

DECISION

With respect to the New County of Prince Edward Official Plan Subsection 17(34) of the *Planning Act*

I hereby approve the repeal of the County of Prince Edward Official Plan, as adopted by By-law 2099 on November 25, 1993 and approved by the Ministry of Municipal Affairs and Housing through decisions made January 23, 1998 and December 23, 1998 and all subsequent amendments thereto, save and except OPA 63 adopted By-law 3406-2014, OPA 62 adopted by By-law 3327-2013 and OPA 67 adopted by By-law 3647- 2015)

I hereby approve all of the County of Prince Edward Official Plan adopted by By-law No. 34-2021, subject to the following modifications:

1. **Section 1.3 c)- How to Read this Plan** is hereby modified by deleting this policy in its entirety and replacing it with the following:

“c) Secondary Plans that were in effect for the Urban Centres of Picton (OPA 63/By-law 3406-2014), Wellington (OPA 62/By-law 3327-2013) and Rossmore (OPA 67/By-law 3647- 2015) shall be deemed to be part of this Plan notwithstanding the repeal of the 1998 County of Prince Edward Official Plan. These Secondary Plans shall be read in conjunction with this Plan and all the relevant policies of this Plan applied. Where there is a conflict between the policies of this Plan and the policies of any Secondary Plan, the policies of this Plan shall prevail. The County shall endeavor to update these Secondary Plans to be consistent with the Provincial Policy Statement (PPS) 2020.”

2. **Section 2.5- Policies** is hereby modified by:

- a) Inserting a new subsection g) to read as follows:

“g) Lands designated as Employment Areas in this Plan and/or Secondary Plans are considered to be employment areas as defined by the Provincial Policy Statement (PPS) 2020.

The County may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.”

- b) Inserting a new subsection h) to read as follows:

“h) Notwithstanding subsection g), and until the official plan review or update in subsection g) is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) *there is an identified need for the conversion and the land is not required for employment purposes over the long term;*
- b) *the proposed uses would not adversely affect the overall viability of the employment area; and*
- c) *existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.”*

3. **Section 3.1.6- Constraint Area Policies** is hereby modified by inserting a new subsection 7) under the **Water Resources** heading to read as follows: ***“7) Large development proposals (i.e. campgrounds, trailer parks, resort/condominium development) within 120 metres of waterbodies and watercourses must be supported with a site evaluation report in consultation with the Ministry of the Environment, Conservation and Parks. This is to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.”*** All subsequent subsections are to be renumbered accordingly.
4. **Section 3.3.3 9)- Housing Policies** is hereby modified by inserting the following sentence after the first sentence: ***“A residential lot may contain both a second unit within the residential dwelling unit and a second unit within an accessory structure.”***
5. **Section 3.3.3 10)- Housing Policies** is hereby modified by deleting “10” and replacing it with “15”.
6. **Section 3.4.7- Energy Generation and Transmission** is hereby modified by:
 - a) Deleting the words “*an Environmental Assessment under the Environmental Assessment Act*” and replacing them with “***any applicable environmental regulatory processes***” in subsection 2).
 - b) Inserting new bullet points d) and e) in subsection 3) which shall read as follows:
 - “d) consistency with the Provincial Policy Statement (PPS) 2020 and any other applicable provincial legislation and/or regulations.***
 - e) Ground-mounted solar facilities may be permitted as an on-farm diversified use in the Agricultural Area designation.”***
 - c) Inserting the words “***when exercising its authority under the Planning Act***” after the words “*transmission facility*” in subsection 4).

7. **Section 4.2.3 2) d)- Policies** is hereby modified by inserting the words ***“provided the criteria in subsection c) have been adequately demonstrated to the satisfaction of the County”*** after the words ***“Public uses and private and public utilities”***.

8. **Section 4.4.2.2 8)- Policies** is hereby modified by inserting the words ***“and designated Employment Areas in this Plan or Secondary Plans”*** after ***“Rural Industrial Lands designation”*** and the following new paragraph after subsection b) to read as follows:

“Where avoidance is not possible in accordance with the above-noted policy, the County shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;***
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;***
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and***
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.”***

9. **Section 4.5.1- Mineral Aggregate Resources** is hereby modified by:

a) Inserting a new subsection 1) to read as follows, and renumber the remaining subsections accordingly:

“1) Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, the resource continues to be protected in accordance with policy 4.5.1 2).”

b) Inserting the following new paragraph after the first paragraph in subsection 2) to read as follows:

“For the purposes of this policy, adjacent lands shall mean within 300 metres of a known unconsolidated deposit (e.g. sand, gravel, or clay) or a mineral pit operation; or within 500 metres of a known bedrock deposit or bedrock quarry operation. Environmental studies (ie: noise, hydrogeology) shall be required to assess

potential impact if development is proposed within this influence area. This influence area shall be applied reciprocally to new sensitive land uses encroaching on an existing extraction operation or lands committed for future extraction.”

- c) Inserting the following new subsection 8) to read as follows:
“8) Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.”

10. **Section 5.1.3- Land Division** is hereby modified by inserting a new subsection 6) to read as follows:
“6) The County shall permit lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.”

11. **Section 5.3- Glossary of Terms** is hereby modified by inserting the following new term after the term “*Marine facilities*”:

“Mineral aggregate resource conservation

Means the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and the wise use of mineral aggregates including utilization or extraction of on-site mineral aggregate resources prior to development occurring.”

Dated at Toronto this _____7th_____ day of _____July_____, 2021



Hannah Evans, Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing