

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

BY-LAW #8-2021

Being a by-law to adopt Amendment No. 3
to the Official Plan of the Township of Armour

WHEREAS the Council of The Municipal Corporation of the Township of Armour held a virtual public meeting on the 9th day of February, 2021 respecting Council's intent to amend the text of the Township of Armour Official Plan;

AND WHEREAS Council has given serious consideration for the need to adopt an amendment to the Official Plan of the Township of Armour;

AND WHEREAS Council has determined that the proposed Official Plan Amendment is appropriate and desirable for the development of the municipality in general;

NOW THEREFORE the Council of the Municipal Corporation of the Township of Armour, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, hereby enacts as follows:

1. That Amendment No. 3 to the Official Plan of the Township of Armour, being the attached text, is hereby adopted; and
2. That this By-law shall come into force and take effect on the day of final passing thereof.

Read in its entirety, approved,
signed and the seal of the
Corporation affixed thereto and
finally passed in open Council
this 23rd day of February, 2021.

Original signed by Bob MacPhail
Robert MacPhail, Reeve

Original signed by John Theriault
John Theriault, Clerk

**BY-LAW 8-2021
AMENDMENT NO. 3
TO THE ARMOUR TOWNSHIP OFFICIAL PLAN
(Redundant Land Severance Policy)**

PART A – THE PREAMBLE

Purpose

The purpose of this Amendment is to remove severance policy 3.1.1(c) from the Armour Township Official Plan.

Location

This Official Plan Amendment affects all lands identified in Part II Designated Area Policies of the Armour Township Official Plan.

Background

On May 15, 2019 Amendment No. 2 to the Armour Township Official Plan (OPA2) was approved with 16 Minister's Modifications – none open to appeal. The approved amendment was also declared to be consistent with Provincial Policy Statement 2014. The purpose of OPA2 was to update the Official Plan in accordance with Section 26 of the Planning Act.

OPA2 as adopted by the Council of Armour Township on October 9, 2018 included deletion of Severances Section 3.1.1(c) which allowed "A maximum of two new lots by consent per original 40.5 hectare (100 acre) crown lot existing on March 16, 1993 . . . ". The rationale behind deleting this policy was that no original intact crown lots actually survive within Armour Township with "frontage on a road which is open year-round and publicly owned and maintained" – a basic requirement for all consents in Official Plan severance policy 3.1.1(i). These consent policies cancelled each other for intact crown lots.

Basis of Redundancy

Instead of simply deleting redundant consent policy 3.1.1(c) as adopted by OPA2, Minister's Modification No. 5 replaced the words "per original 40.5 hectare (100 acre) original crown lot existing on March 16, 1993" with the following new words permitting two new lots by consent "from any parcel in existence on or before November 25, 2008."

MPAC data for 2008, 2013 and 2020 consistently shows 707 lots in Armour with theoretically enough area to qualify for two consents of .81 hectares (2 acres) each. Factoring in the requirement of 61 metres (200 feet) minimum frontage for each, plus the same for the retained parcel, that number drops to 30. Another 18 potential lots might qualify with enough frontage and area for 1 consent plus the retained parcel.

With three dozen established tests for consent applications in the Armour Official Plan, plus the 14 mandatory tests under Sections 53(12) and 51(24) of the Planning Act, Section 3.1.1(c) of OPA2 with an artificial limit of 2 new lots from any parcel of land existing in 2008, is simply a redundant policy which Armour functioned very well without for 26 years until it was added in 2019 with no right of appeal.

Negative Impact on Economic Development

Section 2.1.3(d) of the Armour Township Official Plan establishes a Commercial Industrial Redevelopment Corridor focused on existing paved roads within the Highway 11 area. Millions of dollars were applied by the Ministry of Transportation to reconstruct Berriedale Road, plus older portions of previous Highway 11, to "no seasonal load limits" to facilitate replacement

of commercial assessment lost through the twinning of Highway 11 through the heart of Armour Township. Lots with frontage and access to these roads are designated in Section 2.1.3 (d) and Schedule 'A' Land Use Plan of the Armour Official Plan as a Commercial/Industrial Redevelopment Corridor.

MMAH approved the Official Plan designation of this Redevelopment Corridor in 2009. In conformity with the Official Plan, 28 properties with combined frontages of 9.2 kilometers within this Corridor are zoned Commercial Holding / Rural Industrial Holding (CH MH).

The intent of designating and zoning the Commercial Redevelopment Corridor in this way is to facilitate new lots for economic development and local employment. This accords with PPS 2020 especially Sections 1.3 Employment, 1.6 Use of Existing Infrastructure & Public Service Facilities, and 1.6.8 Transportation & Infrastructure Corridors.

Placing a 2 lot limit on new consents negatively impacts the Commercial Redevelopment Corridor by restricting creation of new lots as employment lands fronting existing roadways improved for that purpose by the Province.

PART B – THE AMENDMENT

Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Township of Armour.

Details

The following change is hereby made to the Official Plan of the Township of Armour:

Section 3.1.1(c) is deleted in its entirety, with the remainder of the Section re-numbered accordingly.

Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Township of Armour Official Plan (2019).