

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Case Number: PL120835
File Number: PL120835
Municipality: Township of Amaranth
Municipal Number: OPA4
Property Location: All lands within the Township of Amaranth
Applicant/Appellant(s): Township of Amaranth

MINUTES OF SETTLEMENT

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF AMARANTH

("the Township")

-and-

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING

("the Ministry")

WHEREAS the Township intends to carry out a review of its Official Plan ("the Plan") pursuant to s.26 of the *Planning Act*, in two phases;

AND WHEREAS the Township has carried out the first phase of this review, which was intended to address conformity with the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe. This first phase resulted in OPA4 which was adopted by Township Council on October 20, 2010;

AND WHEREAS, in a decision dated June 13, 2012 ("the Decision"), the Minister approved OPA4 with modifications;

AND WHEREAS the Township appealed the Minister's decision by letter dated July 9, 2012;

AND WHEREAS the Township will proceed to carry out the second phase of its Official Plan review, which is intended to address consistency with the Provincial Policy Statement, 2005;

NOW THEREFORE the parties agree to partially withdraw, partially resolve and partially defer the Township's appeals of the Ministry's modifications of OPA4 as follows:

Partial Withdrawal of Appeal

1. The Township agrees to write to the Ontario Municipal Board withdrawing its appeals of the following modifications contained in the Minister's Decision, on the understanding that such withdrawal will bring these parts of OPA4 into effect, as modified, pursuant to s.17(39) of the *Planning Act*:
 - a. Modification 2, with respect to Schedule "C";
 - b. Modification 10 in its entirety;
 - c. Modification 11 in its entirety;
 - d. Modification 15 (b);
 - e. Modification 17 in its entirety;
 - f. Modification 21, except with respect to the deletion of Policy 3.1.4 (d) v) 2);
 - g. Modification 22 with respect to Policy 3.1.5 (f) and (h);
 - h. Modification 24 in its entirety;
 - i. Modification 29 in its entirety;
 - j. Modification 37 in its entirety;
 - k. Modification 38 in its entirety; and
 - l. Modification 39 with respect to policy 4.2.5 (b) (iii).

Amendments to Official Plan Policies and Modifications

2. The Parties agree to ask the Board to make the following amendments to the Minister's Modifications and/or the Policies of the Plan:
 - a. Amending modification 7 by adding a new sub-section "c" regarding Policy 3.12.1(c) as follows:
 - c) adding the words "but do not include lands within Farmington" at the end of the first sentence in the preamble paragraph;
 - b. Amending Modification 15 (a) with respect to the first paragraph of Policy 4.2.1, so that that paragraph would read:

In accordance with the Growth Plan for the Greater Golden Horseshoe 2006, ("Growth Plan") the County of Dufferin and its Member Municipalities, including the Township of Amaranth, have prepared a Growth Management Study. The Growth Management Study has addressed growth forecasts for the lower tier municipalities within the County of Dufferin, and the population forecast for the Township is 4,680 residents to the year 2031 and the employment forecast is 810 jobs to the year 2031.

- c. Amending Modification 18 by replacing the word "Waldemar" with the word "Farmington";
- d. Amending Modification 28 with respect to Policy 3.4.4.1 (a), so that that Policy is deleted and replaced with the following:
 - a) *Single detached dwellings, including Secondary Suites in accordance with Policy 3.4.5(c) of this Plan;*
 - b) *Dwelling types other than single detached dwellings subject to an amendment to this Plan;*
- e. Allowing the Township's appeal of Modification 31;
- f. Amending part (c) of Modification 32 so that Policy 3.6.4 (k) (ii) references subsection "f" instead of subsection "k";
- g. Amending Modification 39 so that the words in Policy 4.2.5 (d) are not deleted but rather the policy references "Section 5.4" instead of "Section 5.7";


Adjourn Certain Policies and Phase 2 Official Plan Review

- 3. Subject to the terms below, the Parties consent to the adjournment of the Township's appeals of the following modifications sine die:
 - a. Modification 21 with respect to the deletion of Policy 3.1.4 (d) v) 2) regarding infilling;
 - b. Modification 22 with respect to Policy 3.1.5(b);
 - c. Modification 23 in its entirety;
 - d. Parts (a) and (b) of Modification 32;
- 4. The Parties acknowledge that the adjournment of the Township's appeals of these policies does not impact the applicability of the Provincial Policy Statement, 2005 or provincial plans, to land use planning decisions made by the Township.

5. The Parties agree that the Township may address the policies that remain under appeal through the second phase of its official plan update.
6. The Township agrees to consult with the Ministry prior to the adoption of the second phase of its official plan update. The Township will provide the proposed official plan amendment to the Ministry for one window consultation at least ninety days before adoption.
7. Should the second phase of the official plan update not be adopted by Township Council by August 31, 2014, either party may seek to have the Township appeals identified in paragraph 3 addressed by the OMB.
8. These Minutes of Settlement may be signed electronically and in counterparts.


IN WITNESS WHEREOF the Parties have executed these Minutes of Settlement this 5th day of July, 2013.

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING

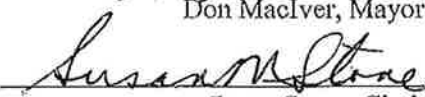


J. Robert Boxma
Counsel

THE CORPORATION OF THE TOWNSHIP OF AMARANTH



Don MacIver, Mayor



Susan Stone, Clerk