



## Municipality of Mississippi Mills

### COUNCIL AGENDA

Tuesday, June 21, 2022

5:30 p.m.

E-participation

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Pages

A. CALL TO ORDER

B. CONSIDERATION OF A CLOSED SESSION

B.1 MRPC Board of Directors

B.2 Committee Appointment

**Recommended Motion:**

**THAT** Council enter into an in camera session at 5:30 p.m. as per personal matters about an identifiable individual, including municipal or local board employees (Municipal Act s.239 2(b))

C. RISE AND REPORT

D. O CANADA

E. MOMENT OF SILENT MEDITATION

June 21st is National Indigenous Peoples Day.

F. ATTENDANCE

G. APPROVAL OF AGENDA

**Recommended Motion:**

**THAT** the agenda be approved as presented.

H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

I. APPROVAL OF MINUTES

**Recommended Motion:**

**THAT** the Council minutes dated June 7, 2022, be approved as presented.

J. DELEGATION, DEPUTATIONS, AND PRESENTATIONS

4 - 12

- J.1. **Mississippi Valley Conservation Authority - Sally McIntyre, General Manager re: Programs and Services**  
**Recommended Motion:**  
**THAT** the delegation from Sally McIntyre, General Manager, Mississippi Valley Conservation Authority regarding programs and services be received as information.

**K. PUBLIC MEETINGS**

- K.1. **Background Report – Zoning By-law Amendment Z-03-22 (Walker) 775 Country Street (785 Country Street), Municipality of Mississippi Mills** 13 - 44

**L. COMMITTEE OF THE WHOLE REPORT** 45 - 48

**Recommended Motion:**  
**THAT** Council approve the Committee of the Whole motions from the June 7, 2022 meeting.

- L.1. **Consent Report - Committee Minutes**
- L.2. **Supply and Delivery Front Mount Mower**
- L.3. **Canada Wide Early Years Childcare Agreement**
- L.4. **Review of ATV By-Law**
- L.5. **Award of Main St. Pedestrian Crossover**
- L.6. **Windstorm Update – Levels of Service**
- L.7. **Site Plan Control By-law and Associated Guidelines**
- L.8. **Planning Act Changes, Pre-consultation By-law and Planning Department Level of Service Report**
- L.9. **LEAR - Working Group and additional funding**
- L.10. **LEAR - Appointment of Working Group Members**
- L.11. **LEAR - Future discussion September 6, 2022**
- L.12. **Notice of Motion - Parking Restrictions Adelaide St. Councillor Dalgity**
- L.13. **Information List #11-22 item c Town of Newmarket's Resolution re: Mandatory Firefighter Certification  
Pulled by Councillor Ferguson**

**M. BY-LAWS**

**Recommended Motion:**  
**THAT** By-laws 22-041 to 22-044 be taken as read, passed, signed, and sealed in Open Council.

M.1.	Bylaw 22-041 Site Plan Control By-law with Sch A	49 - 63
M.2.	Bylaw 22-042 Amendment to Fees and Charges (amends 21-108)	64 - 65
M.3.	Bylaw 22-043 Pre-Consultation By-law 2022	66 - 67
M.4.	Bylaw 22-044 ATV By-law (repeals 13-108)	68 - 73

**N. ANNOUNCEMENTS AND INVITATIONS**

**O. CONFIRMATORY BY-LAW**

**Recommended Motion:**

**THAT** By-law 22-045 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 21st day of June, 2022, be read, passed, signed and sealed in Open Council this 21st day of June, 2022.

**P. ADJOURNMENT**

**Recommended Motion:**

**THAT** the meeting be adjourned at x:xx p.m.



**The Municipality of Mississippi Mills**

**Council Meeting**

**MINUTES**

**June 7, 2022**

**5:40 p.m.**

**Hybrid**

**3131 Old Perth Road.**

PRESENT: Mayor Lowry  
Deputy Mayor Minnille  
Councillor Dalgity  
Councillor Maydan  
Councillor Holmes  
Councillor Guerard  
Councillor Ferguson

Staff Present Ken Kelly, CAO  
Casey Munro, Deputy Clerk  
Jeanne Harfield, Clerk  
Jeff Letourneau, Director of Corporate Services & Treasurer  
Melanie Knight, Senior Planner  
Cory Smith, A/Director of Public Works

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**A. CALL TO ORDER**

Mayor Lowry called the meeting to order at 5:40 p.m.

**B. CONSIDERATION OF A CLOSED SESSION**

**Resolution No 200-22**

**Moved by** Councillor Maydan

**Seconded by** Councillor Ferguson

**THAT** Council enter into an in camera session at 5:40 p.m. as per personal matters about an identifiable individual, including municipal or local board employees (Municipal Act s.239 2(b)).

**CARRIED**

**C. RISE AND REPORT**

**C.1 HR Matter**

Staff direction was provided in camera.

**D. O CANADA**

Council stood for the playing of O Canada.

**E. MOMENT OF SILENT MEDITATION**

Council observed a moment of silent meditation.

**F. ATTENDANCE**

The Clerk announced attendance.

Councillor Guerard sat in the gallery and not at the Council table. The Mayor asked the Clerk for an opinion regarding attendance of a member of Council who is in the Council Chambers but not sitting at the table. The Clerk provided the following opinion: that any Council member present in the meeting room would be considered present and count towards quorum.

Mayor Lowry stated that Councillor Guerard is considered present and would be marked as present in the minutes even though Councillor Guerard was not sitting at the Council table.

Councillor Dalgity rose on a point of privilege against Councillor Guerard for a breach of corporate policy which calls into question the integrity of Council.

Mayor Lowry ruled in favour of Councillor Dalgity's point of privilege and requested that Councillor Guerard issue an apology. Councillor Guerard apologized and remained in the Council Chambers while seated in the gallery.

**G. APPROVAL OF AGENDA**

**Resolution No 201-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** the agenda be approved as presented.

**CARRIED**

**H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None were declared

**I. APPROVAL OF MINUTES**

**Resolution No 202-22**

**Moved by** Councillor Holmes

**Seconded by** Councillor Maydan

**THAT** the Council minutes dated May 17 and May 23, 2022 be approved as presented.

**CARRIED**

**J. DELEGATION, DEPUTATIONS, AND PRESENTATIONS**

None

**K. PUBLIC MEETINGS**

**K.1 Background Report – Z-07-22 – Additional Residential Units (Secondary Dwelling Units)**

The Senior Planner, Melanie Knight, provided an overview of the planning matter. The following members of the public spoke:

- Violaine Sauve and Clinton Shewchuk - secondary dwelling units in rural settings and issues with demands on existing well and septic systems and switching the designation between a primary residents and ADU (reverse designation where the existing dwelling would be considered the ADU and the new dwelling would be the primary).

**K.2 Background Report - Zoning By-law Amendment - Z-05-22  
Concession 8 West Part Lot 1, Ramsay Ward, Municipality of Mississippi Mills, municipally known as 7307 and 7317 County Road 29 Road**

The Senior Planner, Melanie Knight, provided an overview of the planning matter. The following members of the public spoke:

- Ian Watson - Wants to open a used car and sales office at the location and requires a zoning by-law amendment.

**K.3 Background Report - Zoning By-law Amendment - Z-06-22  
Concession 12 West Part Lot 12, Ramsay Ward, Municipality of  
Mississippi Mills, municipally known as 1562 Ramsay Concession 12  
Road**

The Senior Planner, Melanie Knight, provided an overview of the planning matter. The following members of the public spoke:

- Colin Weldon - owner of property no further comments to add.

**L. COMMITTEE OF THE WHOLE REPORT**

**Resolution No 203-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve the Committee of the Whole motions from the May 17, 2022 meeting.

**CARRIED**

**L.1 Backyard Composters**

**Resolution No 204-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve offering residents a \$40 rebate for the purchase of a backyard composter;

**AND FURTHERMORE THAT** 25 rebates per year be available.

**CARRIED**

**L.2 Dedicating Plan 27N90, Block 21 as part of the Municipal Highway System**

**Resolution No 205-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council Direct Staff to prepare a bylaw for the purposes of dedicating Block 21 of Plan 27M90 as part of the municipal highway system to be known as Sadler Drive.

**CARRIED**

**L.3 Festival Parades**

**Resolution No 206-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve staff working with the Celfest and Puppets Up! Festival Committees to plan safe parade routes for 2022.

**CARRIED**

**L.4 Age Friendly Wellness Trail**

**Resolution No 207-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve installation of a 6-part wellness trail on public lands in downtown Almonte;

**AND FURTHERMORE**, that staff be permitted to work with the committee to choose appropriate locations and equipment.

**CARRIED**

**L.5 Zoning By-law Amendment Z-02-22 - 3232 12th Concession,  
Pakenham North**

**Resolution No 208-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve the Zoning By-law Amendment to amend the zoning of the lands municipally known as 3232 12<sup>th</sup> Concession 12, Pakenham from “Agricultural (A-31) Zone” and Limited Service Residential Zone to “Agriculture Special Exception” (A-44).

**CARRIED**



**L.6 Revision to Seasonal Stands Bylaw 19-48**

**Resolution No 209-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council approve amendments to the Mobile Canteen and Seasonal Stands Bylaw 19-48 to reflect the addition of Refreshment Cart definitions and provisions;

**AND THAT** the Fees and Charges Bylaw 21-108 be amended to reflect the new Refreshment Cart Rate.

**CARRIED**

**L.7 2021 Council Remuneration and Expenses**

**Resolution No 210-22**

**Moved by** Councillor Dalgity

**Seconded by** Councillor Maydan

**THAT** Council receive this report for information.

**CARRIED**

**M. BY-LAWS**

**Resolution No 211-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-laws 22-035 to 22-039 be taken as read, passed, signed, and sealed in Open Council.

**CARRIED**

**M.1 By-law 22-035 Zoning By-law Amendment Z-02-22 Ryan**

**Resolution No 212-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-law 22-035 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills for lands municipally described as 3232 12<sup>th</sup> Concession Pakenham, Municipality of Mississippi Mills be read, passed, signed and sealed in Open Council.

**CARRIED**

**M.2 Bylaw 22-036 Seasonal Stand By-law (amends 19-48)**

**Resolution No 213-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-law 22-036 being a by-law to amend Seasonal Stand By-law 19-48 be read, passed, signed and sealed in Open Council.

**CARRIED**

**M.3 By-law 22-037 Road Allowance Dedication - Bock 21 Plan 27N90**

**Resolution No 214-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-law 22-037 being a by-law for the purpose of accepting a strip of land deeded to the Municipality for the purpose of development control into the municipal highway system be read, passed, signed and sealed in Open Council.

**CARRIED**

**M.4 By-law 22-038 Amendment to Tax Rate By-law**

**Resolution No 215-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-law 22-038 being a by-law to amend Tax Rates 2022 bylaw 22-027 be read, passed, signed and sealed in Open Council.

**CARRIED**

**M.5 Bylaw 22-039 Amendment to Fees and Charges (amends 21-108)**

**Resolution No 216-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** by-law 22-039 being a by-law to amend Fees and Charges By-law 21-108 to include fees for refreshment carts be read, passed, signed and sealed in Open Council.

**CARRIED**

**N. ANNOUNCEMENTS AND INVITATIONS**

Mayor Lowry introduced Shannon Gutoskie as the new Communications Coordinator.

Deputy Mayor Minnille commented about Ramsay residents not being fully represented at the Council meeting.

Councillor Holmes -Clayton Seniors Housing Corporation will be hosting a public meeting at the Clayton Community Centre to discuss additional affordable senior housing in Clayton. The public meeting is Wednesday, June 22nd 7 - 9 pm.

Councillor Maydan - Almonte Lawn Bowling association celebrating its 111th year.

Councillor Maydan - Friends of Mississippi Mills Library Auction is going live next week.

Deputy Mayor Minnille - Almonte Civitan Club's 50th-anniversary dinner on June 11th.

Mayor Lowry - Lanark County Food Bank will be hosting an open house and community bbq on June 18th.

**O. CONFIRMATORY BY-LAW**

**Resolution No 217-22**

**Moved by** Deputy Mayor Minnille

**Seconded by** Councillor Ferguson

**THAT** By-law 22-040 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 7th day of June 2022, be read, passed, signed and sealed in Open Council this 7th day of June 2022.

**CARRIED**

**P. ADJOURNMENT**

**Resolution No 218-22**

**Moved by** Councillor Ferguson

**Seconded by** Councillor Holmes

**THAT** the meeting be adjourned at 6:48 p.m.

**CARRIED**

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Christa Lowry, MAYOR

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Jeanne Harfield, Clerk

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## STAFF REPORT

**DATE:** June 21, 2022

**TO:** Council

**FROM:** Melanie Knight, Senior Planner

**SUBJECT:** **Background Report – Zoning By-law Amendment Z-03-22 (Walker)  
775 Country Street (785 Country Street), Municipality of Mississippi  
Mills**

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### RECOMMENDATION:

**THAT Council receive the report as information.**

### BACKGROUND:

The property affected by the subject Zoning By-law Amendment is a proposed severed lot that will be considered by the Lanark County Land Division Committee as part of a surplus farm dwelling severance application located at 785 Country Street (B22-059). The Consent application has been circulated and is anticipated to be heard by the Land Division Committee in the near future.

The proposed severed lot is vacant and proposed to be added to the overall farming operation located at 775 Country Street and the retained lot containing the dwelling is considered the surplus farm dwelling as part of the farm consolidation. The subject property is currently split zoned as *Rural* (RU) and *Agricultural* (A).

Figure 1 below shows both the severed and retained properties. As noted earlier, the severed lot is the subject property for this Zoning By-law Amendment.

### PURPOSE AND INTENT OF ZONING BY-LAW AMENDMENT

The purpose and intent of the Zoning By-law Amendment is to rezone the severed parcel from the current split zoning to a site-specific Rural zone (RU-XX) in order to restrict the future development of a dwelling on the proposed severed parcel, address site-specific lot area and frontage requirements of the Rural (RU) zone and to regularize the boundary of the Agricultural (A) zone and Rural (RU) zone between the proposed severed and retained lots.

**Figure 1 – Location**



 Approximate area to be rezoned from Rural (RU) and Agricultural (A) to a site-specific Rural (RU-XX) zone.

### **DESCRIPTION OF PROPERTY & SURROUNDING LAND USES:**

The property is located south of Almonte on Country Street and is surrounded by a mix of rural, agricultural and non-farm residential uses. The lot directly to the south of 785 Country Street is a Hydro One transformer site (831 Country St.).

The property at 775 Country Street is a farm that is proposed to be expanded by way of adding the proposed severed lot (from 785 Country Street) to the existing farming operation at 775 Country Street.

775 Country Street does not have frontage onto Country Street and currently has a right-of-way easement over 785 Country Street for access. The proposed severance would provide the owners of 775 Country Street with direct access to Country Street, thereby no longer needing a right-of-way of access over the lands currently part of 785 Country Street.

As part of the Consent and Zoning By-law Amendment applications, the applicant has submitted a description of the purpose of the lands along with a Planning Rationale providing an overview of the applications, which can be found in Attachment A.

### **SERVICING AND INFRASTRUCTURE:**

The proposed severed parcel is currently vacant and used for farmland as well as access to 785 Country Street. The proposed retained parcel contains a single detached dwelling, which was constructed in 2003. No changes are proposed to the retained lot, which already has independent driveway access and is serviced by private services (well and septic).

The property at 775 Country Street currently contains an existing driveway to access 785 Country Street. No changes are proposed to the existing driveway access. The severed parcel is to remain vacant and thus, no servicing (private) is anticipated.

### **PROVINCIAL POLICY STATEMENT:**

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the Planning Act, all planning decisions must be consistent with the PPS.

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

### **COMMUNITY OFFICIAL PLAN (COP):**

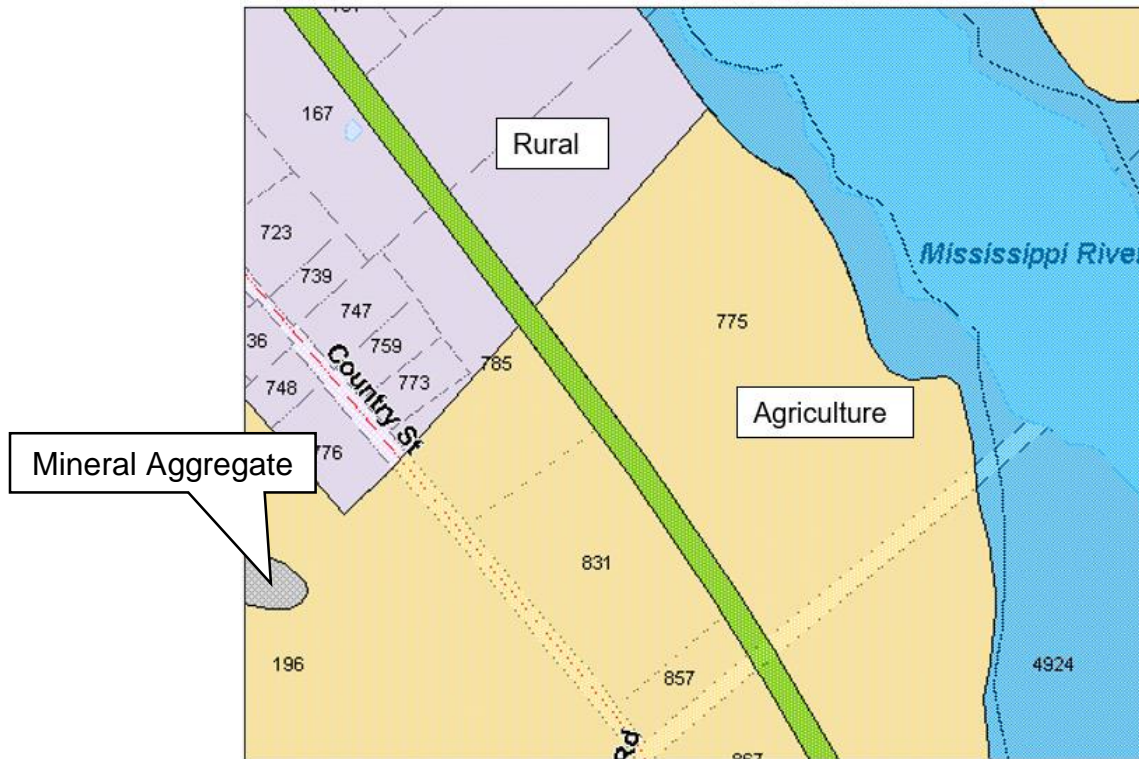
The proposed severed and retained parcels are 'split designated' Rural (RU) and Agriculture (A) in the Community Official Plan as noted in Figure 2 below.

Both the retained and severed parcels are, and will continue to be, designated as they exist today. The existing uses are permitted in both the Rural and Agricultural designations.

The Official Plan provides the policy framework to evaluate Consent applications for the purposes of farm consolidation in both the Rural and Agricultural designations. Farm-related severances may be considered where the surplus farm dwelling was constructed prior to the adoption of the Official Plan (December 13, 2005) which is being made surplus as part of a farm consolidation where farm holdings are being expanded, subject to a Zoning By-law Amendment which prohibits the construction of a new residential dwelling on the farmland as a result of the severance. The lot area and frontage for the surplus farm dwelling should be kept to a minimum in order to keep as much land in agricultural production as possible. In addition, undersized agricultural properties may be considered provided the severed agricultural lands are consolidated with an abutting agricultural property.

The subject lands are approximately 170 metres from an Aggregate and Mineral Resource. Section 3.5 of the Official Plan provide the policy framework for these designations as well as evaluation criteria for any development proposed within buffer areas ranging between 150 metres and 500 metres from these resources (depending on their operational status).

**Figure 2 – Community Official Plan**



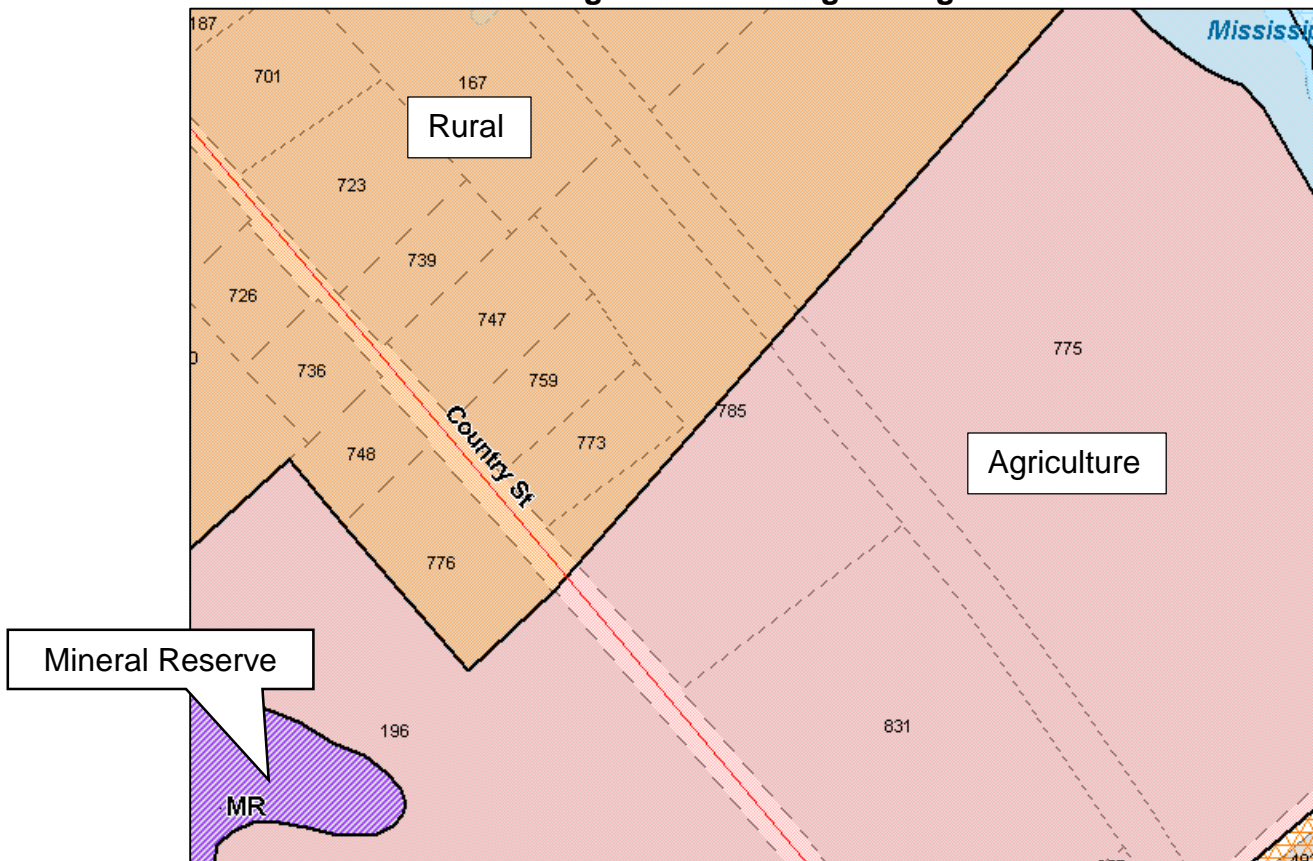
**ZONING BY-LAW #11-83:**

As shown in Figure 3 below, the subject property is zoned Agriculture and Rural on Schedule A of the Municipal Zoning By-law. The zoning boundaries follow the same Official Plan designation boundaries. In addition, the Mineral Reserve zone (within 170 metres of the subject lands) follows the same Mineral Aggregate boundaries in the Official Plan.

The Agricultural zone provides for a variety of agricultural uses including a single detached dwelling. The Rural zone permits many of the same uses as the Agricultural zone. The proposed severed lot will require site-specific lot area and frontage provisions to address the reductions as a result of the Consent application.



**Figure 3 – Existing Zoning**



**PUBLIC AND AGENCY COMMENTS RECEIVED:**

Staff circulated the application in accordance with the provisions of the Planning Act to the public, internal departments and external agencies and organizations. At the time of preparation of this report, no questions or comments were received.

**NEXT STEPS**

A staff report analyzing the merits of the application will be prepared following the public meeting in order to fully consider any and all public comments received.

Respectfully submitted by,

Melanie Knight  
Senior Planner

Reviewed by:

Ken Kelly  
CAO

**ATTACHMENTS:**

ATTACHMENT A: Applicant's Planning Rationale



## **775 Country Street**

Planning Rationale  
Zoning By-law Amendment and Consent Applications  
March 4, 2022

Prepared for Blair Walker

Prepared by Fotenn Planning + Design  
396 Cooper Street, Suite 300  
Ottawa, ON K2P 2H7

March 2022

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# 1.0

## Introduction

Fotenn Planning + Design has been retained by Mr. Blair Walker (“Owner”) to prepare this Planning Rationale in support of Zoning By-law Amendment and Consent applications to facilitate the proposed severance for the purposed of lot addition of the lands municipally known as 775 Country Street (“subject site”) and 785 Country Street (“retained lands”), in the Municipality of Mississippi Mills.

The owner of the property at 785 Country Street intends to sever the surplus farm dwelling in order to consolidate farmland with the adjacent property at 775 Country Street. The owner of 775 Country Street intends to purchase the severed L-shaped piece of land from 785 Country Street that will provide direct street frontage along Country Street in addition to being used for agricultural uses, such as agritourism. These applications are being made under Purchase and Sale Agreement.

### 1.1 Development Applications

To facilitate the proposed development, this Planning Rationale is submitted in support of two (2) applications: Consent and Zoning By-law Amendment. The first required application is needed to sever a surplus farm dwelling from the property at 785 Country Street and add the severed farmland to the property at 775 Country Street. The severed parcel and the lands currently known as 775 Country Street are bisected by a multi-use pathway, but will form one (1) ownership on title for the purposes of future use of the lands. The second application is needed to amend the Zoning By-law to permit site specific provisions for the minimum lot size and lot frontage on Country Street. This zoning amendment will also include a provision that prohibits new residential dwellings on the severed lands, to ensure the policies prohibiting new residential development through consent outside of settlement areas are respected.



## Surrounding Area and Site Context

The subject sites, municipally known as 775 and 785 Country Street are located just outside the Settlement Area boundary of Almonte, in the Municipality of Mississippi Mills. The subject site at 775 Country Street has a site area of approximately 26.8 hectares, with no frontage on a municipal road. The subject site at 785 Country Street has a site area of approximately 3.7 hectares, with approximately 140 metres of frontage on Country Street. An easement across 785 Country Street, immediately adjacent to the existing structures on the site provides access to the 775 Country Street, as shown by the driveway in Figure 1 below.

The subject site at 775 Country Street currently contains a single-detached dwelling and a barn. The portions of the site not used for the existing structures are currently used for agricultural purposes. The subject site at 785 Country Street currently contains a single-detached dwelling and detached garage. The portion of the site to be severed is currently vacant. Both sites are in proximity to hydro lines, however the proposed severance and future agricultural uses will be located away from these lines.



Figure 1. Aerial image of subject properties

The subject sites are located outside of the Settlement Area boundary for Almonte in a rural area. 775 Country Street is bound by the Mississippi River to the northeast, the Ottawa Valley River Trail (OVRT) to the southwest, with residential and agricultural uses to the northwest and southeast. 785 Country Street is bound to the northeast by the OVRT, a hydro facility to the southeast, agricultural lands south of Country Street and residential uses to the west.

# 3.0 Development Proposal

## 3.1 Project Statistics

The owner of 785 Country Street is proposing to sever a surplus farm dwelling in which the vacant farm parcel that will exist as a result of the severance will be added to the title of the adjacent property at 775 Country Street. The proposed severed and retained lands are shown on Figure 2, below.



Figure 2. Sketch of the proposed surplus farm-land severance

The following Table provides an overview of the project statistics and the resulting properties from the proposed severance.

Table 1. Project Statistics

Property	Status	Lot Area	Lot Width	Lot Depth	Proposed Use
<b>785 Country Street</b>	Retained	2.2 ha	119.84 m	185.17 m	Residential – no change
<b>785 (A) Country Street</b>	Severed	1.5 ha	172.74 m (width along OVRT) 20.16 m (frontage along Country St.)	185.17 m (Country St. to OVRT) 75.18 m (land for Agriculture Use)	Agricultural – to be consolidated with 775 Country St.
<b>775 Country Street</b>	Lot to be added to	26.8 ha	Approx. 758 m	Irregular	Agricultural – no change

The proposal is for concurrent Consent and Zoning By-law amendment applications. The vacant farmland that will be rendered as a result of the proposed surplus farm dwelling severance will be rezoned to reduce the minimum lot size and lot frontage required for agricultural uses in the Agricultural (A) zone. The severed property will also be rezoned to a prohibit future residential uses.

### 3.2 Interim Control By-law – Limited Service Residential

The Municipality of Mississippi Mills passed on December 7<sup>th</sup>, 2021, By-law No. 21-099, an Interim Control By-law to control the development of dwellings on lots zoned Limited Service Residential (LSR) on lots that do not have frontage on an open road allowance outside of the Village Boundaries, for a period of one year. The Municipal Council enacted as follows:

- / That the Interim Control By-law applies to all lands, buildings and structures on lots without frontage on an open road allowance outside of the Village Boundaries.
- / That no land, building or structure subject to this By-law shall be used for residential purposes of a single detached dwelling, accessory dwelling or seasonal dwelling.
- / That for greater clarity, nothing in this By-law shall prevent the registration of a Complete Draft Plan of Subdivision. Lots within the said registered Plan of Subdivision shall be eligible for building permits in accordance with the approved zoning by-law for the lands.
- / That any Complete Official Plan Amendment application, Complete Zoning By-law Amendment application or Minor Variance application under the Planning Act that exists on or before the date of passage of this By-law, shall be exempt from this By-law and be eligible to apply for Site Plan Control, lifting of a Holding Zone and building permits and be issued Site Plan Control approval, removal of a Holding Zone and building permits in accordance with the approved zoning for the lands.
- / That for any Official Plan Amendment, Zoning By-law Amendment or Minor Variance applications under the Planning Act received after the date of the passing of this By-law that propose to permit lands to be used for a dwelling with limited services shall be deemed contrary to this By-law and are prohibited.



- / That this By-law shall come into force and take effect immediately upon the passage thereof and shall be in effect for one (1) year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the Planning Act or repealed by Council at an earlier date.

**The subject site is located within the municipal boundary of Mississippi Mills, but outside of the Settlement Area boundary of Almonte. As such, the Interim Control By-law applies to the site. Despite the Interim Control By-law which seeks to address the development of Limited Service Residential lots, this application to permit a farm-related severance with a reduced lot frontage rectifies the issue of development on a Limited Service Residential Lot by providing street frontage to an otherwise landlocked parcel, bringing the site further into compliance with the provisions of the Agricultural (A) zone. It will enable the full function and use of the lands, eliminating the current need for an easement for access and, through the existing 775 Country Street lands and the severed lands being joined on title, effectively eliminate the existing “landlocked” condition of the lands.**

## Lot Fabric Analysis

The Ottawa Valley River Trail (OVRT) is a multi-use pathway that runs southeast to northeast through towns along the old CP rail line. The OVRT is located between the two (2) subject properties, acting as a natural separation and boundary between the two sites. As a result of the location of the OVRT, a simple lot line adjustment to permit the addition of underutilized farmland is not permitted. A lot fabric analysis has been conducted using the Township of Mississippi Mills GIS mapping to determine how many lots exist on both sides of the OVRT, as well as how many lots exist as landlocked parcels (like 775 Country Street).

The severed parcel of land is intended to be added to 775 Country Street and severed from 785 Country Street. As a result of the location of the OVRT, a simple lot line adjustment is not possible as the severed lands cannot be physically amalgamated with the existing 775 Country Street parcel. A lot fabric analysis has been conducted using the Township of Mississippi Mills GIS mapping to determine how many lots exist on both sides of the OVRT, as well as how many lots exist as landlocked parcels because of the location of the OVRT. The lot fabric analysis includes parcels of land from Needham Side Road to Ramsay Concession 8 at the boundary of Carleton Place. Figure 3 and Figure 4 outline examples of lots existing on both sides of the OVRT and landlocked parcels in close proximity to the subject sites.

Parcels located on both sides of the OVRT with the same municipal address:

- / 1017 Blakeney Road
- / 6306 Martin Street North
- / 6208 Martin Street North
- / 5907 Martin Street North
- / 5703 Martin Street North (street access to the front parcel has no municipal address label; if not the same lots, this is landlocked)
- / 559 Country Street
- / 6142 County Road 29
- / 6278 County Road 29
- / 6406 County Road 29

Landlocked parcels:

- / Land east of 167 Smart Street (east of OVRT)
- / 775 Country Street (subject site)
- / Lands immediately southeast of 775 Country Street – accessed by unopened road allowance or easement
- / Parcels east of 6278, 6406 County Road 29 (along Mississippi River)
- / Triangular parcel east of 366, 324 and 302 Ramsay Concession 8
- / 117 \_\_\_\_ Street (immediately south of 39 Carss Street – possible walking path access from Union Street North, no vehicular access)
- / 6156 Martin Street North – easement or driveway between 6160 and 6154



Figure 3. Examples of properties that have parcels of land on both sides of the OVRT

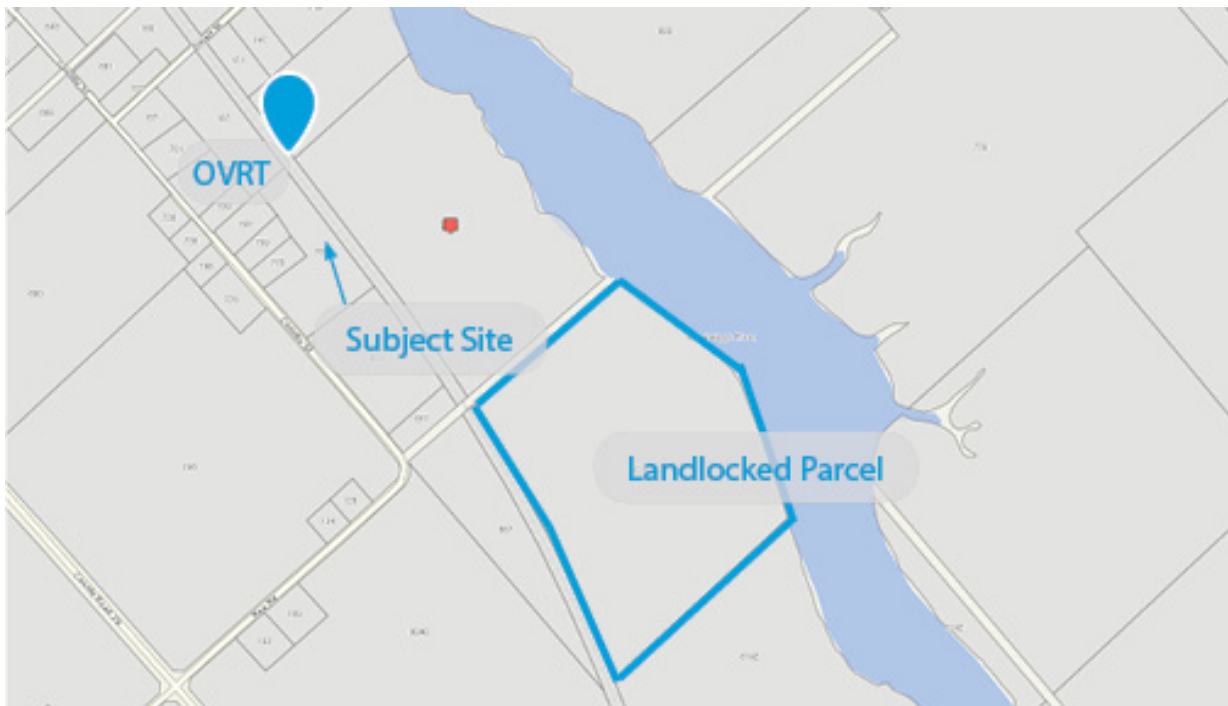


Figure 4. Example of a parcel landlocked by the OVRT, adjacent to the subject sites

## 5.0

# Policy and Regulatory Framework

## 5.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

The PPS supports the goal of enhancing the quality of life for residents of Ontario, including the protection of public health and safety, the quality of the natural and built environment, and resources of provincial interest. The PPS also recognizes the “the long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages ...”. The policies of the PPS support building strong healthy communities, wise use and management of resources, and protecting public health and safety. The following PPS policies are applicable to the proposed development:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
  - a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
  - d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.
- 1.1.4.1 Healthy, integrated and viable rural areas should be supported by:
  - a) Building upon rural character, and leveraging rural amenities and assets;
  - e) Using rural infrastructure and public service facilities efficiently;
  - g) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; and
  - h) Providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.
- 1.1.5.2 On rural lands located in municipalities, permitted uses are:
  - a) The management or use of resources;
  - b) Resource-based recreation uses;
  - c) Residential development, including lot creation, that is locally appropriate;
  - d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
  - e) Home occupations and home industries;
  - f) Cemeteries; and
  - g) Other rural land uses.
- 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protection agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
- 1.7.1 Long-term economic prosperity should be supported by:
- h) Providing opportunities for sustainable tourism development; and
  - i) Sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network.
- 2.1.1 Natural features and areas shall be protected for the long term.
- 2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.
- 2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.
- 2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.
- 2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:
- a) Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural uses(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - b) Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - c) A residence surplus to a farming operation as a result of farm consolidation, provided that:
    1. The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water service; and
    2. The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
  - d) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- 2.3.4.2 Lot adjustment in prime agricultural areas may be permitted for legal or technical reasons.

**The proposed development conforms with the policies of the Provincial Policy Statement. The Consent and Zoning By-law amendment applications and resulting development contributes to a healthy, integrated, and viable rural area, providing an opportunity for economic activities in a prime agricultural area. Additionally, the proposed development is compatible with the rural landscape and presents an opportunity to support a diversified rural economy that can be sustained by rural service levels. Finally, the proposed development is consistent with the policies regarding residence**



surplus to a farming operation where new residential development will be prohibited on the severed lands and the retained lands has been limited to a minimum size based on the area to accommodate existing buildings, sewage and water service. The proposed severance has taken into account the existing boundary between the severed and retained lands that has been created as a result of an easement across the property. If the retained lands were to be reduced any further it would result in the required removal of existing buildings or an irregular lot shape that is not consistent with the existing, regular lot fabric of the area.

## 5.2 Lanark County Sustainable Communities Official Plan (SCOP) (2012)

Lanark County is expected to experience modest growth in the next 20 years up to a population of just over 70,000 people. Approximately seventy percent or more of development will take place in designated settlement areas, with approximately thirty percent of development occurring outside of settlement areas. This provides for a healthy distribution of residential and non-residential growth between urbanized areas and rural and waterfront communities throughout the County. The Sustainable Communities Official Plan (SCOP) recognizes two predominate settlement pattern types throughout the County:

- / Settlement Area which consist of fully serviced Towns and Villages and partially serviced or un-serviced Villages and Hamlets; and
- / Dispersed rural and waterfront uses which are or can be developed on existing lots of record or on lots created by plan of subdivision / condominium or by consent.

The subject properties are located outside of a designated Settlement Area and are designated as Rural and Agricultural Area on Schedule A – Land Use of the Official Plan (Figure 5).



Figure 5. Excerpt of Schedule A - Land Use, of the Lanark County Sustainable Communities Official Plan

The County of Lanark is characterized by its large expanses of rural, agricultural and recreational lands. The Rural Area policies are intended to provide for the long-term orderly development of the rural area in a manner which is consistent with ensuring the protection of natural and environmental resources and which will respect the objective of protecting the character of our rural and urban areas. Section 3.2 states that “local municipalities shall identify and designate Rural policy areas which shall be composed of lands located outside of the primary development and resource areas, that is to say lands which are outside of local Settlement Areas and lands which are not required for resource uses such as mineral aggregates and agricultural uses or natural heritage functions such as provincially significant wetlands or wildlife habitat areas.”

The SCOP provides policy direction for the Rural Area, however many of the policies guide the policies of local municipalities (Mississippi Mills). The following Rural Area land use policies directly relate to the subject properties and proposed development:

- / Policy 3 of Section 3.3.2 (General Policies) states that rural development shall have regard for the safety of people and property and shall occur in a manner which will not result in an increased need or demand for municipal services.
- / Section 3.3.3 (Lot Creation) states that the creation of new lots in rural areas shall be limited in nature and shall generally occur through plans of subdivision or consent. The use of the *Planning Act*'s consent provisions may be appropriate under certain circumstances. The criteria identified for land division by consent in local Official Plans shall also apply.
- / Policy 3.3.4.1 state that in order to maintain and protect the character and identity of rural areas, it will be important to avoid inefficient land use patterns, to minimize incompatibility between land uses and to minimum adverse environmental impacts in accordance with the relevant policies of this Plan and local Official Plans.
- / Policy 3.3.4.5 states that local Councils through the development of local Official Plans and municipal zoning by-laws shall regulate residential and non-residential development. The use of subdivision and condominium control shall also apply as will the granting of consents by the appropriate consent granting authority. The implementation of this Plan through zoning regulations, subdivision and condominium control and consents shall be based on the following criteria:
  - Permit and zone a range of housing types and sizes;
  - Ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
  - Identify and zone permitted non-residential uses;
  - Permit accessory apartments in accordance with Section 16(3) of the *Planning Act*;
  - Ensure the protection of resources from incompatible uses through appropriate setbacks and use of Minimum Distance Separation formulae where appropriate;
  - Ensure the protection of natural heritage features.
- / Policy 3.3.4.6 states that lot frontage, depth and area shall meet local zoning by-law requirements.

**The proposed severance and Zoning By-law amendment conform to the policies of Section 3.0 – Rural Area Policies, of the Sustainable Communities Official Plan. The severance of the land at 785 Country Street and the subsequent lot addition of the severed lands to 775 Country Street are being considered through the consent process, as per Sections 51 and 53 of the *Planning Act*. The proposed severance and rezoning will result in the severed lands remaining as agricultural land which will not result in an increased need or demand for municipal services. Maintaining the severed land as agricultural land will maintain and protect the character of the immediate area, in which a mix of residential and agricultural lands currently exist. As a result of the severance, the property at 775 Country Street will have direct frontage onto Country Street, compared to the current easement that exists today. The Zoning By-law amendment**

**will also need to amend the frontage and lot area requirements, therefore conforming with the policies above regarding lot frontage, depth and area.**

The subject property at 775 Country Street abuts the Mississippi River, which has been identified on Schedule A – Land Use as a Provincially Significant Wetland and ANSI – Life Science. A flood plain also extends onto the property as a result of the River. Similar to the Rural Area policies, the County relies on local municipalities to provide policy direction regarding Natural Heritage, which will be discussed in Section 5.3 of this Report. The primary policy direction by this SCOP is that development or site alteration within 120 metres of designated wetland or ANSIs will only be permitted if an Environmental Impact Statement (EIS) has demonstrated that there will be no negative impacts on the natural features or ecological functions. Despite the requirement for an EIS within 120 metres of these features, on lands with established agricultural uses an EIS is not required.

**No new development is proposed as a result of the Consent and Zoning By-law amendment applications. The lands that are proposed to be severed and consolidated with 775 Country Street are located approximately 300 metres from the area designated as Provincially Significant Wetland and ANSI – Life Science, therefore the current proposal is not subject to an Environmental Impact Statement.**

A portion of both of the subject properties have been designated as Agricultural Area on Schedule A – Land Use. Agriculture plays a significant role in the local economy of the County of Lanark and consequently there is a need to ensure that this resource is protected. The following Agricultural Area policies directly relate to the subject sites and the proposed development:

- / Section 6.1.2 outlines the permitted uses in areas identified as agricultural resource areas:
  - Agricultural uses and normal farm practices;
  - Uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use;
  - Uses secondary to the principal use of the property such as home-based work, bed and breakfast establishments, domestic industries and uses that produce agricultural products;
  - Forestry uses;
  - Uses related to the conservation or management of the natural environment;
  - Small scale farm related industrial and commercial uses that are directly related to an agricultural operation;
  - Wayside pits and quarries which, if established on land that is of high capability for agriculture, shall be subject to a rehabilitation plan showing how the site will be rehabilitated for productive agricultural use
  - Public utility corridors and communications facilities;
  - Private communications facilities subject to local zoning and development controls;
  - Farm related residential uses.
- / Section 6.1.3 speaks to lot area and provides the following criteria for determining lot area standards in zoning by-laws and for lot creation purposes:
  - The minimum lot area of the agricultural parcel shall be appropriate for the type of agriculture common in the area.
  - The minimum lot area shall be sufficiently large to ensure that long-term flexibility of lands to accommodate different agricultural uses in the future.
  - Minimum lot area may be reduced where specialized agricultural operations which do not produce animal waste and which by their nature do not require large lot areas such as garlic farms, apiaries or aquaculture.



- Lot areas for residential uses (farm and non-farm) and industrial or commercial uses related to agricultural uses shall be kept to the minimum required for site services and local development standards in order to limit the loss of prime agricultural land.

/ Section 6.1.4 speaks to lot creation within agricultural areas. Residential severances in agricultural resource areas may only be considered for a dwelling made surplus through farm consolidation, where farm consolidation is defined as the consolidation of one farm operation with another. A farm operation is defined as all of the legally conveyable lots, whether contiguous or not, which are associated with the operation of a farm including those lands which are owned and which are considered to be one operation for income tax purposes. The consent approval authority shall impose restrictive conditions to prohibit the construction of a new dwelling unit on the rendered vacant land as a result of the severance. In addition, the consent approval authority shall consider non-residential farm severances in accordance with the following:

- For making minor boundary adjustments between farms, provided that no building lot is created;
- For creating a new holding intended to be used exclusively as an agricultural operation ...;
- For create a new holding intended to be used for a farm related commercial or industrial operation. Where possible, such a lot will be located on land of low capability for agriculture.

**The proposed severance and Zoning By-law amendment applications conform to the policies of Section 6.1 – Agricultural Resources, of the Sustainable Communities Official Plan. The proposed severance is of a surplus farm dwelling with the intent to consolidate the currently vacant and underutilized farmland at 785 Country Street with the farmland at 775 Country Street, allowing for the expansion of agricultural uses on the property. The severed lands are intended to be used for agritourism that will draw cyclists and pedestrians from the Ottawa Valley River Trail OVRT). Despite the natural boundary that the OVRT creates between the severed lands and 775 Country Street, the severed lands are not intended to be a new holding, they will be connected on title with the existing property at 775 Country Street. No new residential development will occur on the severed lands, as per the restriction proposed through this set of applications.**

### 5.3 Municipality of Mississippi Mills Community Official Plan (COP) (2006, as amended)

In the context of rural/small town Ontario, Mississippi Mills stands out as being truly unique and fortunate. Much of Mississippi Mills' built heritage, both rural and urban, remains relatively intact, providing a valuable record of the Municipality's historical past. Located approximately 50 kilometres from downtown Ottawa, as the City of Ottawa grows so will Mississippi Mills. As the Municipality continues to grow, it has the option of directing urban type development to urban areas and rural type development to rural areas.

#### 5.3.1 Growth and Settlement

Mississippi Mills is projected to grow to a population of 21,122 to the year 2038 – a 60% increase in the Municipality's population. The Municipality has established a Settlement Strategy which directs where growth will take place. This Strategy has identified general policies as they relate to Growth and Settlement within the Municipality. The following policies directly relate to the subject properties and the proposed development:

- / Policy 9 of Section 2.5.3.2.3 states that the creation of new residential lots outside of identified settlement areas shall take place by consent to sever. Generally, non-farm residential lots shall be 1 ha (2.4 acres) in size. The number of lots created by consent per land holding shall be a maximum of two (2) plus the remnant lots, except as otherwise provided for in this Plan.
- / Policy 10 states that the Official Plan prohibits the creation of new rural residential subdivision or rural settlement areas supported by private services.

**The proposed severance is of a surplus farm dwelling in which the severed parcel of land will be rezoned to Agricultural zone and added to the subject property at 775 Country Street. The purpose of the severance is to expand**

the existing farm at 775 Country Street and use the severed lands for agritourism. No non-farm residential uses are planned for any lands subject to this application.

### 5.3.2 Land Use Designations

The subject properties are both split-designated as Rural and Prime Agriculture on Schedule A – Rural Land Use of the Community Official Plan (COP) (Figure 6).

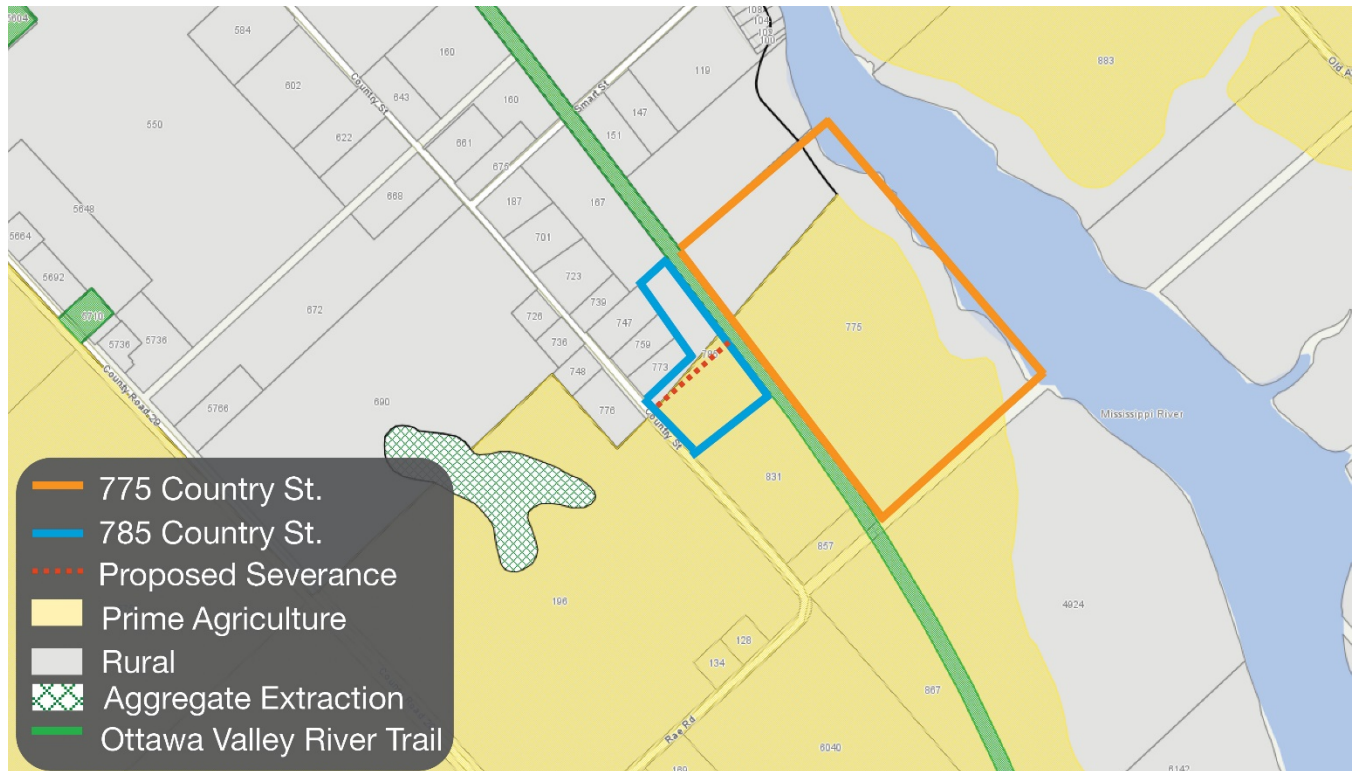


Figure 6. Excerpt of Schedule A - Rural Land Use, of the Mississippi Mills Community Official Plan

### Agricultural Lands:

The goal of the COP is to protect agricultural resources for agricultural uses. This will be achieved through the following objectives:

- / Identify the Agricultural designation as those lands which have large contiguous areas of Classes 1, 2 and 3 soils as per the Canada Land Survey.
- / Restrict development on agricultural lands to those which are compatible with or supportive of the agricultural industry.
- / Prohibit farmer “retirement lot” severances within the Agricultural designation.
- / Require development within rural areas to be buffered and setback from the boundary of the Agricultural designation.
- / Encourage the agricultural industry to carry out sustainable stewardship of the land in accordance with Environmental Farm Plans, Nutrient Management Plans and Provincial Best Management Practices.

A broad range of uses are permitted on lands designated as “Agricultural”, which include, among others:

- / Agricultural uses;
- / Agriculturally related businesses and services;
- / Farm gate retailing, home-based business, agriculturally related tourist commercial uses, agricultural education enterprises, etc., and similar activities which are secondary and incidental to the farming operation;

The following Agricultural policies relate to the subject properties and the proposed development:

- / Section 3.2.4 (Land Stewardship, Sustainable Operations and Nutrient Management) provides policy direction for nutrient management, best management practices for operations and farmer-led stewardship.
- / Section 3.2.6 (Agricultural Commercial and Industrial Development) states that permitted agricultural commercial or industrial development within the Agricultural designation shall be subject to the following policies:
  - The Minimum Distance Separation calculation shall apply;
  - Development shall be subject to Site Plan Control;
  - Any accessory residence remains as part of the commercial or industrial holding and shall not be permitted as a separate lot;
- / Policy 1 of Section 3.2.7 (Severances and Lot Creation) states that farm-related severances may be considered for a surplus farm dwelling, built prior to the adoption of the Community Official Plan (December 13, 2005), made surplus to a farming operation as a result of farm consolidation.
  - Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation. Farm consolidation may include existing situations where a farm operation has two dwellings located on separate agricultural holdings. Only farmers who are expanding their farm holdings shall qualify for surplus farm dwelling severances.
  - The Municipality shall impose a condition on the severance of the surplus farm dwelling which shall require a zoning by-law amendment prohibiting the construction of a new residential dwelling on the farmland parcel rendered vacant as a result of the severance.
  - The Municipality may request a condition on the Land Division Committee decision to sever to require the registration of a covenant on the title of the property stating that the lot is adjacent to an agricultural area and may therefore be subjected to noise, dust, odours and other nuisances associated with agricultural activities.
  - The lot area and frontage for surplus farm dwelling lots will be kept to a minimum in order to keep as much land in agricultural production as possible, but generally should not be less than 0.4 ha in size.
  - Surplus farm dwellings will not be subject to the Minimum Distance Separation Formula I (MDS).
- / Policy 2 states that farm consolidation severances on undersized agricultural properties may be considered provided the severed agricultural lands are consolidated with an abutting agricultural property.
- / Policy 3 states that severance for boundary adjustments between agricultural holdings may be permitted provided that no new lot is created, and the size of the lots are appropriate for the type of agriculture proposed.

### **Rural Lands:**

The goal of the COP is to provide for an appropriate range of rural land uses which protect rural resources, traditional land uses, and environmental features. This will be achieved through the following objectives:

- / Identify locally significant agricultural lands as those which have soils within Classes 1 to 3 of the Canada Land Inventory located outside of the "Agricultural" designation and that are part of a productive agricultural operation. Schedule A shall identify such lands as an overlay referred to as "Rural – Agriculture".

- / Require development within rural areas to be buffered and setback from the boundary of the “Agricultural designation” and other non-compatible rural resources.
- / Provide direction to the location of new rural non-farm residential lots and the placement of houses on such lots is to be considerate of traditional rural land uses and environmental features.

A broad range of uses are permitted on lands designated as “Rural”, which include, among others:

- / Agricultural uses;
- / Agriculturally related businesses and services;
- / Farm gate retailing, home based businesses, agriculturally related tourist commercial uses, etc...;
- / Residential dwellings which are accessory to an agricultural use;
- / Non-farm residential dwellings and accessory uses;
- / Small scale rural commercial and industrial enterprises which primarily engage in the buying and selling of goods and services to area residents, farms, business or to the travelling public;
- / Resource-based and resource-related industries;
- / Tourist commercial uses.

The following Rural policies relate to the subject properties and the proposed development:

- / Policy 1 of Section 3.3.6 (Severances and Lot Creation) states that farm-related severances may be considered for a farm dwelling built prior to adoption of the Community Official Plan (December 13, 2005), made surplus to a farming operation as a result of farm consolidation.
  - Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation and may include existing situations where a farm operation has two dwellings located on separate agricultural holdings. Only farmers who are expanding their farm holdings shall qualify for surplus farm dwelling severances.
  - The Municipality shall impose a condition on the severance of the surplus farm dwelling which shall require a zoning by-law amendment prohibiting the construction of a new residential dwelling on the farmland parcel rendered vacant as a result of the severance.
  - The lot area and frontage for surplus farm dwelling lots should be kept to a minimum in order to keep as much land in agricultural production as possible.
  - The Municipality may request a condition on the Land Division Committee decision to require the registration of a covenant on the title of the property stating that the lot is adjacent to an agricultural area and may therefore be subjected to noise, dust, odours and other nuisances associated with agricultural activities.
- / Policy 2 states that severance for boundary adjustments between agricultural holdings may be permitted provided that no new lot is created, and the size of the parcels are appropriate for the type of agriculture proposed.

**The proposed severance and Zoning By-law amendment applications maintain the intent of the Agricultural and Rural policies of the Community Official Plan. The proposed severance is a surplus farm dwelling severance that will consolidate underutilized farmland with farmland at 775 Country Street that will be used for agricultural uses and agritourism uses. As indicated by Municipal Planning Staff, the dwelling on 785 Country Street has been in existence since before the 2005 adoption of the COP, and as such, the farm-related severance is supported. The future agricultural use of the severed lands may include an orchard, where a pick-your-own operation could take place, apiaries, sunflower fields and meadow lands, all of which are permitted in the COP. The surplus farm dwelling**

severance will contribute to the overall agricultural operation in addition to conserving agricultural land for agriculture uses.

Furthermore, a Zoning By-law amendment has been submitted. As part of the amendment, site-specific zoning will be established for the severed lands prohibiting future residential development in addition to reduced street frontage and reduced lot size requirements. The COP policies direct that the retained lands be kept to a minimum to keep as much agricultural land in production as possible. The retained lands at 785 Country Street have a lot area of approximately 2.2 hectares, however, this size has been maintained as a result of the location of the existing structures on the site, as well as the location of the existing established boundary (the existing easement for access) that bisects the site. The subject site has already been informally separated by the existing easement, so it is a natural, established feature for formalizing the division of the land. Instead of keeping prime agricultural land vacant, the land will for part of the agricultural plans for 775 Country Street. Using the existing easement/driveway as the boundary of the severance also results in no new driveway being created for either the severed or the retained lands, ensuring that Country Street is unaltered.

### 5.3.3 Environment Land Use Policies

The protection of the environmental features, water resources and ecosystems within Mississippi Mills are of central importance to the long-term health and prosperity of the area. The Community Official Plan contains policies which attempt to protect water resources, natural heritage features and other natural resources that may be impacts through site-specific development proposals.

The subject site at 775 Country Street is located abutting the Mississippi River, which has been designated as Significant Wetlands – Evaluated Provincial and ANSI – CanLife. The following policies relate to the subject properties and the proposed development:

- / Policy 6 of Section 3.1.3 (General Policies) states that development shall be implemented primarily through the use of zoning and site plan control in accordance with the relevant sections of this Official Plan.
- / Policy 7 states that where two or more natural heritage features overlap, the policies that provide the most protection shall apply (i.e. wildlife habitat and provincially significant wetlands).
- / Policy 9 states that nothing in these policies is intended to limit the ability of agricultural uses to continue.
- / Policy 3 of Section 3.1.4 (Environmental and Natural Heritage Features) states that development within 120 metres of provincially significant wetlands or 50 metres of a locally significant wetlands may take place in accordance with the land use designation shown on land use Schedule to this Plan only when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of these wetlands. This is not a setback requirement, but rather a requirement for a review of development proposal with the relevant adjacent lands.
- / Policy 6 states that all development within 120 metres of provincially significant wetlands or 50 metres of a locally significant wetland shall be subject to site plan control.
- / Policy 8 states that notwithstanding the above policies, established agricultural uses, existing at the date of the adoption of this Plan, are permitted to continue within and adjacent to provincially and locally significant wetlands. New or expanded agricultural structures or the clearing or draining of lands within the limits of wetlands are prohibited.
- / Policy 1 of Section 3.1.4.3 (Area of Natural and Scientific Interest) states that Development (subdivisions, site plan, zoning amendments, minor variances, consents) within 120 metres of a life science ANSI and within 50 metres of an earth science ANSI, may take place in accordance with the land use designation shown on the Schedules to this Plan only when it has been demonstrated through an Environmental Impact Study that there shall be no negative impacts on the natural features or ecological functions of the ANSI. This is not a setback requirement, but rather a requirement for a review of development proposals within the adjacent lands.

The proposed consent and Zoning By-law amendment applications consist of land that is located outside of the 120 metre buffer zone between the provincially significant wetland and the ANSI – CanLife. As such, an Environmental Impact Statement is not required as part of this development application. It is noted, however, that any future development of the site at 775 Country Street, within the 120 metre buffer of the wetlands and ANSI will likely require an EIS at the site plan control stage.

#### 5.4 Zoning By-law

The subject properties are both currently split-zoned and subject to the Agriculture (A) and Rural (RU) zones in Comprehensive Zoning By-law #11-83, as shown on Figure 7, below.

The purpose of the Agricultural Zone is to:

- / Recognize and permit agricultural uses in areas designated Agricultural in the Community Official Plan;
- / Restrict the range of uses to agricultural, forestry and related accessory uses in order to preserve these prime agricultural areas from loss to other uses; and
- / Regulate uses in a manner that respects the character of the area and minimizes land use conflicts.

The purpose of the Rural Zone is to:

- / Accommodate agricultural, forestry, non-farm residential lots by severance in areas designated Rural in the Community Official Plan;
- / Recognize and permit this range of rural-based land uses which often have large lot or distance separation requirements; and
- / Regulate various types of development in manners that ensure compatibility with adjacent land uses and respect the rural context.



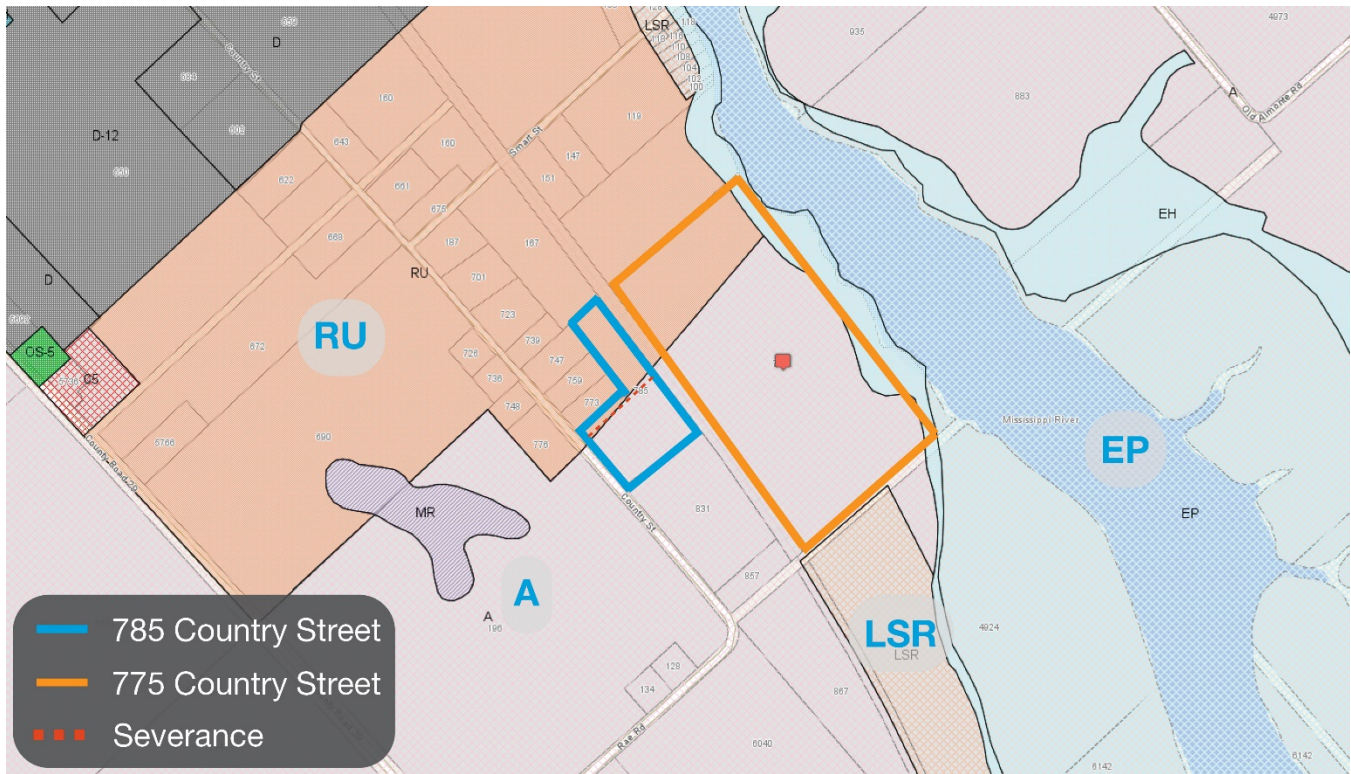


Figure 7. Excerpt of Zoning Map

The A and RU zones both permit a variety of uses, ranging from residential uses to non-residential uses, including agricultural uses.

#### 5.4.1 Zone Provisions and Analysis

The proposed Zoning By-law Amendment for the severed lands is to rezone it entirely to Agricultural (A), with site-specific provisions including a minimum lot frontage of 20.16 metres to address the proposed surplus farm dwelling severance.

Table 2 provides a summary of the Agricultural and Rural zoning provisions. The table demonstrates how the development meets the provisions. The proposal's compliance with the current zoning is noted with a **YES** and areas of non-compliance are noted with a **NO**. Please note that as the severed lands are split-zoned, the table above considers the most restrictive of the RU or A zones, being the A zone.

Table 2. Agricultural and Rural Zoning Summary

Provisions	RU Zone (Rural Use)	A Zone (Agricultural Use)	Proposed Development (Severed Lot added to 775 Country St.)	Compliance with Agriculture Zone
<b>Minimum Lot Area</b>	10 ha	40 ha	28.3 ha	<b>NO</b>
<b>Minimum Lot Frontage</b>	150 m	150 m	20.16 m	<b>NO</b>
<b>Minimum Side Yard</b>	15 m	20 m	>20 m	<b>YES</b>

<b>Minimum Rear Yard</b>	15 m	20 m	>20 m	YES
<b>Minimum Front Yard</b>	15 m	20 m	>20 m	YES
<b>Minimum Exterior Side Yard</b>	15 m	20 m	>20 m	YES
<b>Maximum Height of detached dwelling</b>	11 m	11 m	N/A	No dwelling is proposed
<b>Maximum Lot Coverage</b>	5%	5%	N/A	No new buildings are proposed
<b>Minimum Separation from an accessory detached dwelling to any structure where animals are housed</b>	30 m	30 m	>30 m	YES
<b>Minimum separation between non-farm buildings and structures on lands adjacent to the Agricultural designation</b>	150 m	N/A	N/A	No new non-farm buildings / structures are proposed.
<b>Parking</b>	N/A	Agriculture Use – 2 spaces per farm plus 3 per 100 m <sup>2</sup> of floor area of farm produce outlet	No change to parking spaces	YES

The proposal meets the general intent of the provisions of the Agricultural zone, however, relief will be required from the zoning provisions as detailed below.

#### 5.4.2 Proposed Zoning By-law Amendment

The Zoning By-law amendment proposes site-specific provisions to address minimum lot size and lot frontage, in addition to restricting a new residential dwelling on the site, as outlined below:

- / **Minimum Lot Size:** As shown on the site sketch and in the zoning table above, lands zoned as Agricultural (A) require a minimum lot size of 40 hectares. The site at 775 Country Street is approximately 26.8 hectares in size and will be approximately 28.3 hectares in size once the severed parcel is added. The proposed 28.3 hectare size lot still meets the intent of the Agricultural zone and brings the lot size further into compliance from its original size. The lands will still be able to be used for agricultural purposes without any impact to the surrounding area.
- / **Minimum Lot Frontage:** As shown on the site sketch and in the zoning table above, lands zones as Agricultural (A) require a minimum lot frontage of 150 metres for agricultural uses. The proposed development requires relief to permit a lot-frontage of 20.16 metres. This lot frontage brings the site further into compliance with the Agricultural zone by providing actual street frontage through the portion of the lands that are currently an easement for access - 775 Country Street as it exists today does not have any street frontage and is “landlocked”. The existing easement acts as a natural separation between the proposed severed and retained lands at 785 Country Street.



- / **Restriction of new residential:** As outlined in the policy above, the vacant land that is rendered as a result of the surplus farm dwelling severance is required to be rezoned to restrict any new residential dwelling units from being constructed. The proposed use of the severed lands is not residential in nature and is a permitted use (agricultural use), and as such restricting new residential dwelling units on the site will not impact the future uses intended for the property. This ensures that the policies restricting new residential development through consent applications are respected.

## 5.5 Consent Application

It is our professional planning opinion that the application meets the criteria for lot division as described in Sections 53(1), 53(12) and 51 of the *Planning Act*. As the proposal does not include an internal road network, major servicing or other elements of a subdivision, the following criteria are generally those which apply to applications for consent:

### a) The effect of development of the proposed subdivision on matters of provincial interest

Lot creation for a residence surplus to a farming operation is aligned with the agricultural policies of the Provincial Policy Statement (PPS, 2020). The PPS provides direction on the wise use and management of resources, recognizing that Ontario's long term prosperity, environmental health, and social well-being depend in part on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. The proposed application conforms to the objectives and intent of the PPS and support several policies, including:

- / 2.3.1 – Prime agricultural areas shall be protected for long-term use for agriculture.
- / 2.3.3.1 – In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.
- / 2.3.3.2 – In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.
- / 2.3.4.1 – Lot creation in prime agricultural areas is discouraged and may only be permitted for:
  - a) Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural uses(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - b) Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - c) A residence surplus to a farming operation as a result of farm consolidation, provided that:
    1. The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water service; and
    2. The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
  - d) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- / 2.3.4.2 – Lot adjustment in prime agricultural areas may be permitted for legal or technical reasons.

**The proposed consent application represents an opportunity for the protection of prime agricultural land within the Province. Additionally, the concurrent Zoning By-law amendment will prohibit any new residential dwellings on the severed parcel of the land, aligning with the PPS and provincial interests.**

**b) Whether the proposed subdivision is premature or in the public interest**

The proposed severance will result in underutilized farmland being added to an active farming operation with the intent of being an agritourism destination for visitors and residents within Mississippi Mills.

**The proposed severance is not premature and is technical in nature to convey underutilized land to an active farming operation. The proposal represents the protection of prime agricultural land within the Municipality, with no new development in terms of buildings or structures being proposed on any lands involved.**

**c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any**

The subject properties are both split-designated as Rural Lands and Agricultural Lands in the Lanark County Sustainable Communities Official Plan and in the Municipality of Mississippi Mills' Community Official Plan. Both designations permit a range of agricultural uses in addition to permitting severances for surplus farm dwellings. The lands are not located within or adjacent to a plan of subdivision.

**The proposed consent and Zoning By-law amendment conform to the Lanark County Sustainable Communities Official Plan and the Municipality of Mississippi Mills Community Official Plan.**

**d) The suitability of the land for the purposes for which it is to be subdivided**

The application proposes to create one (1) vacant lot that will be added to an active farming operation at 775 Country Street, with the retained parcel being unchanged aside from lot size and frontage. The consolidation of farmland is supported in the County and Municipality's Official Plans.

**The proposed lots are in keeping with the overall intent of the PPS and Official Plans where prime agricultural land shall be protected for the long-term. Additionally, the severed land is suitable for the proposed agricultural uses, and through the Zoning By-law Amendment, will not permit new residential development on severed lands.**

**f) The dimensions and shapes of the proposed lots**

The severed lands have been maximized based on the existing established boundary across the access easement to 775 Country Street. The additional 1.5 hectares of land to be severed and added to 775 Country Street increases the available land for agricultural uses, which is supported and encouraged. The severed lands are also L-shaped, which fits easily into the existing lot fabric along Country Street, while also providing frontage for 775 Country Street, an otherwise landlocked parcel. The retained lands, although still quite large in lot size, cannot be reduced without creating odd-shaped lots not necessarily suitable for agricultural use.

**The proposed lots are capable of being used for agricultural uses and will be similar in size and shape to other lots in the area. Through the Zoning By-law amendment application, the minimum lot size and lot frontage of the severed lands will be brought into compliance.**

**g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land**

The subject properties are currently split-zoned Agricultural (A) and Rural (RU) in the Municipality of Mississippi Mills Comprehensive Zoning By-law #11-83. The severed lands are subject to a concurrent Zoning By-law amendment to alter the minimum lot size and frontage for the lands. As a result of the Zoning By-law amendment, the Consent proposal will meet all of the applicable performance standards in the Agricultural (A) zone.

**The proposed development does not impose any restrictions on adjacent lands and is generally compatible with the applicable performance standards in the zoning by-law. The only imposed restriction is proposed and related to the prohibition of new residential uses on the severed lands.**

**h) Conservation of natural resources and flood control**

The subject property at 775 Country Street abuts the Mississippi River and as a result abuts lands that are designated as Provincially Significant Wetland and ANSI – CanLife and is also subject to a floodplain. The severed lands will be added to the subject property south of the Ottawa Valley River Trail, which is approximately 300 metres from the River, outside of the required area for an Environmental Impact Statement.

**No negative impacts of the proposed severance and rezoning are anticipated on the adjacent natural resources and floodplain.**

**In our professional opinion, a full Plan of Subdivision is not required, and the consent application is appropriate for the site. The resulting lots will both front onto a municipal right-of-way, are capable of being used for agricultural uses, and are compatible with the surrounding lot fabric. The proposed consent application and concurrent Zoning By-law amendment brings an otherwise landlocked parcel into compliance with all guiding policy documents and contributes to the protection of prime agricultural land as laid out in the PPS and County and Municipal Official Plans.**

## Conclusions

It is our professional opinion that the proposed consent and Zoning By-law amendment applications to permit the proposed development on the subject property constitutes good planning and is in the public interest. The proposed consent application meets the criteria for lot division under the *Planning Act*, and will result in the creation of one (1) new vacant lot that will be added to the adjacent property at 775 Country Street to expand the existing agricultural operation. Additionally, the proposed Zoning By-law amendment will ensure that the severed lands are in compliance with the performance standards set out in Comprehensive Zoning By-law #11-83, with the requested amendments being appropriate for the lands. Further, the severance of the lands will not result in the creation of a new lot for residential purposes outside of the settlement area, as per the concurrent Zoning By-law Amendment.

Sincerely,



Jacob Bolduc, MCIP RPP  
Senior Planner  
Fotenn Planning + Design



Patricia Warren, M.Pl  
Planner  
Fotenn Planning + Design



## **REPORT OF THE COMMITTEE OF THE WHOLE JUNE 7, 2022**

The following is the Committee of the Whole report from the June 7th, 2022 meeting.

### **Consent Reports**

#### **E.1 Committee Minutes Resolution No 153-22**

**THAT** the following consent reports and committee minutes be received.

- Accessibility Advisory Committee Meeting - April 27 2022
- Mississippi Mills Public Library Board Minutes - April 8, 2022

### **Staff Reports**

#### **F.1 Supply and Delivery Front Mount Mower**

##### **Resolution No 154-22**

**THAT** Council approve Tender No. 22-03 be awarded to Green Tech Ag & Turf Inc for the supply & delivery of a 36 Horsepower Diesel Lawn Tractor in the amount of \$41,605,00 plus H.S.T.

#### **F.2 Canada Wide Early Years Childcare Agreement Resolution No 155-22**

**THAT** Council direct staff to negotiate the Canada Wide Early Years Childcare Agreement (CWELCC) and authorize the Mayor and Clerk to enter into the agreement.

#### **F.3 Review of ATV By-Law Resolution No 156-22**

**THAT** Council accept the updates to By-Law 13-108 as amended by By-Law 19-40 as submitted by Staff and that By-Law 13-08 as amended by 19-40 be rescinded and replaced with the revised By-Law;

**AND THAT** Council Direct Staff to update By-Law 13-108 and short form wording with Schedule A and Schedule B as per Revision 2;

**AND THAT** Council Direct Staff if a 1 year trial period of this revision is recommended.

**F.4 Award of Main St. Pedestrian Crossover**

**Resolution No 157-22**

**THAT** Council direct staff to award the contract for the works of installing a pedestrian crossing to Partham Engineering Ltd. in the amount of \$36,600.00 plus HST

**AND THAT** any cost above the \$28,000.00 allocated for this project in the 2022 Budget be assigned to the funds allocated in the budget for traffic calming.

**F.6 Windstorm Update – Levels of Service**

**Resolution No 160-22**

**THAT** Council direct staff to continue to provide extended hours at the landfill and communicate this to residents to inform them of the additional access to our disposal services for brush and wood debris for an additional 2 weeks.

**F.7 Site Plan Control By-law and Associated Guidelines**

**Resolution No 161-22**

**THAT** Council approve Site Plan Control By-law as detailed in the Attachment B to be implemented on July 1, 2022 and the modifications to the Fees and Charges By-law as detailed in Attachment D.

**F.8 Planning Act Changes, Pre-consultation By-law and Planning Department Level of Service Report**

**Resolution No 162-22**

**THAT** Council receive this report as information.

**Resolution No 163-22**

**THAT** Council approve the Pre-consultation By-law as detailed in Attachment A; and

**THAT** Council direct staff to provide a report on the number of mandatory pre-consultations for 2022 with recommendations for a pre-consultation fee to be considered for the 2023 budget.

**Resolution No 164-22**

**THAT** Council direct staff to implement the use of the Zoning Certificate charge of \$100 for the planning review of building permits as of July 1, 2022.

**Resolution No 165-22**

**THAT** Council direct staff to develop staffing options including a Cooperative Planning Student Program and/or an additional full-

time Planning Staff position with associated budget and review of planning application fees to be considered for the 2023 budget.

**F.9 LEAR – Working Group and Additional Funding**

**Resolution No 166-22**

**THAT** Council strike a working group of Council that consists of three members of Council plus the Municipality's planning consultant Marc Rivet.

**AND THAT** Committee of the Whole recommend that Council allocate up to \$10,000 to conduct a further review and clarification of the LEAR.

**LEAR – Appointment of Working Group Members**

**Resolution No 167-22**

**THAT** Council appoint the following three members of Council to the working group: Councillor Holmes, Councillor Ferguson and Councillor Guerard.

**LEAR – Future Discussion September 6, 2022**

**Resolution No 168-22**

**THAT** Committee of the Whole recommend that Council hold off on any discussion on the LEAR until such a time that the working group of council completes their additional review and brings forward a report to Council for consideration by September 6, 2022.

**Notice of Motion**

**G. Parking Restrictions Adelaide St.**

Councillor Dalgity

**Resolution No 169-22**

**WHEREAS** concerns regarding parking on Adelaide Street have been brought forward to the municipality;

**THEREFORE BE IT RESOLVED THAT** Council direct staff to bring forward a report to investigate the concerns and provide recommendations regarding parking on Adelaide Street between Marshall Street and Finner Court.

**Information Items**

**H. Information List #11-22 item c.**

Pulled by Councillor Ferguson

**Resolution No. 170-22**

**THAT** the Town of Newmarket's Resolution re: Mandatory Firefighter Certification be forwarded to the Director of Protective Services.

Submitted by,

Reviewed by,

---

Councillor Jan Maydan,  
Committee of the Whole Chair

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Jeanne Harfield,  
Clerk



# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## BY-LAW NO. 22-041

**BEING** a by-law to designate the Municipality of Mississippi Mills as a Site Plan Control Area and to delegate Site Plan Control powers and authority and to adopt certain procedures for the processing of Site Plan Control applications and to exempt certain classes of development from approval.

**WHEREAS** subsection 41(2) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Planning Act") provides that where an area in an official plan is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law, designate the whole or any part of such area as a site plan control area;

**WHEREAS** the Community Official Plan for the Municipality of Mississippi Mills identifies all lands within the Municipality as part of the Site Plan Control Area;

**AND WHEREAS** Section 41 (13) of the *Planning Act*, R.S.O 1990, as amended authorizes Council of a municipality to designate a site plan control area and may, by by-law, define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection (4) or (5). and Section 41(4.0.1) requires a Council that passes a by-law under subsection (2) to appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4).

**AND WHEREAS** Council deems it advisable to address particular classes of Development through Site Plan Control and to exempt others as per Section 41(13)(a) of the Planning Act;

**AND WHEREAS** By-law 19-93 being a By-law to Designate a Site Plan Control Area was adopted by Council on October 15, 2019;

**AND WHEREAS** Council has deemed it appropriate to repeal by-law 19-93 and replace with this by-law to regulate Site Plan Control for certain types of development within the Municipality of Mississippi Mills in accordance with the Planning Act;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

### 1. DEFINITIONS

**"Planning Act"** means the *Planning Act*, R.S.O 1990, c. P.13 as amended from time to time.

**"Council"** means the Council of the Municipality of Mississippi Mills.

**“Community Official Plan”** means the Municipality of Mississippi Mills Community Official Plan, as amended and any successors thereto.

**“Development”** means development as defined by Section 41 of the Planning Act.;

**“Director of Development Services and Engineering”** means the Director of Development Services and Engineering or their designate.

**“Infill”** means residential development on an existing vacant lot or created by consent, or redevelopment of an existing lot that increases the number of dwelling units.

**“Municipality”** means the Corporation of the Municipality of Mississippi Mills.

**“Owner”** means a person(s), corporation(s) or partnership who is the registered Owner of the relevant property.

**“Senior Planner”** means the Senior Planner or their designate.

**“Zoning By-law”** means the Municipality of Mississippi Mills Comprehensive Zoning By-law #11-83, as amended and any successors thereto.

## **2. SHORT TITLE**

This By-law may be referred to the “Site Plan Control By-law” or “this By-law”.

## **3. TRANSITION**

Applications submitted to the Municipality on or before July 1, 2022 that have not yet received approval shall be subject to the provisions of By-law 19-93 as amended by By-law 21-095.

## **4. REPEAL OF EXISTING SITE PLAN CONTROL BY-LAWS**

By-law 19-93 is hereby repealed on July 1, 2022.

## **5. SITE PLAN CONTROL AREA**

All lands located within the corporate boundaries of the Corporation of the Municipality of Mississippi Mills are hereby designated as included in the Site Plan Control area (hereinafter the “Site Plan Control Area”).

## **6. CLASSES OF DEVELOPMENT**

- a. All classes of development as set out in Schedule A to this By-law are subject to Site Plan Control unless expressly exempt therein.
- b. Red-line amendments shall be permitted to recognize minor adjustments and alterations to Schedules approved in accordance with Schedule A to this By-law where:
  - i. The amendment is proposed to the building facade, parking lot, landscaped area and does not materially alter the function of the original site design or result in additional parking spaces; and
  - ii. The amendment proposed does not result in an addition to any building.

- c. Notwithstanding 6(a) and Schedule A to this By-law, the following forms and classes of development shall also be exempt from Site Plan Control in the Municipality of Mississippi Mills:
  - i. Municipal-initiated projects;
  - ii. Small buildings and structures not requiring a building permit under the Ontario Building Code; and
  - iii. Residential and farm fences.

## **7. INTERPRETATION-**

- a. The requirements of this by-law are in addition to requirements contained in any other applicable by-laws of the Municipality or applicable provincial or federal statutes or regulations;
- b. This by-law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the Municipality or by any other governing authority having jurisdiction to make such restrictions or regulations;
- c. Nothing in this by-law or in any Site Plan Control agreement entered into hereunder shall be construed as relieving any owner of lands within the Site Plan Control Area from the obligation of complying fully with the provisions of the Zoning By-law, nor shall the Zoning By-law be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed hereby;
- d. The following applies to this by-law:
  - i. unless otherwise defined, the words, terms and phrases used in this by-law have their normal and ordinary meaning;
  - ii. unless otherwise identified, all references to sections or subsections are to those listed within this by-law;
  - iii. every provision of this by-law is to be applied to the circumstances as they exist at the time in question.

## **8. DELEGATION OF SITE PLAN CONTROL TO THE SENIOR PLANNER, DIRECTOR OF DEVELOPMENT AND ENGINEERING**

Pursuant to Section 41 (4.0.1) of the Planning Act, the powers and authority of the Council of the Municipality of Mississippi Mills with respect to Site Plan Control approval are hereby delegated to the following:

- a. Major classes of development indicated in Schedule A to this By-law shall be delegated to the Director of Development Services and Engineering.
- b. Minor and Lite classes of development indicated in Schedule A to this By-law shall be delegated to the Senior Planner.
- c. Extension of Site Plan Control approval or extension to satisfy the conditions to Site Plan Control approval shall be delegated to the Senior Planner. The Senior Planner at their sole discretion may grant an extension or may require a new Site Plan Control application.
- d. Red-line amendments described in Section 6b of this By-law shall be delegated to the Senior Planner. The Senior Planner at their sole discretion may grant the

red-line amendment or require a formal Site Plan Control amendment application.

## **9. REQUIREMENT FOR SITE PLAN CONTROL AGREEMENT**

A Site Plan Control Agreement will be required in the event that Special Conditions are required, or securities are required to be posted by the applicant.

In all other circumstances, the Senior Planner at their sole discretion may require a Site Plan Control Agreement.

## **10. AUTHORITY TO EXECUTE A SITE PLAN AGREEMENT**

The Mayor and Municipal Clerk shall be authorized to execute a Site Plan Control Agreement on behalf of the Municipality for Major Applications as set out in Schedule A.

The Director of Development Services and Engineering shall be authorized to execute a Site Plan Control Agreement on behalf of the Municipality for Minor and Lite Applications as set out in Schedule A.

The Senior Planner shall be authorized to execute a Site Plan Control Agreement on behalf of the Municipality for Red-Line Amendments.

## **11. REGISTRATION OF SITE PLAN CONTROL AGREEMENT**

In accordance with Section 41(10) of the Planning Act, any Agreement, or amendment thereto, entered into in accordance with this By-law, shall be registered against the land to which it applies.

## **12. SITE PLAN APPLICATION REQUIREMENTS**

- a. An Owner shall submit to the Municipality a Site Plan Control application containing, a minimum, the following:
  - i. A completed, up to date application form as provided by the Municipality;
  - ii. Any information or materials prescribed by statute;
  - iii. If required, a pre-consultation letter from Municipal staff outlining the details of the pre-consultation meeting(s) and required plans and studies checklist;
  - iv. Any supporting information and materials to be provided within the initial; submission, as determined through the pre-consultation meeting(s); and
  - v. The prescribed, current applications fee(s).
- b. All documents, plans and drawings shall comply with the Municipality's criteria and any applicable professional regulations and standards including, but not limited to plans and studies stamped by applicable professionals.
- c. Prior to submitting a Site Plan Control application, if required by By-law 22-043 an applicant shall attend a pre-consultation meeting with Municipal staff in accordance with the Municipality of Mississippi Mills By-law No. 22-043.
- d. Following a completion of the pre-consultation process as set out in this By-law and By-law 22-043, applicants shall complete and submit a Site Plan Control

application to the Municipality in accordance with the requirements detailed in the form approved by the Municipality and as set out in By-law 22-041.

### **13. REVOKING OF APPROVAL**

The power to revoke any approval of plans and drawings is hereby delegated to the Chief Administrative Officer, who may revoke such approval where:

- a. The approval has been granted on mistaken, false or incorrect information;
- b. The approval has been granted in error;
- c. The applicant for the approval has requested in writing that it be revoked; or
- d. Two (2) years after the approval has been granted, the development in respect of which the approval has been granted has not been substantially commenced, in the opinion of the Director, unless otherwise specified in the associated site plan agreement.

### **14. SEVERABILITY**

In the event that a particular provision or part of a provision of this By-law is found to be invalid or unenforceable by a court of law, then the particular provision or provisions or part of the provision shall be deemed to be severed from the remainder of this By-law and all other provisions shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

### **15. SCHEDULE**

Schedule "A" attached hereto forms an integral part of this By-law, as amended from time to time by Council.

### **16. EFFECTIVE DATE**

This By-law shall come into force and take effect on July 1, 2022.

**BY-LAW READ**, passed, signed and sealed in open Council this xx day of June 2022.

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Christa Lowry, Mayor

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Jeanne Harfield, Clerk

## Schedule A to By-law #22-041

Where a Class of Development falls within more than one category, the higher level of Site Plan Control will apply.

Any development undertaken by the Municipality or other level of government is exempted from Site Plan Control.

Any Class of Development requiring Site Plan Control which is not specifically listed in the categories below or expressly exempted in this By-law, such category of Site Plan Control will be at the discretion of the Senior Planner, Planning Department.

For definitions not explicitly defined in this By-law, reference to definitions in Zoning By-law 11-83, as amended and the Community Official Plan, as amended will be referenced for further clarity.

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
<b>LANDS COVERED BY AN EXISTING SITE PLAN CONTROL AGREEMENT</b>					
Additions in excess of 200m <sup>2</sup> or 25% of a development's the gross floor area, whichever is greater	✕				
Development that consists of additions of less than 200m <sup>2</sup> or 25% of a development's gross floor area, whichever is the lesser		✕			
Change of Use that results in the expansion to an existing parking lot or new parking lot limited to no more than four (4) parking spaces			✕		
Change of Use that results in the expansion to an existing parking lot or new parking lot of more than four (4) parking spaces		✕			
<b>AGRICULTURAL AND RURAL USES</b>					



<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
Primary agricultural uses including barns, stables, sheds and other accessory structures, farm produce stands, farm related structures, agricultural greenhouses not related to cannabis production				<b>x</b>	
<b>AGRICULTURAL-COMMERCIAL AND AGRICULTURAL INDUSTRIAL, RURAL-COMMERCIAL, RURAL-INDUSTRIAL, RURAL-RECREATIONAL, TOURIST COMMERCIAL CATEGORY</b>					
Development of new buildings greater than 500 m <sup>2</sup> of gross floor area	<b>x</b>				Official Plan policy 3.2.6
Development of a new building less than 500 m <sup>2</sup> of gross floor area		<b>x</b>			Official Plan policy 3.2.6
New or expansion to an existing parking lot resulting in less than four (4) parking spaces not otherwise exempt				<b>x</b>	Official Plan policy 3.2.6
New or expansion to an existing parking lot resulting in five (5) or more parking spaces not otherwise exempt			<b>x</b>		Official Plan policy 3.2.6
New commercial greenhouse, nursery or garden centre open to public		<b>x</b>			
Expansion to existing commercial greenhouse, nursery or garden centre open to the public requiring more than four (4) parking spaces		<b>x</b>			
Expansion to existing commercial greenhouse, nursery or garden centre open to the public requiring less than four (4) parking spaces				<b>x</b>	

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
Development of new buildings greater than 500 m <sup>2</sup> of gross floor area	✕				Official Plan policy 3.3.8,
Development of a new building less than 500 m <sup>2</sup> of gross floor area		✕			Official Plan policy 3.3.8.1
New Golf Course	✕				Official Plan policy 3.3.8, 3.8.4
Expansion to an existing Golf Course, including but not limited to, greens, additional holes, new buildings or additions and parking areas as noted in this Section		✕			Official Plan policy 3.3.8, 3.8.4
New Ski Hill	✕				Official Plan policy 3.3.8, 3.8.4
Expansion to an existing Ski Hill, including but not limited to, ski areas, new buildings or additions and parking areas as noted in this Section		✕			Official Plan policy 3.3.8, 3.8.4
New or expanding wrecking and salvage yards , including but not limited to, storage areas and expansions to yards, new buildings or additions as noted in this Section	✕				Official Plan policy 3.3.8
<b>DOWNTOWN COMMERCIAL, LOCAL COMMERCIAL, HIGHWAY COMMERCIAL CATEGORY</b>					
Development of new buildings greater than 250 m <sup>2</sup> of gross floor area	✕				Official Plan policy 3.7.2.2, 3.7.3.2, 3.4.3.3
Development of a new building less than 250 m <sup>2</sup> of gross floor area		✕			Official Plan policy 3.7.2.2, 3.7.3.2, 3.4.3.3
Country Inn		✕			Official Plan policy 3.6.15

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
New or expansion to an existing parking lot resulting in less than four (4) parking spaces			×		Official Plan policy 3.7.2.2, 3.7.3.2, 3.4.3.3, 4.6.5
New or expansion to an existing parking lot resulting in five (5) or more parking spaces		×			Official Plan policy 3.7.2.2, 3.7.3.2, 3.4.3.3, 4.6.5
Development within Source Water Protection areas identified on Official Plan schedules			×		Official Plan policy 2.5.3.3
<b>INDUSTRIAL – BUSINESS PARK, INDUSTRIAL, EMPLOYMENT LANDS CATEGORY</b>					
Development of a new building greater than 250 m <sup>2</sup> of gross floor area	×				Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2
Development of a new building less than 250 m <sup>2</sup> of gross floor area		×			Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2
Additions to existing buildings greater than 200 m <sup>2</sup> or 25% of the existing gross floor area, whichever is greater		×			Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2
Additions to existing buildings less than 200 m <sup>2</sup> or 25% of the existing gross floor area, whichever is the lesser		×			Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2
New or expansion to an existing parking lot resulting in less than four (4) parking spaces or the addition of new hard surfaces that equals the area of four (4) parking spaces			×		Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2, 4.6.5

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
New or expansion to an existing parking lot resulting in five (5) or more parking spaces or the addition of new hard surfaces that equals the area of five (5) more parking spaces		<b>x</b>			Official Plan policy 3.2.6, 3.7.4.2, 3.7.5.2, 4.6.5
Any modifications to grading and drainage that may impact Storm Water Management in the Business Park			<b>x</b>		
Development within Source Water Protection areas identified on Official Plan schedules			<b>x</b>		Official Plan policy 2.5.3.3
<b>RESIDENTIAL CATEGORY</b>					
New seasonal or single detached dwellings on lots which obtain access via a private road or right-of-way easement		<b>x</b>			
Infill of a new seasonal or single detached dwelling, semi-detached dwelling or duplex or on a vacant lot within a Settlement Area or Village Boundary, unless otherwise exempted			<b>x</b>		Official Plan policy 3.4.3.6
Infill of a triplex, fourplex or townhouse within a Settlement Area or Village Boundary, unless otherwise exempted		<b>x</b>			
Detached Secondary Dwelling Units/Additional Residential Units			<b>x</b>		
Secondary Dwelling Units/Additional Residential Units contained entirely within the existing dwelling			<b>x</b>		

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
Single detached dwelling, semi-detached dwelling, duplex, triplex, fourplex or townhouse within an existing registered plan of subdivision or plan of condominium registered after June 2, 2015				×	
Conversion of an existing dwelling to a multi-unit dwelling, which results in parking of four (4) or more spaces			×		
Apartment Building	×				
Garden Suites			×		Official Plan policy 3.6.13
Bed and Breakfast, Home Based Business, Group Home and Day Nursery which results in parking of four (4) or more spaces			×		
Cluster Lot Development	×				
Development of high-density residential uses within Source Water Protection areas identified on Official Plan schedules			×		Official Plan policy 2.5.3.3
<b>RECREATIONAL CATEGORY</b>					
Development of a new building greater than 500 m <sup>2</sup> of gross floor area	×				
Development of a new building less than 500 m <sup>2</sup> of gross floor area		×			
Vacant Open Space areas owned/operated by Land Trusts				×	Official Plan policy 3.8.6

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
New or expansion to an existing parking lot resulting in less than four (4) parking spaces on land owned/operated by Land Trusts				✕	Official Plan policy 3.8.6
New or expansion to an existing parking lot resulting in four (4) or more parking spaces on land owned/operated by Land Trusts			✕		Official Plan policy 3.8.6
New Tent and Trailer Campgrounds	✕				Official Plan policy 3.3.8.2.2
Expansions to existing Tent and Trailer Campgrounds, including expansion to tent or trailer sites, modifications to site layout which results in reduced setbacks to watercourses, Provincially or Locally Significant Wetlands		✕			
Development within Source Water Protection areas identified on Official Plan schedules			✕		Official Plan policy 2.5.3.3
<b>LEGAL NON-CONFORMING USES AND EXISTING LOTS OF RECORD CATEGORY</b>					
Expansions or alterations to legal non-conforming uses imposed as a condition of the Committee of Adjustment		✕			Official Plan policy 5.3.8
<b>TRANSPORTATION AND COMMUNICATION CATEGORY</b>					
Extension of a municipal right-of-way	✕				
Extension of a municipal right-of-way as a result of a related Planning Act application		✕			



<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
Upgrading of a municipal right-of-way	×				
Upgrading of a municipal right-of-way as a result of a related Planning Act application		×			
Airstrips, Aerodomes and Airports				×	Federally regulated uses
Telecommunication towers, cell towers				×	Federally regulated uses
<b>ENVIRONMENTAL CATEGORY</b>					
Development within 120 metres of a Provincially Significant Wetland or within 50 metres of a Locally Significant Wetland that is not previously regulated through a development agreement			×		Official Plan policy 3.1.4.1.1
Development within Areas of Natural and Scientific Interest (ANSI), within 120 metres of a life science ANSI, within 50 metres of an earth science ANSI that is not previously regulated through a development agreement			×		Official Plan policy 3.1.4.1.1
Development within the floodplain		×			Official Plan policy 3.1.1
Development on properties that require remediation from contamination, in accordance with the Environmental Protection Act	×				Official Plan policy 3.1.6
Development on Erosion Hazards and Slopes			×		Official Plan policy 3.1.6

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
Development on properties that require remediation from contamination, in accordance with the Environmental Protection Act where remediation requirements are regulated through an approved Plan of Subdivision application that contain conditions addressing site remediation				<b>X</b>	Official Plan policy 3.1.6
Development that requires the implementation of recommendations of an Environmental Impact Statement			<b>X</b>		Official Plan policy 3.1.6
Alteration to Municipal Drains				<b>X</b>	Regulated under the Drainage Act
Aggregate Resource development				<b>X</b>	Provincially regulated uses
<b>INSTITUTIONAL CATEGORY</b>					
Development of a new building greater than 500 m <sup>2</sup> of gross floor area	<b>X</b>				Official Plan policy 3.4.3.7
Development of a new building less than 500 m <sup>2</sup> of gross floor area		<b>X</b>			Official Plan policy 3.4.3.7
Additions to existing buildings greater than 200 m <sup>2</sup> or 25% of the existing gross floor area, whichever is greater	<b>X</b>				Official Plan policy 3.4.3.7
New or expansion to an existing parking lot resulting in less than four (4) parking spaces			<b>X</b>		Official Plan policy 3.4.3.7
New or expansion to an existing parking lot resulting in four (4) or more parking spaces		<b>X</b>			Official Plan policy 3.4.3.7

<b>SITE PLAN APPROVAL PROCESS FOR CLASSES OF DEVELOPMENT</b>	<b>MAJOR</b>	<b>MINOR</b>	<b>LITE</b>	<b>EXEMPT</b>	<b>EXPLANATION/ RELATED POLICY</b>
School portables or accessory structures			<b>X</b>		Official Plan policy 3.4.3.7
School portables on school sites in existence since January 1, 2007				<b>X</b>	Section 41(1.1) of Planning Act
Development within Source Water Protection areas identified on Official Plan schedules			<b>X</b>		Official Plan policy 2.5.3.3

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## BY-LAW NO. 22-042

**BEING** a by-law to amend Fees and Charges By-law 21-108.

**WHEREAS** Section 391 of the *Municipal Act*, 2001, S. O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property;

**AND WHEREAS** Council passed the Fees and Charges By-law No. 21-108 on December 21, 2021;

**AND WHEREAS** Council approved a revised Site Plan Control By-law 22-041, which introduces a new class of Site Plan Control application and finds it desirable to amend the application fees;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. That Schedule "A" be amended as follows:

PLANNING	
<b>Site Plan Control</b>	
Major	•..... \$2,704.00
Minor	•..... \$1,664.00
Lite	•..... \$400.00
Red Line Amendment to Major	•..... \$1000.00
Red Line Amendment to Minor	•..... \$500.00
Red Line Amendment to Lite	•..... \$150.00

2. **THAT** this By-law will come into effect on the day of its passing.

3. **THAT** By-law 21-108 shall be and is hereby amended.

**BY-LAW READ**, passed, signed and sealed in open Council this 21<sup>st</sup> day of June, 2022.

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Christa Lowry, Mayor

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Jeanne Harfield, Clerk

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## BY-LAW NO. 22-042

**BEING** a by-law to amend Fees and Charges By-law 21-108.

**WHEREAS** Section 391 of the *Municipal Act*, 2001, S. O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property;

**AND WHEREAS** Council passed the Fees and Charges By-law No. 21-108 on December 21, 2021;

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1. That Schedule "A" be amended as follows:

PLANNING	
<b>Site Plan Control</b>	
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Red Line Amendment to Major	•..... \$1000.00
Red Line Amendment to Minor	•..... \$500.00
Red Line Amendment to Lite	•..... \$150.00



2. **THAT** this By-law will come into effect on the day of its passing.

3. **THAT** By-law 21-108 shall be and is hereby amended.

**BY-LAW READ**, passed, signed and sealed in open Council this 21<sup>st</sup> day of June, 2022.

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Christa Lowry, Mayor

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Jeanne Harfield, Clerk

# **THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

## **BY-LAW NO. 22-044**

**BEING** a by-law to regulate the operations of all-terrain vehicles on all highways under the jurisdiction of the Municipality of Mississippi Mills.

**WHEREAS** Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, Ch.8, as amended, provides that a municipality may pass by-laws;

- i. Permitting the operation of off-road vehicles with low pressure bearing tires on any highway within the municipality that is under the jurisdiction of the municipality or on any part or parts of such highway.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

### **1. Jurisdiction**

1.1. This By-law regulates the use of all-terrain vehicles on all highways under the jurisdiction of the Municipality of Mississippi Mills only.

1.2. This By-law does NOT provide authority for:

- a) Provincial highways
- b) County of Lanark, upper tier municipality, highways
- c) Private roads
- d) Any highways situated outside the Municipality of Mississippi Mills including the portion of any boundary road not owned by the Municipality of Mississippi Mills.

### **2. Definitions**

2.1. "All-terrain vehicle" also referred to as "ATV" shall have the same meaning as defined in Ontario Regulation 316/03.

2.2. "Highway" shall have the same meaning as defined in the Highway Traffic Act.

2.3. "Low Pressure Bearing Tire" shall have the same meaning as defined in the Highway Traffic Act.

2.4. "Off-Road Vehicle" shall have the same meaning as defined in Ontario Regulation 316/03.

2.5. Whenever certain hours are specified in this By-law, they shall mean Standard Time or Daylight Saving Time, whichever is then in effect in the Municipality.

### **3. Regulation of All-Terrain Vehicles on Highways**

- 3.1. No person shall operate an all-terrain vehicle on a highway in contravention of O. Reg. 316/03, made under the Highway Traffic Act as amended or replaced from time to time.
- 3.2. Every person who operates an all-terrain vehicle on a highway under the jurisdiction of the Municipality of Mississippi Mills shall comply with the following provisions:
  - a) An all-terrain shall have visible reflective strips maintained on all four sides of the vehicles;
  - b) An all-terrain vehicle shall NOT have chains or studs on its tires.
- 3.3. Curfew. Despite any section in this By-law, no person shall operate an all-terrain vehicle on a highway between the hours of 11:00 p.m. on any day and 4:00 a.m. of the next following day.
- 3.4. Boundary Roads. Regulations will be posted on boundary roads by the Municipality of Mississippi Mills where the regulations under All Terrain Vehicles By-laws are different or non-existent in neighbouring municipalities.

### **4. Penalties**

- 4.1. Any person who contravenes the Highway Traffic Act or its Regulations or this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

### **5. Validity**

If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

6. Where any By-law, passed prior to this By-law, conflicts with the terms of this By-law, this By-law shall prevail.
7. That By-law 13-108 is hereby repealed.
8. That this By-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Mississippi Mills

**BY-LAW READ**, passed, signed and sealed in open Council this 21st day of June, 2022.

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Christa Lowry, Mayor

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Jeanne Harfield, Clerk

## SCHEDULE “A”

### TO BY-LAW 22-044

The use of All-Terrain Vehicles, in accordance with the *Highway Traffic Act* and Ontario Regulation 613/03 and as stipulated in this by-law is permitted on all highways, under the jurisdiction of the Corporation of the Municipality of Mississippi Mills, except:

ITEM	HIGHWAY NAME	FROM	TO	COMMENTS
1.	Golden Line Road	McArton Road	March Road	Boundary Road - Ottawa
2.	Head Pond Road South	Ryan Duncan Side Road	Dead End	Boundary Road - Ottawa
3.	Lunney Road	Shaw Road	Dead End	Boundary Road - Ottawa
4.	Rock Coady Trail	Panmure Road	Dead End	Boundary Road - Ottawa
5.	Timmins Road	Kinburn Side Road	Dead End	Boundary Road - Ottawa
6.	Walter Bradley Road	County Road 29	Dead End	Boundary Road - Ottawa
7.	Little Bridge	Bridge Street	Mill Street	(Downtown Core)
8.	Mill Street	Bridge Street	Main Street	(Downtown Core)
9.	Mill Street	Bridge Street	Dead End (South of Bridge)	(Downtown Core)
10.	Brae Street	Mill Street	Farm Street	(Downtown Core)
11.	High Street	Brae Street	Bridge Street	(Downtown Core)

## **SCHEDULE “B” (Restricted Use)**

### **TO BY-LAW 22-044**

The use of All-Terrain Vehicles, in accordance with the *Highway Traffic Act* and Ontario Regulation 613/03 and as stipulated in this by-law is permitted on all highways, under the jurisdiction of the Corporation of the Municipality of Mississippi Mills, however, is further restricted to the sole use travelling to and from a persons residence directly to an area of approved use for the following areas;

1.	All roads lying within the boundary of the Almonte Ward as designated within the Official Plan
2.	All roads lying within the boundary of the Village of Pakenham as designated within the Official Plan

MUNICIPALITY OF  
MISSISSIPPI MILLS

PROVINCIAL OFFENSES ACT

PART I

**BY-LAW NO. 22-044**

A by-law to regulate the operations of all- terrain vehicles on all highways under the jurisdiction of the Municipality of Mississippi Mills.

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Operate ATV - reflective strips not visible on all four sides of vehicle	Section 3.2 (a)	\$150.00
2.	Operate ATV - with chains or studs on tires.	Section 3.2 (b)	\$150.00
3.	Operate ATV on a highway during prohibited times.	Section 3.3	\$200.00
4.	Operate ATV on a prohibited highway	SCHEDULE "A" Item 1 - 8	\$250.00

**NOTE**

**The penalty provision for the offences indicated above is Section 4 of By-law 22-044, a certified copy of which has been filed.**