

REPORT TO COUNTY COUNCIL

Updating the Implementation Policies of the Official Plan

To: Warden and Members of County Council

From: Director of Community Planning

RECOMMENDATIONS

1. That County Council direct Planning staff to initiate an Official Plan Amendment to update the implementation policies in Chapter 10 of the Plan and other related updates, including associated consultation, as generally outlined in Report CP 2025-236;
2. And further, that Report CP 2025-236 be circulated to the Area Municipalities for information.

REPORT HIGHLIGHTS

- This report provides highlights of proposed changes to the implementation policies in the Official Plan (i.e. Chapter 10), in response to the numerous changes to the Planning Act that have occurred in recent years, and to further support continuous improvement of development related processes.
- These updates are intended to help provide clear policies and tools for the County and area municipalities to further improve planning processes and provide enhanced consistency and efficiency when dealing with various matters under the Planning Act.
- The proposed changes (Attachment 1), predominantly affect Chapter 10 of the Official Plan, but would also provide for cross-references in other sections of the Plan and restore two site specific policies deleted by the Province's approval of updates to the Agricultural policies (OPA 269).

IMPLEMENTATION POINTS

If County Council provides direction to initiate amendments to the Official Plan, Planning staff will formally initiate the required process under the requirements of the Planning Act.

A revised draft version of the proposed changes would be brought forward to a statutory public meeting under the Planning Act and consideration by County Council for a decision at a later date. Revisions to the current draft proposed changes may be made based on further staff review and consultation with the area municipalities, as well any other feedback received.

Financial Impact

The approval of the recommendations contained in this Report will have no financial impact beyond what has been approved in the current year's budget.

Communications

Preliminary consultation with area municipal staff regarding potential implementation of policy updates helped to inform the draft policies that are included as Attachment 1. Further consultation with area municipal staff will follow the release of the draft policies.




At minimum, all required notice requirements under the Planning Act will be met.

2023-2026 STRATEGIC PLAN

Oxford County Council approved the **2023-2026 Strategic Plan** on September 13, 2023. The Plan outlines 39 goals across three strategic pillars that advance Council's vision of "Working together for a healthy, vibrant, and sustainable future." These pillars are: (1) *Promoting community vitality*, (2) *Enhancing environmental sustainability*, and (3) *Fostering progressive government*.

The recommendations in this report supports the following strategic goals.

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
Promoting community vitality	Enhancing environmental sustainability	Fostering progressive government
Goal 1.2 – Sustainable infrastructure and development		Goal 3.1 – Continuous improvement and results-driven solutions

See: [Oxford County 2023-2026 Strategic Plan](#)

DISCUSSION

Background

Initially, as described in report [CP 2022-48](#), the review of the implementation policies in Chapter 10 was proposed to be included in Phase 3 of the review and update of the Official Plan. However, since that report, the Province has made numerous revisions to the Planning Act through multiple Bills (i.e. Bills 109, 23, 97, 185, and 17) that have impacted many facets of the development review process (e.g. fee refunds, application requirements, appeal rights), as well as establishing a new Provincial Planning Statement, 2024 (PPS). In a few instances, these changes have also resulted in additional tools, or added flexibility, that may assist the County and area municipalities in further streamlining local processes and providing enhanced consistency and efficiency when dealing with matters under the Planning Act.

To help expedite the continuous improvement of planning processes, staff are proposing to proceed with the proposed policy changes outlined in this report in advance of the other policy updates contemplated as part of the broader Official Plan review and the proposed initiation of a new Official Plan. Some of the strategic benefits of advancing these key policy changes include:

- Providing the opportunity for the County and area municipalities to consider options to delegate certain, more straightforward, planning approvals to staff and otherwise streamline and enhance development review processes; and
- Providing greater clarity for users of the Official Plan with respect to County and area municipal requirements for development review and other planning processes.

Comments

The discussion below includes key highlights of the proposed changes contemplated through the proposed draft policies, included in Attachment 1. The discussion below organizes these highlights into four categories:

1. Updates to support and/or clarify requirements and processes for major projects and studies, including secondary planning;
2. Updates to support improving development approval processes, including establishing more detailed complete application requirements, delegation of approval authority, servicing allocation, site plan and subdivision approvals, and alternative methods of consultation;
3. Minor amendments to reflect changes to municipal responsibilities (e.g. mandatory delegation of site plan approval) under the Planning Act and improve clarity of the existing evaluation criteria for various planning applications; and
4. Technical amendments to restore two site specific policies that were inadvertently deleted by the Province with the approval of OPA 269 (agricultural amendment).

1. Updates to Support Major Projects and Studies

Completion of secondary plans, area plans, and other planning studies is fundamental to achieving and supporting the effective implementation of County and area municipal planning objectives. Proposed updates to the policies will provide greater clarity with respect to these processes and related requirements and better reflect some of the updated requirements for settlement area expansions in the 2024 PPS.

This will help to ensure the full range of required studies and measures are clearly identified and appropriately scoped as part of the secondary planning process, where one is required and/or proposed. The proposed updates are intended to provide further support for ensuring planned growth is directed to appropriate areas on appropriate services (e.g. municipal water and wastewater services), increasing the range and mix of housing types across the County, protecting prime agricultural areas and the environment, and building complete, liveable communities.

2. Updates to Improve the Development Review Process

The following proposed updates are intended to help further streamline the development application review and approval process, including enabling the County and/or Area Municipal councils to consider the implementation of various optional Planning Act tools and processes. Others are intended to improve consistency, efficiency, and transparency in the overall planning process and better reflect updated Planning Act requirements.

a) Complete Application Requirements

The Planning Act and its regulations set out the minimum requirements for information that must be submitted with various planning applications (i.e. official plan and zoning by-law amendments, plans of subdivisions, consents to sever, and site plan approval). Municipalities can also generally require information or materials in addition to the minimum provincial requirements, if set out in their Official Plan policies.

A planning application is considered “complete” when it contains all the information required by the applicable sections of the Planning Act, relevant Minister’s regulation(s), as well as the additional materials or requirements set out in the Official Plan. Complete application requirements ensure that the key information needed to assess a planning proposal is included with the application, so that municipalities have all the information necessary to properly assess the potential impacts of the proposal and make informed and timely decisions. This is a key process step, as once a municipality has deemed an application to be ‘complete’, it triggers the Planning Act decision making timeline requirements (e.g. 60 to 120 days depending on the application type) and, if the municipality has not made a decision within the applicable timeline, the applicant has the right to appeal the ‘lack of decision’ to the Ontario Land Tribunal (OLT).

Although complete application requirements have not been a particularly contentious issue in Oxford to date, pre-consultation is widely supported by municipal staff and applicants as an important step that improves the speed and efficiency of the overall planning process. Further, while mandatory pre-consultation is no longer something municipalities are permitted to require

(i.e. due to recent Planning Act changes), pre-consultation continues to be strongly recommended to applicants, particularly for more complex or potentially contentious types of applications.

Overall, the proposed changes to Section 10.5.3 are intended to provide greater clarity with respect to the application process and associated submission requirements in Oxford, including the various studies and reports that may be required by the County and/or Area Municipality as part of a 'complete' application in accordance with current Planning Act requirements, Official Plan policies, and other County and/or Area Municipal standards. The proposed updates to the complete application requirements will recognize that there may be Area Municipal specific application submission requirements, such as those set out in local site plan guidelines.

Bill 17 now requires 'any new or revised' Official Plan requirements for complete applications to be approved by the Ministry of Municipal Affairs and Housing (MMAH) prior to adoption by County Council. Although it appears this MMAH approval process may be a temporary measure (i.e. until a future regulation is passed to provide further direction), to date there has been no indication as to when this requirement might be repealed and replaced by regulation. As outlined in Report CP 2025-158, the Province has recently given itself the ability to enact regulations that list the prohibited topics and permitted studies that may be required by municipalities as part of a 'complete application'. As such, planning staff will continue to monitor the status of the MMAH approval process for complete application requirements and any associated regulations and address these, as necessary, as part of the update process. For example, the proposed amendments may be separated into multiple parts to expedite those matters that are not subject to the MMAH pre-approval process (i.e. matters not related to complete applications).

b) Delegation of Approvals to Staff

The Planning Act contains provisions that enable municipalities to delegate certain planning approvals to staff to help reduce Council and staff time (e.g. writing reports) spent on relatively straightforward and/or technical type planning matters and expedite the overall approval process. As the Province has recently expanded the range of planning authorities that may be delegated to staff, to help municipalities further expedite and streamline their planning approval processes, staff are proposing a number of policy updates to clarify which planning authorities under the Planning Act that Council may now choose to delegate to staff (i.e. through the delegation by-law), including:

- i) Subsection 10.5.1 (Delegation of Planning Authority) is proposed to be amended to recognize the County's ability to delegate approval authority for certain additional aspects of County level planning applications to planning staff. These include aspects of consent approval (e.g. certificates of validation and cancellation), as well as subdivision approval (e.g. deeming and part lot control by-laws, vacant land condominiums) and related technical amendments (e.g. extensions to draft plan approval, minor revisions to existing draft approved plans, etc.). To date, only extensions to draft plan approval and final approval of subdivision plans have been formally delegated to planning staff.
- ii) Proposed changes to 10.3.11 (Site Plan Control) to reflect the fact that delegation of approval authority for site plan control to municipal staff become mandatory as a result of Bill 185 (Cutting Red Tape to Build More Homes Act, 2024).

- iii) Introducing policies to enable the delegation of approval authority for zone changes that are 'minor in nature' to staff (as established through Bill 23), which requires that the parameters for such delegation be set out in Official Plan Policy. Based on Planning Act requirements, minor zone changes may include zone changes to remove holding provisions and authorize a temporary use. In addition, staff are proposing to enable Council to consider delegating approval authority for other types of zoning by-law amendments that may also be considered 'minor in nature', such as zoning by-law amendments required as a condition of surplus farm dwelling severances (i.e. rezoning of retained residential lot from agricultural to rural residential and/or to prohibit any new dwelling on a resulting agricultural lot), provided it meets all other requirements of the local zoning by-law and Official Plan.

Delegating approval authority for certain planning approvals to staff (e.g. for matters that are relatively straightforward, technical, and/or non-controversial) can help to reduce the time and resources required to process such approvals and expedite approval timelines. For example, delegated approval authority could help to reduce the time and cost for removal of a holding zone provision (e.g. typically required for confirmation of servicing capacity prior to development), or to extend a temporary use by-law (e.g. permitting a garden suite to remain on a property).

It is noted that, while the proposed policy updates will establish the enabling framework necessary to allow for County and/or Area Municipal Council to delegate certain planning approval authorities to staff, the actual delegation to staff would still require updating their respective municipal delegation by-law/policy. It is currently intended that the formal delegation of any of the additional approval authorities identified in the proposed policies to staff would be brought forward for further consideration by County and/or Area Municipal Council as part of proposed updates to their delegation by-law/policy (i.e. once the enabling OP policies are in effect and based on the feedback received through Area Municipal consultation).

c) Community Planning Permit Systems

A Community Planning Permit System (CPPS) is a tool that has been available to municipalities in some form since 2007. The enabling legislation has been updated and revised by the Province a number of times since, to try to encourage greater use of the CPPSs by municipalities. The CPPS is intended to be a tool that can be implemented to streamline the development approval process for a particular area by combining several planning approval processes (i.e. zoning by-law amendment, minor variance, and site plan) into a single planning 'permit' approval process.

There can be several potential benefits to implementing a CPPS, including making the planning approval process faster and more efficient by reducing the number of applications required for a particular development and/or simplifying the process through the establishment of a focused scope and set of development criteria. A CPPS is a relatively flexible tool – it can apply to a broad or specified geographic area, and to a specific type or all forms of development and may also exempt certain types of development (e.g. single detached dwellings or agricultural buildings) from permit approval if they meet specific criteria (i.e. would only require a building permit). The CPPS can prescribe criteria and standards for development that go beyond what is permitted in zoning by-laws or through site plan control and can also address other municipal by-laws and/or standards through the CPPS permitting process (e.g. tree and vegetation removal, landscaping, urban design, heritage character etc.). Flexibility is also provided through permitting the approval

authority to include conditions to be met prior to the permit being approved and/or after the permit being approved. Currently the inclusion of conditions is restricted through the zoning amendment process.

The proposed draft policies in Attachment 1 would simply establish the ability for Council to consider passing a CPPS By-Law based on the requirements of the Planning Act and O. Reg 173/16, where the implementation of a CPPS is determined to be beneficial and appropriate. It is currently anticipated that a future amendment to the Official Plan would still be required to identify the specific area that would be subject to each CPPS, the scope of delegated authority, the municipality's specific goals for the CPPS, and the development criteria and conditions that are to be included in the CPPS By-Law.

This proposed approach will allow staff to have further discussion with area municipalities regarding the potential benefits of implementing this tool in their particular context and, where there is interest, to work together to undertake the required background studies and public consultation necessary to establish the specific goals and scope for that particular CPPS and ensure that the area and matters to be subject to the CPPS are specifically tailored to each local context. A subsequent amendment to the Official Plan would be required to provide this detailed direction and allow the Area Municipality to pass a CPPS By-Law.

d) Allocation of Serving Capacity

Bill 185 enacted amendments to the Municipal Act to give municipalities the clear authority to pass a By-Law establishing criteria with respect to the assignment, withdrawal, or reallocation of water and/or wastewater service capacity.

In this regard, County Public Works and Planning staff have been working together to develop a draft by-law and supporting policies and protocol to provide greater clarity, transparency, and certainty with respect to the County's process and requirements for servicing capacity allocation. Initial consultation with the Area Municipalities on these draft documents has been completed, with a final report and By-law expected to be presented for County Council consideration before year end. Minor policy updates are being proposed to ensure that the Official Plan contains appropriate references to the proposed by-law and provides clarity on how it will integrate with the planning approval process. These consist of updates to Section 5.5 (County Servicing Policy) and related cross references in the subdivision and site plan sections of Chapter 10.

e) Alternative Measures for Notice and Public Participation

Staff are also proposing policy updates to provide flexibility to consider and/or utilize alternative measures for public notice and engagement. The updates to the Planning Act through Bill 17 (Smart Growth for Our Communities Act, 2015) provided authority for municipalities to describe alternative measures for notice and public participation in their Official Plans. To implement these alternative measures requires:

- that decision makers continue to consider any input received from members of the public;
- alternative form of notice to provide the public with the statutory information relevant to the application and any applicable appeal rights; and

- clarity as to whether alternative measures are also intended to satisfy requirements for, and be sent to, prescribed persons and public bodies (or if traditional forms of notice would continue to be used for this purpose).

Examples of alternative notice measures may include, but are not limited to: e-mail, posting information on the County website or engagement platforms like Speak Up Oxford, social media, and hosting in-person or virtual workshops. A review of other municipalities suggests that alternative measures of notice are typically used in tandem with delegation of approval authority (e.g. for minor zoning by-law amendments) and for simple applications that are largely administrative in nature and typically receive no public concern (e.g. removal of holding provisions, extensions of temporary use provisions), but alternative measures may also be generally used for official plan amendment, zoning by-law amendment, consent and plan of subdivision processes.

Municipalities may also consider utilizing alternative notice measures in conjunction with the power to waive the requirement for a public meeting. While community planning staff recognize that public meetings are an important form of community engagement, allowing for alternative measures can provide the flexibility to tailor the form of notice and engagement to a particular planning matter and level of community interest. For example, waiving the public meeting requirement for a planning matter of a technical nature, that is unlikely to have any community impact or concern, could assist in expediting the approval process and reduce demands on Council and staff time. Alternative approaches may also be beneficial to consider for matters such as County-initiated Official Plan amendments (e.g. to allow staff to utilize virtual engagement methods in place of a traditional in-person open house). The potential benefit would be that by allowing for broader diversity of engagement options (e.g. virtual open house, while maintaining the in-person statutory public meetings), more residents may choose to participate in the planning process, while still ensuring Planning Act requirements are met.

Providing additional flexibility for notice could assist in further streamlining and expediting the processing of certain applications, help meet statutory deadlines, and allow municipalities to better adapt to disruptions to traditional methods of notice and/or engagement – such as limited or no newspaper circulation for an area, a postal strike, or inclement weather. Specific use of the alternative tools for notice and engagement will be dependent on the type and nature of application and be discussed in greater detail with the Area municipalities as part the consideration of potential delegation of approval authorities.

3. Other Proposed Minor Policy Updates

Logistical and Clarifying Edits for Planning Applications

Minor policy updates and revisions are proposed to improve the clarity and intent of certain development evaluation criteria, based on the feedback received from planning staff during initial consultation on potential changes to the implementation policies. Other changes include adding cross-references, replicating existing language from other Chapters of the Official Plan to improve consistency, and ensuring the language reflects the current wording in the Planning Act. Overall, these changes are intended to improve the flexibility, accuracy, and implementation of existing policy requirements, while also ensuring planning principles are consistently applied in the evaluation of applications.

Other Existing Powers

Some implementation tools have been long established in the Official Plan and are generally already actively used in the development and planning process in Oxford County. However, staff are proposing minor amendments to the policies to:

- clarify and reflect current practice;
- clarify that certain legislative tools that are not currently utilized are available and may be implemented in the future; and
- add transparency with respect to the planning process and municipal responsibilities under the Planning Act.

For example, updates to Section 10.3.3 (Plans of Subdivision) are proposed to better recognize that approval authorities have the power to review and change the conditions, and/or extend the length, of draft plan approval. Similarly, updates to Section 10.3.4 (Consents) are proposed to reflect the current ability for an approval authority to consider the approval of minor lot adjustments and certificates of cancellations.

The Planning Act also specifies that subdivisions must, and site plans may, have lapsing dates identified when approvals are granted. Similarly, the Act requires that a consent's approval lapses if conditions are not met within the specified time period. As such, updates are proposed to reflect that lapsing dates are already required by Oxford County for subdivisions and consents and may be required by the Area municipalities for site plan approval.

4. Restoring Site-Specific Amendments

Staff are proposing to reinstate two site-specific amendments that were adopted and approved by Oxford County Council in 2023 but later deleted in error by the province during the approval of OPA 269 (Agricultural Policy updates). The two site-specific amendments were approved after the submission of OPA 269 to the Province for approval and, although planning staff requested that the subject site specific policies be carried forward in the Minister's approval, they were deleted and replaced by the policies in OPA 269 when the Minister's final decision was issued (i.e. almost 2 years from the date that the OPA was submitted to the Province). Accordingly, these proposed amendments will simply restore the policies originally approved by County Council (i.e. will not result in any changes to those policies).

CONCLUSIONS

The purpose of this report is to present Council with proposed updates to the implementation policies in the Official Plan and obtain direction to initiate the formal Official Plan Amendment process and related consultation. The general intent of the proposed policy updates is to improve the efficiency, consistency, clarity, and flexibility of the various planning implementation measures and tools set out in the Official Plan, which are primarily contained in Chapter 10. The proposed amendments are based on extensive background research, consideration of applicable provincial legislation, and preliminary consultation with Area Municipal and County staff.

A revised draft of the proposed changes will be brought forward at a future date for a statutory public meeting under the Planning Act and decision by County Council. It is noted that further revisions to the draft policies contained in Attachment 1 of this report may result from further consultation with the area municipalities and consideration of any other feedback received.

Although County Council is the approval authority for the proposed changes, approval from MMAH is currently required for any 'new or revised' Official Plan requirements for complete applications prior to adoption by County Council. As such, staff may elect to bring back the proposed changes in the form of multiple amendments to allow the County to continue to move ahead with amendments that are not subject to approval by MMAH. Staff continue to have discussions with MMAH in this regard.

SIGNATURES

Report Author:

Original signed by _____

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ATTACHMENTS

Attachment 1 - Draft Implementation Policies

County of Oxford Official Plan

10.0

Implementation Measures

10.3 Implementation Tools**10.3.2 Secondary Plans, Area Studies and Issue Based Studies**

This Plan establishes the principle that detailed planning for communities, neighbourhoods, and ~~neighbourhood blocks other strategic planning areas~~ is required prior to development. ~~Such planning will typically be undertaken by the Area Municipality and/or the County as part of an approved planning program. In certain limited circumstances, at the sole discretion of the County and/or Area Municipality, as applicable, s~~Studies conducted ~~by proponents on behalf of property owners~~ may be accepted as a means of front-ending development, ~~but only where they study boundaries and scope are agreed to through a terms of reference have been~~ approved by the Area Municipality ~~and the County, prior to commencement. Any applications made based on such studies shall implement the agreed to scope and be to the satisfaction of the County and/or Area Municipality, as applicable.~~

This Plan identifies areas and situations where further detailed planning will be required and establishes the parameters and criteria upon which such detailed planning will take place.

SECONDARY PLANS

Secondary plans provide detailed policy direction for the *development* of a geographic area consistent with principles established in this Plan. Secondary plans are generally required in the following circumstances:

CIRCUMSTANCES WHERE REQUIRED

- ~~P~~Prior to redesignating lands designated Future Urban Growth or Residential Reserve, and that are fully contained within an existing settlement, for *development* purposes;
- ~~p~~prior to redesignating lands designated as Residential Reserve for *development* purposes;
- ~~p~~prior to the installation, or significant expansion of municipal water and sewage services and stormwater management facilities within Serviced Villages which facilitate additional growth capacity; and
- ~~p~~prior to the expansion of a settlement boundary~~the boundaries of any designated Village or Serviced Village.~~

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REGARD FOR CLASS EA STUDIES

The secondary planning process may also be used to implement the conclusions and recommendations of Class Environmental Assessment proceedings. Where this is the case, the ~~County shall coordinate~~ Class Environmental Assessment and Planning Act processes shall be integrated to the satisfaction of the County and/or Area Municipality, responsible for the infrastructure.

AMENDMENT REQUIRED

~~County Council~~The County shall incorporate the policy and schedule updates deemed necessary to effectively implement adopted Secondary Plans within the Official Plan by amendment after public consultation as set out in Section 10.8.

CRITERIA

The criteria for Secondary Plans are established in Sections 4.2.2.4, 4.2.2.6, 7.2.3.2, ~~2~~, and 7.2.7, ~~and 8.5.3.3 and 9.4.3.3~~ as applicable.

For greater clarity, where secondary plans are proposing the expansion of a settlement boundary they shall also be subject to the requirements of 4.2.2.6.1

AREA STUDIES

Area Studies may be used to assist in the implementation and refinement of this Plan. Area Studies allow the analysis and conceptual planning of a specific geographic area at a level of detail which may not require the same range of studies or may have a more focused scope/purpose than that of a secondary plan~~be appropriate for the Official Plan~~. Area Studies may incorporate guideline documents to elaborate upon the implementation of policies that have general application in the control of *development*. ~~Area Studies are viewed as guideline documents and do not form part of the Official Plan.~~

CIRCUMSTANCES WHERE REQUIRED

Examples of areas that may warrant an area study include:

- ~~I~~Industrial and commercial areas that are subject to pressures for transition to other types of land use;
- ~~R~~Residential neighbourhoods that are experiencing pressure for *development* to a higher density residential land use or to other types of land use;
- ~~a~~areas subject to the preparation of Community Improvement Plans as set out in Section 10.4;
- ~~a~~areas that may be subject to substantial change as a result of a proposed major *development*;

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- ~~a~~Areas proposed to be designated as Heritage Conservation Districts in accordance with the Ontario Heritage Act with a high concentration of cultural *heritage resources* or community amenities and services, such as main streets and commercial areas, health or education facilities, transit hubs, major parks or recreation facilities, that have been identified to be in need of *intensification*, interconnection, stabilization, or enhancement;
- ~~a~~Areas proposed to be the subject of urban or community design guidelines;
- ~~a~~Areas intended for improvement to facilitate recreational or public use, including trails.
- ~~a~~Areas where an Environmental Impact Study where additional study or management plans may be required to provide more specific direction with respect to the restoration and enhancement of *natural heritage features and areas* as set out in Section 3.2.6. ~~is required;~~
- ~~a~~Areas where a study may be required for the identification or refinement of natural hazards as set out in Section 3.2.8 ~~proposed as Two Zone Flood Plain Policy Areas;~~
- ~~a~~Areas proposed for sub-watershed studies in accordance with Section 3.2.7.2.1.

STATUS

An Area Study will be adopted by a resolution of the Area Municipal Council and will be used as a guideline for the review of *development* applications and the planning of public facilities and services for the area. It may also provide the basis for an amendment to the Official Plan and/or Zoning By-Law if the recommendations of the study suggest that a change or refinement in policies, land use designations or zoning regulations is appropriate or warranted.

PUBLIC PARTICIPATION

Area Studies may be subject to the public notification procedures as outlined in Section 10.8.

ISSUE BASED STUDIES

Issue based studies will be used in situations where a specific theme or topic relates to an issue rather than a geographic area. Issue based studies will be approved by a resolution of County Council or Area Municipal Council and may provide the basis for an amendment to the Official Plan and/or Zoning By-Law. Issue based studies may be subject to the public notification procedures as outlined in Section 10.8.

10.3.3 Plans of Subdivision and Condominium

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The process of subdividing land into lots and blocks for various land uses is governed by the Planning Act. Oxford County Council is the approval authority for plans of subdivision and condominium.

WHERE REQUIRED

Where a proposal to divide land for more than five lots (including the retained parcel) is made, ~~including the remnant parcel,~~ such *development* shall be by a plan of subdivision or condominium. Proposals to divide land into five lots or less, including the remnant parcel, may take place by consent to sever as set out in Section 10.3.4.

PUBLIC PARTICIPATION

The County shall consider measures for informing and obtaining the views of the public, prescribed persons and public bodies in respect of proposed plans of subdivision, in accordance with Section 10.3.8 Public Participation measures.

SUBDIVISION REVIEW CRITERIA

County Council and the Area Municipal Councils will evaluate applications for plans of subdivision or condominium ~~on the basis of~~ based on the requirements of the Planning Act as well as criteria including, but not limited to, the following:

CONFORMITY TO THE OFFICIAL PLAN

- The plan is consistent with the policies of the Provincial Planning Statement and objectives and policies of the Official Plan and any applicable Secondary Plan and/or Area Plan.

SERVICING CAPACITY

- There is capacity available in the centralized water and/or wastewater facilities. Capacity availability should be confirmed with the County at the time of pre-consultation.

The allocation of capacity shall be in accordance with County procedures and standards and Section 5.5.5 of this Plan. In order to demonstrate and address servicing capacity, the proposed development shall be required to prepare a servicing strategy in accordance with servicing strategy criteria of Section 4.2.2.6.1

COMMUNITY SERVICES AVAILABILITY

- ~~There is capacity available in the municipal water and sewage treatment systems and t~~There is suitable provision for roads, water, storm and sanitary sewers, waste disposal and , recyclable collection, public utilities, fire and police protection, parks, schools, and other community facilities. and further, that the provision of these services will be financially viable over their lifecycle.

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ENVIRONMENTAL CONSTRAINTS

- The plan is designed to effectively accommodate Environmental Resources and mitigate environmental constraints in accordance with Section 3.2 and human-made constraints in accordance with Section 3.3.

NEGATIVE EFFECTS

- The plan is designed to reduce any negative effect on surrounding land uses, the transportation network, or significant natural features.

ACCESS

- The plan is designed to ensure adequate and safe vehicle access is provided, including emergency vehicle access. No shared easements which traverse multiple lots shall be permitted as a primary means of obtaining access to a public road, unless otherwise required by the authority having jurisdiction over the road.

INTEGRATION

- The plan is designed to be integrated with adjacent developments.

TOPOGRAPHY

- The plan is designed to be compatible with the natural features and topography of the site and adjacent lands. Subdivisions proposing extensive areas of cut and fill will be discouraged and may require the preparation and submission of detailed grading plans and sediment and erosion control plans as part of the plan of subdivision or condominium application.

RENTAL HOUSING CONVERSION

- Proposals to convert rental housing units to condominium ownership will be reviewed by the criteria set out Sections 7.2.2.2., 8.2.2.2, or 9.2.2.2.

RETAINED PARCEL

- The number and configuration of proposed lots and overall design of the subdivision does not compromise the long-term use, future development, or planned function of the retained parcel, or other surrounding lands.

OTHER APPLICABLE POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 5 Functional Support Elements

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DRAFT PLAN APPROVAL

As a condition of draft plan approval, County Council will require an applicant to satisfy conditions prior to final approval and registration of the plan of subdivision or condominium. The applicant will be required to meet conditions of draft approval within the specified time period, failing which, draft plan approval may lapse.

To provide for the fulfilment of these conditions and for the installation of services according to municipal standards, County Council shall require an applicant to enter into a subdivision agreement with the Area Municipality and, where necessary, the County, prior to final approval of the plan.

LAPSING

The County shall require that plans of subdivision, or parts thereof, that have been approved for 3 years or as prescribed by the Planning Act which have had no construction occur or *infrastructure* installed on-site, and do not meet the growth management objectives of this Plan, to no longer be a registered plan of subdivision.

REVIEW SUBDIVISION CONDITIONS

The County may, in consultation with the Province, Area Municipal Councils and other external agencies, review draft approved plans of subdivision to determine if the draft approval should be maintained, and if required, modify the conditions of draft approval or extend draft plan approval.

EXTENSION

The County may consider requests to extend the lapsing date for a draft approved plan of subdivision for an additional period, not generally exceeding 2 years, provided that:

- The applicable Area Municipality has been consulted and is in support of the proposed extension;
- It has been demonstrated that a concerted effort and progress has been made toward satisfying the existing conditions of approval, or exceptional circumstances beyond the applicant's control have prevented them from registering the draft approved plan, or phase thereof; and
- The draft plan is consistent with applicable federal and provincial legislation, matters of provincial interest, and the policies of the Provincial Planning Statement and this Plan, including growth management objectives, in effect at the time of such request.

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EXEMPTION FROM PART LOT CONTROL

In accordance with the provisions of the Planning Act, County Council may pass, or delegate its authority to approve, by-laws to exempt all, or parts of registered plans of subdivision from part lot control. ~~Such~~ exemption will only be permitted when no further conditions for *development* are required.

DEEMING

In accordance with the provisions of the Planning Act, an Area Municipal Council may pass a By-law to deem any plan of subdivision, or part thereof, that has been registered for eight years or more, to no longer be a registered plan of subdivision.

CONDOMINIUM EXEMPTION

The County may exempt a plan of condominium from review under the Planning Act. Such exemption will only be considered if the Area Municipality is satisfied that that no further conditions for *development* are required.

10.3.4 Consents (Severance)

Under the Planning Act-, County Council has delegated the authority to give consent to sever land to the Oxford County Land Division Committee.

REVIEW CRITERIA

The Oxford County Land Division Committee will evaluate applications for consents in accordance with the requirements of the Planning Act and, ~~but also on the basis of~~ the following criteria:-

SUBDIVISION PLAN NOT REQUIRED

- The Land Division Committee shall be satisfied that a plan of subdivision is not necessary for the proper and orderly *development* of land and that the plan of subdivision process is upheld as the primary method of lot creation. Where a proposal to divide land for more than five lots is made, including the remnant parcel, such *development* shall be by a plan of subdivision or condominium as set out in Section 10.3.3.

OFFICIAL PLAN AND ZONING BY- LAW CONFORMITY

- Any lot(s) to be created would conform to the policies of the Provincial Planning Statement and Official Plan and the provisions of the Zoning By-Law.

FUTURE DEVELOPMENT

- The granting of the consent application will not ~~prejudice negatively~~ impact or limit the planned use and/or future ~~development/lot~~ creation potential of the retained lands, other adjacent lands, or the surrounding area.

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ACCESS

- The proposed lots shall have direct frontage on a permanent public road maintained year-round at a reasonable standard of construction. and will not require the opening or extension of a public road.
- New vehicular access to any road shall be in accordance with the requirements of the authority having jurisdiction over the road and the applicable policies of Section 5.1 County Transportation Policy. The authority having jurisdiction over the road from which vehicular access is to be obtained shall be satisfied that there are no traffic safety concerns.
- Access requirements for backyard infill shall be in accordance with the policies as set out in Chapters 6, 7, 8, and 9 of this Plan.

SERVICING AVAILABILITY

- The proposed lot(s) will have adequate water supplies and sewage services and stormwater management consistent with the requirements of this Plan, the Province and the Oxford County Board of Health.
- Existing or proposed individual on-site water services and individual on-site sewage services are demonstrated to be adequate to serve the proposed lot and shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

TRAFFIC HAZARDS

Access to the proposed lot(s) would not create traffic problems or hazards, as identified by the authority with jurisdiction over the road.

PUBLIC NOTICE

- Property owners and residents in the vicinity of the proposed lot(s) are to receive sufficient notification of the application, pursuant to Section 10.8 of the Plan, and any submissions from such parties are to be considered.

LAND USE DESIGNATION

- Any criteria outlined in the policies associated with the land use designations that apply to the lands have been addressed.

OTHER APPLICABLE POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 5 Functional Support Elements.

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LOT ADJUSTMENTS

The County Land Division Committee may consider permitting minor lot adjustments, provided that it:

- is for a demonstrable legal or technical reason;
- does not result in the creation of a new lot; and
- meets the applicable policies and review criteria of this Plan.

Consideration shall also be given to any legal non-complying characteristics of the lands which may be aggravated or addressed through a proposed lot line adjustment.

CERTIFICATES OF CANCELLATION

Upon receipt of a request by an owner of a parcel of land that has been previously conveyed, the County Land Division Committee has the authority to approve or refuse the issuance of a certificate of cancellation, which, if approved, will have the effect of the parcel no longer to have been conveyed.

CONDITIONS

In granting a consent, the County Land Division Committee shall require applicants to satisfy conditions, prior to within the timeline prescribed under the Planning Act, prior to the issuance of the Certificate(s) of Official the stamping of deeds for registration purposes. To provide for the fulfillment of conditions, the applicant may be required to enter into a severance agreement with the Area Municipality and /or where necessary, the County.

10.3.5 Zoning By-Laws and Non-Conforming Uses

The zoning by-law is one of the primary means of implementing the policies of this Plan. The zoning by-law defines the uses permitted in specific locations within a municipality and the specific *development* standards relating to those uses. ~~Non-conforming uses are legally established uses that do not conform to the current land use designations, policies, requirements,~~ or zones of the Official Plan and/or zoning by-law.

LONG-TERM CONFORMITY

It is the intent of this Plan that the long-term use of land conform with the objectives and policies of this Plan. ~~Upon adoption of this Plan,~~ and any subsequent amendments thereto, the zoning by-laws of the Area Municipalities shall be brought into conformity with the policies of this Plan. ~~It is the intent of this Plan that non-conforming uses will convert, relocate,~~ or redevelop over time so that the subject land may be used in conformity with the policies of this Plan.

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RECOGNITION OF NON-CONFORMING USES IN ZONING BY-LAW

Notwithstanding the above, a legally established land use or a use permitted by existing zoning which does not conform to this Plan may be recognized as a permitted use in the zoning by-law where the Area [Municipal](#) Council is of the opinion that:

HAZARDOUS SUBSTANCES

The use, or existing zoning, does not involve hazardous activities or substances, which would constitute a danger to surrounding uses and/or persons by virtue of their hazardous nature

POLLUTION

The legally established or permitted use ~~or existing zoning~~, does not contribute to air, water or land pollution problems.

COMPATIBILITY

The legally established or permitted use ~~or existing zoning~~, can achieve, or has achieved, an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, does not generate traffic that threatens the safety of the surrounding area, and does not interfere with the *development* of conforming uses in the surrounding area.

MAINTENANCE OF EXISTING ROLE

The long-term continuation and any potential expansion of the use or change in use is in compliance with existing zoning and will not detract from the general intent of the Official Plan for the long-term use of the lands.

AMENDMENTS

Recognition of the legally established or permitted use ~~, or existing zoning~~ in the zoning by-law, is not likely to result in proposals to amend the Plan to allow similar types of uses.

EXPANSION OR MINOR CHANGE IN USE OF EXISTING RECOGNIZED USES

For uses recognized by existing zoning, but that do not conform to this Plan, Area [Municipal](#) Councils may permit minor expansion or minor change in use and the Land Division Committee may consider the granting of consents for *existing uses* to permit the expansion of the use or ~~re~~adjustment of property boundaries provided that:

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SERVICES

Existing or proposed services including water supply, sewage facilities, stormwater management and road access are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area [Municipal](#) Council and/or County Council.

~~[Individual On-site sewage services](#) and [individual on-site water facilities](#) are demonstrated to be adequate for the proposed development and shall be in accordance with satisfy the applicable requirements of the County and the Board of Health and the policies of Section 3.2.7.2, Water Quality and Quantity, Environmental Resource Policies and 5.5, County Servicing PolicyChapter 4, Growth Management relating to water quality and quantity, as appropriate.~~

PARKING AND LOADING

Parking and loading facilities are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area [Municipal](#) Council.

COMPATIBILITY

~~The proposal will be compatible with existing land uses in the vicinity in terms of noise, odour, emissions, vehicular traffic, and visual intrusion and may be required to include measures that reduce nuisances, protect adjacent properties, and improve compatibility of the use with the surrounding area. Proposals may be subject to site plan control to ensure land use compatibility.~~

~~[The proposed use, scale and location shall be reviewed to ensure that potential compatibility issues with respect to traffic, vibration, lighting, visual intrusions, noise, dust, odour and other potential off-site impacts can be prevented or effectively mitigated.](#)~~

~~[Further, the proposed use shall be appropriately designed, buffered and/or separated from nearby residential and other sensitive land uses to prevent, or acceptably mitigate, potential impacts and to minimize risk to public health and safety.](#)~~

~~[All applicable provincial and municipal requirements regarding, emissions, noise, odour, nuisance, compatibility, Minimum Distance Separation Formulae, public health and safety, water and wastewater standards shall be addressed, including receipt of all applicable environmental approvals.](#)~~

~~[Proposals may be subject to site specific zoning provisions and site plan approval that incorporate any restrictions or requirements necessary to implement this policy.](#)~~

ENVIRONMENT

Proposals shall comply with the policies of Section 3.2, Environmental Resource Policies.

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CONDITIONS OF APPROVAL

The Land Division Committee may attach such conditions as it deems appropriate to the approval of a development application associated with an existing recognized use.

EXTENSION, ENLARGEMENT, CHANGE OF USE FOR LEGAL NON- CONFORMING USES

A Committee of Adjustment may permit the extension or enlargement or change of use of a legally established land use which does not conform to this Plan and the zoning by-law of the Area Municipality. In evaluating applications, the Committee shall consider the following criteria:

- ~~That~~ The use has been continuous from the day the zoning by-law came into effect and forward;
- ~~That~~ There will be no extension of the site or building beyond the limits of the land owned and used from the effective date;
- ~~Permission~~ Permission for the extension, enlargement or change in the non-conforming use is in keeping with the general intent of the Official Plan and will not create new, or intensify existing, aggravate those aspects of the use that do not conform to the Official Plan and zoning by-law;
- ~~That~~ That existing municipal services such as water, sewers, stormwater management facilities and roads will be adequate;
- ~~That~~ That there are adequate parking and loading facilities to accommodate the proposed use;
- ~~That~~ That the proposed extension, enlargement or change in use will not adversely affect desirable *development* in adjacent areas which is in conformity with the Official Plan and zoning by-law;
- ~~That~~ That the proposed extension, enlargement or change in use would include measures that will reduce nuisances, protect adjacent properties, and improve the compatibility of the use with the surrounding area, and
- ~~That~~ That the extension, enlargement or change in use is necessary to avoid undue hardship to the applicant, provided that all other criteria have been met, there are no negative effects on environmental resources identified in Section 3.2 and the proposed extension, enlargement, or change in use is more compatible than the *existing use* relative to the planned use of the property and surrounding lands as set out in the relevant Official Plan ~~policies~~.

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CONDITIONS OF APPROVAL

The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application within its jurisdiction to extend, enlarge, or change a legal non-conforming use.

COUNTY ZONING BY-LAWS

County Council may pass zoning by-laws in accordance with the Planning Act. If there is a conflict between a by-law passed by the County and a by-law passed by an Area Municipality, the by-law of the County prevails.

DELEGATED AUTHORITY

In accordance with the provisions of the Planning Act and Section 10.5.1, County and/or Area Municipal Councils may delegate, by By-law, their ~~its approval authority to approve zoning by-laws which are~~ minor in nature

10.3.6 Minor Variances

The Planning Act stipulates that each Area Municipal Council is deemed to be a Committee of Adjustment to deal with the following matters:

NON-CONFORMING USES

- aApplications to allow the extension or enlargement of a legal non-conforming use;
- aApplications to allow a change in the use of buildings or land from a legal non-conforming use to a more compatible non-conforming use.

CONFORMING USES

- aApplications to allow minor deviations from the provisions of the zoning by-law or any other by-law passed under Sections 34 or 38 of the Planning Act that implements the Official Plan; and
- aApplications to allow uses which are similar and conform to uses permitted in the zoning by-law, where such uses are defined in general terms in the zoning by-law.

CRITERIA FOR REVIEWING APPLICATIONS

The Committee of Adjustment, when considering an application for minor variance to the zoning by-law, or any other by-law passed under Sections 34 or 38 of the Planning Act that implements the Official Plan, shall take into account the provisions of the Planning Act and the following:

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- ~~†The general intent and purpose objectives and policies~~ of the Official Plan ~~can be met~~would be maintained if the minor variance is granted;
- ~~†The~~ request for variance constitutes a minor departure from the performance standards of the zoning by-law;
- ~~†The~~ general intent and purpose of the zoning by-law would be maintained; and
- ~~wWhether~~ the variance is desirable for the appropriate *development* of use of the land, building, or structure.

DETERMINING DESIRABILITY

In ~~addition to the considerations outlined above~~ determining whether the variance is desirable for the appropriate development of the land, the Committee of Adjustment ~~in determining whether the variance is desirable~~ shall take into account the following:

- ~~wWhether constraints and/or restrictions to meeting the requirements of the zoning by law due to the physical or inherent conditions of the site are involved~~physical or inherent conditions of the site make compliance with the provisions of the zoning by-law unreasonable to satisfy;
- ~~wWhether alternative designs of the proposal which would be in conformity~~ comply with the relevant by-law are clearly not feasible or appropriate for the site, or would create additional impacts on adjacent land uses or the amenity of the area;
- ~~†The concerns of the effect~~ potential impacts on adjacent and/or nearby owners and uses, residents and the community in general have been considered and deemed acceptable or appropriately mitigated;
- ~~†The~~ approval of the minor variance is based on the specific proposal and/or site conditions and would not create the expectation of, or assumed precedent for, a similar variance being appropriate and supportable for a different proposal and/or site~~an undesirable precedent~~;
- that compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose undue hardship on the applicant.

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EXTENSION OR ENLARGEMENT FOR LEGAL NON- CONFORMING USES

For greater clarity, where the variance is to facilitate the extension or enlargement of a legal non-conforming use the applicable criteria under 10.3.5. shall apply.

OTHER APPLICABLE CRITERIA

Proposals shall also comply with any other applicable criteria established by the County and/or Area Municipality through a By-Law enacted in accordance with Section 45 of the Planning Act.

CONDITIONS

The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application for minor variance.

10.3.7 Holding Zones

PURPOSE

County Council or the Area Municipal Councils, may pass a Holding Zone by-law and use the holding (H) symbol in conjunction with any zone in the zoning by-law. The holding (H) symbol specifies that the *development* of these lands is considered premature or inappropriate for immediate *development*.

CRITERIA FOR APPLYING HOLDING ZONES

County Council or the Area Municipal Council may apply a holding (H) symbol in conjunction with the zoning by-law implementing any land use designation or performance category of this Plan in one or more of the following circumstances:

DRY INDUSTRY

- Where industrial or commercial *development* on private or partial services is proposed in the Serviced Villages or Large Urban Centres in accordance with Sections 4.2.2.4 or 4.2.2.5.

SERVICES AND INFRASTRUCTURE

- Where existing *infrastructure* services and facilities such as sanitary sewers, stormwater management facilities, water supply, roads, parks, schools, and community support services have been determined to have insufficient capacity to serve the proposed *development*, the holding zone can be used to prevent the development from proceeding until necessary improvements are made.

SUPPORTING STUDIES

- Where the submission and acceptance of secondary plans, area plans or issue-based studies as required by this Plan is required prior to *development*, or where other supporting studies such as traffic impact analysis or market analysis are required.

NATURAL FEATURES

- To ensure that natural areas or specific natural features are protected and the proposed *development* is consistent with the policies of Section 3.2.

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HAZARDS

- To ensure that potential hazards or constraints are effectively mitigated consistent with the policies of Section 3.2, prior to *development*.

CONTAMINATION

- To ensure that potential environmental contamination isare effectively assessed and mitigated, as required by policies of Section 3.3, prior to development.

NATURAL RESOURCES

- To ensure that the location of natural resources such as mineral aggregates is identified in the Zoning By-Law of the Area Municipality.

PHASING

- Where it is necessary to require the phasing of an overall *development* or extraction activity in order to ensure logical and orderly development, use of land and/or infrastructure-use, to mitigate impacts, or to secure commitments consistent with the policies of this Plan.

CONSOLIDATION OF LAND

- Where *development* is contingent upon other related matters occurring first, such as the consolidation of land ownership to ensure orderly *development* and phasing of the project or to secure funding agreements on necessary *infrastructure* or services.

TRANSPORTATION CAPACITY

- Where transportation facilities have inadequate capacity and/or would be of an inappropriate function relative to the proposed land use and anticipated type and volume of traffic generated.

AFFORDABLE HOUSING

- In order to achieve the construction and desirable distribution of *affordable housing* throughout a *development*.

AREA OF APPLICATION

Holding provisions may be applied municipality wide, to portions of the municipality such as servicing catchment areas, drainage sheds or flood plains, as well as on a site specific basis.

REMOVAL OF THE (H) SYMBOL

Conditions thatwhich must be satisfied prior to the removal of the holding (H) symbol may include, but are not limited to, appropriate financial and servicing requirements of the municipality, completion and approval of studies, and the signing of necessary agreements including, but not limited to, those under the provisions of the Planning Act.

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The zoning by-law will be amended to remove the holding (H) symbol when the County Council or the Area Municipality Council, or where or a-delegated to a municipal official under Section 10.5.1, determines that the conditions as set out in this Plan and the Holding Zone By-Law have been met.

INTERIM USES

The By-Law may specify iInterim uses that are permitted while the holding provision is in place, which may shall include:

- eExisting uses, including minor additions and accessory buildings; and
- eOther uses deemed appropriate by County Council or the Area Council which are in conformity with the Official Plan and which do not adversely affect the future *development* potential of the lands.

The holding (H) symbol shall not apply to accessory buildings or minor building additions.

10.3.9 Temporary Use

TEMPORARY USE PROVISIONS

Notwithstanding the requirement for zoning by-laws to comply with the Official Plan, County Council recognizes that the Official Plan represents the long-term direction to the *development* of the municipality. As such, the Area Municipal Council may permit uses for specific temporary periods, up to a maximum of three years, as set out in the Planning Act, which would otherwise not conform to the Official Plan and/or the comprehensive-Area Municipal zoning by-law, subject to re-application at 3-year intervals thereafter.

Such uses may be permitted upon individual application and careful consideration by the Area Municipal Council of the need and appropriateness of a temporary use by-law and to ensure that the objectives and policy direction of the Official Plan are not adversely affected by the temporary use. -The Area Municipal Council shall also take into consideration the following matters:

CRITERIA

- eCompatibility of the proposed use with surrounding land uses;
- aAny requirement for temporary buildings or structures in association with the proposed use;
- aAny requirement for temporary connection to municipal services and utilities;

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- ~~t~~The potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- ~~a~~Access requirements for the proposed use; and
- ~~p~~Parking required for the proposed use, and the ability to provide adequate parking on site.

EXTENSION

The Area Municipal Council may extend a temporary use by-law beyond the three year time period, as set out in the Planning Act, provided such extension does not exceed a three year time period and does not jeopardize the long-term *development* intentions for the subject lands as specified in the Official Plan. Area Municipal Council may delegate approval authority for such extensions to an Municipal official, in accordance with Section 10.5.1 of this Plan.

EXPIRY

Upon the expiry of the temporary use by-law, uses which may have been permitted by that temporary use by-law shall cease to exist, shall not be considered as legal non-conforming uses, and therefore shall be removed.

GARDEN SUITES

Area Municipalities may permit a *garden suite* on a *farm unit* or on a non-farm rural residential lot in the Agricultural Reserve, Open Space or Future Urban Growth designations, on a residential lot in the Rural Cluster or Village designations, or in Low Density Residential designations in Serviced Villages and Large Urban Centres.

AMENDMENT No. 285

OCCUPANTS

Garden Suites are intended to provide temporary housing for specified occupant(s), which shall be limited to:

AMENDMENT No. 285

AMENDMENT No. 285

- ~~t~~The parents or grandparents of a property owner or their spouse, or the child or grandchild of the property owner;
- ~~a~~A property owner provided that the principal dwelling is occupied by their parents, grandparents, child or grandchild.

AMENDMENT No. 285

ZONING AMENDMENT REQUIRED

Prior to permitting the construction of a *garden suite*, an amendment to the Zoning By-Law under Section 39.1 of the Planning Act, which relates to temporary use by-laws, will be required. The temporary use by-law may remain in effect for a maximum of 20 years. Extension(s) may be granted by the Area Municipality for up to three-years, subject to re-application and approval of an amendment to the Zoning By-law. The zoning amendment must satisfy the following criteria:

AMENDMENT No. 285

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SERVICING

The *garden suite* should generally use the existing sanitary sewage disposal, water supply and electrical services of the principal dwelling existing on the lot where the *garden suite* is proposed to be located. Prior to the zoning amendment, approvals shall be obtained from the authorities responsible for the various services to ensure that the existing servicing systems are adequate for shared use. In situations where the approval authority indicates that one or more of the services are not adequate for shared use, separate services will be required, provided these services can be accommodated on the subject property to the satisfaction of the approval authority.

AMENDMENT No. 285

In the rural areas, Rural Clusters and Villages, it must be demonstrated that individual on-site water supply and sewage services are adequate to serve the proposed use, in accordance with the applicable policies of Section 3.3-2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

AMENDMENT No. 285

COMPATIBILITY

The proposal is compatible with the surrounding area and, if applicable, be able to satisfy the *Minimum Distance Separation Formula 1* or not further reduce an existing insufficient setback relative to MDS 1 for adjacent livestock operations. Within the Serviced Village and large Urban Centres, the proposal should be on a large lot greater than 929 sq. m. (10,000 sq. ft.) in area on full municipal services.

SUITABILITY

The lot is suitable for an additional temporary dwelling unit with respect to lot area, lot coverage, yard setbacks, and setback from a public road allowance.

BUFFERING

The implementing Zoning By-Law may contain additional measures to ensure minimal disruption to adjacent land uses, such as the provision of grass strips, the planting of trees and shrubs or the erection of a fence.

ACCESS

The proposed *garden suite* will generally use the existing access to a permanent public road of reasonable construction maintained year round.

LOCATION

Generally, the *garden suite* will not be located to the front of the principal dwelling on the lot, although Area [Municipal](#) Council may give consideration to such siting on a site specific basis.

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AGREEMENT

The owner of the subject property shall be required to enter into an occupancy agreement with the Area [Municipal](#) Council, specifying the matters related to the temporary use of the *garden suite* as Area [Municipal](#) Council considers necessary, including, the installation, maintenance and removal of the *garden suite*; the period of occupancy of the *garden suite* by any of the persons named in the agreement; and the monetary or other form of security that Area [Municipal](#) Council may require for actual or potential costs to the municipality related to the *garden suite*.

NO SEVERANCE

Garden suites are intended to be temporary in nature and as such consent to sever a surplus *garden suite* will not be permitted by the Oxford County Land Division Committee.

REMOVAL OF GARDEN SUITE

When the *garden suite* is no longer required for the original use intended, it shall be removed from the lot and the temporary use by-law shall be allowed to lapse.

10.3.10 Community Planning Permits Area

PROVISIONS FOR COMMUNITY PLANNING PERMIT AREA(S)

As an alternative to traditional zoning by-law provisions, the County and/or Area Municipalities may consider implementing the objectives of the Official Plan through a Community Planning Permit System.

A Community Planning Permit System can potentially help to facilitate, streamline, and/or expedite *development* to support the achievement of certain policy goals or objectives (e.g. *residential intensification*). Such a system could be established for the entire County or Area Municipality, or for specific area(s) within the County or Area Municipality, as deemed appropriate.

Prior to the passing of a Community Planning Permit System by-law by the County, or an Area Municipality, an amendment to this Plan is required to:

- Identify the proposed community planning permit system area(s);
- Set out the scope of any authority that may be delegated and any limitations on the delegation;
- Contain a statement of the goals, objectives and policies for the community planning permit system proposed for the area;
- Set out the types of criteria that may be included in the community planning permit by-law for determining whether a *development* or use of land may be permitted; and,

- Set out the types of conditions that may be included in the Community Planning Permit by-law, in accordance with the applicable provisions of the Planning Act.

10.3.10 Bonus Zoning

BONUS ZONING PROVISIONS

~~Under the provisions of the Planning Act, a municipality may include in its Zoning By Law regulations that permit increases to the height and density limits applicable to a proposed *development* in return for the provision of such facilities, services, or matters as set out in the By-Law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.~~

PRINCIPLE

~~The facilities, services or matters that would be provided in consideration of height or density bonus should be reasonable, in terms of the cost/benefit implications for both the municipality and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a *development* to the extent that a greater density or height is warranted. Also, the height and density bonuses received should not result in a scale of *development* that is incompatible with adjacent uses or exceeds the capacity of available municipal services.~~

CIRCUMSTANCES APPLICABLE

~~Bonus zoning is applied to encourage social amenities and design features resulting in a public benefit which cannot be obtained through the normal *development* process. Area Councils may pass by-laws providing for bonusing to achieve the following objectives:~~

- ~~to support the provision of the *development* of affordable housing as provided for in this Plan;~~
- ~~to encourage aesthetically attractive *development* through the provision of enhanced landscaped open space and architectural review relating to building design materials and colours;~~
- ~~to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;~~
- ~~to support the provision of day care facilities;~~
- ~~to support the preservation of structures and/or districts identified as architecturally and/or historically significant by the municipality;~~

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- ~~to support innovative and environmentally sensitive *development* which incorporates and protects environmental features, promotes energy conservation, encourages construction techniques to reduce waste and promote water conservation;~~
- ~~to support the provision of amenities accessible and beneficial to the public, such as landscaped areas, public art and cultural features and transit shelters.~~

IMPLEMENTATION

~~The zoning by-law may contain bonus zoning provisions for all forms of *development*. These provisions will describe the facilities, services, or matters that qualify for the density bonus provisions and the extent of the height and density increases that may be available.~~

AGREEMENTS

~~As a condition of the application of bonus zoning provisions to a proposed *development*, the owner of the subject land will be required to enter into an agreement with the Area Municipality to be registered against the title to the land. The agreement will set out the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.~~

10.3.11 Site Plan Control

DESCRIPTION

Site plan control is a mechanism used to achieve appropriate siting and massing of a *development* on a site and to ensure safety, attractiveness and compatibility of a *development* with the surrounding area. It is also used by the municipality to secure land for road widenings.

APPLICATION

It is the intent of this Plan that all forms of *development* or redevelopment within the land use designations established in this Plan, with the exception of mineral aggregate and oil and gas extraction and gypsum mining, may be subject to site plan control.

For the purposes of site plan control, development or redevelopment shall be defined as the construction, erection, or placing of one or more buildings or structures or three or more travel trailers or mobile homes on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, or the laying out and establishment of a commercial parking lot. ~~The above noted definition of development shall not include the placement of a portable classroom on a school site of a district school board, if such school site was in existence on January 1, 2007 and any other uses that may be prescribed under the Planning Act as being exempted from the definition of 'development'.~~

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The Area Municipal Council may exempt ~~certain~~ additional classes of development from site plan control through the site plan control by-law passed in accordance with the Planning Act.

DELEGATION

As required by the Planning Act, Area Municipal Council shall delegate the approval authority for site plan applications to Municipal Officials as set out in Section 10.5.1.

APPROVAL OF SITE PLANS

Where the Area Municipal Council has passed a site plan control by-law, plans showing all buildings and structures to be erected and all facilities and works, including facilities designed to have regard for accessibility for persons with disabilities, to be provided in conjunction with the development will be required consistent with the provisions of the Planning Act. Drawings, showing plan, elevation and cross-section views may be required for all buildings to be erected including all buildings to be used for residential purposes in accordance with the Planning Act, ~~regardless of the number of units~~ within the site plan control area.

Such drawings shall be sufficient to display the massing and conceptual design of the proposed building, the relationship of the proposed building to adjacent buildings, streets and exterior areas and the provision of interior walkways, stairs elevators and escalators to which the public have access from streets, open spaces and interior walkways.

Where such matters are addressed in Area Municipal Site Plan Control By-Laws, such drawings shall also be sufficient to display the following:

- ~~matters relating to urban design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design;~~
- sSustainable design elements such as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities on any adjoining road under the jurisdiction of the County or Area Municipality.

DESIGN POLICIES

Where this Plan establishes site and urban design criteria for specific types of development, the Area Municipal Council will be satisfied that such policies have been addressed prior to approving site plans.

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In addition, County Council or Area Municipal Council may adopt site and/or urban design guidelines for various forms of development as a means of evaluating matters relating to detailed site and/or urban design through the site plan process. ~~Where such guidelines have been adopted,~~ they shall be implemented through the Area Municipal Site Plan Control By-Law or Area Municipal Zoning By-Law.

ROAD WIDENINGS

Widenings of public roads shall be required as a condition of site plan approval at the discretion of the authority having jurisdiction over the road for all development within the site plan control area consistent with the policies of Sections 5.1.2, 7.6.6, 8.7.2 and 9.6.2 to this Plan.

SERVICING CAPACITY

Development proponents are strongly advised to confirm potential availability of servicing capacity for a proposed *development* with the County at the pre-consultation stage.

The formal allocation of capacity shall be in accordance with applicable County procedures and standards and Section 5.5.5 of this Plan.

OTHER APPLICABLE POLICIES

Proposals should also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Section 5.5, Functional Support Elements.

LAPSING

Where County Council or Area Municipality Council have authorized an officer, employee or agent of the municipality to approve plans, those persons may also identify a time period beyond which the approval of such plans and drawings will lapse and no longer be approved. The time period identified shall be in accordance with the Planning Act. Notice shall be provided to the applicant or owner in accordance with the Planning Act.

EXEMPTIONS

The approval shall not lapse if, before it has lapsed, a permit is issued under section 8 of the Building Code Act, 1992 to implement the site plan approval or as class of development as regulated by the Planning Act.

PUBLIC NOTIFICATION

~~To assist in encouraging the integration of new *development* with adjacent land uses, the Area Council may require public notification and a public meeting at the site plan approval stage in connection with:~~

- ~~• multiple residential infill projects;~~
- ~~• commercial or mixed-use projects in a Central Area or Village Core designations;~~

- ~~high density residential projects within and around a Central Area designation;~~
- ~~proposals for new *development* within or *contiguous* to an Environmental Protection Area or a Provincially *Significant* Natural Feature;~~
- ~~proposals where bonus zoning may be applied to permit increases in height and density, according to the policies of Section 10.3.10;~~
- ~~proposals for new *development* in Heritage Conservation Districts established in accordance with the Ontario Heritage Act;~~
- ~~proposals for new Regional Commercial Nodes or large Service Commercial developments or the expansion of existing Regional Commercial Nodes;~~
- ~~proposals where holding provisions in the zoning by-law stipulate that public notification and public meetings will be required at the site plan approval stage; and~~
- ~~other situations where the location, massing, and conceptual design of new *development* may significantly affect the character of the surrounding area.~~

10.5 Planning and Development Approval Process

INTRODUCTION

The County is responsible for conducting county-wide planning and for ensuring that land use decisions are in conformity with this Plan. –In addition to this role, the County has the authority to approve plans of subdivision and condominium. Similarly, the Area Municipalities are the approval authority for their respective zoning by-laws and related applications for minor variance and site plan approval. In these roles, the County and Area Municipalities will endeavour to make the *development* approval process efficient and timely through the following measures, where appropriate.

10.5.1 Delegation of Approval Authority

COUNTY DELEGATION

County Council, in accordance with the regulations of the Planning Act, may delegate by By-law its approval authority for following planning matters to a standing committee or County officials:

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PLANS OF SUBDIVISIONS APPROVALS AND CONSENTS

- The County's authority to approve draft plans of subdivision and condominium (including Vacant Land Condominium), or any aspect thereof, may be delegated to a County official. Such delegated approval authority may include, but is not limited to, red line revisions, extension of approval, exemption from condominium approvals, and changes to the conditions of draft plan approval, in accordance with Section 10.3.3. of this Plan.

As set out in Section 10.3.4, the Oxford County Land Division Committee has the delegated authority for the approval of consents.

LOCAL DELEGATION

County Council shall encourage Area Municipal Councils to consider delegating local approval authority for planning matters to County or Area municipal officials, in accordance the Planning Act, where appropriate.

SITE PLAN CONTROL

As required by the Planning Act, Area Municipal Councils must delegate their approval authority with respect to Site Plan Control to County or Area Municipal officials.

MINOR ZONING AMENDMENTS

Area Municipal Councils may delegate their approval authority for Minor Zoning By-law Amendments to a County or Area Municipal official.

A Minor Zoning By-law Amendment may include any or all of the following circumstances:

- To remove an existing Holding Provision where the conditions have been satisfied, subject to the policies of Section 10.3.7;
 - To authorize a temporary use or grant an extension to an existing temporary use, including renewal of the time period that a garden suite is permitted to remain on the lot;
- To remove existing site-specific zoning provisions where the effect would be to revert to the parent zoning in force and effect; and, -
- To implement zoning as a result of an approved consent for a residence surplus to a farm operation, in accordance with the policies of 3.1.5.3 and including:
 - a. To prohibit any new dwelling, including additional residential units, on the resulting agricultural parcel, and
 - b. To recognize a proposed residential use, where the proposed retained lot meets the provisions of the applicable rural residential zone.

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NOTICE

The officer, employee, or agent of the Municipality who has been delegated the authority to approve minor zoning by law amendments shall follow the applicable notice and public meeting requirements of the Planning Act and section 10.8 of this Plan.

LIMITATIONS TO DELEGATED AUTHORITY

Where authority to approve an application under the Planning Act has been delegated by County Council or Area Municipal Council to an officer, employee, or agent of the County or Area Municipality, as applicable, that shall not include the authority to refuse an application.

DEVELOPMENT REQUIREMENTS AND CONDITIONS

~~Where differences of opinion arise in relation to the implementation of the policies of this Plan through requirements for information or studies prior to *development* approvals or in relation to conditions of *development* approval, the Area Council and/or County Council, may upon request by interested parties, review the proposed requirement or condition and may waive, reduce the scope or content, or uphold the requirement or condition. This policy shall not apply when such requirements or conditions are mandated by Provincial policy or legislation.~~

10.5.2 Pre-Consultation

PRE- CONSULTATION

It is recommended that proponents consult with the applicable approval authority prior to submitting a formal application for *development* to, at minimum, confirm the application(s), fees, and accompanying studies and other information that will be required by the County and/or Area Municipality to be considered a complete application(s), in accordance with Section 10.5.3 of this Plan.

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PURPOSE OF PRE-CONSULTATION

The purpose of pre-consultation is to provide an opportunity for the municipality and proponent to review and discuss a draft *development* proposal in advance of the submission of formal application(s). Although optional, pre-consultation can be critical for identifying the need for, and scope of, other information and materials (i.e. beyond just the planning application and applicable fee) that will be required by the County and/or, Area Municipality to allow for comprehensive and timely review and consideration of the formal *development* application(s), when they are submitted.

Pre-consultation can also assist in:

- Providing proponents with clarity and greater certainty with respect to what applications, supporting studies/documents, and applicable fees will be required for the County/Area Municipality and review agencies to consider the proposed development and for the required application(s) to be deemed complete;
- Providing proponents with initial feedback and suggestions on the proposed development concept and planning approach and help to identify and address potential issues and/or concerns in advance (i.e. to avoid costly delays and changes to the design and supporting technical studies later in the process); and
- Streamlining the review process and submission requirements, while still ensuring approval authorities and review agencies have the information necessary to make timely and informed land use planning decisions.

10.5.3 Complete Submission Requirements

SUPPORT EFFICIENT PROCESS

Timely and effective land use planning processes and decisions require having all relevant information pertaining to a particular planning application available as early as possible in the application process.

In practice, a planning application may require multiple reports, studies and plans to allow for appropriate consideration and assessment of its planning merits. Therefore, requiring all relevant information and material to be provided at the time a planning application is submitted is essential for:

- enabling the County and/or Area Municipalities to make well-informed decisions in a timely manner,
- providing transparency by ensuring the public and other stakeholders have access to key information early in the

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process; and;

- avoiding unnecessary delays and identifying and resolving potential issues and concerns early in the process.

REQUIREMENTS FOR COMPLETE APPLICATIONS

The County or Area Municipality, as applicable, shall only accept and process applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Condominium and Site Plan Approval, if they have deemed them to be complete.

Such applications shall not be deemed complete and the period in which the County or Area Municipality is required to make a decision shall not commence, unless the County and/or Area Municipality is satisfied that:

a) it satisfies all applicable requirements of the Planning Act, including the applicable regulations, and any other provincial requirements;

b) it satisfies all requirements set out in this Plan;

c) it includes a completed Application Form;

d) a draft of the proposed plan, including the proposed text and all proposed schedules where applicable;

e) electronic submission of all documents is in compliance with applicable Provincial accessibility regulations; and

f) the applicable application fee(s) have been received; and

g) it is accompanied by any other information and materials identified by the County and/or Area Municipality as being required, in accordance with 10.5.3.1. below.

INFORMATION AVAILABLE FOR PUBLIC REVIEW

All information provided in support of an application for development submitted under the Planning Act is considered public and is available for public review.

NOTICE

Notice of a Complete Application recognizes that the required information has been provided by the applicant, however, it does not infer support of the application by the Area Municipality or County, or that an application will be approved by Council.

10.5.3.1: Reports and Studies

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In addition to where the policies of this Plan identify studies, information and/or material which may be required to evaluate a *development* proposal, the County or Area Municipality may require other studies, information and/or material to be submitted as part of a complete application, in accordance with the Planning Act and any applicable regulations.

The studies, information and/or materials that may be required as part of a complete application shall generally include, but are not limited to, the reports/studies listed in Table below. These reports/studies have simply been grouped by theme for convenience and are not limited to any specific type of application.

TERMS OF REFERENCE

The review and approval of a Terms of Reference may be required by the County for certain reports or studies to confirm the scope and level of detail required, on a case-by-case basis. Submission and review of the terms of reference shall occur prior to the commencement of studies, and such studies shall incorporate feedback provided by the County and/or Area Municipality, following acceptance of the Terms of Reference.

THIRD PARTY REVIEW

Further, the County and/or Area Municipality may, depending on the scope and complexity of the application, require third party review of any information, materials or documentation required by the County and/or Area Municipality. The applicant will be responsible for the costs of the third party review as well as for the costs associated with any additional review resulting from revisions to any original materials that may be required as a result of the third party review.

Submission of costs associated with any third party review must be received prior to consideration of the development application by the County or Area Municipality as applicable.

Table [X]: Reports and Studies

<u>Planning Matters</u>	
<u>Planning Justification Report</u>	
<u>Drawings and Design</u>	
<u>-Landscape Plan</u>	<u>Phasing Plan</u>
<u>Urban Design Report</u>	
<u>Agriculture</u>	
<u>Agricultural Impact Assessment</u>	<u>MDS I/MDS II Formulae Calculation/Compliance</u>
<u>Environment</u>	
<u>Disclosure Report</u>	<u>Environmental Impact Study</u>
<u>Floodplain Analysis and/or</u>	<u>Hydrogeological Study</u>

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	Slope Stability Report	
	Phase I and/or II Environmental Site Assessment	Risk Management Plan
	Record of Site Condition / Certificate of Property Use	Tree Inventory/Tree Preservation Plan
	Cultural Heritage	
	Archaeological Assessment	Cultural Heritage Impact Assessment/Conservation Plan
	Cumulative Impact Assessment	
	Mineral Aggregate Resource Analysis (ARA License Application and materials)	Rehabilitation Plan
	Resource Management Report	Traffic Plan (Haul Route Assessment)
	Servicing, Infrastructure and Engineering	
	Functional Servicing Report	Geotechnical Report
	Grading Plan (Cut and Fill Plan)	Permit to Take Water
	Erosion and Sediment Control Plan	Servicing Plan
	Servicing Capacity Confirmation	Stormwater Management Report and/or Plan
	Compatibility and Nuisance	
	Air Quality Study	Dust, Odour and/or Emissions Study
	Emergency and Spills Management Plan	Feasibility Assessment
	Noise and/or Vibration (Acoustic) Study	Sun/Shadow and/or Wind Analysis
	Transportation	
	Traffic/Transportation Impact Study	
	Growth Planning and Housing	
	Land Needs Justification Study	Municipal Financial Impact Assessment
	Commercial	
	Commercial Location Needs Assessment	Retail or Market Impact Study

10.5.4 Advisory Committees

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ADVISORY COMMITTEES

The County and/or Area Municipalities may establish and consult with advisory committees on various land use related matters, where they deem it to be necessary or advisable to do so, or as required under the Planning Act.

COMMITTEE MANDATE

The land use planning and other matters for which a particular Committee's input may be solicited shall be established by County and/or Area Municipal Council, as applicable, through the approval of a Terms of Reference for each Committee.

10.8 Public Participation Measures

INTRODUCTION

County Council and the Area Councils will actively encourage public participation by seeking the opinions and the advice of individuals and community and special interest groups in the on-going task of implementing, monitoring and reviewing this Plan.

MATTERS SUBJECT TO PUBLIC PARTICIPATION

County Council and the Area Councils shall ensure that the public is adequately notified and consulted consistent with the following events:

MAJOR PLANNING INITIATIVES

- during the course of determining the need to review the Official Plan;
- during the course of preparing and considering planning policies, studies and strategies associated with:
 - a) Official Plan amendments and review processes;
 - b) ~~t~~he development of zoning by-laws;
 - c) ~~s~~Secondary plans and associated area studies;
 - d) Community Improvement Plans, and;
 - e) Municipal services planning consistent with the requirements of the Environmental Assessment Act.
 - f) ~~e~~Other matters deemed appropriate such as issue based studies

SITE SPECIFIC MATTERS

- in the consideration of *development* review and approval matters associated with:

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- a) Official Plan amendments;
- b) • ~~z~~ Zoning by-law amendments;
- c) • ~~m~~ Minor variances;
- d) • ~~e~~ Consents;
- e) • ~~s~~ Subdivision and vacant lot condominium approval;
- f) • ~~a~~ Applications for approval to demolish, convert or renovate any properties containing five or more rental unit
- g) ~~p~~ Proposals to designate heritage buildings, areas or elements pursuant to the Ontario Heritage Act or to remove such designation or demolish a designated structure; and
- h) • ~~e~~ Other matters as deemed appropriate including proposals for site plan approval or cash-in-lieu of parking.

FORMS OF PUBLIC PARTICIPATION

Municipalities may use a range of Measurestools to facilitate public participation. These measures may include:

- f Formal and informal public meetings;
- p Public notice ~~replies~~;
- w Workshops, open houses and displays;
- d Delegations at County Council and/or Area Councils or Committees of Council;
- t The use of advertising and information releases;
- t The establishment of advisory committees;
- e Consultation with community, neighbourhood or special interest organizations; and
- p Posting information on the County of Oxford and/or Area Municipal w Web-site and/or social media channels.
- Providing information and notice of opportunities to provide feedback through mail or e-mail.
- Using interactive virtual/online engagement tools or platforms, such as online surveys, community-based mapping, and message boards.
- Hosting virtual meetings, webinars, moderated conferences, and/or sharing of pre-recorded sessions or videos to share information and obtain feedback.

ENGAGEMENT PLAN

The consideration of the combination of measures and types of notice to facilitate public participation for major planning initiatives shall be informed by the preparation of an engagement plan, to the satisfaction of the County and/or Area Municipality(s).

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PUBLIC NOTICE

MAJOR PLANNING INITIATIVES

County Council or the Area Councils may require that public meetings held for the purposes of soliciting public input relative to major planning initiatives be advertised in newspapers having general circulation in the municipality prior to the scheduled meeting. —Notice may also be delivered by first class mail to persons deemed to have interest in the matter, including agencies, land owners, business owners and residents and to other persons who have requested notice of the meeting in accordance with the provisions of the Planning Act.

Such notice for Official Plan or Zoning By-law amendments shall be given at least 20 days prior to the public meeting.

SITE SPECIFIC PROPOSALS

Where the planning matter to be considered consists of site specific matters, County Council or the Area Council will ensure that, as a minimum, a notice is posted on the subject property and notice delivered by first class mail is provided to the following:

- eEvery owner of the land within the affected site and/or area to which the proposal applies as shown on the last revised assessment roll;
- eEvery owner of land within the distance prescribed by the regulations of the Planning Act or other applicable statute, external to the area to which the proposal applies, as shown on the last revised assessment roll; and
- eEvery person and agency that has given written request for such notice

For a site-specific Official Plan or Zoning By-law amendment, notice shall be given at least 14 days prior to the public meeting.

CONTENT OF NOTICE

A notice of public meeting shall contain the following information:

- tThe date, time and place of the meeting;
- iIn the case of a site-specific amendment, a key plan showing the location of the site or area to which the proposed amendment would apply; and
- tThe proposed amendment or an explanation of the proposed amendment sufficient to enable the public to understand the nature and general effect of the proposed amendment.

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SPECIAL CASES

Notwithstanding the above, where the proposal consists of an application for mineral aggregate extraction or gypsum mining consistent with Sections 3.4.1 and 3.4.3, or where *development* requiring an Environmental Impact Study as set out in Section 3.2.6 is proposed, the policies of these Sections establishing specific public notification requirements will take precedence.

ALTERNATIVE CONSULTATION MEASURES

County Council may pass a By-Law to establish alternative measures for informing and obtaining the views of the public with respect to applications for Official Plan Amendment, Draft Plan of Subdivision and/or Consents and Area Municipal Councils may pass a By-Law to establish alternative measures for applications for Zoning By-Law Amendment.

Such alternative measures may include, but are not necessarily limited to:

- Workshops, open houses and displays;
- Advertising and information releases;
- Consultation with community, neighbourhood, or special interest organizations
- Posting information on the County of Oxford and/or Area Municipal website and/or social media channels
- Providing information and notice of opportunities for feedback through mail or e-mail
- Using interactive virtual/online engagement tools or platforms, such as online surveys community-based mapping, and message boards.
- Hosting virtual meetings, webinars, moderated conferences and/or posting of pre-recorded sessions or videos to share information and obtain feedback

CONTENT OF BY-LAW

Where County or Area Municipal Council passes a By-law to establish alternative measures of consultation, this by-law shall identify:

- -the required recipients of the notice and the date that feedback is due to the approval authority.

CONTENT OF NOTICE

- the notice shall, at minimum, contain the following required content:
 - the date on which comments must be submitted and method(s) of submission;
 - a key plan showing the location of the site or area to which the proposed amendment would apply;
 - The proposed amendment, or an explanation of the proposed amendment, sufficient to enable an understanding of its nature and general effect;
 - how information and materials will be made available; and

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- [rights of appeal](#)

[ZONING BY-LAW AS A CONDITION OF CONSENT](#)

- [Where an application for consent to sever will require a zoning by-law amendment as a condition of approval, the notice for the application for consent may also include the notice information for the application for zoning by-law amendment, to satisfy the alternative consultation measures.](#)

CONSIDERATION OF PUBLIC SUBMISSIONS

County Council and the Area Councils shall consider all written and verbal submissions concerning a planning matter when making decisions and/or recommendations. An analysis of the written submissions and verbal presentations at public meetings may be prepared and submitted to County Council and the Area Councils as part of any planning report prepared.

CONFLICT RESOLUTION

Prior to making decisions relating to planning matters, County Council and the Area Councils will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared.

PUBLIC NOTIFICATION AND MEETINGS NOT REQUIRED

Notwithstanding the public notification procedures in this Section, County Council and Area Councils may forego public notification and public meetings(s) and may adopt changes [to this Plan and municipal Zoning By-Laws](#) in the following instances:

- [To](#) correct a minor technical error or omission contained in an amendment which has undergone full public review;
- [To](#) change punctuation or format, alter language, or correct clerical, grammatical, or typographical errors;
- [To](#) insert footnotes or similar annotations to indicate the origin and approval of each provision; and
- [To](#) change the names of various government ministries or agencies and reference to Provincial and Federal statutes in the Official Plan, as these may be amended or revised over the life of the Plan.

[MEETINGS NOT REQUIRED](#)

[Notwithstanding the public meeting requirements for zoning by-law amendment applications, Area Municipalities may forego a public meeting if the following requirements have been met:](#)

- [Approval authority has been delegated, through by-law, to a](#)

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County/Area Municipal official in accordance with Section 10.5.1;

- A By-Law has been passed outlining the use of an alternative methods of consultation process which has been met; and,
- No concerns have been identified through written submission during the commenting period identified in the notice.

OPEN HOUSE NOT
REQUIRED

County Council and Area Councils may forego a public open house and instead use alternative methods of consultation for municipally-initiated updates to the Official Plan and Zoning By-law.

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Addition of a new subsection 5.5.5 to add policies regarding servicing allocation and recognize the related by-law tools.

SERVICING ALLOCATION

Recognizing that *centralized water and/or wastewater facilities* have finite/limited capacity available to accommodate growth and *development*, the County may consider adopting a by-law and policy, pursuant to the applicable requirements of the Municipal Act, that provides for the allocation of sewage treatment and/or water supply system capacity and establishes criteria for determining the circumstances under which:

- the allocation of such servicing capacity will be assigned to development approved under the Planning Act; and
- the allocation of servicing capacity may be withdrawn, or reallocated.

Where the County has enacted such a By-law, the allocation, reallocation, and withdrawal of servicing capacity shall be in accordance with that by-law.