



NOTICE OF DECISION
Subsection 17(34) of the *Planning Act*
OFFICIAL PLAN AMENDMENT

TAKE NOTICE that the County of Lanark made a decision to partially approve Official Plan Amendment No. 21 to the Community Official Plan for the Municipality of Mississippi Mills, as adopted by By-law No. 2019-38 on December 4, 2019 under Section 17 of the *Planning Act*.

PURPOSE AND EFFECT:

The purpose of Amendment No. 21 is to implement a statutory 5 Year Review of the Municipality's Community Official Plan in accordance with Section 26 of the Planning Act. The effect of Amendment No. 21 is to amend numerous policies, schedules and appendices of the Community Official Plan.

WHEN AND HOW TO FILE AN APPEAL

Any appeal to the Local Planning Appeals Tribunal (LPAT) must be filed with the Clerk of the County of Lanark no later than 4:00 p.m. on **January 2, 2020**.

The appeal should be sent to the attention of the County Clerk, at the address shown below and it must:

- 1) Set out the specific part of the proposed official plan amendment to which the appeal applies;
- 2) Set out the reasons for the appeal, and
- 3) Be accompanied by the fee prescribed under the Local Planning Appeals Tribunal Act, 2017 in the amount of \$300.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

WHO CAN FILE AN APPEAL

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeals Tribunal, there are reasonable grounds to add the person or public body as a party.

WHEN THE DECISION IS FINAL

The decision of the County of Lanark is final if a notice of appeal is not received on or before the last date for appeal noted above.

ADDITIONAL INFORMATION

Additional information about the application and the decision is available for public inspection between 8:30 a.m. and 4:00 p.m. at the County of Lanark Planning Department, 99 Christie Lake Road, Perth ON K7H 3C6 or from the local Municipal Clerk's office.

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Notice of Decision

County File No. 0931-OP-16003 - OPA#21 – Community Official Plan for the Municipality of Mississippi Mills

DATED IN THE TOWNSHIP OF BATHURST, THIS 12TH DAY OF DECEMBER 2019.

Leslie Drynan – Clerk

County of Lanark

99 Christie Lake Road

Perth ON K7H 3C6

1-613-267-4200

DECISION

With respect to the Municipality of Mississippi Mills Community Official Plan
Subsection 17(34) of the Planning Act

Whereas OPA 21 was adopted by the Municipality of Mississippi Mills on June 26, 2018 by By-law No. 18-76 and forwarded to the County of Lanark for a decision under subsection 17(34) of the Planning Act;

And whereas OPA 21 proposes to add new policies to the Community Official Plan for the Municipality of Mississippi Mills and to amend, repeal and/or replace Map Schedules and Appendices;

Now therefore, pursuant to subsection 17(34) of the Planning Act, the County of Lanark makes the following decision:

The adoption of OPA 21 is hereby approved subject to the following modifications:

1. All references to “*Ministry of Natural Resources*” within the Community Official Plan are deleted and replaced with “**Ministry of Natural Resources and Forestry**”.
2. All references to “*MNR*” within the Community Official Plan are deleted and replaced with “**MNRF**”.
3. All references to “*Ministry of Environment and Climate Change*” within the Community Official Plan are deleted and replaced with “**Ministry of Environment, Conservation and Parks**”.
4. All references to “*MOECC*” within the Community Official Plan are deleted and replaced with “**MOECP**”.
5. **Section 1.2 – Authority** is hereby modified by:
 - a. Deleting the words “*Ministry of Municipal Affairs*” and replacing them with “**County of Lanark**”.

6. **Section 2.5.3 – Mississippi Mills Growth and Settlement Strategy** is hereby modified by:

- a. Deleting the second sentence and two bullet points in the first paragraph and replacing them with the following:

“The Municipality of Mississippi Mills will work with the County of Lanark and relevant agencies to amend this Official Plan to align with the growth management direction, policies and allocations outlined in the Lanark County Sustainable Communities Official Plan as it is updated and approved.”

- b. Deleting the second paragraph in its entirety.

7. **2.5.3.1 – Population Projection** is hereby modified by:

- a. Deleting the last paragraph in its entirety and replacing it with the following:

“Consistent with the population allocations of the Sustainable Communities Official Plan for the County of Lanark, Mississippi Mills is projected to grow to a population of 21,122 to the year 2038. This allocation represents a 60% increase in the Municipality’s population. A comprehensive review will be conducted to plan for the Municipality’s population allocation in accordance with the policies of the Provincial Policy Statement and the Sustainable Communities Official Plan for the County of Lanark. The results of the comprehensive review will be implemented as an amendment to this Plan.”

8. **2.5.3.2.2 – 50/30/20 Settlement Strategy** is hereby modified by deleting this section in its entirety and replacing it with the following:

“2.5.3.2.2 70/30 Settlement Strategy

The 70/30 Settlement Strategy of this Plan will be based on a comprehensive review and will represent a fundamental shift in where growth will be accommodated. The comprehensive review will include the population projection information noted in Section 2.5.3.1. The Plan is designed to direct:

- **70% of future growth to Almonte on full services; and**
- **30% of future growth to rural areas, existing villages with large lots, developed on private services or new rural settlement areas with a form of servicing which can support lot sizes of approximately 1,000 to 2,000 square feet (¼ to ½ acre).”**

9. Section 2.5.3.2.3 General Policies

- a. Deleting in policy (1) the first sentence and the words “This information is to” in the second sentence and replacing them with **“Population and employment allocations will”**.
- b. Deleting in policy (2) the first sentence.
- c. Deleting policy (2) in its entirety and replacing it with the following:

“3. The Municipality will undertake a comprehensive review to identify sufficient lands for the 20 year growth of the Almonte Ward and determine if additional lands can be justified for inclusion into urban boundary. Additional lands which can be justified for inclusion into the Almonte urban boundary will require an amendment to Schedules “A” and “B” to this Plan.”

- d. Deleting in policy (5) the first two sentences and replacing them with **“Schedule “B” to this Plan presents the “urban” boundary for the Almonte Ward.”**

10. Section 3.1.1 – Determination of Significance is hereby modified by deleting this section and renumbering the remaining sections accordingly.

11. Section 3.1.3 – Natural Heritage System is hereby deferred pending the results of the Provincial Policy Statement update.

12. Section 3.1.4 – General Policies is hereby modified by:

- a) Deleting in the first sentence of policy (4) the words “a NHS” and replacing it with the words **“natural heritage features”**.
- b) Deleting in the first sentence of policy (4) the words “lands that create the Natural Heritage System” and replacing them with the words **“a natural heritage feature”**.

13. Section 3.1.5.1 – Provincially and Locally Significant Wetlands is hereby modified by:

- a. Inserting a new policy (12) as follows:

“12. For a wetland that is unevaluated but has characteristics or contains components that may be typical of a significant wetland (e.g. significant species or functions) the approval authority may require that a wetland evaluation is undertaken using the guidelines outlined in the “Natural Heritage Reference Manual for Natural Heritage Policies of the

Provincial Policy Statement” (MNRF, 2010). 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 is required from MVCA.”

14. Section 3.1.5.2 – Species at Risk (SAR) is hereby modified by:

- a. Deleting all references to the words “significant habitat” and replacing them with the word ***“habitat”***.

15. Section 3.1.5.5 –Fish Habitat is hereby modified by:

- a. Deleting all references to “MNRF” and replacing them with the word ***“Province”***.

16. Section 3.1.5.6 – Wildlife Habitat is hereby modified by:

- a. Adding the following sentence after the last sentence of policy (1):

“In certain circumstances, the adjacent lands may need to be expanded depending on the habitat identified, as supported by an Environmental Impact Study.”

17. Insert a New Section 3.1.5.7 – Environmental and Natural Heritage Features which reads as follows:

- a. Adding a new Section 3.1.5.7 immediately after Section 3.1.5.6 as follows:

“3.1.5.7 – Significant Valleylands

There are no significant valleylands identified within the Municipality at the time of approval of this Plan. Appendix A1 Natural Features will be amended as an update when significant valleyland information becomes available. The following policies will apply to significant valleylands once these areas have been identified:

1. **Development or site alteration shall not be permitted in significant valleylands unless it has been demonstrated that there will be no negative impacts on natural features.**
2. **Development and site alteration may only be permitted within 120 metres of a significant valleyland, if an impact assessment demonstrates that there will be no negative impact on the natural features or ecological function of that valleyland.”**

18. Section 3.1.7.1 – Flood Plain Policies is hereby modified by:

- a. Deleting in the first sentence of the third paragraph “Fill, Construction, and Alteration to Waterway Regulations”.
- b. Deleting in subsection 3, policy (1) the last sentence and replacing it with the following:

“Provisions for restricting development within flood plains will be included in the implementing zoning by-law.”

- c. Deleting in its entirety subsection 5 policy (4) and replacing it with the following:

“The creation of new lots all or partially within the floodway or the flood fringe shall only be permitted if a building envelope, and safe access thereto, exists outside of these hazards.”

- d. Deleting in its entirety subsection 5 policy (6) and replacing it with the following:

“Prior to development taking place within the flood fringe or floodway, or within the Regulation Limit of these hazards, a permit shall be obtained from MVCA pursuant to Ontario Regulation 153/06 – “development, Interference with Wetlands and Alterations to Shorelines and Watercourses.”

19. Section 3.1.8 – Source Protection Policies is hereby modified by:

- a. Deleting in the first sentence of the third paragraph the word “Watershed”.
- b. Deleting in its entirety the second sentence of the third paragraph and replacing it with the following:

“The policies created by the SPP came into effect in August 2014.”

- c. Adding at the end of the second sentence in the fourth paragraph ***“but also includes policies for moderate and low threats and includes policies for education, outreach and monitoring.”***
- d. Deleting the last sentence in the fourth paragraph and replacing it with the following:

“The Municipality may delegate this authority to the Conservation Authority.”

- e. Adding in after “existing lots” in subsection 2 policy (8) the words **“excluding residential applications”**.
- f. Deleting in its entirety subsection 2 policies (13) and (14) and re-numbering the remaining subsections accordingly.
- g. Deleting in subsection 2 policy (16) the word “shall” and replacing it with **“may”**.
- h. Adding to subsection 2 policy (17) the words **“and MOECP”** after the word “RMO”.
- i. Deleting in subsection 2 policy (18) “Source Water Protection Committee” and replacing it with **“Source Protection Authority”**.

20. Section 3.2.7 – Severances and Lot Creation is hereby modified by:

- a. Deleting in the first sentence of policy (1) “Farm dwelling severances may be considered for a farm dwelling” and replacing it with the following:

“Farm-related severances may be considered for a surplus farm dwelling”.

- b. Deleting in policy (4) subsection ii) and iii) and replacing them with the following:

“ii) The lots are of a size that is appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type of size of agricultural operations.”

21. Section 3.5 – Aggregate and Mineral Resources Policies is hereby modified by:

- a. Deleting in the first sentence in the second paragraph the words “Open File Report 5550 produced by OMNRF” and replacing them with the following:

“Aggregate Resource Inventory of the County of Lanark prepared by the Ontario Geological Survey, Ministry of Energy, Northern Development and Mines (ENDM)”.

22. Section 3.5.5 – Removal or Expansion of Aggregate Resource Designation is hereby modified by:

- a. Inserting into policy (2) (iii) the word **“archaeology”** after the word “hydrogeology”.

23. Insert a New Section “3.5.10 – Aggregate Rehabilitation” which reads as follows:

a. **“3.5.10 – Aggregate Rehabilitation**

Rehabilitation of former mineral resource operation shall be required to address known or potential hazards and to promote compatibility with surrounding land uses. This best practice will be addressed as part of the licensing and rehabilitation plan.”

24. Section 3.9 Future expansion areas Almonte Ward is hereby modified by deleting this section in its entirety.

25. Section 4.1.1.3 – Watershed Planning is hereby modified by:

a. Inserting the new policy (1) as follows:

“1. The MVCA is currently developing a Mississippi River Watershed Plan. The plan will undertake an integrated approach to water resources, natural hazards and natural heritage, land use and climate change impacts that will identify key features and management strategies.”

b. Re-numbering the remaining sections accordingly.

26. Section 4.1.1.4 – Site Specific Development Criteria is hereby modified by:

- a. Deleting in the third sentence of subsection 1 policy (2) the words “Whenever possible” and capitalizing the word **“Existing”**.
- b. Deleting in the fourth sentence of subsection 1 policy (3) the words “Whenever possible” and capitalizing the word **“Existing”**.
- c. Deleting in the first sentence of subsection 1 policy (5) the words “and/or within the Fill and Construction Regulated area”.

27. Section 4.3.1 – Goals and Objectives is hereby modified by:

- a. Deleting in the second paragraph of the goal statement the words “the area’s built and natural” and replacing them with the word **“cultural”**.
- b. Deleting in its entirety Objective (3) and renumber subsequent sections accordingly.

28. Section 4.3.3 – Development Review and Heritage Resources is hereby modified by:

- a. Deleting in policy (2) the word “may” in the first and last sentences and replacing them with “**shall**”.

29. Section 4.3.4.1 – Individual Site Designation is hereby modified by:

- a. Deleting in its entirety policy (2) and replacing it with the following:

“Criteria for determining Cultural Heritage Value or Interest are set out in Ontario Regulation 9/06 at the end of Section 4.3.4.1(1).”

And renumber subsequent sections accordingly.

- b. Deleting in its entirety policy (4).

30. Section 4.3.4.2 – Heritage Conservation Districts is hereby modified by:

- a. Deleting in the section sentence of policy (4) the words “historical/architectural” and replacing them with “**cultural heritage**”.
- b. Deleting in policy (7) “forwarded to the appropriate government Ministry for approval” and replacing it with “**approved in accordance with the requirements of the Ontario Heritage Act**”.

31. Section 4.3.5 – Archaeological Heritage Resources is hereby modified by:

- a. Deleting in the first sentence of Section 4.3.5 the reference to “Ministry of Culture (MCL)” and replacing it with “**Ministry of Tourism, Culture and Sport (MTCS)**”.
- b. Deleting in policy (8) “Cemeteries Act” and replacing it with “**Funeral, Burial and Cremation Services Act**”.

32. Section 4.3.6 – Cemeteries is hereby modified by:

- a. Deleting in policy (1) the words “Cemeteries Act” and replacing them with “**Funeral, Burial and Cremation Services Act**”.

33. Section 4.8.3 – Sewage Disposal and Water Supply is hereby modified by:

- a. Inserting into subsection 2 policy (1) the words ***“in accordance with the MOECP “D” Series Environmental Land Use Planning Guideline”*** after the words “capacity studies”.
- b. Inserting into subsection 2 policy (4) the words ***“in accordance with the MOECP “D” Series Environmental Land Use Planning Guideline”*** after the words “(i.e. well)”.
- c. Inserting at the end of subsection 2 policy (6) after the words *“shall be required to meet Ontario Regulation 903”* the following additional wording ***“where a scoped private servicing study has been prepared, any site-specific recommendations from this study.”***
- d. Deleting in subsection 2 policy (9) the words “and Climate Change (MOECC) will release guidelines in 2006” and replacing them with the words ***“Conservation and Parks (MOECP) will release guidelines.”***
- e. Adding new into subsection 3 the following new policies (8) and (9):

“8. Where development is proposed on communal sewage disposal is less than 10,000 L/day and where water takings are less than 50,000 L/day approvals shall be required in accordance with the D-series guidelines of the Ministry of Environment, Conservation and Parks (MOECP).”

“9. Communal servicing (hydrogeological) studies should be scoped to address the relevant aspects of the D-series guidelines of the MOECP to ensure a sufficient supply of potable water and a sufficient lot area for septic system attenuation purposes.”

34. Section 5.15 – Definitions is hereby modified by:

- a. Deleting the words “following definitions” and replacing them with the following:

“Where definitions are not provided in this Plan, but are provided in the Provincial Policy Statement, those definitions are to be used.”

35. Schedule A – Rural Land Use is hereby modified by:

- a. Deleting the “Future Almonte Overlay” designation from the map and legend on Schedule A – Rural Land Use.
- b. Deferring the delineation of a Prime Agriculture designation on Schedule “A” – Rural Land Use pending the completion of an Agricultural Land Evaluation Area Review (LEAR).

36. Appendix A-1 Natural Features is hereby modified by:

- a. Deleting the reference to “MNR” before the words “Significant Woodlands” in the legend of Appendix A-1 Natural Features.
- b. Deferring the delineation of a Natural Heritage System on Appendix A-1 – Natural Features” pending the results of the Provincial Policy Statement update.