

4) The originals or copies of all written submissions and comments and the dates they were received.

Attached.

## Middlesex County official plan

I have read the Middlesex county official plan March 8 2002 draft and several of the draft documents.

When it comes to housing everyone talks about the need for more housing, but it is time to have sustainable housing.

The reality is that the entire housing industry is based on the maximum return to investment which may or may not correspond to what society needs or what the municipality wants.

From a municipality stand point once you factor in an asset management plan for the inevitable replacement of infrastructure and having to weigh increased revenue against the cost associated with growth, the question becomes from a financial perspective are we gaining or losing with development. I honestly think that at best we are breaking even. Also close proximity to London makes many of our developments bedroom communities, which results in limited commercial growth.

Drive through a subdivision built in the seventies you will see a lot of ranch style houses and split level houses with a main floor live able space around 1300 square feet ( $1300 \times 2 =$  total live able space of 2600 square feet) and at the most 2.5 bathrooms. They have a one or two car garage and a simple roof design. During the seventies the average family probably had 3 to 4 children creating a household of 5 to 6 people. This type of housing gave you an efficient cost per square foot.

Compare that to the single housing of today. On average the homes have gotten bigger and the average family size has gotten smaller. When you go by a lot of these houses you will notice the steep pitch of the roofs, with numerous peaks and valleys. By and large the roofs are asphalt shingles (I personally would do steel because it would be a onetime cost) at today's costs a lot of these roofs would cost north of \$40000 to replace the shingles. How is that an affordable house for many first time home buyers?

We have to rethink what we are building; we have to go back to building entire subdivisions (this would be a mix of houses, townhouses, duplexes) that are geared towards first time home buyers and people that have a more modest income. If you create an entire development geared towards this part of our society you will limit the bidding wars on houses because the second time home buyers and the top end of the market will look elsewhere.

Middlesex Centre is also doing an official plan review, and we have noticed some of the documentation we are receiving from outside authorities is not correct. For example in the Hamlet of Bryanston not all of the houses zoned Hamlet Residential are in the hamlet boundaries. It turns out the boundary map and the zoning maps do not have the same boundaries. I am not sure if this is a municipality, county or land registration error.

#### 4, 5.3.4 Agricultural Area

First some background information

I farm with two brothers and years ago when the subject of surplus farm residence severances was first proposed we debated the pros and cons of allowing this. For some municipalities outside of an urban influence a dwindling rural population was a major concern and the intention of the severances was to stop the decline of rural residences, as you got closer to a city such as London this was less of an issue. We could see the need to try to maintain a rural population and help support the rural school system. We also realized that with our close proximity to London we would be creating building lots; the urban population would buy the severed house and tear it down to build a new one.

I have seen numerous cases where all the required conditions of severance have been met and you know that the newly severed house will be taken down and an executive style home will be built. It has become a glorified way of creating a building lot.

What has mostly occurred is that surplus farm residences are being severed not for the betterment of agriculture, not because a farmer wants to retire in the country, not to help with estate planning, this can become an endless list. You can make up a lot of excuses why but in the end it is all about the money. From an agricultural perspective it has made it harder for young farmers to get established and the odds of the urban and rural conflict have increased. I believe we have not helped the sustainability of farming we have hindered it.

If I could put the Gennie back in the bottle I would but I realize that is not an option, what I would like to see is to close up some of the holes I have encountered.

I agree that the severed house should be a minimum of 20 years old. If there was no age requirement for the house I could build a new house on a 50 acre farm and then sell it as surplus, then the next year go on another 50 acres farm build a new house and sell it. It would be a profitable sideline for me and a builder friend. Have you ever considered that maybe both houses should be a minimum of 20 years old. I say this because the simpler you make something the less of an opening a lawyer has.

Both the existing residence and the residence that is surplus must be livable dwellings and both must be on farming operations. This is to stop the use of an unlivable house being used to justify a surplus severance. In Middlesex Centre we currently state that the severed residence must be habitable but forgot to state that the existing farm operation residence must also be habitable. In our new official plan both residences must be habitable.

You state that “the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services”. I would like to verify that this means if the house is on well water that the well must be located on the severed residence lot.

When I first started council everyone kept saying that the severed lot had to be less than 2 acres. I assumed that this was in the municipal and counties official plans. Imagine my surprise when I found out

the 2 acre maximum was just an “understood number”. This loophole needs to be closed I would like to see a 2 acre maximum in the official plan. The argument against this is that everyone will want and get the 2 acre maximum, but the statement “the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services” defeats that argument.

Farmers like straight lines, I have seen flag shaped severances and severances that zig zag all over the place and the effect of saving a few feet here or there will be negated by running over crop to get to it. Drive around and you will see houses with the following types of laneways; long, winding, ones with ninety degree bends and ones that run on angles. Some have a pond some have a creek  
Personally I would like the lot to be square or rectangular in nature, I have been advised that a better wording would be parallel sides. If this was not possible maybe a minimum front lot width of 35 meters. Then there will be the argument that the property will not be able to fit in the 2 acres, my rebuttal to that is not all residences surplus to a farming operation will be severable.

In the draft version of the new County Official Plan there is no maximum distance between the two properties; with the current wording you could own a property anywhere in Ontario and possibly anywhere in Canada as the primary farming operation to sever a surplus farm residence in Middlesex County. I believe there should be a maximum as the crow flies distance of 25 kilometers between the two properties.

Just for clarification Middlesex Center has a zoning by-law that states “all accessory buildings permits a maximum size of the lessor 1776 square feet of the gross floor area or 3 % lot coverage for lots larger than 1.25 acres”. I assume the county has a similar by-law.

“consents for new farm lots shall generally not be considered where the result is the creation of a farm lot less than the typical township lot of 40 hectares’.

First off I think that municipality may be a more appropriate word than township.

I would like the by-law to remain at 40 hectares. If you had the time we could have a lengthy discussion on this subject but the bottom line is that in our municipality the effect of lowering this number would not be good for the long term viability of agriculture. For some it would be a cash windfall to create more building lots at the expense of the next generation of farmers.

I was a little surprised that the 2016 and 2046 growth targets for Lucan Biddulph were at 7 %. I would have thought that with all the growth that has happened after 2016 and supposed development to come that this number would have increased to more than the 7 %

Census of Agriculture 2016 Middlesex County

Over the years I have filled out numerous governments agricultural census forms and I really question the accuracy of the data that is collected. It is based on the assumption of what agriculture was and not on what it has become.

There are operations that are sole proprietor, some may have sole proprietor and corporations combined, and some may have partnership agreements. Some may have a corporation for the livestock and a separate one for the land, in some cases the equipment is in a corporation and if there is a grain handling system there is a good chance that it is in a separate company. Then add in the fact that not all these operations will have the same year end; corporations may have passive directors and some transactions between the different identities would duplicate data.

Many operations have become complex and trying to define that in a census form is not an easy task. On the 2016 agricultural census that I was obligated to complete I combined the sole proprietorships and corporations of me and two brothers under our farm name because that was the only logistical way to do it. Keep in mind that our sole proprietorships and companies do not have the same year ends. So would that be recorded under as one under the farm name, as three (3 sole proprietorships) or six (3 sole proprietorships and 3 companies) farming operations?

I have a question on Economic Development Strategy page 19 of 87

Census of Agriculture 2016 Middlesex County 2016

It states total farms 2199, ones with automated steering 472 and ones with GPS technology 948. That works out to 50 % of farmers with GPS having automated steering.

Today if you have GPS technology I would say that there is a 95 % probability that you have at least one piece of equipment with auto steer.

Farming has advanced since 2016 but I have a hard time believing that at the time of the 2016 census that only 50 % of the farmers with GPS technology had auto steer.

If I question the validity of such a straight forward question makes me wonder how much of that census is accurate.

Regards Hugh Aerts

**Subject:** FW: county official plan  
**Date:** Monday, April 4, 2022 at 8:25:58 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** Middlesex County official plan april 1.docx

Public comment with attachment

**DURK VANDERWERFF**, MPA, MCIP, RPP | **COUNTY OF MIDDLESEX** | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262

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**From:** Councillor Hugh Aerts <aerts@middlesexcentre.ca>  
**Date:** Sunday, April 3, 2022 at 11:56 PM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>, Tim Williams <twilliams@middlesex.ca>  
**Subject:** Fwd: county official plan

Hello Durk

I participated in the official plan information meeting that was held on March 30 2022.

I immediately realized that with the number of participants and the 2 hour time frame that it would be a limited discussion.

I wish the format would have given everyone 5 minutes to speak on what was important to them instead of repeating the survey questions.

I am sending you a PDF file. I want to make it clear that the content is my personal thoughts and they may or may not coincide with the opinions of Middlesex Centre Council.

I apologize for taking so long to reply but organizing my thoughts on paper takes me some time.

I know that both you and Tim are busy people if you have any questions my cell # is [REDACTED]

Hugh Aerts



April 19<sup>th</sup>, 2022

To: Mr. Durk Vanderwerff  
Director of Planning and Development  
(sent via email)

RE: County Draft Official Plan Review

Please be advised that we have reviewed the draft County of Middlesex Official Plan and offer the following for consideration and revision to the policy framework and applicable schedules.

The County Plan policy framework has indicated a bias towards the Natural Environment without determining significance. This approach is not consistent with the PPS or recent Provincial initiatives to address the housing crisis. The current policies will further restrict the opportunities for growth and therefore should be revised to recognize the PPS as the standard in preserving significant natural heritage features and functions only. This Natural Environmental bias has not been supported by any background reports and is reflected as an OP Schedule that includes all vegetated lands without any determination of significance and therefore, we would request the modification to the policy framework to specifically identify significant natural environment.

We also believe that the local Official Plans are better at identifying the local landscape and have policies that better addresses the development processes and the relation to the natural environment and therefore this overstatement of the role of the County in this determination further complicates the fulfillment of the PPS and local development projects.

We are happy to meet and work through these items specifically to be in a position to support the County's Official Plan objectives.

Sincerely;  
Auburn Developments Inc.

A handwritten signature in black ink, appearing to read "Stephen Stapleton", with a long, sweeping underline.

Per Stephen Stapleton,  
Vice- President

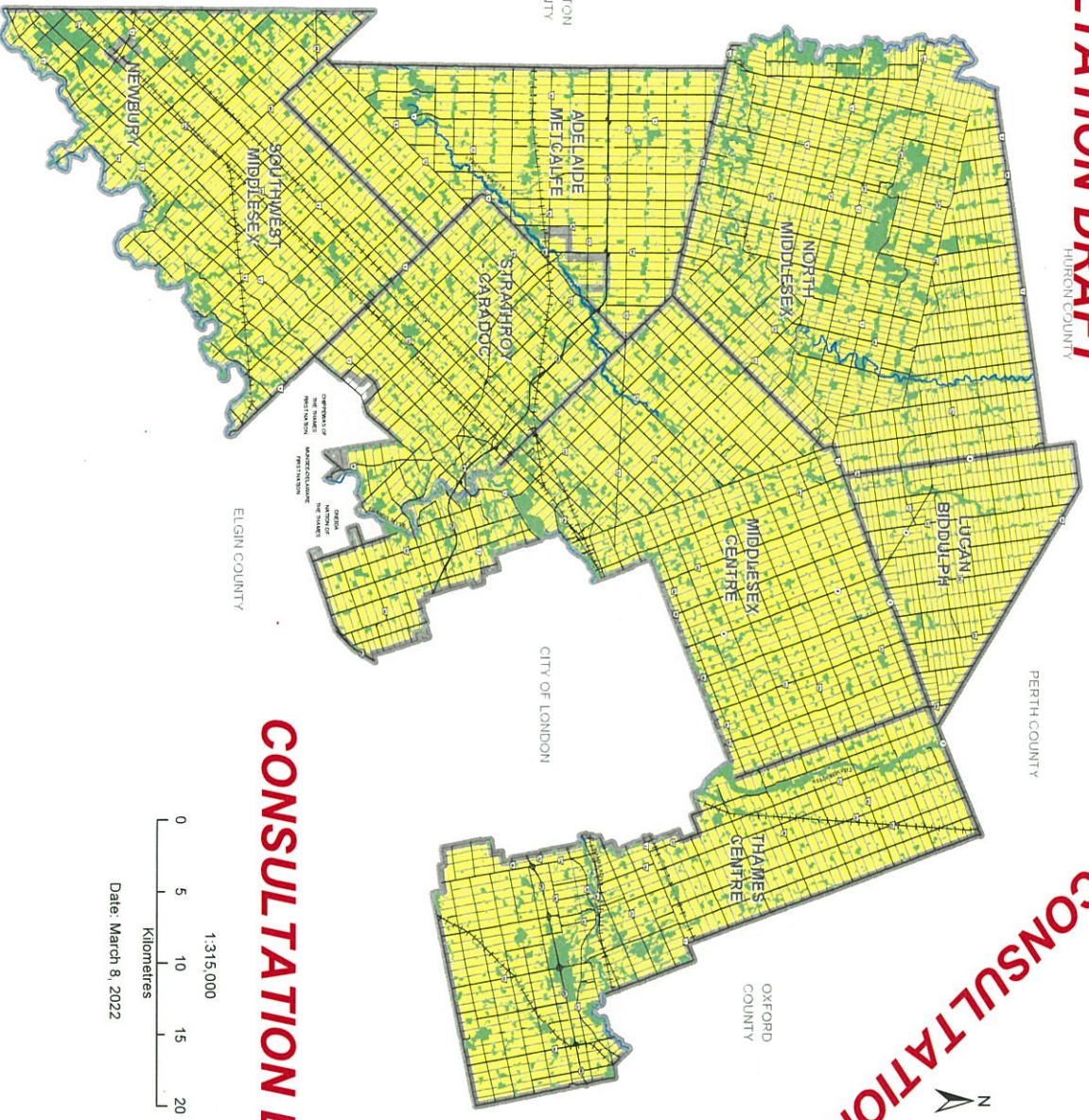
Attachment : County of Middlesex Official Plan Schedule C

# CONSULTATION DRAFT

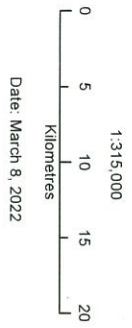
HIERON COUNTY

CHATHAM  
- KENT

LAMBTON  
COUNTY



# CONSULTATION DRAFT



# CONSULTATION DRAFT



**COUNTY OF MIDDLESEX  
OFFICIAL PLAN  
SCHEDULE C  
NATURAL HERITAGE SYSTEM**

**Notations:**  
Due to the size and scale of the Schedules, the boundaries of features may not appear to be precise; therefore, the limits of these features should be determined through consultation with the County, appropriate Conservation Authority, local municipality and/or the Province.  
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 Natural Heritage System





Railway Properties

1 Administration Rd  
Concord, ON L4K 1B9  
Telephone: 514-399-7627  
Fax: 514-399-4296

CN requests that the following policies be included in municipal land use planning policy documents:

1. Municipal Council acknowledges the importance of the rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people. Council shall ensure the continued viability and ultimate capacity of the rail corridors and yards (if applicable) is protected and shall identify and support strategic infrastructure improvements such as targeted grade separations.
2. Sensitive land uses will not be encouraged adjacent or in proximity to rail facilities.
3. All proposed residential or other sensitive use development within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified. All available options, including alternative site layouts and/or attenuation measures, will be thoroughly investigated and implemented if practicable to ensure appropriate sound levels are achieved, particularly with respect to the 55 dBA outdoor living area criterion.
4. All proposed residential or other sensitive use development within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
5. All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway. Where applicable, the Municipality will ensure that sightline requirements of Transport Canada and the railways are addressed.
6. Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Municipality and the appropriate railway.
7. New residential development or other sensitive land uses will not be permitted within 300 metres of a rail yard (if applicable).
8. All residential development or other sensitive land uses located between 300 m and 1000 m of a rail yard will be required to undertake noise studies, to the satisfaction of the Municipality and the appropriate railway, to support its feasibility of development

and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.



Railway Properties

1 Administration Rd  
Concord, ON L4K 1B9  
Telephone: 514-399-7627  
Fax: 514-399-4296

CN requests that the following provisions be included in municipal land use planning regulatory documents:

1. A minimum building setback for residential and other sensitive land uses from a railway right-of-way is 30 metres in conjunction with a 2.5 metre high earthen berm (with 2.5 to 1 side slopes, adjoining and parallel to the railway right-of-way with returns at the ends). In absence of a safety berm, a 120 metres setback is required. \*

*\* The 30 m setback and 2.5 m high earthen berm requirement is for Principal Main Lines. For Secondary Main Lines, the requested setback is 30 m but the minimum berm height is 2.0 m. For Principal Branch Lines, the requested setback is 15 m and the minimum berm height is 2.0 m.*

2. A 1.83 metre chain link security fence is required along the mutual property line with the railway right-of-way, to be installed and maintained at the Applicant/Owner's own expense.
3. Any future residential development adjacent to the railway right-of-way will require approval from the railway for noise and vibration mitigation measures.
4. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
5. New residential development or other sensitive land uses will not be permitted within 300 metres of a rail yard (if applicable).

**Subject:** FW: 2022-02-08\_CN Comments\_County of Middlesex Official Plan Review  
**Date:** Monday, April 4, 2022 at 9:39:46 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** CN Proximity Policy Recommendations.pdf, CN Proximity Regulatory Recommendations.pdf, image001.png

Agency comment with attachments

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

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**From:** Saadia Jamil <Saadia.Jamil@cn.ca> on behalf of Proximity <proximity@cn.ca>  
**Date:** Tuesday, February 8, 2022 at 12:10 PM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>  
**Subject:** 2022-02-08\_CN Comments\_County of Middlesex Official Plan Review

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello,

Thank you for circulating CN on your Official Plan review. Please find attached policy and regulatory recommendations for developments in proximity to the railway corridor.

Thanks,

**Saadia Jamil**

Planner (CN Proximity)  
Planning, Landscape Architecture and Urban Design  
Urbanisme, architecture de paysage et design urbain



E : [proximity@cn.ca](mailto:proximity@cn.ca)  
1600, René-Lévesque Ouest, 11e étage  
Montréal (Québec)  
H3H 1P9 CANADA  
[wsp.com](http://wsp.com)

**Subject:** FW: Middlesex County Draft OP - CA Review comments  
**Date:** Monday, April 4, 2022 at 9:48:43 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** County of Middlesex OP 5 CA Comments\_Dec2021.xlsx, image001.png, image002.png, image003.png, image004.png, image005.png

Agency comment with attachment

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

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**From:** Valerie Towsley <Valerie.Towsley@ltvca.ca>  
**Date:** Monday, December 6, 2021 at 3:17 PM  
**To:** "Lorilee.Riddell@ontario.ca" <Lorilee.Riddell@ontario.ca>, "Kay.Grant@ontario.ca" <Kay.Grant@ontario.ca>  
**Cc:** Geoff Cade <gcade@abca.ca>, Joe Gordon <joe@kettlecreekconservation.on.ca>, "shodgkiss@scrca.on.ca" <shodgkiss@scrca.on.ca>, "Jenna Allain <allainj@thamesriver.on.ca> (allainj@thamesriver.on.ca)" <allainj@thamesriver.on.ca>, Meghan Tydd-Hrynyk <mtydd-hrynyk@abca.ca>, Durk Vanderwerff <dvanderwerff@middlesex.ca>, Connor Wilson <Connor.Wilson@ltvca.ca>  
**Subject:** Middlesex County Draft OP - CA Review comments

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Good afternoon Lorilee and Kay

Please find attached an excel spreadsheet containing comments from the 5 CA's for our review of the Middlesex County Draft OP. Our main concern was with the lumping together of the Natural Heritage and Natural Hazard sections. These are two distinct features on the landscape, having different concerns as it relates to development. CA staff strongly recommend that these two sections be separated and dealt with as individual, stand-alone features, as identified in the 2020 Provincial Policy Statement.

We are available to answer any questions as they relate to our response.

Submitted by Valerie Towsley and Connor Wilson, LTVCA, on behalf of Geoff Cade, ABCA, Joe Gordon, KCCA, Sarah Hodgkiss and Meghan Tydd-Hrynyk, SCRCA, and Jenna Allain, UTRCA.

Valerie Towsley

Resource Technician  
Lower Thames Valley Conservation Authority  
100 Thames Street  
Chatham, ON N7L 2Y8  
519-354-7310 ext.226  
[valerie.towsley@ltvca.ca](mailto:valerie.towsley@ltvca.ca)  
[www.ltvca.ca](http://www.ltvca.ca)



March 30, 2022

Director of Planning, Middlesex County

Dear Durk Vanderwerff,

RE: Middlesex 2046 – Review of Official Plan

I have recently completed the online survey for Middlesex 2046. I would like to communicate further with respect to the following issue.

Storage of Biosolid Fertilizer in Middlesex County

I feel very strongly that any type of storage facility for biosolid fertilizer should not be allowed in Middlesex County. This restriction should be considered for the new Official Plan for the County.

Biosolid fertilizer is dehydrated, pelletized human waste. It is human waste from all sources – industrial, hospital, commercial and residential. As such it contains many known pathogens – viruses, bacteria, heavy metals, chemicals, and various other contaminants. There is significant focus on ‘cleaning’ the waste water. This process results in at least 90% of the pathogens remaining in the sludge that becomes biosolid fertilizer. There are over 8,000 commonly used chemicals. These chemicals, as well as other pathogens, are found in this biosolid fertilizer.

The reasons that a storage facility should be banned from Middlesex County include risk of permanent contamination of soil, groundwater recharge areas, source water, and our rivers which are habitat to numerous species at risk. Another reason is the air pollution that results from the use and storage of biosolid fertilizer. Many people, including myself, have reported health issues from the toxic fumes emitted from small storage sites for this fertilizer. The persistent, noxious odour is experienced for kilometres from the storage site.

Perhaps you are aware of the problems experienced by several area municipalities, including some within Middlesex County, regarding the use and storage of this product. Banning the storage of biosolid fertilizer in any form and in any quantity would resolve these issues.

The quality of life and personal use and enjoyment of property by existing residents must be a priority. This is further supported by numerous existing Guidelines and Acts [see attached page].

I would be pleased to discuss this item with you further. I have accumulated research and information on biosolid fertilizer that I would be happy to share with you.

I look forward to working with you in order to effect this change in the County’s Official Plan.

Sincerely,

*Heather Cormack*

Heather Cormack

[Redacted signature area]

## Existing Guidelines and Acts

- Environmental Protection Act (EPA)
  - EPA 1(1) “**contaminant**” means any **solid**, liquid, gas, **odour**, ... that causes or may cause an adverse effect”
  - EPA 1(1) “**adverse effect**” means one or more of,
    - a) impairment of the quality of the natural environment for any use that can be made of it,
    - b) injury or damage to property or to plant or animal life,
    - c) **harm or material discomfort to any person**,
    - d) **an adverse effect on the health of any person**,
    - e) impairment of the safety of any person,
    - f) rendering any property or plant or animal life unfit for human use,
    - g) **loss of enjoyment of normal use of property**, and
    - h) interference with the normal conduct of business”
  - EPA 14(1) “Subject to subsection (2) but despite any other provision of this Act or the regulations, a person **shall not discharge a contaminant** or cause or permit the discharge of a contaminant into the natural environment, **if the discharge causes or may cause an adverse effect.**”
  - EPA 14(2) “Subsection (1) does not apply to,
    - a) a discharge that is authorized under this Act or the *Ontario Water Resources Act*, if the discharge does not cause and is not likely to cause an adverse effect; or
    - b) a discharge of a contaminant that arises when animal wastes are disposed of in accordance with normal farming practices, if the only adverse effect that is caused or that may be caused by the discharge is an adverse effect referred to in clause (a) of the definition of ‘adverse effect’ in subsection 1 (1).”
- OMAFRAs Guidelines on Permitted Uses
  - 2.2.3 “examples of uses that would typically not meet PPS criteria include ... sewage biosolids storage”
- Province of Ontario’s Provincial Policy Statement (PPS)
  - PPS 1.1.1 “healthy, liveable and safe communities are sustained by:
    - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns”
  - PPS 1.1.4.1 “healthy, integrated and viable rural areas should be supported by:
    - g) providing opportunities for sustainable and diversified tourism, including natural assets;
    - h) conserving biodiversity and considering the ecological benefits provided by nature”
  - PPS 1.2.6.1 “... **minimize and mitigate any potential adverse effects from odour, noise and other contaminants**, minimize risk to public health and safety ...”
  - PPS 2.3.3.1 “... shall not hinder surrounding agricultural operations”
- Township of Adelaide Metcalfe’s Official Plan
  - 2.5 Economic Development
    - “The Township will encourage the location of light industrial uses which:
      - a) are **not noxious industries**;
      - e) can be located without adverse impact to existing development;
      - g) can be located without adverse impact to the natural environment.”



**Subject:** Middlesex 2046 Official Plan – Biosolid Fertilizer  
**Date:** Thursday, March 31, 2022 at 11:17:07 AM Eastern Daylight Time  
**From:** Heather & Ralph  
**To:** Durk Vanderwerff  
**Attachments:** Middlesex 2046 biosolids letter.pdf

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Good Morning Mr. Vanderwerff,

RE: Middlesex 2046 Official Plan – Biosolid Fertilizer

Attached please find my letter regarding storage of biosolid fertilizer in Middlesex County.

I would be pleased to discuss this topic with you at your convenience.

Thank you for your consideration of this important item in the review of the County's Official Plan.

Heather Cormack



March 30, 2022

Director of Planning, Middlesex County

Dear Durk Vanderwerff,

Re: Middlesex 2046 – Official Plan Update

I have recently completed the online survey regarding the Official Plan Update for Middlesex County. I would like to make further comments regarding accessibility of internet.

Accessibility of Internet in Middlesex County

Provision of internet access is a key service for now and in the future. The quality of this service directly corresponds to the quality of the infrastructure. To this end, fibre optic cable to the premises should be available for every resident and business in Middlesex County. Fibre optic cable is by far the superior choice to wireless for the following reasons:

- Cable is safe, reliable and secure.
  - Wireless transmissions are blocked by trees and metal, and slowed by concrete and brick. Wireless transmissions are also impacted by weather. These factors make wireless extremely unreliable.
- Cable is 100 times faster than wireless.
- Cable requires 10 times less electricity to operate.
  - This results in cable having a significantly reduced carbon footprint compared to wireless transmissions.
- Cable does not cause any health issues.
  - There are thousands of scientific studies showing harm caused by wireless transmissions.
- Cable is in-line with the Ontario Disabilities Act which includes disabilities related to wireless technology. The deadline for compliance with this Act is 2025.

I am the Lambton-Kent-Middlesex riding representative for Canadians for Safe Technology [C4ST]. C4ST was formed in 2011 and is chaired by Frank Clegg who is a former president for Microsoft Canada. He is well versed in the safe implementation of technology.

I would be pleased to meet with you in order to discuss the implementation of internet via fibre optic cable to the premises in Middlesex County. I have accumulated a significant amount of information on this topic and would be happy to share this information and my resources with you.

I look forward to working with you in order to ensure that access to fibre optic cable to the premises is included in the County's Official Plan.

Sincerely,

*Heather Cormack*

Heather Cormack

C4ST Riding Representative – Lambton-Kent-Middlesex



**Subject:** Middlesex 2046 Official Plan – Internet Access  
**Date:** Thursday, March 31, 2022 at 11:20:10 AM Eastern Daylight Time  
**From:** Heather & Ralph  
**To:** Durk Vanderwerff  
**Attachments:** Middlesex 2046 internet letter.pdf

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Good Morning Mr. Vanderwerff,

RE: Middlesex 2046 Official Plan – Internet Access

Attached please find my letter regarding accessibility of internet in Middlesex County.

I would be pleased to discuss this topic with you in order to provide further details and answer any questions you may have.

Thank you for your consideration of this important item in the review of the County's Official Plan.

Heather Cormack

C4ST Riding Representative – Lambton-Kent-Middlesex



**Subject:** RE: County of Middlesex Official Plan Review  
**Date:** Monday, May 9, 2022 at 1:21:38 PM Eastern Daylight Time  
**From:** Joanna Ilunga  
**To:** Durk Vanderwerff  
**Attachments:** image006.png, image007.png, image008.png, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.png

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Hi Durk,

Your suggestions were reviewed, and we like the way you framed it!

Feel free to let me know if you have any other questions or concerns!

Best,



**Joanna Ilunga**  
Community Planner  
BA (Hons), MScPI

d | 403.692.5231 c | 647.641.2233



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**B&A Planning Group** | Planning • Strategy • Design • Engagement

600, 215 – 9th Avenue SW | Calgary, AB T2P 1K3

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**From:** Durk Vanderwerff <dvanderwerff@middlesex.ca>  
**Sent:** Sunday, April 24, 2022 9:00 PM  
**To:** Joanna Ilunga <jilunga@bapg.ca>  
**Cc:** notifications <notifications@enbridge.com>  
**Subject:** Re: County of Middlesex Official Plan Review

Joanna

Thank you for the information. We have reviewed and considered in the context of our planning documents and based on a limited best practices review of neighbouring Counties. Section 2.4.3 of the Official Plan includes 'Communication and Transition Infrastructure' policies and based on the input that you provided we are proposing to add the following wording:

“Protect existing pipeline infrastructure including hydrocarbon and water transmission pipelines. Proponents of development within 200 metres of a transmission pipeline right of way (or such greater distance as may apply) shall consult early with the pipeline operator. Pipeline operators should be circulated all applications under the Planning Act respecting lands within 200 metres of a known pipeline right of way (or such greater distance as may apply). The locations of transmission pipeline rights of way should be identified in local municipal planning documents.”

I would note that we also have pipeline layers within our GIS mapping system that we screen Planning Act applications within. To-date we circulate applications within one kilometer of transmission pipelines but to be honest I don't know where that number came from.

You will receive a further notice of the upcoming Public Meeting and I would welcome any feedback you have on the above paragraph.

Thank you, Durk.

**DURK VANDERWERFF**, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262

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**From:** Joanna Ilunga <[jilunga@bagg.ca](mailto:jilunga@bagg.ca)>  
**Date:** Thursday, February 24, 2022 at 2:57 PM  
**To:** Durk Vanderwerff <[dvanderwerff@middlesex.ca](mailto:dvanderwerff@middlesex.ca)>  
**Cc:** notifications <[notifications@enbridge.com](mailto:notifications@enbridge.com)>  
**Subject:** County of Middlesex Official Plan Review

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello,

Thank you for sending Enbridge notice of the Middlesex County Official Plan Amendment. Please find attached our response to your circulation letter.

Do not hesitate to contact me with any questions or comments. We appreciate receiving your referrals and look forward to continuing to receive them at [notifications@enbridge.com](mailto:notifications@enbridge.com) for our review and comment.

Thank you,



**Joanna Ilunga**

Community Planner

BA (Hons), MScPI

d| 403.692.5231 c| 647.641.2233



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**B&A Planning Group** | Planning · Strategy · Design · Engagement

600, 215 – 9th Avenue SW | Calgary, AB T2P 1K3

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February 24, 2022

County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1

Sent via email to: [dvanderwerff@middlesex.ca](mailto:dvanderwerff@middlesex.ca)

**ATTN: Durk Vanderwerff, Director of Planning**

**RE: County of Middlesex Official Plan Review**

**Your File #: N/A**

**Our Reference #: ENB\_R220211-002ON**

Thank you for sending Enbridge notice of this project. B&A Planning Group is the land use planning consultant for Enbridge's Liquids Pipeline network across Canada. On behalf of Enbridge, we work with municipalities and stakeholders regarding planning and development in proximity to their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

We request that this response package is provided in full to the landowner / applicant as it contains useful and important information, including certain requirements that must be followed, in respect of development in proximity of pipelines.

## **Description of Proposed Development**

We understand that this application is a notice that the County of Middlesex is reviewing their Official Plan and the County has submitted a draft of their proposed vision, goals, and land use policies are now available. As demonstrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure** there is Enbridge liquid pipeline infrastructure located within the County of Middlesex municipal boundaries.

## **Assessment & Requirements**

The Official Plan Amendment was reviewed, and does not appear to contain any maps, statements or policies related to development in proximity of pipeline infrastructure. Therefore, Enbridge would like to recommend inclusion of the maps, statements and policies detailed in the recommendations below.

- 1) We recommend that Enbridge's pipelines (and any other pipelines) and facilities be indicated on one or more maps within the Official Plan.

Please see below the online map to help municipalities determine the locations of pipeline assessment areas within their municipal boundaries:

<https://bapq.maps.arcgis.com/apps/webappviewer/index.html?id=0d7c4e858a834415bc85014e6398e493>

- 2) As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. To ensure that all development within the pipeline assessment area is referred to Enbridge for review and comment, we recommend inclusion of the following policy:

“When an area structure plan, an outline plan, a concept plan, a subdivision application, or a development permit application is proposed that involves land within 200m of a pipeline. Administration shall refer the matter to the pipeline company for review and input.”

- 3) To ensure that no unauthorized ground disturbance or pipeline crossings occur when development progresses, we recommend the following policy be included within the Official Plan:

“All development within 30m or crossings of a pipeline shall require written consent from the pipeline company and is the responsibility of the applicant to obtain prior to development approval.”

- 4) To support Enbridge’s maintenance of the pipeline and limit the risk of mechanical damage we recommend the following policy inclusions:

“Permanent or temporary structures shall not be installed anywhere on the pipeline right-of-way and should be placed at an appropriate distance to give space for maintenance and access purposes.”

## Future Development Requirements

Although the Official Plan: details a long-term future development vision, there are development requirements that will be mandatory at the subdivision and development stage that will be helpful to consider prior to application submission. Please review [Attachment 02 | Enbridge Development Requirements](#) for requirements for planning and development in proximity of pipelines. In addition, for more information about when written consent is required and how to submit an application, see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#). For additional resources on safe development in proximity of Enbridge’s pipeline network please visit <https://www.enbridge.com/projects-and-infrastructure/public-awareness/brochures>.

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge’s pipelines and facilities.



Application referrals, project notifications and any questions regarding land use planning and development around pipelines should be sent to [notifications@Enbridge.com](mailto:notifications@Enbridge.com). Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Sincerely,



**Joanna Ilunga**

Community Planner | BA (Hons), MScPI

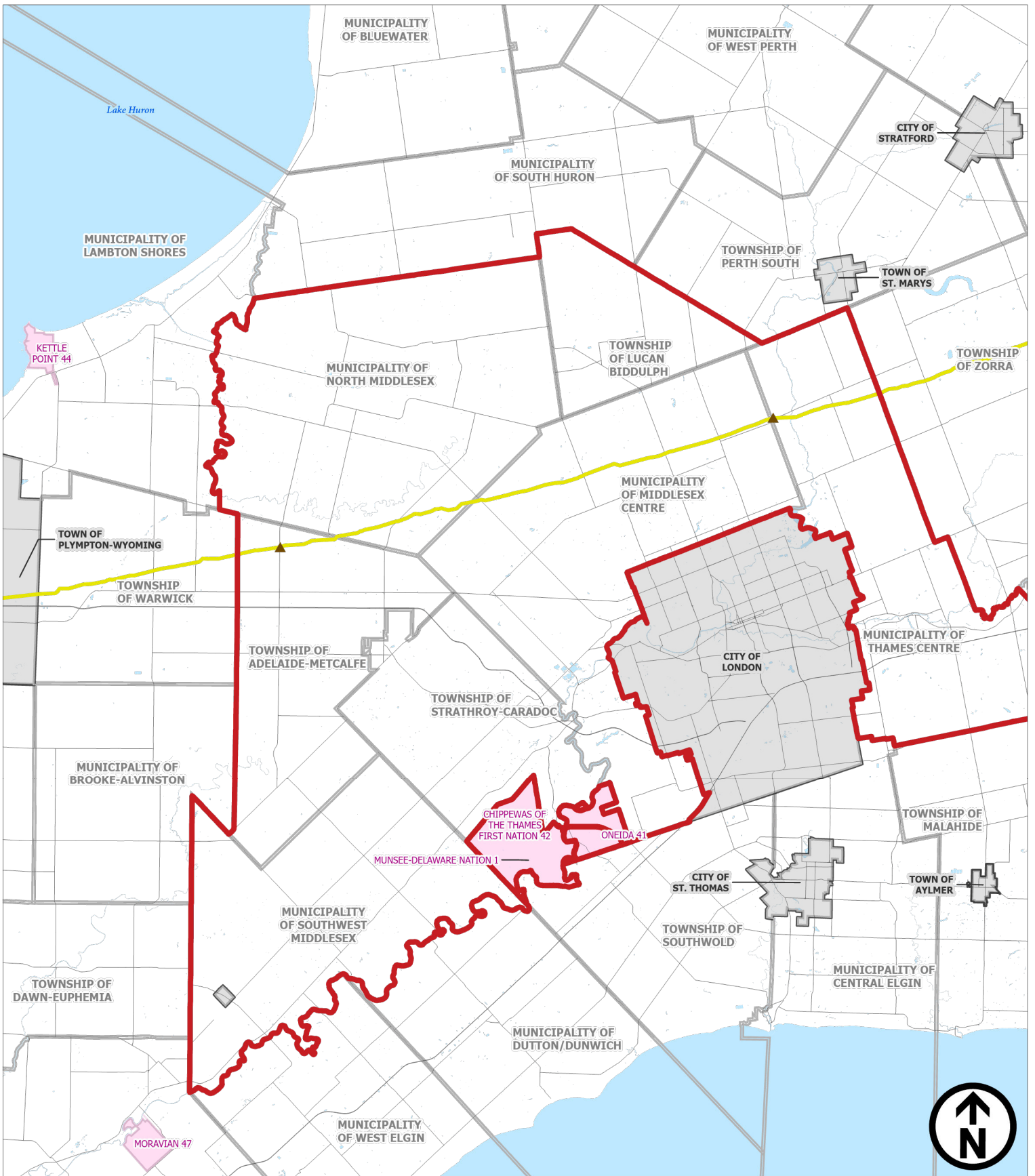
403.692.5231 | [jilunga@bapg.ca](mailto:jilunga@bapg.ca)

B&A Planning Group | 600, 215 – 9 Avenue SW | Calgary, AB T2P 1K3 | [www.bapg.ca](http://www.bapg.ca)

**Attachment 01 | Approximate Location of Pipeline Infrastructure**

**Attachment 02 | Enbridge Development Requirements**

**Attachment 03 | Enbridge Pipeline Crossing Guidelines**



Geographic Coordinates: -81.4897, 43.0064  
 Coordinate System: NAD 1983 UTM Zone 17N  
 Date Saved: Feb 11, 2022  
 Map File: Referral\_Mapping.aprx

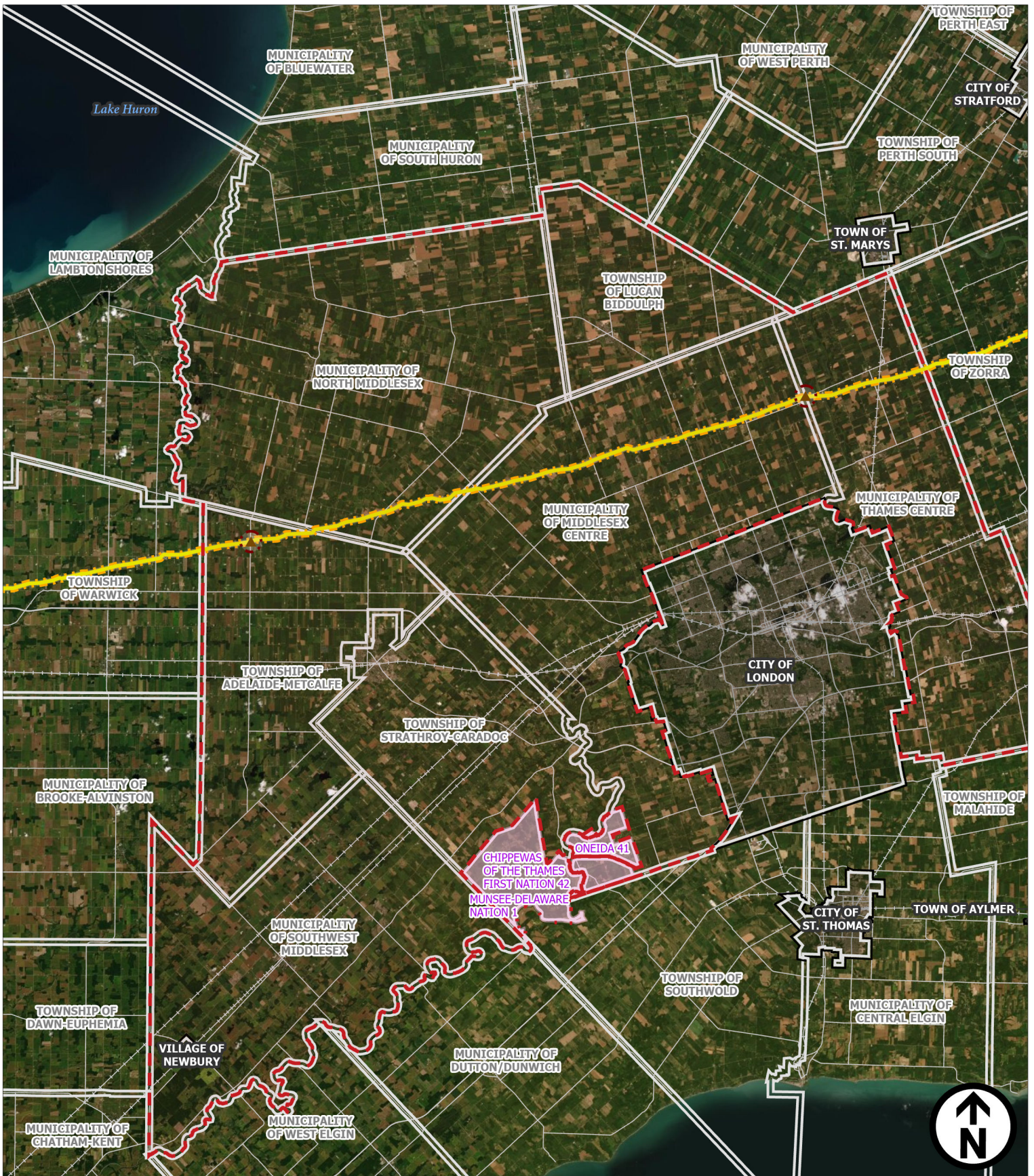
0 2 4 6 8 kilometres **1:450,000**



- Legend**
- Subject Site
  - Aboriginal Reserve
  - Municipality - Rural
  - Municipality - Urban
  - ▲ Enbridge Facility
  - Enbridge Pipeline
  - Major Road
  - Waterbody

**Regional Context**  
**Metropolitan Plan/Intermunicipal Development Plan**  
 County of Middlesex  
 Referral ID: **R220211-0020N**

February 2022



Geographic Coordinates: -81.4897, 43.0064  
 Coordinate System: NAD 1983 UTM Zone 17N  
 Date Saved: Feb 11, 2022  
 Map File: Referral\_Mapping.aprx

0 4,000 8,000 12,000 16,000 metres **1:400,000**



**Legend**

- Subject Site
- Enbridge Pipeline
- Facility Assessment Area (800m)
- Pipeline Assessment Area (220m)
- Prescribed Area (30m)
- Railway
- Aboriginal Reserve
- Municipality - Rural
- Municipality - Urban

**Local Context**  
**Metropolitan Plan/Intermunicipal Development Plan**  
 County of Middlesex  
 Referral ID: **R220211-0020N**

February 2022

# Attachment 02 | Enbridge Development Requirements

## Definitions

- A **Right-of-Way (ROW)** is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it.
- The **Prescribed Area** is an area of 30 m (100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a “controlled area” or “safety zone”.
- The **Pipeline Assessment Area** identifies lands on either side of a pipeline in which new development must be monitored by the pipeline operator. The requirement for and scope of this monitoring is governed by the Canada Energy Regulator (CER) and CSA Z662:19. Depending on the pipeline location, operator, and regulator this may also be known as the “notification zone”, “referral area” or “class location assessment area”.

## Locating the Pipeline | Click Before You Dig

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must first request a locate service. To identify the precise alignment of the pipeline on the subject lands, Locate Requests can be made online, via mobile apps, or via phone (see table below),

The locate request must be made a minimum of three (3) business days in advance of the construction, ground disturbance, or vehicle or mobile equipment crossing. The One-Call Centre will notify Enbridge to send a representative to mark the facilities, explain the significance of the markings and provide you with a copy of the locate report. Enbridge requests a minimum of five (5) business days’ notice for any work involving explosives.

Canadian One-Call Centres			
Province	Phone	Website	Mobile App
British Columbia	1.800.474.6886	www.bc1c.ca	
Alberta	1.800.242.3447	www.albertaonecall.com	Dig Info AB
Saskatchewan	1.866.828.4888	www.sask1stcall.com	Sask1st Call
Manitoba	1.800.940.3447	www.clickbeforeyoudigmb.com	
Ontario	1.800.400.2255	www.on1call.com	
Quebec	1.800.663.9228	www.info-ex.com	Info-Excavation
Nova Scotia & New Brunswick	1.800.344.5463	www.info-ex.com	Info-Excavation
Northwest Territories	Contact pipeline and facility owner directly		
<a href="http://www.clickbeforeyoudig.com">www.clickbeforeyoudig.com</a>			

## **Right-of-way**

A right-of-way is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it:

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.
- Enbridge must have the ability to access Enbridge's pipeline right-of-way at all times for construction, maintenance, operation, inspection, patrol, repair, replacement and alteration of the pipeline(s). Therefore, the Enbridge pipeline right-of-way shall be maintained as green space, park belt or open space.
- No work shall take place on Enbridge's pipeline right-of-way without the presence of an Enbridge representative.
- Storage of materials and/or equipment, grading or placing fill on Enbridge's pipeline right-of-way is not permitted without prior written consent from Enbridge.

## **Written Consent**

Any proposed crossings of the pipeline right-of-way or ground disturbance within the Prescribed Area or pipeline right-of-way are subject to Enbridge's written consent in accordance with the Canadian Energy Regulator Act and regulations including the Canadian Energy Regulator Pipeline Damage Prevention Regulations as amended or replaced from time to time (or for pipelines contained within Alberta, the Pipeline Act (Alberta) and Pipeline Rules as amended or replaced from time to time).

The applicant will require Enbridge's written consent or a crossing agreement prior to undertaking the following activities:

- Constructing or installing a facility across, on, along or under an Enbridge pipeline right-of-way;
- Conducting any activity that would cause ground disturbance (excavation or digging) on an Enbridge's pipeline right-of-way or within 30m perpendicularly on each side from the centerline of Enbridge's pipe (the "Prescribed Area");
- The operation of a vehicle, mobile equipment or machinery across an Enbridge pipeline right-of-way; outside of the travelled portion of a highway or public road;
- Using any explosives within 300m of Enbridge's pipeline right-of-way.

For more information about when written consent is required and how to submit an application, please see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#).

## **Prescribed Area**

The Prescribed Area is an area of 30 m (approximately 100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a "controlled area" or "safety zone".

For pipelines crossing provincial boundaries, Enbridge is regulated by the Canada Energy Regulator and is subject to the Canadian Energy Regulator Act and its regulations as amended or replaced from time to time.

- Section 335(1) of the Canadian Energy Regulator Act prohibits any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the Prescribed Area unless the construction or activity is authorized by the pipeline company.
- Section 335(2) of the Canadian Energy Regulator Act prohibits any person to operate a vehicle or mobile equipment across a pipeline unless the vehicle or equipment is operated within the travelled portion of a highway or public road or such operation is authorized under section 13(1) of the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations).

For pipelines contained within Alberta, Enbridge is regulated by the Alberta Energy Regulator and is subject to the Pipeline Act and Pipeline Rules as amended or replaced from time to time.

- As per the Alberta Energy Regulator, any person who plans to engage in an activity that causes a ground disturbance within the pipeline right-of-way must obtain the written consent of the pipeline company.

### Crossings

- Written consent from Enbridge is required for all crossings of the pipeline.
- The written authorization request must include:
  - Drawings with cross sections of the proposed new road and road widening to verify the depth of cover from both sides of the road.
  - Drawings should include any new utilities that will cross the ROW.
- No vehicles or mobile equipment, including heavy machinery, will be permitted to cross Enbridge's pipeline right-of-way without the prior written consent of Enbridge. Please complete Enbridge's Equipment Specification and Data Sheet(s) to make an application for temporary equipment crossing including timeframe, type and weight of equipment per axle together with the name of the applicant, address, contact name and phone number/email.
- Where future development such as a roadway or a parking area is proposed over the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. **The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.**

### Ongoing Activities

- Written consent must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.

## **Class Monitoring in the Pipeline Assessment Area**

As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure**.

- If a pipe replacement is necessary because of the proposed development, temporary workspace shall be granted to Enbridge on terms and conditions to be (or as) negotiated. This workspace will be adjacent to the existing pipeline right-of-way and may be up to a maximum of 15m wide on either or both sides. Grading or landscaping of the workspace is not permitted until the replacement has been completed.

## **Subdivisions**

- Lot lines are not to be incorporated over Enbridge's pipeline right-of-way. If lot lines are incorporated over Enbridge's pipeline right-of-way, the owner agrees, in writing to include the following warning clause in all offers of sale and purpose and/or lease:  
*"Future residents are advised that Enbridge owns and operates \_\_\_\_\_ pipeline(s) within an \_\_\_\_\_ m pipeline right-of-way on the property. As a result, there are conditions that apply to various activities over the pipeline right-of-way that must be approved by Enbridge."*
- All display plans in the lot/home sales office shall identify the Enbridge pipeline right-of-way-corridor within the proposed linear park block(s).

## **Structures and Setbacks**

Development setbacks from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.

## **Other Development**

### **Wells / Septic Systems**

Wells or septic systems shall not be located on Enbridge's pipeline right-of-way. Construction of any septic system within 30m of the pipeline right-of-way requires prior written notification to Enbridge to ensure the septic bed will not adversely impact the integrity of the pipeline and pipeline right-of-way. Written consent from Enbridge must be received prior to the start of any work.

### **Aerial Power Lines**

Aerial power lines crossing the pipeline right-of-way require aerial warning devices installed and properly maintained. No poles, pylons, towers, guys, anchors or supporting structures of any kind are permitted on the pipeline right-of-way.

## **Pathways, Fencing & Landscaping**

### **Fencing Along ROW**

- For development along an Enbridge right-of-way, permanent fencing shall be erected and maintained by the Developer at the Developer's cost along the limits of Enbridge's pipeline right-of-way. The fence erected must meet Enbridge's and the governing municipality's specifications concerning type, location and height. Any excavations for fence posts on, or within 30m of the pipeline must be done by hand or hydrovac. There shall be no augers operated on the pipeline right-of-way. The Developer shall notify Enbridge three business (3) days prior to any excavation for fence posts located on or within 30m of the pipeline.
- Limits of the pipeline right-of-way parallel to the pipeline shall be delineated with permanent fencing to prevent gradual encroachment by adjacent landowners. Suitable barriers shall be installed at all road accesses to prevent unauthorized motor vehicles from entering Enbridge's pipeline right-of-way.
- Enbridge's written consent must be obtained and One Call notifications must be completed prior to any fence installations.

### **Landscaping**

No landscaping shall take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines, as follows:

- The landowner / developer shall ensure a 5m continuous access way in the pipeline right-of-way is provided for the Enbridge repair crews.

In order to maintain a clear view of the pipeline for the purposes of right-of-way monitoring, which is required by federal regulation, trees and shrubbery planted in proximity to the pipeline must meet the following criteria:

- Enbridge permits the following vegetation within the pipeline right-of-way: Flowerbeds, vegetable gardens, lawns and low shrubbery (under 1 m in height), and
- The mature growth height of vegetation does not exceed 1.5 m (5 ft) at maturity and must maintain a minimum distance of 3 m (10 ft) from the nearest pipeline.

### **Pathways / Trails**

No pathways shall be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements:

- A pathway crossing Enbridge's pipeline right-of-way shall be installed as close as possible to a ninety (90) degree angle to the Enbridge pipeline(s).
- The width of the pathway shall not exceed 3m.
- A parallel pathway within Enbridge pipeline right-of-way shall maintain a minimum 5m separation from the edge of the Enbridge pipeline(s).
- Enbridge's pipeline(s) must be positively identified at certain intervals as directed by Enbridge's representative for parallel installation.
- Enbridge shall install pipeline markers at all road, pathway and other crossings throughout the development area at Developer's cost.



## **Drainage and Erosion**

- The Developer shall ensure drainage is directed away from the pipeline right-of-way so that erosion will not adversely affect the depth of cover over the pipeline(s).
- Any large-scale excavation adjacent to the pipeline right-of-way, which is deeper than the bottom of the pipe, must maintain a slope of 3:1 away from the edge of the pipeline right-of-way.
- Depth of cover over Enbridge pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.

## **Construction**

- During construction of the site, temporary fencing must be erected and maintained along the limits of the pipeline right-of-way by the Developer to prevent unauthorized access by heavy machinery. The fence erected must meet Enbridge's specifications concerning type, height and location. The Developer is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction. The Developer is responsible for the cost of material, installation and removal.
- Original depth of cover over the pipeline(s) within Enbridge's pipeline right-of-way shall be restored after construction. This depth of cover over the pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.
- In the event Enbridge's pipeline(s) suffer contact damage or other damage as a result of construction, work shall stop immediately and Enbridge to be immediately notified.

## **Liability**

In no event shall Enbridge be liable to the developer and/or landowner(s) for any losses, costs, proceedings, claims, actions, expenses or damages (collectively "Claims") the Developer and/or landowner(s) may suffer or incur as a result of or arising out of the presence of Enbridge pipeline(s) and/or operations on the pipeline right-of-way. The Developer and/or landowner(s) shall be responsible for all costs and expenses incurred to install, repair, replace, maintain or remove the Developer's and/or landowner(s) installations on or near the pipeline right-of-way and shall indemnify and save harmless Enbridge from all Claims brought against, suffered or incurred by Enbridge arising out of the activities of the Developer and/or landowner(s) in respect of the development or arising out of the presence, operation or removal of the Developer's and/or landowner(s) installations on or near Enbridge's pipeline right-of-way.

# Enbridge Pipeline Crossing Guidelines, Canada

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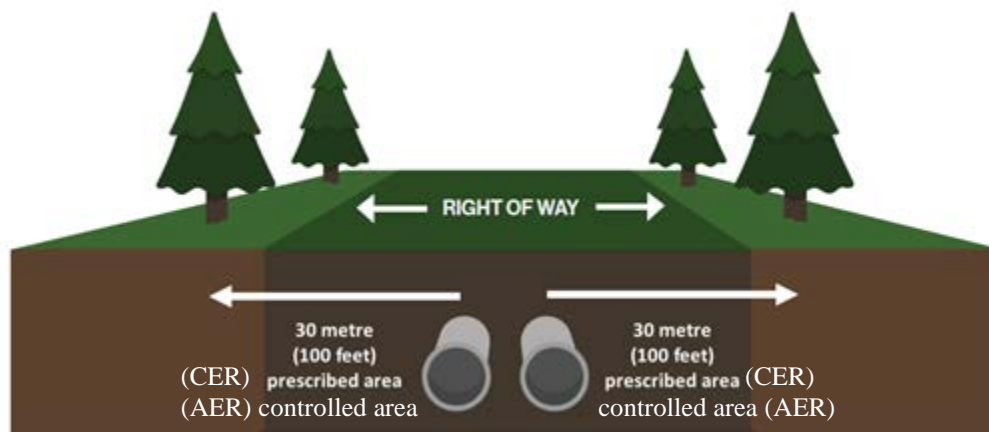
Application Guidance Details  
May 2020 v2.0

# Application Guidance Details

## 1. WHO REQUIRES CONSENT?

Consent is governed by the Canada Energy Regulator (CER) for interprovincial or international (federally regulated) pipelines and the Alberta Energy Regulatory (AER) for intra-provincial (provincially regulated) pipelines within the Province of Alberta. To ensure our pipelines and facilities operate safely written consent from Enbridge must be obtained in Canada before any of the following occur:

- ❖ Construction or installation of a new facility across, on, along or under Enbridge's pipeline and/or right-of-way;
- ❖ Ground disturbance activities in the prescribed area (CER) or controlled area (AER) which extends 30m from each side of the centerline of the pipeline;
- ❖ Operation or movement of vehicles, mobile equipment or machinery across Enbridge's right-of-way, outside of the travelled portion of a highway or public road;
- ❖ Using explosives within 300m of Enbridge's pipeline right-of-way;
- ❖ Use of the prescribed area or controlled area for storage or workspace purposes;
- ❖ Subdivision development across, on, along or over Enbridge's pipeline and/or right-of-way;
- ❖ Landowners wishing to install agricultural drainage tile across, on, along or under Enbridge's pipeline and/or right-of-way.



Activities that cause a ground disturbance include, but are not limited to, the following:

- 
- |                           |   |
|---------------------------|---|
| ❖ digging                 | ❖ clearing and stump removal  |
| ❖ excavation              | ❖ subsoiling  |
| ❖ trenching               | ❖ blasting/using explosives   |
| ❖ ditching                | ❖ quarrying   |
| ❖ tunneling               | ❖ grinding and milling of asphalt/concrete  |
| ❖ boring/drilling/pushing | ❖ seismic exploration   |
| ❖ augering                | ❖ driving fence posts, bars, rods, pins, anchors or pilings   |
| ❖ topsoil stripping       | ❖ plowing to install underground infrastructure   |
| ❖ land levelling/grading  | ❖ crossing of buried pipelines or other underground infrastructure by heavy loads off the travelled portion of a public roadway |
- 
- ❖ tree or shrub planting
  - ❖ installing agricultural drainage tile

Under section 2 of the Canadian Energy Regulator Act, ground disturbance does not include:

- ❖ Cultivation to a depth of less than 45cm below the surface of the ground
- ❖ Any activity to a depth of less than 30cm and that does not result in reduction of the depth of earth cover over the pipeline less than that approved at time of construction

## 2. CROSSING A PIPELINE WITH AN AGRICULTURAL VEHICLE OR MOBILE EQUIPMENT

For pipelines regulated by the Canada Energy Regulator, the *Canadian Energy Regulator Pipeline Damage Prevention Regulations – Authorizations* provides that persons operating agricultural vehicles or mobile equipment across pipelines may do so in low-risk areas, under certain conditions:

- ❖ the loaded axle weight and tire pressures of the vehicle or mobile equipment are within the manufacturer's approved limits and operating guidelines; AND
- ❖ the point of crossing has not been the subject of a notification from the pipeline company that crossing at that location could impair the pipeline's safety or security.

This applies to vehicles or mobile equipment used for agricultural activities in the production of crops and the raising of animals and includes pasturing and cultivation activities such as tillage, plowing, disking and harrowing.

For pipelines regulated by the Alberta Energy Regulator, the *Pipeline Regulation (under the Pipeline Act)* provides that persons operating vehicles or equipment used for farming operations; or use of off-highway vehicles [as defined in section 117(a)(iii) to (viii) of the Traffic Safety Act] or use of private passenger vehicles (as defined in section 1(1)(jj) of the Traffic Safety Act) less than ¾ ton may temporarily cross over an AER regulated pipeline without further approval from Enbridge.

However, if neither of the above requirements can be met then an application must be submitted to Enbridge for further review and processing.

## 3. HOW TO APPLY FOR ENBRIDGE CONSENT

The applicant must submit a written request, either by completing the Application Form (attached) or a letter with equivalent information, together with the applicable drawing(s) to the respective Enbridge crossings department as set out in the *Contact Us* section of this document.

The drawing(s) must be prepared in accordance with the minimum standards as set out in the *Drawing Requirements* section of this document.

Enbridge's Equipment Specification and Data Sheet (attached) must also be completed for any vehicle/ mobile equipment crossing applications.

For federally regulated pipelines, the applicant may petition the Commission for approval of construction activity if:

- ❖ the applicant cannot comply with the terms and conditions as set out in the company's written consent;
- ❖ the applicant feels the terms and conditions in the company's written consent are excessive; or
- ❖ If the company refused to grant approval to the applicant for reasons of pipeline integrity, public safety or company policy.

An application can be filed with the Commission by writing to:

**Secretary of the Commission  
Canada Energy Regulator  
Suite 210, 517 – 10<sup>th</sup> Ave SW  
Calgary AB T2R 0A8  
Phone: 1-877-288-8803  
Online: [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca)**

Applications may be filed with the Commission by mail, courier or facsimile by calling the toll-free number at 1-877-288-8803. Applications can also be uploaded through the CER's Applications and Filings Portal on the CER website at Home / Applications and Filings / Submit Applications and Regulatory Documents / File under the CER Act / OPR: CER Act – Guide C (<http://www.cer-rec.gc.ca/pplctnflng/sbmt/nbpr-eng.html>).

#### 4. DRAWING REQUIREMENTS

The following represents the minimum information that is required to be shown on the drawing(s) in order for Enbridge to review your application. Dimensions must be shown on the drawing(s) and may be done in either imperial or metric units (if metric, then to one decimal point).

NOTE: incomplete drawings and/or an incomplete application will be rejected back to the applicant.

##### (a) Permanent Installations

All proposed permanent installation drawings MUST contain the following items:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area including:
  - ❖ Lot lines, road limits
  - ❖ Proposed facilities (including curbs, footing, guard rails, guy wires, poles, fences, etc.) with tie dimensions to lot survey line preferably along pipeline and/or right-of-way boundary
  - ❖ Location of cathodic test lead terminals (if applicable);
7. Cross section view and/or profile view including:
  - ❖ For surface structures, show profile along pipeline(s) with highest elevation
  - ❖ For underground facilities show profile along facility
  - ❖ Property lines, pipeline(s) and depth of cover
  - ❖ All underground facilities must maintain an even elevation across the entire width of right-of-way except for gravity type facilities or those facilities installed by HDD;
  - ❖ Drill path plan for HDD installations
  - ❖ Unsupported span (m) of Enbridge pipeline for open cut installations
8. Crossing Angle;
9. Crossing location circled in red;
10. Identify all affected Enbridge facilities, right-of-way(s) and pipeline markers;
11. Method of Installation (MOI) (*\*Refer to Interpretation/Definitions section*);
12. Minimum Clearance (*\*Refer to Interpretation/Definitions section*);
13. Facility specifications:
  - ❖ PIPE/CABLE: pipe diameter, pipe material, product conveyed, cable size, if cable is within a conduit, conduit material, cable voltage; unsupported span (meters) of existing pipeline if MOI is open cut;
  - ❖ ROAD: width of road, cover at ditch, cover at center of road, surface material, road type/use; design loading calculation; indicate if any Government or Provincial setback requirements
  - ❖ OVERHEAD POWER: pole number(s), location of pole/guy wire/anchors/etc., method of installation of pole/guy wire/anchors/etc., horizontal clearance to pipe from proposed pole/guy wire/anchors/etc., vertical clearance to ground/grade, voltage, type of power (AC/DC), AC mitigation plan may be required;
  - ❖ PIPE RACK: height of pipe rack, pile location(s), pile clearance to Grantor's facility, pile installation method; alternate access route provided for rural locations
  - ❖ DRAINAGE TILE: location of tiles and incremental cost analysis.
14. Complete the Equipment Specification and Data Sheet, when required.

## (b) Temporary Activities

All temporary drawings MUST contain the following:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area;
7. Temporary activities location circled in red;
8. Identify all affected Enbridge facilities, right of way(s) and/or PLA/easement ownership;
9. Facility specifications:
  - ❖ WORKSPACE: location, measurement of workspace, purpose;
  - ❖ ACCESS OF ROW: location, kilometer usage of ROW, width of access; egress/ingress points, complete the Equipment Specification and Data Sheet (attached);
  - ❖ EQUIPMENT CROSSING: complete the Equipment Specification and Data Sheet (attached);
  - ❖ ROAD USE: indicate road(s) to be utilized, km usage, reason required, frequency of use; complete the Equipment Specification and Data Sheet (attached);
  - ❖ GEOPHYSICAL: project/prospect name, number of reading units/lines, type of source, CER approval required (Y/N).

## 5. INTERPRETATION / DEFINITIONS

For crossing application purposes, Enbridge defines the following as:

**Grantee** means the applicant or the facility owner; a company, a person, a municipality or government body, etc.

**Method of Installation** means OPEN CUT or HDB or HDD; all defined as follows:

### *OPEN CUT*

Enbridge defines open cut as trench methodology wherein access is gained to the required level underground for the proposed installation, maintenance or inspection of a pipe, conduit or cable. The excavated trench is then backfilled and the surface restored.

### *HORIZONTAL DIRECTIONAL BORE (HDB)*

Enbridge defines horizontal directional bore as meeting ALL of the following:

- (a) The designed horizontal distance of the crossing shall be less than or equal to 150m (500ft) in length; AND
- (b) The depth of the pipeline installation shall be limited to 8m (25ft) to the centre (cross-section) of the pilot hole and measured to the corresponding surface location; AND
- (c) Straight alignment in the horizontal plane; AND
- (d) Pilot bit is steerable and trackable.

### *HORIZONTAL DIRECTIONAL DRILL (HDD)*

Enbridge defines horizontal directional drill as an *HDB* that DOES NOT meet all of the criteria for an *HDB*. An *HDD* will satisfy some but not all of: a, b and c above and will satisfy d.

**Minimum Clearance** means the required distance between the existing Enbridge facility and the proposed facility based on the selected *Method of Installation*.

Minimum clearance required for installation ABOVE Enbridge facility by OPEN CUT is 0.3m
Minimum clearance required for installation BELOW Enbridge facility by OPEN CUT is 0.6m
Minimum clearance required for installation BELOW Enbridge facility by HDB is 1.0m
Minimum clearance required for installation BELOW Enbridge facility by HDD is 3.0m
Minimum clearance required for road installation from bottom of ditch to top of Enbridge facility is 0.9m and from centerline of road to top of Enbridge facility is 1.2m
Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>uncased</i> facility is 1.83m and from centerline of rail bed to top of Enbridge <i>uncased</i> facility is 3.05m
Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>cased</i> facility is 0.91m and from centerline of rail bed to top of Enbridge <i>cased</i> facility is 1.68m

## 6. WRITTEN CONSENT

After applying for written consent, Enbridge will review the proposed installation and/or temporary activities application in order to ensure that the proposed work will not pose a risk to existing Enbridge facilities, as well as, to ensure that any access required to existing facilities for maintenance or in an emergency situation will not be impeded.

Some applications may require further engineering assessment which will require additional time to review the proposed installation and/or temporary activities prior to Enbridge issuing consent. All efforts will be made to provide an agreement within an appropriate timeframe, however, please ensure that your application request is submitted with ample lead time.

## 7. CONTACT US

To obtain written consent from Enbridge, please contact the respective office as set out below:

REGION	CONTACT INFORMATION
<b>LIQUIDS PIPELINES - WESTERN CANADA</b> (Alberta, Saskatchewan, Manitoba and Norman Wells)	Lands & ROW 330, 10180 – 101 Street Edmonton AB T5J 3S4  Email: <a href="mailto:crossingrequests@enbridge.com">crossingrequests@enbridge.com</a> Phone: 780-378-2228
<b>LIQUIDS PIPELINES - EASTERN CANADA</b> (Ontario and Quebec)	Lands & ROW 1 <sup>st</sup> Floor, 1086 Modeland Road, Bldg 1050 Sarnia ON N7S 6L2  Email: <a href="mailto:est.reg.crossing@enbridge.com">est.reg.crossing@enbridge.com</a> Phone: 1-800-668-2951
<b>GAS PIPELINES / STORAGE - BRITISH COLUMBIA</b>	Lands & ROW 200, 425 – 1 Street SW Calgary AB T2P 3L8  Email: <a href="mailto:crossings@enbridge.com">crossings@enbridge.com</a> Phone: 587-747-6538

<b>GAS STORAGE - ONTARIO</b>	3501 Tecumseh Road Mooretown ON N0N 1M0  Email: <a href="mailto:chris.pincombe@enbridge.com">chris.pincombe@enbridge.com</a> Phone: 519-862-6092
<b>GAS PIPELINE - ALLIANCE</b>	Lands & ROW 600, 605 – 5 Ave SW Calgary AB T2P 3H5  Email: <a href="mailto:crossings@alliancepipeline.com">crossings@alliancepipeline.com</a> Phone: 403-266-4464

For more information on Enbridge Gas Distribution please click the link: <https://www.enbridgegas.com/gas-safety/pipeline-safety.aspx>

## 8. ONE CALL CENTRES

Before putting a shovel in the ground, whether it is in your backyard or a commercial jobsite, please do a locate request to safely identify any buried utility lines at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com).

Your local one call centre can also be reached by phone as shown below:

<b>CALL OR CLICK BEFORE YOU DIG!!</b> Contact your respective one-call centre	
<b>British Columbia</b> <a href="https://www.bconecall.bc.ca/">https://www.bconecall.bc.ca/</a> 1-800-474-6886	<b>Alberta</b> <a href="http://albertaonecall.com">http://albertaonecall.com</a> 1-800-242-3447
<b>Saskatchewan</b> <a href="http://www.sask1stcall.com">www.sask1stcall.com</a> 1-866-828-4888	<b>Manitoba</b> <a href="http://www.clickbeforeyoudigmb.com/">http://www.clickbeforeyoudigmb.com/</a> 1-800-940-3447
<b>Ontario</b> <a href="http://www.on1call.com">www.on1call.com</a> 1-800-400-2255	<b>Quebec</b> <a href="http://www.info-ex.com">www.info-ex.com</a> 1-800-663-9228
<b>Northwest Territories</b> 1-867-587-7000 Or contact the pipeline company directly	

## 9. REGULATORS

In Canada, Enbridge has pipelines that are regulated by both the federal government and provincial governments. For more information on any of the regulators please visit their respective website.

**Canada Energy Regulator: [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca)**

**Alberta Energy Regulator: [www.aer.ca](http://www.aer.ca)**

## 10. DEVELOPMENT ON OR NEAR THE RIGHT-OF-WAY

Enbridge should be consulted early in the design phase with regards to proposed subdivisions, roads and utilities, and municipal landscaping.

*Subdivisions* – Enbridge highly recommends that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.



*Roads and Utilities* – Roads may be permitted to cross and/or run parallel to the right-of-way but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). Enbridge will review the location of utilities which are often proposed within the road allowance.

*Landscaping* – Projects such as pedestrian pathways may be permitted as long as they do not impede Enbridge’s access along its right-of-way for operational and/or maintenance activities. Enbridge’s written consent will specify the permitted landscaping requirements.

## **11. DAMAGE PREVENTION**

Enbridge’s underground facilities must be positively identified, to Enbridge’s satisfaction, prior to the start of any proposed construction activities.

Enbridge’s representative(s) have the authority to stop work at any time due to safety, environmental or operational concerns and/or unforeseen circumstances or emergency situations.

**\*\*IMMEDIATELY NOTIFY ENBRIDGE IF YOU COME INTO CONTACT WITH THE PIPE! \*\***

As a small scratch or dent in the pipeline’s coating can impact long term safety of the pipeline and must be assessed by Enbridge.

Please note that obstacles or un-approved above ground installations located on an Enbridge right-of-way, such as sheds, trailers, boats and pools can interfere with Enbridge’s access of their right-of-way. Permanent structures on the right-of-way are NOT permissible.

Enbridge must be contacted before conducting any blasting activities within 300m of the pipeline right-of-way so that Enbridge can review the proposed plans in order to see if there might be potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40m of a federally regulated pipeline right-of-way requires permission from the Canada Energy Regulator.

## **12. EMERGENCY SITUATIONS**

In an emergency situation please provide as much notice, as is practicable, to Enbridge prior to commencement of any construction, excavation, installation or temporary crossing of existing pipelines and/or right-of-ways in order to access the emergency site.

Enbridge classifies an emergency situation as:

- ❖ A risk to human life;
- ❖ Required emergency repairs of public services; or
- ❖ To contain an environmental emergency.

In an emergency situation please call: **1-877-420-8800** (toll free) and/or contact your local One Call provider at the numbers listed in section 8.

**DISCLAIMER: THESE GUIDELINES ARE INTENDED TO PROVIDE USEFUL CROSSING APPLICATION GUIDANCE INFORMATION TO THE APPLICANT. SUBMISSION OF AN APPLICATION MEETING THE REQUIREMENTS AS SET OUT HEREIN DOES NOT CONSTITUTE WRITTEN CONSENT FROM ENBRIDGE. ALL APPLICATIONS WILL BE REVIEWED BY ENBRIDGE TO DETERMINE WHETHER THE APPLICATION WILL BE APPROVED.**

**APPLICANT INFORMATION****Grantee\* Full Legal Name for Agreement:****Regulator:****Other:****Grantee Address for Service:****Grantor/Enbridge Entity****Application by Broker/Land Consultant**Yes  No **Broker/Land Consultant Name:****Contact Person Name:****Contact Person Phone Number:****File Number:****Broker/Land Consultant Address:****CROSSING INFORMATION****Expected construction start and end date(s):****Permanent Installation** **Temporary Activities** Crossing Drainage Tile Pole/Pile Installation Other Workspace Equipment Crossing Access of ROW Geophysical Road Use Proximity Other **Location indicator including affected legal land description(s), PIN and GPS Coordinates (Latitude and Longitude Decimal Degree):****Grantor's Affected Disposition(s) (Alberta) (i.e. PLA # or License # or Line #):****Grantee's Field Contact Information:**

Name:

Phone:

Email:

## Details of Grantee's Proposed Permanent Installation and/or Purpose of Temporary Activities

**Method of Installation\*** *(For permanent installations)*Open Cut  HDB  HDD **Drawing(s) Attached**Yes  No **Drawing Requirements Met \***Yes  No **Equipment Specification and Data Sheet Attached \***Yes  No  N/A **Notes/Additional Information:****SUBMIT TO:**

<b>LIQUIDS PIPELINES WESTERN CANADA</b> (Alberta, Saskatchewan, Manitoba and Norman Wells)	<b>LIQUIDS PIPELINES EASTERN CANADA</b> (Ontario and Quebec)
<b>Department: Lands &amp; ROW</b>	<b>Department: Lands &amp; ROW</b>
<b>Address:</b> 330, 10180 – 101 Street Edmonton AB T5J 3S4	<b>Address:</b> 1 <sup>st</sup> Floor, 1086 Modeland Road, Bldg 1050 Sarnia ON N7S 6L2
<b>Email: <a href="mailto:crossingrequests@enbridge.com">crossingrequests@enbridge.com</a></b>	<b>Email: <a href="mailto:est.reg.crossing@enbridge.com">est.reg.crossing@enbridge.com</a></b>

# Equipment Specification and Data Sheet(s)



In order to properly conduct an analysis on the requested crossing the following general information and appropriate data sheets are required to be completed.

**Steps:**

1. Complete the *Applicant – Information and Details* document for each crossing application
2. Add and complete the *Data Sheet – Equipment or Vehicle with Tires* for EACH piece of equipment
3. Add and complete the *Data Sheet – Equipment with Tracks* for EACH piece of equipment
4. Return fully completed general information and data sheets and any other pertinent information

## Applicant Information

Applicant Name:	
Applicant Contact Person Name:	
Email:	
Phone Number:	
Applicant Reference/File Number:	

## Details

Description and Purpose of Crossing:				
Location Indicator (legal land description, PIN, etc.)				
GPS Coordinates:(Latitude and Longitude Decimal Degree)				
Duration:	Temporary		Permanent	
Start Date:			End Date:	
Equipment or Vehicle with Tires:	Yes	No	Datasheet:	
Equipment with Tracks:	Yes	No	Datasheet:	

# Data Sheet – Equipment with Tracks

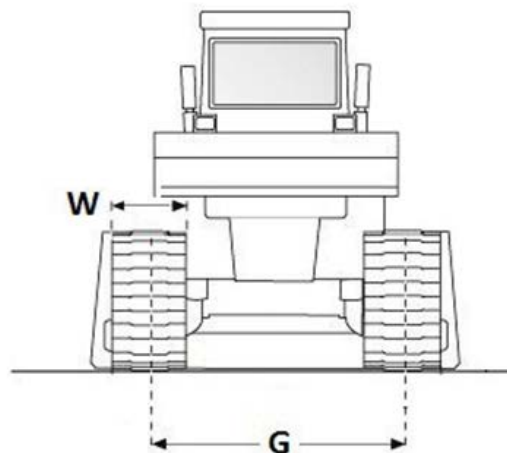
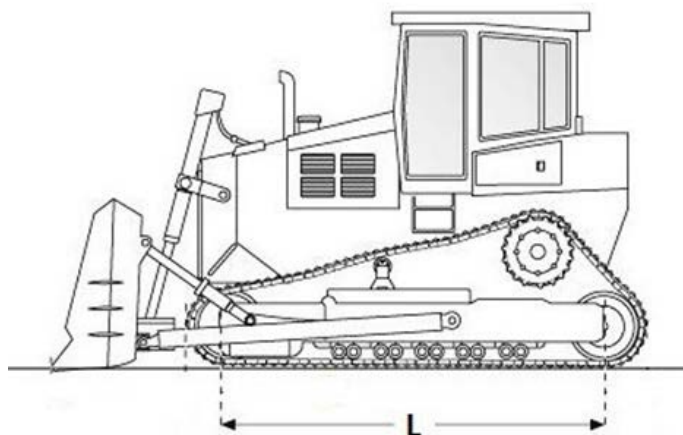


Complete this data sheet for each piece of equipment with tracks.

## Equipment with Tracks

INDICATE UNITS

Manufacturer:			
Model:			
Equipment Description:			
Fully Loaded Gross Vehicle Weight:			
	Track Shoe Width (refer to <b>W</b> below)	Track Length on Ground (refer to <b>L</b> below)	Track Gauge (on center) (refer to <b>G</b> below)
Units			
Track			



# Data Sheet – Equipment or Vehicle with Tires

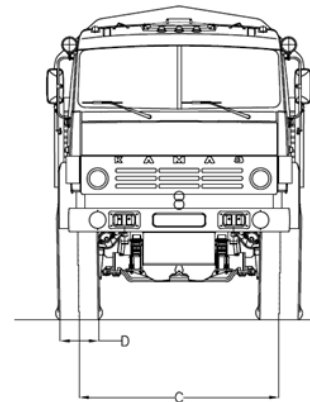
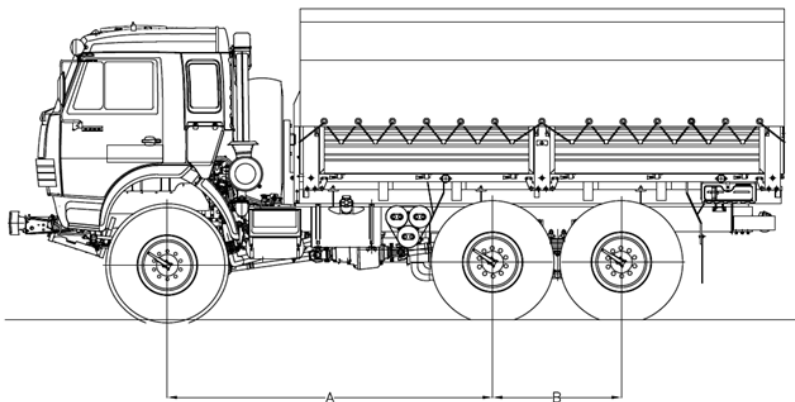


Complete this data sheet for **EACH** piece of equipment or vehicle with tires.  
**EXCLUSION:** pick up trucks of one ton or less

## Equipment or Vehicle with Tires

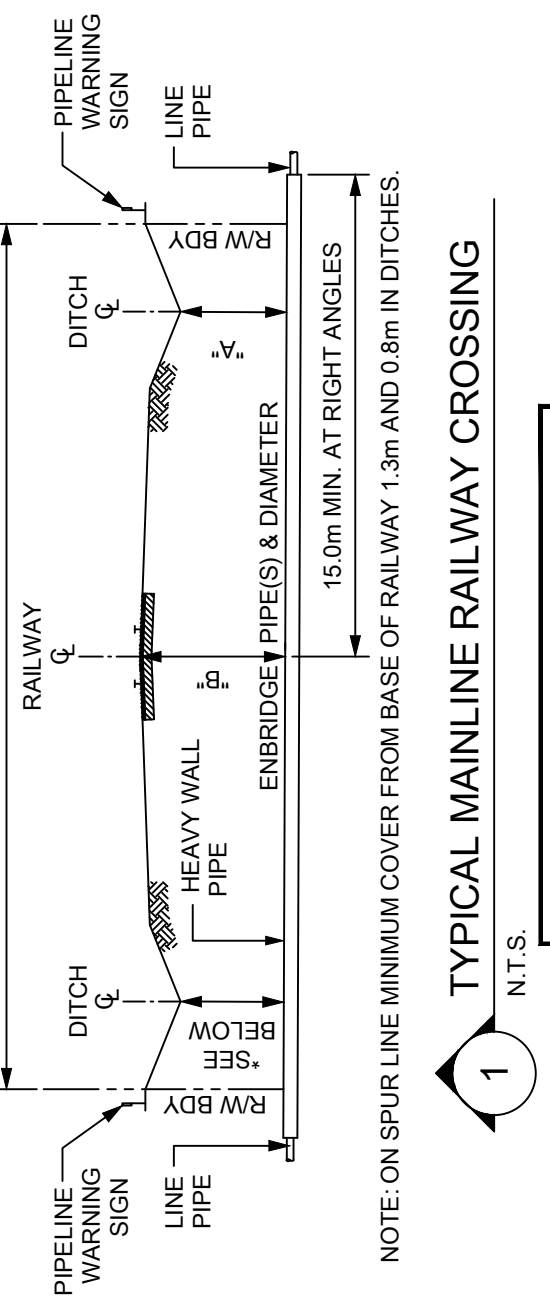
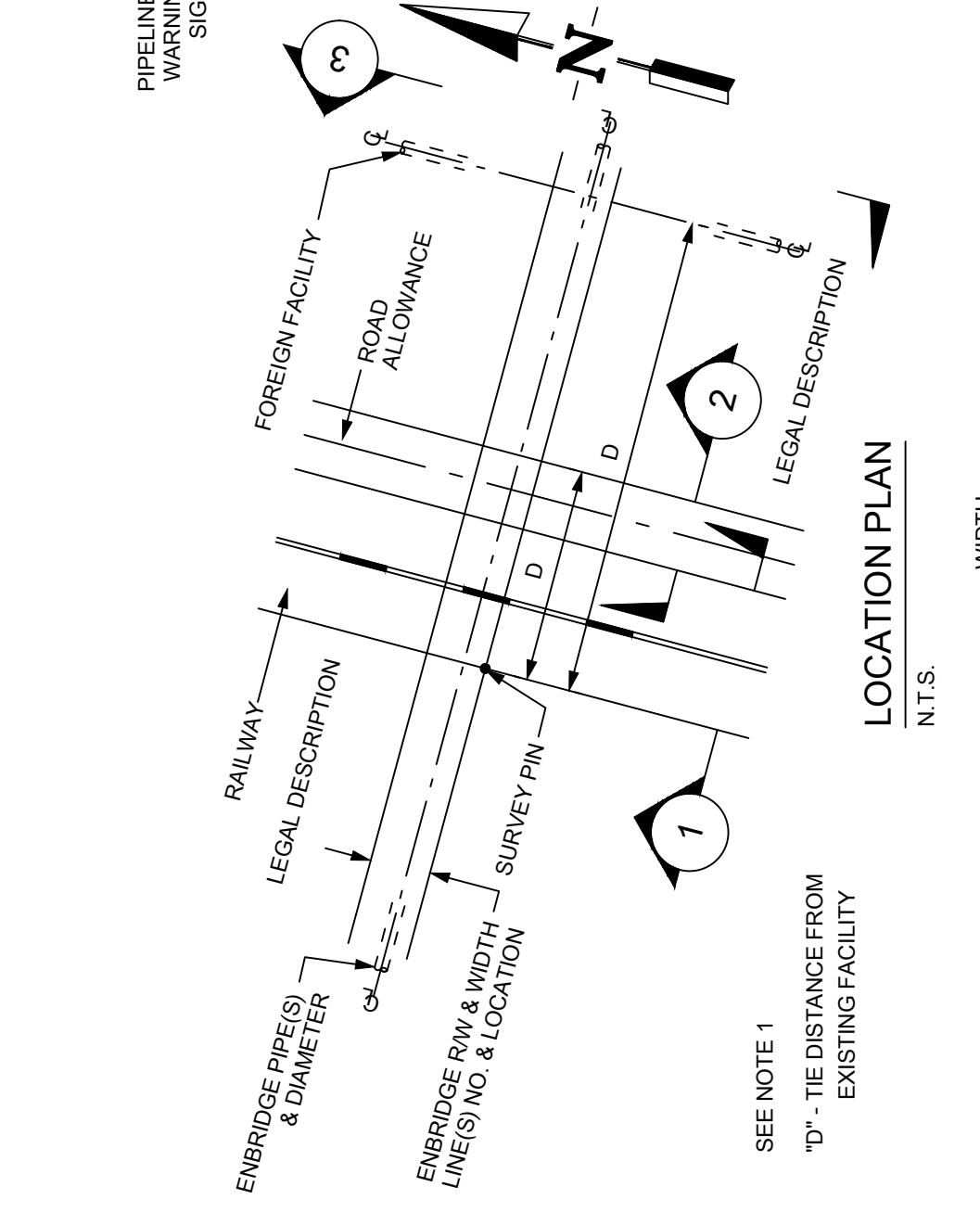
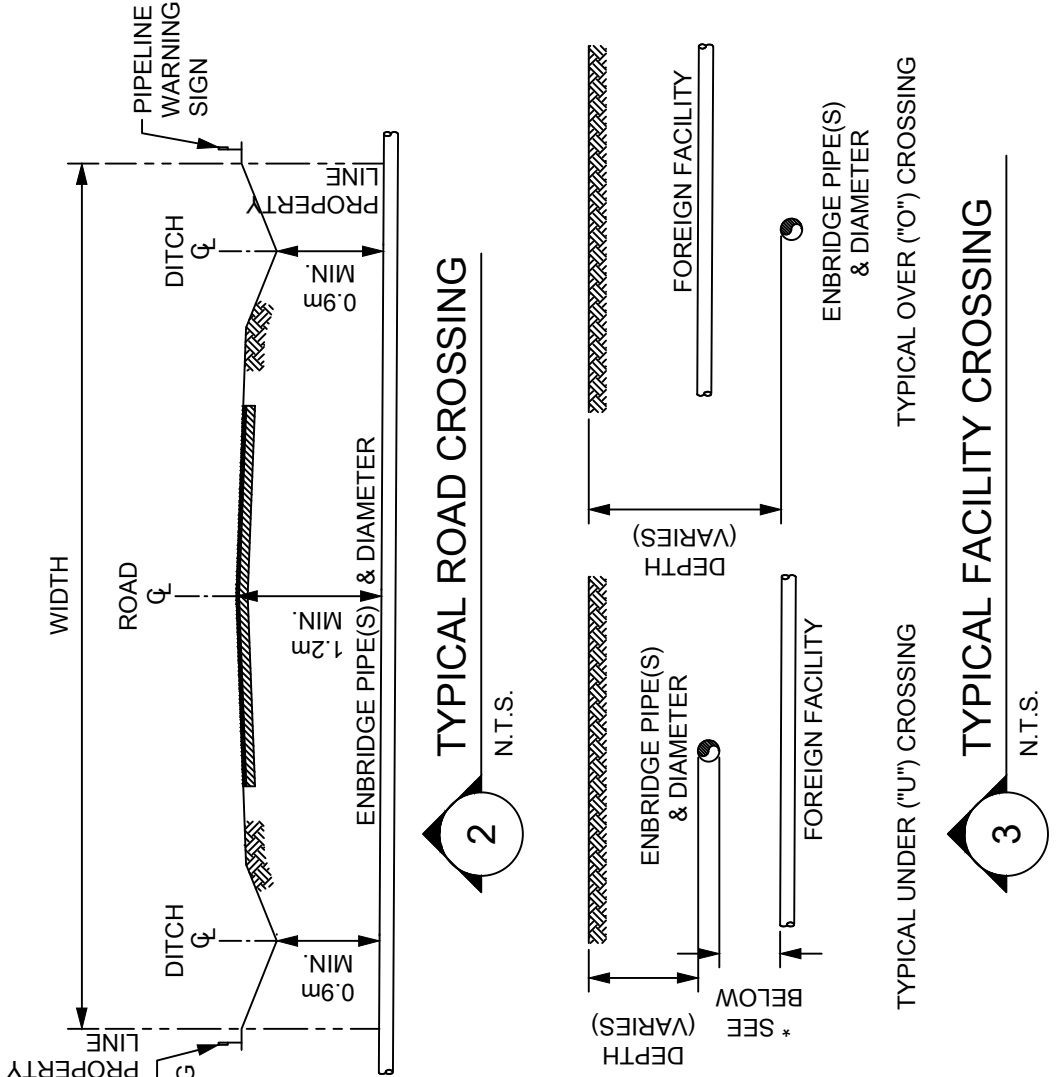
**INDICATE UNITS**

Manufacturer:						
Model:						
Equipment Description:						
Fully Loaded Gross Vehicle Weight:						
Road legal without overweight permit?		Yes			No	
Axle	Maximum Loaded Weight PER Axle	Number of Tires PER Axle	Tire Width (refer to D below)	Tire Pressure	Distance between Tire Set Centerlines (refer to C below)	Centerline Distance to Previous Axle (refer to A below) (refer to B below)
Units						
Steering						
2 <sup>nd</sup>						
3 <sup>rd</sup>						
4 <sup>th</sup>						
5 <sup>th</sup>						
6 <sup>th</sup>						
7 <sup>th</sup>						

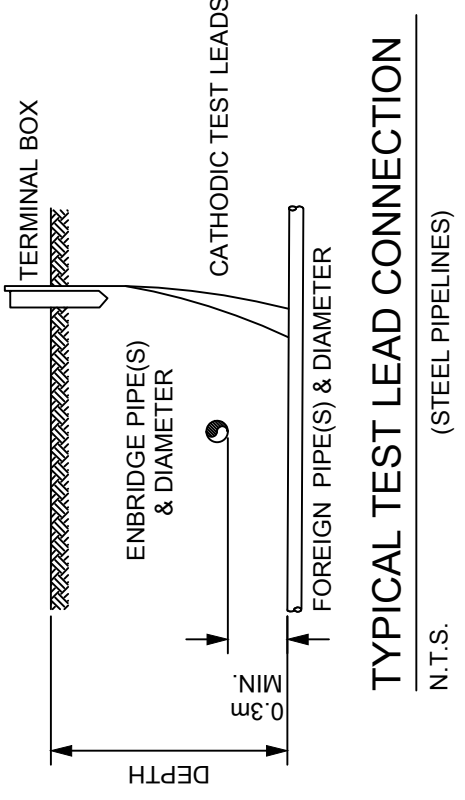


**NOTE:**

1. ENBRIDGE PIPELINES OPERATE UNDER HIGH PRESSURE THEREFORE ENBRIDGE REPRESENTATIVE(S) MUST BE PRESENT DURING CONSTRUCTION.
2. THIS DRAWING IS FOR REFERENCE ONLY. ACTUAL SITE DETAILS OR REQUIREMENTS MAY VARY.



**\* MINIMUM CLEARANCE:**  
 -0.3m IF OPEN CUT ABOVE ENBRIDGE PIPES  
 -0.6m IF OPEN CUT BELOW ENBRIDGE PIPES  
 -1.0m IF HDD UNDER ENBRIDGE PIPES  
 -3.0m IF HDD UNDER ENBRIDGE PIPES



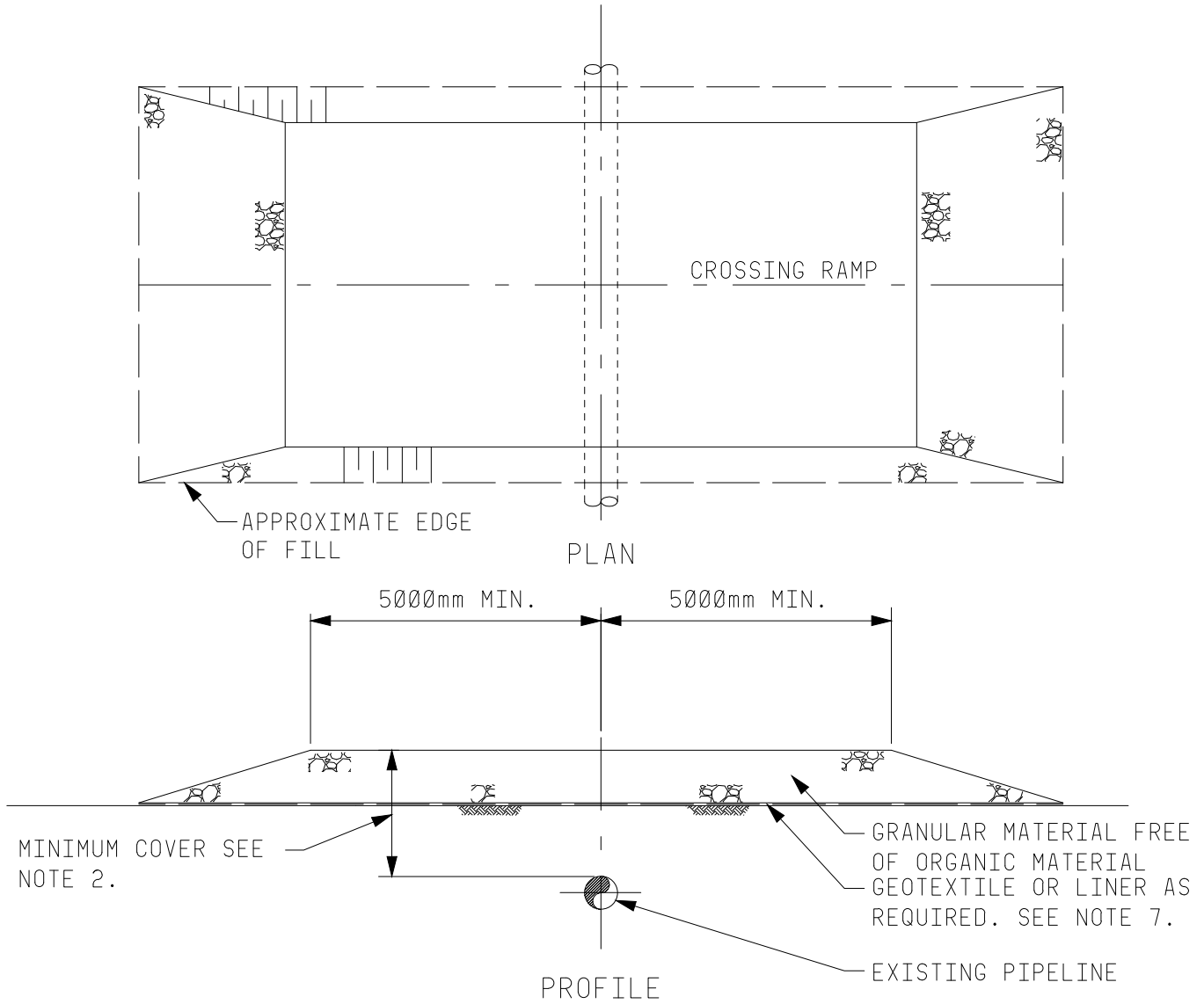
REFERENCE DRAWINGS	
3	AS BUILT INTERNAL DRAFTING DRA-34
2	ENBRIDGE STANDARD DRA-24 & REVISED AS PER STANDARDS UPDATE
1	REVISED AS PER OPERATIONS INFORMATION
REV. NO.	REVISION
DATE	DATE
CHK. BY	CHK. BY
APPR.	APPR.

BY: ME	CHK: EH	ENG: HCFROST	ENB APPR: GAFALLDER
DATE: 30 AUG 08	SCALE: NTS	STATUS: AS BUILT	
DWG. NO:	B-1.02-5052-0	REV. NO:	3



TYPICAL CROSSING DETAILS FOR THIRD PARTY APPLICANTS CROSSING ENBRIDGE PIPELINES CANADA



NOTES:

1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCROACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
8. REFER TO DRAWING A-1.8-43105 FOR FRENCH VERSION.  
REFERE AU DESSIN A-1.8-43105 POUR VERSION FRANCAISE.

2

A-1.8-43105-0 TYPICAL DESIGN DETAIL  
REFERENCE DRAWINGS

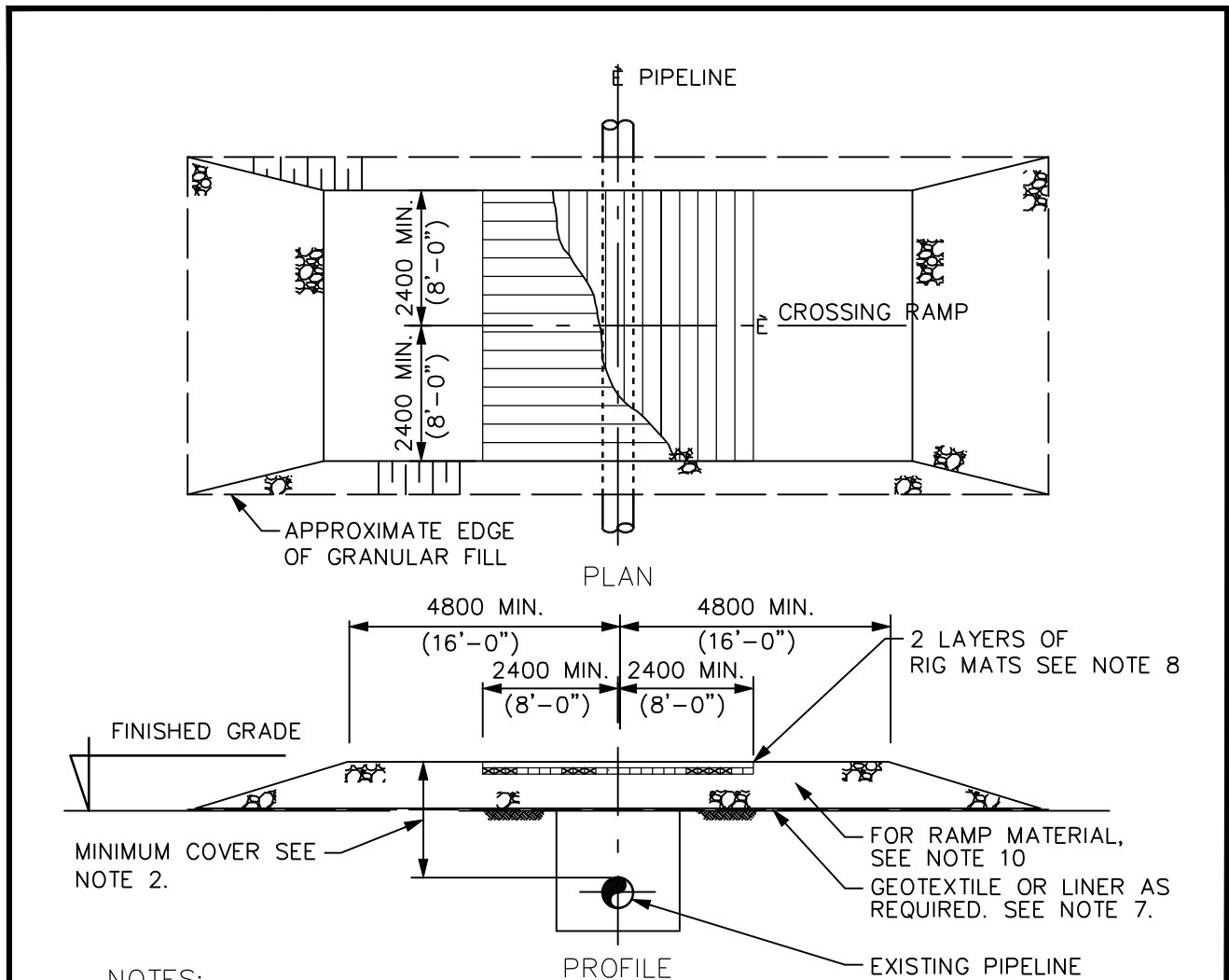
2	FRENCH TRANSLATION REFERENCE AS PER IDR 583	2019 JAN 11 MM	BLB	ENB
1	AS BUILT INTERNAL DRAFTING ID 304	20 MAR 18 BLB	GB	ENBRIDGE
REV NO.	REVISION DESCRIPTION	DATE BY	CHK	APPR.

COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE.

TYPICAL DESIGN DETAIL  
TYPICAL TEMPORARY CROSSING RAMP  
WITH EARTH

BY: GB	CHK: GG	ENG.:	ENB APPR:
DATE: 14 FEB 18	SCALE: NTS	STATUS: AS BUILT	
DWG. NO.:	A-1.8-42872-0	REV. NO.:	
			2





NOTES:

1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCR OACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED DURING SPRING, SUMMER AND FALL SEASONS.
8. RIG MATS SHALL BE STAGGERED OR PLACED IN A PERPENDICULAR ORIENTATION FROM THE PREVIOUS LAYER SO THAT THE EDGES DO NOT LINE UP
9. ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED
10. SNOW OR ICE CAN BE USED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
11. REFER TO DRAWING A-1.8-43106 FOR FRENCH VERSION. REFERE AU DESSIN A-1.8-43106 POUR VERSION FRANCAISE.

A-1.8-43106-0		TYPICAL DESIGN DETAIL	
REFERENCE DRAWINGS			
3	AS BUILT DR. IDR 743	20 JUN 19 MF	AE ENB
2	FRENCH TRANSLATION REFERENCE AS PER IDR 583	11 JAN 19 MM	BLB ENB
1	AS BUILT INTERNAL DRAFTING ID 304	20 MAR 18 BLB	GB ENBRIDGE
REV. NO.	REVISION DESCRIPTION	DATE BY	CHK APPR.
COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE.			
<b>ENBRIDGE</b>			
TYPICAL DESIGN DETAIL TYPICAL TEMPORARY CROSSING RAMP WITH RIG MATS			
BY: GB	CHK: GG	ENG.:	ENB APPR:
DATE: 14 FEB 18	SCALE: NTS	STATUS: AS BUILT	
DWG. NO.:	A-1.8-42873-0		REV. NO. 3

**Subject:** County of Middlesex Official Plan Review  
**Date:** Thursday, February 24, 2022 at 2:56:54 PM Eastern Standard Time  
**From:** Joanna Ilunga  
**To:** Durk Vanderwerff  
**CC:** notifications  
**Attachments:** image001.png, image002.png, image003.png, image004.png, image005.png, ENB\_R220211-002ON Response Letter.pdf

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello,

Thank you for sending Enbridge notice of the Middlesex County Official Plan Amendment. Please find attached our response to your circulation letter.

Do not hesitate to contact me with any questions or comments. We appreciate receiving your referrals and look forward to continuing to receive them at [notifications@enbridge.com](mailto:notifications@enbridge.com) for our review and comment.

Thank you,



**Joanna Ilunga**  
Community Planner  
BA (Hons), MScPI

d | 403.692.5231 c | 647.641.2233



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**B&A Planning Group** | Planning • Strategy • Design • Engagement

600, 215 – 9th Avenue SW | Calgary, AB T2P 1K3

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**Subject:** OP

**Date:** Monday, April 4, 2022 at 10:08:18 AM Eastern Daylight Time

**From:** Councillor Debbie Heffernan

**To:** Durk Vanderwerff, Erin@boulevardstrategy.com

Good morning!

I was able to "attend" the County OP workshop and part of the OP public meeting last week.

A couple of items of concern:

With regard to a second house on a property, I feel this could be abused- most properties in the urban areas and hamlet do not have room for a second property other than a garden suite- which I have no problem with. In the agricultural area, if this is allowed, wouldn't that take us back 30 years or so, when a second house was allowed, presumably for a young family member taking up farming, or the parents moving to a smaller house so the young farmer takes over the main house? These could not be severed, but since then, some of these properties have now become surplus farm residences. Could this policy not put us in the same position again?

With regard to reducing farm acreage from approx 100 acres to 50 acres, listening to others was an eye-opener for other types of farming besides cash crops ie. mushroom farm, vegetable farms, etc that don't require extensive acreage. However, around the Ilderton area, when 50 acre farms have come up for sale, we see estate houses built on them, which doesn't protect farm land at all. In fact, we had such a house come up as a SFR when an abutting farmer wanted to purchase the land, but didn't need or want the house. Council turned the severance down (they wanted 4 acres to include their man-made pond amenities) but LPAT reversed our decision. Although new estate houses could be built on 100 acre parcels, it seems more prevalent on smaller parcels.

Thank you both for your hard work on this file...Middlesex Centre's OP update may be completed prior to the County's so I'm not sure what the outcome if some of these policies are adopted in our plan, but removed or adjusted from the County's?

Enjoy the spring weather!

Debbie Heffernan

Councillor Ward 1

Middlesex Centre

[Heffernan@middlesexcentre.ca](mailto:Heffernan@middlesexcentre.ca)

Sent from my iPad



Camp Kee-Mo-Kee  
9581 Glendon Drive  
Komoka Ontario N0L 1R0  
Camp Office: (519) 657-7288  
[board@keemokee.com](mailto:board@keemokee.com)  
<https://www.keemokee.com/>

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November 9, 2021

Middlesex County  
399 Ridout Street North  
London, Ontario  
N6A 2P1

**Attention: Planning Department and Clerks Department**

Dear Sir/Madame,

**RE: Notice regarding Planning Matters for Camp Kee-Mo-Kee**

I am currently the Board Chair for Camp Kee-Mo-Kee located at 9581 Glendon Drive, Komoka. The United Church of Canada camp, located on 20 acres of land south of Glendon Drive and nestled along Komoka Creek and the Thames River, provides full week summer camps to children from Middlesex County and London area.

The Camp is requesting that we be provided with all notices of public meetings with respect to all planning applications within 120 metres of the property and notices regarding all comprehensive planning projects regarding the Official Plan and Zoning By-law. In particular and specifically we would appreciate to be notified if the municipality is launching and undertaking a comprehensive review of its Official Plan and/or its Zoning By-law.

The Board wishes to stay informed and engaged with all planning processes that could have an impact on the mission and activities of the Camp.

Our mailing and email address is noted above. Thank you in advance.

Yours truly,



Tim Lindsay  
Board Chair

CC: Jill Hodgins, Executive Director, [info@keemokee.com](mailto:info@keemokee.com)  
Don Ardiel, Property Chair, [don@ardiel.ca](mailto:don@ardiel.ca)

**Subject:** Middlesex County - Official Plan and Zoning By-Law Notices  
**Date:** Tuesday, November 9, 2021 at 9:41:18 AM Eastern Standard Time  
**From:** Tim Lindsay  
**To:** Durk Vanderwerff  
**CC:** Jill Hodgins, Don Ardiel  
**Attachments:** KMK - Middlesex County Planning Ltr Signed 21-11-09.PDF

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hi Durk,

Following up on my phone call to your office, I have attached a letter requesting that Camp Kee-Mo-Kee be provided with all notices of public meetings with respect to all planning applications within 120 metres of our property and notices regarding all comprehensive planning projects regarding the Official Plan and Zoning By-law.

Yours truly,

**Tim Lindsay** (he/him), Board Chair

## Camp Kee-Mo-Kee

9581 Glendon Drive ,  
Komoka, ON, N0L 1R0  
Cell: 519-872-9026  
Camp Office: 519-657-7288  
[board@keemokee.com](mailto:board@keemokee.com)  
[www.keemokee.com](http://www.keemokee.com)

[2021](#)

[Video,](#)

[Registration,](#)

[Donate,](#)

*become a [Member](#)*

*or get [updates](#)...help keep our campfire burning bright!* 

**Keep our camp community safe. [Screen](#) before you arrive.**

**Subject:** FW: Form submission from: County Official Plan Questions  
**Date:** Tuesday, April 19, 2022 at 8:28:32 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca

Agency comment

DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262

On 2022-02-16, 2:39 PM, "[no-reply@middlesex.ca](mailto:no-reply@middlesex.ca) on behalf of Kenneth Michael Melanson" <[no-reply@middlesex.ca](mailto:no-reply@middlesex.ca) on behalf of [ken.melanson@county-lambton.on.ca](mailto:ken.melanson@county-lambton.on.ca)> wrote:

Submitted on Wednesday, February 16, 2022 - 2:39pm  
Submitted by anonymous user: [72.38.227.130]  
Submitted values are:

Name: Kenneth Michael Melanson  
E-mail: [ken.melanson@county-lambton.on.ca](mailto:ken.melanson@county-lambton.on.ca)  
Subject: Official Plan Update - Red Line Version  
Question:

Thank you for the notification of the plan update. Have reviewed the red line document and find it generally consistent with the approach taken in our recent updates. Please keep the County informed as to the progress of plan updates.  
Thank you.



libro.ca  
4th Floor  
217 York Street  
London ON N6A 5P9

T 519-672-0130  
F 519-672-7831  
1-800-361-8222

Middlesex County  
399 Ridout St. N.  
London, ON  
N6A 2P1

April 28, 2022

**RE: Libro Credit Union Review of Middlesex County's Draft Official Plan Consultation.**

To the reader(s),

Libro Credit Union (Libro) is pleased to provide our thoughts and feedback on Middlesex County's Draft Official Plan (Official Plan Amendment Consultation Draft March 8, 22). Libro is a full-service financial institution with locations in Middlesex County and a big community proponent. We recognize our lack of understanding when it comes to municipal planning regulation, policy, and general best practices. Our feedback focuses on our four organizational pillars of employment, financial resilience, housing, and local food accessibility, as well as what we believe to be critical aspects to community building, development, and general wellness.

The draft plan is comprehensive in its approach and desire to ensure Middlesex remains a strong and vibrant community focused on agriculture, industry, and supporting those who call it home. The plan offers environmental protection and focus on agriculture, which we believe will remain critical to Middlesex's continued success and sustainability, while also ensuring that opportunity for growth, expansion, and support for residents, and those seeking to move to the county, are presented.

Below we offer specific comments via a section-by-section review. Our comments remain high-level in nature and focused again on our pillars and understanding of the Official Plan.

**Section by Section Review**

1.1 Context

- Agree that an ecosystem perspective is needed to developing land planning and use policies/goals.

1.6 Planning Period

- We would recommend that a minor annual review of population increase, immigration trends and patterns be reviewed, as five years could pose a challenge should migration patterns shift quickly, as experienced with Covid-19.

2.1

- Agree with the statement that ecosystems don't understand municipal boundaries, and that a collaborative approach to preserving ecosystems is needed.

### 2.2.1 Natural Environmental Systems

We are pleased to see that the policy framework focuses on recognizing adjacent natural and heritage systems and its relation to the Official Plan. Partnerships with public and private agencies will also be a great opportunity to enhance the plan and ensure that the natural systems receive benefit and recognition needed in protecting and preserving land.

#### 2.2.1.2 General Policies

We are pleased to see that the county is focused on not just preserving and maintaining, but also rehabilitating natural environmental systems and lands. Taking a proactive lens to trying to recover any previous issues is encouraging.

### 2.2.2. Agriculture

A commitment to preserving prime agricultural land is certainly needed. Does designating all lands as prime land cause any future challenges for the county? In terms of farm diversification and tourism do any of the prime land policies hinder ability to support such economic benefit? Creating high density in approved lands as to not impede upon agricultural land would certainly be a positive approach and something worth considering within future zoning and this official plan. There area number of uses demonstrated where non-agriculture uses can be accepted, these definitions are very vague and broad and could create challenges in understanding definitions for both all parties involved.

### 2.3.3 Forecasting Growth

We are pleased to see that the County will review population projections throughout the planning period. This has been a previous challenge for many communities, the County should expect population need rising by both Federal and Provincial projected levels and be prepared for increasing immigration numbers due to labour market and skilled trade needs. Based on recent Federal Government projections we should expect that the County will reach the high scenario presented in Appendix B, at least in the short term. Ensuring that change is flexible without requiring an update to the Official Plan is excellent planning. This section could have been an opportunity to comment on the County seeking higher density housing and infill where possible to increase housing supply and protect further farmland.

### 2.3.4 Economic Development

B. Would it be appropriate within the plan to call out telecommunications as “high-speed” internet service. Telecommunications does not guarantee or provide a commitment to speed or service levels. Is there a way for the County to commit to fibre optic or satellite-based internet opportunities to ensure new development reaches acceptable (and needed) speeds?

F. We are pleased to see the County’s focus on well-being and sense of community within Economic Development. We believe these go hand in hand and are happy to see the commitment to these specific areas.

I. Secondary incomes and occupations are a growing trend amongst our Owners at Libro. This is a great idea to ensure that secondary uses of principle residences can support growing business and continue to spur entrepreneurship activities within the County.



L. This is a great idea to create flexible industrial land that can be accessed quickly to land key development opportunities.

P. This is an interesting idea to spur economic growth, we would love to see more hub approaches to businesses in supporting workers with potential housing opportunities to help alleviate the growing crisis and need.

R. This approach offers the opportunity to enhance local food accessibility and to offer more locally cultivated food options to meet community needs both retail and for those most vulnerable. In addition, it offers a great opportunity to capitalize on short term Agri-tourism activity and desires by consumers. This will allow the County to highlight its desirable communities to live, work, and play in.

### 2.3.5 General Policies

It is great to see that the County is addressing climate change by promoting resilient communities and that development should be reviewed with respect to anticipated impacts. We hope that such activities will be efficiently handled to ensure that development can remain effective and ongoing (where and when appropriate). We must continue to find ways to spur development and densification to build more homes and units, while also addressing the real impacts of climate change on our communities to ensure a sustainable future.

### 2.3.7 Housing Policies

A. Positive action item to intensify development in already settled/approved lands. Is the 15% requirement enough, does it align with other rural municipalities? Will it help Middlesex reach its housing goals?

C. This feels like an opportunity to focus on density increases related to maintenance and improvement of existing housing stock. How do we take older buildings that may no longer be used, and recreate more units for more individuals? Is there an opportunity to include an aspect of intensification within this section?

E. The definition around affordable housing has been removed. Will a new definition be taking its place, will this come from the Attainable Housing Review report being developed? There could be concerns with not defining "Affordable Housing" as it would be difficult to measure the 20% requirement within the Official Plan.

## Appendix B

We are supportive of the requirement for local municipalities in developing affordable housing targets that are consistent with the County's plan. This is critical to ensuring that adequate housing is a goal for all residents and that those most vulnerable are supported.

### 2.3.7.4 Additional Residential Units

A. Supportive of two residential units per single detached dwelling.

B. This will support new and innovative approaches to building ancillary dwellings to houses already in existence.

Ensuring that safety, water, sewage, and function are supported to any secondary unit is critical, and the County is taking a fair approach to enhancing units available to residents and those seeking to live within the municipality. We appreciate that the county is considering innovative options to increase housing supply and units including, such as tiny homes with foundations.

#### 2.3.9 Agricultural Area Policies

We are pleased to see that the County is focused on enhancing local food production and ensuring that agriculture remains the cornerstone of Middlesex County.

#### 2.4.3.1 General Policies

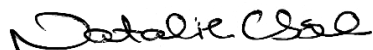
A. Fibre optic installation and access is critical to moving the Middlesex County forward, and to support digitization of local businesses. It is great to see that there is a focus within general policies of broadband and internet infrastructure. This also is a support notion towards item I. around installation of any new development with broadband infrastructure.

### **Concluding Thoughts and Remarks**

Our feedback provided is to help support and provide further consideration and thought as the County builds out its Official Plan. We are pleased with the work done to date and wish the County success as it finalizes and implements its new Official Plan.

If Libro can be of assistance in spreading the message or supporting in anyway, please do not hesitate to reach out and connect with myself.

Sincerely,



Natalie Close  
Regional Manager Middlesex-Lambton-Kent  
Libro Credit Union  
[Natalie.close@libro.ca](mailto:Natalie.close@libro.ca)



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

May 3, 2022

Durk Vanderwerff  
Director of Planning  
County of Middlesex, Planning Department  
399 Ridout Street North  
London, ON N6A 2P1

**Re: County of Middlesex Official Plan Update**

Thank you for the opportunity to comment on the draft County Official Plan. As the current Official Plan was approved by the Province in 1999 and was last updated in 2006, the review provides an important opportunity to update the Plan to reflect best practices and the current regional planning legislative and policy framework.

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) is a consolidated statement of the Province's policies on land use planning that gives provincial policy direction on key land use planning issues that affect communities. The PPS is issued under Section 3 of the *Planning Act* and requires that all decisions affecting planning matters to be consistent with the PPS. This includes the County of Middlesex Official Plan.

**Growth Management and Settlement Areas**

The PPS identifies that *settlement areas* shall be the focus of growth and development – these are areas where development is concentrated, have a mix of land uses and are designated for development over the planning horizon.

Under the current and draft County of Middlesex Official Plans, three settlement area types are identified as part of a growth management hierarchy: Urban Areas, Community Areas and Hamlets in Agricultural Areas.

In the draft Official Plan, Urban and Community Area settlement types are shown as points on Schedule "A" with paragraph 4 in policy 2.3.5 stating that local municipalities are to define the limits of Settlement Areas in their official plans. Hamlets in Agricultural Areas are not denoted on Schedule "A" at all.

However, policy 1.2.4 of the PPS states as follows:

*1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:*

- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;*

As such, it is the direction of the PPS for upper-tier municipalities to identify the areas (and thus their extents) where growth or development will be directed, and then for lower-tier municipalities to reflect these areas through their official plans. In the context of the draft County of Middlesex Official Plan and its growth management hierarchy, this would require identifying areas for Urban, Community and Hamlet settlements.

This is reinforced by section 17(24.5)(d) of the Planning Act which states that there is no appeal in respect of a part of an official plan where ‘in the case of the official plan of a lower municipality, identifies the boundary of an area of settlement to reflect the boundary set out in the upper-tier official plan, but only if the upper-tier municipality’s plan has been approved by the Minister.’ This means there is no ability to appeal where a lower-tier municipal plan is aligning its settlement boundaries with the upper-tier plan.

While the draft Official Plan identifies a settlement area hierarchy and points are denoted on Schedule ‘A’, areas are not identified. This is not consistent with the PPS.

Appendix A shows the settlement points shown on draft Schedule ‘A’ in relation to settlement areas as identified in lower-tier Official Plans. As can be seen, there is little alignment with many areas currently designated for urban use in lower-tier plans that are clearly designated agriculture by the County Plan. As the County Plan identifies these areas as being protected as a prime agriculture area, and the upper-tier is responsible for identifying areas where growth or development is directed, these areas either need to be removed from lower-tier plans or be reflected in the County Plan.

City Staff have undertaken a regional scan of upper-tier official plans in Southwestern Ontario. Every upper-tier official plan (except the County of Middlesex) provides a settlement hierarchy and delineates settlement areas with conceptual boundaries on their upper-tier Official Plan schedules. These areas are then carried forward into lower-tier official plans. This approach allows for both upper and lower-tier municipalities to undertake comprehensive reviews, with the upper-tier responsible for amending their Plan first. This regional approach to settlement area identification and delineation allows for a coordinated, integrated, and comprehensive approach to growth management and regional planning that is consistent with the PPS.

### **Recommended Revisions**

Appendix C proposes revisions to draft 2.3 Growth Management, 3.2 Settlement Areas and 3.3 Agricultural Areas to address the foregoing including:

- Settlement areas and their conceptual boundaries be identified by the County Plan as the upper-tier is to identify areas for growth or development. The PPS recognizes that these areas are to be identified in consultation with lower-tier municipalities.
- Requiring an amendment to the County Plan for new settlement areas or expansions. The proposed policy would also provide flexibility for municipalities to make settlement area boundary adjustments outside a comprehensive review without an upper-tier Plan amendment consistent with policy 1.1.3.9 of the PPS.
- Recognizing Hamlet Areas as rural settlement areas to be identified. A ‘Rural Employment Area’ settlement area type is also proposed to be introduced into the growth management hierarchy and identified to reflect existing lower-tier industrial settlement areas. These areas conflict with the draft County Plan that identifies them as

prime agricultural areas which are not intended for non-agricultural growth or development.

#### Recommended Revisions to Schedule 'A'

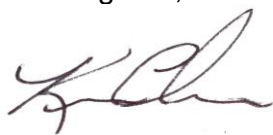
- Appendix A shows the settlement nodes as currently denoted on draft Schedule 'A' in relation to settlement area boundaries as identified in lower-tier Official Plans. There is little alignment between areas identified for growth or development in the County Plan, areas designated for urban use in lower-tier plans, and prime agricultural areas to be protected for agricultural uses.
- Appendix B presents a revised conceptual Schedule 'A' that applies an updated growth management hierarchy and identifies areas for growth or development that conceptually align with existing lower-tier settlement areas.

#### **Conclusion**

Based on recent trends and forecasted growth over the next 25 years, pressures on agricultural land and costly infrastructure and transportation systems will only intensify. County settlement areas and boundaries that are properly identified and approached in a coordinated, integrated, and comprehensive regional manner will be crucial to ensure the County's development and growth will be properly managed, avoid agricultural destabilization, and prevent unnecessary expansions. These recommendations are intended to improve regional coordination between County municipalities that is consistent with the PPS and similar two-tier jurisdictions in Southwestern Ontario.

Significant changes to the policy framework have occurred over the past 15 years since the Plan was last reviewed in 2006. Thank you again for the opportunity to provide input into this update of the County of Middlesex Official Plan.

Kind regards,

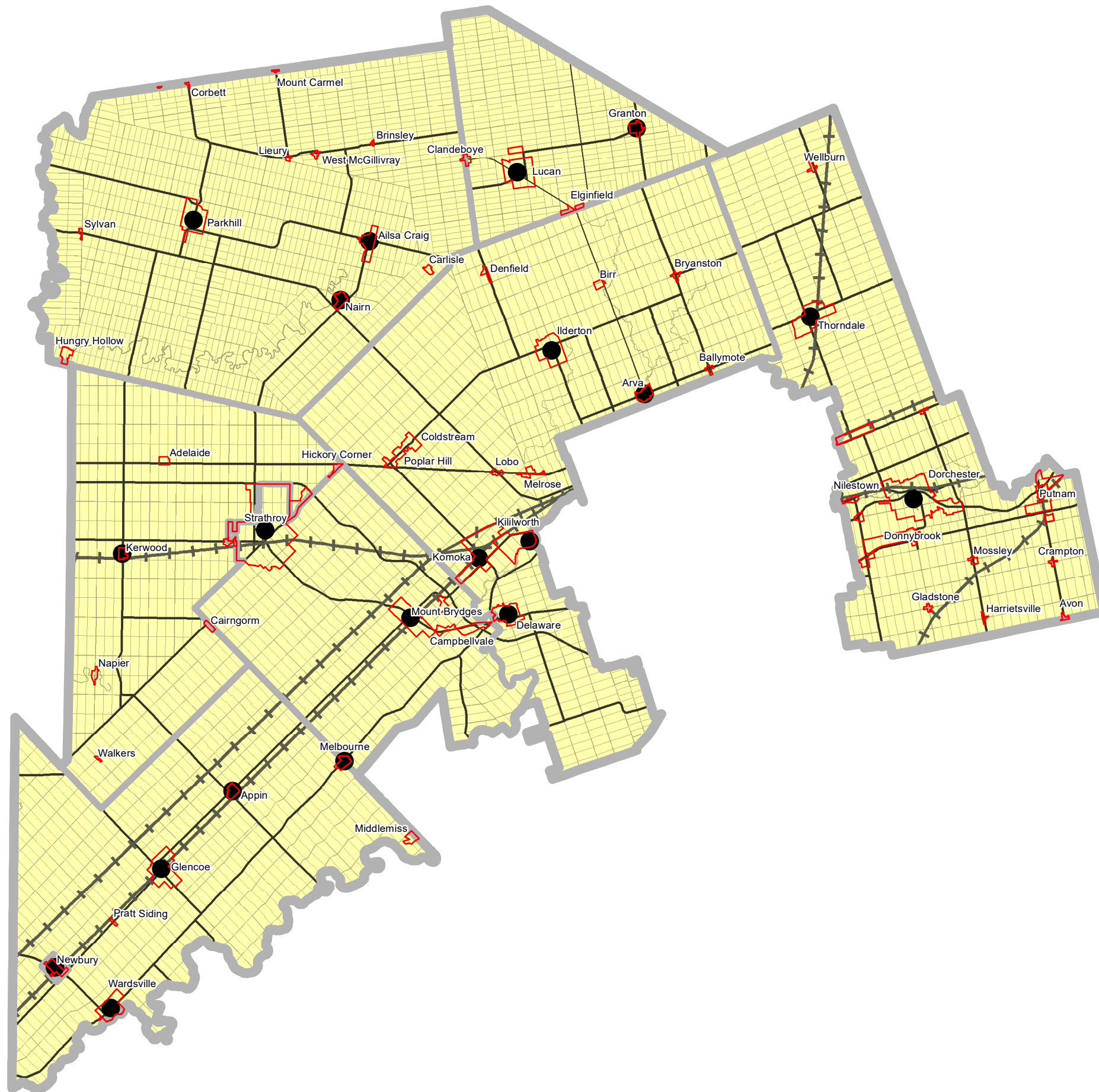


Kevin Edwards  
Manager, Long-Range Planning, Research and Ecology  
Planning and Development  
City of London

Appendix A: Middlesex Upper-Tier and Lower-Tier Official Plan Settlement Areas  
Appendix B: Proposed Schedule 'A'  
Appendix C: Proposed Middlesex Official Plan Revisions

Cc: Gregg Barrett, Director, Planning and Development  
Justin Adema, Manager, Long-Range Planning and Research  
Tim Williams, Senior Planner, County of Middlesex  
Erick Boyd, Manager Community Planning and Development, MMAH

# APPENDIX A: MIDDLESEX UPPER-TIER AND LOWER-TIER OFFICIAL PLAN SETTLEMENT AREAS



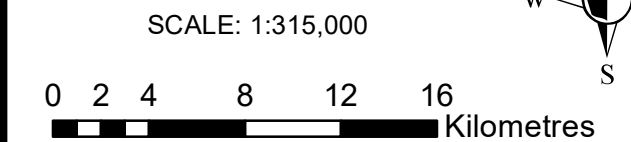
Draft County Official Plan

● Settlement Areas

■ Agricultural Areas

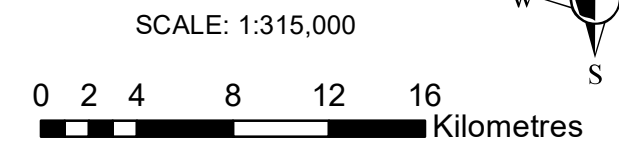
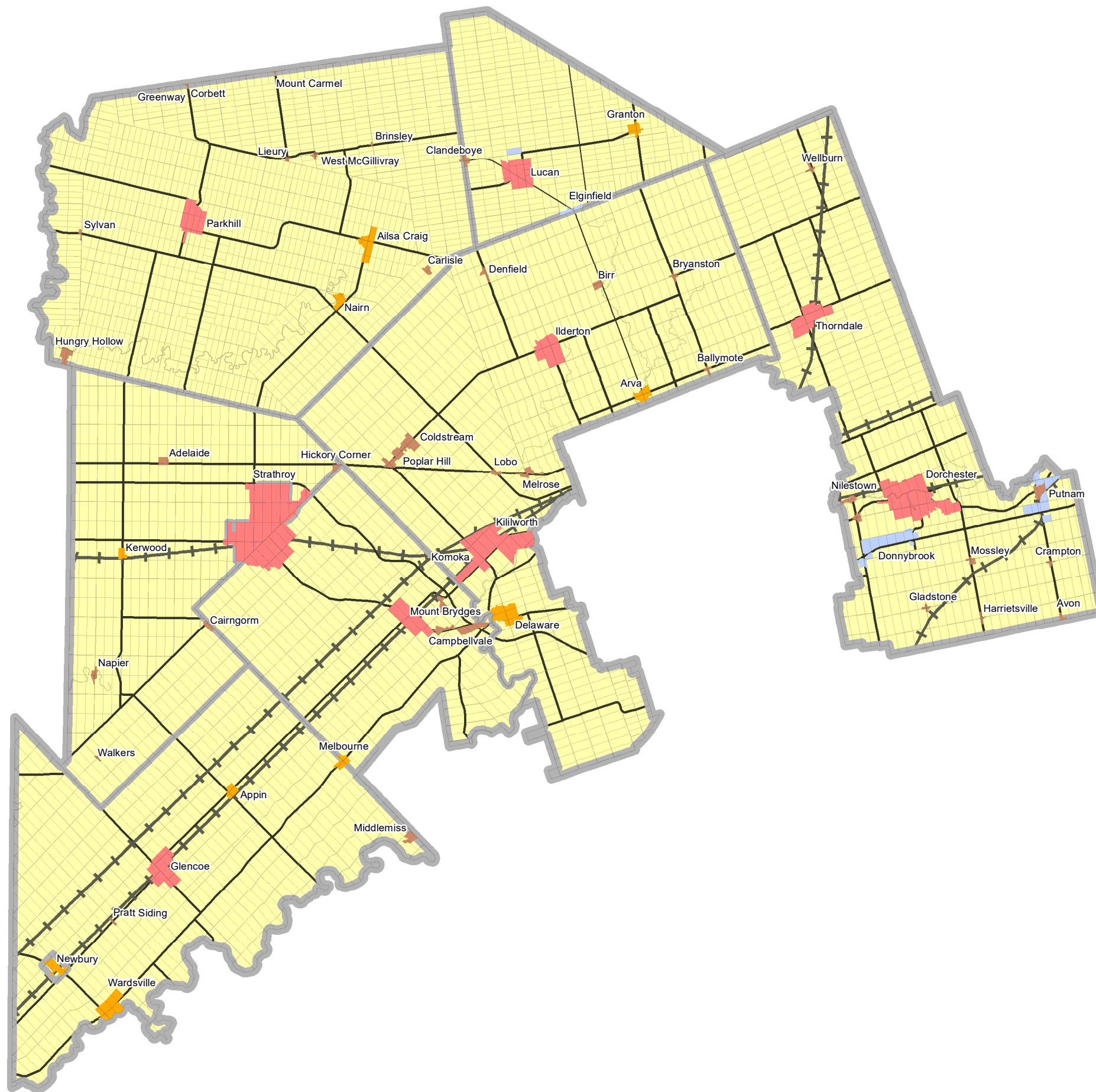
Lower-Tier Official Plans

⊕ Settlement Areas



# APPENDIX B: PROPOSED SCHEDULE A LAND USE

-  Agricultural Areas
-  Urban Settlement Area
-  Community Settlement Area
-  Hamlet Settlement Area
-  Rural Employment Area



**APPENDIX C: PROPOSED POLICY REVISIONS**  
**(based on September 21, 2021 version)**

**2.3 GROWTH MANAGEMENT**

**2.3.1 Introduction**

Growth Management is the second theme area of the County Official Plan Policy Framework. It recognizes that the County will experience population and employment growth and redistribution over the planning period. This growth is important to the residents and to the future of the County and its constituent municipalities. Growth must be managed to minimize adverse impacts on the Natural Heritage System and agriculture and be phased to coincide with the availability of appropriate types and levels of services.

The Growth Management policy framework recognizes the need to provide for some growth in each local municipality. ~~However,~~ Settlement Areas have been established in keeping with the Resource Management and Physical Services and Utilities policies established in Sections 2.2 and 2.4. These priorities are essential for the long-term protection of the Natural Heritage System and agricultural land and the logical provision of services.

The Growth Management Hierarchy outlined in Section 2.3.2 is designed to provide opportunities for environmentally responsible growth which avoids conflicts with natural heritage features and hazards and the agricultural community. The Hierarchy also attempts to provide a degree of lifestyle choice to the residents of Middlesex County. Consequently, different levels of growth are anticipated in different areas of the County. Urban development is the focus for future population growth. The County shall direct the majority of growth to designated settlement areas, in accordance with the Growth Management Hierarchy. In agricultural areas, development by consent will be limited and shall only take place in accordance with the consent policies set out in Section 4.5.3.

In order to provide guidance in the implementation of the Growth Management policy framework, the following Growth Management Hierarchy has been established. The hierarchy builds on the framework of existing towns, villages, and hamlet communities. It is intended to promote healthy, diverse communities where County residents can live, work and enjoy recreational opportunities. In addition, the Hierarchy recognizes that growth will require investment in infrastructure. Every attempt should be made to make efficient use of existing infrastructure while creating and/or protecting opportunities for future infrastructure needs, ~~as through~~ Settlement Capability ~~Reports Studies~~ completed in support of ~~establishing the extent of Settlement Areas in~~ local Official Plans. Whenever possible future development should proceed based on the provision of full municipal services. In all cases the amount, location and timing of development shall be dictated by the nature and availability of services necessary to support that development.

**Commented [EK1]:** Section 2.3.6 refers to a Settlement Capability Study



### 2.3.2 Growth Management Hierarchy

The Growth Management Hierarchy shall consist of the following types of Settlement Areas:

- Urban Areas
- Community Areas
- Hamlets ~~in Agricultural Areas~~
- Rural Employment Areas

Establishment of a Settlement Area shall be in accordance with the following criteria:

a) **Urban Areas** shall demonstrate the potential to accommodate future growth through population projections and must either have full municipal services or demonstrate the potential to provide full municipal services, through a master servicing component of ~~a settlement~~ Settlement capability Capability report Study and/or completion of an Environmental Assessment (EA), pursuant to the Environmental Assessment Act.

b) **Community Areas** shall demonstrate the potential to accommodate future growth through population projections, must currently serve a community function and must demonstrate the potential to provide a level of service necessary to support future growth through a master servicing component of a Settlement Capability Report Study and/or completion of an Environmental Assessment (EA) pursuant to the Environmental Assessment Act.

c) ~~Hamlets in Agricultural Areas~~, in the context of the Growth Management Hierarchy shall include ~~existing locally designated hamlets rural settlement areas~~ not identified as Urban Areas or Community Areas. It is assumed that municipal services will not be provided in these areas and therefore future growth shall be commensurate with that level of service. Individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development provided site conditions are suitable for the long-term provision of such services with no negative impacts.

d) **Rural Employment Areas** do not form part of Urban Areas, Community Areas or Hamlet Areas and are to permit a range of industrial and employment uses. Rural Employment Areas are not planned to have access to municipal water or sewage systems and it is the intention to permit only industrial uses in these areas that are “dry” in nature. The establishment of new Rural Employment Areas will not be permitted

**Commented [EK2]:** Hamlets are consistent with the definition of rural ‘settlement areas’ in the PPS which are built-up areas with a mix of land uses, and have been designated in an OP for development over the horizon.

**Commented [EK3]:** All of the ‘Agricultural Areas’ is a prime agricultural area under the Plan. As rural ‘settlement areas’ are where development is concentrated/designated for urban uses, under the PPS these are located outside of prime agricultural areas. Prime agricultural area uses and activities are limited to agricultural uses, agriculture-related uses and on-farm diversified uses.

**Commented [EK4]:** Term aligned with PPS

**Commented [EK5]:** New settlement type to be identified in the growth management hierarchy to allow for growth or development in ‘rural industrial’ areas that are intended for settlement area type uses but aren’t permitted in Agricultural Areas by the PPS. Criteria aligns with Thames Centre ‘Rural Industrial’ designation.

without demonstrated justification in terms of need or the re-designation of an equivalent area of existing Rural Employment Area areas to Agricultural Area.

It is the goal of this Plan that future development within settlement areas proceed on the basis of full municipal services. Other methods of servicing (partial services) may be permitted on an interim basis where:

- a) they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or,
- b) within settlement areas, to allow infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Advancement within the Growth Management Hierarchy of this Plan, in keeping with the criteria established above, shall not require an amendment to this Plan unless such advancement is deemed to alter the County Growth Management Strategy.

### **2.3.3 Forecasting Growth**

In order to establish a basis for designating sufficient land area for future growth, determining housing needs, determining future transportation requirements, and establishing priorities for municipal infrastructure in the County, population projections have been prepared for the planning period. These projections are intended to be used by the County and local municipalities as a guideline for managing growth and will be monitored throughout the planning period. It is not the intention of this plan that the population projections presented in Appendix B be incorporated into local Official Plans; however, when local Official Plans are updated or when applications which propose significant additional growth are considered, the projections presented in Appendix B should be used as a guideline for future growth and development. The population projection range includes three growth scenarios (Low, Reference and High).

- Under the Low Scenario, the County's population is forecast to increase from 74,000 in 2016 to 96,300 in 2046, which represents an annual population growth rate of 0.9%. This would result in a housing growth rate of 1.3% annually.
- Under the Reference Scenario, the County's population is forecast to increase to 107,600 by 2046, representing an annual growth rate of 1.3%. This would result in a housing growth rate of 1.7% annually.
- Under the High Scenario, the County's population is forecast to increase to 115,000 by 2046, representing an annual growth rate of 1.5%. This would result in a housing growth rate of 1.9% annually.

Detailed projections for the County and for each local municipality are included in Appendix B.

Changes to the population projections will not require an amendment to the County Official Plan.

Given that the projections are influenced by many factors external to the County, prudence should be exercised when assessing specific development proposals in the context of these projections.

It is the intention of this Plan to ensure that adequate lands be available to accommodate the projected growth but that over commitments that would waste land and resources be avoided. Effective phasing of growth will be required to make the best use of existing infrastructure as well as ensure the logical extension of services in the future.

The County works with local municipalities to closely monitor the residential, commercial and industrial land supply so as to ensure that sufficient supply is designated in local official plans to accommodate the anticipated growth in the County over the planning period. It is the intention of this Plan to use the population projections presented in Appendix B as a guide to the County's future growth and development. If over the planning period, a local municipality cannot absorb the population projections outlined, nothing in this Plan shall restrict other municipalities from accommodating that growth, provided the appropriate services can be provided.

#### **2.3.4 Economic Development**

Economic development is an important component of the County's Growth Management policy framework. Many long-term goals and objectives including those identified in the County's Strategic Plan depend on economic activity and the opportunity for residents to live and work in the County.

Agriculture has been an economic mainstay in the County for many years and will continue to evolve as changes to the agricultural industry take place. In this time of change it is important that the County develop diversity in its economic base. The policies of this Plan are intended to protect the agriculture community while fostering new economic development opportunities. Through the policies of this Plan the County will;

- a) monitor the supply of employment land to ensure that a sufficient supply is available throughout the County and particularly in those municipalities with access to provincial highways and major arterial roads;
- b) cooperate with local municipalities, the business community and other agencies to ensure that employment centres are served by modern infrastructure systems including road, rail, and telecommunications networks;
- c) encourage local municipalities to provide a balanced mix of housing to ensure a sufficient labour force and reduce the need for commuting;

d) encourage local municipalities to promote a high standard of urban design to create healthy vibrant communities which attract investment;

e) support local municipalities to promote economic development opportunities adjacent to Provincial 400 series highways where justified through an amendment to ~~the local~~this official plan; and,

f) support the retention of educational, health, recreational, cultural and religious facilities to ensure that the County's communities are provided with those opportunities that facilitate growth and well-being. Such facilities provide a vital role in small communities and add economic vitality and a sense of place and community where quality of life is considered a major attraction for growth and development.;

g) support opportunities to create a stronger and sustainable agricultural sector including the local agri-food system.

### 2.3.5 General Policies

The policies of this Plan are intended to promote complete communities that are diverse, healthy and have a sense of place. Lifestyle choice, economic vitality and protection of the natural environment and cultural heritage resources are important components of the Growth Management policies.

Lands which are currently designated for development in local official plans are anticipated to be adequate to meet the growth projections for the planning period. New lot creation in Agricultural Areas will only be permitted in accordance with Section 4.5.3.

The policies are structured to ensure that the local municipalities have adequate opportunity to plan for growth while recognizing the need to: protect agricultural land and natural resources; prevent land use conflicts; and provide services commensurate with the level of growth anticipated.

Growth shall be directed to within the boundaries of the Settlement Areas conceptually identified on Schedule A. ~~Local municipalities shall define the limits of Settlement Areas in their official plans.~~

Local municipalities shall develop Growth Management Strategies and Settlement Capability Studies as parts of their official plans to rationalize the type, amount, location and timing of growth and development and to establish the basis for the provision of the services and the necessary infrastructure.

Prior to the expansion of the limits of an existing Settlement Area, ~~the local municipality shall prepare~~ a Comprehensive Review shall be prepared including, the appropriate background information necessary to justify the expansion. The background information should address:

**Commented [EK6]:** Consistent with PPS policy 1.2.4, it is the responsibility of the upper-tier to identify areas where growth or development will be directed.

In the Agricultural Area designation, these would be accommodated by amending the plan to identify a 'Rural Employment Area'

**Commented [EK7]:** Under PPS policy 1.2.4, it is the responsibility of the upper-tier to identify areas where growth will be directed. The common use of the term 'area' is the extent or measurement of a surface or piece of land. Identifying areas with conceptual boundaries is consistent with all other upper-tier plans in southwestern Ontario.

**Commented [EK8]:** The PPS does not preclude an upper-tier from undertaking a comprehensive review... it may actually be encouraged given policy 1.2.4 requires upper-tiers as the planning authority responsible to identify where growth or development will be directed

a) population and employment projections;

b) demonstrate that sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;

c) intensification and redevelopment capabilities;

d) impact on the Natural Heritage System, aggregate, mineral and petroleum resources, and agriculture;

e) demonstrate that the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and project public health and safety and the natural environment;

f) in prime agricultural areas;

- the lands do not comprise specialty areas;
- alternative locations have been evaluated and there are no reasonable alternatives that avoid prime agricultural lands and there are no reasonable alternative locations on lower priority agricultural lands in prime agricultural areas.; and
- the new or expanding settlement area is in compliance with the minimum distance formulae.

g) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

An amendment to this Plan will be required for a settlement area expansion or for the establishment of a new settlement area. An amendment to this Plan may not be required in conjunction with an Amendment to a local Official Plan that provides for a minor settlement area boundary adjustment.

Local municipalities, through their official plans or secondary plans, shall prepare detailed policies to guide redevelopment of areas in transition or land that is under utilized.

Local official plans will promote the creation of resilient communities. As such, development applications should be reviewed with respect to anticipated impacts that may result from a changing climate.

Development adjacent to or in proximity of a Provincial Highway may be subject to Ministry of Transportation permits and permit requirements pursuant to the Public Transportation and Highway Improvement Act.

### 2.3.6 Settlement Capability Study

**Commented [EK9]:** This language is directly from the County of Elgin OP. It balances the requirement under PPS 1.2.4b) to identify areas where growth or development will be directed with the flexibility under 1.1.3.9 that allows municipalities to make minor adjustments.

A Settlement Capability Study shall be prepared as part of a Comprehensive Review in support of the expansion of existing Settlement Areas. Expansion is deemed to be development beyond the Settlement Area boundary, established in the local official plan, as of the date of passing of this Plan. The Settlement Capability Study shall be completed to the satisfaction of the County in consultation with the Province and shall include the following:

- a) an analysis of the hydrology and hydrogeology of the area to determine the capability of surface and groundwater resources to provide sufficient quantity and quality of water supply on a sustainable basis;
- b) an assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water, including municipal, communal and private wells;
- c) an assessment of the long-term sustainability of the soil, hydrologic and hydrogeologic conditions to accept sewage effluent;
- d) an identification of any existing restrictions to future development;
- e) an assessment of surface drainage;
- f) an assessment of the impact of new growth on the Natural Heritage System;
- g) an assessment of traffic and transportation services and needs;
- h) an assessment of the existing servicing systems and their condition; and
- i) an assessment of impacts to agriculture, such as an agricultural impact assessment or similar.

### **3.0 DETAILED LAND USE POLICIES**

#### **3.1 INTRODUCTION**

The detailed policies of this Plan apply to the lands designated on Schedule A. These policies shall be read and interpreted in conjunction with the Policy Framework established in Section 2, the policies of Sections 4 and 5 and the Schedules.

The detailed land use policies provide specific direction for growth and development within the County. Additional policy direction is provided through the local official plans.

The following land use designations established through the policies of this Section include: Settlement Areas, and Agricultural Areas

Any development on lands identified on Schedule A of this Plan must conform to the policies associated with the particular land use designation.

## 3.2 SETTLEMENT AREAS

### 3.2.1 Introduction

The Growth Management policies of this Plan, presented in Section 2.3, direct a significant portion of the County's future growth to Settlement Areas in order to:

- protect Agricultural Areas;
- protect the Natural Environment Areas; and
- promote efficient use of water and sewage services.

The Settlement Area designation is comprised of ~~two-four~~ policy sections: Urban Areas, Community Areas, Hamlet Areas and Rural Employment Areas. ~~The criteria for establishment of Urban and Community Areas and the policy framework for these Areas are set out in Section 2.3. Detailed land use Policies related to Hamlets can be found in Section 3.3, Agricultural Areas.~~

The County shall direct the majority of growth to Urban and Community settlement areas.

**Commented [KE10]:** Recognizes current approach to direct the majority of growth to urban and community settlement areas.

### 3.2.2 Development Policies

New development in Settlement Areas is encouraged to proceed by Plan of Subdivision. Development by consent will be considered only in accordance with Section 4.5.3.

A Settlement Capability Study, as outlined in Section 2.3.6, shall be prepared in support of any new development in a Settlement Area which does not provide full municipal water and sanitary sewer systems.

County Council recognizes that many Settlement Areas are surrounded by the Agricultural Areas designation. Infilling, rounding-out or minor extensions of existing development in Settlement Areas may be permitted provided that there is no major expansion of the outer limits of existing development as identified in the local Official Plan and subject to:

- a) the new development being serviced in accordance with accepted standards;
- b) the development complying with the Minimum Distance Separation Formulae; and
- c) alternative locations have been evaluated that do not consist of prime agricultural land or instead consist of lower priority agricultural land and impacts on agricultural

operations are mitigated to the extent feasible. Evaluation of agricultural impacts shall be done in accordance with the criteria identified in the Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas.

A Settlement Capability Study, as outlined in Section 2.3.6, is not required for these infilling, rounding-out or minor extensions.

Settlement Areas shall develop in a manner that is phased, compact and does not result in a strip pattern of development.

Every effort shall be made to preserve the historic character of Settlement Areas by requiring new development to complement the positive elements of the existing built-form.

Development shall minimize negative effects on sites of historical, geological or archaeological significance.

Where there is or has been a significant conversion of recreational and three season housing to permanent, year-round housing, these areas shall be identified and considered as settlement areas for the purposes of the above policies.

### **3.2.3 Local Official Plans**

To achieve some consistency of approach, the County encourages local municipalities to include general development policies in their local official plan dealing with the following issues:

- a) the Settlement Area share of the total future overall County growth projection in accordance with the Growth Management Policies in Section 2.3 and with the Growth Management projections provided by the County;
- b) residential, including low, medium and high density residential uses, affordable housing, special needs housing, infilling and intensification;
- c) current land supply;
- d) commercial, including downtown commercial, highway commercial, shopping centre commercial (where appropriate), neighbourhood commercial and other commercial uses, as necessary;
- e) industrial, including a broad range of industrial uses;
- f) institutional, including health, cultural and educational facilities, public recreation facilities, government offices, public utilities and related uses and activities;
- g) employment area preservation and conversion policies;



- h) Natural Hazards and Natural Heritage System;
- i) community improvement;
- j) municipal services;
- k) transportation;
- l) economic development;
- m) the built form and sustainability of proposed development applications;
- n) achieving a sense of place;
- o) protecting and conserving cultural heritage resources; and,
- p) other issues unique to the Settlement Area.

Local official plans shall contain, as a minimum, implementation policies dealing with the following issues:

- Amendments to the local Official Plan;
- Comprehensive Zoning By-laws and amendments;
- Minor variances;
- Non-conforming and non-complying uses;
- Plans of Subdivision; ● Site Plan Control;
- Consents;
- Property maintenance and occupancy standards;
- Public consultation;
- Servicing and phasing;
- Relationship to the County Official Plan;
- Minimum Distance Separation; and
- Other by-laws pursuant to the Planning Act.

Secondary plans may be prepared as part of the local official plan to provide greater detail regarding land uses and specific development policies unique to each Settlement Area.

### **3.2.4 Urban Areas**

#### **3.2.4.1 Permitted Uses**

The local official plans shall provide detailed land use policies for the uses permitted in Urban Areas. These uses shall include:

- a) A variety of housing types;
- b) Commercial uses;
- c) Industrial uses;
- d) Community Facilities;
- e) Natural Heritage System features and ecological functions;
- f) Recreation and Open Space, including active and passive recreation
- g) Other specific land use designations necessary to reflect the unique needs and character of each Urban Area.

New livestock operations shall not be permitted in Urban Areas. Expansions of existing livestock operations shall not be permitted beyond the requirements of the Minimum Distance Separation Formula.

### **3.2.5 Community Areas**

#### **3.2.5.1 Permitted Uses**

- a) A variety of housing types;
- b) Commercial uses primarily serving the day-to-day needs of the residents of the community;
- c) Dry industrial uses;
- d) Community facilities;
- e) Recreation and Open Space, including active and passive recreation activities; and

f) Other specific land use designations necessary to reflect the unique needs and character of the Community Area;

g) Natural Heritage System features and ecological functions

New livestock operations shall not be permitted in Community Areas. Expansions of existing livestock operations shall not be permitted beyond the requirements of the Minimum Distance Separation Formula.

### 3.3.4 Hamlets in Agricultural Areas

Where an approved local official plan permits development in designated hamlets, such development may proceed. No further land shall be designated for development except by way of a comprehensive review and in compliance with the Minimum Distance Separation Formula.

In approving the local official plan amendment, the County shall consider the need for such expansion in the context of the projected population growth for the local municipality and the County as a whole and other matters deemed important by the County.

Infilling, rounding out in depth or minor extensions of existing development may be permitted provided that there is no further outward expansion of the limits of existing development, subject to the following:

a) the new development is serviced in accordance with Section 2.4.5 and accepted servicing standards; and

b) the development complies with the Minimum Distance Separation Formula.

## **3.3 AGRICULTURAL AREAS**

### **3.3.1 Introduction**

The purpose of the Agricultural Areas designation is to protect and strengthen the agricultural community, a major economic component within the County, while directing growth and development to existing settlement areas and designated hamlets. The Agricultural Areas policies protect agricultural lands from the intrusion of land uses that are not compatible with agricultural operations. These incompatible uses are most frequently identified as non-farm related residential dwellings on small lots. As a result, this Plan contains policies that limit the creation of new lots in Agricultural Areas.

The Growth Management Policies of this Plan support the protection of agricultural land by encouraging most of the projected population growth to locate in Settlement Areas.

**Commented [KE11]:** Like the previous policies, the settlement policies in this section s should be about use. This seems to be a restatement of policy 2.3.2 c). The following infill policy also seems to replicate 3.2.2. Portions of this policy can be deleted as it is redundant and it should be reviewed to focus on permitted uses to be consistent with the other settlement types.

The Agricultural Areas designation includes all land not otherwise designated as Settlement Areas.

### **3.3.2 General Policies**

It is the policy of County Council that the Agricultural Area in Middlesex County shall be preserved and strengthened with the goal of sustaining the agricultural industry and promoting local food production that is so vital to the Middlesex economy.

In the Agricultural Areas, farm parcels shall remain sufficiently large to ensure flexibility and the economic viability of the farm operation. The creation of parcels of land for agriculture of less than 40 hectares shall generally not be permitted.

Existing separate and distinct parcels of land of insufficient size to be a viable farm unit will be encouraged to consolidate with abutting farm units. Development of these lots is subject to local official plan policy and zoning by-law regulations.

Limited non-agricultural uses such as on-farm diversified uses may be permitted in the Prime Agricultural Areas subject to the criteria provided in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. On-farm diversified uses may be subject to site specific zoning regulations and are not removed from the Agricultural Area land use designation.

### **3.3.3 Permitted Uses**

Agricultural Areas shall generally permit the following use:

- a) agricultural uses;
- b) agriculture-related and on-farm diversified uses in accordance with Section 3.3.5;
- c) up to two farm residences provided the second farm residence is a temporary residential unit;
- d) forestry uses;
- e) mineral aggregate and petroleum extraction;
- f) conservation;
- g) public and private open space and recreation facilities (subject to PPS 2020 policies for site-specific non-agricultural uses as provided in Section 2.3.6.1 (b));
- h) home occupation;
- i) occasional agricultural demonstration events such as a plowing match;

- j) retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is located; and
- k) bed and breakfast establishments.

### ~~3.3.4 Hamlets in Agricultural Areas~~

~~Where an approved local official plan permits development in designated hamlets, such development may proceed. No further land shall be designated for development except by way of a comprehensive review and in compliance with the Minimum Distance Separation Formula.~~

~~In approving the local official plan amendment, the County shall consider the need for such expansion in the context of the projected population growth for the local municipality and the County as a whole and other matters deemed important by the County.~~

~~Infilling, rounding out in depth or minor extensions of existing development may be permitted provided that there is no further outward expansion of the limits of existing development, subject to the following:~~

- ~~a) the new development is serviced in accordance with Section 2.4.5 and accepted servicing standards; and~~
- ~~b) the development complies with the Minimum Distance Separation Formula.~~

**Commented [KE12]:** This policy has been moved and been grouped with the other settlement types.

**Subject:** Thank you and observations and opinions.  
**Date:** Thursday, February 17, 2022 at 4:44:27 PM Eastern Standard Time  
**From:** Mayor Allan Mayhew  
**To:** [REDACTED], Durk Vanderwerff  
**CC:** Jill Bellchamber-glazier, Mayor Allan Mayhew  
**Attachments:** image001.jpg, image002.jpg

Thank you Erin and Durk for the conversation at the planning meeting today in reference to the Middlesex County Official Plan review. I realize the time line on this project and the need for any input must be expeditious. I have made a brief few bullets on issues and topics that are flickering in my thoughts. Following the observation of the headings in the slide presentation - I bring you these thoughts – for the benefit of time ... I will be brief. The early slides indicated topics that you wished conversation on. The following are some random thoughts. It is not a rant – and I sincerely apologize if it reflects this. My intention is to be brief and point specific.

- There is an increasing awareness of the public on the influence and governance the County has on planning policy. Be prepared for the public to be attracted to this subject. This awareness will foster engagement.
- The discussion around minimum farm size is a hot button topic. I believe balance is the approach we should take. I would like to see considered a minimum farm size allowance of 30 hectares (75 acres). This will allow the sons, daughters, nieces and nephews, of farm families to acquire land. In addition it will enhance farm gate sale footprints, and vertical farming. I seriously believe that it will not inhibit food production. No- one wants to cut 75 acres of grass. Lambton and Kent are some of Ontario's prime agricultural areas and have accepted smaller farm sizes. 30 hectares represents a balance of thought and the optics that our planning is moving forward and not remaining stagnant.
- Tourism was a topic that you requested input in. My comments on this would include the importance of the Thames River. This has been designated an historical waterway. Source Water Protection and water quality is not in our mandate to control - as you have expressed to the committee. Issues that I see .... The quality of the water in the Lower Thames River is atrocious. London dumps human waste into the Thames during extreme rainfalls and it migrates through the watershed. Agricultural tillage is too close to the river bank – devaluing this resource. From a tourism perspective The Thames River is undersold and under accessed. It is difficult to get a kayak or canoe into this treasure. The Simpson Bridge, the former Taits Bridge area has no recreational access. Conservation Authorities are not interested in remediating this problem. Planning policy must protect the Thames and enable the publics enjoyment of this resource.
- Transportation Slide – Glencoe is the only passenger pickup station fort VIA Rail between London and Chatham. This is an important feature for Southwest

Middlesex and compliments the fact that Glencoe is home to one of the best restored stations in North America as per the Railway Hall of Fame in St. Thomas. Rail played a significant role in the development of Middlesex County and could serve as an attraction in the development of tourism. In regard to accessing transportation in Middlesex county ... Four Counties Transportation Services are one of the most effective systems now servicing our County. The cost per rider in terms of expense is sustainable – while others may not be. I do not believe there has been any outreach to this transportation organization.

- Economy ... A positive environment for business districts within Middlesex is vital. Many downtown cores are on County roads and are part of the County's transportation network. The responsibility of the County must go beyond the road surfaces from point A to point B. Guidance and higher level input into parking, accessibility, signage, etc. must be considered an interest of the County in partnership with the municipalities. Efficiencies of contact and conclusion could be improved.

Many municipalities have “Economic Development Committees” – these are a great resource for public input in planning requirements - as many of their members are from the business community. Our CAO's can set you up for contact and engagement. Please consider a dialogue with them or an introduction to your suggestions.

- Bio Solids must be controlled by Site Plan Management, Containment, Fire Risk, Water Table Protection, and definitions of pellets compared to liquids, and storage compare to applications. Please note ... this will become a hot button topic. Human excrement in the production of food is a subject that is both hated and accepted.... BEWARE.
- Planning must develop “Walkable Communities” where home owners can walk to get the mail, (there is not home delivery in most communities), get a loaf of bread, or visit the library. Subdivisions have become island unto themselves with shelter but no amenities to reach out to on foot. Walkable communities are vital – especially in “Geared to Income Housing and Affordable Housing” – many in this market demographic only have one vehicle.
- First Nations – I was surprised to see this heading in your slides but pleased to observe it. Remember that many First nations People live in Middlesex Communities. Signage and a visual appreciation of their culture would promote better relationships. Perhaps the County should consider Land Acknowledgement statements in planning forums and public meeting venues. Consult legal on this.
- Use our CAO's in discussions. Erin eluded to this in her opening remarks. They are both gifted and knowledgeable about the planning issues that have come forth from a historical perspective in Middlesex. Please contact my C.A.O. - Jill Bellchamber -Glazier if you need additional information on planning concerns.
- Erin ... Your presentation was brief but wholesome. As a committee member I

want this right not fast. I hope that in the process we can find time for public input and committee scrutiny.

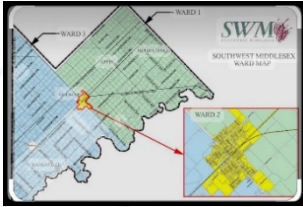
- So far – so good ... I believe that we are on the right track.

Thanks Durk ;

Always a pleasure;

Al Mayhew

Mayor of Southwest Middlesex.



*Allan (AL) Mayhew*

**Mayor of Southwest Middlesex**

\*The communities of Appin, Ekfrid Twsp., Melbourne, Middlemiss, Glencoe, Mosa Twsp., Wardsville, and the hamlets of Prattsiding , and Woodgreen.



**Subject:** FW: Comments re Thames Centre and Middlesex County Official Plan Review  
**Date:** Monday, April 4, 2022 at 10:07:52 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** O.P. Reviews Nov 4\_21.docx

Public comments with attachment

**DURK VANDERWERFF**, MPA, MCIP, RPP | **COUNTY OF MIDDLESEX** | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262

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**From:** Sharron McMillan [REDACTED]  
**Date:** Monday, November 8, 2021 at 10:34 AM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>, Marc Bancroft <mbancroft@thamescentre.on.ca>  
**Cc:** Bill Rayburn <cao@mdlsx.ca>, Warden Burghardt-Jesson <cburghardtjesson@middlesex.ca>, Councillor Kurtis Smith <klsmith@middlesex.ca>, Aina DeViet <adviet@middlesex.ca>, Councillor John Brennan <jbrennan@middlesex.ca>, Councillor Brian Ropp <bropp@middlesex.ca>, Councillor Adrian Cornelissen <acornelissen@middlesex.ca>, Councillor Allan Mayhew <amayhew@middlesex.ca>, Councillor Joanne Vanderheyden <jvanderheyden@middlesex.ca>, Councillor Brad Richards <brichards@middlesex.ca>, Mike Henry <MHenry@thamescentre.on.ca>, Alison Warwick <AWarwick@thamescentre.on.ca>, Kelly Elliott <kelliott@thamescentre.on.ca>, Tom Heeman <theeman@thamescentre.on.ca>, Chris Patterson <cpatterson@thamescentre.on.ca>, Paul Hunter <phunter@thamescentre.on.ca>  
**Subject:** Comments re Thames Centre and Middlesex County Official Plan Review

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Good Morning Mr. Vanderwerff and Mr. Bancroft:

On behalf of a growing number of citizens here in Dorchester, and with the assistance of our Planning and Development Consultant, we are hereby submitting our initial comments to be considered during the current Official Plan Reviews for both Thames Centre and the County of Middlesex.

Our comments are included in the following attachment.

Thank you for your attention to this matter.

Regards,

Gary and Sharron McMillan  
[REDACTED]

**DATE: November 8, 2021**

**TO: Durk Vanderwerff, Director of Planning, Middlesex County  
Marc Bancroft, Director of Planning and Development Services, Thames  
Centre**

**FROM: Concerned Residents of Thames Centre**

**RE: MIDDLESEX COUNTY & THAMES CENTRE OFFICIAL PLAN REVIEWS**

As residents of Thames Centre we wish to see our community guided by planning policies and regulations that: maintain a “small town” people oriented environment; provide affordable living for a range of income levels, age groups and lifestyles; provide and promote an economic base to support the local services; ensure all new developments enhance the level of service and infrastructure provided by the Municipality, County, school boards, utility providers and other public agencies; and maintains and enhances the local eco-systems.

With the recent launch of both the County’s and Thames Centre’s Official Plan (O.P.) reviews, we want to provide the following initial comments on the review process and policy areas to be reviewed. We have provided relevant Provincial Policy Statement directives for context and outlined the implementing actions required to ensure the O.P.s are effective in guiding and regulating future growth.

- 1. Municipal Official Plans:** The PPS states (Part I), “Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and **set out appropriate land use designations and policies.**”

**Requirement:** As Middlesex County (MC) and Thames Centre (TC) experience **increased development pressures** as a result of the growth and increasing costs of living in London and other larger urban areas, it is necessary to have **more detailed comprehensive** planning policies and regulations to effectively control and shape development that is not just a spillover from larger urban areas but is **appropriate for within our community.**

- 2. Minimum Standards:** The PPS states (Part III), “The policies of the Provincial Policy Statement represent **minimum standards.** Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.” In the same way, the MC O.P. sets the framework and standards for the entire County, while the TC O.P. provides further detailed policies, requirements, and methods to implement land use strategies and policies.

**Requirement:** The O.P. reviews provide an opportunity to now look at what policies and regulations need to be examined in greater detail, leading to the **inclusion of additional criteria and controls beyond the minimum standards previously prescribed.** (Examples of some policy areas that should provide greater detail are outlined below.)

- 3. Housing Options:** The PPS states (Part IV), “Planning authorities are **encouraged** to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.” As discussed further below, as our population increases, along with greater diversity of ages and incomes, a range of housing options will be required.

**Requirement:** The challenge is to include O.P. policies to ensure that it is **appropriate for our community’s fabric and lifestyle.**

- 4. Healthy, Liveable and Safe:** The PPS states (Part V 1.1.1), “Healthy, liveable and safe communities are sustained by..... ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs.” ; (Part 1.1.3.7 b), “Planning authorities should establish and implement phasing policies to ensure..... the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.”; and (Part V 1.1.4.3), “When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to **rural characteristics, the scale of development** and the provision of appropriate service levels.”

This is required not only to facilitate new development but also to protect and provide necessary services for the existing community going forward.

**Requirement:** For new development this requires detailed **phasing policies** based on a comprehensive review of all infrastructure and services provided by **all public agencies** for the community, not just those required for the specific development. The present O.P.s allow for phasing of developments but do not specify the requirements or criteria for phasing, which should be detailed to allow for considerations such as capacity of local schools, recreational facilities, emergency services, etc. The phasing policies should therefore not only be for individual development proposals but also for the rate of development within the County and each local Municipality as a whole, thereby not allowing one or two large multi-year developments to get approved and control the servicing capacities or the housing market.

5. **Land Use Patterns:** The PPS states (Part V 1.1.3.2), “Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which.... minimize negative impacts to air quality and climate change, and promote energy efficiency.”; and (Part V 1.8.1.f), “Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which ..... promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*”.

**Requirement:** The O.P.s need to **include policies and design guidelines** for public facilities and new developments to reduce energy consumption, promote connectivity and walkability, and maximises opportunities for passive energy conservation.

6. **Housing Affordability:** The PPS states (Part V 6) “**Affordable:** means

- a) in the case of ownership housing, the least expensive of:

housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or

housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;

- b) in the case of rental housing, the least expensive of:

a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or

a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.”

The present O. P.s speak to the need for affordable housing but do not define “affordable”, nor specify how MC or TC can ensure it occurs. It only provides a range of ways that the requirements placed on new developments can be modified to increase densities and assist in reducing the cost of land and servicing, but this only allows the developer/builder to reduce their costs, without having to reduce the customer’s cost to buy or rent.

**Requirement:** More detailed policies and means for implementation and control are needed to ensure a range of housing affordability.

7. **Public Notification:** The Planning Act specifies the **minimum** requirements for Public Notice and Meetings for all planning documents. The present O. P.s adopt these bare **minimums** without regard to the impact of specific proposals to a larger area.

**Requirement:** Include enhanced criteria and methods to be used for varying types of planning applications in order that residents, business owners and landowners can be made aware of proposals that may impact them beyond the minimum 120 metres.

8. **Thames Centre O.P. Review:**

- a. The present Review program only provides for **only one** public meeting and open house **after all** the research and the draft updating Official Plan Amendment is **already prepared**.

**Requirement:** To properly inform the residents, business owners and landowners and provide them an opportunity to respond beyond a formal Council presentation meeting, a public meeting should be held once the **Background Research is completed** and documents are available for review for at least **2 weeks**, and again once the draft **Official Plan Amendment** is available for review for at least **2 weeks**. This also allows municipal staff to consider all the comments received prior to advancing to the next stage and allows the residents, business owners and landowners to provide Council with more informed comments at the planned Council presentations.

- b. During Mr. Bancroft's presentation to Council on October 4<sup>th</sup>, he specifically noted that one of the "Key Areas To Review" was "High density (i.e. apartments 4 storeys or more) no current policy direction to allow this form of density".

**Requirement:** Higher density issues, even for 3 storey heights, such as setbacks, sun shadowing, wind deflection, landscape buffering, etc. **need serious consideration**. These are very important policy requirements and standards that will **shape the future and livability** for the residents, the adjacent neighbours and the municipality, and we look forward to reviewing the research and proposed policy details.

**April 11, 2022**

Durk Vanderwerff  
Director of Planning and Development  
County of Middlesex  
399 Ridout Street North  
London ON N6A 2P1

**County of Middlesex Official Plan Review - MLHU Comments April 2022**

The Middlesex-London Health Unit (MLHU) is mandated by the *Health Protection and Promotion Act (HPPA)* to deliver public health programs and services specified within the Ontario Public Health Standards (OPHS) to prevent the spread of disease and to promote and protect the health of people in London and Middlesex County. One of the requirements included in this mandate is to support the creation of healthy public policy related to reducing exposures to health hazards and promoting the development of healthy built and natural environments.

The County of Middlesex Official Plan sets new goals and priorities that will shape the future growth, preservation and evolution of the County of Middlesex over the next 25 years. Many of the policies contained within the County of Middlesex Official Plan align with and enhance public health's mandate. The Official Plan will provide policy support for several programs and services that MLHU delivers to the London-Middlesex community including but not limited to environmental health, chronic disease and injury prevention, mental health promotion, and the promotion of child and family health. MLHU is pleased to have the opportunity to comment on this comprehensive and well-developed plan that takes into consideration the health and well-being of the County of Middlesex.

If you have any questions, please do not hesitate to contact us.

Sincerely,



Alexander Summers MD, MPH, CCFP, FRCPC  
Medical Officer of Health

**Explanation of comment format:** The comments that follow are organized according to sections of the Official Plan, referencing the Official Plan Amendment Consultation Draft (March 8, 2022) and include the Official Plan headings, sub-headings and numbers. Comments are not provided for all sections of the plan, rather sections and elements of notable public health interest. Recommended additions for consideration are presented in **bolded text** under relevant headings and sub-headings.

## **Section 2.0 Policy Framework**

Preserving and protecting the natural environment has many environmental benefits such as preserving biodiversity, better outdoor air quality, and reducing exposure to potential hazards.<sup>1</sup> As well, “being in and viewing nature has significant physical and mental [health] benefits including increased social well-being and reduced stress.” (BC Centre for Disease Control, 2018, p.32)

Natural environments can also help to reduce greenhouse gas (GHG) emissions and help to reduce the negative effects of climate change. Preserving and protecting natural environments is important as health risks from climate change are growing for residents in Middlesex-London and actions are needed to address potential impacts.<sup>2,3</sup>

MLHU supports the strengthened focus in the proposed amendments to the Official Plan that stresses an “ecological systems-based approach” and protection of natural features and ecological functions of the environment. There is a strong connection between the ecosystem and human health and wellbeing (Eco-health, Ecological Determinants of Health). The aim to balance economic development with the protection of natural environments has many co-benefits to the environment, communities and individuals and contributes to climate change mitigation and adaptation. This approach also focuses on sustainability and takes a broader long-term focus on the environment versus what may be of concern in the immediate proximity, or on adjacent lands.

## **2.2 Resource Management**

### **2.2.2.1 Agriculture: Introduction**

MLHU supports protecting agricultural land as it contributes to a stable food system and supports local food production and supply. Purchasing local food helps to reduce the carbon footprint while stabilizing food security. Agricultural practices that seek to reduce greenhouse gas (GHGs) (methane) and fertilizer run-off, should be considered within the context of climate change and health of the environment.

### **2.2.3.3 Aggregate Resources: New Pits and Quarries**

- f) the impact of **environmental hazards** on any existing or potential, **private and/or** municipal water supply resource areas;

## **2.3 Growth Management**

### **2.3.1 Growth Management: Introduction**

MLHU supports directing future growth to Settlement Areas as this facilitates the creation of complete, compact and connected communities, while preserving the natural environment, agricultural land and reducing potential exposure to natural hazards; all of which can increase sense of place or community, physical and mental well-being and contribute to climate change mitigation (i.e., the preserving of green space, and encouraging and facilitating active transportation).<sup>1,2</sup>

### 2.3.3 Forecasting Growth

Given the projected forecasts in population included in the “Population and Housing Projections Report”, noting the average age of the population is getting older, it will be important for municipalities to encourage and support infrastructure, development and design that supports all ages and abilities, and aging in place, in areas such as the transportation system, housing policies and Settlement Areas.

### 2.3.4 Economic Development

Health is influenced by many factors including individual genetics, lifestyles, and the places where we live, learn, play, work, and age and it is these factors that contribute to the health of individuals and communities. However, there are important social determinants of health which can be barriers to reaching optimal health such as: access to health services; culture, race, and ethnicity; disability; income and income distribution; employment, job security, and working conditions; education; food insecurity; housing; physical environments; and social support networks.<sup>4,5</sup> Many of these barriers also increase vulnerability to climate change for individuals and communities.<sup>2</sup>

Policies and initiatives that aim to address these barriers without causing further inequities are important and can contribute to improving the overall health of individuals and communities.

Recommended enhancements to policies include the following:

- d) encourage local municipalities to promote a high standard of urban design by prioritizing principles such as pedestrianization, **compact form**, mixed-use, **high quality** functional public spaces **that include natural and built features**, accessibility and universal design, to create healthy vibrant communities which attract investment.
- f) support the retention **and creation** of **accessible** educational, health, recreational, cultural and religious facilities to ensure that the County’s communities are provided with those opportunities that facilitate growth and well-being. Such facilities provide a vital role in small communities and add economic vitality and a sense of place and community where quality of life is considered a major attraction for growth and development.
- m) encourage, where possible, **equitable and integrated** multi-modal access to employment lands including walking and cycling trails **and public transit**.
- r) promote the development of agri-tourism and work with local municipalities, **municipal food policy councils**, and agricultural representatives to explore options for the development of local agri-tourism, including identifying strengths, unique local attributes, opportunities, and potential links with value-added agriculture, local foods, potential new product markets, local heritage, recreation opportunities, and natural heritage and identifying the facilities, infrastructure, and resources necessary to support an agri-tourism industry. The development of agri-tourism must not interfere with agricultural operations.
- t) require that local municipalities support strong urban design and revitalization **that considers affordable housing, access to healthy food, green space, and transportation** where needed in downtown cores as a means of enhancing the quality of place.



MLHU supports the encouragement of a vibrant, dynamic arts and culture community that contributes to the growth, prosperity and vibrancy of the County as it is important for the social well-being of the community and can lead to a sense of place and community belonging. In addition, MLHU supports the creation of a strong and sustainable local agricultural sector that can increase access to local foods produced through sustainable agricultural practices.

### 2.3.5 General Policies

MLHU supports the policy statement “Local official plan will promote the creation of resilient communities. As such, development applications should be reviewed with respect to anticipated impacts that may result from a changing climate.”

### 2.3.6 Settlement Capacity Study

Recommended enhancements to policies include the following:

- d) an identification of any existing restrictions to future development, **including any potential hazards.**
- g) an assessment of traffic and transportation services and needs, **including existing infrastructures and their condition.**
- **An assessment of the local food system, including access to healthy, affordable food.**

### 2.3.7 Housing Policies

As already indicated above under 2.3.4 Economic Development, housing is an important social determinant of health that can affect the ability to reach optimal health.<sup>4,5</sup> The quality of housing can positively or negatively impact the physical, mental and social well-being of individuals; therefore, it is important to ensure that everyone has access to safe, good quality housing.<sup>1</sup> Offering a variety of mixed housing types and forms is also important as it is inclusive and provides quality housing for a range of different incomes, life stages and supports aging in place. Mixed housing types can also reduce social isolation and increase sense of safety, social connectedness, mental health and health equity.<sup>6</sup>

MLHU supports policies that aim to address access to safe, diverse, accessible housing and commends the County’s commitment to undertake an “Attainable Housing Review.

Recommended enhancements to policies include the following:

- vii) Policies that encourage **and prioritize** a pedestrian and mixed-use focus, **connectivity and access to green space** in new development

From a climate change perspective, MLHU supports the policy statement: “Policies that promote the reduction of greenhouse gas emissions, improvements in air quality, promotion of compact form, use of green infrastructure and development that maximizes energy efficiency and conservation including the use of alternative and renewable energy sources.”

### 2.3.7.3 Housing Policies: Intensification and redevelopment

Recommended enhancements to policies include the following:

- County Council shall encourage residential intensification and redevelopment in areas designated for residential use which comply with the following criteria;
  - **Current land and/or surrounding land uses do not pose an adverse impact on human health**

### 2.3.8.1 Settlement Areas: Urban Areas

Recommended enhancements to policies include the following:

- New development should proceed in an integrated, **complete** and compact form.

## 2.4 Physical Service & Utilities

### 2.4.2 Transportation System

Recommended enhancements to policies include the following:

- The County encourages the development and maintenance of a sustainable, interconnected and energy efficient transportation system that supports a variety of **safe** transportation modes **for all users**.

#### 2.4.2.2 Transportation System: General policies

Recommended enhancements to policies include the following:

- d) Encourage **the development and maintenance of** an integrated transportation system that supports a variety of safe, sustainable and energy efficient modes of transportation;
- f) Encourage safe, convenient and visually appealing pedestrian and cycling infrastructure **for all ages and abilities**;
- h) Ensure that development proposals that are likely to generate a traffic impact are accompanied by an Engineering Report addressing the potential impact on the transportation system **and its' users** and surrounding land uses to the satisfaction of the County and the local municipality;

### 2.4.4 Waste Management

MLHU supports the inclusion of this section and the upstream approach towards waste management as identified in the Official Plan. Less waste to landfill through diversion and reduction efforts will result in fewer hazards and contribute to climate change mitigation efforts through reduction in greenhouse gases.

## 3.0 Detailed Land Use Policies

### 3.2.3 Detailed Land Use Policies: Local Official Plans

Recommended enhancements to policies include the following:

- j) Transportation **for all users (transit users, pedestrians, cyclist and motorists)**;
- **Access to healthy, affordable food, including food retail access and green spaces providing opportunities for local food production**;
- **Green infrastructure**.

### 3.2.4.1 Urban Areas: Permitted Uses and 3.2.5.1 Community Areas: Permitted Uses

Overall, the MLHU supports the permitted uses in both Urban and Community areas but recommended enhancements to policies include the following:

- **Urban agriculture (e.g., community gardens, farmers markets, roof top gardens, and edible landscaping)**

#### **Summary:**

The County of Middlesex Official Plan amendment is an opportunity to revisit and review the County's framework and policies of the current Official Plan. Land use policy can have a positive impact on the health and well-being of Middlesex County residents by influencing the environments in which people live, work, play and age. Both the physical and built environments are important factors in determining the health of a community.

The MLHU respectfully submits the comments and recommendations outlined in this document for consideration of inclusion in the County of Middlesex Official Plan.

#### **References:**

1. BC Centre for Disease Control. (2018). Healthy Built Environment Linkages Toolkit: making the links between design, planning and health, Version 2.0. Vancouver, B.C.: Provincial Health Services Authority, 2018. Retrieved from: [http://www.bccdc.ca/pop-public-health/Documents/HBE\\_linkages\\_toolkit\\_2018.pdf](http://www.bccdc.ca/pop-public-health/Documents/HBE_linkages_toolkit_2018.pdf)
2. Berry, P., Paterson, J. and Buse, C. (2014). *Assessment of Vulnerability to the Health Impacts of Climate Change in Middlesex-London*.
3. Middlesex-London Health Unit. (July 2019). Climate Change. [Internet] <https://www.healthunit.com/climate-change>
4. Middlesex-London Health Unit. (July 2019). Social Determinants of Health. [Internet] <https://www.healthunit.com/social-determinants-of-health>
5. Ministry of Health and Long-Term Care. (June 2021). Ontario Public Health Standards: Requirements for Programs, Services and Accountability. Toronto, ON: Queens Printer for Ontario 2021. Retrieved from: [https://www.health.gov.on.ca/en/pro/programs/publichealth/oph\\_standards/docs/protocols\\_guidelines/Ontario\\_Public\\_Health\\_Standards\\_2021.pdf](https://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Ontario_Public_Health_Standards_2021.pdf)
6. Middlesex-London Health Unit. (Feb 2019). Community Design. [Internet] <https://www.healthunit.com/community-design>
7. Middlesex-London Health Unit. (2013). Linking Health and the Built Environment in Rural Settings: Evidence and Recommendations for Planning Healthy Communities in Middlesex County. London, Ontario: Author.

**Subject:** FW: County of Middlesex Economic Development Strategic Plan Implementation - Meeting Notes  
**Date:** Monday, April 4, 2022 at 9:31:02 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca

Public comment in response to D. Vanderwerff question concerning 'brownfield' experience

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

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**From:** Phil Moddle [REDACTED]  
**Date:** Monday, March 7, 2022 at 11:08 AM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>  
**Subject:** Re: County of Middlesex Economic Development Strategic Plan Implementation - Meeting Notes

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hi Durk - First, I apologize for my tardy delay in responding. I was wrapped up on a couple of urgent projects.

Thank you for the opportunity to comment. My role for over 30 years was an environmental consultant working primarily for private industrial and commercial clients. In the early days of my career, much of the work was spent on large sites (e.g. decommissioned refineries), and latter days on small to medium sized properties proposed for redevelopment or subject to spills. I did not interact with the planning process and county/municipal governments - our clients usually had other consultants to manage that. With the onset of O. Reg. 153 on Brownfields that has changed gradually over the last decade.

I am not sure of all the roles that municipalities play regarding brownfields - I assume there is a balance between stimulating/facilitating development while protecting the public. I believe that the MECP and existing legislation are very helpful in governing the environmental issues surrounding redevelopment. There are three areas that I think the municipality can assist with brownfield development:

- Provision of water supply. If no public water supply is available, rural properties rely on groundwater wells and therefore have a lower threshold (standard) for contaminant levels. If there is an area where brownfields are an issue, ensuring municipal supply might stimulate development of brownfields, as groundwater contamination becomes of lower concern.
- Becoming familiar with the MECP brownfield process. Having staff that understand what a landowner or developer must do to manage a brownfield site might help to reveal where efficiencies in the

planning process can be realized, such as during re-zoning applications or mixed-use sites.

- Funding. As you mentioned, a CIP might be useful in securing provincial funds, and often downtown properties have brownfield issues.

I cannot answer the lower tier vs. County question, but I am guessing that it is more likely for a County to have staff that could be trained to be at least familiar with brownfield development issues.

From a very generalized perspective, simple sites comprise properties with shallow soil contamination and can be cleaned up during remediation. More complex sites involve deeper soil and/or groundwater contamination. If the contaminants are volatile in nature (e.g. gasoline), or are chlorinated solvents, these contaminants can often migrate off-site to other properties, and may provide a risk of vapour intrusion. If clean-up is not possible for a site, there is a mechanism in the provincial regulations to allow for registration of the contaminants on title through a Record of Site Condition, potentially with restrictions on property usage.

Redevelopment comments: Redevelopment of brownfields is more expensive than greenfield, however, with risk assessment and constantly improving technologies, clean-up of long-term sites is gradually becoming more viable. Clearly the marketability of the property is a key driver in assessing ROI on remediation. There is a wide range of expertise available in the consulting industry. Undoubtedly this has resulted in many clients being burned because their consultant did not complete a thorough site characterization, however, I think there are many sites not being cleaned up for the same reason. It is easy for sites to become labeled and shelved from consideration. Realistically though, I assume that most of the development pressure is for residential, and people expect their property to be safe from contamination.

Intensification comments: From a brownfields perspective, intensification should increase the ROI for brownfield development. If there is complex contamination that transcends property boundaries, it is possible that a multi-property approach to remediation (or risk assessment) would allow for the clean-up to occur. I am assuming this means more vertical building space, which will create more distance between people and potential subsurface contaminants. Both of these are potential advantages under an intensification approach. However, if contaminants are left in the ground, more closely spaced buildings will make it difficult for future clean-up, should that be deemed necessary. Also, should there be a future spill in the area, closely spaced buildings (and utilities) may act as conduits for contaminant migration and make clean-up difficult. As our society gradually moves to a low contaminant release approach, managing run-off from parking lots and buildings may require the addition of treatment prior to release to storm sewer or the environment. Run-off from an intensive development might be more contaminated than a less-intensive development.

I hope this was not too rambling, and is helpful in your planning. I would be happy to talk over the phone, or answer any follow-up questions you might have.

Regards - Phil Moddle

## County of Middlesex OP Alignment Exercise – December 2021

### Post Meeting Note Comments by Phil Moddle

In addition to the Post Meeting Notes provided in the email of Dec. 8, 2021, I have some additional thoughts for consideration. Thank you for the opportunity to contribute.

#### Agriculture/Agri-Business Opportunities

Could the County consider innovative ways for new farmers to access land for non-grain operations such as horticulture, organic agriculture or ag-support industries? There are many people in our County and the City of London who would consider agriculture as a small business, however the cost of purchasing or accessing land is a big hurdle. This is especially an issue for newcomers to Canada who have an entrepreneurial spirit, agriculture training but little capital. One suggestion might be to provide incentives for large farm owners to either sever or rent small plots of land (e.g. 5 to 10 acres) for such type of access. There might be additional incentives available.

With an increasing move to larger scale farms, I believe there is growing consolidation of farm ownership to a potentially elite group. This also includes farmers who are land speculators near urban areas. Increasing access to small or beginning farmers could help to temper this trend.

#### Supports for Employment Lands

May I suggest that incorporation of green spaces and ecological protection be included? I am not discussing protection of existing green space, which is covered by provincial policies. However, creation of new ecological spaces that are integrated with new or re-development is an innovative approach that would enhance human health and modify climate change.

#### Economic Diversity/Prosperity

There was some discussion around brownfields. This is a topic I have considerable knowledge on as an environmental remediation consultant. My main contribution here is that brownfields can be “regenerated” into residential or agricultural lands. Policies that allow for flexibility and integration of different land uses (e.g. urban farms) can benefit human health and climate change. Informing prospective buyers of incentives for brownfield redevelopment might be helpful as part of the information package to potential investors.

#### CIPs

May I suggest that future consideration be given to CIPs for hamlets as well as the larger towns? Experiential tourism includes the trip as well as the destination, and some of our hamlets need a facelift.

Also, signage marketing can be very impactful. Improving size and legibility of road signs and upcoming hamlet/town signs could assist in this.

#### Affordable/Accessible Housing

While I understand the desire for intensification in urban areas, may I suggest this not come at the cost of building over lands that provide ecosystem services? Addition of incentives to incorporate ecological space into redeveloped land will assist with human mental/physical health, as well as provide ecosystem services.

**Subject:** FW: Virtual Agricultural Sector Forum – Middlesex County Official Plan Update

**Date:** Monday, April 4, 2022 at 9:11:40 AM Eastern Daylight Time

**From:** dvanderwerff@middlesex.ca

Public comment

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

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**From:** Phil Moddle [REDACTED]

**Date:** Thursday, March 31, 2022 at 9:13 AM

**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>

**Subject:** RE: Virtual Agricultural Sector Forum – Middlesex County Official Plan Update

**CAUTION:** This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello Durk – Thank you for the opportunity to comment on minimum farm size! I looked at the Draft Official Plan under Section 3.3 titled Agricultural Areas.

My overall comment is that I love small farms! I believe small farms are real farms, and can add significant character and vitality to our rural areas. Therefore, I am not sure if I agree with the minimum farm size of 40 hectares. If this was the case 43 years ago, our farm would never have started as a blueberry operation. For over 40 years, people have been traveling from around southwestern Ontario to pick blueberries here, putting money into the local economy, enjoying healthy fruit and the scenery of Southwest Middlesex.

I think small farms should be encouraged! Small farms drive innovation, creativity and support stronger local food security through the provision of on-farm sales, support farmer's markets and have wholesale opportunities. Generally small farms are operated by younger people who have strong social and environmental values, and often are organic and regenerative in nature. If we want to see thriving farm markets and local food security, small farms are necessary.

I understand the desire to preserve agricultural land, as once it has been developed for high density residential/commercial, it may not be reversed for generations. However, by specifying a 40 hectare size, this would eliminate the possibility of small farmers and growers. Many small farms growing and selling vegetables, animals and/or flowers can operate viably on only a few acres, and often support one or more salaries from these enterprises. I believe this meets the criteria of a viable farm

operation. Supporting small farms also promotes local food security, builds local rural communities, and encourages land stewardship as small farmers live on-site and likely have a greater desire to promote ecological benefits through the growing of a diversity of crops and animals. They are more likely to promote strong soil quality by keeping land covered and growing a diversity of crops, and more likely to integrate their operation with local ecological features. I also believe that there is a deficit in local food that supports the growing ethnic population in London, and small farms owned by new Canadians might flourish given the right conditions.

I believe small farms can also benefit local businesses in the hamlets, such as agriculture supply operations, and provide seasonal employment to people living in the same rural area or hamlet as the farm. Small farmers have to be more innovative and creative to survive, and this struggle will help to transform the local food industry. It will take time, and Middlesex County has already shown leadership in this area through the Food Policy Council and related initiatives. I think Middlesex County is poised to become a leader in Canada in agriculture that has long term economic and ecologic/environmental benefits, which will help to build a more resilient food supply and build rural communities by connecting the consumer to the farm, the farmer, and the land. Small farms do not have large agricultural organizations behind them, and one of the key things governments can do is reduce barriers to land access.

I realize that large farms are favoured for the production of grain, principally corn and soya beans. Some of the harvest does go to feed people, or to feed animals that people will eat, however, much also goes to create biofuel and other manufactured products that are not food related. That is not bad, but if the goal is to promote local food production, as stated in Section 3.2.2, a diversity of farm operations should be encouraged.

Large farms are heavily reliant on chemical control of weeds, pests and disease, as they have huge fields of mono-crop which makes them more susceptible to these problems. A similar problem is experienced with industrial meat operations, such as chicken and hogs. Large farms therefore have significant challenges with stewardship of soil and run-off water quality, as well as biodiversity, which has resulted in loss of topsoil and heavy nutrient loads in the rivers and lakes. Large farms tend to have significant acreages with exposed soil throughout our heavy run-off seasons of winter and spring. I know that large farm organizations are working hard to promote improved stewardship, which is positive.

If the full cost of environmental degradation from large farms were measured, we might find our current methods are not as viable as the economics show. Another outcome of large farms is the loss of employment due to mechanization and technology. These are generally announced as progressive trends as they reduce labour, however, this obviously has the consequence of fewer employment opportunities for the local community, and increased disconnection from the consumer and the farm.



Overcoming stigmas about working outside and with our hands is something I believe the next generation will work at, and we should be careful not to stand in their way.

We need healthy, viable and environmentally sustainable farms of all shapes and sizes! Middlesex County will be worse off in many ways if this plan discourages small farms instead of encouraging them.

Thank you for the opportunity to comment!

Phil Moddle, Co-Owner

**Arrowwood Farm**



[www.arrowwoodfarmontario.com](http://www.arrowwoodfarmontario.com)

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**Subject:** FW: County of Middlesex Official Plan Review  
**Date:** Monday, April 4, 2022 at 9:46:34 AM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** County of Middlesex OPA Working Copy September 29 2021 for www posting\_2.pdf

Local Municipal staff comment with attachment

**DURK VANDERWERFF**, MPA, MCIP, RPP | **COUNTY OF MIDDLESEX** | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262

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**From:** Jennifer Huff <jhuff@strathroy-caradoc.ca>  
**Date:** Sunday, November 28, 2021 at 9:52 AM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>  
**Subject:** RE: County of Middlesex Official Plan Review

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Hey Durk, I went through the County OP and offered some comments on it. Obviously, as you finalize the housing, farm severance and other reports, I would like to see the policies that will come out of that. Other than some relatively minor comments for clarification or flushing out, only 2 policies stood out that I would ask for some further discussion:

Page 2-10 –where in you note that a) Natural Heritage features not currently included in the Natural Heritage System are considered candidates for significance until a DAR is completed to assess their significance based on criteria provided in the MNHSS Study (2014).

How are the ‘natural heritage features’ to be identified, what natural features are you referencing? You note in the above paragraph that some features are not included in the Natural Heritage System .. why would they not have been identified in the first place? Does this mean a few trees on a lot will trigger a DAR? I am not clear on what circumstances this would apply to.

Page 3-2 – “Where there is or has been significant conversion of recreational and three season housing to permanent, year-round housing, these areas shall be identified and considered as settlement areas for the purpose of the above policies” – I

f the County is going to allow this, I would think that there could be benefit to locals to have County policies to guide when such conversions are appropriate in the first place.

Hope this helps, let me know if you need clarification on any of the above or comments I made elsewhere.

Jenn

**Subject:** County of Middlesex Official Plan Review

**Date:** Monday, April 4, 2022 at 8:27:16 AM Eastern Daylight Time

**From:** dvanderwerff@middlesex.ca

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Agency comment

**From:** Andrew Henry <ahenry@huronelginwater.ca>

**Date:** Monday, March 7, 2022 at 2:50 PM

**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>

**Subject:** RE: County of Middlesex Official Plan Review

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Good afternoon Durk,

We've reviewed the information and we don't have any substantive comments to offer.

We noted that the population projections appear to be higher, projecting a more-aggressive growth rate, than the numbers that we had previously used for our 2020 Master Plan. Notwithstanding, the Middlesex County OP document appears to be reasonable.

-----  
**Andrew J. Henry, P.Eng.** (he/him)  
Director, Regional Water Supply

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**Subject:** FW: Draft County OP CIP Policies / AM CIP  
**Date:** Thursday, May 26, 2022 at 12:57:13 PM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca  
**Attachments:** image001.png

Municipal (consultant) comments on proposed CIP wording

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

Begin forwarded message:

**From:** Jesse McPhail <[mcphail@republicurbanism.com](mailto:mcphail@republicurbanism.com)>  
**Subject: Re: Draft County OP CIP Policies / AM CIP**  
**Date:** May 25, 2022 at 4:32:08 PM EDT  
**To:** Morgan Calvert <[mcalvert@adelaidemetcalfe.on.ca](mailto:mcalvert@adelaidemetcalfe.on.ca)>

**CAUTION:** This email originated from outside of the Adelaide Metcalfe email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hi Morgan – here’s my stab at some revised wording.

- Existing text
- Recommended deletion
- **Recommended addition**

#### **Policy 4.8 Community Improvement**

Community improvement may generally be described as including activities, both private and public, which work towards maintaining, conserving, rehabilitating, and redeveloping the existing physical environment to accommodate the economic, cultural, and social priorities of the community. Section 28 of the Planning Act allows **local municipalities and** upper-tier municipalities to pass by-laws designating the whole **or any part of the** municipality ~~or subject areas~~ as a community improvement **project areas. Prior to the designation of a community improvement project area, a background study shall be carried out demonstrating a need for community improvement in the area(s) to be designated.**

Where appropriate, **the designation of community improvement project areas and preparation of** Community Improvement Plans will be encouraged within local municipalities:

- when there is a specific area that is in need of improvement, remediation, rehabilitation or redevelopment,
- to facilitate and encourage community change in a coordinated manner,
- to address a lack of supply of sufficient affordable housing, and
- to stimulate private sector investment resulting in non-residential growth.

If there is a desire to offer incentive programs **geared toward community improvement,** ~~aimed at redeveloping and/or marketing a commercial area, a prerequisite shall be the~~ **incentive programs must be defined and administered through an adopted** ~~development of~~ Community Improvement Plan. ~~within the local municipality. The Community Improvement Area must have a viable or potential commercial function and the boundary must not be so broad as to dilute the Community-~~

~~Improvement Plan's effectiveness.~~

County Council may make grants or loans to the council of a local municipality, for the purposes of carrying out a community improvement plan that has come into effect on such terms as County Council considers appropriate.

Please let me know if you or the County wanted to discuss further or had any revisions. Happy to make time to chat if need be.

Cheers,

**Jesse McPhail**  
Urban Planner

# RE:PUBLIC

**T:** 613.362.6553

**E:** [mcphail@republicurbanism.com](mailto:mcphail@republicurbanism.com)

**W:** [republicurbanism.com](http://republicurbanism.com)

**Subject:** Ducks Unlimited & Municipal policy, planning, and projects  
**Date:** Thursday, May 26, 2022 at 8:09:33 PM Eastern Daylight Time  
**From:** dvanderwerff@middlesex.ca

Stakeholder comments following meeting

**DURK VANDERWERFF, MPA, MCIP, RPP | COUNTY OF MIDDLESEX | DIRECTOR OF PLANNING & DEVELOPMENT | 519-434-7321 x2262**

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**From:** Sean Rootham <s\_rootham@ducks.ca>  
**Date:** Tuesday, May 10, 2022 at 3:33 PM  
**To:** Durk Vanderwerff <dvanderwerff@middlesex.ca>  
**Cc:** Jessica Whyte <j\_whyte@ducks.ca>  
**Subject:** Re: Ducks Unlimited & Municipal policy, planning, and projects

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Hi Durk, thanks for the follow up.

Here is a summary of my comments on the County of Middlesex OP amendment draft.

Overall I think the document is much improved in terms of text additions and the reorganization of certain sections.

In particular moving section 3.4 Natural Environment Areas into section 2.2 Resource Management, and in wording edits, for example the over use of "Natural System" to describe elements of the Natural Environment as well as a Natural Heritage System. There is a clear distinction between the two that your edits address successfully.

In Schedule D separating Natural Heritage Features into Natural Hazard Areas and Natural Heritage System Areas.

Examples of other additions that I liked included your description of ecosystem based approach to NHS planning. I noted that "maintaining" NH features could be interpreted to include restoration activities, but I would point out restoration additional to maintaining, especially with the amount of wetland loss in southern Ontario. DUC strongly advocates for a net gain in wetlands (and their associated habitats) and that can only be accomplished from "protecting, restoring and maintaining natural heritage features and areas in the environment..."

from 2.0 Policy Framework, 2.1 Introduction

Paragraph 3:

"An ecological systems-based approach means a comprehensive approach to Natural Heritage System planning that considers the importance of maintaining and protecting natural heritage features and areas in the environment (such as woodlands, wetlands and watercourses) ecological functions of the environment (such as water storage and water quality enhancement by wetlands, winter deer yards provided by cedar woodlands, amphibian breeding habitat in ephemeral forest ponds, etc.) and ecological interactions that occur over varying scales of time and space (such as animal predation and herbivory, the daily, seasonal and long term movement patterns of plants and animals, and the role of ecological disturbance mechanisms such as fire, wind, water and disease)."

I liked the added language around rehabilitation (for petroleum resource areas) and would like to see "progressive rehabilitation" used for other industry rehabilitation activities (in particular aggregate) and it could be used in the glossary of terms for REHABILITATE.

Section 2.2.4.4 Rehabilitation Requirements

"...Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation shall be undertaken wherever feasible. ..."

I noted that reference to MNRF should now be MNDMNRF (Northern Development, Mines, Natural Resources and Forestry)

The OP did not address Asset Management Planning as part of the municipalities responsibility. We are particularly interested in how "Green Infrastructure" will be included in Asset Management Plans (engineered green infrastructure and natural infrastructure?) as regulated by O. Reg. 588/17 Asset Management Planning for Municipal Infrastructure which was approved under the Infrastructure for Jobs and Prosperity Act, 2015, c. 15.

Contrary to my presentation, I see now that you made amendments to the Glossary of Terms for NATURAL HERITAGE FEATURES AND AREAS that included a reference to ".. significant vegetation groups and significant vegetation patches as defined in the Middlesex Natural Heritage Systems Study 2014,.."

Also your expanded definition of NATURAL HERITAGE SYSTEM is much improved especially clarifying that an NHS is not only made up of the features but also ".. ecological linkages intended to provide connectivity .."

Thanks again for the opportunity to meet with you and some of your team and for reaching out to your Lower Tier colleagues as well. I will be following up with you all with additional resources that we discussed and some next steps to advance our wetland suitability model and identifying some on the

ground opportunities.

Kind regards,  
Sean

**Sean Rootham**  
Conservation Programs Specialist – Provincial Policy  
Ducks Unlimited Canada – Ontario

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May 20, 2022

Middlesex County  
399 Ridout Street North  
London, ON N6A 2P1

Attention: Warden Alison Warwick and Members of Council

**RE: Middlesex County: Municipal Comprehensive Review - Official Plan (Middlesex Centre, Strathroy-Caradoc, Thames Centre)**

Dear Warden Warwick and Members of Council,

Please consider this letter as a summary of comments regarding Middlesex County's update to the Official Plan impacting Middlesex Centre, Strathroy-Caradoc and Thames Centre, as specific areas of interest, to be reviewed in conjunction with the letter prepared by Altus Group and dated May 19, 2022.

In our review of Middlesex County's Official Plan Amendment No.3 (COPA 3), we would like to provide support in regards to maintaining policy 2.3.7 a) requiring that 15% of all development occur by way of intensification and/or development and policy 2.3.7 e) that 20% of all housing be affordable, consistent with the Provincial Policy Statement 2020 (PPS 2020). Further, we are in support of the addition through COPA 3 of policy 2.3.7.4 to provide for additional residential units, where appropriate, to assist with providing greater opportunities for rental housing and affordability, in conformance with Bill 108, More Homes, More Choice Act, 2019.

With regards to COPA 3 Section 2.3.3, Forecasted Growth, it is to be noted that three growth scenarios have been proposed: Low, Reference and High, with population and housing growth projections to the Year 2046. It is our opinion that the range of 0.9-1.5% for projected population growth and 1.3-1.9% for projected housing growth (representing 425 to 685 new housing units) is inaccurate as they do not factor in 2021 Census Statistics, per Appendix B of the Population & Housing Report prepared by Watson & Associates Economists Ltd., dated December 11, 2020. The inaccuracy of this data prohibits the ability to ensure adequate lands are available for future growth and secure sufficient land supply within lower tier municipalities to accommodate residential growth over a 15-year period and further, a planning horizon of 25 years, in accordance with the PPS 2020.





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In review of the 2021 Census Data pertaining to population and household growth through Statistics Canada, the Municipality of Strathroy-Caradoc experienced 14.4% increase in population growth and 14.7% increase in household growth between 2016-2021, respectively. The Municipality of Middlesex Centre experienced a 9.7% increase in population growth and 11.5% increase in household growth between 2016-2021, respectively. Lastly, the Municipality of Thames Centre experienced a 6.0% increase in population growth and 3.0% increase in household growth between 2016-2021, respectively. Please refer to Tables 1 and 2 for more information.

<b>Table 1 - Population Growth 2016-2021</b>			
<b>Community</b>	<b>2016 Population</b>	<b>2021 Population</b>	<b>% Growth 2016-2021</b>
Strathroy-Caradoc	20,867	23,871	14.4%
Middlesex Centre	17,262	18,928	9.7%
Thames Centre	13,191	13,980	6.0%

Source: Census Profile, 2021 Census of Population, Statistics Canada

<b>Table 2 – Household Growth 2016-2021</b>			
<b>Community</b>	<b>2016 # of Dwellings</b>	<b>2021 # of Dwellings</b>	<b>% Growth 2016-2021</b>
Strathroy-Caradoc	8,455	9,695	14.7%
Middlesex Centre	6,139	6,845	11.5%
Thames Centre	5,162	5,316	3.0%

Source: Census Profile, Population and dwelling counts: Canada, provinces and territories, census divisions and census subdivisions (municipalities), Statistics Canada

In review of the Population & Housing Projections Report prepared by Watson & Associates Economists Ltd., and using the “Reference Scenario” as the respective middle ground between the Low and High Scenarios, the population forecast for Strathroy-Caradoc and Middlesex Centre in 2021, is below the figure provided in the 2021 Census. As for Thames Centre, the population forecast is in line with the 2021 Census. Similarly, the household growth forecast for Strathroy-Caradoc, Middlesex Centre and Thames Centre in 2021, is below the figures provided in the 2021 Census.

Sifton Properties Limited is concerned that Middlesex County is significantly underestimating population and household growth for the 25-year planning horizon which has a direct impact on land supply needs at the lower tier municipalities to accommodate growth per the projected targets. It is in our opinion that growth should be focused on these three areas (Strathroy-Caradoc, Middlesex Centre



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 519.434.1000 Fax 519.434.1009





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and Thames Centre – specifically Thorndale) to accommodate demand over the 25-year planning horizon.

In summary, we request Council resolution on the following:

1. **Inaccurate conclusions based on 5-year-old data – We believe that the population and household growth projections should be updated to reflect 2021 Census Data from Statistics Canada in order to appropriately plan for future growth and ensure consistency with policies of the PPS 2020.**
2. **That each municipality be required engage in a complete comprehensive review at the time of a 5-year Official Plan Amendment, inclusive of a Land Needs Analysis, completed by a qualified professional, using current data, that considers the current vacant land inventory and real time growth, as well as projected needs in the short and long term based on accurate population & housing growth projections.**
3. **Re-consideration of Policy 2.2.2.1 of COPA 3 – We believe that designating all land outside of Settlement Areas to a Prime Agricultural Area discourages settlement boundary expansion to accommodate growth. Future settlement boundary expansions within these areas would directly contradict the PPS. Lands designated as prime agricultural areas are subject to a strict set of policies per the PPS 2020, Upper and Lower Tier Official Plans.**

Your consideration to this request is appreciated.

Yours Truly,

**Sifton Properties Limited**

DocuSigned by:  
  
Philip Masschelein

Senior Vice President

Cc: Durk Vanderwerff



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May 19, 2022

Memorandum to: Phillip R. Masschelein, Senior Vice President  
Sifton Properties Limited

From: Jeannette Gillezeau, BES, MA  
Altus Group Economic Consulting

**Subject: Middlesex County Official Plan Amendment No. 3**  
**Our File: P- 6900**

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I have reviewed the proposed Middlesex County Official Plan Amendment No. 3 (COPA 3) from the perspective of growth management. I have serious concerns regarding the amendment.

### **Prime Agricultural Areas**

Section 2.2.2.1 of COPA 3 would add the following to the County Official Plan:

*"All of the land within the County is designated Agricultural Area save and except identified Settlement Areas on Schedule A – Land Use. ... All of the Agricultural Area is determined to be Prime Agricultural Areas as defined by the Provincial Policy Statement."*

From the perspective of growth management, the identification of Prime Agricultural Area is too important to be determined by Council decree. Not all lands located outside of settlement areas are suitable for agricultural use. Failure to distinguish between the agricultural potential of different properties will undermine the objective of protecting and strengthening the County's agricultural base when settlement area expansions and new non-agricultural uses in rural areas are being considered.

### **Population, Housing and Employment Forecasts**

Section 1.2.4 of the Provincial Policy Statement requires that upper-tier municipalities:

*"Identify and allocate population, housing and employment projections for lower-tier municipalities."*

COPA 3 and Appendix B fail to include employment forecasts and allocations.

The population forecasts and allocations referred to in section 2.3.3 of COPA 3 and incorporated in Appendix B do not reflect the most up-to-date Provincial government forecasts or data from the 2021 Census of Canada and the allocation of forecast growth to the lower-tier municipalities does not reflect the policies of the Provincial Planning Statement.

Middlesex COPA 3  
May 19, 2022  
Page 2

The COPA 3 population and household forecasts and allocations are from a December 11, 2020 letter from Watson & Associates Economists Ltd. to the Director of Planning for Middlesex County.

The Watson letter says:

*“Middlesex County’s population forecast utilizes the most recent Ministry of Finance (MOF) 2019 population forecast by age cohort prepared for the County and the City of London. Consideration was also given to historical Statistics Canada Census trends from 2001 to 2016 regarding population by major age group for Middlesex County to ensure that local demographic trends were considered.” (page 3)*

New population forecasts were released by the Ministry of Finance in the summer of 2020 and the spring of 2021 which provide for significantly more population growth in the Middlesex census division (the County and the City of London) than the 2019 Ministry of Finance forecast. Population and household data is now available from the 2021 Census of Canada for the County and the lower-tier municipalities.

From a growth management perspective, it is inappropriate to include out of date forecasts in COPA 3.

With respect to the allocation of forecast growth to the lower-tier municipalities, the Watson letter says:

*“Each of the long-term housing forecast scenarios was further allocated by local municipality based on an analysis of long-term housing occupancy trends and housing demand by structure type.” (page 14)*

From a growth management perspective, the allocation of growth to lower-tier municipalities should take into account land use planning policy, in addition to demographics and market demand.

Policy 1.1.1 a) of the Provincial Policy Statement says healthy, liveable and safe communities are sustained by, among other matters:

*“Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term”*

Policy 1.4.3 c) of the Provincial Policy Statement says planning authorities shall provide for an appropriate range and mix of housing options to meet projected market-based and affordable housing needs by:

*“Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.*

The allocation of projected population and housing and growth to the lower-tier municipalities through COPA 3 did not take into account these policies.

Middlesex County  
Official Plan Amendment

May 13, 2022

Please consider to be able to  
severance (hundred acre farms  
only to be divided between  
two members of the same family  
and have agreement that it will  
always remain agricultural land.

Resident of Middlesex County  
in a estate of hundred acre farm.



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## *Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

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May 24, 2022

County of Middlesex

Dear Middlesex Staff,

The Chippewas of Kettle and Stony Point (CKPSFN) have reviewed the County of Middlesex's Proposed Official Plan Amendment No 3 (April 28, 2022). In the following, we provide high-level comments on the proposed amendment. Please note that the OP amendment helps to shape the relationship between OP users (e.g., proponents) and First Nations, meaning that it is critical for Indigenous rights and interests to be carefully considered throughout the document.

### **Policy Context**

It is important that the amendment recognizes key guiding policies and procedures related to Indigenous reconciliation and those more specific to the lands within Middlesex County, including the following:

- The Truth and Reconciliation Commission's (2015) Calls to Action
- UN Declaration on the Rights of Indigenous Peoples (UNDRIP), including the right to "free, prior and informed consent"
- Ontario's (2020) Provincial Policy Statement, Policy 1.2.2 "Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters."

Further, the County can look to other nearby municipalities who have included policies specific to Indigenous rights and interests in their Official Plans, which include the Municipality of Chatham-Kent. As noted, the amendment serves as a key document to direct the activities of proponents, including when the Duty to Consult is delegated to proponents. The County must provide direction on consultation expectations through the amendment.

### **Indigenous Rights-Holders**

When collaborations are noted in the amendment, groups that are commonly noted include the public, advisory committees, stakeholders, and agencies. Please note that these groupings are not inclusive of rights-holding Indigenous Nations. The amendment must be reviewed and revised to ensure that Indigenous Nations are specifically noted instead of an implied grouping into "stakeholders".



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## *Chippewas of Kettle & Stony Point First Nation*

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Kettle & Stony Point FN, Ontario, Canada N0N 1J1

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### **Economic Development**

Economic development policies directly link to the Truth and Reconciliation Commission's Call to Action #92 (as follows).

*92. We call upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:*

*i. Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.*

*ii. Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.*

*iii. Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism*

Through these policies, the County has an opportunity to lead on economic reconciliation, and CKSPFN recommends that policy language be added to this effect. This language should recognize the importance of economic reconciliation, which includes collaboration with Indigenous rights holders to see mutual benefits as Middlesex County's economy grows. Any procurement policies should be written in a manner that encourages the County to help reduce barriers to the procurement opportunities that are available to qualified Indigenous contractors.

### **Natural Heritage**

Policies surrounding Natural Heritage must recognize Indigenous rights and interests. This is currently a deficiency of the amendment, which does not reference Indigenous communities or peoples within the Natural Heritage policies.

These policies must provide local municipalities and conservation authorities with direction surrounding consultation and engagement when governing natural heritage. Natural heritage policies must aim to





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## *Chippewas of Kettle & Stony Point First Nation*

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

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protect what little remains of natural heritage within the County, and move towards a focus on ecological restoration in partnership with Indigenous communities and peoples.

It must also be noted that special care must be taken when it comes to watercourses, waterbodies, headwaters, and wetlands. These features and any impacts on them (including upland impacts) are specifically relevant in the case of CKSPFN's May 31, 2017 Water Assertion, an affirmation of the First Nation's declaration of ownership to the lakebeds and waterways located within our traditional land base.<sup>1</sup> CKSPFN has never surrendered rights related to the lakebeds or any other waterbodies within our territory.

### **Health and Housing**

Local municipalities provide important services like housing and healthcare. Policy should facilitate culturally relevant and appropriate opportunities in critical services and the public realm. The former could include partnerships with Indigenous housing and health service providers. Participation in the public realm may also include the opportunity for Indigenous peoples to become more visible through public art where it may occur.

### **The Climate Crisis**

For over 100 years, CKSPFN have witnessed the cumulative impacts of the expansion of energy infrastructure across our territory, including oil, gas, petrochemical, power generation, and electricity transmission. Our nation is already impacted by warmer temperatures and a higher frequency of severe weather events such as record-breaking storms, floods, droughts, and heat waves.

The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report – Summary for Policymakers states, “It is unequivocal that **climate change has already disrupted human and natural systems**. Past and current development trends (past emissions, development and climate change) have not advanced global climate resilient development (very high confidence). Societal choices and actions implemented in the next decade determine the extent to which medium and long-term pathways will deliver higher or lower climate resilient development (high confidence). Importantly **climate resilient development prospects are increasingly limited if current greenhouse gas emissions do not rapidly decline, especially if 1.5°C global warming is exceeded in the near-term** (high confidence). These prospects are constrained by past development, emissions and climate change, and enabled by inclusive governance, adequate and appropriate human and technological resources, information, capacities and finance (high confidence)”<sup>2</sup>

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<sup>1</sup> See Appendix A

<sup>2</sup> IPCC Sixth Assessment Report, 2022. p. 35



## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Protecting our Aboriginal and Treaty Rights includes protecting the habitat of species of cultural significance to our First Nation. Official Plans play an important role in framing land use and thereby preserving or destroying habitat. Official Plans also provide a roadmap for development, including where we source our energy and how we dispose of our waste. These decisions will guide whether we succeed or fail at addressing the climate crisis.

CKSPFN would like to draw your attention to section 1.8.1.f of the Provincial Policy Statement (PPS), 2020, which states:

“Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure.”

CKSPFN is actively seeking clean energy investment opportunities and is working with transmission line companies to reduce greenhouse gas emissions through the creation of microgrids, distributed energy systems, and other creative climate solutions. We would be pleased to work with Middlesex County on similar initiatives.

The continued expansion of gas infrastructure across our territory pushes us closer to the catastrophic tipping points the IPCC has warned about, especially considering the outstanding fugitive emissions issues. Although the Ontario Energy Board (OEB) regulates leave to construct applications in the gas sector, municipal official plans can lead the way on shifting new development toward cleaner energy sources by using stronger language that requires zero-GHG technology in all new building developments.

### Specific Commentary

Reference	Reference Text	Comment
Introduction 1.1 Context	<i>The County of Middlesex is located on the Traditional Territory and Ancestral Lands of many indigenous peoples and is covered by several Upper Canada Treaties. The County of Middlesex recognizes and celebrates the contributions of indigenous communities in our shared cultural heritage. The County of Middlesex is now home to many First Nations, Métis, and Inuit peoples and communities that have a unique relationship with the</i>	<p>1. Where Indigenous communities and peoples are referenced, “Indigenous” must be capitalized. This is a sign of respect and also applies to related terms, such as “First Nation”, and “Indigenous Knowledge”. Please make this change throughout the document.</p> <p>2. Middlesex falls within Treaty and Traditional Territory. Please ensure that Treaty Territory is noted.</p>



## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Reference	Reference Text	Comment
	<i>land and its resources, and continue to shape the history and economy of Middlesex County.</i>	
<i>Introduction 1.1 Context</i>	<i>Middlesex County recognizes the importance of consulting with indigenous communities on planning matters that may affect their <b>treaty rights</b> and seeks to build constructive, cooperative relationships through meaningful engagement to facilitate knowledge-sharing in land use planning processes, inform decision-making, and build partnerships.5</i>	Please amend this text to note that Indigenous communities must be consulted on planning matters that impact both their rights and interests.
<i>2.2.5 Cultural Heritage &amp; Archeology</i>	<i>The interests of Indigenous communities shall be considered in conserving cultural heritage and archaeological resources.</i>	To remain consistent with other sections, this text should reference both Indigenous rights and interests.
<i>2.3.5 General Policies</i>	<i>Local official plans will promote the creation of resilient communities. As such, development applications should be reviewed with respect to anticipated impacts that may result from a changing climate.</i>	This text must be updated to note that development applications should be reviewed with respect to anticipated impacts both <b>on</b> and from a changing climate. Urban sprawl focused development has been commonly cited as “Ontario’s Oil Sands” as it is a main driver of emissions within the province. Amendment policies can reduce the catastrophic impacts of climate change by encouraging a more compact urban form and green energy sources.



## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

### Appendix A – CKSPFN Declaration to the Waterways and Lakebeds within Traditional Territory



## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Wednesday, May 31, 2017

Minister Carolyn Bennett  
Indigenous Affairs and Northern  
Development Canada  
Terrasses de la Chaudiere  
10 Wellington, North Tower  
Gatineau, Quebec  
K1A 0H4



Dear Minister Bennett:

Re: Chippewas of Kettle and Stony Point First Nation Band Council Resolution # 2851

Enclosed please find the Chippewas of Kettle and Stony Point First Nation BCR #2851 regarding the affirmation of the First Nation's declaration of ownership to the lakebeds and waterways located within our traditional land base.

Please direct inquiries to Chief Thomas Bressette at your convenience.

Sincerely,

Toni George  
Council Assistant

Attach. (1)

c: Ministry of Indigenous Relations & Reconciliation  
Ministry of Natural Resources  
Ministry of Environment  
Municipality of Lambton Shores

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T17203



# Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane  
Kettle & Stony Point FN, Ontario, Canada N0N 1J1



## FIRST NATION COUNCIL RESOLUTION

REFERENCE NO. 2851	DATE OF DULY CONVENED MEETING: 2017 / 05 / 29 (YEAR/MONTH/DAY)	PROVINCE OF ONTARIO
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### THE CHIPPEWAS OF KETTLE AND STONY POINT FIRST NATION DO HEREBY RESOLVE:

**WHEREAS** the "Chippewas Nation of Indians and His Majesty King George IV as represented by the Superintendent of Indian Affairs" entered into the Provisional Agreement of 1825 and Treaty of 1827 regarding a certain tract of land in Southwestern Ontario and which surrendered certain parts of the tract and created the Reserves designated as Kettle Point #44 and Stony Point #43, and,

**WHEREAS** in neither agreement or Treaty was there a surrender of the waterways known as Lake Huron including the lakebed or any other waterways within the traditional territory; and

**WHEREAS** under Aboriginal and Treaty Rights, the Chippewas of Kettle and Stony Point First Nation assert ownership and jurisdiction over said waterways to the International Boundary and the land underlying the waterways (lakebed); and

**WHEREAS** the Chippewas of Kettle and Stony Point First Nation make DECLARATION to the waterways and lakebeds in its traditional territory including the waterway known as Lake Huron to the International Boundary, and including the lands under the waterway of Lake Huron known as the lakebed; and

**WHEREAS** the Lake Huron waterways are described as the point of intersection of the surrendered lands with Lake Huron as its most northerly point, extending directly out into Lake Huron to the International Boundary, then running along the International Boundary to the southerly limit of the herein described lands at the water's edge of the St. Clair River, and the land underlying this portion of Lake Huron (lakebed) and assert this waterway and lakebed has never been surrendered; and

**THEREFORE BE IT RESOLVED THAT** the Chippewas of Kettle and Stony Point First Nation hereby notify each government- Federal, Provincial and Municipal, company, individual, or groups of individuals, and any others who use or who plan to use any part or portion of this territory that they must disclose their use to the First Nation, and seek express permission from the government of the First Nation, namely the elected Chief and Council for the proposed usage; and

**FINALLY THEREFORE BE IT RESOLVED** the Chief and Council of the Chippewas of Kettle and Stony Point First Nation pass and affirm this "DECLARATION TO THE WATERWAYS AND LAKEBEDS WITHIN ITS TRADITIONAL TERRITORY FOR THE MANAGEMENT, USE AND ENJOYMENT OF THE FIRST NATION AND ITS PEOPLES" as confirmed within the First Nation's Aboriginal and Treaty Rights.

QUORUM 6 \_\_\_\_\_  
(CHIEF) *Thomas M. B...*  
(COUNCILLOR) *Clayton...* (COUNCILLOR) *...* (COUNCILLOR) *...*  
(COUNCILLOR) *...* (COUNCILLOR) *...* (COUNCILLOR) *...*  
(COUNCILLOR) *...* (COUNCILLOR) *...* (COUNCILLOR) *...*