

Agenda / Memorandum

To/Attention Thomas Thayer, CAO **Date** October 8, 2024
From Christian Tsimenidis, BES
cc Victor Labreche, MCIP, RPP
Emily Schnittke
Subject **Bayham Official Plan Review - Shaping our Future
Response to August 29th Special Council Meeting Questions and
Comments**

BACKGROUND AND PURPOSE

On August 29th, 2024, a Special Council Meeting was held with Arcadis Staff and the Municipality of Bayham Council to provide a Progress Report and introduction to the Preliminary Settlement Area Changes with respect to the ongoing Bayham Official Plan Review project. As a result of the discussion and feedback received from Council, the following Memo was prepared to address the following topics:

1. Land Needs Analysis
2. *Updated* Settlement Area Boundary Changes

LAND NEEDS ANALYSIS (Prepared on behalf of Elgin County)

Hemson Consulting prepared a Land Needs Analysis, dated June 10, 2022, on behalf of the County of Elgin to support their Official Plan Review and to be considered within the Bayham Official Plan Review. As per the recommendation of the Land Needs Analysis, the County of Elgin identified in their newly *adopted* Official Plan that the Municipality of Bayham has a designated **residential land surplus of 93.2 hectares**. In other words, Bayham has 93.2 hectares of residentially designated lands MORE than what is required to accommodate the projected population growth of 1,270 people from 2021-2051.

At the Special Council Meeting, Council had several questions and comments regarding the Land Needs Analysis and how it could inform proposed Settlement Area boundary changes to be considered within the Bayham Official Plan Review. The following table provides an overview of Council's questions regarding the Land Needs Analysis and Arcadis's associated response:

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Council Question	Arcadis Response
<i>What is the Municipality of Bayham's total developable land?</i>	Table 12 of the Land Needs Analysis states that Bayham has 122.8 hectares of "Developable Residential Land" in the Tier 1 Settlement Areas (i.e. Vienna and Port Burwell, being on full servicing). "Developable Residential Land" means the <u>vacant</u> land supply for residential lands in the settlement areas. The Report did not identify "Developable Residential Land" for Tier 2 and Tier 3 Settlement Areas in Bayham, which means the 122.8 hectares only applies to Vienna and Port Burwell. It is our understanding that the Lands Needs Analysis did not take into account infill, redevelopment opportunities or Additional Residential Units.
<i>How much land did the County of Elgin determine that the Municipality of Bayham will need and/or use over 25 years?</i>	Of the 122.8 hectares of "Developable Residential Lands" noted above, the Report identified that Bayham requires a total of 29.6 hectares of residential land to meet growth forecasts to 2051. This means Bayham has a 93.2 hectare <u>surplus</u> of designated residential land (122.8 – 29.6 = 93.2).
<i>Is the 93.2 hectares of residential surplus land over the span of 25 years?</i>	The 93.2 hectares surplus of designated residential land is over a 30 year period (2021-2051).
<i>Is it guaranteed we will get the removed parcels within the settlement area boundaries back?</i>	It is <u>highly unlikely</u> that the parcels removed will get added back into the Settlement Area boundaries until a future Official Plan Review is undertaken or Provincial policy and/or legislative changes dictate otherwise. There would have to be a justified need for potential modifications to settlement boundaries.
<i>Is the Provincial Park accounted for in the 93.2 hectares?</i>	The Port Burwell Provincial Park is protected under the <i>Provincial Park and Conservation Reserves Act</i> as part of the natural heritage system and was therefore <u>not</u> accounted within the 93.2 hectares of residential land surplus. The 93.2 hectares only pertains to lands that are designated residential.

In addition to the above noted questions from Council, the table below provides an overview of the projected housing and population statistics from 2021-2051 for the Municipality of Bayham in the Land Needs Analysis:

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Criteria	Statistic
<i>Household Growth (Table 6)</i>	690 units TOTAL (across all Settlement Areas and Rural Areas)
<p><i>Housing Growth Through Intensification within the Existing Built-Up Area (Table 15)</i></p> <p>This refers to development on underutilized lands in the existing settlement areas.</p>	104 units (<u>within</u> the projected 690 units)
<p><i>New Housing in Tier 3 Settlement & Rural Areas (Table 16)</i></p> <p>This refers to growth in Corinth, North Hall, Richmond, Calton, as well as the rural/agricultural areas.</p>	69 units (<u>within</u> the projected 690 units)
<p><i>Household Growth in Designated Growth Areas (Table 17)</i></p> <p>This refers to growth on lands within the existing settlement areas on land that <u>has not yet been fully developed</u>.</p>	518 units (<u>within</u> the project 690 units)
<i>Population Growth (Table 8)</i>	1,270 people (this growth is derived from the projected 690 units noted above)
<p><i>Developable Residential Land (Table 12)</i></p> <p>This refers to the total vacant land supply for residential lands in the Tier 1 Settlement Areas.</p>	122.8 hectares TOTAL
<p><i>Developable Land Need (Table 19)</i></p> <p>This refers to the land needed to accommodate the project population growth.</p>	29.6 hectares (<u>within</u> the 122.8 hectares of Developable Residential Land)
<p><i>Surplus of Land Need (Table 19)</i></p> <p>This refers to the surplus of residential land that exceeds what is required to accommodate the projected population growth.</p>	93.2 hectares (<u>within</u> the 122.8 hectares of Developable Residential Land)

UPDATED SETTLEMENT AREA BOUNDARY CHANGES

Based on the discussion and feedback Arcadis received at the Special Council Meeting regarding the proposed removal and expansions of the current settlement area boundaries, **Arcadis is recommending that we DO NOT proceed with the proposed boundary changes presented**

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on August 29th. The Bayham Official Plan Review is ultimately a “conformity exercise”, as we are proposing to ensure that the Bayham Official Plan is consistent the new Provincial Planning Statement (to be in-force and effect on October 20th, 2024) and conform with the newly adopted County of Elgin Official Plan.

As part of the County of Elgin Official Plan Review process, the County did not alter the settlement area boundaries in Bayham, despite the information noted in the Land Needs Analysis indicating a 93.2 hectare surplus of residential land. Therefore, given this is a “conformity exercise”, **Arcadis intends to maintain the existing settlement area boundaries with minor revisions**, in conformity with the adopted County of Elgin Official Plan Schedules/Mapping.

Therefore, as an alternative to the proposed changes at the Special Council Meeting, **Arcadis intends to make the following three (3) changes to the Settlement Areas for the First Draft Official Plan document:**

1. Port Burwell Provincial Park

Given that Port Burwell Provincial Park is a part of the natural heritage system and is protected under the *Provincial Park and Conservation Reserves Act*, Arcadis’s decision to remove Port Burwell Provincial Park from the Village of Port Burwell remains the same and will therefore be removed from the Port Burwell Settlement Area. This is noted in **Figure 1** enclosed with this Memo.

2. ‘Minor’ Boundary Adjustments and Clerical Amendments

‘Minor’ Boundary Adjustments

Multiple residential parcels within existing Settlement Areas have portions located both within and outside settlement area boundaries. The entirety of these residential parcels should be included within the Settlement Areas in order to accurately reflect current residential lot configurations.

Therefore, Arcadis recommends the minor “rounding out” of existing residential parcels with portions of the parcel located outside of the Settlement Area Boundary. The following residential parcels require a minor boundary adjustment to be included in the existing Settlement Area boundaries and are noted in **Figures 2 and 3** enclosed with this Memo.

Settlement Area	Civic Address
Hamlet of Corinth	11147, 11161 and 11185 Culloden Road
Hamlet of Richmond	53708, 53710, 53714 and 53768 Heritage Line

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Clerical Amendments

In addition to the minor boundary adjustments, clerical amendments are required to re-designate lands within the existing Settlement Areas that do not accurately reflect the current use of the parcel.

Therefore, Arcadis recommends the following land use designation amendments to the properties listed below which are noted in **Figure 1** enclosed with this Memo:

Settlement Area	Address(es)	Current Designation	Proposed Designation
Port Burwell	Concession 1, North Part Lot 9 (Nova Scotia Ln)	'Open Space'	'Agriculture' and <i>remove</i> .
Port Burwell	55451 Nova Scotia Ln	'Open Space'	'Institutional' for front portion with existing fire station and <i>maintain</i>
Port Burwell	55429 Nova Scotia Ln	'Open Space'	'Residential' for front portion with existing single-detached dwelling and <i>maintain</i> .
Port Burwell	1-12 Libbye Ave 127-130 Faye St	'Residential'	'Specific Policy Area' to recognize existing residential use and <i>remove</i> .
Port Burwell	3 Ashley Ave 1 Ashley Ave	'Open Space'	'Specific Policy Area' to recognize existing residential use and <i>remove</i> .

3. Specific Policy Areas for Servicing

There are a number of parcels identified within the Tier 1 (Vienna and Port Burwell) and Tier 2 (Eden and Straffordville) Settlement Areas that are undeveloped and/or part of larger agricultural lots. After discussions with Bayham Staff following the Special Council Meeting, much of these lands are currently not serviced and/or require the extension or upgrades of existing municipal water or sanitary services (or both) prior to development.

For example, it is understood that there is future capacity 'concerns' with respect to the municipal sanitary systems servicing Eden and Straffordville, and that upgrades will be required at some point in the future should development continue to occur on these undeveloped.

In addition, the vacant residentially designated lands within Vienna, notably the lands north of the Big Otter Creek, are currently not serviced by municipal water and sanitary servicing. A Master Servicing Plan has never been prepared for these undeveloped lands and it is therefore unknown at this time as to what specific upgrades or infrastructure is required to meet the demand or capacity constraints to fully services these lands in the future.

As such, in order to ensure orderly development and that the necessary servicing studies/reports/plans are completed prior to a *Planning Act* application being approved,

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Arcadis is proposing “Specific Policy Areas” over these undeveloped and/or larger agricultural lots within the Tier 1 and Tier 2 Settlement Areas. **The Specific Policy Area may read as follows:**

Prior to the approval of new development, the Municipality of Bayham shall require the preparation and approval of a Servicing Study, which shall demonstrate available capacity of existing full or partial water and sanitary sewage systems, and that the costs of any required upgrades or extensions of existing servicing shall be at the expense of the applicant.

The text pertaining to the Specific Policy Areas would be included in the Official Plan text/body for applicants and/or property owners to refer to. The Specific Policy Areas would not create additional ‘barriers’ for an owner when submitting a development application, it is simply a tool to inform them of the required servicing studies/reports/plans required for their property. It is our opinion that the implementation of these Specific Policy Areas in the Tier 1 and 2 Settlement Areas provides a level of “protection” for the Municipality of Bayham’s existing servicing system, ensuring capacity and potential constraints are identified prior to the approval of new development.

CONCLUSIONS AND RECOMMENDATIONS

The intent of this Memo was to address Council’s comments and questions regarding the Land Needs Analysis, as well as Arcadis’s proposed *Updated* Preliminary Settlement Area Boundary Changes as a result of the Special Council Meeting and our discussions with Bayham Senior Staff for the Bayham Official Plan Review. **Arcadis is proceeding with the above noted revisions to the Settlement Area boundaries for the First Draft Official Plan document.**

Should Council wish to evaluate the existing Settlement Area boundaries in the future, **Arcadis recommends that a separate study/review be undertaken following the approval of the new Bayham Official Plan.** There would be two (2) components, as the study would focus on: (1) a detailed review of existing Settlement Area boundaries in coordination with; (2) a Master Servicing Plan/Study. Investigation of funding sources to undertake such an exercise should be explored by the Municipality in the future.

The review of the Settlement Area boundaries would consider, but not limited to:

- Tier 1 Settlement Areas – what is necessary for the lands to be serviced (forcemain, pumping station, gravity). Where are existing services located, are there any constraints for servicing (invert depth, size, location etc.).
- Tier 2 Settlement Areas – what is necessary to extend existing services and any constraints. Are the boundaries appropriate.
- Tier 3 Settlement Areas – Are the boundaries appropriate.

The review of servicing (i.e. Master Servicing Plan/Study) would consider:

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- Mapping existing municipal infrastructure.
- Identifying constraints/limitations.
- What is necessary for the logical extension of the service.
- Who benefits from the municipal services.
- What are the costs and funding model.

Should you have any questions or comments regarding the contents of this Memo, we strongly encourage that you reach-out.

Sincerely,

Christian Tsimenidis

Arcadis Professional Services (Canada) Inc.

Christian Tsimenidis, BES

Consulting Planner to the Municipality of Bayham

Village of Port Burwell

Figure 1

Con 1, North Pt Lot 9
(Nova Scotia Ln)

55429

55451

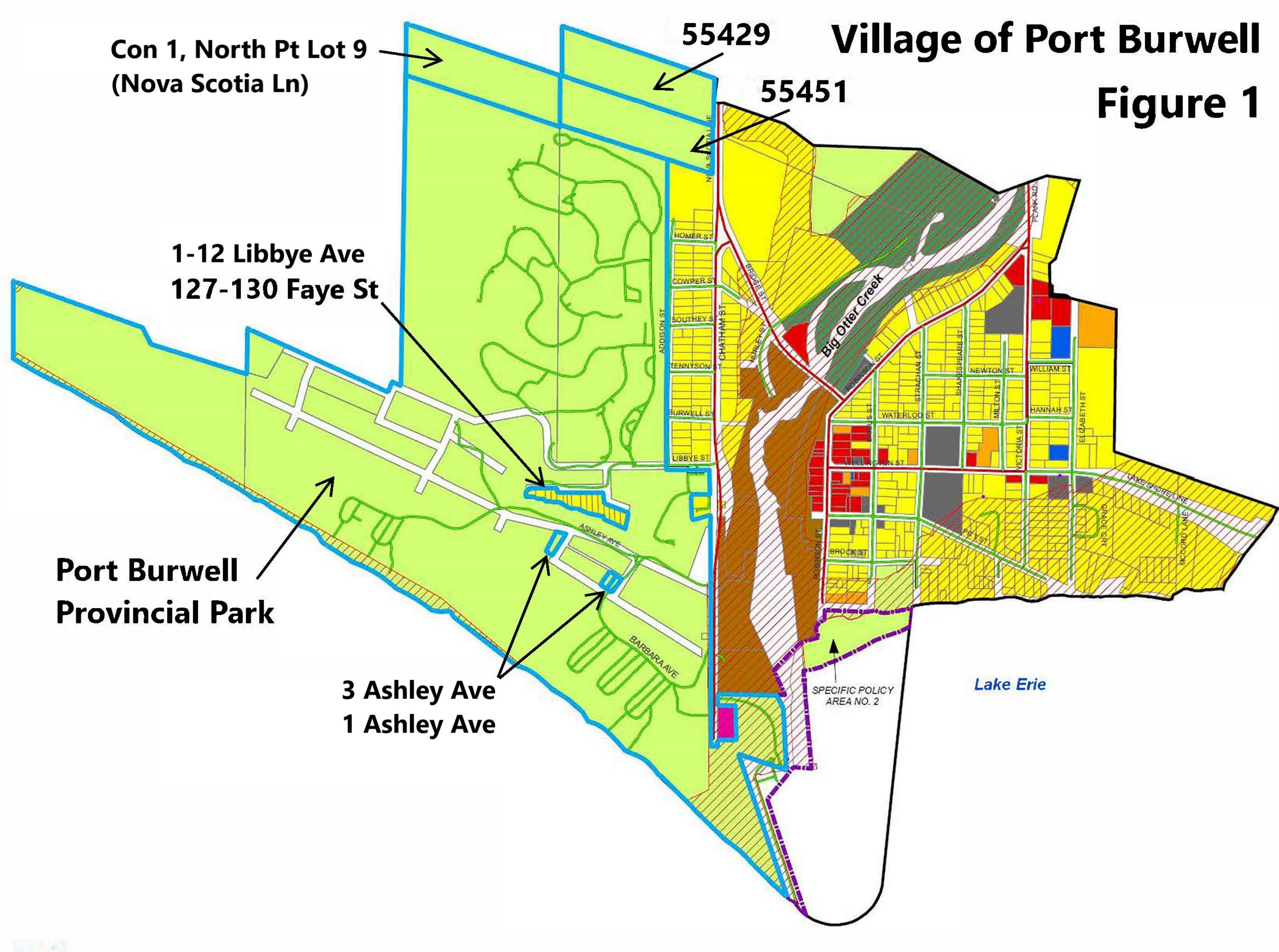
1-12 Libbye Ave
127-130 Faye St

Port Burwell
Provincial Park

3 Ashley Ave
1 Ashley Ave

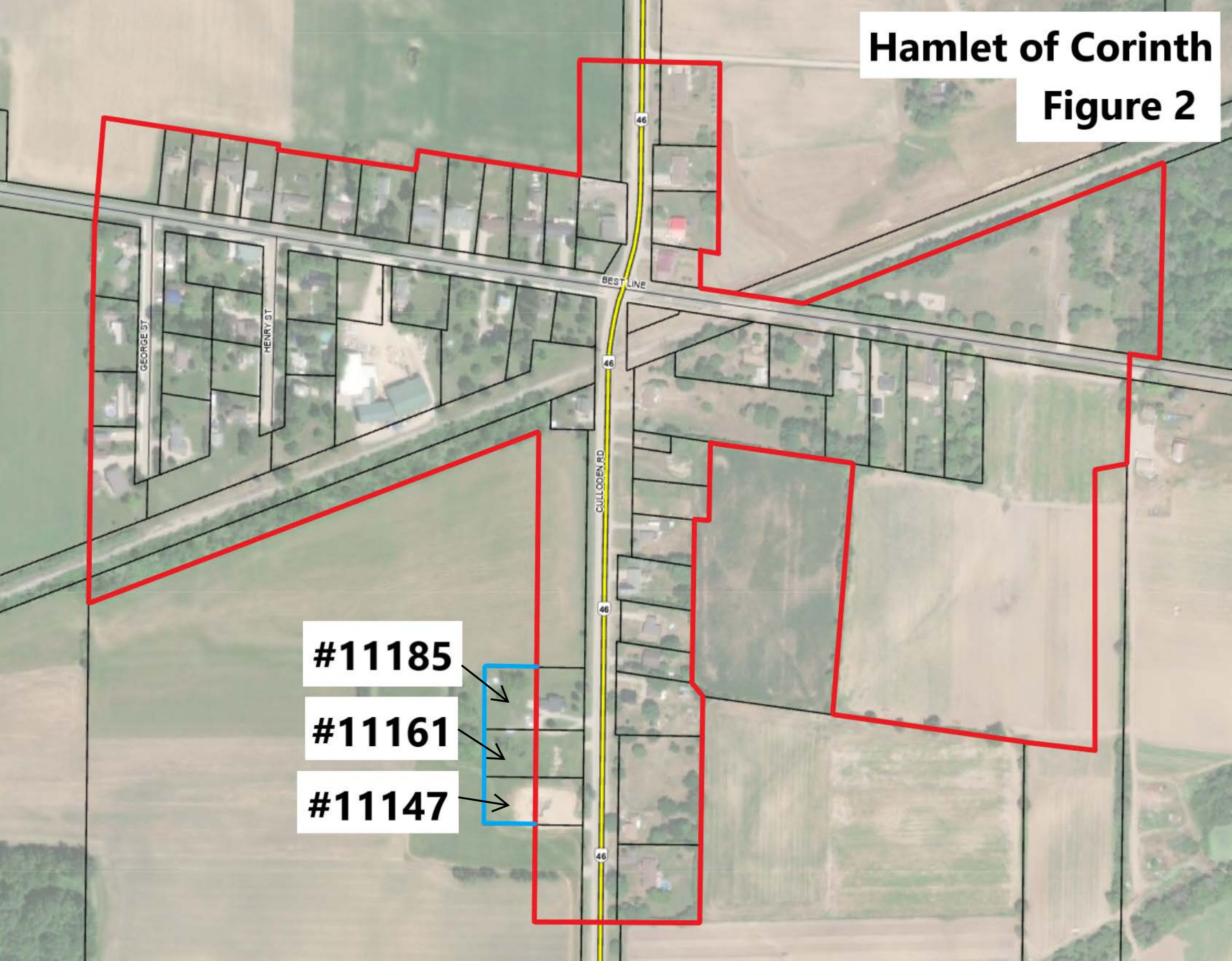
SPECIFIC POLICY
AREA NO. 2

Lake Erie



Hamlet of Corinth

Figure 2



#11185

#11161

#11147

Hamlet of Richmond

Figure 3

