

Policy Gap Analysis Report



March 2026

Version 1 (Public Meeting)



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Prepared for:

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Executive Summary

(to be completed after draft reviews)

DRAFT

Contents

1	Introduction	1
1.1	A New Official Plan	1
1.2	Township of Wainfleet Official Plan (2016)	2
1.3	Framework of the Current Wainfleet Official Plan	3
1.4	What Is A “Gap Analysis”?	5
2	Policy Context: Understanding the Gaps	7
2.1	Planning Act.....	8
2.2	Provincial Planning Statement, 2024	13
2.3	Growth Plan for the Greater Golden Horseshoe (2006–2024)	13
2.4	Other Provincial Statutes	14
2.4.1	Aggregate Resources Act.....	14
2.4.2	Conservation Authorities Act	15
2.4.3	Development Charges Act, 1997	16
2.4.4	Drainage Act	18
2.4.5	Municipal Act, 2001	19
2.4.6	Ontario Heritage Act	20
2.5	Niagara Official Plan (2022)	21
2.5.1	Revocation of Planning Authority.....	22
2.5.2	Applicability and Relevance of the Niagara Official Plan to Wainfleet.....	22
3	Growth & Development.....	25
3.1	Growth Management	26
3.1.1	Population & Employment Forecasts	26
3.1.2	Settlement Areas	29
3.1.3	Density & Intensification	32

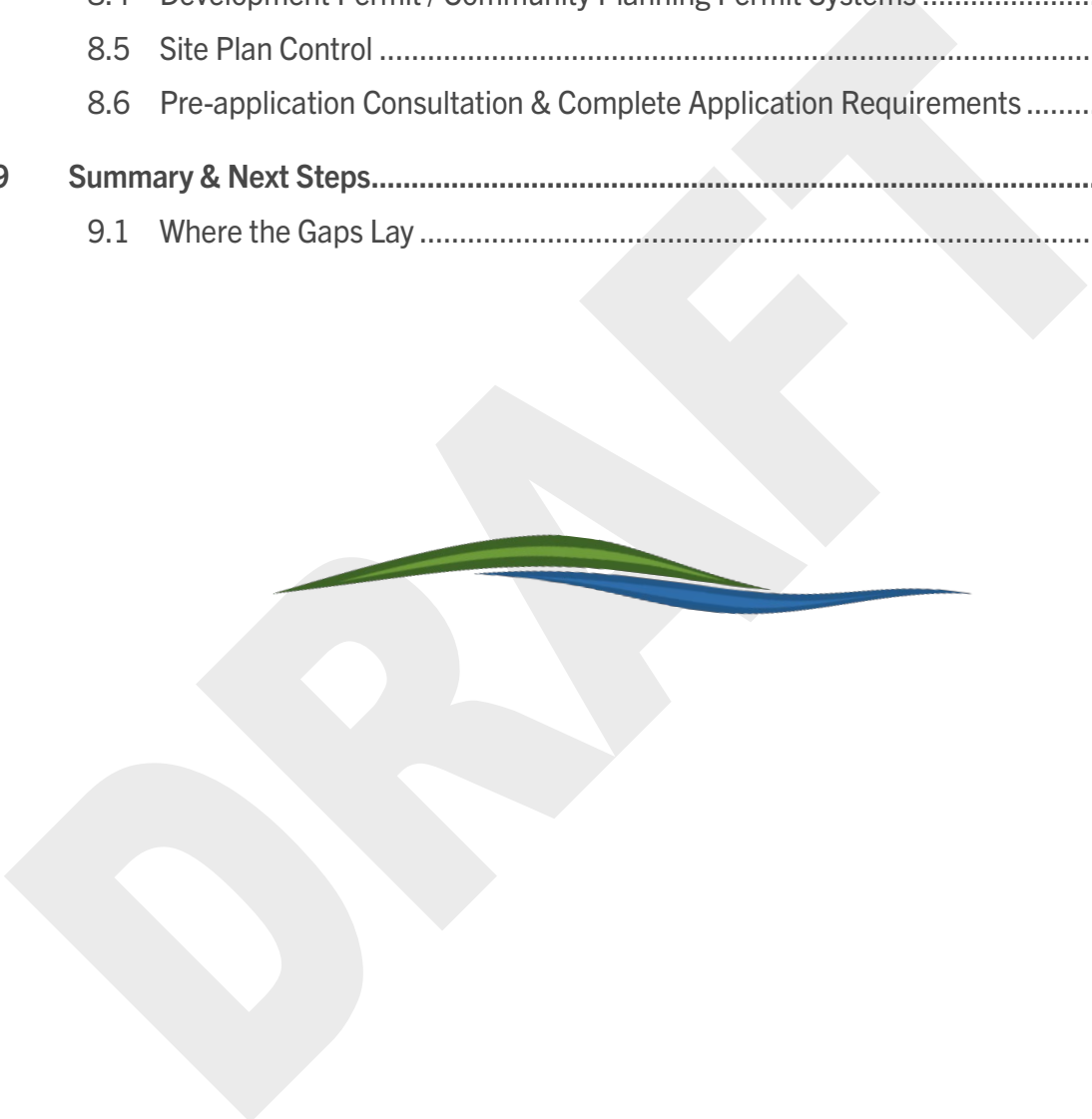
3.2	Development & Land Use	36
3.2.1	Compact Development & “Complete Communities”	36
3.2.2	Employment & Economic Development.....	38
3.2.3	Land Use Compatibility & Minimum Distance Separations.....	43
3.3	Housing.....	46
3.3.1	Residential Development	46
3.3.2	Affordable Housing	49
4	Agriculture & Rural Areas	51
4.1	Rural Areas	52
4.2	Agricultural Areas	55
5	Infrastructure & Services	60
5.1	Water & Wastewater Services	61
5.2	Stormwater Management	64
5.3	Township & Regional Roads.....	66
5.4	Airports, Rail & Marine Facilities.....	69
5.4.1	Airports	69
5.4.2	Railways.....	70
5.4.3	Marine.....	70
6	Natural & Cultural Resources	71
6.1	Natural Heritage	71
6.2	Water Resources.....	75
6.3	Mineral Aggregate Resources.....	77
6.4	Minerals & Petroleum	81
6.5	Cultural Heritage & Archaeological Resources	82
7	Public Health & Safety.....	85
7.1	Natural Hazards.....	86
7.2	Human-Made Hazards.....	86

8 Implementation & Administration88

- 8.1 Approvals89
- 8.2 Secondary Plans89
- 8.3 “Minor By-laws”89
- 8.4 Development Permit / Community Planning Permit Systems90
- 8.5 Site Plan Control90
- 8.6 Pre-application Consultation & Complete Application Requirements91

9 Summary & Next Steps.....92

- 9.1 Where the Gaps Lay92



List of Tables

Table 3.1 – Policy Direction for Forecasting Growth.....	27
Table 3.2 – Policy Direction for Settlement Areas.....	30
Table 3.3 – Policy Direction for Intensification & Redevelopment	34
Table 3.4 – Policy Direction for Development Patterns & Complete Communities	36
Table 3.5 – Policy Direction for Employment Areas & Economic Development.....	39
Table 3.6 – Policy Direction for Land Use Compatibility.....	44
Table 3.7 – Policy Direction for Residential Development	47
Table 3.8 – Policy Direction for Affordable Housing.....	49
Table 4.1 – Policy Direction for Rural Areas	52
Table 4.2 – Policy Direction for Prime Agricultural Areas.....	56
Table 5.1 – Policy Direction for Water & Wastewater Services.....	62
Table 5.2 – Policy Direction for Stormwater Management.....	65
Table 5.3 – Policy Direction for Transportation	67
Table 5.4 – Policy Direction for Airports.....	69
Table 6.1 – Policy Direction for Natural Heritage	73
Table 6.2 – Policy Direction for Water Resources	75
Table 6.3 – Policy Direction for Mineral Aggregate Resources.....	78
Table 6.4 – Policy Direction for Cultural Heritage & Archaeology	83





1 Introduction



1.1 A New Official Plan

The Township of Wainfleet (the “Township”) is undertaking an Official Plan Update to review and update its land use planning vision to a horizon year of 2051. The new Official Plan will include goals, objectives, and policies to achieve the Township’s preferred planning and community vision. This update is being implemented concurrently with a Parks Plan to address the *Planning Act* requirement for examining the need for parkland in the municipality in support of establishing a Parkland Dedication By-law and to ensure alignment and mutual support between the two plans.

The first step in the Official Plan Update process is to identify existing gaps in the Official Plan through this “Gap Analysis” report, which will:

- Identify and provide a brief overview of changes in Planning Legislation and Policy that must be included or considered for inclusion with the Township’s new Official Plan.
- Identify portions of the 2022 Niagara Official Plan that will or will not be considered for integration into the Township’s new Official Plan.



- Thematically outline focus areas where Policy Gaps in the current Official Plan exist, or where policy enhancement is necessary.
- Identify areas of Township interest that will be explored as part of the Official Plan update.

1.2 Township of Wainfleet Official Plan (2016)

The Township's current Official Plan was initially approved by Niagara Region (the "Region") on October 24, 2012. The Ministry of Municipal Affairs of Housing ("MMAH") subsequently appealed that decision in its entirety to the Ontario Municipal Board ("OMB"), now the Ontario Land Tribunal ("OLT"). Under s. 17 of the *Planning Act* (R.S.O. 1990, c. P.13), as it read at the time, the MMAH's appeal of the Region's decision meant that the Official Plan had not yet come into effect.

The OMB issued a decision on August 14, 2014, allowing the appeal in part in order to modify certain sections of the Township's Official Plan as approved. The OMB decision made several modifications to the text of the Official Plan, including modifications to policies regarding "agri-tourism uses unrelated to agriculture," significant natural heritage features and the protection thereof, Environmental Impact Studies, mineral aggregate resources and operations, servicing infrastructure, and stormwater management. The OMB decision also added Section 4.7 ("Landform Conservation") to the Official Plan. Several modifications were also made to the schedules to the Official Plan, including modifications to the mapping of fish habitat, the designation of wetland features, buffering associated with "Environmental Protection Areas," and to some hamlet boundaries. Certain portions of the Official Plan (described below) remained under appeal following the OMB's issuance of its decision, but all other portions, as modified, came into effect on the day of the decision (August 14, 2014).

The OMB issued another decision on January 28, 2016, following the execution of Minutes of Settlement between the parties to the appeal. This decision resolved the remaining items under dispute by making adjustments to the hamlet boundaries of Beckett's Bridge, Burnaby, Hendershot Corners, Wainfleet, and Winger, as well as modifications to the hamlet boundaries and land use designations for Chambers Corners, Ostryhon Corners, and Wellandport, all as shown on the schedules to the Official Plan.

These remaining parts of the Official Plan, as modified, accordingly came into effect on the day of the decision (January 28, 2016).

There have been four amendments to the Township's Official Plan since it came into effect. One of these amended the wording of Section 8.6.2, regarding the inclusion of a notification clause as a condition of approval for consents, while two others amended the Official Plan on a site-specific basis. Amendment No. 2 to the Official Plan made several changes to the land use designations shown on the schedules, most of which were subsequently repealed. One such change, re-designating certain lands just outside the hamlet of Ostryhon Corners from "Agricultural Area" to "Rural Area", has remained in effect.

1.3 Framework of the Current Wainfleet Official Plan

The current Wainfleet Official Plan is organized thematically across eight (8) sections. These sections are listed below along with some short descriptions of the policy focus and effect of the subsections within:

Section	Policy Focus
1.0 – Introduction	Purpose of the Plan • Planning Period (to 2031) • Assumptions for Township Future and Growth • Relationship of Official Plan to Other Township Planning Documents (e.g., Zoning) • Interpretation Guidance
2.0 – Municipal Structure	Land Use Vision for the Township • Municipal Structure of the Township (Countryside, Hamlets, Lakeshore Area, Natural Heritage Area) • Population Forecasts and Housing Supply and Demand • Economic Development

Section	Policy Focus
3.0 – Land Use Policies	Rural and Agricultural Area Policies (Permitted Uses, Lot Creation) • Natural Environment Policies, Land Use Designations (EPA, ECA, Fish Habitat) • Residential Area Policies (pertains to Hamlets and Lakeshore Areas, and other residential areas such as mobile parks) • Commercial Area Policies (Permitted uses in Village Commercial Areas in Hamlets, Tourist Commercial Areas, Design Guidance) • Industrial Area Policies (Existing and Planned Industrial Areas within Hamlets and Outside of Hamlets) • Extractive Industrial Area and Possible Extractive Industrial Area Policies • Mineral Aggregate and Petroleum Resource Areas • Parks and Open Space (pertains to municipal parks and open space areas including conservation areas) • Resort Commercial Policies (pertains to golf courses and other recreational facilities and uses) • Hazard Areas (Conservation Authority regulated areas) • Institutional Area Policies (government uses, religious uses, educational uses, cemeteries, and institutional housing)
4.0 – Environmental Management	Healthy Landscape Policies • Water Resources • Shorelines • Municipal Drains • Sustainability and Energy Conservation • Waste Disposal Areas (Closed Landfill Sites) • Landform Conservation (ANSI's and Shoreline Areas)
5.0 – Infrastructure and Roads	Private and Communal Servicing • Stormwater Management • Roadways (Provincial, Regional, Township, Private) • Active Transportation and Trails • Public Utilities, Accessibility
6.0 – Noise, Air Quality, and Vibration Control	Land Use Compatibility with Industrial Operations and Transportation Sources (Road, Rail, Aviation)

Section	Policy Focus
7.0 – Cultural Heritage and Archaeology	Heritage Protection • Cultural Heritage Resources and Districts • Archaeological Resources
8.0 – Implementation	Required Review Period for Official Plan • Zoning By-law • Site Plan Control • Committee of Adjustment • Subdivision Control and Part Lot Control • Severance • Pre-consultation • Complete Applications • Environmental Impact Studies • Community Improvement Plans • Definitions for Terms within the Official Plan

The current framework of the Official Plan is logical and reflective of many typical municipal official plans. These existing sections serve as a thematic basis for the completion of a fulsome Gap Analysis to determine where policy direction is absent, out of date or alignment, or required.

1.4 What Is A “Gap Analysis”?

Municipal official plans are provided for under Section 16 of the *Planning Act* (R.S.O. 1990, c. P.13),¹ which among other things identifies the items that an official plan is required to contain, as well as discretionary items that official plans may address. Section 26 of the *Planning Act* requires that an official plan be reviewed no less frequently than ten years after it has come into effect and every five years thereafter (unless it has been replaced by a new official plan). Under Subsection 26 (1) of the Act, an official plan must:

- 1 Throughout this report, all references to provincial statutes and regulations are to the version that was in force and effect on this report’s publication date (March 28, 2026), unless expressly indicated otherwise (as in Section 1.1 above). Any amendments to statutes or regulations taking effect after the publication date will be appropriately accounted for in the review and update of the Township of Wainfleet Official Plan before it is presented to Council for adoption.

- conform with any provincial plans that are in effect (or not conflict with those plans, as the case may be);
- have regard to matters of provincial interest, as set out in Section 2 of the Act; and
- be consistent with any policy statements issued under Subsection 3 (1) of the Act.

Before the Official Plan is revised to address the items listed above, Subsection 26 (3) requires that Council hold a special meeting, “open to the public, to discuss the revisions that may be required.” This Gap Analysis Report has been prepared to inform the public meeting.

This Gap Analysis is not intended to be a static document. Through the public consultation processes that will occur additional gaps may be discovered which will be included within an amended, final version of this document. Public engagement and consultation are key to filling in the key community gaps that may not be identified through policy analysis alone.



2 Policy Context: Understanding the Gaps

Since the adoption of the Township’s current Official Plan until the initiation of the Official Plan update in 2025, there have been several changes to provincial legislation, policies, and plans, as well as to the upper-tier municipality’s (*i.e.*, the Regional Municipality of Niagara) Official Plan. The preparation of a new Township Official Plan is intended to address the applicable legislative and policy changes to ensure the local planning framework and policies are aligned with current requirements and provincial direction.

The following subsections outline the various changes in legislation, policies, and other relevant documents that must be considered through the Official Plan Review. The primary documents considered include the *Planning Act*, the Provincial Planning Statement (2024), and the Niagara Official Plan (2022). Additionally, the former Provincial Policy Statements (2005, 2014, and 2020) and the former Growth Plan for the Greater Golden Horseshoe (2006, as amended) are considered to provide additional context highlighting key changes in the evolution of provincial planning policy.



Additional relevant legislation changes, including those made to the *Aggregate Resources Act*, the *Conservation Authorities Act*, the *Development Charges Act, 1997*, the *Drainage Act*, the *Municipal Act, 2001*, and the *Ontario Heritage Act*, within the same 2012–2025 time period, are also outlined.

Key implications and considerations related to provincial plans and legislation, the Niagara Official Plan, and thematic gap areas are highlighted throughout the following sections of this report within a green box in the manner demonstrated below:

Example: Key Implications & Considerations

2.1 Planning Act

The *Planning Act* has been amended 46 times since October 24, 2012 (the day on which the Township’s current Official Plan was initially approved).² Of those 46 amendments, 45 were made after January 28, 2016, the date of the Ontario Municipal Board’s (now the Ontario Land Tribunal) most recent approval of modifications to the Township’s Official Plan.

The amendments to the *Planning Act* made since 2016 affect a wide range of matters, including the planning responsibilities of upper-tier municipalities, the creation of additional residential units, requirements for parkland dedication, and the delegation of Council’s authority to pass certain types of by-laws.

² “Amended 46 times” refers to the number of versions listed on the Province of Ontario’s “e-Laws” website. Versions are listed in chronological order by consolidation period: the most recent such period for the *Planning Act* began on November 27, 2025, the day on which the amendments made by Sections 1–6 of Schedule 10 to the *Fighting Delays, Building Faster Act, 2025* (Bill 60 of the 1st Session of the 44th Parliament) came into effect.

The following list encompasses the most significant amendments for the purposes of this Gap Analysis:³

- **July 1, 2016** — *Smart Growth for Our Communities Act, 2015* (S.O. 2015, c. 26; Bill 73 of 41st Parliament, 1st Session): The “promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant” is added to the list of matters of provincial interest in Section 2 of the Act. Subsection 16 (1) is amended to include “a description of the measures and procedures for informing and obtaining the views of the public” regarding proposed Official Plan Amendments, zoning by-laws, plans of subdivision, consents among the matters that an Official Plan must contain. Section 42 is amended to require the preparation of a “parks plan that examines the need for parkland in the municipality” before adopting Official Plan policies regarding parkland dedication, although this does not apply to policies adopted before this requirement came into effect. Section 70.2.1 is enacted, effecting a change in terminology from “development permits” to “community planning permits.”
- **December 8, 2016** — *Promoting Affordable Housing Act, 2016* (S.O. 2016, c. 25; Bill 7 of 41st Parliament, 2nd Session): Information regarding proposed units of affordable housing is added to the items that must be shown on a draft plan of subdivision, under subs. 51 (17) of the Act. The inclusion of affordable housing units, and if so the suitability of those units, is added to the items listed in subs. 51 (24) to which regard must be had when considering a draft plan for approval.
- **May 30, 2017** — *Modernizing Ontario’s Municipal Legislation Act, 2017* (S.O. 2017, c. 10; Bill 68 of 41st Parliament, 2nd Session): The “mitigation of greenhouse gas emissions” is added to the matters of provincial interest listed in Section 2.
- **April 3, 2018** — *Building Better Communities and Conserving Watersheds Act, 2017* (S.O. 2017, c. 23; Bill 139 of 41st Parliament, 2nd Session): Policies and

³ The descriptions of amendments provided below and throughout Sections 2.1 and 2.4 of this report are intended as summaries only, and do not necessarily reflect the full statutory effect or scope of the provisions cited. Reference should be made to official copies of statutes and regulations, such as those provided on the Province’s e-Laws website. Nothing presented here should be interpreted as legal advice.

measures “as are practicable to ensure the adequate provision of affordable housing” is added to the list of mandatory contents for Official Plans in subs. 16 (1).

- **September 18, 2020** — *COVID-19 Economic Recovery Act, 2020* (2020, c. 18; Bill 197 of 42nd Parliament, 1st Session): Section 37 (“Increased density, etc., provision by-law”, commonly referred to as “bonusing”) is repealed and substituted with provisions regarding community benefits charges.
- **December 2, 2021** — *Supporting People and Businesses Act, 2021* (2021, c. 34; Bill 13 of 42nd Parliament, 2nd Session): Section 39.2 is enacted, authorizing Council to delegate its authority to pass “by-laws under section 34 that are of a minor nature” (which includes by-laws to remove a holding symbol or to authorize temporary uses) to a committee or an individual.
- **January 1, 2022** — *Supporting Recovery and Competitiveness Act, 2021* (S.O. 2021, c. 25; Bill 276 of 42nd Parliament, 1st Session): Section 53 is amended to allow a purchaser of land (or their authorized agent) to apply for a consent. Section 53 is further amended to enact provisions regarding amendments to consent applications and the issuance of cancellation certificates.
- **April 14, 2022** — *More Homes for Everyone Act, 2022* (S.O. 2022, c. 12; Bill 109 of 42nd Parliament, 2nd Session): Subsection 42 (3.3) is enacted, establishing maximum amounts for parkland dedication when calculated using the alternative rate of one hectare per 300 dwelling units. Provisions in s. 51 are enacted to allow an approval authority to deem its approval of a plan of subdivision not to have lapsed (subject to certain conditions).
- **July 1, 2022** — *More Homes for Everyone Act, 2022* (Bill 109): Subsection 41 (4.0.1) is enacted, requiring municipalities to “appoint an officer, employee or agent of the municipality as an authorized person” for the purposes of granting site plan approval.
- **November 28, 2022** — *More Homes Built Faster Act, 2022* (S.O. 2022, c. 21; Bill 23 of 43rd Parliament, 1st Session): Provisions setting limitations on requests for amendments to an Official Plan or Zoning By-law within two years of its adoption or passing are repealed. Subsections 41 (4) and (4.1) are amended, and Subsection 41 (4.1.1) is enacted, to provide that “matters of exterior design” and the exterior appearance of buildings and structures are no longer subject to site plan control. Subsection 42 (3.3) is enacted to exempt non-profit housing development from

parkland dedication requirements. The alternative rate authorized under subs. 41 (3) is reduced from one hectare per 300 dwelling units to one hectare per 600 net residential units; the alternative rate for the payment of cash in lieu under subs. 41 (6.0.1) is similarly reduced from one hectare per 500 dwelling units to one hectare per 1,000 net residential units. Subsection 42 (4.1) is amended to require the preparation of a parks plan before passing a parkland dedication by-law (as opposed to adopting Official Plan policies regarding parkland dedication, as had previously been the case). Subsections 51 (20)–(21.1), which had required the holding of a public meeting before the approval of a draft plan of subdivision, are repealed.

- **June 1, 2024** — *More Homes Built Faster Act, 2022* (Bill 23): Subsection 41 (1.1) is enacted, exempting affordable and attainable residential units from parkland dedication requirements.
- **June 6, 2024** — *Cutting Red Tape to Build More Homes Act, 2024* (S.O. 2024, c. 16; Bill 185 of 43rd Parliament, 1st Session): Provisions that had authorized municipalities to require pre-submission consultation for various types of development application are repealed. Subsection 41 (7.1) is enacted, allowing municipalities to specify a lapsing date for site plan approval. Subsection 51 (32), regarding the lapsing of draft plan approval, is amended to change “the approval authority may provide that the approval lapses” to “the approval authority *shall* provide that the approval lapses at the expiration of the time period specified” (emphasis added). Subsection 51 (33.4) is enacted, providing that draft plan approvals given on or before March 27, 1995, will lapse on June 6, 2027.
- **July 1, 2024** — *More Homes Built Faster Act, 2022* (Bill 23): The definition of “upper-tier municipality without planning responsibilities” is enacted, removing planning authority from the Regions of Halton, Peel, and York. Section 70.13 is enacted, providing that the Official Plan of an upper-tier municipality without planning responsibilities remains in effect for its lower-tier municipalities “until the lower-tier municipality revokes it or amends it to provide otherwise.”
- **October 20, 2024** — *Helping Homebuyers, Protecting Tenants Act, 2023* (S.O. 2023, c. 10; Bill 97 of 43rd Parliament, 1st Session): The definition of “area of employment” in Section 1 is amended to explicitly exclude institutional uses and commercial uses (other than retail or office uses associated with a permitted “business and economic use”).

- **March 31, 2025** — *Cutting Red Tape to Build More Homes Act, 2024* (S.O. 2024, c. 16; Bill 185 of 43rd Parliament, 1st Session): Niagara Region is included as an upper-tier municipality without planning responsibilities.
- **June 5, 2025** — *Protect Ontario by Building Faster and Smarter Act, 2025* (S.O. 2025, c. 9; Bill 17 of 44th Parliament, 1st Session): Subsection 17 (21.1) is enacted, requiring written approval from the Minister of Municipal Affairs and Housing before Council may adopt an Official Plan Amendment that adds, amends, or revokes any provision regarding complete application requirements. Provisions are enacted regarding reports that have been prepared by “prescribed professionals” and regarding “as-of-right” variances from minimum setback requirements.
- **November 27, 2025** — *Fighting Delays, Building Faster Act, 2025* (S.O. 2025, c. 14; Bill 60 of 44th Parliament, 1st Session): Additional provisions are enacted regarding “as-of-right” variances from any minimum or maximum standard contained in a zoning by-law.

In addition to the ramifications of the Regional Municipality of Niagara being identified as an “upper-tier municipality without planning responsibilities,” which are discussed in further detail in Section 2.5, the noted amendments to the *Planning Act* since 2016 have potential implications for the content, scope, and implementation of the Township’s Official Plan.

Among other things, these amendments affect policies regarding affordable housing, employment, parkland dedication, public consultation, employment areas, site plan control, pre-submission consultation, and complete application requirements. There are further implications regarding the requirements surrounding community benefits charges, as well as the ability to delegate Council’s authority to pass “minor” zoning by-laws.

2.2 Provincial Planning Statement, 2024

Subsection 3 (5) of the *Planning Act* requires that any planning-related decision “be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision.”⁴ At the time when the current Wainfleet Official Plan was prepared and adopted, the 2005 Provincial Policy Statement was in effect. At the time of the partial OMB approval of the Official Plan, the 2014 Provincial Policy Statement was in effect, with another iteration coming into effect in 2020.

On October 20, 2024, a new Provincial Statement was issued under Section 3 (1) of the Planning Act called the Provincial Planning Statement, 2024 (hereafter referred to as the “2024 PPS”). The name change reflected a stronger focus on development with added policies related to housing and growth. The 2024 PPS contains much of the 2020 Provincial Policy Statement, as well as some policies and directions from the Growth Plan for the Greater Golden Horseshoe. The 2020 PPS and Growth Plan were concurrently revoked by the Province and replaced by the 2024 PPS.

The new Township Official Plan must be consistent with the 2024 PPS.

2.3 Growth Plan for the Greater Golden Horseshoe (2006–2024)

The Growth Plan of the Greater Golden Horseshoe (the “Growth Plan”) was brought into force and effect in 2006. The Growth Plan was a provincially prepared tool to guide the growth and development in Ontario’s most populous area, including population and

⁴ This is true of the *Planning Act* as it read on the day the Township’s Official Plan was initially approved in October 2012, and on January 28, 2016, the day on which the OMB (now the OLT) issued its most recent approval. Since 2016, subs. 3 (5) has been amended to substitute a reference to “the Municipal Board” to “the Tribunal” (on April 3, 2018) and to provide for exceptions through regulations made under subs. 3 (6.1) (on June 8, 2023).

employment forecasts, new policy direction focused on compact urban form, improved infrastructure and public transit investment, and building the economy.

The Wainfleet Official Plan was prepared under the lens of the Growth Plan; however, due to that plan's urban focus, there were minimal development-related policy considerations for Wainfleet. The Growth Plan did, however, place additional emphasis and limitations on development within natural heritage features, which are extensive in the Township.

On October 20, 2024, the Growth Plan was revoked by the Province. Portions of the Growth Plan have been carried over into the 2024 PPS and are now applicable province-wide.

As part of the Official Plan update, all references to the Growth Plan within retained policies will need to be removed.

2.4 Other Provincial Statutes

2.4.1 Aggregate Resources Act

The [*Aggregate Resources Act*](#) (R.S.O. 1990, c. A.8) has been amended 12 times since August 14, 2014, with the most recent coming into effect on June 1, 2021.

The Act is relevant to the Township of Wainfleet, as there is an active quarry site and additional lands designated in the Township's Official Plan for extractive resource activities.

For the purposes of this Gap Analysis, the most relevant amendments are the following:

- **December 10, 2019** — *Better for People, Smarter for Business Act, 2019* (S.O. 2019, c. 14; Bill 132 of 42nd Parliament, 1st Session): Subsection 12.1 (1.1) is enacted, which provides that zoning restrictions on the depth of extraction do not apply if the site is situated in a part of Ontario designated for the purposes of subs. 5 (2) of the Act. (All of Niagara Region is designated for those purposes under s. 6 (1) of O.Reg. 244/97.)

- **September 1, 2020** — *Aggregate Resources and Mining Modernization Act, 2017* (S.O. 2017, c. 6; Bill 39 of 41st Parliament, 2nd Session): The definition of “aggregate” in s. 1 is amended with respect to the definition of “rock” as a prescribed material in s. 0.1 (1) of O. Reg. 244/97.
- **April 1, 2021** — *Aggregate Resources and Mining Modernization Act, 2017* (Bill 39): Section 10 of the Act is repealed, which had required that the applicant for an aggregate license provide the Minister of Natural Resources with information about applicable zoning by-laws as part of the application.

The potential effects of these amendments relate to the Official Plan’s definition of “mineral aggregate resources” and to the “Implementation” section, with respect to the scope of matters that may be addressed through zoning by-laws.

2.4.2 Conservation Authorities Act

The *Conservation Authorities Act* (R.S.O. 1990, c. C.27) has been amended 20 times since August 14, 2014, most recently on January 1, 2026.

The Township of Wainfleet is within the Regulated Control Area of the Niagara Peninsula Conservation Authority (the “NPCA”), which has permitting and review responsibilities within the Regional Municipality of Niagara and portions of the City of Hamilton. The Township is traversed by the Welland River and sits along the Lake Erie shoreline, both of which have related floodplains and hazard areas. The Township also contains several wetlands and unique rock outcrop areas that also require conservation and regulation to protect human health and safety.

For the purposes of this Gap Analysis, the most relevant amendments are the following:

- **October 1, 2021** — *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* (S.O. 2020, c. 36; Bill 229 of 42nd Parliament, 1st Session): Section 21.1 of the Act is amended to establish programs and services that conservation authorities must provide, including programs and services related to the risk of natural hazards, to the conservation and management of lands owned by the authority, and to the authority’s role as a source protection authority under the

Clean Water Act, 2006. Section 21.1.1 is enacted, permitting authorities to provide municipal programs and services with their areas of jurisdiction under a memorandum of understanding with the municipality.

- **January 1, 2023** — *More Homes Built Faster Act, 2022* (S.O. 2022, c. 21; Bill 23 of 43rd Parliament, 1st Session): Subsection 21.1.1 (1.1) is enacted, prohibiting conservation authorities from commenting on applications made under a “prescribed Act,” which includes the *Planning Act*. A similar prohibition on providing a “program or service related to commenting” on applications under prescribed Acts is enacted in subs. 21.1.2 (1.1).
- **November 27, 2025** — *Plan to Protect Ontario Act (Budget Measures), 2025* (No. 2) (S.O. 2025, c. 15; Bill 68 of 44th Parliament, 1st Session): Part VIII.1 (“The Agency”) is enacted, establishing the Ontario Provincial Conservation Agency to oversee the governance and operations of conservation authorities, oversee and evaluate the financial performance of authorities, assess and report on the effectiveness of authorities, and oversee “the transition to a regional watershed-based framework for authorities in Ontario” (among other things). It is anticipated that this transition to a regional framework will involve the amalgamation of most existing conservation authorities.

The potential ramifications of these changes to the *Conservation Authorities Act* pertain to the circulation of development applications among commenting agencies, the planning-related matters regarding which conservation authorities may or may not be consulted, as well as the likely restructuring and re-naming of the Niagara Peninsula Conservation Authority.

2.4.3 Development Charges Act, 1997

The [*Development Charges Act, 1997*](#) (S.O. 1997, c. 27) has been amended 27 times since August 14, 2014 (24 times since January 28, 2016), most recently on November 27, 2025.

The Township of Wainfleet collects development charges under [Township By-law No. 025-2021](#), which applies to residential, commercial, and industrial land uses.

For the purposes of this Gap Analysis, the most relevant amendments are the following:

- **November 28, 2022** — *More Homes Built Faster Act, 2022* (Bill 23): Section 2 of the Act is amended to exempt the creation of a second or third residential unit in a new or an existing dwelling, as well as the creation of an additional residential unit in an ancillary structure, on a “parcel of urban residential land” from the payment of development charges. Section 4.2 is also enacted, providing an exemption for non-profit housing development.
- **June 8, 2023** — *Helping Homebuyers, Protecting Tenants Act, 2023* (Bill 97): Section 2 is amended, expanding the exemption for additional residential units from those located on a “parcel of urban residential land” to any such unit located on a “parcel of land.”
- **June 1, 2024** — *More Homes Built Faster Act, 2022* (Bill 23): Section 4.1 is enacted to provide that affordable and attainable residential units (as defined in that section) are exempt from development charges.
- **November 27, 2025** — *Working for Workers Seven Act, 2025* (S.O. 2025, c. 13; Bill 30 of 44th Parliament, 1st Session): Subsections 59 (2.2) through (2.11) are enacted, setting out requirements for municipalities to adopt a “local services” policy.

The potential impacts of the listed amendments to the *Development Charges Act* pertain to policies concerning the creation of additional residential units and to the provision of “local services” (in connection with the approval of draft plans of subdivision). The amendments also offer a potential tool to promote the provision of affordable housing.

2.4.4 Drainage Act

The *Drainage Act* (R.S.O. 1990, c. D.17) has been amended seven times since August 14, 2014.

The *Drainage Act* is a significant legislative element within the Township of Wainfleet due to its predominantly agricultural land use pattern and history and its natural topography.

For the purposes of this Gap Analysis, the most relevant are the most recent amendments, which came into effect on June 30, 2021, with the coming into force of Sections 1–6 and 8–12 of Schedule 4 to the *COVID-19 Economic Recovery Act, 2020* (S.O. 2020, c. 18).

Among other things, those amendments repealed Section 77 of the Act, which had provided for the deepening, widening, or extending of drainage works to an outlet without an engineer’s report, and amended Section 78 by referring to the projects listed in subs. 78 (1.1) as “major improvement projects” (instead of simply “projects”) and by adding to that list “extending the drainage works to an outlet” (para. 5), “improving or altering the drainage works if the drainage works is located on more than one property” (para. 5.1), and “any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement” (para. 8).

The above-mentioned amendments may affect policies regarding water resources and regarding land uses and infrastructure in the Township’s rural and agricultural areas.

2.4.5 Municipal Act, 2001

The *Municipal Act, 2001* (S.O. 2001, c. 25) has been amended 64 times since August 14, 2014 (59 times since January 28, 2016), most recently on January 1, 2026. The most relevant amendments for the purposes of this Gap Analysis are the following:

- **May 30, 2017** — *Modernizing Ontario's Municipal Legislation Act, 2017* (S.O. 2017, c. 10; Bill 68 of 41st Parliament, 2nd Session): Section 97.1 is enacted, authorizing by-laws “respecting the protection or conservation of the environment” that require buildings to be constructed in accordance with certain prescribed provisions of the building code (so-called “green building standards”), which under subs. 97.1 (3) includes “the power to require the construction of green roofs or of alternative roof surfaces that achieve similar levels of performance to green roofs.” Section 99.1 is also enacted, authorizing municipalities to “prohibit and regulate the demolition of residential rental properties and ... the conversion of residential rental properties” to other purposes.
- **March 1, 2019** — *Modernizing Ontario's Municipal Legislation Act, 2017* (Bill 68): Paragraph 7 of subs. 270 (1) is enacted, requiring municipalities to adopt and maintain policies regarding “the manner in which the municipality will protect and enhance the tree canopy and natural vegetation.”
- **December 2, 2021** — *Supporting People and Businesses Act, 2021* (Bill 13): An exception is added to Paragraph 5 of subs. 23.3 (1) to allow for the delegation of the authority to pass “minor by-laws” under s. 39.2 of the *Planning Act*.
- **November 28, 2022** — *More Homes Built Faster Act, 2022* (Bill 23): Subsection 99.1 (7) is enacted, authorizing the Minister to make regulations that impose limits or conditions on the power to prohibit and regulate the demolition or conversion of residential rental premises under that section.
- **December 20, 2022** — *Better Municipal Governance Act, 2022* (S.O. 2022, c. 24; Bill 39 of 43rd Parliament, 1st Session): Section 284.11.1 is enacted, authorizing the head of Council to propose any by-law that “could potentially advance a prescribed provincial priority” (which includes “building 1.5 million new residential units by December 31, 2031,” per O.Reg. 580/22, s. 1, para. 1).
- **June 8, 2023** — *Helping Homebuyers, Protecting Tenants Act, 2023* (Bill 97): The Minister’s regulation-making authority under subs. 99.1 (7) is expanded.

- **November 27, 2025** — *Working for Workers Seven Act, 2025* (Bill 30): Section 451.2 is enacted, granting the Minister regulation-making authority to impose limits on municipal powers related to undertakings that entail “the development or redevelopment of a building, structure or part of a building or structure” funded by the Province to be used for training or skills development.

The potential ramifications of the amendments to the *Municipal Act, 2001* principally affect matters relating to the implementation of the Official Plan, including matters regarding which Council may or may not pass by-laws and matters with respect to which there may be regulatory limitations or conditions to be considered.

2.4.6 Ontario Heritage Act

The [*Ontario Heritage Act*](#) (R.S.O. 1990, c. O.18) has been amended 21 times since August 14, 2014, most recently on November 3, 2025. For the purposes of this Gap Analysis, the following are the most relevant amendments:

- **July 1, 2021** — *More Homes, More Choice Act, 2019* (Bill 108): Subsection 29 (1.2) is enacted, imposing limitations on Council’s ability to designate heritage properties if a “prescribed event” has occurred. “Prescribed events” include the giving of a complete application notice for proposed Official Plan Amendments, Zoning By-law Amendments, or Draft Plan of Subdivision that includes the property in question (subject to certain exceptions).
- **January 1, 2023** — *More Homes Built Faster Act, 2022* (Bill 23): Provisions in s. 27 are enacted that require the removal of property from the Municipal Heritage Register if the property has not been designated within two years of being added to the register, and that prohibit a property from being added to the register again for another five years. Section 41 is amended to allow for the regulations under the Act to prescribe criteria for the designation of heritage conservation districts.
- **July 1, 2024** — *Less Red Tape, More Common Sense Act, 2023* (S.O. 2023, c. 20; Bill 139 of 43rd Parliament, 1st Session): Subsection 33 (18) is enacted, requiring that Council assent to or permit alterations to a building or part thereof that is primarily used for religious practices (subject to certain conditions).

The potential ramifications of these amendments pertain primarily to the conservation of cultural heritage resources, including matters that relate to the designation of heritage properties, the addition of properties to the Municipal Heritage Register, and the identification and designation of heritage conservation districts.

2.5 Niagara Official Plan (2022)

The Niagara Official Plan (2022) is the latest and final Official Plan that has been produced by the Regional Municipality of Niagara. The NOP (2022) was adopted by Regional Council in June of 2022 and approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4, 2022.

The NOP (2022) was developed concurrently as part of a municipal comprehensive review process that assessed population and employment growth within the Regional Municipality of Niagara to the 2051 planning horizon. The 2051 growth forecasts replace those that the previous Wainfleet Official Plan was based upon to the 2031 planning horizon.

The NOP (2022) designates all the Township's Hamlets as "Rural Settlements" on Schedule "B1". Lands located outside of the Hamlets, including the Lakeshore Area, are designated as either "Prime Agricultural Area" or "Rural Lands" on the Agricultural Land Base (Schedule "F"). The Region's natural heritage mapping applies to all lands within the Township and is more recent than that found currently in the Wainfleet Official Plan, in addition to including a greater variety of natural features. Schedule "K" to the NOP designates areas of archaeological potential within the Township and is to be used as a Screening Layer to determine when Archaeological Assessments are required.

2.5.1 Revocation of Planning Authority

The NOP is an up-to-date planning document that is reflective of the majority of the recent land-use-planning-related amendments to the *Planning Act*. The NOP (2022) was deemed to be consistent with the 2020 Provincial Policy Statement and 2019 Growth Plan for the Greater Golden Horseshoe, prior to their revocation and replacement with the 2024 Provincial Planning Statement. There have been no amendments to the NOP (2022) between the Ministry approval date in 2022 and the revocation of the Regional Municipality of Niagara's planning authority in 2025.

Through Bill 23, the Province of Ontario removed the long-standing planning authority responsibilities that some upper-tier municipalities in Ontario, including the Regional Municipality of Niagara, had been provided with. In Niagara, upper-tier planning authority officially ceased on March 31, 2025, and the NOP (2022) was automatically added in its entirety as part of the local official plans for all twelve (12) Niagara municipalities. The local municipalities are each required to assess and update their official plans to integrate, modify, or remove NOP (2022) policies as part of their required Official Plan update process.

Until such time that the review and update of these policies completed by the Township of Wainfleet, the NOP (2022) in its entirety is deemed to be applicable to the municipality.

2.5.2 Applicability and Relevance of the Niagara Official Plan to Wainfleet

There are some NOP (2022) policies which are considered as being “up to date” and appropriate to consider for inclusion in the Township's new Official Plan. However, as the NOP is a regional document, there are large portions of the plan that are not relevant to the Township of Wainfleet as a municipality or corporation and should not remain within the Official Plan. In some instances, policies and mapping are related to other municipalities, provincial plans that are not applicable to Wainfleet (the Niagara Escarpment Plan and the Greenbelt Plan), or rescinded policy (the Growth Plan).

The following items (chapters, sections, policies, schedules, and appendices) of the NOP (2022) are **not recommended** to be carried forward in the new Wainfleet Official Plan:

- Chapter 1 – Making Our Mark
- Chapter 3 – Sustainable Region
 - Section 3.1 – The Natural Environment System
 - ◆ Subsection 3.1.6 – Special Policy for Niagara Peninsula Tender Fruit and Grape Area in the Greenbelt Plan
 - ◆ Subsection 3.1.7 – Special Policy for Recreational Uses on Lands Subject to Greenbelt Plan
 - ◆ Subsection 3.1.8 – Lands in the Niagara Escarpment Area Plan
 - ◆ Subsection 3.1.31 – Land Securement Strategy
 - Section 3.3 – Source Water Protection
 - Section 3.5 – Climate Change
 - ◆ Subsection 3.5.2 – Corporate Climate Change Measures
 - Section 3.6 – Niagara Escarpment Plan Area
- Chapter 4 – Competitive Region
 - Section 4.2 – Planning for Employment
 - ◆ Subsection 4.2.1 – Employment Area Types and Densities
 - ◆ Subsection 4.2.2 – Niagara Economic Centre and Zone
 - ◆ Subsection 4.2.3 – Future Employment Areas
 - Section 4.3 – Mineral Aggregate Resources
 - ◆ Subsection 4.3.9 – Applications in the Greenbelt Plan Area
 - ◆ Subsection 4.3.10 – Applications within the Niagara Escarpment Plan
 - Section 4.5 – Economic Prosperity
- Chapter 5 – Connected Region
 - Section 5.2 – Infrastructure
 - ◆ Section 5.2.4 – Municipal Waste Management Services

- Chapter 6 – Vibrant Region
 - Section 6.1 – District Plans and Secondary Plans
 - Section 6.2 – Urban Design
- Chapter 7 – Implementation
- Chapter 8 – Site-specific Policies
 - (Policies that pertain to municipalities other than the Township of Wainfleet.)
- Chapter 9 – Glossary of Terms
 - (A new “Definitions” section will be prepared for the Township of Wainfleet Official Plan.)

Any portions of the NOP (2022) (chapters, sections, policies, schedules, or appendices) that are not listed above may be considered for inclusion in the new Township Official Plan as part of the Official Plan Review process.



3 Growth & Development

The management of community growth and development is at the core of any municipal official plan. The land use context of Wainfleet is unique, having no urban settlement areas or municipal services (*i.e.*, water and sanitary sewer services).

Under the policies of the current Township Official Plan, most of the population growth and housing development is to be directed to the Hamlets (*i.e.*, rural settlement areas) and the Lakeshore Area. Some minor residential growth can be found in established areas and clusters within the Rural Area, with the balance of homes found on Agricultural lands.

Employment growth spans across many industries, including agriculture, tourism, commercial uses in Hamlets, and home-based businesses and home occupations of varying scales and intensities.

To support additional population and economic growth, the Official Plan must consider new approaches to accommodating development of varying intensities, designs, and locations.



The key **Growth and Development** gaps that are recommended to be addressed are outlined in Sections 3.1 to 3.3.

3.1 Growth Management

3.1.1 Population & Employment Forecasts

The PPS 2024 now requires that Ministry of Finance projections serve as the principal source of population and employment forecasts for municipalities, rather than the Growth Plan. Ministry of Finance projections are updated annually. Municipalities generally have more flexibility in projecting population and employment growth, as current policy allows forecasts to be modified “as appropriate” based on local context. Municipalities may continue to use earlier Growth Plan projections, which in the case of the Township refers to the projections and allocations set out in the NOP (2022).

Under the Growth Plan and previous versions of the PPS, the review of population and employment projections required a “municipal comprehensive review” process (the term used in the Growth Plan), or simply a “comprehensive review” (the term used in the 2014 PPS). Related matters, such as settlement area boundary expansions or the conversion of employment lands to non-employment uses, could only be undertaken at the time of a municipal comprehensive review (with some minor exceptions). The terms “comprehensive review” and “municipal comprehensive review” no longer appear in the PPS 2024.

Because the Regional Municipality of Niagara is now an upper-tier municipality that does not conduct planning, the Township must ensure that its new Official Plan addresses population, housing, and employment forecasts. This means that the updated Official Plan should, at the very least, have significant regard for the allocations in Table 2-1 of the NOP (2022).

Table 3.1 – Policy Direction for Forecasting Growth

Population & Employment Forecasts	
<p>Previous Policy Direction: Population and employment forecasts for upper-tier and single-tier municipalities are set out in Schedule 3 to the Growth Plan (2006) and are to be used for all planning and growth management (Growth Plan 2006, No. 2.2.1.1). The Minister of Public Infrastructure Renewal will review and possibly revise those forecasts at least every five years, in consultation with municipalities (Growth Plan 2006, No. 2.2.1.2).</p>	<p>Current Policy Direction: Planning authorities are to base their population and employment forecasts on projections from the Ministry of Finance, and may modify those forecasts as appropriate (PPS 2024, No. 2.1.1). However, municipalities may continue using forecasts previously issued by the Province (PPS 2024, No. 2.1.2).</p>
<p>Ministry of Finance projections are to serve as the principal source of population and employment forecasts (rather than the Growth Plan). Municipalities generally have more flexibility in projecting population and employment growth, as current policy allows forecasts to be modified “as appropriate” based on local context. Municipalities may continue to use earlier Growth Plan projections, which for the Township of Wainfleet means that the updated Official Plan may use the 2051 projections from the 2022 Niagara Official Plan.</p>	
Allocation of Growth Forecasts	
<p>Previous Policy Direction: Upper-tier municipalities that conduct planning are to identify and allocate projected growth in consultation with lower-tier municipalities (Growth Plan 2006, No. 5.4.2.2; PPS 2014, No. 1.2.4). Allocations and projections must be based on any existing provincial plans (PPS 2014, No. 1.2.4).</p> <p>Where there is no upper-tier municipality, planning authorities are to ensure that growth projections are addressed as part of the planning process (PPS 2014, No. 1.2.5).</p>	<p>Current Policy Direction: Upper-tier municipalities that conduct planning are to identify and allocate projected growth in consultation with lower-tier municipalities (PPS 2024, No. 6.2.9).</p> <p>Where planning is not conducted by an upper-tier (or where there is no upper-tier), planning authorities are to ensure that growth projections are addressed as part of the planning process (PPS 2024, No. 6.2.10).</p>
<p>Because Niagara Region is now an upper-tier municipality that does not conduct planning, the Township must ensure that its new Official Plan addresses population, housing, and employment forecasts. Significant regard should be had for the allocations set out in Table 2-1 of the 2022 Niagara Official Plan.</p>	

Table 3.1 – Policy Direction for Forecasting Growth (continued)

Accommodating Projected Growth

Previous Policy Direction:

Planning authorities must make sufficient land available to accommodate growth and meet projected needs to a horizon of up to 20 years. Where the Province has established an alternate time period, municipalities may use that timeframe instead (PPS 2014, No. 1.1.2). Planning for infrastructure and public service facilities may extend beyond a 20-year horizon (PPS 2014, No. 1.1.2).

Planning authorities must be able to accommodate residential growth for at least 10 years through intensification and redevelopment and through designated and available land, if necessary (PPS 2014, No. 1.4.1).

Planning authorities must maintain land with servicing capacity to provide at least a three-year supply of residential units (PPS 2014, No. 1.4.1).

The land and unit supply must be based on allocated growth forecasts, where planning is conducted by an upper-tier municipality. Those forecasts must be based on any existing provincial plans (PPS 2014, No. 1.4.2).

In accommodating growth and meeting projected needs, sufficient land must be made available through intensification and redevelopment, and designated growth areas if necessary (PPS 2014, No. 1.1.2).

Earlier versions of the PPS (before 2024) did not refer to Minister’s Zoning Orders in connection with growth projections.

Current Policy Direction:

At the time of creating or updating an official plan, planning authorities must make sufficient land available to accommodate growth and meet projected needs to a horizon of at least 20 years but no more than 30 years, based on provincial guidance (PPS 2024, No. 2.1.3). Planning for infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon (PPS 2024, No. 2.1.3).

Planning authorities must be able to accommodate residential growth for at least 15 years through designated and available land (PPS 2024, No. 2.1.4).

Planning authorities must maintain land with servicing capacity to provide at least a three-year supply of residential units (PPS 2024, No. 2.1.4).

The land and unit supply must be based on allocated growth forecasts, where planning is conducted by an upper-tier municipality (PPS 2024, No. 1.4.2).

The PPS 2024 encourages intensification and redevelopment, but does not require that they be prioritized over new development in accommodating projected growth.

Development approved through a Minister’s Zoning Order must be considered as additional to projected needs to the established horizon, and must be incorporated into official plan policies and related plans during the next update (PPS 2024, No. 2.1.3).

Municipalities must ensure that more land is made available to accommodate projected growth, enough to meet needs for at least 20 years (but no more than 30 years), rather than “up to 20 years.” Municipalities must also be able to accommodate a greater amount of residential growth (15 years instead of 10 years), with an emphasis on accommodating growth on lands that are “designated and available” (rather than through intensification and redevelopment). Municipalities must still maintain land with servicing capacity to provide at least a three-year supply of units.

Table 3.1 above provides a comparison and summary of the changes in policy direction regarding growth forecasts between 2014 and 2025, including direction regarding the allocation of growth forecasts to lower-tier municipalities and regarding how projected growth is to be accommodated.

Municipalities must ensure that more land is made available to accommodate projected growth, enough to meet needs for at least 20 years (but no more than 30 years), rather than “up to 20 years” (as under the 2014 PPS). Municipalities must also be able to accommodate a greater amount of residential growth (15 years instead of 10 years), with an emphasis on accommodating growth on lands that are “designated and available” (rather than through intensification and redevelopment). Municipalities must still maintain land with servicing capacity to provide at least a three-year supply of units.

3.1.2 Settlement Areas

The Township of Wainfleet’s eight Hamlets are considered “rural settlement areas” under provincial policy. Regarding settlement areas, there has not been any significant change in policy direction that affects the Township since 2014, as the 2024 PPS still directs that the majority of growth and development be directed to settlement areas, whether urban or rural. Direction regarding land use patterns within settlement areas has become less prescriptive: land use patterns *should* make efficient use of land, support active transportation, and optimize the use of infrastructure (as opposed to “shall” in the 2014 PPS).

Policy language regarding the expansion of settlement area boundaries has been similarly softened, with items that had previously been identified as requirements now being listed as matters to be considered. Settlement area boundary expansions may now be permitted without requiring a comprehensive review (which, as noted above, has been removed from the 2024 PPS). The 2024 PPS places greater emphasis on assessing impacts to agriculture before permitting a settlement area boundary expansion. The identification of new settlement areas, which had been prohibited under the Growth Plan, is now permitted under the 2024 PPS, subject to certain conditions and considerations.

Table 3.2 below compares and summarizes the policy direction regarding settlement areas discussed above.

Table 3.2 – Policy Direction for Settlement Areas

Settlement Areas	
<p>Previous Policy Direction: Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted (PPS 2014, No. 1.1.3.1).</p> <p><i>Development is to be directed to settlement areas, except where necessary for development that cannot be located in settlement areas, such as resource management, resource-based recreational activities, and rural land uses (Growth Plan 2006, No. 2.2.2.1.i).</i></p>	<p>Current Policy Direction: Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas (PPS 2024, No. 2.3.1.1).</p>

No significant change affecting the Township. Policy direction regarding strategic growth areas does not apply to the Township. The land uses mentioned in the former Growth Plan (2006) policy are still permitted outside of settlement areas.

Land Uses in Settlement Areas	
<p>Previous Policy Direction: Land use patterns in settlement areas must be based on densities and a mix of uses that:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) support active transportation; c) are transit-supportive (where transit exists or is planned) and freight-supportive; d) are appropriate for, and efficiently use, planned or available infrastructure and public service facilities, and avoid the need for their unjustified or uneconomical expansion; and e) minimize negative impacts on air quality and climate change, and promote energy efficiency (PPS 2014, No. 1.1.3.2.a). 	<p>Current Policy Direction: Land use patterns in settlement areas should be based on densities and a mix of uses that:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) support active transportation; c) are transit-supportive (as appropriate) and freight-supportive; and d) optimize the use of existing or planned infrastructure and public service facilities (PPS 2024, No. 2.3.1.2).

Policy direction on land use patterns has become less prescriptive, as policy wording has changed from “shall” to “should.” Previous direction regarding air quality and climate change impacts has been removed from the 2024 policy regarding land uses in settlement areas, but appears elsewhere in the 2024 PPS.

Table 3.2 – Policy Direction for Settlement Areas (continued)

Settlement Area Boundary Expansions	
<p>Previous Policy Direction: A settlement area boundary expansion may only take place during a comprehensive review, and only where the following have been demonstrated:</p> <ul style="list-style-type: none"> a) sufficient opportunities to accommodate forecasted growth (not exceeding a 20-year horizon) through intensification, redevelopment, and new development are not available; b) planned or available infrastructure and public service facilities for development are suitable, sustainable, and financially viable; c) the lands proposed for expansion are not in a specialty crop area; d) in prime agricultural areas, there are no reasonable alternative locations that avoid prime agricultural areas or on lower-priority agricultural lands; e) the expanded settlement area will comply with minimum distance separation formulae; f) impacts on agricultural operations are mitigated to the extent feasible; and g) the timing of the expansion and phasing of development will not interfere with the ability to achieve intensification and density targets (Growth Plan 2006, No. 2.2.8.2; PPS 2014, No. 1.1.3.8). 	<p>Current Policy Direction: A settlement area boundary expansion must take the following into consideration:</p> <ul style="list-style-type: none"> a) whether there is a need to designate additional land to accommodate an appropriate range and mix of land uses; b) whether existing or planned infrastructure and public service facilities have (or will have) sufficient capacity; c) whether the lands proposed for expansion are in a specialty crop area; d) in prime agricultural areas, whether reasonable alternative locations exist that avoid prime agricultural areas or on lower-priority agricultural lands; e) whether the expanded settlement area will comply with minimum distance separation formulae; f) whether impacts on the agricultural system, as determined through an agricultural impact assessment, are avoided, or are minimized and mitigated to the extent feasible; and g) whether the expansion provides for the phased progression of urban development (PPS 2024, No. 2.3.2.1).

Settlement area boundary expansions may now be approved without requiring a comprehensive review (a process that is no longer covered under the 2024 PPS). Items that had previously been identified as requirements for boundary expansions are now listed as matters to be considered. The 2024 PPS places greater emphasis on considering impacts on agricultural operations.

Table 3.2 – Policy Direction for Settlement Areas (continued)

New Settlement Areas	
<p>Previous Policy Direction: <i>The identification of new settlement areas is prohibited (Growth Plan 2006, No. 2.2.2.1.k).</i></p>	<p>Current Policy Direction: <i>The identification of a new settlement area must take into consideration the same factors as must be considered for a settlement area boundary expansion (PPS 2024, No. 2.3.2.1), provided that infrastructure and public service facilities to support development are planned or available (PPS 2024, No. 2.3.2.2).</i></p>
<p>The identification of new settlement areas, which had been prohibited under the Growth Plan (2006), is now permitted under certain conditions.</p>	

The Township’s unique attribute of having multiple rural settlement areas and areas of permitted residential development outside of such settlement areas presents opportunities for the Township when considering modifications to its growth framework and desired growth strategy. Depending on the intensity of the Township’s preferred growth strategy, opportunities exist for the further refinement or expansion of Rural Settlement Areas is permitted by the PPS (2024). Furthermore, there is now opportunity for new Settlement Areas to be established, which may be desirable to consider for the Lakeshore Area or other established clusters of residential and commercial development.

3.1.3 Density & Intensification

Unlike urban settlement areas in other municipalities, the Township of Wainfleet’s rural settlement areas (Hamlets) do not have delineated built-up areas. Accordingly, intensification policies and targets were not applied through the Township’s current Official Plan. Development density is also limited due to the requirement for all development to be provided with individual on-site services and the fact that only low-density forms of housing are permitted.

The policy direction provided in the Growth Plan and in earlier versions of the PPS prescribed specific intensification targets for upper-tier municipalities, directing that targets for lower-tier municipalities be identified and implemented. Intensification targets are set out in Table 2-2 of the NOP 2022 (which establishes a target of zero for the Township of Wainfleet). The direction provided in the 2024 PPS is much more general, requiring that planning authorities “support general intensification and redevelopment” rather than identifying appropriate locations. Under the 2006 Growth Plan, built-up areas were delineated by the Minister of Public Infrastructure Renewal (and by the Minister of Municipal Affairs and Housing under later versions of the Growth Plan) in consultation with individual municipalities. Following the repeal of the Growth Plan in 2024, built-up areas are no longer delineated or otherwise identified by the Province.

The 2024 PPS requires that planning authorities “establish intensification and redevelopment targets within built-up areas, based on local conditions” (No. 2.3.1.4), meaning that identifying locally appropriate targets for the Township needs to be considered as part of the Official Plan update. The 2024 PPS maintains the direction that planning authorities provide for an appropriate range and mix of housing options by “permitting and facilitating” all forms of residential intensification and redevelopment. The 2024 PPS also contains policies that speak specifically to the intensification of employment uses, which had not appeared in previous versions of the PPS.

Should the Township identify and designate any Employment Areas through the Official Plan update, policies regarding intensification of uses in these areas will warrant consideration.

Table 3.3 (p. 34) compares and summarizes changes in policy direction regarding intensification and redevelopment.

Table 3.3 – Policy Direction for Intensification & Redevelopment

Intensification & Redevelopment	
<p>Previous Policy Direction: <i>Planning authorities must identify appropriate locations and promote opportunities for intensification and redevelopment, taking into account the availability of suitable existing or planned infrastructure and public service facilities (PPS 2014, No. 1.1.3.3).</i> <i>The Minister of Public Infrastructure Renewal will delineate the built boundary in consultation with municipalities (Growth Plan 2006, No. 2.2.3.5). A significant portion of new growth will be directed to built-up areas through intensification (Growth Plan 2006, No. 2.2.2.1.a).</i></p>	<p>Current Policy Direction: <i>Planning authorities must support general intensification and redevelopment, including by planning for a range and mix of housing options and prioritizing planning and investment in necessary infrastructure and public service facilities (PPS 2024, No. 2.3.1.3).</i> <i>The built-up area is not specifically delineated or otherwise identified by the Province.</i></p>

Direction for planning authorities is much more general, requiring support for general intensification and redevelopment rather than the identification of appropriate locations, while maintaining an emphasis on the availability of suitable infrastructure and public service facilities. The built-up area is no longer identified or delineated at the provincial level.

Intensification Targets

<p>Previous Policy Direction: <i>Planning authorities must establish targets for intensification and redevelopment, based on local conditions. However, targets established through provincial plans supersede any locally established targets (PPS 2014, No. 1.1.3.5).</i> <i>For upper-tier and single-tier municipalities, at least 40% of residential development each year will be within the built-up area (Growth Plan 2006, No. 2.2.3.1). Upper-tier municipalities will identify targets for their lower-tier municipalities (Growth Plan 2006, No. 5.4.2.2.b).</i> <i>Planning authorities will implement phasing policies to ensure that intensification targets are achieved before, or at the same time as, new development in designated growth areas (PPS 2014, No. 1.1.3.7.a).</i></p>	<p>Current Policy Direction: <i>Planning authorities must establish targets for intensification and redevelopment within built-up areas, based on local conditions (PPS 2024, No. 2.3.1.4).</i></p>
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The 2024 PPS maintains the requirement for planning authorities to establish intensification and redevelopment targets, based on local conditions, but does not prescribe specific percentages or require the use of targets established in provincial plans. Phasing policies to ensure the achievement of intensification targets are no longer required.

Table 3.3 – Policy Direction for Intensification & Redevelopment (continued)

Residential Intensification

Previous Policy Direction:

Planning authorities must provide for an appropriate range and mix of housing by permitting and facilitating all forms of residential intensification and redevelopment, and by establishing development standards for residential intensification, redevelopment, and new development to minimize housing costs and promote compact form (PPS 2014, No. 1.4.3).

Current Policy Direction:

Planning authorities must provide for an appropriate range and mix of housing by permitting and facilitating all types of residential intensification and redevelopment (PPS 2024, No. 2.2.1).

Planning authorities must still permit and facilitate all types of residential intensification and redevelopment, but the 2024 PPS no longer refers to the establishment of development standards for intensification, redevelopment, and new development.

Employment Intensification

Previous Policy Direction:

No specific direction provided with respect to the intensification of employment uses.

Current Policy Direction:

Planning authorities must promote economic development and competitiveness by encouraging the intensification of employment uses (PPS 2024, No. 2.8.1.1.d).

Policies in the 2024 PPS speak specifically to the intensification of employment uses, which had not been addressed in previous versions of the PPS.

Currently the Township does not have any delineated built-up areas within the Rural Settlement Areas or any designated Employment Area. There is nothing to preclude the Township from establishing intensification policies for settlement areas or employment areas. Consideration of the benefits of policies that support this type of growth and development can be considered through the Official Plan update to more clearly identify priority areas for growth and development.

3.2 Development & Land Use

3.2.1 Compact Development & “Complete Communities”

The types of development that are considered “compact” depends heavily on local conditions, and the term “compact development” needs to be applied differently within the Township of Wainfleet’s rural settlement context from how it would apply in urban areas. In the Township’s case, the emphasis for “compact development” will be on questions of how to best make efficient use of land while providing for a locally appropriate mix of land uses and dwelling types.

The direction provided in the 2024 PPS regarding development patterns focuses more specifically on a range and mix of housing options and on residential densities, as opposed to addressing land use patterns more generally as in the 2014 PPS. The requirement in the 2014 PPS that new development occur next to the built-up area does not appear in the 2024 PPS. Policy direction requiring the implementation of phasing policies to ensure orderly development that supports the timely provision of infrastructure and public service facilities has not changed.

Table 3.4 – Policy Direction for Development Patterns & Complete Communities

Development Patterns	
<p>Previous Policy Direction: <i>Planning authorities should promote efficient and cost-effective development and land use patterns to minimize land consumption and servicing costs and to sustain long-term financial well-being (PPS 2014, No. 1.1.1).</i></p> <p><i>New development should occur adjacent to the built-up area and have a compact form and a mix of uses that allows for the efficient use of land, infrastructure, and public service facilities (PPS 2014, No. 1.1.3.6).</i></p>	<p>Current Policy Direction: <i>Planning authorities must provide for an appropriate range and mix of housing by promoting densities for new housing that efficiently use land, resources, infrastructure, and public service facilities (PPS 2024, No. 2.2.1.c).</i></p>
<p>Current policy direction focuses more specifically on housing and residential densities, while still requiring the efficient use of infrastructure and public service facilities. Previous direction requiring that new development occur adjacent to the built-up area has been removed.</p>	

Table 3.4 – Policy Direction for Development Patterns & Complete Communities (continued)

Phasing	
<p>Previous Policy Direction: <i>Planning authorities must implement phasing policies to ensure the orderly progression of development in designated growth areas and the timely provision of infrastructure and public service facilities (PPS 2014, No. 1.1.3.7.b).</i></p>	<p>Current Policy Direction: <i>Planning authorities should implement phasing policies, where appropriate, to ensure orderly development in designated growth areas that aligns with the timely provision of infrastructure and public service facilities (PPS 2024, No. 2.3.1.6).</i></p>
<p>Policy direction regarding phasing policies that ensure orderly development that supports the timely provision of infrastructure and public service facilities has not changed.</p>	
Complete Communities	
<p>Previous Policy Direction: <i>Population and employment growth will be accommodated by encouraging the development of complete communities with a diverse mix of land uses and a range and mix of employment and housing types (Growth Plan 2006, No. 2.2.2.1.h). Communities should accommodate an appropriate range and mix of residential, employment, institutional, and other uses to meet long-term needs (PPS 2014, No. 1.1.1.b).</i></p>	<p>Current Policy Direction: <i>Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, employment, institutional, and other land uses to meet long-term needs (PPS 2024, No. 2.1.6).</i></p>
<p>The emphasis in policies regarding “complete communities” has shifted somewhat, from encouraging a “diverse mix of land uses” to accommodating an “appropriate range and mix of land uses.” The 2024 PPS does not refer specifically to accommodating projected population and employment growth.</p>	

The 2024 PPS maintains the policy direction that planning authorities support the achievement of complete communities, although the emphasis has shifted somewhat, from encouraging a “diverse mix of land uses” to accommodating an “appropriate range and mix of land uses.” Unlike the earlier PPS and Growth Plan, the 2024 PPS does not refer specifically to accommodating projected population and employment growth in this regard.

Table 3.4 above compares and summarizes changes in policy direction from 2014 to 2025.

Achieving compact development and a mix of land uses has been limited in Wainfleet due to the need for private services and minimum lot sizes to be provided. Consideration of alternative approaches to increasing the density of residential developments or integrating uses should be explored, specifically with regard to alternative servicing approaches (municipal services, partial services, communal services) and existing land use designations and permitted uses within Settlement Areas and the Lakeshore Area.

3.2.2 Employment & Economic Development

The current Wainfleet Official Plan does not contain any “Employment Land” or “Employment Area” land use designations. Outside of the agricultural economy, formal “employment” land uses are limited to commercial, industrial designations, and home-based businesses. The NOP (2022) also did not designate or identify any employment areas within the Township of Wainfleet.

The land use policies in Section 3.5 of the Township’s current Official Plan address “Industrial Areas” under the umbrella of agriculture, the Township’s main industry, while also referring to other industries “in scattered locations throughout the Township.” The current OP provides policies for what already exists in the Township, rather than establishing a more forward-looking policy framework, informed by provincial policy, to consider potential future industrial and other employment uses.

The definition of “area of employment” in Section 1 of the *Planning Act* has been amended since 2014. Before this amendment, the term had been defined as “an area of land designated in an official plan for clusters of business and economic uses,” including manufacturing uses, warehousing uses, office uses, retail uses associated with the aforementioned uses, and ancillary facilities. That definition has since been amended to remove office uses (other than those associated with a permitted employment use) and to include “uses related to research and development in connection with manufacturing anything.” The current definition also explicitly excludes institutional uses and commercial uses.

There has been no significant change since 2014 to PPS policies that direct planning authorities to plan for and protect employment areas and to ensure the necessary infrastructure is provided. The 2024 PPS specifically directs that residential, retail, and office uses be prohibited from employment areas, and places greater emphasis on maintaining compatibility between employment areas and sensitive land uses. For rural employment areas, language has been added to the 2024 PPS about providing opportunities for economic activities in prime agricultural areas.

Criteria for the conversion or removal of employment lands from employment areas have been modified to remove an earlier reference to achieving intensification and density targets, as well as to add language about avoiding or mitigating impacts on existing or planned employment uses and maintaining access to major goods movement facilities and corridors. Sufficient employment lands must now be provided to accommodate growth projected in the approved Official Plan, rather than in the Growth Plan as had previously been the case. Planning authorities are to assess and update identified employment areas to ensure the designation remains appropriate.

In terms of economic development more generally, policy direction has been revised to encourage the intensification of employment uses and the identification of strategic sites for investment. The 2024 PPS places an increased emphasis on land use compatibility in this respect as well.

Table 3.5 provides a comparison and summary of changes to policy direction regarding employment areas and economic development more broadly.

Table 3.5 – Policy Direction for Employment Areas & Economic Development

Employment Areas	
<p>Previous Policy Direction: Planning authorities must plan for, protect, and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs (PPS 2014, No. 1.3.2.1).</p>	<p>Current Policy Direction: Planning authorities must plan for, protect, and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs (PPS 2024, No. 2.8.2.1).</p>

Table 3.5 – Policy Direction for Employment Areas & Economic Development (continued)

Employment Areas (continued)	
<p>Previous Policy Direction: <i>Planning authorities must protect employment areas located near major goods movement facilities and corridors for employment uses that require those locations (PPS 2014, No. 1.3.2.3).</i></p> <p><i>Municipalities are encouraged to designate and preserve lands in settlement areas near existing major highway interchanges, ports, rail yards, and airports, as areas for manufacturing, warehousing, and associated retail, office, and ancillary facilities (Growth Plan 2006, No. 2.2.6.9).</i></p> <p><i>In planning for employment lands, municipalities will facilitate the development of transit-supportive, compact built form and minimize surface parking (Growth Plan 2006, No. 2.2.6.10).</i></p>	<p>Current Policy Direction: <i>Planning authorities must protect employment areas located near major goods movement facilities and corridors for employment uses that require those locations (PPS 2024, No. 2.8.2.2).</i></p> <p><i>Planning authorities must designate, protect, and plan for all employment areas in settlement areas by planning for uses over the long term that require those locations, including manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities; by prohibiting residential and other sensitive land uses that are not ancillary to permitted employment uses; by prohibiting retail and office uses not associated with the primary employment use; and by including an appropriate transition to adjacent non-employment areas (PPS 2024, No. 2.8.2.3).</i></p> <p><i>In planning for employment areas, planning authorities must maintain compatibility between sensitive land uses and employment area uses (PPS 2024, No. 2.8.2.4).</i></p>

Policies directing planning authorities to plan for and protect employment areas and to ensure the necessary infrastructure is provided have not changed significantly. The 2024 PPS specifically directs that residential, retail, and office uses be prohibited from employment areas, and places greater emphasis on maintaining compatibility between employment areas and sensitive land uses.

Rural Employment Areas

<p>Previous Policy Direction: <i>Planning authorities should support healthy, integrated, and viable rural areas by promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources (PPS 2014, No. 1.1.4.1.f).</i></p>	<p>Current Policy Direction: <i>Planning authorities should support healthy, integrated, and viable rural areas by promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources, and by providing opportunities for economic activities in prime agricultural areas (PPS 2024, No. 2.5.1).</i></p>
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Language has been added regarding opportunities for economic activities in prime agricultural areas.

Table 3.5 – Policy Direction for Employment Areas & Economic Development (continued)

Employment Land Conversions

Previous Policy Direction:

The conversion of employment lands to non-employment uses may only be permitted through a municipal comprehensive review where it has been demonstrated that:

- a) there is a need for the conversion, and the lands are not required for employment uses over the long term;*
- b) the conversion will not adversely affect the overall viability of the employment area or the achievement of intensification and density targets;*
- c) existing or planned infrastructure is available to accommodate the proposed conversion;*
- d) the municipality will meet its allocated employment forecasts; and*
- e) cross-jurisdictional issues have been considered (Growth Plan 2006, No. 2.2.6.5).*

An adequate supply of lands providing locations for a variety of appropriate employment uses will be maintained to accommodate the growth forecasts in Schedule 3 to the 2006 Growth Plan (No. 2.2.6.1).

Current Policy Direction:

The removal of lands from an employment area may only be permitted where it has been demonstrated that:

- a) there is a need for the removal, and the land is not required for employment area uses over the long term;*
- b) the proposed uses will not negatively impact the overall viability of the employment area, by avoiding or minimizing and mitigating potential impacts to existing or planned employment uses and by maintaining access to major goods movement facilities and corridors;*
- c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and*
- d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved Official Plan (PPS 2024, No. 2.8.2.5).*

Planning authorities must assess and update employment areas identified in Official Plans to ensure the designation is appropriate to the planned function of employment areas (PPS 2024, No. 2.8.2.4).

Criteria for the conversion or removal of employment lands from employment areas have been modified to remove reference to achieving intensification and density targets, to add language about avoiding or mitigating impacts on existing or planned employment uses and maintaining access to major goods movement facilities and corridors. Sufficient employment lands must now be provided to accommodate growth projected in the approved Official Plan, rather than in the Growth Plan as had previously been the case. Planning authorities are to assess and update identified employment areas to ensure the designation remains appropriate.

Table 3.5 – Policy Direction for Employment Areas & Economic Development (continued)

Economic Development	
<p>Previous Policy Direction: <i>Planning authorities must promote economic development by:</i></p> <ul style="list-style-type: none"> a) <i>providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;</i> b) <i>providing opportunities for a diversified economic base, including by maintaining a range and choice of suitable sites for employment uses to support a wide range of economic activities and ancillary uses, taking into account the needs of existing and future businesses;</i> c) <i>encouraging compact, mixed-use development that incorporates compatible employment uses to support livable, resilient communities; and</i> d) <i>ensuring the necessary infrastructure is provided to support current and projected needs (PPS 2014, No. 1.3.1).</i> 	<p>Current Policy Direction: <i>Planning authorities must promote economic development by:</i></p> <ul style="list-style-type: none"> a) <i>providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</i> b) <i>providing opportunities for a diversified economic base, including by maintaining a range and choice of suitable sites for employment uses to support a wide range of economic activities and ancillary uses, taking into account the needs of existing and future businesses;</i> c) <i>encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities;</i> d) <i>identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and</i> e) <i>addressing land use compatibility near employment areas by providing an appropriate transition to sensitive land uses (PPS 2024, No. 2.8.1.1).</i>

Policy direction has been revised to encourage the intensification of employment uses and the identification of strategic sites for investment. The 2024 PPS places an increased emphasis on land use compatibility here as well.

The establishment of Employment Lands or Employment Areas is most appropriately undertaken through the Official Plan update. Considerations for long term servicing strategies, access and land use compatibility can be explored through this review to ensure consistency with Provincial Policy. Utilization and/or modification of “general” employment policies within the NOP (2022) may be beneficial.

3.2.3 Land Use Compatibility & Minimum Distance Separations

As communities grow and diversify, land use compatibility matters may become more prevalent. In Wainfleet, common land use compatibility matters include odour, noise and dust impacts between agricultural uses and non-agricultural land uses (including residential uses), noise and vibration impacts from quarrying, and transportation-based noise and vibration impacts associated with roadways, aviation, and railways.

Compatibility must be carefully managed in a way that balances the right to farm, operate, and expand with the accommodation of growth and development, as well as mitigating potentially harmful or adverse impacts on the community.

The direction provided in the 2024 PPS places much more emphasis on ensuring the long-term viability of employment uses and other major facilities with respect to encroachment from sensitive land uses. This is largely because, under current legislation and regulations, “emitters” (meaning any land use or operation that causes “adverse effects” from emissions such as noise, dust, odour, or vibration) are penalized when their operations have an adverse effect on nearby sensitive land use (or “sensitive receptor”), even if the emitter existed before the sensitive use.

With respect to compatibility between airports, rail facilities, and marine facilities, on the one hand, and sensitive land uses, on the other, policy direction has not significantly changed, maintaining the requirement that the long-term operation, function, and economic role of those facilities be protected.

Settlement area boundary expansions, as well as lot creation and new land uses outside of settlement area (including new or expanded livestock facilities and non-agricultural uses other than those related to resource extraction), must still comply with applicable minimum distance separation (“MDS”) formulae. The 2024 PPS also requires that additional residential uses associated with a permitted dwelling in a prime agricultural area comply with MDS formulae.

Table 3.6 compares and summarizes former and current policy direction regarding land use compatibility.

Table 3.6 – Policy Direction for Land Use Compatibility

Major Facilities & Sensitive Land Uses

Previous Policy Direction:

Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered, or separated from each other to prevent or mitigate adverse effects from odour, noise, and other contaminants; to minimize risk to public health and safety; and to ensure the long-term viability of major facilities (PPS 2014, No. 1.2.6.1).

Current Policy Direction:

Major facilities and sensitive land uses must be planned and developed to avoid, or to minimize and mitigate, any potential adverse effects from odour, noise, and other contaminants; to minimize risk to public health and safety; and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures (PPS 2024, No. 3.5.1).

Where avoidance is not possible, planning authorities must protect the long-term viability of existing or planned industrial, manufacturing, or other major facilities that are vulnerable to encroachment by only permitting sensitive land uses if potential adverse effects will be minimized or mitigated in accordance with provincial guidelines, standards, and procedures (PPS 2024, No. 3.5.2).

Current policy direction places much more emphasis on ensuring the long-term viability of employment uses and other major facilities with respect to encroachment from sensitive land uses.

Airports, Rail & Marine Facilities

Previous Policy Direction:

Planning for land uses near airports, rail facilities, and marine facilities must protect the long-term operation and economic role of those facilities and provide for appropriate design, buffering, or separation from sensitive land uses (PPS 2014, No. 1.6.9.1).

Current Policy Direction:

Planning for land uses near airports, rail facilities, and marine facilities must protect the long-term operation and economic role of those facilities and provide for appropriate design, buffering, or separation from sensitive land uses (PPS 2024, No. 3.4.1).

Table 3.6 – Policy Direction for Land Use Compatibility (continued)

Airports, Rail & Marine Facilities (continued)

<p>Previous Policy Direction: <i>New residential development and other sensitive uses are prohibited in areas near airports above 30 NEF/NEP, and redevelopment of existing uses in these areas is only permitted if there will be no negative impacts on the airport's long-term function (PPS 2014, No. 1.6.9.2).</i></p>	<p>Current Policy Direction: <i>New residential development and other sensitive uses are prohibited in areas near airports above 30 NEF/NEP, and redevelopment of existing uses in these areas is only permitted if there will be no negative impacts on the airport's long-term function (PPS 2024, No. 3.4.2).</i></p>
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Direction regarding compatibility between airports, rail facilities, and marine facilities, on the one hand, and sensitive land uses, on the other, has not significantly changed, maintaining the requirement that the long-term operation, function, and economic role of those facilities be protected.

Minimum Distance Separation

<p>Previous Policy Direction: <i>The expansion of a settlement area may only be permitted where it has been demonstrated that the expansion will comply with minimum distance separation formulae (PPS 2014, No. 1.1.3.8.d).</i></p> <p><i>In rural areas and in prime agricultural areas, lot creation, new land uses, and new or expanded livestock facilities must comply with minimum distance separation formulae (PPS 2014, No. 1.1.5.9 & No. 2.3.3.3).</i></p> <p><i>In prime agricultural areas, non-agricultural uses (other than resource extraction) must comply with minimum distance separation formulae (PPS 2014, No. 2.3.6.1.b).</i></p>	<p>Current Policy Direction: <i>The expansion of a settlement area, or the identification of a new settlement area, must consider whether the new or expanded settlement area will comply with minimum distance separation formulae (PPS 2024, No. 2.3.2.1.e).</i></p> <p><i>In rural areas and in prime agricultural areas, lot creation, new land uses, and new or expanded livestock facilities must comply with minimum distance separation formulae (PPS 2024, No. 2.6.5 & No. 4.3.2.3).</i></p> <p><i>In prime agricultural areas, non-agricultural uses (other than resource extraction) must comply with minimum distance separation formulae (PPS 2024, No. 4.3.5.1.b).</i></p> <p><i>Any additional residential units associated with a permitted dwelling in a prime agricultural area must comply with minimum distance separation formulae (PPS 2024, No. 4.3.2.5).</i></p>
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Settlement area boundary expansions, as well as lot creation and new land uses outside of settlement area (including new or expanded livestock facilities and non-agricultural uses other than those related to resource extraction), must still comply with applicable minimum distance separation formulae. The 2024 PPS also requires that additional residential uses associated with a permitted dwelling in a prime agricultural area comply with MDS formulae.

Land use compatibility matters related to transportation and agriculture must be reviewed to ensure that appropriate protections are provided within the Official Plan. Ensuring an effective framework will inform necessary updates to the zoning by-law and the consideration of future development proposals.

A review of recent, or historic complaints about land use compatibility matters may serve as an appropriate starting point for identifying areas of incompatible development.

3.3 Housing

The provision of more housing opportunities is a provincial priority that is engrained in recent updates to legislation and planning policy in Ontario. Although a predominantly rural community, Wainfleet has a stable year-round population that grows significantly during the summer months. As more people seek to choose the Township as a place to live, determining the preferred and appropriate manner to provide more housing units, dwelling forms, and tenures will be critical to accommodating population growth to the planning horizon and enabling residents to “age in place.”

3.3.1 Residential Development

The current Official Plan permits single detached dwellings only and directs the majority of new dwelling units and lot creation applications to the Township’s Hamlets. Residential development is also permitted in Rural Areas but is to be limited in intensity and reliant on private services.

The 2024 PPS requires that planning for sewage and water service consider allocating, and possibly re-allocating, unused capacity to support efficient use of services and to meet needs for increased housing supply. This is something that would need to be considered if municipal services were ever to become available, depending on the degree of residential and other development being proposed.

Table 3.7 provides a comparison and summary of policy direction regarding housing and residential development.

Table 3.7 – Policy Direction for Residential Development

Range & Mix of Housing	
<p>Previous Policy Direction: <i>Planning authorities must provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents:</i></p> <ul style="list-style-type: none"> a) <i>by permitting and facilitating all forms of housing needed to meet residents’ social, health, and well-being requirements;</i> b) <i>by permitting and facilitating all forms of residential intensification and redevelopment;</i> c) <i>by promoting densities for new housing that make efficient use of land, resources, infrastructure, and public service facilities and support the use of active transportation and transit (where it exists);</i> d) <i>by directing new housing to locations where appropriate infrastructure and public service facilities are or will be available; and</i> e) <i>by establishing development standards for residential intensification, redevelopment, and new development that minimize housing costs and facilitate compact form (PPS 2014, No. 1.4.3).</i> 	<p>Current Policy Direction: <i>Planning authorities must provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents:</i></p> <ul style="list-style-type: none"> a) <i>by permitting and facilitating all housing options needed to meet residents’ social, health, and well-being requirements;</i> b) <i>by permitting and facilitating all forms of residential intensification and redevelopment;</i> c) <i>by promoting densities for new housing that make efficient use of land, resources, infrastructure, and public service facilities and support the use of active transportation; and</i> d) <i>by requiring transit-supportive development and prioritizing intensification near transit (PPS 2024, No. 2.2.1).</i>

Policy direction for planning authorities has remained consistent regarding the need to provide for “an appropriate range and mix of housing” to meet the needs of resident. The policy in the 2024 PPS contains a separate item for transit-supportive development (which will not affect the Township’s Official Plan) and has removed the reference to development standards for intensification, redevelopment, and new development.

Table 3.7 – Policy Direction for Residential Development (continued)

Housing in Rural Areas

Previous Policy Direction:

Planning authorities should support healthy, integrated, and viable rural areas by accommodating an appropriate range and mix of housing in rural settlement areas and by encouraging the conservation and redevelopment of the existing rural housing stock (PPS 2014, No. 1.1.4.1).

Current Policy Direction:

Planning authorities should support healthy, integrated, and viable rural areas by accommodating an appropriate range and mix of housing in rural settlement areas (PPS 2024, No. 2.5.1.c).

The reference to encouraging the conservation and redevelopment of the existing rural housing stock has been removed.

Housing Supply & Allocation of Servicing

Previous Policy Direction:

No specific direction provided regarding allocating or re-allocating servicing capacity with reference to housing supply.

Current Policy Direction:

Planning for sewage and water services must consider opportunities to allocate, and if necessary re-allocate, unused system capacity of municipal services to support efficient use and to meet needs for increased housing supply (PPS 2024, No. 3.6.1.e).

The 2024 PPS includes a policy requiring that planning for sewage and water service consider allocating, and possibly re-allocating, unused capacity to support efficient use of services and to meet needs for increased housing supply.

The focus of provincial policy remains on the provision of a range and mix of housing types, which is also captured briefly within the current Township Official Plan. However, the current Official Plan limits permitted dwelling forms to single detached only. Consideration of additional, context sensitive housing forms, including those which can be supported by private services, must be reviewed when updating the Township’s residential and housing policies. Ensuring consistency with updates to municipal servicing policies will be key to effective implementation.

3.3.2 Affordable Housing

The provision of affordable housing has remained a consistent matter of emphasis from 2014 to 2025, and changes to legislation and policy that have occurred over that period — such as amendments to the *Planning Act* and *Development Charges Act, 1997*, discussed in Section 2 of this report — have sought to further promote and incentivize affordable housing. Under the 2024 PPS, municipalities are required to establish and implement minimum targets for affordable housing (as was also the case under previous versions of the PPS), though the definition of “low and moderate income households” has been modified to refer to households with incomes in the lowest 60% of income distribution for the municipality, rather than the regional market area in the 2014 PPS.

Table 3.8 compares and summarizes former and current Provincial policy direction on affordable housing.

Table 3.8 – Policy Direction for Affordable Housing

Affordable Housing	
<p>Previous Policy Direction: <i>Planning authorities must establish and implement minimum targets for the provision of housing that is affordable for low and moderate income households (PPS 2014, No. 1.4.3.a).</i></p> <p><i>Where planning is conducted by an upper-tier municipality, the upper-tier may identify a higher target in consultation with its lower-tier municipalities (PPS 1.4.3.a).</i></p> <p><i>Upper-tier municipalities will develop a housing strategy in consultation with lower-tier municipalities, the Minister of Municipal Affairs and Housing, and other stakeholders (Growth Plan 2006, No. 3.2.6.6).</i></p>	<p>Current Policy Direction: <i>Planning authorities must establish and implement minimum targets for the provision of housing that is affordable for low and moderate income households, and must coordinate land use planning and planning for housing with Service Managers to address the full range of housing options (PPS 2.2.1.a).</i></p>

The 2024 PPS still requires that municipalities establish and implement minimum targets for affordable housing, although the definition of “low and moderate income households” has been modified to refer to households with incomes in the lowest 60% of income distribution for the municipality, rather than the regional market area in the 2014 PPS.

The current Official Plan utilizes the former Provincial definition regarding the threshold for housing to be considered “affordable” and must be updated to reflect the new definition and policies of the PPS (2024). The focus and strength of the existing policies related to affordable housing is limited and utilizes more elective or enabling language rather than clear requirements for what should be achieved. To ensure that new and existing housing within the Township contains affordable options, firmer and most focused policy language and targets that aligns with the PPS (2024) should be considered.

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4 Agriculture & Rural Areas

Wainfleet's Agricultural and Rural Areas represent the largest geographic portion of the municipality and are a part of the Township's identity, economy, and culture. This portion of the community is identified in the current Official Plan as the "Countryside".

Lands designated as "Agricultural Area" within the Township contain a wide range of agricultural activities and uses, including livestock, dairy farming, greenhouses, cash cropping, small animal breeding, and hobby farming. In addition to these uses, there are many on-farm diversified uses or value-added agricultural practices tied to tourism, experience, and accommodation.

Lands designated as "Rural" within the Township generally have a mix of agricultural uses or standalone rural residential land uses. These areas include lands south of Highway 3 and east of Ostryhon Corners, lands within the current "Lakeshore Area" land use designation, rural housing clusters, and the former "Seaway Lands" in proximity to the CN railway and Welland municipal boundary.



The balance of preservation of the Countryside and accommodation of limited development, or other forms of agricultural uses is a key consideration for the updated Official Plan.

4.1 Rural Areas

“Rural areas” is an all-encompassing term found within the 2024 PPS that applies to any lands located outside of Urban Settlement Areas that, under the lens of the Township’s current Official Plan, would include the Rural Settlement Areas (Hamlets), lands designated as “Agricultural Areas” and “Rural Areas”, and mapped natural heritage features in those areas. The term “rural lands” refers to lands located outside of settlement areas (urban or rural) and thus, for the Township, refers to all lands outside of the Hamlets.

The policy direction for general development in rural areas has not changed significantly from the 2014 to the 2024 PPS. In terms of permitted uses, language regarding agricultural uses, agriculture-related uses, and on-farm diversified uses being permitted in rural areas has been clarified in the 2024 PPS. The 2024 PPS is also less stringent than the 2014 PS with regard to residential development and lot creation in rural areas, consistent with the stronger emphasis on housing throughout the 2024 PPS.

Table 4.1 compares and summarizes policy direction from 2014 and 2024.

Table 4.1 – Policy Direction for Rural Areas

Rural Development	
<p>Previous Policy Direction: Development should support rural areas by building on rural character and leveraging rural amenities and assets; by promoting regeneration, including the redevelopment of brownfield sites; by encouraging the conservation and redevelopment of the existing rural housing stock; and by using rural infrastructure and public services efficiently (PPS 2014, No. 1.1.4.1).</p>	<p>Current Policy Direction: Development should support rural areas by building on rural character and leveraging rural amenities and assets; by promoting regeneration, including the redevelopment of brownfield sites; and by using rural infrastructure and public services efficiently (PPS 2024, No. 2.5.1).</p>

Table 4.1 – Policy Direction for Rural Areas (continued)

Rural Development (continued)

Previous Policy Direction:	Current Policy Direction:
<i>Rural development should promote diversification of the economic base, including value-added products and the sustainable management or use of resources, as well as providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets (PPS 2014, No. 1.1.4.1.f & 1.g).</i>	<i>Rural development should promote diversification of the economic base, including value-added products and the sustainable management or use of resources, as well as providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets (PPS 2024, No. 2.5.1.e & 1.f).</i>
<i>Rural development should contribute to conserving biodiversity and consider the ecological benefits provided by nature (PPS 2014, No. 1.1.4.1.h).</i>	<i>Rural development should contribute to conserving biodiversity and consider the ecological benefits provided by nature (PPS 2024, No. 2.5.1.g).</i>
<i>Planning authorities should promote development that is compatible with the rural landscape and that can be sustained by rural service levels (PPS 2014, No. 1.1.5.4).</i>	<i>Planning authorities should promote development that can be sustained by rural service levels (PPS 2024, No. 2.6.2).</i>
<i>Development must be appropriate to planned or available infrastructure and avoid the need for the unjustified or uneconomical expansion of infrastructure (PPS 2014, No. 1.1.5.5).</i>	<i>Development must be appropriate to planned or available infrastructure and avoid the need for the uneconomical expansion of infrastructure (PPS 2024, No. 2.6.3).</i>

A reference to the conservation and redevelopment of the existing rural housing stock has been removed from the PPS 2024, as has a reference to development that is “compatible with the rural landscape.” In general, the policy direction for rural development has not changed significantly.

Rural Settlement Areas

Previous Policy Direction:	Current Policy Direction:
<i>Rural settlement areas are to be the focus of growth and development in rural areas, and their vitality and regeneration are to be promoted (PPS 2014, No. 1.1.4.2).</i>	<i>Rural settlement areas are to be the focus of growth and development in rural areas, and their vitality and regeneration are to be promoted (PPS 2024, No. 2.5.2).</i>
<i>Rural settlement areas should provide an appropriate range and mix of housing (PPS 2014, No. 1.1.4.1.c).</i>	<i>Rural settlement areas should provide an appropriate range and mix of housing (PPS 2024, No. 2.5.1.c).</i>
<i>When directing development in rural settlement areas, planning authorities must consider rural characteristics, the scale of development, and the provision of appropriate services (PPS 2014, No. 1.1.4.3).</i>	<i>When directing development in rural settlement areas, planning authorities must consider locally appropriate rural characteristics, the scale of development, and the provision of appropriate services (PPS 2024, No. 2.5.3).</i>

No significant change in policy direction regarding rural settlement areas.

Table 4.1 – Policy Direction for Rural Areas (continued)

Land Uses in Rural Areas	
<p>Previous Policy Direction: Permitted uses on rural lands include the management or use of resources, resource-based recreational uses (including recreational dwellings), home occupations and home industries, cemeteries, and other rural land uses (PPS 2014, No. 1.1.5.2). Agricultural uses, agriculture-related uses, and on-farm diversified uses should be promoted and protected (PPS 2014, No. 1.1.5.8).</p> <p>Limited residential development may be permitted on rural lands.</p>	<p>Current Policy Direction: Permitted uses on rural lands include the management or use of resources, resource-based recreational uses (including recreational dwellings), home occupations and home industries, cemeteries, and other rural land uses, as well as agricultural uses, agriculture-related uses, and on-farm diversified uses (PPS 2024, No. 2.6.1).</p> <p>Residential development, including lot creation, where site conditions are suitable for the provision of appropriate services, may be permitted on rural lands.</p>

Policy language regarding agricultural uses, agriculture-related uses, and on-farm diversified uses being permitted in rural areas has been clarified in the 2024 PPS. The 2024 PPS is also less stringent than the 2014 PPS with regard to residential development and lot creation in rural areas, consistent with the stronger emphasis on housing throughout the 2024 PPS.

A key area of review related to Rural Lands will be additional permissions for residential development, agricultural-related uses and on-farm diversified uses and their preferred and permitted locations within the Township. Due to the open-ended and permissive nature of the updated policies of the PPS, the Township should consider where such uses make sense and would have the least number of impacts on existing agricultural operations.

4.2 Agricultural Areas

The Township's Agricultural Area consists of lands within the Countryside that are not designated "Rural Area" or "Lakeshore Area". These areas represent the largest portion of lands within the community and contain a mix of agricultural land uses, extensive natural heritage areas, and limited residential development.

The Township's current Official Plan refers to "secondary uses," a term from the 2005 PPS that refers to "uses secondary to the principal [agricultural] use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property." This terminology has been updated in the 2024 PPS, which uses the term "on-farm diversified uses."

The terminology and related policies in the Township's Official Plan will need to be updated to be consistent with the 2024 PPS.

The 2024 PPS emphasizes a system-based approach to agriculture and refers to the economic prosperity and productive capacity of the agri-food network. With regard to permitted uses, policies have been added to the 2024 PPS that permit a principal dwelling as an agricultural use, as well as to provide that additional residential units must be permitted with a principal agricultural dwelling, subject to certain conditions. The additional residential units permitted are in addition to any farm worker housing.

The non-agricultural uses permitted in prime agricultural areas have not changed between the 2014 and 2024 PPS, although the 2024 PPS provides more explicit direction regarding the assessment of impacts on the agricultural system. There have been no significant changes to policies regarding lot creation in prime agricultural areas, which is still discouraged and only permitted in a limited number of situations.

The 2005 PPS had permitted the exclusion of land from prime agricultural areas for the extraction of mineral, petroleum, or mineral aggregate resources, as well as for limited non-residential uses (PPS 2005, No. 2.3.5.1). This earlier policy direction is reflected in No. 3.1.3.9 of the Township’s current Official Plan, which will need to be amended into order to bring it into consistency with the 2024 PPS. Under the 2024 PPS, the removal of land from prime agricultural areas is only permitted for the expansion of an existing settlement area or for the identification of a new settlement area, subject to certain conditions.

Table 4.2 compares and summarizes the current and former policy direction for prime agricultural areas.

Table 4.2 – Policy Direction for Prime Agricultural Areas

Prime Agricultural Areas	
<p>Previous Policy Direction: <i>Prime agricultural areas must be protected for long-term use for agriculture (PPS 2014, No. 2.3.1).</i></p> <p><i>Specialty crop areas are to be given the highest priority for protection, followed by CLI Class 1–3 lands, followed by any associated Class 4–7 lands within the prime agricultural area (PPS 2014, No. 2.3.1).</i></p> <p><i>Planning authorities must designate prime agricultural areas and specialty crop areas in accordance with provincial guidelines (PPS 2014, No. 2.3.2).</i></p>	<p>Current Policy Direction: <i>Prime agricultural areas, including specialty crop areas, must be designated and protected for long-term use for agriculture (PPS 2024, No. 4.3.1.2).</i></p> <p><i>Specialty crop areas are to be given the highest priority for protection, followed by CLI Class 1–3 lands, followed by any associated Class 4–7 lands within the prime agricultural area (PPS 2024, No. 4.3.1.3).</i></p> <p><i>Planning authorities must use an agricultural system approach, based on provincial guidelines, to maintain and enhance a geographically continuous agricultural land base and to support and foster the long-term economic prosperity and productive capacity of the agri-food network (PPS 2024, No. 4.3.1.1).</i></p>

The 2024 PPS emphasizes a system-based approach to agriculture and refers to the economic prosperity and productive capacity of the agri-food network.

Table 4.2 – Policy Direction for Prime Agricultural Areas (continued)

Permitted Uses in Agricultural Areas

Previous Policy Direction:

In prime agricultural areas, permitted uses and activities are agricultural uses, agriculture-related uses, and on-farm diversified uses (PPS 2014, No. 2.3.3.1).

Agriculture-related uses and on-farm diversified uses must be compatible with and not hinder surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or on municipal approaches that achieve the same objectives (PPS 2014, No. 2.3.3.1).

New land uses in prime agricultural areas, including new or expanded livestock facilities, must comply with MDS formulae (PPS 2014, No. 2.3.3.3).

Current Policy Direction:

In prime agricultural areas, permitted uses and activities are agricultural uses, agriculture-related uses, and on-farm diversified uses (PPS 2024, No. 4.3.2.1).

Agriculture-related uses and on-farm diversified uses must be compatible with and not hinder surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or on municipal approaches that achieve the same objectives (PPS 2024, No. 4.3.2.1).

New land uses in prime agricultural areas, including new or expanded livestock facilities, must comply with MDS formulae (PPS 2024, No. 4.3.2.3).

A principal dwelling associated with an agricultural operation is permitted as an agricultural use (PPS 2024, No. 4.3.2.4).

Where a dwelling is permitted as an agricultural use, up to two additional residential units are also permitted, provided that, where two additional units are proposed, at least one is located within or attached to the principal dwelling (PPS 2024, No. 4.3.2.5). The additional residential units permitted are in addition to farm worker housing permitted as an agricultural use (PPS 2024, No. 4.3.2.6).

The 2024 PPS permits a principal dwelling associated with an agricultural operation as an agricultural use, and provides that additional residential units are permitted in association with that principal dwelling (two additional units being permitted if at least one is within or attached to the principal dwelling). The additional units permitted are in addition to any farm worker housing provided as part of the agricultural use.

Table 4.2 – Policy Direction for Prime Agricultural Areas (continued)

Non-Agricultural Uses

<p>Previous Policy Direction: <i>Non-agricultural uses may only be permitted in prime agricultural areas for the extraction of mineral, petroleum, or mineral aggregate resources, or for limited non-residential uses, provided that the land is not in a specialty crop area, the proposed use complies with MDS formulae, there is an identified need for additional land within the planning horizon, and there are no reasonable alternative locations (PPS 2014, No. 2.3.6.1).</i></p> <p><i>Impacts from new or expanded non-agricultural uses on surrounding agricultural operations are to be mitigated to the extent feasible (PPS 2014, No. 2.3.6.2).</i></p>	<p>Current Policy Direction: <i>Non-agricultural uses may only be permitted in prime agricultural areas for the extraction of mineral, petroleum, or mineral aggregate resources, or for limited non-residential uses, provided that the land is not in a specialty crop area, the proposed use complies with MDS formulae, there is an identified need for additional land within the planning horizon, and there are no reasonable alternative locations (PPS 2024, No. 4.3.5.1).</i></p> <p><i>Impacts from new or expanded non-agricultural uses on the agricultural system are to be avoided or, where avoidance is not possible, minimized and mitigated, as determined through an agricultural impact assessment or equivalent study (PPS 2024, No. 4.3.5.2).</i></p>
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The non-agricultural uses permitted in prime agricultural areas have not changed between the 2014 and 2024 PPS. The 2024 PPS provides more explicit direction regarding the assessment of impacts on the agricultural system.

Lot Creation in Prime Agricultural Areas

<p>Previous Policy Direction: <i>Lot creation is discouraged and may only be permitted for agricultural uses, agriculture-related uses, a residence surplus to a consolidated farming operation, and infrastructure (PPS 2014, No. 2.3.4.1).</i></p> <p><i>The creation of a lot for a surplus residence is only permitted if the new lot will be limited to the minimum size needed to accommodate the dwelling and associated services, and if the planning authority ensures that new dwellings are prohibited on the remnant parcel (PPS 2014, No. 2.3.4.1.c).</i></p> <p><i>Lot adjustments for legal and technical reasons may be permitted (PPS 2014, No. 2.3.4.2).</i></p> <p><i>The creation of a new residential lot is not permitted, except for a surplus residence (PPS 2014, No. 2.3.4.3).</i></p>	<p>Current Policy Direction: <i>Lot creation is discouraged and may only be permitted for agricultural uses, agriculture-related uses, one new lot for a residence surplus to a consolidated farming operation, and infrastructure (PPS 2024, No. 4.3.3.1).</i></p> <p><i>The creation of a lot for a surplus residence is only permitted if the new lot will be limited to the minimum size needed to accommodate the dwelling and associated services, and if the planning authority ensures that new dwellings are prohibited on the remnant parcel (PPS 2024, No. 4.3.3.1.c).</i></p> <p><i>Lot adjustments for legal and technical reasons may be permitted (PPS 2014, No. 4.3.3.2).</i></p> <p><i>The creation of a new residential lot is not permitted, except for a surplus residence (PPS 2024, No. 4.3.3.3).</i></p>
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No significant changes to policies regarding lot creation in prime agricultural areas.

Table 4.2 – Policy Direction for Prime Agricultural Areas (continued)

Removal of Lands from Prime Agricultural Areas

Previous Policy Direction:

Planning authorities may only exclude land from prime agricultural areas for the expansion of an existing settlement area or the identification of a new settlement area (PPS 2014, No. 2.3.5.1).

Current Policy Direction:

Planning authorities may only exclude land from prime agricultural areas for the expansion of an existing settlement area or the identification of a new settlement area (PPS 2024, No. 4.3.4.1).

No change between the 2014 and 2024 PPS regarding the removal of land from prime agricultural areas. However, policy direction in this matter did change from 2005 to the 2014 PPS, becoming more restrictive.

Although the policy framework associated with agricultural lands has not changed significantly, there remains flexibility for the Township to evaluate and refine its long-term vision and requirements for agricultural and non-agricultural uses within prime agricultural areas in the Township. Matters that require review include permitted uses, minimum lot sizes for certain uses, and policies necessary for supporting and growing the agricultural economy.



5 Infrastructure & Services

Wainfleet does not have municipal water or sanitary services and has limited Township-owned infrastructure related to stormwater management. All development within the Township relies on individual private services (termed “sustainable private services” in the current Official Plan) that include drinking water wells, cisterns, septic systems, and holding tanks.

The Township manages and maintains a mix of paved and gravel roadways throughout Wainfleet. The major roadways that connect the Hamlet Areas and the Lakeshore Area are either Regional Roads or part of Provincial Highway 3. These roadways are shown on Schedule D to the current Official Plan.

As the Township continues to grow, policies that enable the provision and maintenance of new municipal infrastructure will be important.



5.1 Water & Wastewater Services

In the Township, water and wastewater services are privately owned and operated, with a minimal number of site-specific exceptions. The current Official Plan outlines the private servicing methods and requirements for development within the Township. Although brief direction is provided for a potential circumstance where the Lakeshore Area is serviced with municipal water and sanitary sewers in Section 5.0, the current Official Plan does not contain an enabling policy framework related to the Hamlets or the possible provision of partial services.

Current policy requires that planning for water and wastewater services consider opportunities to re-allocate unused system capacity. It should be noted here that “planning for” does not mean “providing,” and that “planning for services” is not limited to municipal services. Rather, “planning for services” means having an enabling policy framework that is consistent with provincial policy.

The 2024 PPS places a stronger emphasis on the hierarchy of services than in the 2014 PPS, with clearer language about private communal systems being higher than individual on-site systems in the hierarchy. Individual on-site services are still permitted, provided that conditions are suitable for their long-term provision with no negative impacts. A policy regarding individual on-site services in settlement areas only being permitted for infilling or minor rounding out has been removed. Current policy direction requires an assessment of the long-term impacts of individual on-site services as part of an Official Plan review. Partial services are still only permitted under limited circumstances, although current policy direction allows for the use of partial services for infilling on existing lots in certain situations.

Policy direction regarding lot creation has not changed significantly, as the reference to municipal or private communal systems in the 2014 PPS has been incorporated into the definition of “reserve system capacity” in the 2024 PPS.

The Township’s current Official Plan utilizes “sustainable private services” as a defined term regarding private water and sanitary systems (a term that is not used in the PPS). This term should be replaced, as current provincial direction prefers the use of standardized terminology.

Table 5.1 – Policy Direction for Water & Wastewater Services

Water & Wastewater Services	
<p>Previous Policy Direction: <i>Planning for water and wastewater services must:</i></p> <ul style="list-style-type: none"> a) accommodate expected growth in a manner that promotes the efficient use and optimization of existing municipal and private communal services; b) ensure that servicing systems can be sustained by water resources, are feasible and financially viable, comply with regulations, and protect human health and the environment; c) promote water conservation and efficient use; d) integrate servicing and land use considerations; and e) match the servicing hierarchy set out in Section 1.6.6 of the PPS 2014 (PPS 2014, No. 1.6.6.1). 	<p>Current Policy Direction: <i>Planning for water and wastewater services must:</i></p> <ul style="list-style-type: none"> a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal and private communal services; b) ensure that services are provided in a manner that can be sustained by water resources, is feasible and financially viable, protects human health and safety and the environment, and aligns with comprehensive municipal planning; c) promote water conservation and efficient use; d) integrate servicing and land use considerations; e) match the servicing hierarchy set out in Section 3.6 of the PPS 2024; and f) consider opportunities to re-allocate unused system capacity (PPS 2024, No. 3.6.1).
<p>Current policy includes a requirement to consider opportunities to re-allocate unused system capacity.</p>	
Private Communal Services	
<p>Previous Policy Direction: <i>Where municipal services are not provided, the use of private communal services may be permitted (PPS 2014, No. 1.6.6.3)</i></p>	<p>Current Policy Direction: <i>Where municipal services are not available, planned, or feasible, private communal services are the preferred form of servicing for multi-lot development (PPS 2024, No. 3.6.3).</i></p>
<p>Current provincial policy places a stronger emphasis on the hierarchy of services in the PPS, providing clearer direction about private communal systems being higher than individual on-site systems in the hierarchy.</p>	

Table 5.1 – Policy Direction for Water & Wastewater Services (continued)

Individual On-site Services

<p>Previous Policy Direction: Where municipal services or private communal services are not provided, individual on-site services may be used, as long as site conditions are suitable for their long-term provision with no negative impacts (PPS 2014, No. 1.6.6.4).</p> <p><i>In settlement areas, individual on-site services may only be used for infilling or minor rounding out of development (PPS 2014, No. 1.6.6.4).</i></p>	<p>Current Policy Direction: Where municipal services or private communal services are not available, planned, or feasible, individual on-site services may be used, as long as site conditions are suitable for their long-term provision with no negative impacts (PPS 2024, No. 3.6.4).</p> <p><i>When updating or reviewing an official plan, planning authorities should assess the long-term impacts of individual on-site services on the environment and the financial viability or feasibility of providing other forms of servicing (PPS 2024, No. 3.6.4).</i></p>
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Individual on-site services are still permitted, provided that conditions are suitable for their long-term provision with no negative impacts. A policy regarding individual on-site services in settlement areas only being permitted for infilling or minor rounding out has been removed. Current policy direction requires an assessment of the long-term impacts of individual on-site services as part of an Official Plan review.

Partial Services

<p>Previous Policy Direction: Partial services are only permitted where necessary to address failed individual on-site services or to allow for infilling or minor rounding out of existing development in settlement areas, as long as site conditions are suitable (PPS 2014, No. 1.6.6.5).</p>	<p>Current Policy Direction: Partial services are only permitted where necessary to address failed individual on-site services; to allow for infilling or minor rounding out of existing development in settlement areas, as long as site conditions are suitable; or to provide new development in rural settlement areas with individual on-site water services combined with municipal or private communal wastewater services (PPS 2024, No. 3.6.5).</p> <p><i>Where partial services are provided to address failed individual on-site services in rural areas, infilling on existing lots may be permitted where it would provide a logical and financially viable connection to the existing partial service, as long as site conditions are suitable (PPS 2024, No. 3.6.6).</i></p>
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Partial services are still only permitted under limited circumstances, although current policy direction allows for the use of partial services for infilling on existing lots in certain situations.

Table 5.1 – Policy Direction for Water & Wastewater Services(continued)

Lot Creation	
<p><i>Previous Policy Direction:</i> Planning authorities may allow lot creation only if sufficient reserve system capacity within municipal or private communal systems has been confirmed (PPS 2014, No. 1.6.6.6).</p>	<p><i>Current Policy Direction:</i> Planning authorities may allow lot creation where sufficient reserve system capacity has been confirmed (PPS 2024, No. 3.6.7).</p>
<p>Policy direction has not changed significantly, as the former reference to municipal or private communal systems has been incorporated into the definition of “reserve system capacity” in the 2024 PPS.</p>	

In addition to using standardized terminology, the updated Official Plan will need to set out an enabling policy framework that clearly aligns with the hierarchy and direction established in the 2024 PPS.

5.2 Stormwater Management

The Township has limited stormwater management infrastructure and relies primarily on on-site grading and drainage, as well as municipal drains to manage stormwater and runoff.

Stormwater management is intrinsically tied to water resources and environmental protection matters, and up-to-date policies that provide detailed requirements and best practice approaches are valuable to include within the Official Plan.

Table 5.2 – Policy Direction for Stormwater Management

Stormwater Management	
<p>Previous Policy Direction: Planning for stormwater management must:</p> <ul style="list-style-type: none"> a) minimize, or where possible prevent, increases in contaminant loads; b) minimize erosion and changes in water balance; c) not increase risks to human health, safety, or property; d) maximize the extent and function of vegetative and pervious surfaces; and e) promote best practices, including attenuation, re-use, and low-impact development (PPS 2014, No. 1.6.6.7). 	<p>Current Policy Direction: Planning for stormwater management must:</p> <ul style="list-style-type: none"> a) minimize, or where possible prevent or reduce, increases in contaminant loads; b) minimize erosion and changes in water balance, including through the use of green infrastructure; c) mitigate risks to human health, safety, property, or the environment; d) maximize the extent and function of vegetative and pervious surfaces; e) promote best practices, including attenuation, re-use, water conservation and efficiency, and low-impact development; f) be integrated with planning for water and wastewater services; and g) align with comprehensive municipal plans that consider impacts on a watershed scale.
<p>Current policy devotes greater attention to system-wide impacts of stormwater management, including impacts at the watershed scale, as well as integration with planning for water and wastewater services.</p>	
Climate Change	
<p>Previous Policy Direction: [No comparable policy direction.]</p>	<p>Current Policy Direction: Planning for, and development of, stormwater management facilities must incorporate climate change considerations (PPS 2024, No. 2.9.1.b).</p>
<p>Provincial policy now includes direction for stormwater management facilities that incorporate considerations of the impacts of climate change.</p>	

For the review of the Township's Official Plan, the focus will be on impacts from stormwater run-off, considering the number of watercourses in the Township and the potential impacts on the quality of groundwater. Appropriate management of stormwater and run-off is also important to the overall health of the watershed. Policies regarding stormwater management will further relate to overall grading and drainage, as well as the cumulative effects of development.

5.3 Township & Regional Roads

The current Official Plan does not contain a list of Township or Regional Roads or their planned right-of-way widths. All Arterial and Collector Roads are Regional Roads, and Local Roads are Township-owned. Local Roads are to be a maximum width of 20.0 metres.

All existing Arterial and Collector Roads that are owned and maintained by the Regional Municipality of Niagara within the Township of Wainfleet are listed in Table 9-1 of the NOP (2022). Table 9-1 also contains sight triangle requirements for Regional Roads in rural contexts. The ownership and responsibility to maintain this infrastructure is unaffected by the removal of the Region's planning responsibilities.

To ensure that road widening dedications can be lawfully acquired through planning applications or expropriation with clear basis, the new Official Plan must include a detailed list of roadways within the Township and update cross-references to roadway details found in the "Niagara Regional Policy Plan", a predecessor to the current NOP (2022).

The Provincial Highways policies within the current Official Plan should be reviewed against current and typical Ministry of Transportation requirements that are enforced through the development review process.

Current policy direction provided in the 2024 PPS includes a reference to supporting the use of low-emission and zero-emission vehicles that had not appeared in earlier versions. Policy statements in the Growth Plan (2006) about reducing automobile dependence and the need for long-distance commuting have not been carried forward into the 2024 PPS. With regard to protecting corridors and rights-of-way for transportation and other forms of infrastructure, there have been no significant changes in policy direction since 2014.

Table 5.3 – Policy Direction for Transportation

Transportation Systems	
<p>Previous Policy Direction: <i>Transportation systems should be safe and energy efficient, facilitate the movement of people and goods, and be appropriate to address projected needs (PPS 2014, No. 1.6.7.1).</i></p> <p><i>As part of a multimodal system, connectivity within and among transportation systems should be maintained, or where possible improved (PPS 2014, No. 1.6.7.3).</i></p> <p><i>Public streets, spaces, and facilities should be safe, meet the needs of pedestrians, foster social interaction, and facilitate active transportation and connectivity (PPS 2014, No. 1.5.1.a).</i></p> <p><i>The transportation system will be planned and managed to provide connectivity among modes for moving people and goods, offer a balance of transportation choices, encourage sustainable modes of travel, offer multi-modal access, and provide for the safety of system users (Growth Plan 2006, No. 3.2.2.1).</i></p> <p><i>Growth will be accommodated by developing mixed-use, transit-supportive, pedestrian-friendly urban environments that reduce dependence on the automobile and reduce the need for long-distance commuting (Growth Plan 2006, No. 2.2.2.1).</i></p>	<p>Current Policy Direction: <i>Transportation systems should be safe and energy efficient, facilitate the movement of people and goods, be appropriate to address projected needs, and support the use of zero- and low-emission vehicles (PPS 2024, No. 3.2.1).</i></p> <p><i>As part of a multimodal system, connectivity within and among transportation systems should be maintained, or where possible improved (PPS 2024, No. 3.2.3).</i></p> <p><i>Public streets, spaces, and facilities should be safe, meet the needs of persons of all ages and abilities (including pedestrians), foster social interaction, and facilitate active transportation and connectivity (PPS 2024, No. 3.9.1.a).</i></p>

Current policy includes a reference to the use of low-emission and zero-emission vehicles that did not appear in earlier incarnations of the PPS. The Growth Plan (2006) included policies about reducing the need for long-distance commuting which no longer appears in provincial policy.

Table 5.3 – Policy Direction for Transportation (continued)

Transportation & Infrastructure Corridors	
<p>Previous Policy Direction: Planning authorities must plan for and protect corridors and rights-of-way for infrastructure, including transportation systems, to meet current and projected needs (PPS 2014, No. 1.6.8.1).</p> <p>Major goods movement facilities and corridors must be protected for the long term (PPS 2014, No. 1.6.8.2).</p> <p>Development in planned corridors that could preclude or negatively affect the use of the corridor is not permitted. Development adjacent to existing or planned corridors or facilities should be compatible with, and supportive of, the corridor’s long-term purposes and should be designed to avoid, or minimize and mitigate, negative impacts on and from the corridor and facilities (PPS 2014, No. 1.6.8.3).</p>	<p>Current Policy Direction: Planning authorities must plan for and protect corridors and rights-of-way for infrastructure, including transportation systems, to meet current and projected needs (PPS 2024, No. 3.3.1).</p> <p>Major goods movement facilities and corridors must be protected for the long term (PPS 2024, No. 3.3.2).</p> <p>Development in planned corridors that could preclude or negatively affect the use of the corridor is not permitted. Development adjacent to existing or planned corridors or facilities should be compatible with, and supportive of, the corridor’s long-term purposes and should be designed to avoid, or minimize and mitigate, negative impacts on and from the corridor and facilities (PPS 2024, No. 3.3.3).</p>

Policy direction regarding the protection of transportation and other infrastructure corridors has remained consistent since 2014.

A review of existing right-of-way widths, existing transportation systems, and infrastructure corridors should be undertaken to ensure that appropriate transportation facilities are provided to support current and future volumes and needs within the Township.

5.4 Airports, Rail & Marine Facilities

5.4.1 Airports

The Township of Wainfleet contains one private airport associated with Skydive Burnaby, situated adjacent to the Niagara Central Dorothy Rungeling Airport in Pelham. These airports operate continuously throughout the year and have associated approach and landing requirements and influence areas that impact development and infrastructure heights. These airports also generate noise impacts on adjacent lands.

Obtaining updated airport information and reviewing policies related to managing land use compatibility and development scale in proximity to airport approaches is recommended to ensure appropriate protection measures are in place.

Table 5.4 – Policy Direction for Airports

Airports	
<p>Previous Policy Direction: Planning authorities must protect airports from incompatible land uses and development by discouraging land uses that could cause a potential aviation safety hazard (PPS 2014, No. 1.6.9.2.c).</p>	<p>Current Policy Direction: Planning authorities must protect airports from incompatible land uses and development by prohibiting land uses that could cause a potential aviation safety hazard (PPS 2024, No. 3.4.2.c).</p>

Land uses that could cause potential aviation safety hazards are now prohibited, not merely discouraged.

Updating the Township’s aviation related policies will ensure consistency with provincial changes and will provide updated direction on ensuring land use compatibility can be achieved within influence areas.

5.4.2 Railways

The Township is traversed by a Canadian Pacific (CP) Railway Line at the northern end of the community. This railway has a spur connection to a connection from Welland to the north and east and Haldimand County to the West. The CP Line also contains a multi-track shunting yard within Wainfleet, south of Regional Road 27, where multiple train cars are connected and aligned, often resulting in brief but intense impulsive noise impacts.

Trillium Railways operates a local small single-track line that extends into the Township from Welland to the northeast. The track terminates at Deeks Road South.

Land use compatibility policies related to noise are contained within Section 6.0 of the current Official Plan. Additional review of these policies against current Provincial Land Use Compatibility Policies and Guidelines and Railway Corridor Management Guidelines is recommended.

5.4.3 Marine

The Township does not contain a municipal marina or public boat launches. However, many waterfront properties and businesses do operate and launch craft into the water from public road allowances and private property. The current Official Plan does not consider or permit marine based land uses.



6 Natural & Cultural Resources

The Township of Wainfleet contains a broad range of natural resources that include the natural heritage system, fertile soils for agriculture, surface and groundwater resources, mineral aggregates, and petroleum and natural gas resources. The Township also has a number of sites, structures, buildings, and environments that hold historical, cultural, architectural, and archaeological significance, and the protection and conservation of these cultural heritage and archaeological resources will continue to be a high priority.

6.1 Natural Heritage

The Township has an extensive natural heritage system dispersed throughout the Countryside, Lakeshore Area, and Hamlets, consisting of wooded areas, wetlands, watercourses, habitats of various species (including species at risk and endangered species), and a regionally significant Area of Natural and Scientific Interest (ANSI).



The current Official Plan utilizes two natural heritage land use designations: “Environmental Protection Area” (“EPA”) and “Environmental Conservation Area” (“ECA”). Significant features that cannot be developed within or altered are categorized as “EPA”, and less sensitive features that can be altered in appropriate circumstances are classified as “ECA”. “Fish Habitat” is an additional land use designation in the current Official Plan that is supported through policy and mapping. The current Official Plan mapping was informed by previous natural heritage mapping contained in the Region’s Official Plan and available through the Conservation Authority.

The recent removal of the Regional Municipality of Niagara’s planning responsibilities and scaling back of conservation authority regulations results in the Township having full responsibility for considering and approving natural heritage-related studies. Further, the NOP (2022) contains updated natural heritage mapping for the entirety of the municipality, including more up-to-date mapping for regulated features like wetlands from the Ministry of Natural Resources and Forestry.

The Growth Plan (2006) had identified natural systems for the Greater Golden Horseshoe area, encouraging planning authorities to identify complementary or linking systems. The Natural Heritage System of the Growth Plan has been repealed along with the rest of the Growth Plan. As well, the pending repeal of the *Endangered Species Act, 2007* (S.O. 2007, c. 6) on a day to be named by order of the Lieutenant Governor in Council and its replacement by the *Species Conservation Act, 2025* (S.O. 2025, c. 4), could also have an impact on the policy framework for natural heritage in the Township.

There have been no changes to the language surrounding natural heritage used from the 2014 PPS to the 2024 PPS. However, the 2005 PPS had prohibited development in significant habitat of endangered or threatened species, in addition to significant wetlands and significant coastal wetlands. This direction was modified from 2005 to the 2014 PPS, which provided that development and site alteration in the habitat of endangered or threatened species may be permitted, but only in accordance with provincial and federal requirements (Policy No. 2.1.7). The earlier 2005 policy direction is reflected in Policy No. 3.2.1.1.c) of the Township’s current Official Plan, which identifies significant habitat of endangered or threatened species as part of the “Environmental Protection Area”.

Table 6.1 – Policy Direction for Natural Heritage

Natural Heritage Systems	
<p>Previous Policy Direction: <i>Natural features and areas must be protected for the long term (PPS 2014, No. 2.1.1).</i></p> <p><i>Natural heritage systems must be identified, recognizing that systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas (PPS 2014, No. 2.1.3).</i></p> <p><i>The diversity and connectivity of natural features and areas, and the long-term ecological function and biodiversity of natural systems, should be maintained, restored, or where possible improved (PPS 2014, No. 2.1.2).</i></p>	<p>Current Policy Direction: <i>Natural features and areas must be protected for the long term (PPS 2024, No. 4.1.1).</i></p> <p><i>Natural heritage systems must be identified, recognizing that systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas (PPS 2024, No. 4.1.3).</i></p> <p><i>The diversity and connectivity of natural features and areas, and the long-term ecological function and biodiversity of natural systems, should be maintained, restored, or where possible improved (PPS 2024, No. 4.1.2).</i></p>

Policy direction has remained consistent since 2014 regarding the long-term protection of natural features and areas and their ecological functions.

Development & Site Alteration	
<p>Previous Policy Direction: <i>No development or site alteration is permitted in significant wetlands or significant coastal wetlands (PPS 2014, No. 2.1.4).</i></p> <p><i>No development or site alteration is permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, or coastal wetlands not identified as significant, unless there will be no negative impacts on the features or their functions (PPS 2014, No. 2.1.5).</i></p> <p><i>No development or site alteration is permitted in fish habitat or in the habitat of endangered or threatened species, except in accordance with provincial and federal requirements (PPS 2014, No. 2.1.6 & No. 2.1.7).</i></p> <p><i>No development or site alteration is permitted adjacent to the features or areas identified above, unless there will be no negative impacts on the features and their functions (PPS 2014, No. 2.1.8).</i></p>	<p>Current Policy Direction: <i>No development or site alteration is permitted in significant wetlands or significant coastal wetlands (PPS 2024, No. 4.1.4).</i></p> <p><i>No development or site alteration is permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, or coastal wetlands not identified as significant, unless there will be no negative impacts on the features or their functions (PPS 2024, No. 4.1.5).</i></p> <p><i>No development or site alteration is permitted in fish habitat or in the habitat of endangered or threatened species, except in accordance with provincial and federal requirements (PPS 2024, No. 4.1.6 & No. 4.1.7).</i></p> <p><i>No development or site alteration is permitted adjacent to the features or areas identified above, unless there will be no negative impacts on the features and their functions (PPS 2024, No. 4.1.8).</i></p>

Table 6.1 – Policy Direction for Natural Heritage (continued)

Development & Site Alteration (continued)	
<p>Previous Policy Direction: None of the above is meant to limit the ability of agricultural uses to continue (PPS 2014, No. 2.1.9).</p>	<p>Current Policy Direction: None of the above is meant to limit the ability of agricultural uses to continue (PPS 2024, No. 4.1.9).</p>
<p>No changes to policy direction regarding development and site alteration in or adjacent to significant natural features or areas.</p>	
Habitat of Endangered & Threatened Species	
<p>Previous Policy Direction: “Habitat of endangered and threatened species” means, where a species is one for which a regulation under cl. 55 (1) (a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation, or, for any other species, an area on which the species depends (directly or indirectly) to carry on its life processes, as well as places in either area that are used as dens, nests, hibernacula, or other residences (PPS 2014, Definitions).</p>	<p>Current Policy Direction: “Habitat of endangered and threatened species” means habitat within the meaning of s. 2 of the Endangered Species Act, 2007 (PPS 2024, Definitions).</p>
<p>The definition of “habitat of endangered and threatened species” has been modified to refer to the definition used in the <i>Endangered Species Act, 2007</i>.</p>	

It should also be emphasized that, like its predecessors, the 2024 PPS states that its natural heritage policies are not intended to limit the ability of agricultural uses to continue.

Although the provincial policy framework regarding natural heritage has not changed significantly, the recent policy and mapping work completed as part of the NOP (2022) must be carefully reviewed prior to considering or accepting the scope, scale, and force of natural heritage policies that are currently in effect. The resultant framework must be consistent with the PPS (2024).

6.2 Water Resources

Water resources are vital to the Township, as they are relied upon to support individual on-site drinking water systems and to irrigate agricultural fields, in addition to serving as a key part of the natural heritage system and landscape. Policies regarding water resources, which encompass both surface water features and groundwater features, also impact matters such as drainage, stormwater management, and the provision of water and wastewater services. Even though the Township does not presently provide municipal water services, the quality and quantity of water resources still affect those who rely on other methods of servicing.

In general, the overall direction from the Province regarding the identification and protection of water resources has not changed since 2014, although the wording used in the 2024 PPS has removed some of the emphasis previously given to requirements for mitigative measures or alternative approaches to development. Current policy places greater emphasis on watershed-level planning as the basis for integrated and long-term planning and as the foundation for considering the cumulative impacts of development. This includes new policies that encourage municipalities to undertake watershed planning in collaboration with the appropriate conservation authorities.

Table 6.2 below compares and summarizes policy direction regarding water resources.

Table 6.2 – Policy Direction for Water Resources

Quality & Quantity of Water	
<p>Previous Policy Direction: Planning authorities must protect the quality and quantity of water by identifying water resource systems, maintaining linkages and related functions in those systems, minimizing potential negative impacts (including cross-jurisdictional and cross-watershed impacts), and implementing necessary restrictions to protect municipal drinking water supplies and designated vulnerable areas and to protect, improve, or restore vulnerable features and their hydrologic functions. (PPS 2014, No. 2.2.1).</p>	<p>Current Policy Direction: Planning authorities must protect the quality and quantity of water by identifying water resource systems, maintaining linkages and related functions in those systems, minimizing potential negative impacts (including cross-jurisdictional and cross-watershed impacts), and implementing necessary restrictions to protect municipal drinking water supplies and designated vulnerable areas and to protect, improve, or restore vulnerable features and their hydrologic functions. (PPS 2024, No. 4.2.1).</p>

Table 6.2 – Policy Direction for Water Resources (continued)

Quality & Quantity of Water (continued)

Previous Policy Direction:

Development and site alteration must be restricted in or near sensitive surface water and groundwater features so that these features and their hydrologic functions will be protected, improved, or restored. Mitigative measures or alternative development approaches may be required (PPS 2014, No. 2.2.2).

Current Policy Direction:

Development and site alteration must be restricted in or near sensitive surface water and groundwater features so that these features and their hydrologic functions will be protected, improved, or restored, which may require mitigative measures or alternative development approaches (PPS 2024, No. 4.2.2).

Overall policy direction regarding the identification and protection of water resources has not changed, although the 2024 PPS has slightly de-emphasized mitigative measures or alternative development approaches.

Watershed Planning

Previous Policy Direction:

Planning authorities will use the watershed as the ecologically meaningful scale for integrated and long-term planning, which can provide a foundation for considering cumulative impacts (PPS 2014, No. 2.2.1.a).

Current Policy Direction:

Planning authorities will use the watershed as the ecologically meaningful scale for integrated and long-term planning, which can provide a foundation for considering cumulative impacts (PPS 2024, No. 4.2.1.a).

Municipalities are encouraged to undertake watershed planning to inform planning for water and wastewater services and for stormwater management and to provide for the protection, improvement, or restoration of the quality and quantity of water (PPS 2024, No. 4.2.3).

All municipalities undertaking watershed planning are encouraged to collaborate with the applicable conservation authorities (PPS 2024, No. 4.2.5).

The 2024 PPS places a greater emphasis on watershed planning with regard to providing water and wastewater services and regarding water resources more generally.

A strong policy framework related to water resources requires that policies pertaining to water-related features, private servicing, and irrigation be reviewed and made consistent with provincial policy. These policies also place an enhanced focus on public health, which could require that specific policies related to the Township's ongoing boil-water advisory and preferred approaches to remedying the issue be included within the Official Plan.

6.3 Mineral Aggregate Resources

The current Official Plan and NOP (2022) contain schedules showing the location of mineral aggregate resources and active mineral aggregate operations within the Township. These schedules are generally consistent with one another and demonstrate that the Township contains Bedrock/Stone Resource Areas, Sand and Gravel Resource Areas, and Licensed Aggregate Resource areas.

The Township currently has an active mineral aggregate resource operation, which expanded its related "Extractive Industrial" land use designation through Township Official Plan Amendment No. 4.

Lands designated in the OMB-approved Official Plan (prior to consolidation) as "Possible Extractive Industrial" were identified in the current Official Plan as locations where existing aggregate operations may expand. Through the approval of Township OPA No. 4, these lands and additional lands extending west on the east side of Graybiel Road, north of Highway 3, were designated as "Extractive Industrial". There are no other lands in the Township that are designated as "Possible Extractive Industrial" at this time in the consolidated Official Plan. The need to retain the policies of Section 3.7 of the current Official Plan appears limited but will be reviewed through consultation.

There have been no changes to overall policy direction regarding the long-term protection of mineral aggregate resources, regarding the protection of aggregate operations, regarding limitations on development in or near known deposits, or regarding the impacts of extractive operations. Direction has been added to clarify that only the *Aggregate Resources Act* (where it applies) may address the depth of extraction.

Extraction in prime agricultural areas remains permitted as an interim use, provided that the site will be rehabilitated to an agricultural condition, with an added requirement in the 2024 PPS that impacts on agricultural areas be addressed. The criteria for whether complete rehabilitation to an agricultural condition is required no longer distinguish based on whether the subject land is in a specialty crop area and no longer require the consideration of alternatives.

Policy direction regarding rehabilitation (outside of prime agricultural areas) and regarding wayside pits and quarries has not changed since 2014.

Table 6.3 – Policy Direction for Mineral Aggregate Resources

Mineral Aggregate Resources	
<p>Previous Policy Direction: Mineral aggregate resources must be protected for long-term use, and deposits must be identified where provincial information exists (PPS 2014, No. 2.5.1).</p> <p><i>Demonstration of need of mineral aggregate resources, including any type of supply/demand analysis, is not required (PPS 2014, No. 2.5.2.1).</i></p>	<p>Current Policy Direction: Mineral aggregate resources must be protected for long-term use, and deposits must be identified where provincial information exists (PPS 2024, No. 4.5.1).</p> <p><i>Demonstration of need of mineral aggregate resources, including any type of supply/demand analysis, is not required (PPS 2014, No. 2.5.2.1).</i></p>
<p>No significant changes to policy direction regarding the identification and protection of mineral aggregate resources.</p>	
Mineral Aggregate Operations	
<p>Previous Policy Direction: Extraction must be undertaken in a manner that minimizes social, economic, and environmental impacts (PPS 2014, No. 2.5.2.2).</p> <p><i>Mineral aggregate operations must be protected from development and activities that would prevent or hinder their expansion or continued use (PPS 2014, No. 2.5.2.4).</i></p>	<p>Current Policy Direction: Extraction must be undertaken in a manner that minimizes social, economic, and environmental impacts (PPS 2024, No. 4.5.2.2).</p> <p><i>Mineral aggregate operations must be protected from development and activities that would prevent or hinder their expansion or continued use (PPS 2024, No. 4.5.2.4).</i></p>

Table 6.3 – Policy Direction for Mineral Aggregate Resources (continued)

Mineral Aggregate Operations (continued)	
<p>Previous Policy Direction: <i>Within and adjacent to known aggregate deposits, development and activities that would preclude or hinder the establishment of new operations or access to the resources may only be permitted if resource use is not feasible or if the proposed development serves a greater long-term public interest (PPS 2014, No. 2.5.2.5).</i></p>	<p>Current Policy Direction: <i>Within and adjacent to known aggregate deposits, development and activities that would preclude or hinder the establishment of new operations or access to the resources may only be permitted if resource use is not feasible or if the proposed development serves a greater long-term public interest (PPS 2024, No. 4.5.2.5).</i></p> <p><i>Where the Aggregate Resources Act applies, only processes under that Act may address the depth of extraction (PPS 2024, No. 4.5.2.4).</i></p>
<p>No changes to policy direction regarding the protection of aggregate operations, regarding limitations on development in or near known deposits, and regarding the impacts of extractive operations. Direction has been added to clarify that only the <i>Aggregate Resources Act</i> (where it applies) may address the depth of extraction.</p>	
Extraction in Prime Agricultural Areas	
<p>Previous Policy Direction: <i>Extraction in prime agricultural areas is permitted as an interim use, provided that the site will be rehabilitated to an agricultural condition (PPS 2014, No. 2.5.4.1).</i></p> <p><i>Complete rehabilitation to an agricultural condition is not required if:</i></p> <ul style="list-style-type: none"> a) <i>outside of specialty crop areas, there is a substantial quantity of resources below the water table warranting extraction, or the depth of planned extraction makes rehabilitation unfeasible;</i> b) <i>within specialty crop areas, there is a substantial quantity of high-quality resources below the water table warranting extraction, and the depth of planned extraction makes rehabilitation unfeasible;</i> 	<p>Current Policy Direction: <i>Extraction in prime agricultural areas is permitted as an interim use, provided that impacts to prime agricultural areas are addressed and the site will be rehabilitated to an agricultural condition (PPS 2024, No. 4.5.4.1).</i></p> <p><i>Complete rehabilitation to an agricultural condition is not required if:</i></p> <ul style="list-style-type: none"> a) <i>the depth of planned extraction makes the restoration of agricultural capability unfeasible; and</i>

Table 6.3 – Policy Direction for Mineral Aggregate Resources (continued)

Extraction in Prime Agricultural Areas (continued)	
<p>Previous Policy Direction: Complete rehabilitation to an agricultural condition is not required if:</p> <p>[...]</p> <p>c) other alternatives have been considered and found unsuitable; and</p> <p>d) agricultural rehabilitation in remaining areas is maximized (PPS 2014, No. 2.5.4.1).</p>	<p>Current Policy Direction: Complete rehabilitation to an agricultural condition is not required if:</p> <p>[...]</p> <p>b) agricultural rehabilitation in remaining areas is maximized (PPS 2024, No. 4.5.4.2).</p>
<p>Extraction is still permitted as an interim use, with an additional requirement in the 2024 PPS regarding impacts on agricultural areas. The criteria for whether complete rehabilitation to an agricultural condition is required no longer distinguish based on whether the subject land is in a specialty crop area and no longer require the consideration of alternatives.</p>	
Rehabilitation	
<p>Previous Policy Direction: Progressive and final rehabilitation are required to accommodate subsequent land uses, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent feasible. Final rehabilitation must consider surrounding land use and approved land use designations (PPS 2014, No. 2.5.3.1).</p> <p>Complete rehabilitation is encouraged where there is a concentration of operations (PPS 2014, No. 2.5.3.2).</p>	<p>Current Policy Direction: Progressive and final rehabilitation are required to accommodate subsequent land uses, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent feasible. Final rehabilitation must consider surrounding land use and approved land use designations (PPS 2024, No. 4.5.3.1).</p> <p>Complete rehabilitation is encouraged where there is a concentration of operations (PPS 2024, No. 4.5.3.2).</p>
<p>No changes to policy direction regarding rehabilitation.</p>	

The updated Official Plan must include a policy framework that permits aggregate operations in prime agricultural areas while recognizing these operations as an interim use and ensuring their appropriate rehabilitation. The framework must also ensure that these lands remain part of the prime agricultural area.

6.4 Minerals & Petroleum

The Township of Wainfleet has several natural gas resource areas/pools, as well as active, suspended, and abandoned gas wells, as shown on Schedule “F” to the current Township Official Plan and Schedule “I” to the NOP (2022).

There have been no significant changes to policy language used in the PPS between its 2014 and 2024 iterations with regard to mineral and petroleum resources: these resources are to be protected for long-term use, and resource extraction operations must be identified and protected. Known resource areas and significant areas of potential must also be identified and protected. Rehabilitation is required once extractive operations have ceased, and extraction in prime agricultural areas is permitted as long as the site is appropriately rehabilitated.

The key consideration for the Official Plan review is to ensure that the current Official Plan schedules are, and remain, up to date. To this end, a consolidation of the Township’s and Region’s schedules related to mineral and petroleum resources is recommended.

6.5 Cultural Heritage & Archaeological Resources

Direction from the Province regarding cultural heritage and archaeological resources has become more prescriptive since 2014, particularly when it comes to identifying “significant” cultural heritage resources. The definition of “significant” in the 2014 PPS provided for the use of “municipal approaches that achieve or exceed the same objective” as criteria recommended by the Province. The 2024 PPS does not give municipalities this option, instead defining “significant” as being determined using “processes and criteria for determining cultural heritage value or interest . . . established by the Province under the authority of the *Ontario Heritage Act*.”

While the overall direction remains the same, policy language in the 2024 PPS has been modified to refer to the conservation of protected heritage property, rather than of significant built heritage resources and significant cultural heritage landscapes. The 2024 PPS also uses slightly stronger language regarding archaeological management plans and strategies for conserving cultural heritage resources. Policy direction regarding archaeological resources has not changed: development and site alteration are not permitted unless significant archaeological resources are conserved.

The 2024 PPS uses much stronger language regarding engagement with Indigenous communities: whereas the 2014 PPS simply required that planning authorities “consider the interests” of Indigenous communities, the 2024 PPS states that planning authorities must “engage early with Indigenous communities and ensure their interests are considered” in the conservation of cultural heritage and archaeological resources.

As it relates to the Township’s Official Plan, it is recommended that Schedule “K” to the NOP (2022) be brought over as-is to the new Official Plan to serve as the Township’s Archaeological Assessment Screening Tool.

Table 6.4 – Policy Direction for Cultural Heritage & Archaeology

Cultural Heritage Resources	
<p>Previous Policy Direction: <i>Significant built heritage resources and significant cultural heritage landscapes must be conserved (PPS 2014, No. 2.6.1).</i></p> <p><i>With regard to cultural heritage and archaeology, “significant” means resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event or a people.</i></p> <p><i>The Province has recommended criteria for determining significance, but municipal approaches that achieve or exceed the same objective may also be used (PPS 2014, Definitions).</i></p> <p><i>Development and site alteration adjacent to protected heritage property may only be permitted where it has been demonstrated that the heritage attributes of the property will be conserved (PPS 2014, No. 2.6.3).</i></p>	<p>Current Policy Direction: <i>Protected heritage property (which may contain built heritage resources or cultural heritage landscapes) must be conserved (PPS 2024, No. 4.6.1).</i></p> <p><i>With regard to cultural heritage and archaeology, “significant” means resources that have been determined to have cultural heritage value or interest.</i></p> <p><i>The Province has established processes and criteria for determining cultural heritage value or interest under the authority of the Ontario Heritage Act (PPS 2024, Definitions).</i></p> <p><i>Development and site alteration adjacent to protected heritage property may only be permitted where it has been demonstrated that the heritage attributes of the property will be conserved (PPS 2024, No. 4.6.3).</i></p>

Policy language has been modified to refer to the conservation of protected heritage property, rather than of significant built heritage resources and significant cultural heritage landscapes. The explanation of what “significant” means has been simplified, and municipalities must now use processes and criteria established by the Province.

Archaeological Resources	
<p>Previous Policy Direction: <i>Development and site alteration is not permitted on lands containing archaeological resources or in areas of archaeological potential unless significant resources have been conserved (PPS 2014, No. 2.6.2).</i></p> <p><i>Planning authorities should consider and promote archaeological management plans and cultural plans for conserving cultural heritage resources and archaeological resources (PPS 2014, No. 2.6.4).</i></p>	<p>Current Policy Direction: <i>Development and site alteration is not permitted on lands containing archaeological resources or in areas of archaeological potential unless significant resources have been conserved (PPS 2024, No. 4.6.2).</i></p> <p><i>Planning authorities are encouraged to develop and implement archaeological management plans and proactive strategies for conserving significant built heritage resources and cultural heritage landscapes (PPS 2024, No. 4.6.4).</i></p>

The 2024 PPS uses slightly stronger language regarding archaeological management plans and strategies for conserving cultural heritage resources. Policy direction regarding archaeological resources has not changed.

Table 6.4 – Policy Direction for Cultural Heritage & Archaeology (continued)

Engagement with Indigenous Communities

Previous Policy Direction:

Planning authorities must consider the interests of Indigenous communities in the conservation of cultural heritage and archaeological resources (PPS 2014, No. 2.6.5).

Current Policy Direction:

Planning authorities must engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources, and cultural heritage landscapes (PPS 2024, No. 4.6.5).

The 2024 PPS contains much stronger and more explicit language regarding engagement with Indigenous communities with respect to cultural heritage and archaeology.

The existing cultural heritage policies of the Township’s Official Plan must be enhanced to reflect best practice and requirements related to consultation with First Nations and Indigenous communities. These necessary changes should be undertaken concurrently with consideration for the preparation of an Archaeological Master Plan or changes to the Township’s cultural heritage policies and processes.

In consultation with First Nations groups, the Official Plan Update may wish to explore the use of Heritage Conservation Districts for areas containing known cultural heritage or archaeological resources (or both) to provide additional protection for those resources.



7 Public Health & Safety

The early origins of formal land use planning are rooted in matters of public health and safety. While development activity helps communities grow, that activity should occur in a manner that does not create any unavoidable, long-term, or severe risks to residents, property, or the environment.

The Township's primary natural hazard areas are floodplains associated with Lake Erie and other watercourses within the community, associated slopes and valleys, and wetlands of varying significance. Human-made hazards require careful study, management, and consideration when near development, especially near sensitive land uses such as residential uses or near natural resources like drinking water sources.

Ensuring the Official Plan contains an up-to-date and robust policy framework that outlines how human-made hazards are to be treated and managed will be of benefit to the Township and those people or groups seeking to farm, utilize, or develop land in the Township of Wainfleet.



7.1 Natural Hazards

The 2024 PPS includes a new policy, directing planning authorities to identify hazardous lands and hazardous sites and to manage development in these areas, in collaboration with conservation authorities. This direction reflects changes to the responsibilities of conservation authorities under amended legislation. Language regarding climate change impacts has also been strengthened since 2014, from requiring that planning authorities “consider the potential impacts of climate change” in the 2014 PPS to requiring that they “prepare for the impacts of a changing climate” in the 2024 PPS.

Beyond the above, there have been no significant changes to the direction provided by provincial policy regarding natural hazards affecting the Township.

The review and application of updated hazard mapping from the Conservation Authority will be undertaken as part of the Official Plan Update.

7.2 Human-Made Hazards

Within the Township, human-made hazards can generally be considered to include former landfill locations, abandoned gas wells, groundwater contamination associated with private servicing, and chemicals and fertilizers utilized by agricultural uses and golf courses. Suspected contamination might also exist in locations where potentially contaminating materials such as fuel, oil, or other substances may have been stored or utilized. A proposed change in land use or proposed new development may be required to identify circumstances where mitigation or remediation might be needed, which demonstrates the value of having clear policy direction regarding what is to be done in such situations.

At the provincial level, policies regarding human-made hazards in the 2014 and 2024 PPS remain identical. At the regional level, new policies related to excess soil management were introduced into the NOP (2022). However, there remains limited policy direction focusing in closer detail on potential contamination, remediation, or Records of Site Condition. The current Official Plan does not contain any specific policies related to human-made hazards.

As the Township grows and land uses evolve or change, clear direction on developing in a manner that does not result in adverse impacts to human health or safety due to previous uses or potentially contaminating activities will be beneficial.



8 Implementation & Administration

With new land use planning rules and requirements have also come new tools and methods of approving and managing development. Following the removal of planning responsibilities from the Regional Municipality of Niagara in 2025, the Township of Wainfleet will now be responsible for more planning matters than contemplated in the current Official Plan. A clear framework that is reflective of the current planning responsibilities and processes is necessary to ensure the enactment of the new Official Plan and to facilitate the land use vision and goals it prescribes.

It is appropriate for the Official Plan Update to explore additional policies and procedures related to matters such as Secondary Plans, Development Permit Systems, “minor by-laws,” voluntary pre-consultation, and the delegation of approval authority in order to inform updates to other related planning documents, including the Zoning By-law.



8.1 Approvals

Following the removal of the Regional Municipality of Niagara's planning responsibilities, the Ministry of Municipal Affairs and Housing (MMAH) is now the approval authority for the Township with respect to *Planning Act* matters.

MMAH will be the approval authority for the Township's new Official Plan.

8.2 Secondary Plans

The current Official Plan contains no enabling policy language regarding secondary plans, which limits the Township's ability to comprehensively plan for portions of the community.

Having a policy that enables the Township to undertake and implement secondary plans will provide for more detailed, locally specific, and effective long-term planning for various areas.

8.3 "Minor By-laws"

Under Section 39.2 of the *Planning Act*, Municipal Councils now have the ability to delegate their authority to pass zoning by-laws that are "of a minor nature," referred to as "minor by-laws," to an individual or a committee. The delegation of authority can be used to streamline the approval process in circumstances where Council has decided that its oversight is not necessary, similar to how certain matters are now delegated to the Committee of Adjustment.

As part of the Official Plan Update, it is worth considering whether there are types of “minor by-law,” such as approving temporary uses, “Agricultural Purposes Only” zoning, or removing holding symbols, that could be delegated. The creation of enabling policies would be required to permit the delegation of the authority to pass such minor by-laws.

8.4 Development Permit / Community Planning Permit Systems

There is limited reference to “Development Permit Systems” in the current Official Plan. These systems, now referred to as “Community Planning Permit Systems” or “CPPSs”, are becoming a more commonly used implementation tool across Ontario, including in municipalities that have rural contexts, such as the Town of Gananoque, the Town of Huntsville, the Township of Lake of Bays, and the Town of Niagara-on-the-Lake.

If the implementation of a Development Permit System or CPPS is desirable to the Township now or at some time in the future, enabling policies must be established in the Official Plan.

8.5 Site Plan Control

Recent amendments to the *Planning Act* require that the authority to approve site plans be delegated to a municipal employee or officer. Matters that may be subject to site plan control are now more limited. This includes the provision that site plan control does not apply to the development of any parcel of land that would result in there being ten (10) or fewer dwelling units on the parcel.

The policies in the current Official Plan regarding Site Plan Control for residential uses must be updated to reflect changes to the site plan approval process prescribed under the *Planning Act*.

8.6 Pre-application Consultation & Complete Application Requirements

The provisions of the *Planning Act* that allowed municipalities to pass by-laws requiring pre-application consultation for development applications have been repealed. The Province has recently taken a more direct interest in what information and materials may be required as part of a “complete application,” and any modifications to Official Plan policies regarding complete application requirements must now be approved by the Minister of Municipal Affairs and Housing. Recent amendments have also introduced provisions to the *Planning Act* regarding “prescribed professionals,” which could affect the ability to make reports subject to peer review through the application process.

Although no longer mandatory, pre-application consultation remains a helpful tool for the public, development community, and Township in considering and providing direction on development matters in the Township. Although policy can no longer “force” pre-application consultation, the consideration of updated policy language encouraging engagement in the pre-application consultation process and highlighting its benefits should be considered.

A policy related to typical submission requirements (studies, reports, plans, and other items) is also helpful to provide.



9 Summary & Next Steps

9.1 Where the Gaps Lay

The Gap Analysis presented in this report has revealed that there is a mix of mandatory and desirable legislative and policy gaps in the current Wainfleet Official Plan.

The identified gaps coincide with the thematic areas outlined within the Gap Analysis Report above, namely:

- Growth & Development
- Agriculture & Rural Areas
- Infrastructure & Services
- Natural Heritage & Cultural Heritage Resources
- Public Health & Safety
- Implementation & Administration



Significant changes in legislation and the local economy since 2012, including growth and housing pressures, mean the Township must act to ensure community needs are properly identified and supported in the new Official Plan.

The completion of the Gap Analysis and the required Public Meeting scheduled for April 2025 will draw Phase 1 of the Official Plan Update to a close.

Through Phase 2 of the Official Plan Update, public and agency engagement will occur to confirm gaps, identify community priorities, and craft a land use planning vision that supports the Township to the 2051 planning horizon.



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