a net environmental gain of the productive fishery capacity of the area. Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.

Item #: Section 3.1.4.5 add sentence to item 1 which reads

“Any recommendations or implementation measures arising from an Environmental Impact Study or Ecological Site Assessment will be implemented by the way of a Subdivision Agreement Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.”

Item #: Section 3.1.4.6 modified by deleting item 2 in its entirety and replacing with the following:

“Development or site alteration may only be permitted within 120 metres of a significant valleyland, if an impact assessment or similar study demonstrates that there will be no negative impact on the natural features or ecological function of that valleyland.” Any recommendations or implementation measures arising from an impact assessment or similar study will be implemented by the way of a Subdivision Agreement, Site Plan

Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.”

Item #: Section 3.1.5 modified by deleting in its entirety and replacing with the following:

Where a development proposal could affect certain natural heritage features, water courses, water features, significant woodlots, wetlands, environmental features or land adjacent to such features and areas, an Environmental Impact Study shall be conducted to determine whether or not the development shall have negative effects on the natural heritage features or areas. An Environmental Impact Statement shall be prepared for a planning application, such as official plan amendment, zoning by-law amendment, minor variance, plan of subdivision, consent and site plan control.

An Environmental Impact Study shall be required prior to any decision on a planning application being made. Based on the nature, type and intensity of the development proposed, the Municipality, in consultation with the appropriate authorities, shall determine whether the study is to be a scoped or full assessment. Regardless of the type of Environmental Impact Study required, a qualified professional is required to prepare the study.

Item #: Section 3.1.5.1 Revise heading from “Scoped EIS” to “Scoped Environment Impact Study”

Item #: Section 3.1.5.1 modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. The Municipality may consider reducing an Environmental Impact Study to a scoped study if the development:
 - a) Proposes the creation of no more than two (2) severed lots by way of consent applications;
 - b) requires only a minor variance; or
 - c) requires a zoning by-law amendment which does not introduce any new land uses.
2. If the Scoped Study indicates possible impacts to a natural heritage feature or area that should be further evaluated, a full Environmental Impact Study shall be prepared.
3. Any recommendations or implementation measures arising from an impact assessment or similar study will be implemented by the way of a Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement, as the case may be, to the satisfaction of the Municipality.
4. Should the EIS determine that there are no feasible options to prevent negative impacts on the natural features or area from the proposed development, development or site alteration shall not be permitted.

5. Environmental Impact Studies will identify enhancement, compensation and remediation measures which result in a net environmental gain including re-naturalization of stream corridors, the creation of wildlife linkages and vegetated buffer strips comprised of native plant and tree species as detailed in an Environmental Impact Study.

Item #: Section 3.1.6.1.1, modified by replacing items 3 to 5 with the following:

3. Prior to development taking place flood plain mapping may be required to be completed to demonstrate that no buildings, structures or septic systems are located in the floodplain, to the satisfaction of the Municipality and MVCA..
4. The Municipality and the MVCA will work together on the undertaking of a program to identify and map all lands within the Municipality which are susceptible to flooding.
5. As new or revised floodplain mapping is made available by MVCA or as floodplain boundaries change as a result of site-specific assessments associated with development proposals, no amendment to this Plan will be required to update the Land Use Schedule. An amendment to the Zoning By-law shall be required to implement any revised flood plain mapping.

Item #: Section 3.1.6.1.2, modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. No development shall be permitted within the flood plain except for flood or erosion control structures, shoreline stabilization, water intake facilities, marine facilities, and facilities, which by their nature must locate near water or traverse watercourses, such as roads, bridges, railways and other public infrastructure.
2. No use, building or structure which involves the storage of hazardous or toxic materials shall be permitted within the flood plain.
3. Notwithstanding policy 1 above, uses, such as agriculture, forestry, conservation, wildlife management, outdoor recreation uses, and similar activities shall be permitted provided no buildings or structures are within the flood plain.
4. New residential dwellings, portable buildings such as mobile homes and institutional uses, are prohibited within the flood plain. Notwithstanding this policy, dry- hydrants associated with fire protection may be permitted in the flood plain subject to approval from MVCA.
5. Septic systems shall generally be prohibited within the floodplain and may only be permitted within the flood plain for existing development and where it is demonstrated, to the satisfaction of the Municipality and MVCA, that such system cannot be located outside of the flood plain.

Item #: Section 3.1.6.1.3, delete the first sentence in item 2 and replace with:

“Where development is by plan of subdivision or by consent involving lands abutting

waterfront in urban areas, the creation of lots which extend into the flood plain shall be discouraged.”

Item #: Section 3.1.6.1.3, delete item 3 and replace with

“Where the creation of new lots includes areas within the flood plain, the calculation of the minimum lot size required by this Plan shall not include such flood plain.”

Item #: Section 3.1.6.1.3, delete item 4 and replace with

“The creation of new lots which are deemed inaccessible, including access roads which do not meet safe access standards due to flooding hazards, is prohibited.

Item #: Section 3.1.6.1.4, modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. Minor expansions or alterations to existing buildings or structures are limited to a 5% increase in building footprint within the flood plain and only be permitted where it is demonstrated to the satisfaction of the Municipality and MVCA that:
 - No adverse effects on the hydraulic characteristics of floodplain will occur;
 - No new dwelling units are created;
 - All MVCA floodproofing requirements can be met, and all required permits are obtained from MVCA; and,
 - The proposal meets all other relevant policies of this Plan including setbacks and natural vegetative buffer.
2. Where minor expansions or alterations to existing buildings or structures within the flood plain are deemed appropriate, such development shall be subject to site plan control in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the floodplain.
3. Any building located in the flood plain that has been destroyed by fire or other natural causes may be rebuilt to the same size which shall include full floodproofing measures, to the satisfaction of the MVCA and the Municipality. Any proposals to enlarge the original footprint will be subject to the policies 1 and 2.
4. If a lot is deemed to be inaccessible, including access roads which do not meet safe access standards due to flooding hazards, expansions or alterations to existing buildings or structures shall not be permitted.
5. Existing lots of record which do not have an appropriate building envelope

outside of the flood plain shall not be developed.

6. All development within the flood plain shall be subject to site plan control in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the floodplain.
7. All development within the flood plain shall be subject to the Conservation Authorities Act, as applicable.

Item #: Section 3.1.6.1.5, move “Floodway” and “Flood Fringe” definitions to Section 5.15, Definitions.

Item #: Section 3.1.6.1.5, modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. For the Mississippi Lake flood plain, Two Zone Flood Plain policies have been developed. Lands within the flood plain in the Two Zone Area shall be divided into the Floodway and Flood Fringe zones.
2. The use of the Two Zone Flood Plain concept may allow for some development within the flood fringe areas of the flood plain that can be safely developed. Additional topographic survey information may be required to determine the extent of the two zones on a site-by-site basis. Development in the flood fringe shall be restricted to development on existing lots of records, redevelopment generally within the same footprint of the existing building, replacement and additions or alterations of existing buildings and structures. Any expansions to existing buildings or structures or replacement of buildings or structures that are larger than the existing lot coverage will be limited to a 5% expansion in the existing lot coverage as long as the expanded area or addition is located entirely within the flood fringe. Such development shall be regulated through the Zoning By-law and Conservation Authorities Act.
3. Development within the Floodway shall be limited to minor additions to existing non-residential structures to a maximum increase of 10% of the lot coverage and shall be regulated through the Conservation Authorities Act.
4. The creation of new lots partially within the flood fringe shall only be permitted if a building envelope can be located outside of these two zones and safe access exists outside of the floodway.
5. All development within the Two Zone Flood Plan shall be subject to Site Plan Control in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the Two Zone Flood Plain.

Item #: Section 3.1.6.2, move “Erosion hazards and slopes” definition to Section 5.15 Definitions.

Item #: Section 3.1.6.2, delete Section and renumber accordingly.

Item #: Section 3.1.6.2.1, delete item 1 and replace with

“Where detailed geotechnical information is available or has been provided, the erosion hazard limit shall be defined based on the findings of the engineering recommendations, to the satisfaction of the Municipality and the MVCA.”

Item #: Section 3.1.6.2.1, modify item 3ii to replace “m” with “metres”.

Item #: Section 3.1.6.2.2, modified by deleting in its entirety and replacing with the following, and renumbering accordingly:

1. The Zoning By-law shall contain specific provisions for erosion hazard and slope including minimum setbacks.
2. Slopes that are potentially unstable, must be determined to be stable in its existing state, rather than engineered to support the development.
3. Development and land uses that may be susceptible to damage from erosion, may cause or aggravate bank erosion or slope failure will be prohibited within the erosion hazard limit.
4. A geotechnical slope evaluation may be required for any new development proposed in the vicinity of erosion hazards and slopes.
5. Development on existing lots of record containing erosion hazards and slopes shall be subject to the following:
 - i. Where possible, the development shall be placed outside of the erosion hazard limits; and,
 - ii. Where there is insufficient area to place the development outside of the erosion hazard limits, development shall only proceed where a slope stability study or similar assessment, including erosion control measures associated with all structural, landscaping and surface drainage components of the development of the property determines development can safely proceed to the satisfaction of the Municipality and the MVCA.
6. Additions to existing buildings and structures within the erosion hazard limit shall be generally discouraged and limited to generally a 10% increase in gross floor area. Additions shall only be considered when:
 - i. the addition is supported by a slope stability study or similar study, to the satisfaction of the Municipality and MVCA;
 - ii. the addition does not extend further into the erosion hazard limit than the existing structure; and,

- iii. the addition incorporates all identified erosion control measures associated with all structural, landscaping and surface drainage components of the development of the property.
7. Where development on existing lots of record or additions to existing buildings and structures on erosion hazards and slopes is deemed appropriate, such development shall be subject to site plan control in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the MVCA and Municipality including indemnifying the Municipality and acknowledgement that the development is located within the on erosion hazards and slopes.
8. This Plan encourages the undertaking of a program, in conjunction with MVCA to identify and map lands within the Municipality which represent a hazard to development due to soils or topography.
9. In areas of concern where hazard mapping may not exist or not up to date and the Conservation Authorities Act does not apply, the Municipality may request to have a third party provide an independent assessment to determine if development can proceed in safe manner.

Item ## Section 4.1.1.4.2 amended by adding the following after policy 10:

11. All stormwater management including discharge directly to a watercourse shall meet the required 90% total suspended solids.

Item 10: Add the following definition of “Missing Middle Housing” to Section 5.14:

“Missing Middle Housing:

Means a range of housing types with multiple units between single detached dwellings and low-rise apartment buildings that are compatible in scale with other low-rise built forms and offer more forms of housing ownership and low-density rental options to the community.”

Item 11: Section 3.6.5 Range of Housing Types is modified by deleting items 3 through 6 and replacing them with the following:

3. Low density residential development shall include single detached, semi-detached, duplex, converted dwellings of up to three (3) units, triplex, four-plex, and up to six (6) unit townhomes. In general, the minimum *gross density* for low density residential development shall be 15 units per hectare.
4. Medium density residential development shall include townhouses of more than six (6) units, four (4) storey apartment dwellings, converted dwellings of more than three (3) or more units and similar multi-unit forms of housing including stacked townhouses and back-to-back townhouse. In general, the maximum *gross density* for medium density residential development shall be 35 units per hectare.

5. All medium density residential development proposals shall address the following criteria:
 - a) proximity to amenities such as grocery stores, parkland, health care facilities, schools and other community amenities;
 - b) compatibility with existing land uses and the historical character of existing buildings;
 - c) transitioning in built form and height with surrounding built form;
 - d) availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
 - e) buffering from abutting uses;
 - f) landscaping and on-site amenity spaces; and,
 - g) the availability of full municipal services to accommodate the proposed density of development.
6. Medium density residential development shall be appropriately zoned and be subject to Site Plan Control in accordance with the Planning Act.

Item 13: Delete Section 3.6.9 in its entirety and replace with the following:

3.6.9 Additional Residential Units Policy

In accordance with the Planning Act, up to two additional residential units may be permitted on a lot which permits a single detached dwelling, semi-detached dwelling, duplex, or townhouse dwelling including one in a detached building or structure for a maximum total of three residential dwelling units per lot.

The Zoning By-law provides provisions for additional residential units including the following:

1. Adequate off-street parking and on-site outdoor amenity space is provided;
2. Landscaping and buffering of parking areas to adjacent residential uses is provided;
3. The lot meets the minimum lot area and frontage requirements of the zone or a minor variance is obtained to permit the development;
4. In the case of a property on municipal services, only one service is provided to a lot and as a result, any additional residential units must be connected to a singular residential service;
5. In the case of a property within the boundaries of Almonte, the Zoning By-law will require one parking space is required per Additional Residential Unit. A minor variance to eliminate the requirement of one parking space may be considered subject to the following policies:

- a) the property is located within 400 metres walking distance of a food retail store and other services;
 - b) the owner enter into an agreement with the Municipality that any resident of the Additional Residential Unit will be formally notified that on-site parking is not available and that the Municipality has an on-street winter parking ban in effect every season, through a lease agreement or other such means; and
 - c) on-street parking is available in the immediate area for visitors.
6. In the case of a property on private services, any additional residential unit should share at least one of the two private services with the other dwelling; and
7. In the case of a property on private services within the limits of the villages of Pakenham, Clayton, Blakeney and Appleton:
- a) the minimum lot area should be at least 1.0 ha in size. For any lots less than 1.0 ha, a minor variance may be obtained to permit the development provided that it is demonstrated through a Hydrogeological Study or similar study, that the property is of sufficient size to support the required private servicing;
 - b) the Zoning By-law will require one parking space each Additional Residential Unit. Due to the lack of food retail stores, employment areas and other services, minor variances to eliminate the required parking is not supported by the policies of this Plan.

Item #: Delete Section 3.7.2.2.(3) and replace with the following:

- 3. New development shall maintain the average height profile of the main buildings in the area and shall not exceed three (3) storeys in height. Due to the historic character of the Downtown Commercial area new development greater than three (3) storeys will require an amendment to this Plan.

Item #: Delete Section 3.6.7 Infilling and replace with the following:

- 1. The Municipality shall give priority to the infilling of existing residential areas as a means of efficiently meeting anticipated housing demand. Infilling shall be considered small scale residential development within existing residential neighbourhoods involving the creation of new residential lots or the development or redevelopment of existing lots.
- 2. Infilling development proposals in existing residential neighbourhoods should be compatible with the surrounding building form and demonstrate how the development meets the specific design policies for infill development in the Design Section of this Plan.
- 3. Infilling development shall be required to provide lot grading and drainage plans that take into consideration potential drainage impacts on abutting properties, to the satisfaction of the Municipality.

4. Infilling development may be implemented through a Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by the Municipality.
5. Infill development should generally be within the following density ranges unless it can be demonstrated that the surrounding neighbourhood has a higher net density than noted below:
 - 15 to 30 units per net hectare for low density residential development; and
 - 30 to 40 units per net hectare for medium density residential development.

The above noted density ranges do not include Additional Residential Units.

Item # Delete Section 3.6.8 Residential Conversion Policy and replace with the following:

The conversion of existing single detached residential dwellings into multiple unit dwellings is a means of providing affordable rental housing. Residential conversion is permitted within the Residential designation subject to the requirements of the Zoning By-law. Residential conversion proposals shall address the following development criteria:

1. the lot is of sufficient size to provide the required parking and any proposed additions;
2. adequate outdoor amenity areas can be provided on the lot;
3. any additions have specific regard for the relationship and transitioning to the surrounding built form;
4. any required fire escapes are generally located at the side or rear of the building;
5. adequate access and circulation for vehicular traffic, including emergency vehicles is provided; and,
6. suitable landscaping and lot grading and drainage are provided.

3.6.8.2 Residential conversions may be implemented through a Site Plan Agreement in accordance with the Planning Act, Development Agreement or similar agreement which implements any conditions that are deemed appropriate by Municipality.

Item 18: Section 2.5.3.2.3.(4) is deleted in its entirety and replaced with:

Due to the existence of municipal sewer and water services, Almonte can develop at a much higher density than Pakenham village, the smaller villages or rural settlement areas. The Municipality should strive for an urban residential density of approximately 15 to 35 residential units per gross hectare of land for development proposed by Plan of

Subdivision. Intensification within existing built-up areas shall develop in accordance with the policies of Section 3.6.7 Infilling.

Item ##: Delete the definition of gross density and replace it with the following:

Gross Density: The density of the residential development in an area, including all local roads and parks, stormwater management ponds and other natural features.

Item ##: Delete the definition of net density and replace it with the following:

Net Density: The density of only the area within a development which is used for residential uses and does not include local roads and parks, stormwater management ponds, blocks for infrastructure facilities, open spaces and other natural features.

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IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Municipality of Mississippi Mills Community Official Plan (COP).

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PART C – REPORT:

Background Report for Official Plan Amendment 32 can be accessed on the Municipality’s website under MM2048 – How We Grow

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