

**Proposed Modifications – McMurrich/Monteith Official Plan – Township review**

Mod #	Proposed Modification Additions shown in <b><u>bold underline</u></b> and deletions shown in <b><del>bold strikethrough</del></b> .	Purpose of Modification and Policy Basis	Proposed Response to requested modifications to be reviewed by Council on March 24, 2026, prepared by Planscape
1	<p>1.3 Basis of the Plan</p> <p>1.3.3 According to Statistics Canada Census information, the permanent population of the Township increased from 824 in 2016 to 907 in 2021, a 10 % increase. <b><u>The Ministry of Finance projects a 16% increase to 2046 for the District of Parry Sound</u></b><del>It is anticipated that this growth will continue during the time frame of this Plan.</del> In 2021, there were 735 total private dwellings in the Township (including permanent and seasonal dwellings), of which 410 would be occupied private dwellings (permanent homes), and 325 would be seasonal dwellings. Over 97% of the permanent dwellings are single detached dwellings. <b><u>Therefore by 2046, assuming the township attracts a relative proportion of the district’s growth, at least 160 more residents are projected to live in the Township, requiring approximately 75 new or converted housing units.</u></b></p>	<p>PPS 2.1.1 directs planning authorities to base population and growth forecasts on provincial guidance documents and Ministry of Finance population projections. As adopted, the official plan did not include any population or housing needs projections.</p>	<p>The approach suggested in the modification provides some additional context for potential population and household growth in the Township.</p> <p>Subject to any council comments, the proposed wording is acceptable.</p>
2	<p>2.2.3 Housing</p> <p><b><u>2.2.3.1 The Township will provide for an appropriate range and mix of housing options to meet projected needs of current and future residents, by permitting and facilitating all housing options required to meet their social, health, economic, and well-being requirements. The Township supports improving the overall quality of life for residents of all ages, abilities, and incomes by improving accessibility for people of all ages and abilities and by addressing land use barriers which restrict full participation in society.</u></b> Single detached residential housing will remain the dominant housing type.</p> <p><b><u>2.2.3.3 As part of the appropriate range and mix of housing for residents, The Township will provide for housing that is affordable to low- and moderate-income households in the regional market area by:</u></b></p> <ul style="list-style-type: none"> <li><b><u>i) setting a minimum target of 25 per cent of all new residential units for the creation of affordable units for owners and renters, and ensuring these units remain affordable over the lifetime of this plan.</u></b></li> <li><b><u>ii) coordinating land use planning with planning for housing and working with the Parry Sound District Social</u></b></li> </ul>	<p>PPS 2.1.6 indicates more generally that planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of housing options, improving accessibility, and improving social equity and overall quality of life for people of all ages, abilities, and incomes. PPS 2.2.1 indicates that a planning authority shall establish and implement minimum targets for the provision of housing that is affordable to low- and moderate-income households, and coordinate land use planning and planning for housing with Service Managers.</p> <p>The adopted official plan does not speak to housing options such as for affordable housing or accessibility, the provision of which is of provincial interest under <i>Planning Act</i> Sections 2 (j) and (h.1), respectively. Subsection 16 (1) (a.1) states that an official plan shall contain such policies and measures as are practicable to ensure the adequate provision of affordable housing.</p>	<p>Given the nature of the housing marking in the Township, with most of the expected housing growth to occur in the Shoreline and Rural Areas, at a relatively small scale (e.g. individual consents), it may be difficult to apply and/or enforce a specific target for affordable housing initiatives.</p> <p>It may be appropriate to consider including some specific initiatives, similar to what is being discussed in some neighbouring municipalities, and replace the 25% with something along the lines of the following:</p> <p><b><u>2.2.3.3 As part of the appropriate range and mix of housing for residents, the Township will encourage housing that is affordable to low- and moderate-income households in the regional market area through a variety of initiatives, including: :</u></b></p> <ul style="list-style-type: none"> <li><b><u>i) Permit additional residential units in rural dwellings where servicing permits;</u></b></li> <li><b><u>ii) support smaller home formats (e.g., 1- and 2-bedroom dwellings) to diversify the housing stock;</u></b></li> <li><b><u>iii) Remove the minimum floor area requirements in the zoning by-law;</u></b></li> <li><b><u>iv) Encourage the conversion of existing large homes into multi-</u></b></li> </ul>

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	<b><u>Services Administration Board's Service Managers to address local affordable housing needs.</u></b>		units where servicing requirements and availability of parking are met; (v) Encourage accessible, small-format housing, co-housing or multi-generational models; (vi) Working with the Parry Sound District Social Services Administration Board's Service Managers to address local affordable housing needs.
3	2.2.5 Infrastructure <b><u>2.2.5.3 Any development requiring Municipal and/or private communal water and sewer services will not be permitted without an Official Plan Amendment.</u></b> <del>Municipal or private communal water or sewer services will not be developed.</del>	Modification to policy 2.2.5.3 aligns official plan policy direction with policy 7.3.1 of the adopted official plan, which is consistent with PPS policies under 3.6 for servicing options that support protection of the environment and minimizing risks to human health and safety.	The proposed wording is acceptable.
4	3.1.3 Permitted Uses 3.1.3.2 Certain other uses may be appropriate on land in the Settlement Area, however, their potential for off-site impacts cannot be determined in advance and should be reviewed on a site-by-site basis. Uses such as four-plex dwellings, , [sic] institutional developments or small scale industrial operations will be allowed by site specific zoning amendment but will not require an amendment to this Plan so long as the uses can be serviced by private on-site water and sewer services, <b><u>it is demonstrated that either the lands are not contaminated or that land use compatibility conflicts will not be created,</u></b> and the general intent of the Plan is maintained.	PPS 3.5.1 indicates that sensitive and non-sensitive land uses shall be planned to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects on public health and safety, and to ensure the long-term viability of non-sensitive uses in accordance with provincial standards, guidelines, and procedures.  The adopted official plan does not specify where residential, institutional, or industrial land uses would appropriately take place within the Settlement Area land use designation.	The proposed wording is acceptable.
5	3.1.4 Development Policies [Settlement Areas] 3.1.4.3 The minimum lot area shall be <del>0.41.0</del> <b><u>0.41.0</u></b> hectare ( <del>42.5</del> <b><u>42.5</u></b> acres) with a minimum frontage of 45 metres (148 feet) for the creation of new <del>residential</del> lots <b><u>where private individual water and sewage services may be installed.</u></b> Smaller lots may be considered provided <del>they are supported by</del> a Hydrogeological Study and Functional Servicing Report <del>that</del> confirms that these <del>minimum</del> <b><u>smaller</u></b> sizes are <del>sustainable</del> <b><u>suitable for the long-term provision of these services with no negative impacts.</u></b> 3.2.4 Development Policies [Shoreline]	PPS 3.6.4 indicates that where municipal sewage and water services or private communal sewage and water services are not available, planned, or feasible, individual on-site sewage services and individual on-site water services may be used if conditions are suitable for the long-term provisions of such services with no negative impacts. PPS 3.6.7 states that planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.  MECP's 'Procedure D-5-4 Technical Guideline for Individual	A 1 hectare (2.5 acre) requirement for new lots in the Settlement will significantly reduce the potential for any new lot creation in the settlements. It is recognized that it is important to ensure that new lot creation can be sustainable, generally in accordance with D-series Guidelines.  3.1.4.3 - Recommend that the minimum lot area permitted is 0.8 hectares in settlement areas without the need for a hydrogeological report, to align with Guideline D-5-4, with smaller lots permitted based on the results of hydrogeological and functional servicing reports. Lot areas within plans of subdivision would be based on the results of hydrogeological and functional

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	<p>3.2.4.2 The minimum lot area shall be <del>0.41.0</del> hectare (<del>42.5</del> acres) with a minimum water frontage of 60 metres (197 feet) for the creation of new residential lots <b><u>where private individual water and sewage services may be installed. Smaller lots may be considered provided a Hydrogeological Study confirms that lots smaller than 1.0 hectare are suitable for the long-term provision of these services with no negative impacts.</u></b> Larger sizes may be required where site constraints warrant larger sizes, or where required to ensure the protection of natural heritage features.</p> <p>3.2.4.3 <del>Other m</del>Minimum standards <del>for non-residential uses</del> will be established in the Zoning By-law <b><u>using provincial guidance, where applicable.</u></b></p> <p>3.2.4.4 Buildings and structures, <b><u>including septic systems,</u></b> shall be located a minimum of <del>230</del> metres (<del>6698</del> feet) from the normal or controlled high water mark of a waterbody, except:</p> <ul style="list-style-type: none"> <li><del>ii) septic tile beds, which shall be located a minimum of 30 metres (98 feet) from the high-water mark of a waterbody; and,</del></li> <li>iii) where terrain constraints and property dimensions make such setbacks unfeasible and where a lesser setback will be in keeping with the general intent of the Plan.</li> </ul> <p>3.2.5 Additional provisions for islands and water-access only properties [Shoreline]</p> <p>3.2.5.2 No development will be permitted on islands less than <del>0.81.0</del> hectares (<del>2.05</del> acres) in size unless:</p> <ul style="list-style-type: none"> <li>i) the island is greater than 0.4 hectare (1.0 acre) in area <b><u>and a Hydrogeological Study confirms that conditions are suitable for the long-term provision of services with no negative impacts;</u></b></li> <li>iii) it can be demonstrated that the property can accommodate a private on-site sewage disposal system <b><u>and with confirmation of an available sewage hauler with the capability to service water-access-only lots who takes hauled sewage to an approved facility with capacity to receive the additional sewage;</u></b> ...</li> </ul>	<p>On-Site Sewage Systems, Water Quality Impact Risk Assessment' and 'Procedure D-5-5 Technical Guideline for Private Wells Water Supply Assessment' provide applicable provincial guidance for the development of any permitted use that would use private individual services. Specifically, D-5-4 indicates that, regardless of land use type, a proposed new lot that would install private individual sewer and water services is to be one hectare or larger, or a multi-lot development is to have an average lot size of one hectare (with no lots smaller than 0.8 ha). These thresholds are assumed to have sufficient attenuative processes and therefore have low risk to public health and safety, water resources, and the environment.</p> <p>Accordingly, proposed developments for lots under one hectare would require a hydrogeological assessment to confirm that smaller lot sizes are safe. Proposed modifications to the Development Policies for Settlement Areas and Shoreline areas update the official plan policies in accordance with this provincial guidance.</p> <p>MECP best practices regarding 30-metre setbacks for buildings and structures are adopted later in the plan in policy 4.3.2. The proposed modification to 3.2.4.4 eliminates inconsistency.</p>	<p>servicing reports.</p> <p>With respect to shoreline areas, it is understood that hydrogeological investigations are not necessarily required for lots less than 1 hectare.</p> <p>3.2.4.2 - Recommend that the minimum lot area in shoreline areas is 0.6 hectares, as D-5-4 requires assessment on a case-by-case basis. If the property has the potential for more than 5 lots, or a plan of subdivision is proposed the hydrogeological review could be required.</p> <p>The proposed wording for Section 3.2.4.4 is acceptable.</p> <p>The proposed wording for Section 3.2.5.2 is acceptable.</p>

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6	<p>3.3.3 Permitted Uses</p> <p>3.3.3.3 Examples of commercial and industrial ventures that may be appropriate in the Rural area include restaurants, retail stores and accommodation facilities so long as Council can be satisfied that:</p> <p>i) <b><u>the land use compatibility policies of this plan are satisfied</u></b> and the proposed use is compatible with character of the area;</p> <p>3.3.4 Development Policies</p> <p>3.3.4.2 Variable setbacks, larger <del>or smaller</del> frontages, and/or limits to building heights or building envelopes, may be implemented through the Zoning By-law and at the time of new lot creation, in order to further the rural design principles of this Plan.</p> <p>3.3.4.3 In general, applications for new lot creation by will be subject to the following criteria:</p> <p>ii) Notwithstanding the lot frontage and area requirements of Section 3.3.4.1 above, any lot in existence at the time this Official Plan comes into effect <b><u>that has an area less than 4 hectares (9.9 acres)</u></b> may be divided into a maximum of two lots (one severed and one retained), provided the minimum lot area for each lot is not less than 1 hectare (2.5 acres) and the minimum lot frontage on a year round maintained municipal road is not less than 60 metres (197 feet).</p> <p>3.3.4.4 Lot creation will incorporate the following design considerations:</p> <p>iii) if the property subject to a <del>consent</del><b><u>planning</u></b> application is located partially or completely within a Natural Feature area shown on Schedule 'B1' or 'B2', or in another natural feature discussed in Section 5, specific measures may be required to protect the natural feature(s) on, or in the vicinity of, the site; ...</p>	<p>As adopted, the Permitted Uses and Development Policies for the Rural Area do not include policies to address PPS 2024 requirements regarding land use compatibility.</p> <p>PPS 3.5.1 indicates that sensitive and non-sensitive land uses shall be planned to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects to public health and safety, and to ensure the long-term viability of non-sensitive uses in accordance with provincial standards, guidelines, and procedures. The adopted official plan does not specify where residential, institutional, or industrial land uses would appropriately take place within the Rural land use designation, so land use compatibility must be taken into account.</p> <p><i>Planning Act</i> section 24 (1) states that where an official plan is in effect, no by-law shall be passed for any purpose that does not conform therewith. Proposed modifications delete wording that allows smaller lot frontages when the previous policy prescribes minimum lot frontages, implement clarifications from the municipality regarding the criteria for the creation of new lots in the rural area, and remove the prescription of the type of land division that will be used in the rural area (which also removes conflict with official plan policy 8.5.2.2).</p>	<p>The proposed wording is acceptable.</p> <p>With respect to 3.3.4.2, there are instances where smaller frontages would be appropriate and the current clause permits some flexibility in considering lot design, and council may wish to maintain that flexibility.</p>
7	<p>3.3.4 Development Policies</p> <p><b><u>3.3.4.5 To support the long-term prosperity and productive capacity of agriculture in the Township, and to maintain and enhance geographically continuous agriculture in the Rural area, the Township and the planning board will apply provincial guidance to implement an agricultural systems approach.</u></b></p>	<p>As adopted, the Development Policies for the Rural Area do not include policies to address PPS 2024 requirements regarding agricultural systems. PPS 4.3.1 states that planning authorities are required to use an agricultural system approach, based on provincial guidance.</p>	<p>The proposed wording is acceptable.</p> <p>The proposed Ryerson Official Plan has new policies for an agricultural systems approach as an example that could be adapted to the Township. .</p>

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8	<p>3.3.4 Development Policies</p> <p><b><u>3.3.4.X Mineral resources development is permitted in the Rural area according to the Mineral Resources policies of this plan.</u></b></p>	<p>PPS 4.4 indicates that mineral resources shall be identified and protected for long-term use. The official plan was adopted without mineral resources policies. Please also see draft modification number 24.</p>	<p>The proposed wording is acceptable.</p>
9	<p>3.3.4 Development Policies</p> <p>3.3.4.7 Existing licensed extractive <b><u>aggregate</u></b> operations are identified on Schedule 'C', ....</p> <p>3.3.4.9 Sand and gravel are recognized as important resources in the Township and should be protected <b><u>for the long term</u></b> from encroachment of incompatible uses. Secondary sand and gravel deposits are shown on Appendix '<b><u>4A</u></b>'. The following provisions apply to development in proximity to existing extractive operations:</p> <p>i) <del>New incompatible land uses and activities adjacent to existing pits and quarries is discouraged. Extractive operations are generally considered comparable to Class III industrial facilities and therefore sensitive land uses should be situated according to Ministry of the Environment's D Series Guidelines on Land Use Compatibility, particularly D-6—Compatibility between Industrial Facilities and Sensitive Land Uses. Studies will be conducted according to provincial guidelines where sensitive land uses are proposed within the influence and assessment area of an aggregate operation to determine land use compatibility.</del></p> <p>ii) <del>Studies may be required to establish a new sensitive land use within the potential influence area of an existing or a new extractive use whose potential influence area will impact an existing sensitive land use.</del></p> <p>iii) When considering applications for development, regard shall be had for the protection of land for future extraction of mineral aggregate resources, particularly in the areas identified on Appendix '<b><u>4A</u></b>', <b><u>which include sand and gravel deposits, existing operations, and former operations. In these identified aggregate resource areas and on adjacent lands, activities which would preclude or hinder the establishment of new aggregate operations or access to aggregate resources shall only</u></b></p>	<p>As adopted, the Development Policies for the Rural Area do not include policies to address PPS 2024 requirements regarding aggregate resources and associated land use compatibility policies.</p> <p>Policies in section 4.5 of the PPS speak to the identification and protection of aggregate resources, including that existing operations shall be protected from development and activities that would preclude or hinder their expansion or continued use, and that on known deposits, development that would preclude or hinder the establishment of new operations is only permitted in certain circumstances related to long-term public interest, health, safety, and the environment.</p> <p>PPS 3.5.1 and 3.5.2 indicate that major facilities and sensitive land use shall be planned and developed to minimize and mitigate any potential adverse effects on incompatible adjacent land uses, and that planning authorities shall protect the long-term viability of major facilities according to provincial guidelines, which include MECP's D-1-2, and D-6, and/or <i>Aggregate Resources Act</i> permitting requirements. This provincial guidance is used to determine appropriate influence areas and minimum separation distances for aggregate operations on a site-by-site basis.</p>	<p>The proposed wording is acceptable.</p>

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	<p><b><u>be permitted if the aggregate resource use would not be feasible, the proposed land use serves a greater long-term public interest, and issues of public health, safety, and environmental impact are addressed.</u></b></p>		
10	<p>3.4 Crown Lands / Wilderness Area</p> <p>3.4.5 Private activities on Crown Lands are subject <del>to the provisions of this Plan and are subject to the specific policies of Section 3.3 (Rural Area) or if the development occurs within 150 metres (492 feet) of the shoreline of a lake, Section 3.1 (Shoreline Area)</del> <b><u>conditions of permit or lease as acquired from the Ministry of Natural Resources or the Ministry of Environment Conservation and Parks (for conservation reserves).</u></b></p> <p>3.4.7 The objectives and policies of the Plan for these areas are based on the land-use direction of the Ministry of Natural Resources as described in the Crown Land Use <b><u>Policy</u></b> Atlas for Ontario.</p>	<p>Crown lands are either subject to the <i>Public Lands Act</i>, which is administered by MNR, or to the <i>Provincial Parks and Conservation Reserves Act</i>, which is administered by MECP. As such, the Official Plan applies only to those lands where the <i>Planning Act</i> applies, which are private lands. Private activities on Crown lands require permits or leases from MNR or MECP.</p> <p>Land use policies for all Crown land use designations, including protected areas, are available online at the Crown Land Use Policy Atlas, which is maintained by MNR.</p>	The proposed wording is acceptable.
11	<p>4.1 General [Natural Heritage Features and Constraints]</p> <p>4.1.3 <del>Known s</del><b><u>Known s</u></b>Significant natural features are identified on Schedules 'B1' and 'B2'. Development constraints are identified on Schedule 'C'.</p> <p>4.2 Significant Natural Heritage Features Identification of Significant Natural Heritage Features</p> <p>4.2.1.1 Schedules 'B1' and 'B2' provide a Natural Heritage Features overlay, identifying where a number of significant natural heritage features have been identified and include:</p> <ul style="list-style-type: none"> <li>* Wetlands: this includes provincially significant wetlands <b><u>that have been identified by the Ministry of Natural Resources</u></b> and other potentially significant wetlands; ...</li> <li>* Significant Wildlife Habitat: <del>includes areas identified by the Ministry of Natural Resources as Stratum 2 Deer Wintering Habitat and Moose Aquatic Feeding Areas and Wintering Areas.</del></li> </ul> <p>4.2.1.2 <b><u>The presence of significant natural heritage features</u></b></p>	<p>As adopted, the official plan does not acknowledge that there may be as-yet unidentified significant natural heritage features.</p> <p>Procedures for the Ontario Wetland Evaluation System have changed – MNR no longer reviews or approves the results of an OWES study completed by a qualified professional.</p> <p>The Ministry of the Environment, Conservation and Parks administers provincial statutes and policies for endangered and threatened species (PPS 4.1.7), not the Ministry of Natural Resources.</p> <p>Proposed modifications address PPS policies for development on lands adjacent to significant natural heritage features (PPS 4.1.8), and the associated provincial guidance in MNR's Natural Heritage Reference Manual.</p>	The proposed wording is acceptable.

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	<p><b><u>and areas may not be known or their significance not yet evaluated.</u></b> The identification of Natural Heritage Features on Schedules 'B1' and 'B2' may be further refined or modified without formal amendment of the Plan as additional information becomes available, upon site inspection of individual properties or through supporting documentation.</p> <p>4.2.1.3 Policies are also included in this Section with respect to the habitat of endangered and threatened species <del>as identified by the Ministry of Natural Resources</del>. Due to the sensitive nature of these habitat areas, they are not included on Schedules 'B1' or 'B2'.</p> <p><b><u>4.2.1.X An Environmental Impact Study (EIS), as described in the Province's Natural Heritage Reference Manual and completed by a qualified professional, is required for applications for development within and adjacent to known natural heritage features and areas and/or where natural heritage features and areas are verified through site inspection or other available information. The requirements for completing an EIS may be waived if an ecological site assessment finds no natural heritage features and areas are located on or adjacent to the subject property.</u></b></p> <p>4.2.1.5 <del>For the purposes of a specific development application, the adjacent lands contiguous to a specific feature may be varied from these standards, where documented and justified to Council's satisfaction. Alternative adjacent lands widths may be implemented in certain areas of the Township after a comprehensive EIS demonstrates that the range of permitted uses, the natural heritage characteristics of the area, the existing development pattern, and other factors will ensure no negative impacts beyond the alternative adjacent lands width.</del></p>		<p>4.2.1.X could be added as 4.2.1.6 at the end of the section.</p>

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12	<p>4.2.2 Wetlands</p> <p>4.2.2.3 Very few of the wetlands in the Township have been evaluated by <del>the Ministry of Natural Resources</del> <b><u>qualified professionals using Ontario Wetland Evaluation System (OWES)</u></b>. Many of these unevaluated wetlands may be locally, regionally or provincially significant These features on the landscape have the likelihood to support habitat of endangered and threatened species and should be adequately considered in accordance with provincial</p> <p>4.2.2.7 Where development is proposed within an unevaluated wetland identified on Schedule 'B1', screening of the development will be undertaken as follows:</p> <ul style="list-style-type: none"> <li>• Where a development proposal will extend into, <b><u>or is located within 120 metres of,</u></b> the identified wetland area, the applicant will undertake an <b><u>ecological</u></b> site assessment to accurately delineate the wetland boundaries <b><u>and determine whether the wetland has characteristics or contains components of a significant wetland.</u></b> <ul style="list-style-type: none"> <li>○ <b><u>If such characteristics or components are found, the applicant will undertake a wetland evaluation.</u></b></li> <li>○ If the <b><u>proposed</u></b> development is determined to occur within <del>the a significant</del> wetland, then <b><u>development and site alteration will not be permitted.</u></b></li> <li>○ <b><u>If the proposed development is within 120 metres of a significant wetland, or within 30 metres of any other wetland,</u></b> the applicant will undertake an Environmental Impact Study (EIS) in accordance with the policies of this Plan to demonstrate that there will be no negative impacts to the wetland feature or its ecological function.</li> </ul> </li> <li>• <del>Where a development proposal is located within the adjacent lands to an unevaluated wetland, the applicant will undertake a scoped Environmental Impact Study (EIS) demonstrating that there will be no negative impacts to the wetland feature or its</del></li> </ul>	<p>PPS 4.1.4 states that development and site alteration shall not be permitted in significant wetlands in Ecoregion 5E. PPS 4.1.8 states that development and site alteration shall not be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts.</p> <p>Procedures for the Ontario Wetland Evaluation System have changed – MNR no longer reviews or approves the results of an OWES study completed by a qualified professional. MNR's Natural Heritage Reference Manual indicates that an ecological impact assessment can determine whether a wetland should be evaluated by OWES. The significance of a wetland must be determined before development.</p> <p>A proposed modification deletes a policy that is redundant and contradictory with previous wetland policies, other natural heritage policies, and the natural hazards policies of the official plan.</p>	<p>The proposed wording is acceptable.</p>

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	<p><b><del>ecological function.</del></b></p> <p><b><del>4.2.2.8 Although wetland areas in the Township requiring Environmental Protection have been delineated, existing wetland information is general in nature and has been presented on a large scale. Thus, development may be permitted in limited circumstances if the development proposal can be supported by evidence that the wetland area is not as extensive as current information suggests. Each development proposal must demonstrate, to the satisfaction of Council, that:</del></b></p> <ul style="list-style-type: none"> <li><b><del>i) the vegetation type and cover indicate that the property is not seasonally or permanently under water, nor does it have a water table close to or at the surface;</del></b></li> <li><b><del>ii) the elevation of the development site varies significantly from the surrounding property;</del></b></li> <li><b><del>iii) the soil is stable;</del></b></li> <li><b><del>iv) the area being considered for development does not contain any slopes over 20%; and</del></b></li> <li><b><del>v) the nature and scale of the proposed development will not have a negative impact on existing drainage patterns, nor on fish and wildlife that may be present.</del></b></li> </ul> <p><b><u>4.2.2.9 When peat harvesting is proposed, the associated wetland will be evaluated to determine its level of significance.</u></b> The impact of peat harvesting on the environment shall be evaluated prior to harvesting being permitted, and the harvesting of peat deposits shall be controlled. The harvesting of peat is prohibited in wetlands identified as Provincially Significant.</p>		

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13	<p>4.2.4 Fish Habitat</p> <p>4.2.4.2 Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it has been demonstrated that there will be no negative impacts on the fish habitat or its ecological functions. <del>Proposals for the development of lands in or adjacent to fish habitat may require an impact assessment that will consider the effect that the proposal will have on fish habitat, and methods by which negative impacts on the habitat can be eliminated or minimized. Council shall discourage development where it cannot be demonstrated that the anticipated negative environmental impacts can be eliminated or sufficiently minimized. The province’s Natural Heritage Reference Manual recommends that development adjacent to fish habitat may require a minimum of 30-metre buffer of natural vegetated cover adjacent to warmwater streams, cool water streams and cold-water streams, or inland waterbodies. A 15-metre buffer may be appropriate adjacent to warmwater streams and a 20-metre buffer may be appropriate adjacent to cool water streams.</del></p> <p>4.2.4.3 Schedule ‘B2’ identifies known Type 1 Fish Habitat. Additional <del>Type 1</del> Fish Habitat may be identified as part of the development review of specific applications. <b><u>Where site alteration or development is proposed on a waterbody, the waterbody will be considered fish habitat unless a fish habitat assessment determines otherwise. If fish habitat is identified, the assessment will determine if there are adequate areas that are not critical habitat where docking and other shoreline structures could be located.</u></b></p>	<p>PPS 4.1.6 states that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. PPS 4.1.8 states that development and site alteration shall not be permitted on adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts.</p> <p>Proposed modifications ensure that PPS requirements to protect fish habitat are met, and to ensure that all waterbodies are to be considered fish habitat unless a fish habitat assessment determines otherwise.</p>	<p>4.2.4.3 - Notwithstanding Type 1 habitat being mapped, the wording suggests that all shorelines/waterbodies are to be assumed as habitat. Or does this policy only apply to the areas mapped as Type 1? It is not reasonable to require a fish habitat assessment for every new lot created even if not fronting on mapped Type 1, since Type 1 has been identified.</p> <p>The revised wording for Section 4.2.4.2 already provides that a 30 metre buffer be considered adjacent to inland waterways. The proposed change to Section 3.2.4.4 (in modification 5) provides for a minimum 30 metres setback for new development for all shoreline lots (subject to reasonable circumstances for encroachment into the buffer, which would generally cover any potential impact on fish habitat. The current requirements for development noted in Section 4.2.4.1 and the revised wording in paragraph 4.2.4.2 should cover any potential impacts related to adjacent lands.</p> <p>For this reason, the proposed change in Section 4.2.4.3 is not required or appropriate. Further discussion on the modification to Section 4.2.4.3 is warranted.</p> <p>Otherwise, the proposed wording for the balance of Section 4.2.4 is acceptable, subject to the following note: . It is noted that this section utilizes the word “buffer”, where other parts of the Official Plan refer to setback. It is suggested that if the established setback is 30 metres, then the associated buffer would normally be 5 metres less, at 25 metres, to reflect the fact that there needs to be an open (non-buffered) area around the building.</p>
14	<p>4.2.5 Habitat of Endangered and Threatened Species</p> <p>4.2.5.2 The habitat of several threatened and endangered species is found in the Township. Due to the sensitive nature of this habitat, their location remains confidential and the Ministry <b><u>of Environment Conservation and Parks</u></b><del>Natural Resources</del> are to be contacted to confirm their presence on specific properties.</p>	<p>PPS 4.1.7 states that development and site alteration shall not be permitted in the habitat of endangered and threatened species except in accordance with provincial and federal requirements. MECP is the provincial ministry assigned to protecting endangered and threatened species, not the Ministry of Natural Resources.</p>	<p>The proposed wording is acceptable.</p>

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15	<p>4.2.6 Significant Wildlife Habitat</p> <p><b><u>4.2.6.X A range of significant wildlife habitat (in addition to deer wintering habitat and moose aquatic feeding areas) may occur in the Township. The municipality shall require a preliminary ecological site assessment to determine the presence of significant wildlife habitat, based on provincial guidance. Known significant wildlife habitat is mapped on Schedule B2.</u></b></p> <p>4.2.6.1 It is the intent of the Plan to protect areas identified as winter deer habitat. Proposals for the development of lands within or adjacent to a deer yard will be reviewed on a site specific basis. <b><u>Field investigations may be required to verify boundaries of deer habitat according to local and provincial Ministry of Natural Resources guidelines.</u></b></p> <p>4.2.6.2 <b><u>Development and site alteration will not be permitted in Stratum 1 deer wintering habitat. Development and site alteration in Stratum 2 habitat must conserve valuable conifer stands, feeding areas and movement corridors.</u></b> New lot creation in deer wintering areas...</p> <p>An <del>impact assessment</del> <b><u>Environmental Impact Study (EIS) will</u></b> <del>may</del> be required to be prepared by the applicant to determine if <del>thea development</del> proposal will result in an adverse impact on <del>the deer population</del> <b><u>any significant wildlife habitat</u></b>. Upon completion of said assessment...</p>	<p>PPS 4.1.5 states that development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.</p> <p>The adopted official plan does not appear include all currently known significant wildlife habitat in the official plan or on the schedules. For example, nesting areas are already known to exist in the municipality and are mapped by the province.</p> <p>The province’s ‘Significant wildlife habitat ecoregional criteria schedules for Ecoregion 5E’, ‘Significant Wildlife Habitat Technical Guide’, and the Natural Heritage Reference Manual are the local guidance documents used to identify significant wildlife habitat in the Township.</p> <p>Also see Schedule modification at the end of this table.</p>	<p>There is no identified Stratum 1 deer wintering in the Township, as such, the first sentence in Section 4.2.6.2, that reads: “Development and site alteration will not be permitted in Stratum 1 deer wintering habitat”, should be removed.</p> <p>Otherwise, the proposed wording is acceptable.</p>
16	<p>4.3 Water Resources</p> <p>4.3.1 The Township recognizes the importance of maintaining and improving the quality and quantity of groundwater and surface water. As such, the function of watercourses and sensitive ground water recharge/discharge areas, aquifers and head water areas will be protected or enhanced. All major development applications, including plans of subdivision and water taking industries, shall be supported by hydrological and terrain analysis reports and nitrate impact assessments where there may be an impact on ground or surface water resources. <del>An impact</del> <b><u>lakeshore capacity</u></b> assessment of development on a surface waterbody will also be required for major development adjacent to a waterbody. These studies, among other matters, will address the impacts of the</p>	<p>PPS 4.2.2 states that development and site alteration shall be restricted, or preventative or mitigative measures taken, in or near sensitive surface water features and sensitive ground water features. The official plan was adopted without reference to known sensitive waterbodies, nor did it consider environmental lake capacity or the associated provincial guidance in MECP’s Lakeshore Capacity Assessment Handbook.</p>	<p>There are currently no known lake capacity issues on lakes in the Township.</p> <p>The proposed wording is acceptable.</p>

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	<p>proposed development on ground and surface water resources.</p> <p><b><u>4.3.X The Township will minimize cross-jurisdictional impacts to water resource systems by working with neighbouring municipalities to prevent or minimize negative impacts to vulnerable or sensitive surface and ground water resources such as those in the Horn, Doe, and Buck lake watersheds.</u></b></p> <p><b><u>4.3.X Where indicators identify that a waterbody may be reaching its environmental lake capacity for development, development and site alteration will be restricted in or within 300 metres of sensitive surface water features and their inflowing tributaries found in any land use designation in accordance with provincial guidance in the Lakeshore Capacity Assessment Handbook. For the purposes of a lakeshore capacity assessment, existing and future waterfront lots will be assumed to be year-round dwellings unless past and future use of lots are confirmed to be seasonal.</u></b></p>		
17	<p>5.1 General (hazards, natural and <b>hu</b>man-made)</p> <p>5.2 Flood <b><u>and erosion hazards</u></b><del>plains</del></p> <p>5.2.1 The erection of buildings or structures, or the removal or placing of fill of any kind, shall be prohibited except where such buildings or structures are intended for flood or erosion control or bank stabilization <b><u>which would not affect flood flows</u></b>. Minimal development of shoreline structures (docks, boat ramps) may be permitted.</p> <p><b><u>5.2.X Development shall generally be directed to areas outside of hazardous land adjacent to river, stream, and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.</u></b></p> <p>5.2.2 <del>Similarly, d</del>Development <del>shall</del><b><u>should</u></b> not be permitted <del>within a floodway or in areas that would be rendered inaccessible to people and vehicles during times of flooding or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the hazard on other lands not specifically identified, but where flooding is known to occur. In these instances, development may be permitted after the proponent has undertaken studies to confirm that development in that location can occur in a safe</del></p>	<p>PPS 5.1 and 5.3 speak to “human-made” hazards (as opposed to “man-made” hazards).</p> <p>Policies in section 5.2 of the PPS provide direction on protecting human health, safety, and property from flooding, erosion, and wildland fire. As adopted, the official plan did not address these PPS policies.</p> <p>PPS 5.2.7 and 5.2.8 state that where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe. The official plan mentions that “There is currently no engineered flood plain information available for the Township”, so there is no defined “flood fringe”. Therefore, no two-zone concept can be applied in McMurrich/Monteith, and proposed modifications delete the language that would apply two-zone concept policies.</p> <p>This section indicates known flood levels for two waterbodies, but floodplains are not identified on a schedule. Since marginal refinement to undefined boundaries is not possible, proposed development adjacent to a floodplain will require a study to determine floodplain boundaries.</p>	The proposed wording is acceptable.

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	<p><del>manner with no impact to existing development up or down stream.</del></p> <p>5.2.3 The following development shall not be permitted to locate within an <del>identified</del> Floodplain or where flooding is known to occur: ...</p> <p>5.2.4 The Township recognizes the importance of effective flood plain management in order to prevent loss of life, property damage, and social disruption in the event of a <b>regulatory</b> flood. The <del>regulatory flood elevation (flood hazard in a</del> flood plain) is based on the higher of the 1:100 year flood and the level of flooding that would occur under a storm modeled on the Timmins (1961) storm <b><u>unless the Ministry of Natural Resources has approved a standard for a specific watershed.</u></b> Development will be directed to areas outside of lands recognized as flood plains.</p> <p>5.2.6 Any development proposed adjacent to a <b>potential</b> floodplain will require a study by a qualified specialist, to be conducted at the expense of the developer, to definitively determine the elevation and extent of the flood plain before approval for the development will be considered.</p> <p>5.2.9 <b><u>The Township will ensure hazardous land and sites are identified either before or at the time development is proposed, and will manage development in these areas in accordance with provincial guidance.</u></b> There is currently no engineered flood plain information available for the Township <b><u>to map on Schedule D</u></b> <del>Until such information is developed marginal refinements to flood plain boundaries may be made without an amendment to the Official Plan, provided they are in keeping with the original intent of this section.</del></p>		
18	<p>5.5 Influence and Assessment Areas</p> <p>5.5.1 <b><u>Site-specific studies will be conducted according to provincial guidelines (e.g., Aggregate Resources Act procedures, MECP D-1-2 and D-6, Environmental Noise Guidelines) to determine appropriate influence areas and minimum separation distances for the Township's aggregate operations. If these studies cannot be obtained, aggregate operations will be considered Class III industries for the</u></b></p>	<p>According to PPS Section 3.5, planning and development must minimize and mitigate potential adverse effects, minimize risk to public health and safety, and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines. Where avoidance is not possible, planning authorities must protect the long-term viability of existing or planned major facilities that would be vulnerable to encroachment.</p>	<p>The wording in 5.5.2 suggests that <b>no</b> development is permitted within the suggested minimum separation distances, and that development within the influence area may be permitted subject to a study. This policy requires clarification – if a new use is proposed within the separation distance with a supportive technical study, the application should be in conformity with 5.5.2, and not require an OPA. Would an OPA be needed even with a supportive technical study demonstrating no impacts?</p>

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	<p><b><u>purposes of land use compatibility.</u></b> Schedules 'C' and 'D' identify <b><u>minimum separation distances for Class III industries potential influence areas around aggregate operations and waste disposal sites.</u></b></p> <p><b><u>5.5.X Potential influence areas and minimum separation distances for industrial land uses have been identified by the province (Guideline D-6) as follows:</u></b></p> <table border="1" data-bbox="289 635 1205 917"> <thead> <tr> <th><b><u>Industry</u></b></th> <th><b><u>Influence area (metres)</u></b></th> <th><b><u>Minimum separation distance (metres)</u></b></th> </tr> </thead> <tbody> <tr> <td><b><u>Class I</u></b></td> <td><b><u>70</u></b></td> <td><b><u>20</u></b></td> </tr> <tr> <td><b><u>Class II</u></b></td> <td><b><u>300</u></b></td> <td><b><u>70</u></b></td> </tr> <tr> <td><b><u>Class II</u></b></td> <td><b><u>1000</u></b></td> <td><b><u>300</u></b></td> </tr> </tbody> </table> <p>5.5.2 The development of new <b><u>incompatible</u></b> uses or new or enlarged buildings or structures <b><u>for a new or existing more sensitive use</u></b> within an identified influence area, <b><u>but outside of the minimum separation distance,</u></b> may be permitted provided an assessment is completed <b><u>according to the land use compatibility policies of this plan</u></b> to determine, where applicable: ...</p>	<b><u>Industry</u></b>	<b><u>Influence area (metres)</u></b>	<b><u>Minimum separation distance (metres)</u></b>	<b><u>Class I</u></b>	<b><u>70</u></b>	<b><u>20</u></b>	<b><u>Class II</u></b>	<b><u>300</u></b>	<b><u>70</u></b>	<b><u>Class II</u></b>	<b><u>1000</u></b>	<b><u>300</u></b>	<p>The in-effect official plan states that that aggregate operations would be comparable to Class III industrial use, with an assessment to occur in accordance with the D6 Guideline. The adopted official plan's amended policies selected an influence area for Class II industrial use based on the size, location and nature of the existing aggregate operations. However, it appears that no studies have been completed to establish site-specific influence areas for the aggregate sites. Therefore, the default Class III must continue to apply until studies determine the appropriate influence areas and minimum separation distances for the aggregate operations. Proposed modifications reflect this requirement, without resulting in any associated modification to the schedule.</p>	<p>The Sprucedale Settlement Area will be substantially affected by this suggested 5.2.2 policy. Most of the settlement is within the 1000 metre assessment area of pits/quarries to the south of Hwy 518. Historically, the scale of the aggregate operations and their potential to expand has warranted consideration of a smaller influence area, and including potential development within the assessment area. There is already considerable development within 300 metres of aggregate operations in the vicinity of Sprucedale, which represents an existing situation. The wording of Section 5.5.2 should be modified to remove reference to "but outside of the minimum separation distance".</p> <p>In other respects, the proposed wording is acceptable.</p>
<b><u>Industry</u></b>	<b><u>Influence area (metres)</u></b>	<b><u>Minimum separation distance (metres)</u></b>													
<b><u>Class I</u></b>	<b><u>70</u></b>	<b><u>20</u></b>													
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19	<p>5.6 Abandoned Mine Hazards</p> <p>5.6.2 Where development is proposed on lands which include, or are abutting, land affected by known mine hazards or former mineral resource operations, the development will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed, in compliance with provincial requirements. The approval authority will require documentation from a development proponent to this effect. Alternatively, confirmation will be required from a qualified professional that the lands proposed for development are not affected by the mine hazard. <b><u>For development proposed less than one kilometre away from a mine hazard, the Township will consult with the Regional Land Use Geologist at the Ministry of Energy and Mines.</u></b></p>	<p>The Ministry of Energy and Mines requires that proponents contact the Regional Land Use Geologist when about any development proposals within one kilometre of a known mine hazard. The Abandoned Mine Hazards section of the adopted official plan did not mention consultation with the province, so a modification is proposed.</p>	<p>The proposed wording is acceptable.</p>												

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20	<p>6.3 Cultural Heritage and Archaeology</p> <p><b><u>6.3.X The Township may designate protected heritage property. The municipal clerk will maintain a register of all properties of cultural heritage value or interest that are designated by by-law, in accordance with the requirements of the Ontario Heritage Act. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved, and the planning authority shall not permit development or site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved. The Township will require a heritage impact assessment and/or conservation plan to be conducted by a qualified professional whenever a development has the potential to affect a protected heritage property.</u></b></p> <p>6.3.2 The Township recognizes that there may be <b><u>archaeological resources archaeological remnants of prehistoric and early historic habitation</u></b> within the Township, as well as areas exhibiting archaeological potential. Archaeological potential areas are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Township and developed by a licensed archaeologist. This criteria [sic] includes features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally significant heritage areas such as portage routes or other places of past human settlements.</p> <p><b><u>6.3.3 The Township shall not permit development or site alteration on lands containing archaeological resources or in areas of archaeological potential unless the significant archaeological resources will be conserved.</u></b></p> <p><del>6.3.3 The Township's heritage and archaeological resources should be conserved and enhanced wherever practical. Heritage resources include archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, heritage landscapes, and areas of historic and scenic interest. The preservation of archaeological sites in an intact condition is the preferred means for the conservation of resources. Archaeological</del></p>	<p>PPS 4.6.1 and 4.6.3 state that protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved that planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.</p> <p>McMurrich/Monteith's adopted official plan identifies the lands designated as Settlement Area as having historical significance.</p> <p>PPS 4.6.2 states that planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeology has been conserved. MCM has indicated that the municipality can enter a data-sharing agreement to access information on the registered local archaeological sites, that on-site preservation takes precedence over excavation of archaeological resources, and that for cemeteries and burial sites, the <i>Ontario Heritage Act</i> and the <i>Funeral, Burial and Cremation Services Act</i> both apply. PPS 4.6.5 states that planning authorities shall engage early with Indigenous communities.</p> <p>Proposed modifications ensure consistency with these PPS policies, provincial statutes and guidelines.</p>	<p>These provisions have limited application to the Township at the present time.</p> <p>The proposed wording is acceptable.</p>

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	<p><b><u>excavation as a means of mitigation of impacts will only be considered when it is demonstrated that site preservation is not possible. Where a cemetery or burial site are present, provisions under both the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act apply.</u></b></p> <p>6.3.4 <b><u>In areas of archaeological potential on land or in marine settings,</u></b> Council shall, in cooperation with the <b><u>Ministry of Citizenship, Culture and Recreation province</u></b> and by licensed archaeologists, require archaeological <b><u>impact assessments, surveys and/or the preservation on site or rescue excavation of significant archaeological resources that might be affected by any future development.</u></b></p> <p>6.3.5 Council shall <b><u>ensure the conservation of</u></b> <del>have regard for</del> cultural heritage resources in the undertaking of municipal public works. <del>When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant heritage resources.</del></p> <p><b><u>6.3.X The Township shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.</u></b></p>		
21	<p>6.6.3 Group Homes</p> <p>Group homes may be permitted in all areas which permit residential development, <del>subject to the provisions of the Zoning By-law.</del></p>	<p>PPS 6.1.3 states that the PPS will be implemented in a manner that is consistent with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms. The Ontario Human Rights Commission has taken the position that group homes should be subject to the same performance standards as other residential uses, including taking issue with zoning provisions that have imposed greater restrictions on group homes.</p>	<p>The proposed wording is acceptable.</p>

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22	<p>6.6.6 <b><u>AdditionalSecondary</u></b> Residential Units</p> <p>6.6.6.1 The development of <b><u>additionalsecondary</u></b> residential units provides opportunities to increase the supply of affordable rental accommodation in the Township. In accordance with the provisions of the Planning Act, the Township supports the potential for the establishment of <b><u>additionalsecond</u></b> residential units <del>in single detached and semi-detached dwellings, or in accessory structures on lots containing single detached or semi-detached dwellings if the single detached or semi-detached dwelling contains one (1) residential unit,</del> throughout the Rural and Settlement Areas provided the development:</p> <p>f) <b><u>The Additionalsecondary</u></b> units <b><u>areis</u></b> only permitted within the main residential unit; or a permitted accessory building.</p> <p>6.6.6.2 Where <b><u>additionalsecondary</u></b> residential units are established in accessory structures, they will not be subdivided or separated <b><u>by way of consent</u></b> from the main residential dwelling on the property, unless the lots meet the minimum requirements for new lot creation in the Plan.</p> <p>6.6.6.3 The zoning by-law will establish specific performance standards for <b><u>additionalsecondary</u></b> residential units, consistent with the provisions of this section.</p>	<p>O. Reg 299/19 of the <i>Planning Act</i> provides regulations for additional residential units, including more than two. The adopted official plan refers to “secondary” units or dwellings. While the regulatory prescriptions do not apply on residential land without full municipal sewer and water services, the term (and the explanation thereof) is out-of-date because it assumes that only one additional unit may be permitted on a residential lot.</p> <p>All nine references to “secondary dwelling”, “secondary residential unit”, or “secondary unit” (singular or plural) in the adopted official plan will be updated. Six of the nine references are found in section 6.6.6.</p>	<p>The proposed wording is acceptable.</p>

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23	<p>6.8 Land Use Compatibility</p> <p>6.8.3 <del>When a change in land use places, or is likely to plan a major facility of sensitive land use within the area of influence of another less sensitive use, the policies contained within the MOE D Series Guidelines shall be applied to minimize of prevent the exposure of any person, property, plant or animal life to adverse effects associated with the operation of specified facilities. Major facilities and sensitive land uses will</del> <b><u>minimize risk to public health and safety and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures. Where avoidance is not possible, existing or planned major facilities will be protected for their long-term viability from encroachment by permitting adjacent sensitive land uses only when potential adverse effects to the proposed sensitive use and major facilities are minimized or mitigated in accordance with provincial guidelines, standards, and procedures.</u></b></p> <p>6.8.5 The <del>MOE D-series</del> <b><u>province's procedures and</u></b> guidelines (e.g., <del>D-Series Guidelines, Environmental Noise Guideline, etc.</del>) will be used to determine the appropriate <b><u>prevention, avoidance and mitigating on</u></b> measures to be taken, <del>including within established influence areas but outside</del> minimum distance separations.</p>	<p>Planning and development must minimize and mitigate potential adverse effects, minimize risk to public health and safety, and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines. Where avoidance is not possible, planning authorities must protect the long-term viability of existing or planned major facilities that would be vulnerable to encroachment. Proposed modifications address the requirements of PPS 3.5.1 and 3.5.2 by ensuring that both sensitive land uses and major facilities are protected, and point to provincial guidance.</p>	<p>The proposed wording is acceptable.</p>

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24	<p><b><u>6.9 Mineral Resources</u></b></p> <p><b><u>6.9.1 Mineral resources development is permitted in identified mineral resources areas without requiring an amendment to this Plan, subject to the provisions of the Mining Act and the Environmental Protection Act. Mineral development will require an amendment to the Zoning By-law to permit mineral mining operations and ancillary uses.</u></b></p> <p><b><u>6.9.2 Mineral resources include all minerals not regulated under the Aggregate Resources Act. Mineral resources are regulated under the Mineral Resources Act administered by the province. Mineral resource areas are where mining operations and associated facilities presently exist, have existed in the past or areas where there is a high potential for mining activities to occur due to the quality and quantity of the mineral deposits. Existing mineral resources areas are identified on Schedule C.</u></b></p> <p><b><u>6.9.3 Sensitive land uses shall be required to be separated and/or buffered from mineral resource areas in accordance with provincial legislation, policies, and appropriate guidelines. Development and activities which would preclude or hinder the establishment of new mining operations, expansion of existing operations, or access to the resources in identified mineral resource areas or on adjacent lands shall only be permitted if:</u></b></p> <ul style="list-style-type: none"> <li><b><u>i) resource use would not be feasible; or</u></b></li> <li><b><u>ii) the proposed land use or development serves a greater long-term public interest; and</u></b></li> <li><b><u>iii) issues of public health, public safety and environmental impact have been addressed.</u></b></li> </ul> <p><b><u>6.9.5 The province shall be consulted with regards to development within or adjacent to identified mineral resource areas. Where the potential exists for a proposed land use to hinder access to a mineral mining site, the proponent will be required to ensure access to the surrounding mineral resources.</u></b></p> <p><b><u>Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased.</u></b></p>	<p>PPS 4.4.2 directs municipalities to identify mineral mining operations and significant areas of mineral potential, and to protect them from development that would preclude or hinder their expansion or continued use or would be incompatible for reasons of public health and safety, environmental impact, or long-term public interest.</p> <p>PPS 4.4.3.1 states that rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased.</p> <p>Policies for the identification and protection of mineral resources were not included in the adopted official plan.</p> <p>Also see Schedule modification at the end of this table.</p>	<p>Comments and proposed policies require mineral resource potential areas to be shown on the Official Plan schedules. The Metallic Mineral Potential Estimation Tool (MMPET) was used to generate a map of mineral potential areas within the Township.</p> <p>In a March 11, 2026 e-mail from Matt Krukowski (MEM), it was noted that “The MMPET map is intended to support internal land use planning considerations and the development of municipal planning strategies, including identifying areas where mineral exploration may occur with minimal land-use conflicts. It is provided for reference only and is not intended for direct inclusion in the Official Plan or for public release as a standalone map.”</p> <p>Based on this, the provisions need to be modified to reflect that there is no official mapping. (e.g. in 6.9.1, 6.9.2).</p> <p>It is also not clear based on the mapping reviewed and the PPS policies whether there is a need for the provisions suggested in Section 6.9.3.</p> <p>This section needs further discussion with the Ministry.</p>

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25	<p>7.2 Transportation</p> <p>7.2.2 The Township road system consists of one Secondary Provincial Highway and a local road system. The Municipality recognizes the importance of Highway 518, and supports the development and land division policies of the Ministry of Transportation. Any development proposed adjacent to a provincial highway will be subject to the requirements and permit control of the Ministry of Transportation. <b><u>Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial approvals and transportation planning. If the proposed use is sensitive, a land use compatibility noise assessment is required.</u></b></p> <p>7.2.10 All <del>new or</del> existing roads dedicated to the Municipality must be brought up to current Municipal standards prior to being assumed by the Township. Existing seasonally maintained roads must be brought up to an appropriate standard at the cost of the property owners before they will be considered for year-round service.</p>	<p>PPS 3.3.3 states that planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor. Development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with the long-term purposes of the corridor and should avoid, or should otherwise minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.</p> <p>To help planning authorities meet these requirements, the province requires that development adjacent to provincial highways is compatible with the level of noise generated by the highway (using MECP’s NPC-300 noise assessment) and is approved by MTO under the <i>Public Transportation and Highway Improvement Act</i>. MTO encourages early consultation with them by development proponents. A modification is proposed to policy 7.2.2.</p> <p>One modification to policy 7.2.10 deletes reference to “new” roads in this policy, as it conflicts with policy 7.2.6.</p>	<p>The proposed wording is acceptable.</p>
26	<p>7.3 Water and Sewage Disposal Services</p> <p>7.3.1 Water and sewage disposal services in the Township are currently provided on a private individual basis. <b><u>Commercial and industrial land uses are restricted to dry activities, where only the disposal of domestic waste of employees is permitted and treated. No industrial liquid wastes, wash, or cooling water or process wastes is permitted.</u></b> Any development requiring Municipal and/or private communal water and sewer services will not be permitted without an Official Plan Amendment.</p> <p><b><u>7.3.X Prior to approving new development proposals, the planning authority will ensure that:</u></b></p> <p><b><u>i) site conditions are suitable for the long-term provision of proposed private individual water and sewage services with no negative impacts, in accordance with provincial standards; and</u></b></p> <p><b><u>ii) confirmation that a licensed sewage hauler is available, and that hauled sewage will be hauled to and received by a</u></b></p>	<p>PPS 3.6.4 indicates that individual on-site sewage services and individual on-site water services may be used if conditions are suitable for the long-term provisions of such services with no negative impacts.</p> <p>MECP’s ‘Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems, Water Quality Impact Risk Assessment’, ‘Procedure D-5-5 Technical Guideline for Private Wells Water Supply Assessment’, and the Ontario Building Code provide the applicable provincial guidance for the development of any permitted use that would use private individual services. As outlined in MECP’s D-5-4, the official plan must restrict commercial and industrial uses to “dry” activities.</p> <p>PPS 3.6.7 states that planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.</p>	<p>The proposed wording for Section 7.3.1 is acceptable.</p> <p>The addition of Section 7.3.X (ii) is potentially problematic and may require further discussion. All existing properties with septic systems (or other approved disposal systems) are sometimes required to have their systems pumped out, and licensed hauled sewage operators are available to provide service to the existing (and potential) properties. Clause (ii) should be deleted.</p>

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	<b><u>provincially-approved sewage treatment facility with sufficient reserve capacity to receive septage from the new development.</u></b>		
27	<p>8.2 Interpretation of Numbers and Boundaries</p> <p>8.2.2 It is recognized that the boundaries of the Natural Heritage Features and Natural Resources and Hazards overlay areas identified in Schedules ‘B1’, ‘B2’, ‘C’ and ‘D’ may be imprecise and subject to change or refinement. The development proponent shall determine, to the satisfaction of the Township, the extent of the environmental areas on a site-by-site basis when considering any development proposal, in consultation with the appropriate agencies. Any refinement to the areas shall not require an Amendment to this Plan. Boundary changes to Provincially Significant Wetlands can only be confirmed or approved <b>by using the <u>Ontario Wetland Evaluation System</u> Ministry of Natural Resources.</b></p> <p><del>8.2.4 For the purposes of preparing zoning by-laws, subdivision approvals, site plan approvals, and land severances, minor deviations to the boundaries or to the lot requirements may be permitted without amendment to this Plan provided that such deviations do not alter the intent of this Plan.</del></p>	<p>Procedures for the Ontario Wetland Evaluation System have changed – MNR no longer reviews or approves the results of an OWES study completed by a qualified professional.</p> <p><i>Planning Act</i> section 24 (1) states that where an official plan is in effect, no by-law shall be passed for any purpose that does not conform therewith. Planning applications (consents, subdivision, etc.), and tools must conform to the zoning by-law. Therefore policy 8.2.4 is deleted.</p>	<p>Section 8.2.4 provides for some flexibility in the Official Plan to not require an official plan amendment for minor deviations to the numbers and mapped boundaries.</p> <p>We do not support removal of Section 8.2.4.</p>
28	<p>8.3 Official Plan Amendments Review</p> <p>8.3.1 Amendments</p> <p>8.3.1.2 Requests for site specific changes to the Official Plan may be considered by Council upon application, and will be evaluated on the basis of the following criteria:</p> <p>i) consistency with the principles and policies of the Provincial <del>Planning</del><b>Policy</b> Statement; ...</p> <p>8.3.2 Review</p> <p>8.3.2.2 Council will review the need for changes to the Official Plan <b><u>at least every ten years no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan.</u></b> The review will consist of an assessment of:</p> <p>i) the relevance of the goals and objectives that form the foundation of this Plan;</p>	<p>There is only one instance in this adopted official plan where the name of the PPS must be updated to the “Provincial Planning Statement” from the “Provincial Policy Statement”.</p> <p>Subsections 26 (1) and (1.1) of the <i>Planning Act</i> provide procedural guidance for the review and revision of official plan policies when update is required for consistency with provincial policies and statutes. Proposed modifications to policy 8.3.2.2 update the official plan revision procedures to conform with the <i>Planning Act</i>.</p>	<p>The proposed wording is acceptable.</p>

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	ii) the extent to which the anticipated development pressures have occurred; iii) the suitability of the policies applicable to the various land use designations; and, iv) <b><u>the need for revised or new policy initiatives whether revision is needed to ensure that the Plan conforms, or does not conflict with the Growth Plan for Northern Ontario; has regard to the matters of provincial interest; and is consistent with provincial policy statements.</u></b>		
29	8.5 Lot Creation 8.5.1 Consent 8.5.1.2 In addition to specific land use policies, the following criteria shall be applied to the creation of lots by consent: vii) the lot shall meet Minimum Distance Separation requirements, as established <b><u>using provincial guidance in the Zoning By-law.</u></b>  <del>8.5.1.3 Exceptions to minimum lot size and access requirements may be considered by the Township where more than one primary, free standing, substantive and structurally sound building legally exists, subject to the general intent and policies of the plan being satisfied.</del>	Minimum Distance Separation requirements are developed by the province, not determined by Council in the Zoning By-law.  Policy 8.5.1.3 is deleted, because it conflicts with policy 6.6.6.2 in the adopted official plan.	The proposed wording is acceptable.
30	8.10 Parkland Dedication  In considering land division, the Township may require the applicant to dedicate a portion of the gross area being developed for the provision of public open space other than roads <b><u>in accordance with provisions of sections 42 and 51.1 of the Planning Act.</u></b>	Bill 23 <i>More Homes Built Faster Act, 2022</i> resulted in updates to sections 42 and 51.1 of the <i>Planning Act</i> , e.g., special provisions for non-profit and affordable housing, and the requirement for a Parks Plan before passing a parkland dedication by-law, etc.	The proposed wording is acceptable.

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31	<p>8.11 Complete Applications and Pre-Consultation</p> <p>8.11.1 When considering development or redevelopment of land requiring an application under the Planning Act, Council may require the following information and/or studies to be submitted as part of a complete application package: ...</p> <ul style="list-style-type: none"> <li>• All necessary reports/studies/plans, which may include:                             <ul style="list-style-type: none"> <li>◦ Environmental Impact Study / <b><u>Ecological Site Assessment</u></b></li> <li>◦ <b><u>Environmental Site Assessment / Record of Site Condition</u></b></li> <li>◦ <b><u>Environmental Noise Study (NPC-300)</u></b></li> <li>◦ Sediment Control Plan / <b><u>Erosion Plan / Slope Stability Analysis</u></b></li> <li>◦ <b><u>Flood plain analysis / Flood plain mapping</u></b></li> <li>◦ <b><u>Geotechnical Study / Mining Hazard Study</u></b></li> <li>◦ Functional Servicing Report / <b><u>Servicing Options Report</u></b></li> <li>◦ Archaeological Assessment / <b><u>Heritage Impact Assessment / Conservation Plan</u></b></li> <li>◦ <b><u>Lakeshore Capacity Assessment</u></b></li> <li>◦ <b><u>Aggregate Resources Study</u></b></li> <li>◦ <b><u>Agricultural System Study / Soils Assessment</u></b></li> </ul> </li> </ul>	<p>The modification proposes new additions to the list of studies to ensure that studies or reports related to the requirements laid out in official plan policies are included.</p>	<p>Since the list is discretionary, the proposed wording is acceptable.</p>

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32	<p><b><u>8.15 Indigenous Engagement</u></b></p> <p><b><u>8.15.1 The Township is situated in Robinson Huron Treaty (1850) and Williams Treaty (1923) territory.</u></b></p> <p><b><u>8.15.2 The Township shall undertake early and ongoing engagement with Indigenous communities and shall coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal and treaty rights.</u></b></p> <p><b><u>8.15.3 The Township shall directly engage with Indigenous communities and organizations with whom they have established or wish to establish relationships, as well as any potentially interested Indigenous communities, with respect to land use planning matters.</u></b></p>	<p>The Vision of the Provincial Planning statement speaks to the unique and important role of Indigenous Communities in land use planning. PPS policy 6.1.2 states that the PPS shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the <i>Constitution Act, 1982</i>.</p> <p>MMAH consulted with Indigenous Communities after receiving the adopted official plan for Minister’s approval. A local First Nation commented directly on the lack of acknowledgement in the official plan of Indigenous communities, Indigenous peoples’ care of the land since time immemorial, and Aboriginal and treaty Rights.</p> <p>The official plan was adopted without mention of Indigenous communities or Aboriginal and treaty rights. A new Indigenous Engagement section is proposed to address the PPS requirement to engage with potentially interested or affected Indigenous communities when making land use planning decisions.</p>	<p>The proposed wording is acceptable.</p>
33	<ol style="list-style-type: none"> <li>1. Schedule A Land Use shall be updated to indicate Shoreline areas where the Shoreline policies overlap the Settlement Area lands in Bear Lake.</li> <li>2. Schedule B1 Natural Heritage Features. “Provincial Wetland – Evaluated” shall be renamed to “Provincial Wetland – Significant”, and the “Other Wetland – Evaluated” should indicate level of significance instead of “Evaluated” and be the same colour on both the map and in the legend.</li> <li>3. Schedule B2 Natural Heritage Features shall be updated to include all known significant wildlife habitat in the municipality.</li> <li>4. Schedule C Development Constraints shall be updated to identify mineral resources areas.</li> </ol>	<p><b>Proposed Modifications to Schedules</b></p> <ol style="list-style-type: none"> <li>1. Shoreline designation should be visible on the land use designation Schedule everywhere the Shoreline policies apply. Therefore, part of the Bear Lake Settlement Area should be depicted as Shoreline on Schedule A.</li> <li>2. The Natural Heritage Features Schedule is not clear about the level of significance of evaluated wetlands, nor is it always consistent on the map and in the legend.</li> <li>3. The adopted official plan does not appear to include all currently known significant wildlife habitat in the official plan or on the schedules. The municipality can contact MNR’s <a href="#">Regional Planning Coordinator Cara Holtby</a> to be directed to the Regional Planner for Parry Sound District for more direction on mapping known significant wildlife habitat as defined in ‘Significant wildlife habitat ecoregional criteria schedules for Ecoregion 5E’,</li> </ol>	<p>The schedules have been updated as required, and dated March 24, 2026.</p> <p>Schedule C has not been modified.</p>

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		<p>‘Significant Wildlife Habitat Technical Guide’. For example, nesting areas are known to exist in the municipality and documented by MNR's <a href="#">Natural Heritage Information Centre (Get natural heritage information;</a> e.g., wader, colonial waterbird, raptor nesting). Additional useful links include Geohub (<a href="#">Wildlife Values Area, Wildlife Values Site</a>), <a href="#">Natural Resources Data Access Requests</a>, and <a href="#">Natural heritage - additional resources</a>.</p> <p>4. The Development Constraints Schedule is required to identify mineral resource area(s), in accordance with the Mineral Resources policies in the official plan and the PPS. The municipality shall acquire mapping for areas of mineral potential from MEM’s local Regional Land Use Geologist and advice on how to implement it in their official plan. The municipality shall include current or previous mining sites, and shall use the information from MEM regarding areas of high mineral potential to identify and delineate appropriate mineral resources areas on Schedule C. The municipality can contact MEM’s <a href="#">Regional Land Use Geologist Pierre Bousquet</a> for more information.</p>	

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