

Section 2.6 refers to an outdated P.P.S. This revised plan will be in accord with the May 1, 2020 P.P.S.

It is noted that the P.P.S. has been updated to 2024 but has not been adopted. The most significant change will be stronger policies relating to more housing and affordable housing.

The new P.P.S. have many changes to Section numbers so the new wording should avoid referring to specific section numbers.

Change 2.7 by deleting the heading.

Section 4.11 add “Municipal Affairs and Housing.”

4.12 Replace “April 30, 2014” with “May 1, 2020”

Add:

4.13 The Council of the Township of McKellar added a small number of policy changes under Official Plan Amendment No. 9 that was adopted on May 21, 2021. This amendment made a number of technical changes and included policies to reflect the 2020 Provincial Policy Statements.

4.14 Official Plan Amendment No. 9 was never approved but was rescinded by the Municipality because of a number of circumstances. Consequently, the Township of McKellar official plan was not recognized as being current with the 2020 P.P.S. The present Council of the Township of McKellar now wishes to reconsider the proposed amendment to bring its official plan in accord with the current Provincial Policy Statement.

Replace 5.1.3 The zoning By-Law provides detailed regulations for accessory uses, building structures.

5.2.1 add “The existing licensed pit operations are identified on the Land Use Schedule.”

These have been added to the Land Use Schedule.

Replace 5.5.5

“The permitted uses for Crown land are set out in the Crown land Management Strategy and depending upon the type of Crown land, there may be specific restrictions on Crown land uses.

5.6 Energy Facilities

The last provincial government removed energy facilities from the Planning Act so these facilities were not able to be regulated by municipalities. Many locals will remember the plethora of solar farms that were incentivized by subsidy programs a number of years ago. The exemption of “green” energy initiatives are once again subject to municipal land use regulations. Most municipal councils want such facilities to go through an approval process.

Rather than delete this section, it may be worded to recognize the need for a process.

Replace 5.6 as follows

5.6.1 The Township of McKellar supports the establishment of new energy facilities where the lands have been specifically zoned for said facilities. It is recognized that provincial priorities may remove the regulation of green energy facilities from municipalities.

5.7

The “garden suite” provisions of the Planning Act are somewhat restrictive in the sense that council would only allow a garden suite subject to agreements that would see the allowance of the unit under certain conditions. Given the high costs of construction, the ultimate removal of the suite seems somewhat unreasonable to the extent that it may be impractical for a land owner. The general principle of allowing an aging parent or parents is believed to be consistent with the current housing needs, but what limitations?

The policy can be devised to simply recognize the possibility of considering garden suites.

It seems sensible to allow their consideration in any location subject to relevant conditions. The prohibition on lakefront may be an unnecessary hardship for some families.

Note on Garden Suites.

As McKellar residents age, there would seem to be a general need to accommodate this kind of housing need regardless of where the principal dwelling. The Township of McKellar can assess individual circumstances to determine the nature of the need, the kinds of restrictions that need to apply, if any. A rezoning would be required.

My recollection is that there are very few persons in the Township that have established garden suites.

The arrangement can often be tedious, expensive and uncertain.

5.9.2.2 The general approach to policy is to not refer to specific numbers but rather describe principles. The “180 metres” should be dropped for the following:

“A minor extension to a private road is based upon the likely expectation that the private road may be expected to be maintained by the Municipality.”

“delete the word ‘seasonal’”

5.10.1 Should be able to remove the restriction to the Rural designation and allow in the municipality. There are enough built in regulations that such home business will not interfere with a principal residential use.

Replace "Rural designation" with "Municipality".

5.10.2 Replace "Rural designation" with "Municipality"

5.10.3 Delete “Rural designation” and replace with "Municipality".

5.11.3 and 5.11.4

There is no particular basis for allowing 3 lots by consent in the WF and 2 in the Rural designation.

Delete 5.11.3 “In the Waterfront designation” and replace with “Generally”.

Delete and replace 5.11.4 with a general statement to respond to an MNR comment:

“5.11.4 Land division applications shall be required to be consistent with any relevant Provincial Policy Statements.”

5.12.2 Change from “Ministry of the Environment and Climate Change” to “Ministry of the Environment Conservation and Parks”

5.12.4 – Change from “Ministry of the Environment and Climate Change” to “Ministry of the Environment Conservation and Parks”

5.12.7 - Change from “Ministry of the Environment and Climate Change” to “Ministry of the Environment Conservation and Parks”

5.12.8 - Change from “Ministry of the Environment and Climate Change” to “Ministry of the Environment Conservation and Parks”

5.13.1 and to the end of sentence:

“in accordance with the requirements set out by the Ministry of Agriculture, Food and Rural Affairs”

5.14 Change title to “Provincial Guidelines”

Remove the reference to a Ministry name since they seem to change with great regularity.

5.14.3 also replace “MECC” with “Province”.

5.16.1 delete “to the Municipality’s recreational expenditures” and replace with “in accordance with provisions of the Planning Act.”

Replace 5.19 with the correct language:

“Service Fees and Charges

The Municipality has established standards for many services including roads, street lighting, drainage, utilities and signage that may be applied to new development within McKellar in terms of development charges or fees. Any applicable fees and charges must be obtained prior to any development taking place in the Municipality.”

6.1.1 Delete reference to Crown land

6.3.4 Replace “sensitive areas” with “significant wetlands”.

6.5.2 (b) replace appropriate with required.

Replace 6.7.1 to 6.7.5 with the following:

“6.7.1 The dominant form of housing in the Township of McKellar is single detached dwellings at low densities with independent private services on each property.

- 6.7.2 In accordance with the provisions of the Planning Act and the most current Provincial Policy Statements, the Township of McKellar endorses and supports the housing initiatives for additional and more affordable housing subject to recognizing the limitations of servicing on wells and septic systems. The implementing zoning By-Law will provide for additional units within existing dwellings and accessory or secondary units in accessory structures as provided for in the legislation subject to complying with Building Code requirements.
- 6.7.3 The Municipality supports the use of modular and mobile homes where they are located on individual lots with individual private water and sewage services or in mobile home parks that are specifically zoned for mobile home park purposes and subject to complying with the requirements of the zoning by-law.
- 6.7.4 The Municipality will support the establishment of senior citizen housing to recognize the inevitable demand for this housing type in the near future subject to complying with all servicing requirements.
- 6.7.5 There are a large number of travel trailers throughout the Township on individual lots or used in combination with existing residential dwelling units. No new travel trailers except those permitted in lawful trailer parks will be permitted in the Township in accordance with the municipality's zoning by-law. Further, it will be the objective of the Township to require the removal or replacement of existing travel trailers with conventional dwellings or cottages.”

Renumber the sections 6.7.6 to 6.7.7

Section 6.7.7 add the following to the end of the section:

“and is not considered a short term rental as defined in the comprehensive zoning by-law.”

6.11.1 (with 3 added words) “significant fish habitat”

6.11.2 reword as follows:

“The Natural Heritage Policies set out in section 2.1 of the P.P.S. shall be recognized within the Rural policy areas so that any development approvals are consistent with the Provincial Policy Statements.”

6.11.5 Add “evaluation” as requested by MNRF

6.12.3 delete "M.O.E.C.C." and replace with "provincial"

6.12.6 delete "M.O.E.C.C." and replace with "provincial"

6.12.8 delete "M.O.E.C.C." and replace with "provincial"

6.13.1 delete "M.O.E.C.C." and replace with "provincial"

6.13.2 delete "M.O.E.C.C." and replace with "provincial"

6.13.4 delete "M.O.E.C.C." and replace with "provincial"

6.15.2 replace “M.O.E.C.C.” with “Provincial”

6.17.1 – discussion – The province wanted to have these Rural policies apply to the Waterfront.

Note: This addition is a little repetitive given other policies in the plan. The provincial ministries had seem to have a difficulty understanding how McKellar compartmentalized its update in two steps: first Waterfront; and then Rural

7.01.10 delete “zoned in By-Law 95-12, as amended could alter or adversely impact a lakes character”

The reference back to Zoning By-Law No. 95-12, the original comprehensive zoning By-Law is believed to continue to be problematic.

After careful consideration, it would appear that the new approach can eliminate this reference and replace it with policy text that will accomplish the original intent.

For those involved with the original technique for referring to 95-12 (O.P.A. 7), it was a method of establishing an “iron clad” wording to deny or prohibit the exotic ownership models of the past, i.e. fractional ownership, shared ownership, cooperative, etc. It was a successful strategy but the revised policy seems to accomplish this objective without referring to the old By-Law.

7.01.10 continued

Delete “with their permitted as-of-right uses as referenced in By-Law 95-12, as amended”.

7.01.13 delete brackets

7.06.1 Delete references to 95-12

7.10.2 Delete references to 95-12

7.10.3 Delete references to 95-12

7.10.5 Delete references to 95-12

7.10.7 Delete references to 95-12

Replace 7.11.2 and 7.11.3

7.11.1 Delete reference to 95-12

“7.11.2 More recently, it has been discovered that recreational lakes using newer standards and newer technologies for wastewater treatment systems do not have the adverse impacts on water quality as originally anticipated”

7.11.3 The Township will continue to preserve water quality as far as possible by applying best management practices for shoreline development including protecting habitats for fish, wildlife and endangered species, managing stormwater and including minimal disruption to the natural shoreline features.”

7.11.3.1 “Lake Manitouwabing” replaces “Lake Trophic Status”

Delete 7.11.3.1.1

Move 7.11.3.1.2 to 7.11.3.1.1

This is all part of the new understanding that development along shorelines does not have the direct impact on water quality as long as best management practices are applied. These include modern septic’s, preservation of natural shoreline condition and construction mitigation measures.

Delete 7.11.3.1.3 Former trophic status policies

Delete 7.11.3.1.4 Former trophic status policies

Renumber 7.11.3.1.5 as 7.11.3.1.2

2.1

2.2

2.3

2.4

Delete 7.11.3.2.3

Delete 7.11.3.3

Delete 7.11.3.3.1

Delete 7.11.3.3.2

The former lake capacity model has been refuted with imperial studies over the last 35 years. Lake capacity is now a matter of protecting character habitat features and other relevant physical conditions.

This new understanding renders the former lake capacity methodology obsolete.

The Natural Heritage policies seem to regurgitate the relevant heritage policies of the P.P.S. It makes more sense that the O.P. simply recognizes that the McKellar policy is to be sure that the decisions related to any land use approvals along the Waterfront are “consistent” with the P.P.S.

The previous approach set out a number of policies that spoke about the need to apply natural heritage policies where any application exceeded the creation of 3 new lots. These policies were ultimately agreed upon by the province but in many cases, the language was confusing and even contrary to the intent. It seems more appropriate to simply refer back to the P.P.S.

Delete 7.11.3.3.2.1 Simply reflect P.P.S.

Delete 7.11.3.3.2.2 Simply reflect P.P.S.

Delete 7.11.3.3.2.3 Simply reflect P.P.S.

Delete 7.11.3.3.2.4 Simply reflect P.P.S.

7.12.1

The Waterfront designation has a variety of natural heritage features and is subject to the Natural Heritage Policies included in the Provincial Policy Statement. All development shall be required to be consistent with the Natural Heritage policies of the P.P.S.

Delete rest of 7.12 Sections

7.14.1 Delete references to 95-12

7.21.1.1. Delete references to 95-12

7.21.1.2.3 Delete references to 95-12

7.21.2.1 Delete references to 95-12

Delete 7.21.3 – Deletes references to 95-12

Delete 7.21.3.1 - Deletes references to 95-12

Delete 7.21.4 – Deletes references to 95-12

Delete 7.21.4.1 - Deletes references to 95-12

Delete 7.21.4.2 - Deletes references to 95-12

Delete 7.21.5 – duplication of Natural Heritage Policy

Delete 7.21.5.1 - duplication of Natural Heritage Policy

Delete 7.21.5.2 - duplication of Natural Heritage Policy

Delete 7.21.5.3 - duplication of Natural Heritage Policy

Change 7.21.6 to 7.21.3 – Simple renumbering

7.22.1.1 change MECC to Provincial

8.0 delete second and third paragraphs

No longer need to tie lake-specific policies into trophic status.

The lake specific policies remain helpful but it must be understood that the relevance of nutrient concentrations are no longer the governing lake capacity component.

12.10 – Technical Amendments agreed upon by MMAH in O.P.A. No. 9

14.4 delete references to 95-12

14.6 delete references to 95-12

14.7 delete section – all references to 95-12 or trophic status

14.8 delete section - all references to 95-12 or trophic status

14.9 delete section - all references to 95-12 or trophic status

14.10 delete section to 14.10.12 - all references to 95-12 or trophic status

15.1

(h) delete brackets – replace with “the zoning By-Law”

(i) (i) delete bracket – replace with “the zoning By-Law”