

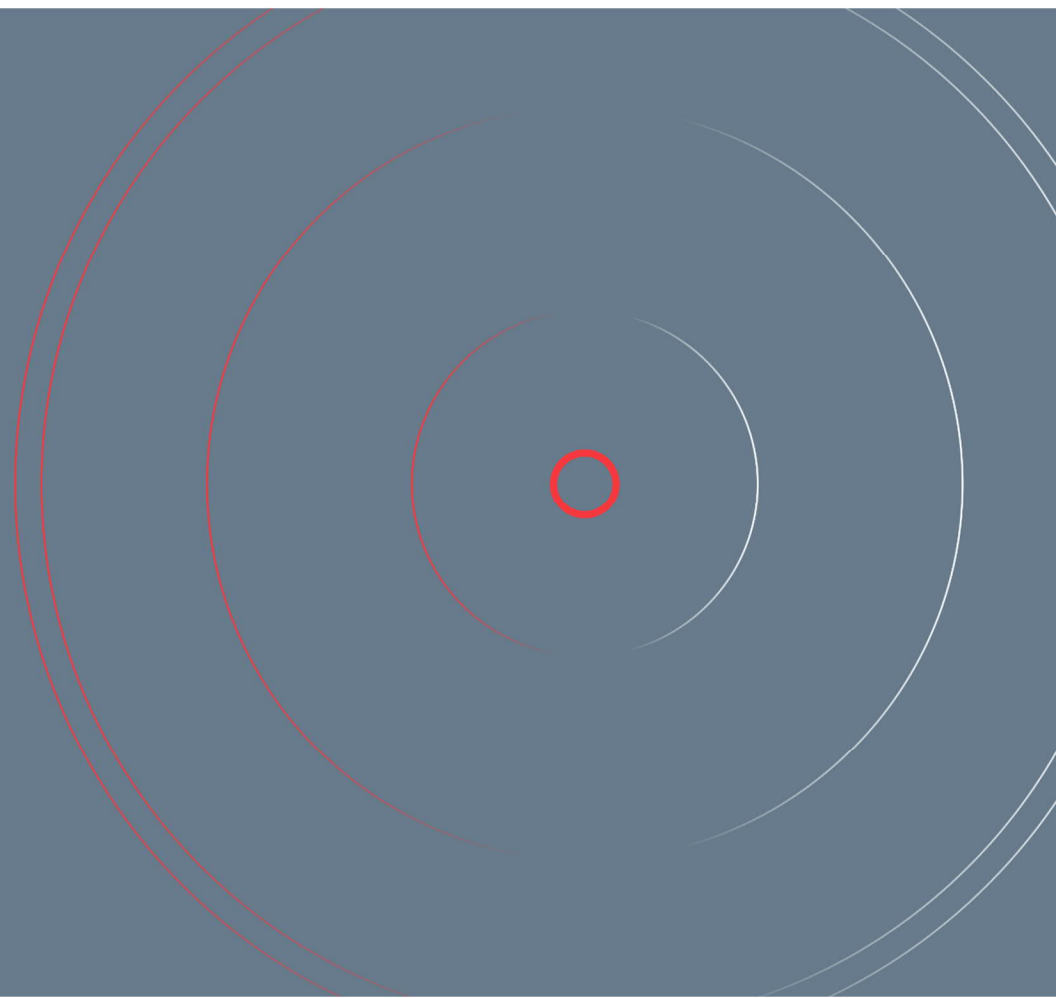
COUNTERPOINT
LAND DEVELOPMENT BY

DILLON
CONSULTING

Ministerial Zoning Order
PLANNING JUSTIFICATION REPORT

101 Exmouth Street, Sarnia, Ontario

December 2025



EXECUTIVE SUMMARY

Dillon Consulting Limited has been retained by Cargill Limited to prepare a Planning Justification Report in support of a proposed Ministerial Zoning Order (MZO) application related to 101 Exmouth Street in the City of Sarnia, Ontario. The purpose of this report is to rationalize and justify the establishment of restrictive zoning provisions within 650m of the subject property to ensure land use compatibility between the subject property and the development of any future sensitive land uses.

The Cargill Sarnia Grain Terminal is an important facility in Ontario's agricultural industry and has operated on the subject property since 1927. The facility accounts for approximately 35% of Ontario's grain capacity/export, which contributes significantly to the agricultural industry, trade, and economic development of the Province. The existing industrial operations on the subject property fall under the classification of a Class III facility per the MECP D-series guidelines.

The subject property is designated as 'Urban Centre' in the Lambton County Official Plan and is designated as 'General Employment' and 'Environmental Protection' in the City of Sarnia Official Plan. The property is zoned as 'Waterfront 1' in the City of Sarnia Zoning By-law 85-2002. Additionally, a portion of the subject property is within the 'Flood Plain' overlay, as per By-law 85-2002.

The proposed MZO employs a two-tier buffer approach to manage the introduction of new sensitive land uses in proximity to the subject property:

For lands within 300m of the subject property, the proposed MZO mandates a strict prohibition of new sensitive land uses, a measure grounded in the MECP D-Series Guidelines which classify the site as a Class III industrial facility requiring a minimum 300m separation to prevent land use incompatibility. This approach aligns with the Provincial Planning Statement and local City of Sarnia Official Plan policies, which require the protection of employment areas and major facilities by prohibiting non-ancillary sensitive uses and ensuring appropriate transitions to maintain economic viability. Specifically, PPS Policy 3.5 dictates that development must avoid adverse effects on major facilities to prevent encroachment that could threaten their long-term operations. Consequently, the proposed prohibition is considered a necessary regulatory requirement to uphold the principle of "avoidance wherever possible" and preserve the industrial integrity of the area.

For the area between 301m and 650m, the MZO applies a holding provision that permits new sensitive land uses only after applicants demonstrate compatibility through technical studies, the implementation of design mitigation, and registration of warning clauses regarding noise and air quality. This extended buffer is based on an RWDI acoustical assessment, which indicated that noise impacts could reach up to 650m, potentially causing the facility to contravene with MECP environmental noise guidelines (NPC-300) if unmitigated. This planning mechanism is justified as a balanced approach that allows for community evolution and non-sensitive development without sterilizing the land, while simultaneously establishing a structured process to safeguard public health and the facility's operational compliance. Ultimately, this ensures that future sensitive land uses are designed with sufficient mitigation to account for emissions such as noise, dust, odour, and vibration.

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1.0 INTRODUCTION

1.1 PURPOSE

Dillon Consulting Limited (“Dillon”) has been retained by Cargill Limited (“Cargill”) to prepare a Planning Justification Report in support of a proposed Ministerial Zoning Order (“MZO”) application related to 101 Exmouth Street in the City of Sarnia, Ontario (the “subject property”). The purpose of this report is to rationalize and justify the establishment of restrictive zoning provisions within 650 metres (m) of the subject property. Such provisions will ensure land use compatibility between the subject property and the development of any future sensitive land uses (as defined and detailed herein).

1.2 SITE DESCRIPTION

The subject property is located on the south side of Exmouth Street, approximately 30m west of Harbour Road, as shown below:

Figure 1: Location Map



Source: City of Sarnia Interactive Mapping, prepared by Counterpoint Land Development by Dillon Consulting Limited.

The subject property is approximately 9.7 hectares (24 acres) in area, with approximately 580m of frontage along Exmouth Street.

The subject property is currently operated by Cargill and is utilized as a terminal for grain export and fertilizer import and distribution. The subject property currently contains a two (2)-storey industrial building, a grain terminal structure, five (5) storage domes/silos, a two (2)-storey accessory office building, and an accessory storage/garage building.

The subject property is wholly located within the municipal boundary of the City of Sarnia and abuts the southern municipal boundary of the Village of Point Edward.

1.2.1 Cargill Operational History

The Cargill Sarnia Grain Terminal (the “facility”) is an important facility in Ontario’s agricultural industry and has operated on the subject property since 1927. The facility is utilized for the import of fertilizers to support farmers in southwestern Ontario and serves as a significant export hub for Ontario’s grain to international customers. The facility accounts for approximately 35% of Ontario’s grain capacity/export, which contributes significantly to the agricultural industry, trade, and economic development of the Province. The facility is strategically serviced by water, rail, and roadways to support the movement of grain and fertilizer on a national and international scale.

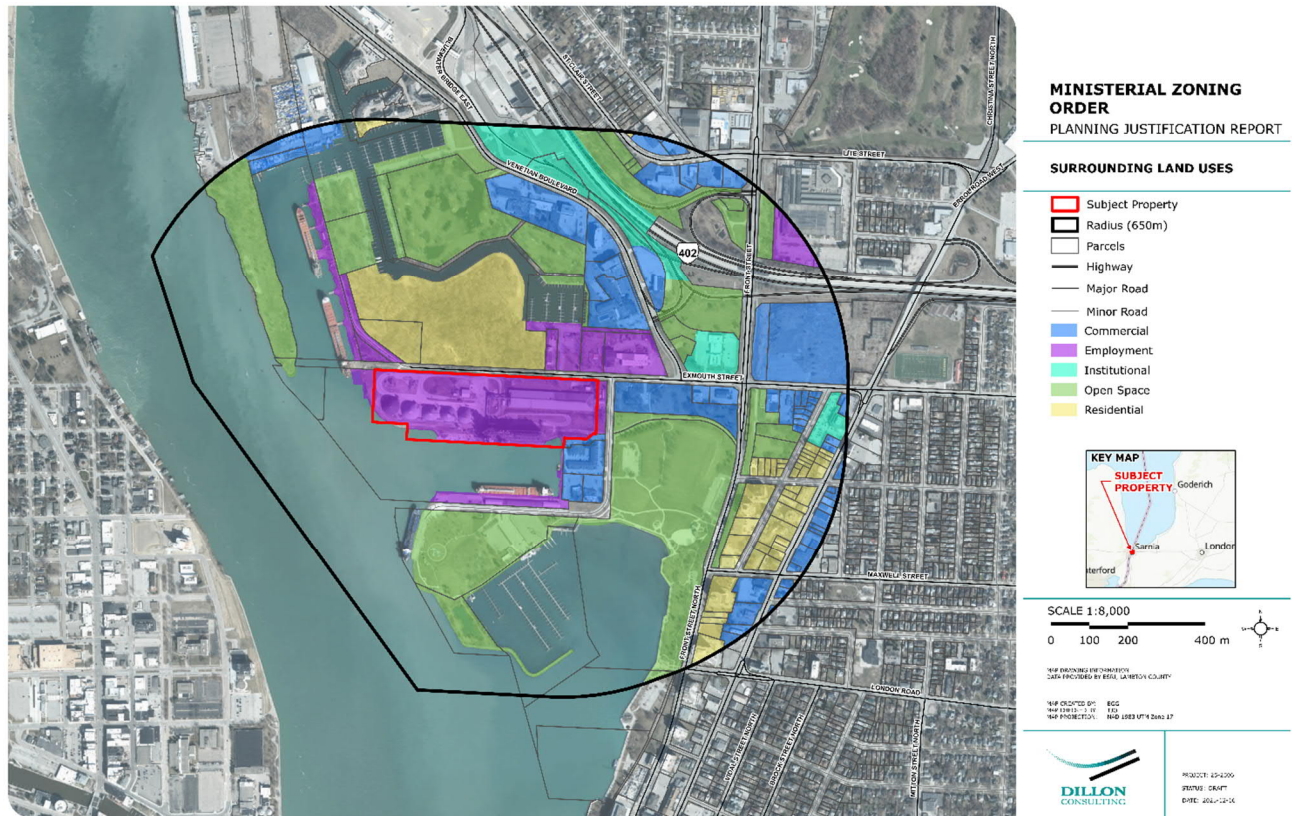
Cargill has received letters of support from Fertilizer Canada, Grain Farmers of Ontario, Food and Beverage Ontario and Ontario Agri Business Association (“OABA”) (see Appendix A) outlining the significance of the facility’s operations as it relates to the Province’s priorities of trade, agricultural production, and economic development. As can be observed from their letters, these agencies strongly encourage efforts to protect and manage land uses in the immediate area, including by means of an MZO, in order to promote compatible development while preserving the operational function of the provincially significant facility.

2.0 EXISTING LAND USE CONDITIONS

2.1 SURROUNDING LAND USES

At present, the subject property is immediately bounded by Exmouth Street to the north; 493 Harbour Road (which appears to be utilized for light industrial and outdoor storage uses) to the east; and the Sarnia Harbour to the south and west, as shown below:

Figure 2: Surrounding Land Uses



Source: City of Sarnia Interactive Mapping, prepared by Counterpoint Land Development by Dillon Consulting Limited.

More broadly, the subject property is surrounded within a 1 kilometre (km) radius by a range of residential, commercial, industrial, institutional, public open space, and private open space/recreation uses. The subject property is located adjacent to the St. Clair River and is approximately 2km south of Lake Huron.

The subject property is located approximately 1km northwest of the northern boundary of the Sarnia city centre, which is considered to be the intersection of George Street and Christina Street.

The subject property is located within 300m of the Highway 402 eastbound on-ramp and within 650m of the westbound on-ramp. Highway 402 provides express vehicular service between Sarnia and London and connects to Highway 401 (to the east) and Interstate 69 (to the west, across the Blue Water Bridge into the United States of America).

The following Highway 402 on-ramps are located within an approximate driving distance of 1km from the subject property:

- Highway 402 Westbound/Christina Street – 1.1km
- Highway 402 Westbound/Front Street North – 0.9km
- Highway 402 Eastbound/Front Street North – 0.6km
- Highway 402 Eastbound/Venetian Boulevard – 0.4km

2.2 ONGOING & PLANNED DEVELOPMENT IN THE IMMEDIATE AREA

Imminent and/or recent development activity (meaning planned/submitted, approved, or under construction development within the previous seven (7) years) proximate to the subject property (being within an approximate one (1) km radius) is as follows:

2.2.1 Village of Point Edward Exmouth Street Marina Lands

Application Submitted: 2858946 Ontario Inc. submitted a Zoning By-law Amendment (“ZBA”) application to permit a 156-unit residential townhouse development on the property known as the Exmouth Street Marina Lands.

Approval Status: The Village of Point Edward approved the ZBA (By-Law 29 of 2023) in June 2023. The City of Sarnia opposed the rezoning due to concerns over land use compatibility and potential impacts on City services and Sarnia Harbour operations.

Appeal to OLT and Resolution: The City of Sarnia formally appealed the approval (By-Law 29 of 2023) to the Ontario Land Tribunal (“OLT”) in August 2023, specifically to protect Sarnia Harbour operations. The dispute was ultimately resolved through a settlement reached during OLT-led mediation in December 2024. The OLT approved the settlement on February 26, 2025, permitting the development with specified mitigation measures¹ to reduce the impact on adjacent industrial operations, particularly the Sarnia Harbour.

Development Status: The development remains subject to further statutory requirements, including removal of holding provisions.

2.2.2 200-206 Exmouth Street

Application Submitted: Southcoast Developments Limited and Imperial Oil Limited submitted an Official Plan Amendment (“OPA”) application to facilitate a mixed-use development on the former Holmes Foundry site (200-206 Exmouth Street). The proposal includes high-density residential, institutional/care, commercial, and

¹ The noted mitigation measures include: implementing a phased development approach to ensure sufficient services and infrastructure are available; implementing a holding symbol for the purpose of requiring a qualified consultant to recommend appropriate mitigation measures for the development of proposed sensitive uses; requirement to demonstrate sufficient traffic capacity through a Traffic Impact Brief (TIB); and, an emergency vehicle lay-by is to be provided along the north side of Exmouth Street, which aims to protect the movement of major goods from the Cargill facility if needed.

open space uses with approximately 1,787 apartment units, 105 townhouses, 254 institutional care units, and 128 hotel units. Building heights range from three (3)-storeys to thirty (30)-storeys.

Approval Status: The Village of Point Edward Council adopted the OPA on January 15, 2025, and it is currently pending final approval from the County of Lambton.

Development Status: The development remains subject to further statutory requirements, including a ZBA, removal of holding provisions, Record of Site Condition (“RSC”) clearance, and Site Plan Control Approval.

2.2.3 485 Harbour Street

Acquisition and Development Intent: Tricar Properties acquired the former Stokes by the Bay site (485 Harbour Street) with the intent of developing a mixed-use building. To enhance the development potential, Tricar initiated discussions with the City of Sarnia to acquire a portion of the unopened Harbour Street right-of-way adjacent to the property. The owner of the adjacent property, 130 Seaway Road (Paddy Flaherty’s Irish Pub), has expressed interest in acquiring their respective portion of the right-of-way as well.

Approval Status: Sarnia City Council approved a motion on July 21, 2025, declaring the portion of the right-of-way as surplus land. Council authorized staff to waive certain policy requirements of the Closure and Sale of Road Allowances and Laneways Policy (LC001), streamlining the path for the future closure and sale of the right-of-way to the adjacent landowners (Tricar Properties and the owner of 130 Seaway Road).

Development Status: Following the sale of the surplus land to the adjacent owners, Tricar Properties is expected to submit a joint application for necessary development approvals (e.g., OPA and/or ZBA).

2.2.4 135 Water Street

Application Submitted: 1714792 Ontario Ltd. applied for a ZBA to permit a 100-unit, 19-storey high-rise apartment tower at 135 Water Street.

Approval Status: The City of Sarnia Council approved the ZBA and adopted the implementing By-Law on December 9, 2019.

Development Status: The development remains subject to further statutory requirements, including Site Plan Control Approval.

3.0 MINISTERIAL ZONING ORDER PROPOSAL

3.1 MINISTERIAL ZONING ORDER FRAMEWORK

An MZO is a regulation made by the Minister of Municipal Affairs and Housing under Section 47 of the *Planning Act* (1990) that dictates how land in the Province can be utilized. Generally speaking, an MZO can be used to permit and/or prohibit the use of land, and/or apply specific performance standards. The minister may also use enhanced authorities to require agreements between municipalities and landowners concerning site plan matters.

The MZO process begins with a request submitted to the Minister which meets at least one of the intake thresholds: 1. delivering on a provincial priority (e.g. housing, economic development, manufacturing, etc.), or 2. being supported by the local municipality (through a municipal council resolution or a letter from a mayor where the municipality has been designated with strong mayor powers).

Submissions must include detailed information, such as a project description, a map of the lands, a draft MZO, a rationale for ministerial relief, and a description of public and Indigenous community consultation. After submission, the Ministry assesses the request and may ask for additional studies or reports. Although not required by law, the Minister provides public notice of the request for a minimum of 30 days on Ontario's Environmental Registry, except for time-sensitive requests. If the Minister decides to proceed, the MZO is made and published as a regulation. The Minister retains the discretion to refuse a request or, later, to amend or revoke an existing MZO.

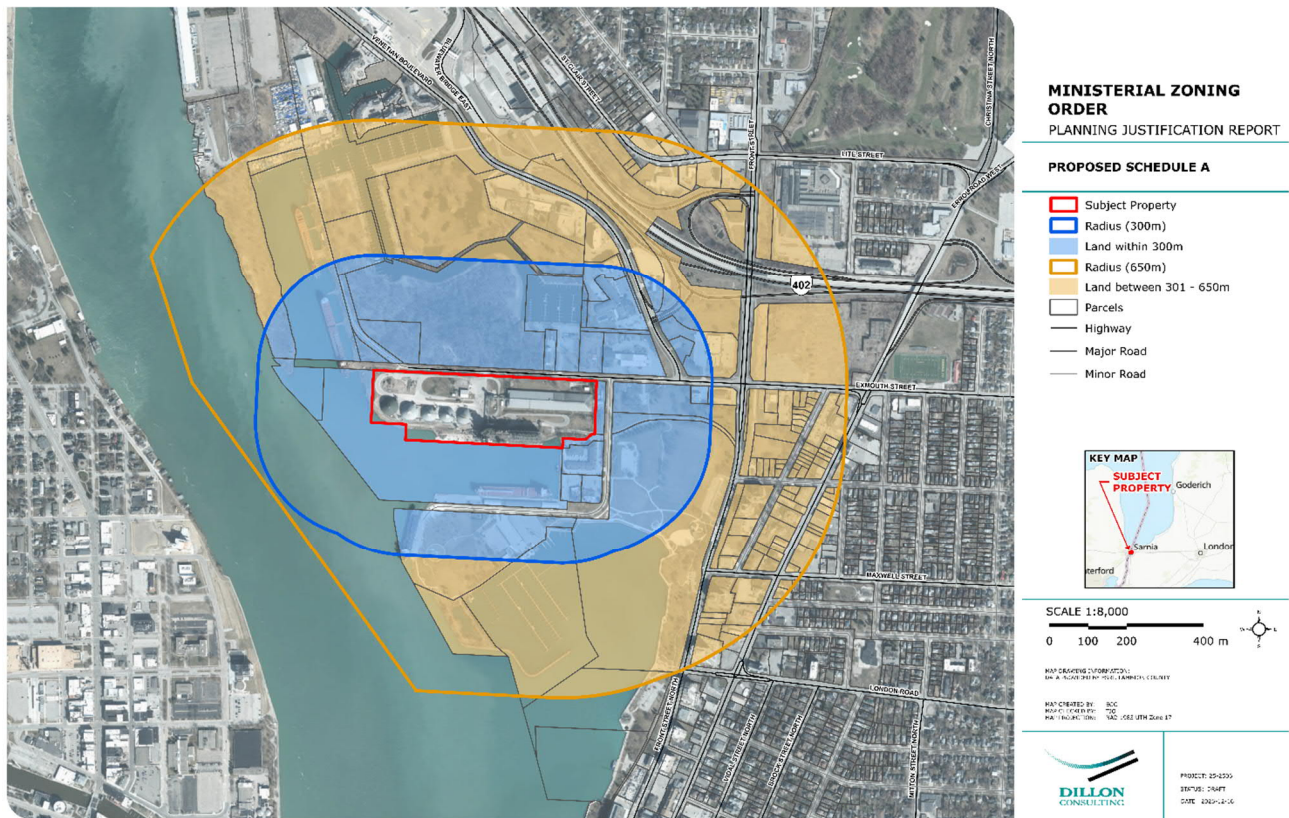
In the event of conflict between an MZO and a municipal Zoning By-law, the MZO prevails to the extent of the conflict. An MZO is not subject to appeal to the OLT.

3.2 DRAFT MINISTERIAL ZONING ORDER

The proposed MZO, to establish restrictive zoning provisions within 650m of the subject property, employs a two-tier buffer approach to manage the introduction of new sensitive land uses in proximity to the subject property.

The proposed MZO is included in Appendix B of this report. The lands subject to the proposed *Ministerial Zoning Order – Schedule A* are shown below:

Figure 3: Ministerial Zoning Order - Schedule A



Source: County of Lambton Interactive Mapping, prepared by Counterpoint Land Development by Dillon Consulting Limited.

4.0 REGULATORY FRAMEWORK AND ANALYSIS

To understand the land use policies and regulations applicable to the subject property, a comprehensive review of the applicable planning framework has been undertaken. Policies and/or regulations of significant importance to the subject property, facility, and proposed MZO have been bolded for emphasis.

4.1 PLANNING ACT

The Ontario *Planning Act* was enacted in 1990 and is currently consolidated to June 5, 2025. The *Planning Act* provides a land use planning framework for municipalities in matters including, but not limited to, official plans, zoning by-laws, land division, and various other planning processes.

As described in Section 3.1 of this report, Section 47 of the *Planning Act* authorizes the Minister of Municipal Affairs and Housing to implement an MZO to regulate the use of land in Ontario. An MZO functions like a municipal zoning by-law, in that it can permit/prohibit uses and regulate built form through building size, height, and location permissions and restrictions. In the event of a conflict between existing zoning by-laws and an MZO, the MZO prevails.

4.2 PROVINCIAL PLANNING STATEMENT (2024)

The Ontario Provincial Planning Statement (“PPS”), issued under Section 3 of the *Planning Act*, came into effect on October 20, 2024. The PPS provides provincial policy direction on key land use planning issues, such as, but not limited to, efficient use and management of land and infrastructure; the protection of the environment and resources including farmland, natural resources and water; and opportunities for economic development and job creation.

The PPS applies the following pertinent policies to the subject property:

Per Policy 2.8.1.1(b) (Supporting a Modern Economy), “*Planning authorities shall promote economic development and competitiveness by [...] providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*”

Per Policy 2.8.1.1(e) (Supporting a Modern Economy), “*Planning authorities shall promote economic development and competitiveness by [...] addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses².*”

² Sensitive land uses means: “buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.”

Policy 2.8.1.3 further states that:

"... on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines."

Pursuant to the PPS definition of 'Employment Area', the subject property is located within an Employment Area.

Per Policy 6, 'Employment Area' is defined as:

"those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above."

In respect of 'Employment Areas', the PPS states the following:

Per Policy 2.8.2 (Employment Areas) regarding the protection of employment areas:

- 1) *"Planning authorities shall 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.*
- 2) *Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.*
- 3) *Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:*
 - a) *planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;*
 - b) *prohibiting residential uses, commercial uses, public service facilities and other institutional uses;*
 - c) *prohibiting retail and office uses that are not associated with the primary employment use;*
 - d) *prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and*
 - e) *including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.*
- 4) *Planning authorities shall assess and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas. In planning for employment areas, planning authorities shall maintain land use compatibility between sensitive*

land uses and employment areas in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas."

Per Policy 3.5 (Land Use Compatibility):

- 1) *"Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, 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.*
- 2) *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures."*

"Major facilities" are defined in the PPS as:

"facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities."

For the reasons detailed in Section 1.2 of this report, the facility is a "major facility".

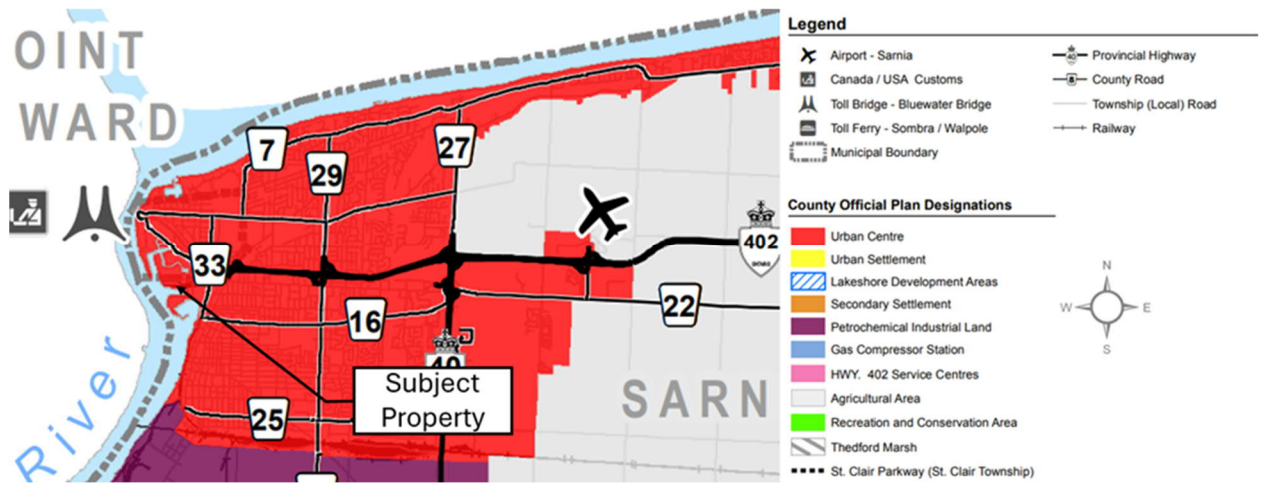
4.3 LAMBTON COUNTY OFFICIAL PLAN

The Lambton County Official Plan (the “LCOP”) was adopted by Lambton County Council in September 2017 and approved with modifications by the Ministry of Municipal Affairs and Housing in March 2018.

The LCOP applies the following pertinent designations and policies to the subject property:

Per *Map 1 – Growth Strategy*, the subject property (and immediate surroundings) is designated as ‘Urban Centre’, as shown below:

Figure 4: LCOP Map 1 - Growth Strategy



Source: LCOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the 'Urban Centre' designation, the LCOP states:

Per Section 3.0, *“The majority of future urban growth will be directed to Urban Centres and Urban Settlements with full municipal services depending on the availability of sufficient municipal water and sewer services and community services. However, full urban services (the addition of municipal sewerage, including the use of municipal communal systems) will be a pre-requisite to development within any designated areas that is of a scale exceeding infilling and minor rounding out of development.”*

Per Section 3.2.1, *“Map 1 shows and delineates a three level settlement hierarchy, consisting of (1) Urban Centres, (2) Urban Settlements, and (3) Secondary Settlements. The majority of growth will be directed to Urban Centres and Urban Settlements. The Urban Centre designation at the northwest part of the County (Sarnia and Point Edward) has the greatest service area and the greatest number of urban uses and employment opportunities.”*

Per Section 3.2.2, *“Urban Centres contain a wide variety of residential, institutional, commercial, and industrial lands uses and cultural nodes including major public service facilities and a variety of major employers. This category of settlement offers residents most daily necessities and many other services. The travelling public, tourists, and/or residents of other settlements and surrounding agricultural areas regularly rely on the settlement to obtain the necessities and services provided. Development*

within Urban Centres will occur on full municipal services, except in substantially built up areas where full services are not practical or feasible, in which case very limited development may occur on municipal water and private septic systems subject to the conditions contained in Section 3.2.6.”

Per Section 3.2.6, *“Where development is permitted to occur on municipal water in combination with either private septic systems or communal sewage systems within Urban Centres, Urban Settlements, or Secondary Settlements, it shall be conditional upon compliance with the following conditions:*

- a) development must be limited to infilling, minor rounding out of existing development; or to address failed individual on-site sewage services in existing development;*
- b) site conditions must be suitable for the long-term provision of such services with no negative impacts;*
- c) development must be consistent with natural heritage goals;*
- d) designated groundwater and surface vulnerable areas must be protected, and where possible restored and/or improved; and*
- e) municipal sanitary sewage services are not practical or feasible.”*

Per Section 3.2.1, *“Development in Urban Centres, Urban and Secondary Settlements, and the Agricultural Area will promote an efficient and compact land use pattern to minimize land consumption, control infrastructure costs, and limit non-farm growth pressure in Agricultural Areas.”*

Per Section 3.3, *“Policies for the development of Urban Centres, Urban Settlements, and Secondary Settlements will be as provided by local official plans and/or secondary plans. [...]”*

Per Section 3.5.5, *“This plan recognizes the need to accommodate industrial activities with large land base requirements. The preferred location is existing industrial lands within fully serviced Urban Centres or Urban Settlements or within the Petrochemical Industrial Land or Gas Compressor Station designations. Separations appropriate for the nature of associated activities are needed between a new industrial uses and existing and planned sensitive uses. In circumstances where an industrial use cannot be accommodated in such areas due to parcel size or separation requirements, any such industry may locate outside of an existing Urban Centre, Urban Settlement, Petrochemical Industrial Land, or Gas Compressor Station designation, by amendment to this Plan, provided that the following criteria are met:*

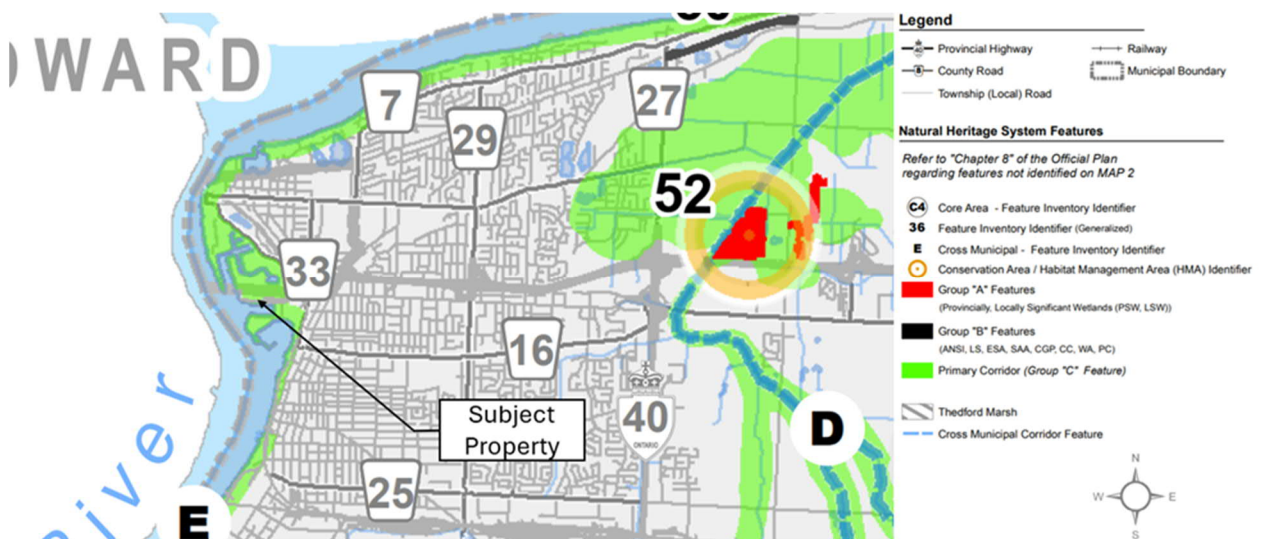
- a) there is an identified need or demand for additional land to be designated to accommodate the proposed use;*
- b) alternative locations have been evaluated and:

 - i. there are no reasonable alternative locations available within a Centre or Settlement or Petrochemical Industrial Land or Gas Compressor Station designation;*
 - ii. there are no reasonable alternative locations which avoid prime agricultural areas; and*
 - iii. there are no reasonable alternative locations with lower priority agricultural lands;**
- c) the proposed location is not in a specialty crop area;*
- d) the proposed location complies with the Minimum Distance Separation formulae;*
- e) the proposed use is compatible with existing and anticipated future uses in the immediate area and any impacts on surrounding agricultural operations are mitigated to the extent feasible;*

- f) the proposed use can be fully serviced with municipal water and can provide adequate sanitary sewage disposal and treatment
- g) the site is located in proximity to a major transportation corridor;
- h) the site should preferably be contiguous to existing industrial lands;
- i) the site is compatible with the Natural Heritage policies of this plan; and
- j) other matters of local interest.”

Per Map 2 – Natural Heritage System, the subject property (and immediate surroundings) is identified within a ‘Primary Corridor (Group “C” Feature)’, as shown below:

Figure 5: LCOP Map - Natural Heritage System



Source: LCOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the ‘Natural Heritage System’ and ‘Group C Features’, the LCOP states the following:

Per Section 8.0, “The Natural Heritage System is the combination of significant natural areas, their functions, and the corridors that connect them. The system includes:

[...]

Group C features:

- lands adjacent to other Group B features
- primary corridors, including core areas
- linkage features
- highly vulnerable aquifers
- significant groundwater recharge areas
- other surface water features
- woodlots other than significant woodlands
- other significant natural areas, including shrublands, meadows and prairies.

[...]

Both the Province and the County have an interest in conserving and protecting these components of the natural heritage system. Some components are a greater constraint than others when considering new land use planning applications.

These constraints are:

[...]

For Group C features, local official plans will address general controls on development with the aim of improving the overall health of the natural heritage system including the improvement of linkages within corridors.

[...]

Group C features tend to be conceptual or features for which a comprehensive set of policies have not been developed by this Plan. Group C features also include the spatial relationships between other features and key groupings of features (e.g. corridors and core areas), which is useful in establishing the relative importance and function of the other natural heritage features within them. Primary corridors are areas that generally possess features of a County interest. These corridors interconnect "Core Areas" - regionally important concentrations of natural heritage features and/or large, naturally vegetated, natural areas. Biodiversity also refers to the genetics of plant and animal populations. For many species, corridors and the linkages (or "stepping stones") within them are critical for maintaining gene flow, which is linked to their ability to handle stresses. Where the connecting function between features is weak, "linkages" such as "stepping stones" are encouraged. This framework of corridors, core areas, and linkages should be considered by local municipalities when making local land use planning decisions and in the preparation of local official plans and zoning by-laws. Corridors and core area boundaries on Map 2 are schematic, shown for information purposes, and not to be construed as separate land use designations.

Corridors show conceptually the interactions that already occur between natural heritage features and may be used to promote understanding and stewardship of the natural heritage system. Where there are opportunities for naturalization, Map 2 acts as a guide for where this would have the greatest benefit to the natural heritage system. While some connections could benefit more than others from improved linkages, uninterrupted naturalization of these areas is neither realistic nor desirable in the context of overall County development; it is also not necessary for adequate corridor function. Agricultural uses can be part of a functional corridor."

Per Section 8.1.1, "The County Natural Heritage System is comprised of Core Areas, Primary Corridors and the other natural heritage features that are often located within and form the Linkages within these Core Areas and Corridors. Map 2 shows many, but not all, of the Natural Heritage System's features. (Map 2 includes a feature inventory that identifies the types of significant natural areas located within each feature.) Many of the features identified by this Plan require further work to identify, constitute sensitive information that cannot be displayed, are too small or numerous to specifically identify on Map 2, or are features for which it is left to the discretion of the local municipality to identify and/or designate as a natural heritage feature."

Per Section 8.1.3, *“Primary Corridors generally represent the stronger existing connections between natural heritage areas, particularly core areas, and follow major watercourses and the lakeshore. Many corridors cross municipal boundaries and are locally and regionally important. Local municipalities should identify Primary Corridors in local official plans and zoning by-laws using Map 2 as a guide, having regard for policy 8.1.12.”*

Per Section 8.1.4, *“Local municipalities will develop policies to protect and improve Group A and B features of the Natural Heritage System and should identify and protect Group C features and other features of local significance. [...]”*

Per Section 8.1.5, *“Natural Heritage System feature boundaries shown on Map 2 are schematic. The County recognizes that where Natural Heritage Corridors occur through urban communities, the corridor boundary will be more specifically defined in the local official plan and zoning by-law to reflect the natural hazards, natural heritage features, and land uses that exist along the corridors. In rural areas, natural hazards such as floodplains may not be defined as specifically as they are in the urban areas. The County will assist local municipalities in determining the extent of natural heritage corridors in these areas. The Ministry of Natural Resources and Forestry and the local Conservation Authority may also assist where requested.”*

Per Section 8.2.2(c), *“Despite the designation lands may have on Map 1, development and the creation of new lots will generally be directed away from Significant Natural Areas. [...] Development within the Group C features described in the introduction to Chapter 8 will be subject to such provisions as contained in the local Official Plans.”*

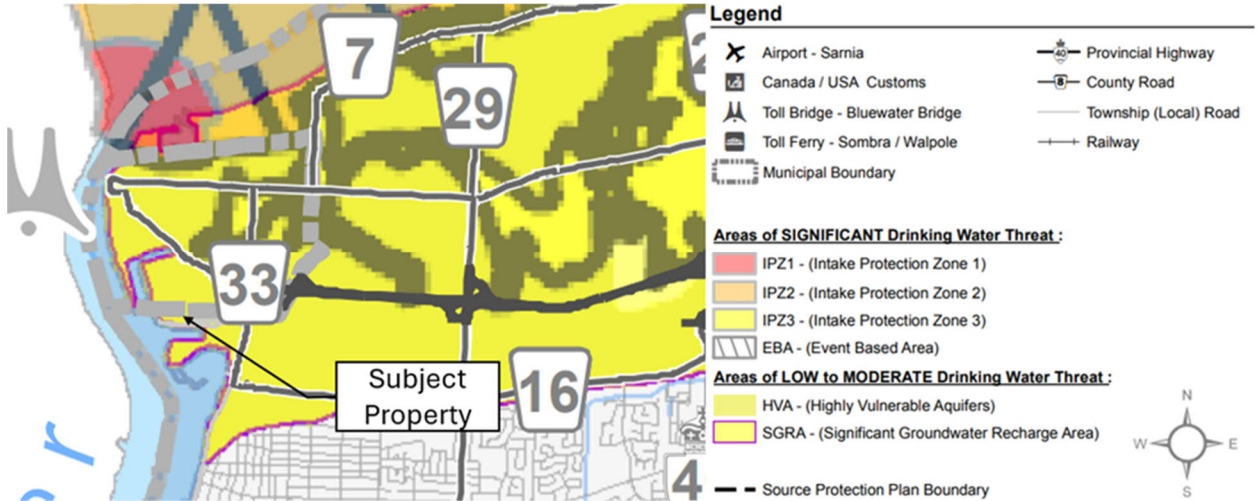
Per Section 8.5.2, *“The Conservation Authorities have prepared Shoreline Management Plans which recognize:*

- a) that shoreline processes occur as part of a natural system and must be considered when reviewing land use decisions and practices;*
- b) there are specific public interests in shoreline features such as access for swimming, boating, and aesthetic enjoyment, both from a resident and tourist perspective;*
- c) the use of shoreline management principles that recognize the two distinct Lake Huron shoreline reaches of Grand Bend to Kettle Point; and Kettle Point to Sarnia.*

The Shoreline Management Plans address the issues of flooding, erosion, storm damage, dynamic beach instability, shore processes, and shoreline management options for shore protection. Through regulations under the Conservation Authorities Act, Conservation Authorities regulate certain types and aspects of development within the shoreline management areas with respect to erosion and flooding hazards. Local municipal official plans should support implementation of the Shoreline Management Plans, addressing those aspects of development falling outside the Conservation Authorities' regulations, including natural heritage functions.”

Per *Appendix Map A – Source Protection Plans*, the subject property (and immediate surroundings) is identified within a ‘Significant Groundwater Recharge Area’, as shown below:

Figure 6: LCOP Appendix Map A – Source Protection Plans



Source: LCOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the ‘Significant Groundwater Recharge Area’ identified on the subject property (and immediate surroundings), the LCOP states the following:

Per Section 2.5.2, “Vulnerable areas identified in the applicable Source Protection Plans that are relevant to the County include Intake Protection Zones (IPZs), Event Based Areas (EBAs), Highly Vulnerable Aquifers (HVAs), and Significant Groundwater Recharge Areas (SGRAs) as identified on Appendix Map A. IPZs and EBAs are significant drinking water threat areas. HVAs and SGRAs are low or moderate threat areas and are also vulnerable areas as defined by provincial policy. IPZs and EBAs are to be identified in local Official Plans and Zoning By-laws. HVAs and SGRAs are to be identified in local Official Plans.”

Per Section 2.5.7, “The protection, conservation and careful management of groundwater resources are necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas need to be protected across the County of Lambton to ensure a clean groundwater supply, as well as to provide base flows for surface water.”

Per Section 2.5.8, “To protect aquifers from contamination (quality) or depletion (quantity), planning authorities should consider the location of HVAs and SGRAs when making planning decisions. Planning authorities may restrict and/or direct development away from vulnerable areas, where there is a potential for contamination, depletion, or other negative impacts.”

Per Section 8.2.1, “Significant natural areas within the County natural heritage system include provincially and locally significant wetlands, including coastal wetlands; habitat of endangered species and threatened species; fish habitat; provincially and regionally significant areas of natural and scientific interest (ANSIs); significant woodlands; significant valleylands; Great Lakes system shorelines; highly vulnerable aquifers, significant groundwater recharge areas, and significant wildlife habitat. Other components of the natural heritage system that may be important include, but are not limited to, surface water features, meadows, prairies, and shrublands.”

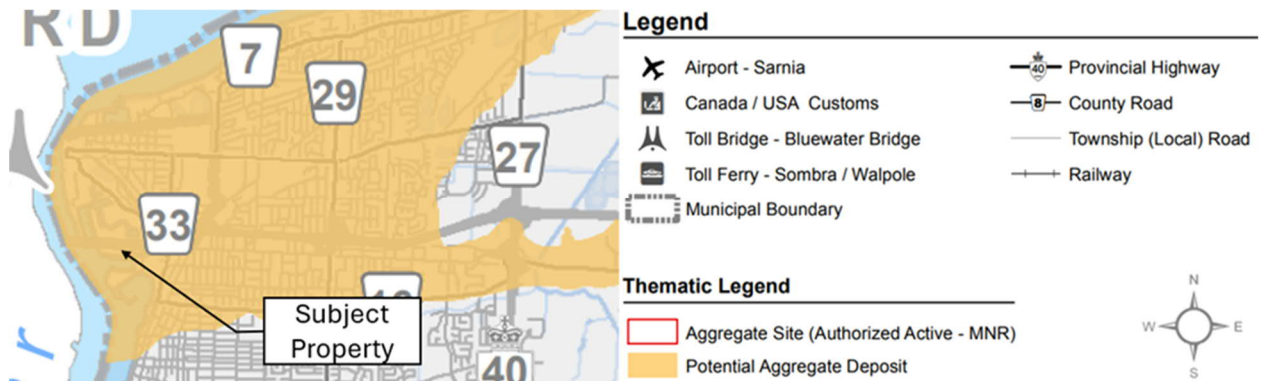
Per Section 8.6.17(f), “Development should not be permitted that would adversely affect the quality or quantity of water with respect to existing wells, surface water, or ground water features. Specifically, development: [...] must not compromise groundwater recharge areas, as displayed through a detailed hydrological analysis, if necessary.”

Per Section 8.7.1, “New development will generally be directed away from areas with known or suspected natural hazards. Natural hazards include:

- a) flooding, erosion, and dynamic beach hazards related to the Great Lakes System;
- b) flooding and erosion hazards related to rivers and streams;
- c) hazardous sites related to marine clay soils, organic soils, or unstable bedrock (karst);
- d) high water table areas and groundwater recharge areas; and
- e) hazardous forest types for wildland fires.”

Per Appendix Map B – Mineral Aggregate Resources, the subject property (and immediate surroundings) is identified within a ‘Potential Aggregate Deposit’, as shown below:

Figure 7: LCOP Appendix Map B – Mineral Aggregate Resources



Source: LCOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the 'Potential Aggregate Deposit' overlay, the LCOP states the following:

Per Section 9.1.1, *"Local municipalities will identify and designate mineral aggregate resource areas in their local official plans and provide policies for the location, zoning and accessory uses of pits and quarries. [...]"*

Per Section 9.2.2, *"The County discourages resource extraction in Provincially significant natural heritage areas shown on Map 2. The County discourages resource extraction in locally significant natural heritage areas and the removal of sizable, healthy woodlots for extraction purposes. Where extraction is permitted, it should be contingent upon rehabilitation plans that re-establish a comparable or improved natural heritage feature."*

In respect of Economic Growth, the LCOP states the following:

Per Section 5.0, *"Lambton County's economy has historically focused on chemical products and fuels and agriculture. Economic development in the County has reached an apex and requires an evolution into another growth cycle. The County needs to protect and improve its historically strong sectors while also diversifying the economic base."*

[...]

This Plan supports the Strategic Blueprint developed by the Sarnia-Lambton Economic Partnership, which focuses on strengthening existing industry, attracting new industries that are growth oriented, improving and supporting entrepreneurs and innovation, and strengthening existing infrastructure."

Per Section 5.1.2, *"The County of Lambton will promote itself as a location for a range of economic activities, with an emphasis on automotive, health care, software development, education, research and development activities, plastics, tourism, retirement living, natural heritage, recycling, transportation, renewable energy (subject to section 7.12.1), and agriculture including value-added agriculture based products."*

Per Section 5.1.3, *"The County, along with local municipalities, will work to maintain balance between residential, commercial, and industrial development in order to achieve a balanced and stable economy and tax base."*

Per Section 5.1.9, *"The County supports the diversification of local agricultural crops and value-added processing. The County and local municipalities should work to encourage and strengthen linkages between local food producers, distributors, and major consumers like restaurants and institutions. The County supports the establishment of a local food hub and other means by which to create and access local markets for locally grown foods. The County desires the establishment of local food processing and will work with senior levels of government to address regulatory hurdles."*

Per Section 5.1.13, *"This Plan acknowledges the need for economic development to proceed in a way that natural resources, such as air, soil, and water are available for human and environmental health in the long term. This Plan advocates however for the formulation and application of environmental policies in a reasonable way that recognizes an equal balance between environment, society, culture, and economy."*

Per Section 5.4.2, *"The County will work with local municipalities to ensure that the physical needs of business are addressed, which includes ensuring that:*

a) a diversity of zoned and serviced sites are available to support a range of industrial and service activities [...]"

Per Section 5.5.3, *"New land uses, particularly employment lands and major public facilities, will be located consistent with the growth strategy of this Plan. In particular, commercial and industrial activities not requiring an Agricultural Area location will be encouraged to locate within fully serviced employment areas within Urban Centres and Settlements and also Petrochemical Industrial Land, Highway 402 Service Centres, or Gas Compressor Station designations, in keeping with the intent of the growth strategy and agricultural policies of this Plan."*

Per Section 5.5.10, *"The County supports industry and commerce that will strengthen the local economy, provided new uses are compatible with existing development, utilize existing infrastructure where feasible, and do not detract from existing areas of economic activity within the region. New industry will be avoided where impacts to local infrastructure, long-term cost of providing services, or impacts to existing business exceed benefits in job creation and economic gain."*

4.3.1 Lambton County Official Plan Review

Lambton County is currently conducting a review of the LCOP pursuant to Section 26 of the *Planning Act* and has retained an external consultant to oversee the review process.

At present, a land needs assessment including a draft population, housing, and employment projection has been completed by Lambton County. The findings were shared through a staff report to the Committee of the Whole on October 15, 2025. The consultant team is reviewing the LCOP and proposing updates alongside staff. The process will include future public engagement sessions to gather community feedback on goals and priorities. Draft amendments will be prepared by combining consultant recommendations and public input.

At this early stage it is not yet clear if there will be any direct impacts to the subject property or surrounding area. However, the land needs assessment found that although the County as a whole has sufficient lands to accommodate future residential population needs, the City of Sarnia itself appears to have a shortfall of available residential lands. As such, it may be possible that Sarnia seeks to increase residential land availability in the future, which may lead to residential encroachment near the subject property.

The finalized amendments will be adopted by Council and then submitted to the Ministry of Municipal Affairs and Housing for approval.

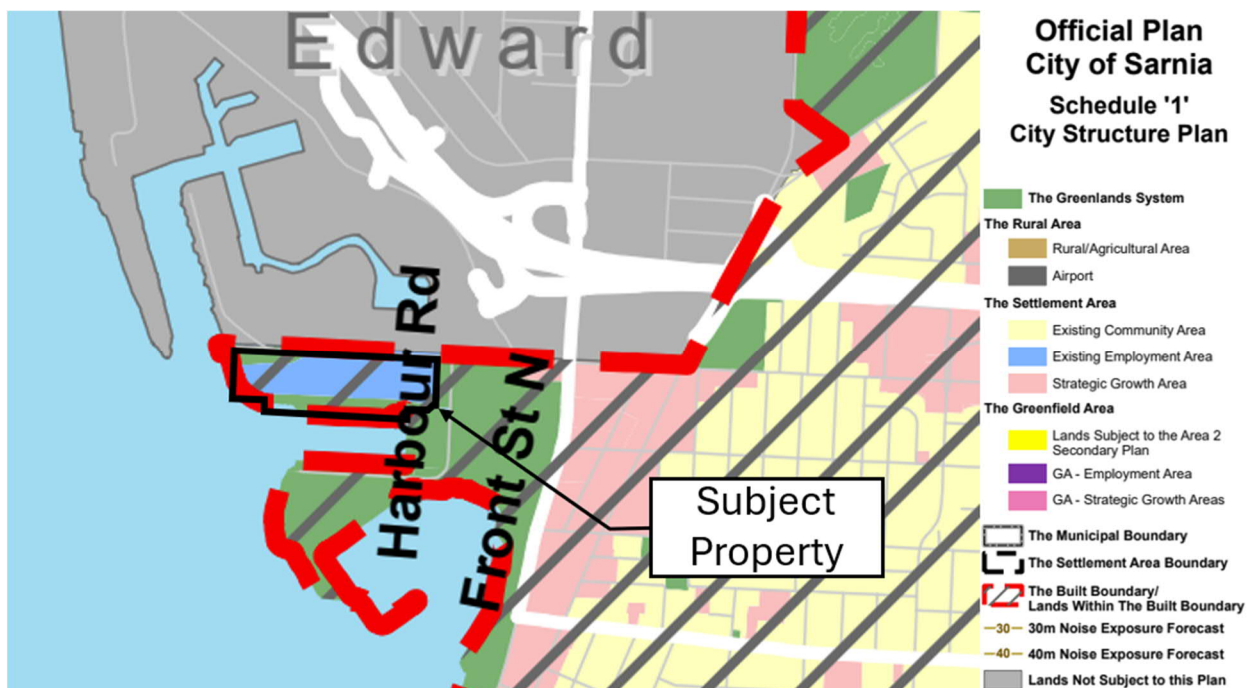
4.4 CITY OF SARNIA OFFICIAL PLAN

The City of Sarnia Official Plan (“CSOP”) was adopted by municipal council in 2022 and is consolidated to December 4, 2025.

The CSOP applies the following pertinent designations and policies to the subject property (and immediate surroundings):

Per *Schedule 1 - City Structure Plan*, the subject property is identified as an ‘Existing Employment Area’. Additionally, lands within 650m of the subject property are designated as ‘The Greenlands System’, ‘Strategic Growth Area’, and ‘Existing Community Area’, as shown below:

Figure 8: CSOP Schedule 1 - City Structure Plan



Source: CSOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

Per Section 3.3(h), “A fundamental policy element of this Plan is to ensure that all new development is compatible with its surrounding built form and landscape context. It is the intent of this Plan that built form be a key determining factor for the types of development permitted in each land use designation. Compatible development is defined as follows:

Compatible development is not necessarily the same as, or even similar to existing development in the vicinity. Compatible development is development that enhances the character of the community, without causing any undue, adverse effects on adjacent properties.”

Per Section 3.3(k), *“Appropriate transitions/buffering may be required where there may be undue, adverse effects caused by a development proposal on adjacent uses. Appropriate transitions/buffering may include the following:*

[...]

- iv. Appropriate distance separation between uses [...].”*

Per Section 3.5(a), *“Elements of the principle of a Viable City included within this Plan include: [...]*

- ii. Support a diversified economic base and a flexible approach to economic development that helps the business sector adapt to changing trends and to seize new opportunities;*
- iii. Identify, retain, promote and enhance key economic clusters, including the important elements of the new economy, that will ensure well-paid, stable, safe and fulfilling employment opportunities for all residents of Sarnia for the long-term;*
- iv. Protect the long-term supply of employment lands, ready to accommodate new industry, as well as new retail and service commercial businesses that serve a growing population [...].”*

Per Section 3.5(e), *“The City will support a strong and healthy industrial sector by:*

- i. Protecting the City’s inventory of Employment Areas for employment generating land uses [...].”*

Per Section 5.4(a), *“Employment Areas in Sarnia are expected to accommodate primarily employment land employment opportunities with a clear focus on heavy and light industrial uses, business park opportunities and office uses. Employment Areas in Sarnia are intended to:*

- i. Promote the continued development of Sarnia as the employment, trade, social and institutional centre for Lambton County;*
- ii. Encourage the diversification and expansion of the City’s existing employment base;*
- iii. Retain and promote the growth of existing businesses and industry;*
- iv. Provide an adequate supply of suitably located and serviced areas to accommodate the various types of employment land employment to meet the projected long-term needs of the community;*
- v. Preserve the industrial integrity of the City’s Employment Areas by mitigating conflicts with adjacent residential areas; and,*
- vi. Foster high quality business parks and industrial areas with aesthetically-pleasing settings for a range of employment generating operations.”*

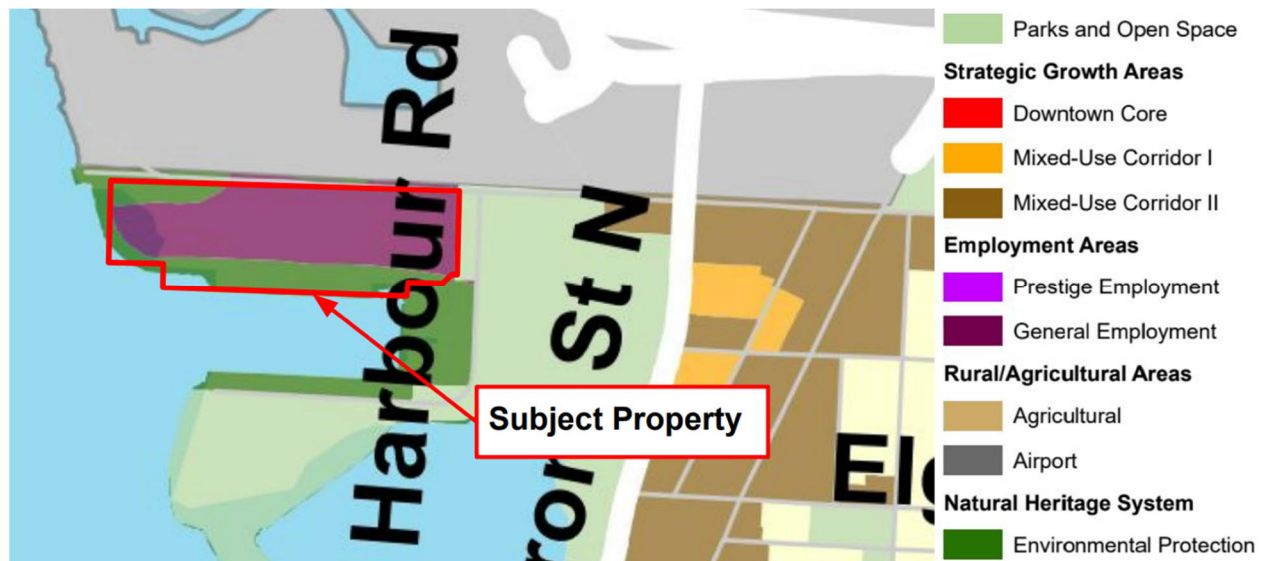
Per Section 5.4(c), *“The development of Employment Areas shall provide opportunities for a diversified economic base. A range and choice of suitable sites for employment uses will be made available to support a wide variety of economic activities and ancillary uses. Intensified development in existing and new Employment Areas will be encouraged.”*

Per Section 5.4(d), "All employment generating land uses permitted by this Plan shall meet the guidelines and requirements of the Province, the County of Lambton and the City with respect to development compatibility, distance separation and emission abatement/mitigation."

Furthermore, Per Section 5.4(e), "Business operations within the Employment Areas are to be protected from intrusions of sensitive land uses that may restrict the operations of existing or planned industrial land users. Further, existing or sensitive land uses are to be protected from the adverse effects of industrial land uses through appropriate techniques that meet the requirements of the Province, the County of Lambton and the City with respect to development compatibility, distance separation and emission abatement/mitigation."

Per Schedule 2 - Land Use Map, the subject property is designated 'General Employment' and 'Environmental Protection'. Additionally, lands within 650m of the subject property are designated as 'Environmental Protection', 'Parks and Open Space', 'Mixed-Use Corridor 1', 'Mixed-Use Corridor 2', and 'Existing Neighbourhood', as shown below:

Figure 9: CSOP Schedule 2 - Land Use Map



Source: CSOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the 'General Employment' designation on the subject property:

Per Section 5.4.2.1(a), "Lands designated General Employment are intended to accommodate employment land employment uses that range in scale and are industrial in nature. These uses and forms of development remain a crucial component of the City's economy."

Per Section 5.4.2.2(a), "Permitted uses within the General Employment Designation, as identified on Schedule 2 include:

- i. Industrial uses, including municipal works yards and recycling operations;
- ii. Major municipal service infrastructure facilities, including energy generation, sewage treatment and water filtration facilities;

- iii. *Manufacturing and/or research and development facilities;*
- iv. *Warehousing and distribution centres;*
- v. *Assembly halls;*
- vi. *Automobile service centres and repair shops, truck service centres and repair shops, body shops, automobile and truck rental operations, automobile and truck depots, and used and/or recycled automobile Dealerships."*

Per Section 5.4.2.2(b), *"Restaurants, personal service establishments and convenience retail uses may be permitted within the General Employment Designation through a Site Specific Zoning By-law Amendment, provided that the City is satisfied that the use is intended to primarily serve the adjacent General Employment uses."*

Per Section 5.4.2.2(c), *"Ancillary uses that specifically serve the permitted principal uses may include:*

- i. *Offices that are specifically related to the on-site permitted principal use;*
- ii. *Limited retail sales and display of products manufactured, processed or assembled on the premises providing the accessory retail use is located within the structure in which the principal use is situated;*
- iii. *Restaurants where alcoholic beverages are made, or partially made, sold and consumed, providing the accessory restaurant use is located within the structure in which the principal use is situated; and,*
- iv. *Concealed outside storage that is specifically related to the on-site permitted principal use."*

Per Section 5.4.2.2(d), *"The following uses are specifically prohibited from the General Employment Designation:*

- i. *Residential dwelling units;*
- ii. *Major retail uses and major institutional uses; and,*
- iii. *Stand-alone office uses that are not specifically ancillary to a permitted principal use on-site."*

Per Section 5.4.2.2(e), *"The list of permitted uses, and/or specifically not permitted uses may be further refined in the Zoning By-law to ensure that new development is compatible with the context of the adjacent and surrounding community in terms of the size, type, and/or phasing of uses."*

Section 5.4.2.3 provides the following policies as it relates to compatibility with lands designated 'General Employment':

- a) *All permitted development within the General Employment Designation identified on Schedule 2 shall be in compliance with all applicable municipal and Provincial policies, standards and guidelines. Where deemed necessary, studies in support of a development application may be required to assess potential impacts from the proposed use, and shall demonstrate the adequacy of the proposed mitigative measures. Such studies shall be prepared by a qualified professional, to the satisfaction of the City.*

- b) *Adequate buffering and setbacks shall be provided between industrial uses and adjacent land uses and roads. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.*"

In respect of the 'Environmental Protection' designation on the subject property:

Per Section 5.6.3.1(a), *"It is the intent of this Plan to ensure that the biodiversity, connectivity and ecological and hydrological functions of the natural heritage and natural hazard land features within the Environmental Protection Designation are protected, maintained, restored, or, where possible, enhanced for the long term. The Environmental Protection Designation is intended to:*

- i. *Protect the health and water quality of the St. Clair River and the Lake Huron Shoreline, as well as any associated wetlands and watercourses;*
- ii. *Protect surface and underground water resources;*
- iii. *Conserve biodiversity;*
- iv. *Protect all significant natural heritage features and their associated ecological functions; and,*
- v. *Recognize and protect property investment within natural hazard lands."*

Per Section 5.6.3.2(a), *"Permitted uses, subject to the results of an Environmental Impact Study, and/or other studies as deemed appropriate by the City in consultation with the Conservation Authority and any other agency having jurisdiction, on lands designated Environmental Protection may include:*

- i. *Conservation uses;*
- ii. *Public parks and trails and other associated passive recreational opportunities and facilities that do not require substantial site alterations;*
- iii. *Buildings or structures appropriate and supportive of public parks and trails and other associated passive recreational opportunities and facilities;*
- iv. *Buildings or structures necessary for flood or erosion control;*
- v. *Agricultural uses."*

Per Section 5.6.3.2(b), *"In addition to the permitted land uses listed, the following are also permitted:*

- i. *Existing golf courses and other existing lawful uses restricted to their geographic location as of the date of the adoption of this Plan;*
- ii. *Municipal infrastructure projects, where the alignments or locations of those facilities have been established in this Plan, approved Secondary Plans, Plans of Subdivision and/or approved Environmental Assessments, may be permitted, subject to the application of specific mitigation measures as set out in an approved Environmental Impact Study. Notwithstanding the permission provided by this policy, no municipal infrastructure projects shall be permitted within any identified Provincially Significant Wetland; and,*
- iii. *Uses accessory to any of the identified permitted uses may also be permitted."*

Per Section 5.6.3.4(a), *"No buildings or structures, nor the removal or placing of fill of any kind, whether originating on the site or elsewhere, may be permitted within the Environmental Protection Designation, except with the approval of the City, in consultation with the Conservation Authority and any other agency*

having jurisdiction. Wherever possible and practical, areas designated Environmental Protection shall generally not form part of any new lots to be created for the purposes of development."

Per Section 5.6.3.4(d), "Existing legal non-conforming uses and structures within the Environmental Protection Designation are permitted and may be replaced if destroyed by natural causes. An application for the expansion or enlargement of such uses and structures may be considered by the City, subject to the submission of an Environmental Impact Study, in consultation with the Conservation Authority and any other agency having jurisdiction. The application shall demonstrate no negative impact to the natural heritage features and/or their supporting ecological and hydrological functions."

Per Schedule 3 - Natural Heritage System, the subject property is designated 'Environmental Protection' and identified within the 'Natural Heritage Overlay'. Additionally, lands within 650m of the subject property are designated as 'Environmental Protection' and 'Natural Heritage Overlay', as shown below:

Figure 10: CSOP Schedule 3 - Natural Heritage System



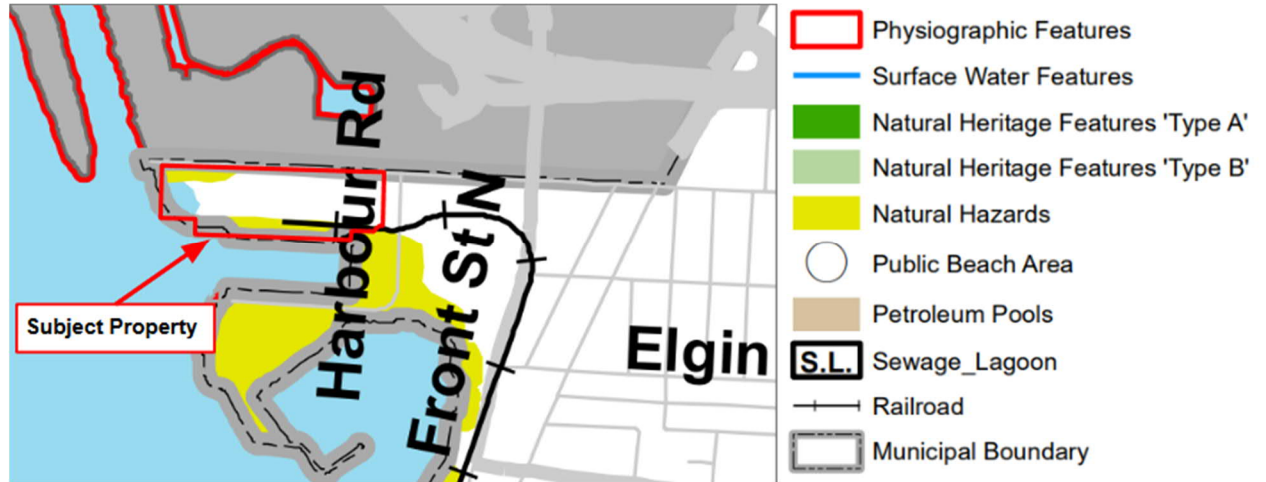
Source: CSOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

The Environmental Protection Designation is comprised of two key elements - the Natural Features (identified on Map 2 of Appendix I) and the Natural Hazards Lands (Identified on Map 3 of Appendix I). As it relates to the subject property and surrounding lands, the application of the 'Environmental Protection' designation is a result of the adjacent St. Clair River shoreline.

Per Section 5.6.3.4(b), "The establishment of any permitted use shall demonstrate no negative impact to any natural heritage feature or the supporting ecological and hydrological functions, as demonstrated through the required Environmental Impact Study. Where a permitted use requires impact mitigation, the mitigation shall result in no negative impact on the natural heritage features or their ecological and hydrological functions."

Per Appendix 1, Map 2 Natural Heritage Features, the subject property and lands to the south / southeast are identified as containing 'Natural Hazards', as shown below:

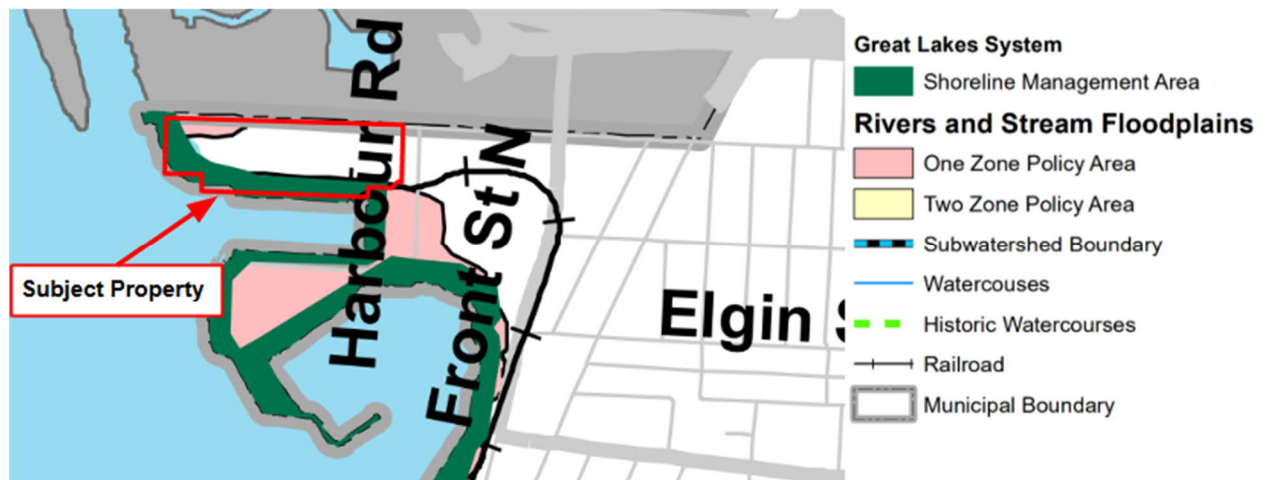
Figure 11: CSOP Appendix 1, Map 2 Natural Heritage Features



Source: CSOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

Per Appendix 1, Map 3 Natural Hazards, portions of the subject property and lands to the south / southeast are identified as 'Shoreline Management Area' and 'One Zone Policy Area', as shown below:

Figure 12: CSOP Appendix 1, Map 3 Natural Hazards



Source: CSOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

In respect of the 'Natural Hazards' identified on the subject property:

Per Section 5.6.7.1(b), *"It is the intent of this Plan that planning and development decisions shall protect, improve or restore the quality and quantity of water and related resources where possible on an integrated watershed management basis. Further, development and site alteration shall:*

- i. Be restricted in or near sensitive surface water features and sensitive ground water features and their related hydrological functions will be protected, improved or restored; and,*
- ii. Occur in a manner that will protect property and the health and safety of the public from natural hazards such as flooding and erosion."*

In respect of the 'Shoreline Management Area' identified on the subject property:

Per Section 5.6.7.2(i), *"For sites bordering the St. Clair River that have no shoreline protection, any new habitable building shall have a minimum setback of 15 metres from the top of the shoreline bank unless identified in an appropriate professional study following established standards and approved by the City and the Conservation Authority and any other agency having jurisdiction. Additions to existing habitable buildings having less than the required setback from the top of the shoreline bank along the St. Clair River are permitted provided that the addition does not reduce the existing setback."*

Per Section 5.6.7.2(j), *"Development within the hazard on the St. Clair River can occur provided the hazard is safely addressed following established standards. Written permission from the Conservation Authority will be required."*

In respect of the 'One Zone Policy Area' identified on the subject property:

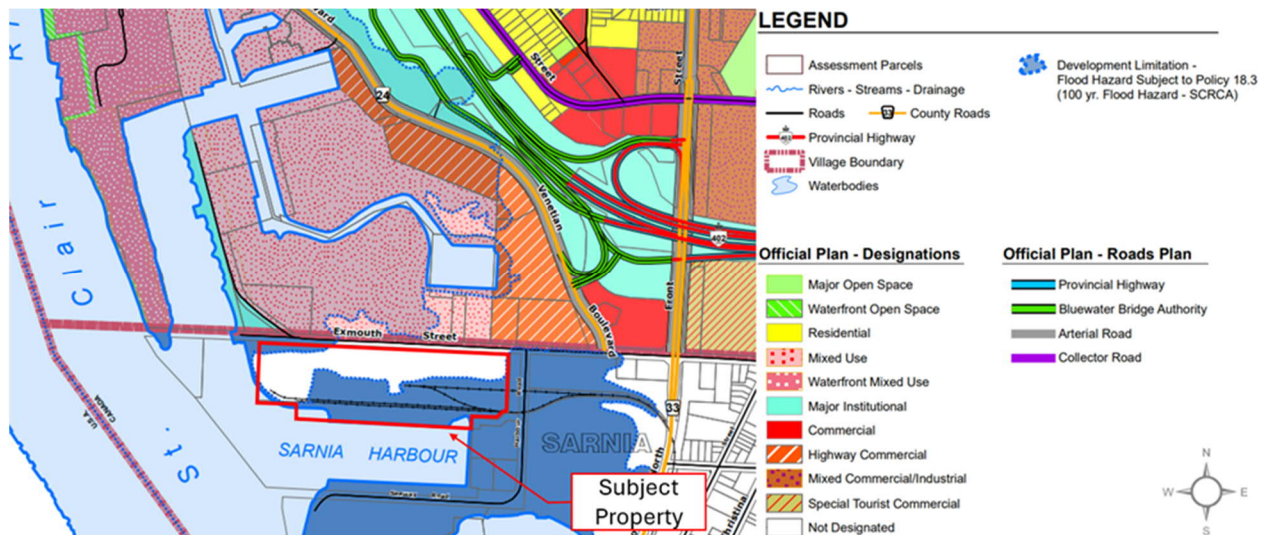
Per Section 5.6.7.3(e), *"Within one-zone floodplain policy areas, no buildings or structures are permitted except for those necessary for flood and/or erosion control. The construction of new public roads, or new structures necessary for conservation, public recreation, utilities or agricultural purposes may be permitted provided they do not affect flood flows."*

4.5 VILLAGE OF POINT EDWARD OFFICIAL PLAN

The subject property is located wholly within the municipal boundary of the City of Sarnia, however, it abuts the southern municipal boundary of the Village of Point Edward.

The Village of Point Edward Official Plan (the "VPEOP") was adopted by municipal council in 2009 and has been most recently updated in 2021 as part of an Office Consolidation. While the VPEOP does not apply land use designations to the subject property, a portion of the subject property is identified within the 'Development Limitation – Flood Hazard' overlay per Schedule "A" of the VPEOP. Additionally, lands within 650m of the subject property are designated as 'Mixed Use', 'Highway Commercial', 'Commercial', 'Major Institutional', 'Waterfront Mixed Use', 'Special Tourist Commercial', and 'Residential' in the VPEOP, as shown below:

Figure 13: VPEOP Schedule "A"



Source: VPEOP, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

With respect to the 'Development Limitation – Flood Hazard' identified on the subject property:

Per Section 20.1.1(e), "The use of lands in natural heritage areas will be restricted to conservation, forestry, parks, and other passive outdoor recreational uses that rely on specific features of the natural environment and marine facilities where appropriate. Some permitted uses may be restricted if located within or adjacent to Significant Wetlands, Significant Coastal Wetlands, Significant Woodlands, and Significant Areas of Natural or Scientific Interest (ANSI's).

[...]

Development and site alteration shall not be permitted within the flood hazard of the St. Clair River and areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazards."

of hazardous substances Per Section 20.3.2, "Development adjacent to the St. Clair River will be subject to setbacks from the stable top-of-bank. The stable top-of-bank will be determined by the proponent in consultation with the Village and the Conservation Authority/Province. The required development setback will reflect the degree, severity and extent of the hazard. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100 year erosion rate, and an erosion access allowance. A standard setback may be included in the implementing Zoning By-law."

Per Section 20.3.5, "The St. Clair River abutting the Village does not have the same type of traditional floodplain as would be found in an inland riverine system. However, during times of high water levels on the Great Lakes and/or ice build-up on the river, the river banks may be overtopped, resulting in minor flooding in areas adjacent to the river. Schedule A identifies areas subject to Development Limitations due to the flood hazards of the St. Clair River."

Within this area new development shall not be permitted within the defined portion of the flooding hazard of the St. Clair River. Applications for new development within this area shall include an assessment delineating the limit of the flooding hazard; to be reviewed by the St. Clair Region Conservation Authority."

Where buildings and structures are permitted in areas adjacent to the river, they will be floodproofed in accordance with the Provincial Policy Statement to a minimum elevation of 178.3 metres (Canadian Geodetic Datum). This requirement will also be set out in the implementing zoning by-law."

Per Section 20.3.6, "The following uses shall not be permitted to locate on hazardous lands and hazardous sites, as defined by the Provincial Policy Statement 2020 (PPS 2020):

- a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;*
- b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or*
- c) uses associated with the disposal, manufacture, treatment or storage."*

With respect to Land Use Compatibility, the VPEOP states:

Per Section 19.4, "The proposed use of all land in the Village must be compatible with adjacent land uses, consistent with the Ministry of Environment's Land Use and Compatibility Guidelines, where applicable. Residential areas and other sensitive uses, such as but necessarily limited to hospitals, schools, campgrounds, and nursing homes, will be protected from undesirable air quality, excessive noise and vibration, dust, odour, and lighting through the policies of the Official Plan, the implementing Zoning By-law and Site Plan Control, Developers may be required to carry out assessments and recommend control measures pertaining to but not necessarily limited to noise, dust, odour vibration and lighting that are satisfactory to the Village and the Planning Act approval authority."

Where appropriate, consideration may be given by the Village, at the Village's sole discretion, to the use of the Class 4 designation classification, as provided for in the applicable Provincial environmental

noise guideline (currently MECP Environmental Noise Guideline NPC-300) for a residential site (or sites).

The area (or sites) to be affected must be approved by Council or the relevant approval authority. The use of Class 4 will only be considered by Council where it can be demonstrated that:

- a) the development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source;
- b) the development proposal for a new noise sensitive use does not impair the long-term viability and operation of an employment use;
- c) it is in the strategic interest of the Village, furthers the objectives of the Official Plan and supports community building goals; and
- d) all possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use.

Notwithstanding the above, the use of Class 4 will receive more favourable consideration if the stationary noise source is a temporary situation and it is expected that the stationary noise source will be removed through future redevelopment.

If Council supports the use of Class 4 for an area or site proposed for a new sensitive land use, proponents for noise sensitive land uses proposed in a Class 4 area shall, at a minimum, ensure that the following are addressed:

- 1) Appropriate noise impact assessments are conducted to verify that the applicable sound level limits will be met;
- 2) Noise control measures are completed or in place, including receptor and source-based measures, as may be required to ensure compliance with the applicable sound level limits at the new noise sensitive land use;
- 3) Enter into appropriate agreements with the Village (and any other relevant approval agencies), to confirm all relevant requirements have been met; and
- 4) Registration on title of any recommended noise mitigation measures, including appropriate noise warning clauses to notify prospective purchasers that applicable Class 4 (as per Guideline NPC-300) area sound level limits for the affected dwelling are protective of indoor areas and are based on the assumption of closed windows."

With respect to Economic Development, the VPEOP states:

Per Section 28.0, "The Village will support community economic development initiatives and consider innovative activities or land uses which:

- promote sustainable economic development;
- protect and enhance the natural environment; and
- **are compatible with surrounding land uses.**

The Village, in co-operation with the County, and economic development agencies, shall monitor the location, type and characteristics of business and the supply of serviced lands for new business. The Village may participate in inter-municipal co-operative efforts in connection with the location of new business, recognizing that the economic benefits of new business compliment to the entire region.

The former foundry site at Christina, Exmouth and Front Streets is recognized as an important site for future high-quality development. It is a gateway site into Canada, Lambton County and the Village and warrants specific mention for collaborative, cooperative, and innovative approaches to future site design and development. Portions of this site may be located within the flood hazard of the St. Clair River, therefore consultation with the St. Clair Region Conservation Authority will be required."

Per Section 29.0 (Employment Areas), "Employment areas are defined by the Provincial Policy Statement 2020 (PPS 2020), as areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. The Village will promote economic development and competitiveness by

- a) *providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long- term needs;*
- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) *planning for, protecting and preserving employment areas for current and future uses; and*
- d) *ensuring the necessary infrastructure is provided to support current and projected needs."*

With respect to Holding Zones, the VPEOP states:

Per Section 30.1, " Council may place certain lands in a holding ('H' or 'h') zone in conjunction with any zoning category under the Planning Act. This procedure will enable the Village to phase the actual development of these lands until such time as the lands are required for the proposed use. During "holding periods" necessary concept plans, subdivision plans or development agreements may be prepared and/or plans for municipal services, roads and community facilities may be created.

[...]

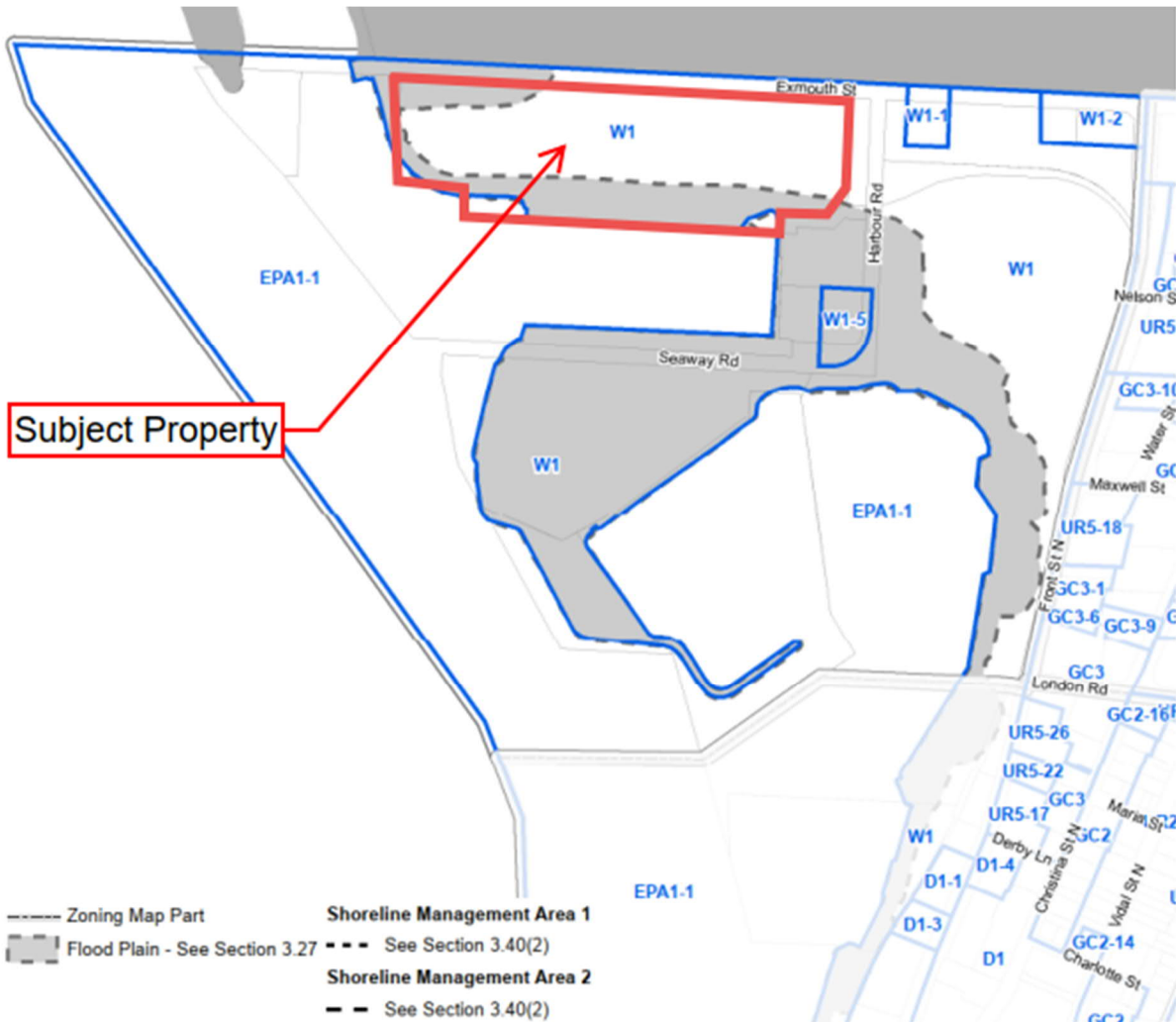
The holding ('H' or 'h') symbol will be removed by By-law passed pursuant to the Planning Act. Although notice will be given by Council when a holding symbol is to be removed, there can be no objection or referral to the Ontario Municipal Board. However, should Council refuse to pass an amending By-law to remove the holding symbol if it is felt the development is premature due to demand or failure to meet a requirement of this Plan, the applicant may appeal the decision to the Ontario Municipal Board in the normal manner.

Until the holding ('H' or 'h') symbol is removed, the implementing Zoning By-law will permit existing uses, buildings and structures, in the interim period."

4.6 CITY OF SARNIA ZONING BY-LAW 85-2002

The subject property is located within the 'Waterfront 1' zone, with a portion of the property additionally within the 'Flood Plain' overlay, under Zoning By-law No. 85 of 2002, as shown below:

Figure 14: City of Sarnia Zoning By-law No. 85 of 2002



Source: City of Sarnia Zoning By-law No. 85 of 2002, Prepared by Counterpoint Land Development by Dillon Consulting.

The lands surrounding the subject property are zoned as 'Waterfront – W1', 'Urban Residential – UR2 & UR5', 'General Commercial – GC1, GC2, & GC3', and 'Environmental Protection Area – EPA1' under Zoning By-law No. 85 of 2002.

Per Section 34.1, the 'Waterfront 1' zone permits the following uses:

- *“Accessory uses and buildings.*
- *Ancillary commercial.*
- *Art galleries.*
- *Auditoriums.*
- *Board sailing.*
- *Boat and ship repair establishments.*
- *Boat sales and service.*
- *Boat storage yard.*
- *Commercial recreation establishments.*
- *Community centres.*
- *Docking of display ships.*
- *Docking of float planes.*
- *Educational and heritage displays.*
- *Entertainment facilities.*
- *Existing terminal grain elevator.*
- *Fish and game farms.*
- *Hotels and motels.*
- *Lawfully existing uses.*
- *Marinas (public and private).*
- *Marine supply establishments.*
- *Museums.*
- *Night clubs.*
- *Parking lots.*
- *Private and public open space / parks.*
- *Rail or water transportation terminals.*
- *Recreation facilities.*
- *Restaurants.*
- *Retail boutiques related to tourism activities.*
- *Scuba diving school.*
- *Storage and shipment of goods.*
- *Theatres.*
- *Theme park (commercial).*
- *Tour boat operators.*
- *Transient docking.*
- *Warehousing.*
- *Water transportation terminal.*
- *Water treatment plant.*
- *Winter berthing of ships.*
- *Yacht clubs.”*

Per Section 34.2.1, the following performance standards apply to all uses except a 'Yacht Club', 'Marina', and 'Water Treatment Plant' in the 'Waterfront 1' zone:

Table 1: 'Waterfront 1' Zone Provisions

PERFORMANCE STANDARDS	ZONING BY-LAW REQUIREMENT
Yard Depth (Minimum)	no building erected after the passing of this By-law shall be erected closer than 7.5m to a municipal street line
Height (Maximum)	6m for buildings fronting on Harbour Road or Seaway Road, 10m in all other cases
Open storage	not permitted in a yard abutting a municipal street

Per Section 3.27, the Natural Heritage Regulations associated with the 'Flood Plain' overlay states *“Lands within the City characterized by the existence of potential natural hazards such as riverine and shoreline floodplains and erosion have been identified by the St. Clair Region Conservation Authority and are shown in shading as an overlay on the Zoning Map Parts. These areas represent potentially hazardous areas as defined by provincial policy. Prior to permitting development within the shaded areas, the St. Clair Region Conservation*

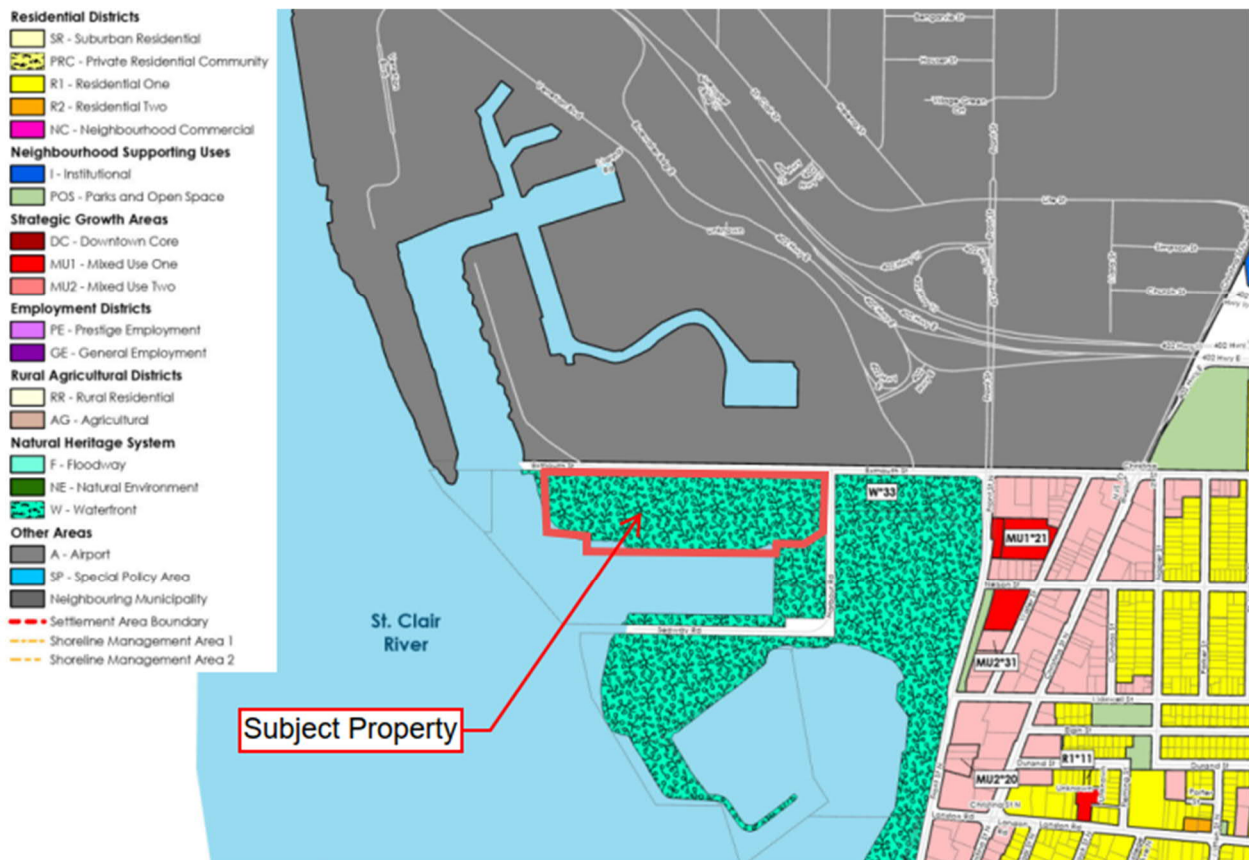
Authority shall be consulted for input and approval. Development may be prohibited or require supporting technical information based on the degree of flooding or erosion hazard. Development includes building, construction, filling and any site alteration."

4.7 CITY OF SARNIA COMPREHENSIVE ZONING BY-LAW XX-2025 (DRAFT 3 – OCTOBER 2025)

The City of Sarnia is in the process of preparing a new comprehensive zoning by-law which will replace the current By-law 85-2002. Draft 3 of the proposed new comprehensive Zoning By-law was released to Council and the community on October 20, 2025. Council hosted a Public Meeting on Monday, December 15, 2025, regarding the proposed By-law. This process should be monitored to ensure no negative impacts on the subject property or surrounding area are imposed.

The subject property is zoned 'Waterfront' zone under Draft 3 of the Comprehensive Zoning By-law No. XX-2025, as shown below:

Figure 15: City of Sarnia Draft Comprehensive Zoning By-law XX-2025



Source: City of Sarnia Comprehensive Zoning By-law XX-2025 (Draft 3), Prepared by Counterpoint Land Development by Dillon Consulting.

The lands surrounding the subject property are zoned as, 'Waterfront – W1', 'Mixed Use 1 – MU1', 'Mixed Use 2 – MU2', 'Parks and Open Space – POS', and 'Residential 1 – R1' under Comprehensive Zoning By-law No. XX-2025.

Per Section 5.8, the 'Waterfront' zone permits the following uses:

- *"Fish and Game Farms*
- *Marnia and Marnia Related Uses*
- *Marine Industrial Uses*
- *Transportation Terminals."*

Per Section 5.8, the 'Waterfront' zone permits the following accessory buildings and uses:

- *"Cultural Facilities*
- *Entertainment Facilities*
- *Farmer's Markets*
- *Food Trucks*
- *Hotels*
- *Parking lots and parking garages/ structures*
- *Recreation Facilities*
- *Restaurants."*

Per Section 5.8, the following performance standards apply to all uses in the 'Waterfront' zone:

Table 2: 'Waterfront' Zone Provisions

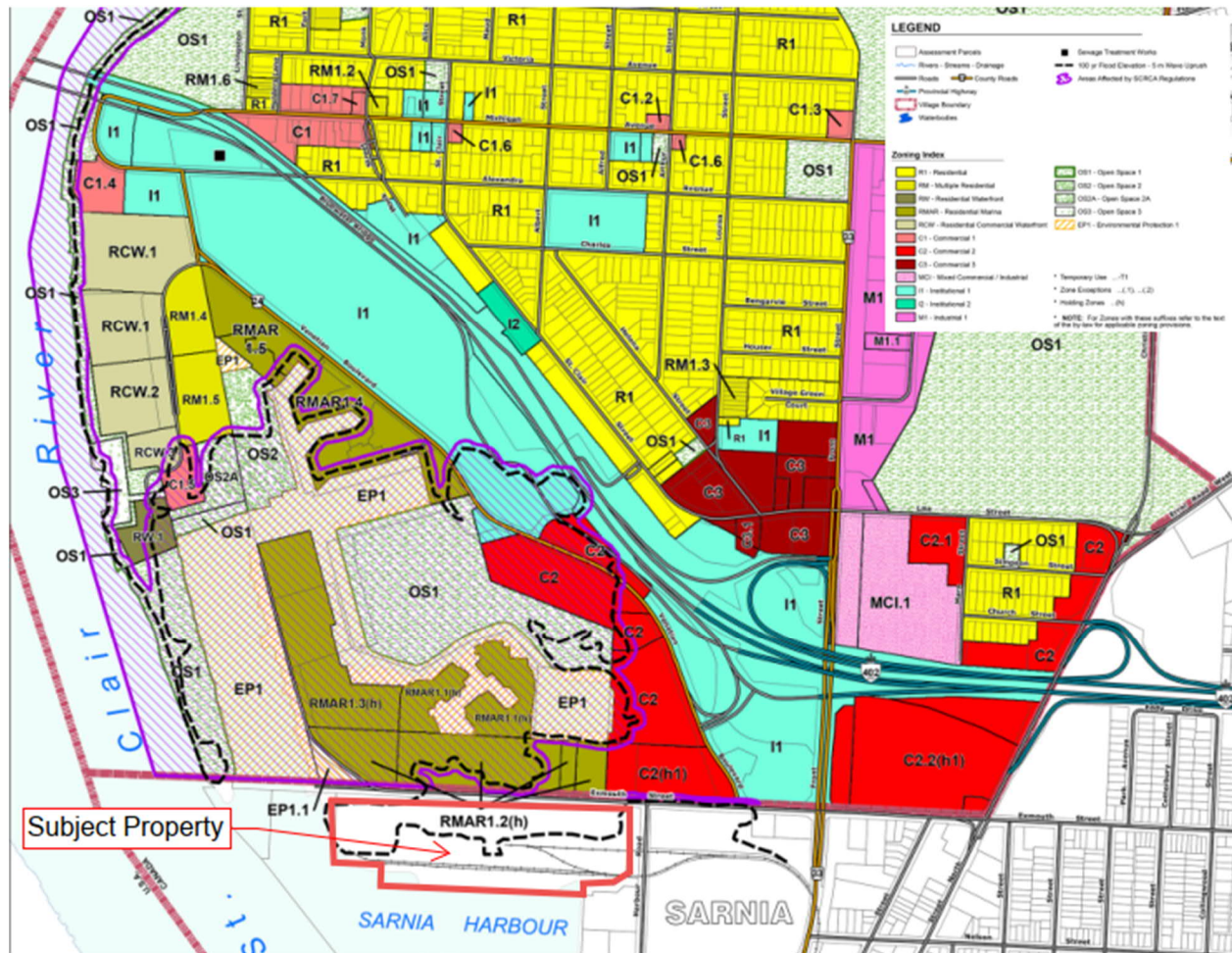
PERFORMANCE STANDARDS	ZONING BY-LAW REQUIREMENT
Maximum Lot Coverage	35% for Marina 50% for all other permitted uses
Minimum Landscaped Open Space	30% for Marina 15% for all other permitted uses
Minimum Front Yard	7.5m
Minimum Rear Yard	7.5m
Minimum Side Yard	6.0m for Marina 7.5m for all other permitted uses
Maximum Building Height	6.0m for buildings fronting on Harbour Road or Seaway Road 10.0m for all other permitted uses
Outside Open Storage	Not permitted in a yard abutting a municipal street

4.8 VILLAGE OF POINT EDWARD ZONING BY-LAW 20-2012

The subject property is located wholly within the municipal boundary of the City of Sarnia, however, abuts the southern municipal boundary of the Village of Point Edward.

The subject property is surrounded by lands zoned for 'Residential', 'Commercial', 'Industrial', 'Mixed Commercial/Industrial', 'Institutional', 'Open Space', and 'Natural Heritage' under Village of Point Edward Zoning By-law 25-2012, as shown below:

Figure 16: Village of Point Edward Zoning By-law 25-2012



Source: Village of Point Edward Zoning By-law 25 of 2012, Prepared by Counterpoint Land Development by Dillon Consulting.

The lands surrounding the subject property are zoned as, 'Residential Marina - RMAR1.1, RMAR1.2, RMAR1.3 & RMAR1.4', 'Commercial – C1.5, C2, C3, & C3.1', 'Mixed Commercial/Industrial 1 – MCI.1', 'Institutional 1 – I1', 'Open Space – OS1, OS2 & OS2A', 'Environmental Protection 1 – EP1'.

4.9 ONTARIO D-1 LAND USE COMPATIBILITY GUIDELINES

The Ministry of the Environment, Conservation, and Parks (the “MECP”) provides the D-1 Land Use Compatibility Guidelines (“D-1 Guidelines”), which provides recommendations in respect of separation distances and other land use control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses. While this guideline is intended to apply only when a change in land use is proposed (which is not proposed by the MZO), it is encouraged that compatibility concerns be recognized and addressed at the earliest possible stage of the land use planning process in order to protect from off-site adverse effects.

In respect to general guidelines, the D-1 Guidelines provide the following pertinent recommendations:

Per Section 3.1 – Preferred Approach, the D-1 Guidelines state: *“Incompatible land uses are to be protected from each other, in land use plans, proposals, policies and programs to achieve the Ministry’s environmental objectives. Various buffers on either of the incompatible land uses or on intervening lands, as discussed in Section 4 of Procedure D-1-1, “Land Use Compatibility: Implementation”, may be used to prevent or minimize ‘adverse effects’. Distance is often the only effective buffer, however, and therefore adequate separation distance, based on a facility’s influence area, is the preferred method of mitigating ‘adverse effects’.”*

Per Section 3.2 – Purpose of Separation Distance, the D-1 Guidelines state: *“The separation distance should be sufficient to permit the functioning of the two incompatible land uses without an ‘adverse effect’ occurring. Separation of incompatible land uses should not result in freezing or denying usage of the intervening land. The distance shall be based on a facility’s potential influence area or actual influence area if it is known. When development is proposed beyond a facility’s potential influence area or actual influence area, the Ministry shall not normally object to development on the basis of land use compatibility. Exceptional situations may be identified in documents for specific facilities which are listed in Procedure D-1-2, “Land Use Compatibility: Specific Applications”.”*

Per Section 3.3 – Use of Land Within Separation Distance, the D-1 Guidelines state: *“When the separation distance is the method of buffering, and the buffer area extends beyond a facility or sensitive land use site boundary, this Ministry encourages intervening land uses or activities that are compatible with both the facility and the sensitive land use(s).”*

Compatible land uses can vary on a case-by-case basis, and are identified for different facilities in documents listed in Procedure D-1-2, “Land Use Compatibility: Specific Applications”.

Within the separation distance, municipal controls to increase zoning by-law setbacks for facilities or restrictions on location and use of outdoor storage could assist in achieving distance separation.”

4.10 ONTARIO D-6 COMPATIBILITY BETWEEN INDUSTRIAL FACILITIES GUIDELINES

In addition to the D-1 Guidelines, the MECP provides guidelines to ensure land use compatibility between sensitive lands uses³ and industrial land uses, referred to as the D-6 Compatibility Between Industrial Facilities Guidelines (“D-6 Guidelines”).

The D-6 Guidelines categorize industrial uses into three categories with varying degrees of required separation. The facility is classified as a ‘Class III’ industrial facility due to the nature of the operations, as confirmed by the RWDI AIR Inc. Technical Memorandum (described below in Section 5.1 of this report). Class III facilities are characterized by *“large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.”*

In respect to potential influence areas⁴ and minimum separation distances⁵, the D-6 Guidelines provide the following pertinent recommendations:

Per Section 4.1.1 – Potential Influence Areas for Industrial Land Uses, *“The Ministry has identified, through case studies and past experience, the following potential influence areas: [...] Class III— 1000 metres.”*

Per Section 4.3 – Recommended Minimum Separation Distances, *“No incompatible development other than that identified in Section 4.10, “Redevelopment, Infilling and Mixed Use Areas” should occur in the areas identified below and illustrated in [Appendix C](#), even if additional mitigation for adverse effects, as discussed in [Section 4.2 of Procedure D-1-1, “Types of Buffers”](#), is provided: [...] Class III— 300 metres minimum separation distance.”*

³ A Sensitive Land Use is defined as *“A building, ‘amenity area’ or outdoor space where routine or normal activities occurring at reasonably expected times would experience 1 or more ‘adverse effect(s)’ from contaminant discharges generated by a nearby ‘facility’. The ‘sensitive land use’ may be a part of the natural or built environment. Depending upon the particular ‘facility’ involved, a sensitive land use and associated activities may include one or a combination of: i) residences or facilities where people sleep (e.g. single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.). These uses are considered to be sensitive 24 hours/day; ii) a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres); iii) certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.); iv) certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards); and, bird/wildlife habitats or sanctuaries.”*

⁴ Influence Area/Potential Influence Area is defined as *“The area(s) at, above or below grade, associated with a ‘facility’ that is subject to one or more ‘adverse effect(s)’ which may be of varying duration, frequency and distance of dispersal. This is an actual ‘influence area’. A ‘potential influence area’ identifies where adverse effects are generally expected to occur. An ‘influence area’ or ‘potential influence area’ acts as a potential constraint for ‘sensitive land use’, or conversely on the establishment of a ‘facility’, unless evidence is provided that ‘adverse effects’ are not a problem, or can be satisfactorily mitigated to the level of ‘trivial impact’.”*

⁵ Separation Distance is defined as *“The linear measurement between a ‘facility’ property/properties and a ‘sensitive land use/uses’. The distance should be adequate to minimize or prevent the ‘adverse effects’ of one land use upon the other, so that at most there would only be a ‘trivial impact’.”*

In respect to general guidelines, the D-6 Guidelines provide the following pertinent recommendations:

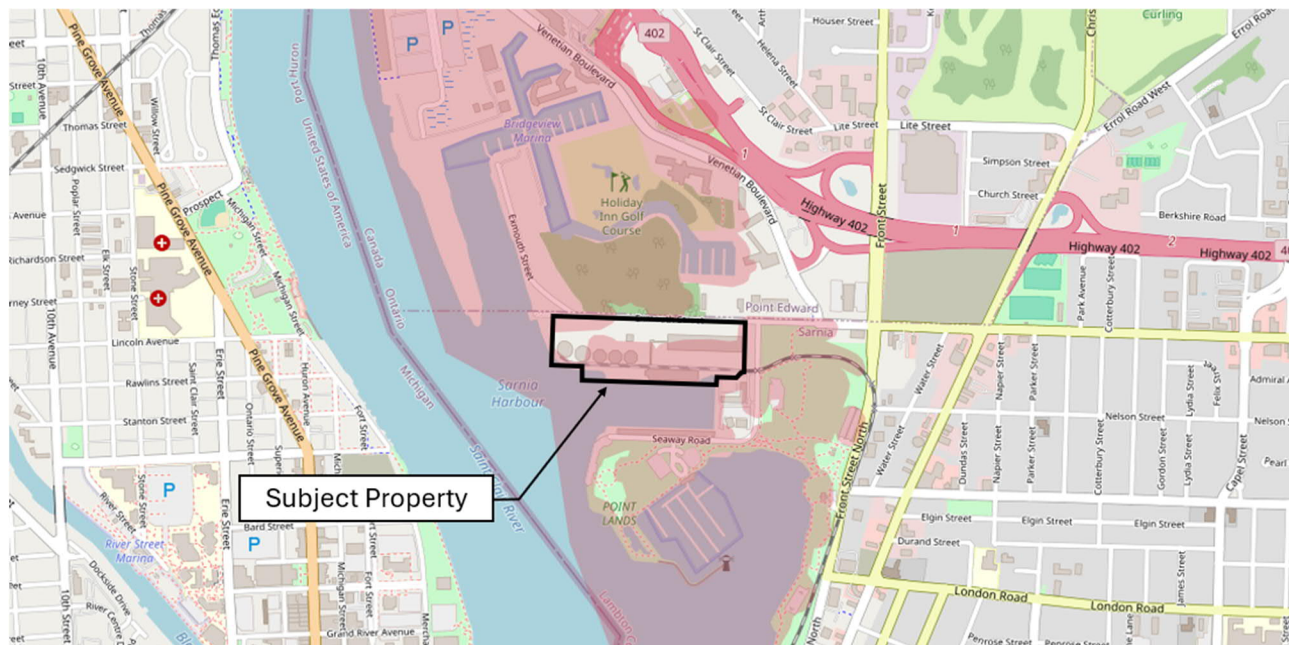
Per Section 4.5.1 – Considerations When a Change in Land Use is Proposed Within an Influence Area or Potential Influence Area, *“The potential influence areas, or where known, the actual influence areas (see Section 4.1 of this guideline) should act as a flag, and no sensitive land uses shall be permitted within the actual or potential influence areas of Class I, II or III industrial land uses, without evidence to substantiate the absence of a problem. When studies are needed to identify problems and mitigative measures, see Section 4.6, “Studies.””*

Per Section 4.10.3 – Feasibility Analysis, *“When a change in land use is proposed [in an area of urban redevelopment, infilling or transition to mixed use] for either industrial or sensitive land use, less than the minimum separation distance [...] may be acceptable subject to either the municipality or the proponent providing a justifying impact assessment (i.e., a use specific evaluation of the industrial processes and the potential for off-site impacts on existing and proposed sensitive land uses). Mitigation is the key to dealing with less than the minimum to the greatest extent possible.”*

4.11 ST. CLAIR REGION CONSERVATION AUTHORITY

As shown in the below figure, portions of the subject property abutting the St. Clair River and a portion of the subject property along the eastern property line are contained within the St. Clair Region Conservation Authority (the “SCRCA”) Regulated Area. The SCRCA Regulated Area also applies to most lands surrounding the subject property. Consultation with the SCRCA will be required prior to any development activity within the Regulated Area.

Figure 17: SCRCA Mapping



Source: SCRCA Mapping, Prepared by Counterpoint Land Development by Dillon Consulting Limited.

5.0 SUPPORTIVE TECHNICAL STUDIES

5.1 RWDI AIR INC. TECHNICAL MEMORANDUM

RWDI AIR Inc. (“RWDI”) was retained by Cargill to review the air emissions from the facility and to assess potential impacts to new proximate sensitive uses in evaluation of a potential buffer associated with the proposed MZO. The RWDI Memorandum dated December 10, 2025, confirms that the existing industrial operations on the subject property fall under the classification of a Class III facility per the MECP D-series Guidelines. Being a Class III facility, the D-6 Guidelines warrant a minimum separation distance of 300m from sensitive land uses, with a potential influence area up to 1,000m.

The RWDI Memorandum also confirmed that the existing facility is currently in compliance with the Environmental Compliance Approval (“ECA”) for Air/Noise and Sewage based on the existing surrounding contexts and sensitive land uses in the area; however, the introduction of new sensitive land uses, and thus points of reception, have the potential to threaten the compliance status of the facility in the future.

As a result, RWDI recommends a minimum MZO buffer 650m to ensure that potential adverse effects to sensitive land uses within this vicinity are minimized, and to ensure the long-term operational and economic viability of the facility is preserved.

6.0 PLANNING JUSTIFICATION & CONCLUSIONS

As detailed in Section 3.0 of this report, the MZO proposes a two-tier buffer approach to restrict/manage the introduction of new sensitive land uses in proximity to the subject property/facility.

Within 300m of the subject property/facility, the MZO proposes that new sensitive land uses are strictly prohibited.

Within 301m - 650m, the MZO proposes that new sensitive land uses (with limited exceptions) will be subject to a holding provision (pursuant to Section 36 of the *Planning Act*). To remove the applied holding provision (via Zoning By-law Amendment), applicants will be required to undertake specific/relevant technical studies to demonstrate land use compatibility with the facility at the subject property, implement the findings/conclusions of such studies in the design/construction of such proposed use, and include warning clauses on title (in respect to noise and air quality) prior to the applicable planning authority's issuance of development approvals/permits.

For ease, land use planning justification for the proposed MZO can be broken down into two distinct categories/buffer areas: lands within 300m of the subject property; and, lands within 301-650m of the subject property. Accordingly, justification for such categories/buffer areas is provided below.

Broadly, the MZO conforms/is consistent with provincial, county, and municipal policies and regulations; specifically, those that relate to ensuring that existing employment uses are protected/preserved to maintain their long-term operational and economic viability, as well as those related to minimizing risk to public health and safety (in this case, to the future users/occupants of new sensitive land uses who could be adversely impacted by the ongoing operation of the facility).

6.1 LANDS WITHIN 300M OF THE SUBJECT PROPERTY

For lands located within 300m of the subject property, the MECP D-Series Guidelines are most informative from a land use planning perspective. As detailed in the RDWI report, the facility is designated as a 'Class III' industrial use/facility. Per the D-6 Guidelines, a minimum separation distance of 300m between an existing Class III facility and new sensitive land uses is encouraged (wherever possible) to prevent and/or minimize future land use compatibility issues caused by the facility and/or the new sensitive land use(s).

In addition to the D-Series Guidelines, provincial, county, and municipal policies require the protection/preservation of 'major facilities' and employment areas. Per the PPS:

Policy 2.8.1.1(e) (Supporting a Modern Economy), "*Planning authorities shall promote economic development and competitiveness by [...] addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*"

Policy 2.8.1.3, "*... on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.*"

Per Policy 2.8.2,

- 1) *“Planning authorities shall 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.*
- 2) *Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.*
- 3) *Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:*
 - a) *planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;*
 - b) *prohibiting residential uses, commercial uses, public service facilities and other institutional uses;*
 - c) *prohibiting retail and office uses that are not associated with the primary employment use;*
 - d) *prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and*
 - e) *including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.*
- 4) *Planning authorities shall assess and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas. In planning for employment areas, planning authorities shall maintain land use compatibility between sensitive land uses and employment areas in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.”*

Per Policy 3.5,

- 1) *“Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, 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.*
- 2) *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.”*

The foregoing policies of the PPS are replicated throughout the LCOP, CSOP, and VPEOP (as detailed herein).

Specifically, the CSOP states:

Section 5.4(a), *“Employment Areas in Sarnia are expected to accommodate primarily employment land employment opportunities with a clear focus on heavy and light industrial uses, business park opportunities and office uses. Employment Areas in Sarnia are intended to:*

v. Preserve the industrial integrity of the City’s Employment Areas by mitigating conflicts with adjacent residential areas;”

Section 5.4(d), *“All employment generating land uses permitted by this Plan shall meet the guidelines and requirements of the Province, the County of Lambton and the City with respect to development compatibility, distance separation and emission abatement/mitigation.”*

Section 5.4(e), *“Business operations within the Employment Areas are to be protected from intrusions of sensitive land uses that may restrict the operations of existing or planned industrial land users. Further, existing or sensitive land uses are to be protected from the adverse effects of industrial land uses through appropriate techniques that meet the requirements of the Province, the County of Lambton and the City with respect to development compatibility, distance separation and emission abatement/mitigation.”*

Per Section 5.4.2.3,

c) All permitted development within the General Employment Designation identified on Schedule 2 shall be in compliance with all applicable municipal and Provincial policies, standards and guidelines. Where deemed necessary, studies in support of a development application may be required to assess potential impacts from the proposed use, and shall demonstrate the adequacy of the proposed mitigative measures. Such studies shall be prepared by a qualified professional, to the satisfaction of the City.

Based on the foregoing, the prohibition of new sensitive land uses within 300m of the subject property is a necessary measure to ensure the intent and purpose of the aforementioned guidelines and policies are upheld. By prohibiting such uses, the MZO implements the principle of “avoidance wherever possible” as mandated by Policy 3.5.1 of the PPS. The proposed prohibition eliminates the potential for adverse effects to be realized by future users/occupants of would-be sensitive land uses, as well as by the existing facility, caused by an incompatibility of conflicting land uses.

From an economic viability perspective, the proposed prohibition is fundamental to maintaining the integrity of the existing ‘Employment Area’, as envisioned by the CSOP (Section 5.4). To this end, PPS Policy 2.8.2 explicitly directs planning authorities to protect employment areas by prohibiting non-ancillary sensitive land uses that could otherwise encroach upon and destabilize ‘major facilities’. Allowing such sensitive uses in proximity to the subject property would contravene with the clear provincial, county, and municipal direction to preserve the property for its existing and future employment/industrial function.

Accordingly, prohibiting new sensitive uses within 300m is not merely a precautionary measure, but a direct requirement of the regulatory framework to safeguard the facility’s long-term operations from land use incompatibility and encroachment.

6.2 LANDS WITHIN 301M-650M OF THE SUBJECT PROPERTY

For the lands located between 301m-650m of the subject property, the proposed MZO applies a holding provision to new sensitive land uses (with limited exceptions).

The application of a holding provision on such lands does not prohibit new sensitive land uses, rather it ensures that development of new sensitive land uses may only be achieved when compatibility with the facility is demonstrated/accomplished through the production of specific/relevant technical studies, the implementation of the findings/conclusions of such technical studies in the ultimate design/construction of such use(s), and the inclusion of warning clauses on title in respect to noise and air quality.

For clarity, termination of the buffer area at 650m was principally predicated on the acoustical assessment performed by RDWI. Per Section 5.1 of the RDWI memorandum, noise impact contours demonstrate that the introduction of new sensitive land uses within 650m of the subject property have the potential to result in the facility contravening with the applicable MECP's environmental noise guidelines (NPC-300) and cause potential adverse effects to the new sensitive receptors. Accordingly, RDWI's professional opinion is the introduction of a 301m - 650m buffer surrounding the subject property to ensure that potential future sensitive land uses be designed (and ultimately constructed) with sufficient mitigation measures in place to ensure that all emissions derived from the facility (i.e., noise, dust, odour, vibration) do not (to the extent possible) adversely impact the users/occupants of such potential future sensitive land uses.

From a land use planning perspective, the introduction of a holding provision on those lands within 301m - 650m of the subject property is justified and rational. The holding provision does not prohibit development of non-sensitive land uses (e.g., industrial and commercial), nor does it prohibit the development of buildings or structures consisting of: 4 or fewer dwelling units and/or 3-storeys or fewer in height. It simply qualifies the introduction of new sensitive land uses (as defined in the draft MZO Regulation in Appendix B) once prerequisite requirements can be satisfied (being, when compatibility with the facility is demonstrated/accomplished through the production of specific/relevant technical studies, the implementation of the findings/conclusions of such technical studies in the ultimate design/construction of such use(s), and the inclusion of warning clauses on title in respect to noise and air quality). The inclusion of such holding provision ensures the compatibility between the facility and applicable future sensitive land uses are achieved through the implementation of thoughtful design and/or mitigation principles, which ultimately protect the existing and future operation of the facility, and the health and safety of the users/occupants of such new development.

The application of a holding provision is a prudent planning mechanism. It allows for the continued evolution of the surrounding community without compromising the operational viability of the subject property/facility. The proposed approach strikes a necessary balance. It does not sterilize land or prohibit residential development. Instead, it creates a structured process to ensure that sensitive land uses are designed with appropriate mitigation measures. This guarantees that future users/occupants are protected from adverse impacts while safeguarding the facility against land use conflicts.



APPENDIX A

Letters of Support



FERTILIZER CANADA

FERTILISANTS CANADA

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Jeff Vassart

President

Cargill Limited

300-240 Graham Avenue

Winnipeg, MB R3C 4C5

Canada

Subject: Support for Cargill's Sarnia Terminal and the Protection of Industrial Land

Dear Jeff Vassart,

On behalf of Fertilizer Canada, I am writing to express our strong support for Cargill's efforts to protect the long-term viability of its **Sarnia Export Grain Terminal**, which plays a critical role in Ontario's food and agriculture supply chains.

Fertilizer Canada represents the producers, manufacturers, importers, wholesalers, and agri-retailers of nitrogen, phosphate, potash, and sulphur fertilizers. Our sector contributes over **\$42 billion** annually to Canada's economy and supports more than **118,000 jobs** across the country, including **29,400 jobs** in your province. Major retail members like Cargill are essential to ensuring farmers receive the inputs they need, efficiently and on time.

The Sarnia Grain Terminal has served Ontario farmers for nearly a century and currently handles around 35% of the province's export grain capacity. It also plays a vital role in receiving and distributing inbound fertilizer shipments across southwestern Ontario. With limited port infrastructure in the province, the Terminal is a critical link for moving Ontario's agricultural products to international markets and for supporting domestic food production through a reliable fertilizer supply.

As Ontario continues to grow, growth must be balanced and protect trade-enabling infrastructure from the encroachment of incompatible uses. Incompatible land use near ports and multimodal transportation hubs threatens the operating capacity of facilities like Cargill.

Fertilizer Canada has consistently advocated for governments to protect port lands and port-adjacent lands from non-industrial development to safeguard trade, long-term economic viability and competitiveness. As global markets shift, Ontario must be positioned to both import and export efficiently, cost-competitively, and reliably. Losing key pillars, such as the Sarnia Grain Terminal, would severely undermine that capacity.



FERTILIZER CANADA

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info@fertilizercanada.ca

fertilizercanada.ca | fertilisantscanada.ca

We support Cargill's application to the Minister of Municipal Affairs and Housing under Section 47 of Ontario's Planning Act and encourage the consideration of broader land-use protections for critical infrastructure supporting Canada's agri-food supply chain.

Thank you for your attention to this important matter.

Sincerely,

Michael Bourque

President & CEO

Fertilizer Canada

mbourque@fertilizercanada.ca

613-786-3035



December 2, 2025

Cynthia Lee
Director, Government Relations
Cargill Limited
300-240 Graham Avenue
Winnipeg, MY R3C 4C5

Dear Cynthia,

On behalf of Grain Farmers of Ontario's 28,000 barley, corn, oat, soybean, and wheat farmers, I am writing to express our strong support for efforts to protect the Cargill Sarnia Grain Terminal as a vital component of Ontario's agricultural supply chain.

The terminal's strategic location and multi-modal access by water, rail, and road make it an essential hub for grain movement within Canada. Since its construction in 1927, it has been a cornerstone of the agri-food value chain—facilitating fertilizer imports, supporting grain exports, and enabling grain farmers across southwestern Ontario to reliably reach both domestic and global markets. Approximately 35 percent of Ontario's total grain exports move through this facility. Its continued operation directly supports grain farmers in the region, and the rural municipalities that rely on grain farming to thrive.

Grain Farmers of Ontario strongly supports efforts to safeguard and proactively manage land use in the area surrounding the terminal to ensure its uninterrupted industrial operations, preserve compatible development, and maintain this critical connection between Ontario grain farms and domestic and international customers.

We fully endorse Cargill's request for the Minister of Municipal Affairs and Housing to exercise the authority provided under Section 37 of the Planning Act through a Ministerial Zoning Order (MZO). An MZO would provide the development certainty needed to secure compatible adjacent land uses and protect this essential infrastructure from encroachment risks that could jeopardize grain movement and export capacity as well as the import of essential goods to grow a grain crop.

Thank you for your attention to this important sector priority. Should you require any additional information or wish to discuss this matter further, please do not hesitate to contact us.

Sincerely,

Jeff Harrison
Chair



December 11, 2025

Jeff Vassart
President
Cargill Limited
300-240 Graham Avenue
Winnipeg, MB R3C 4C5

Re: Support for Cargill's Application to Protect the Sarnia Grain Terminal with the Minister of Municipal Affairs and Housing under Ontario's Planning Act

Dear Mr. Vassart,

I am writing on behalf of Food and Beverage Ontario (FBO) to offer our strong support for Cargill's forthcoming application to the Minister of Municipal Affairs and Housing seeking intervention under Ontario's Planning Act **to safeguard the Sarnia Grain Terminal from surrounding incompatible development.**

This facility exemplifies the critical infrastructure FBO highlighted in our August 26, 2025, letter to the Minister (Re: Protecting Food and Beverage Processing Facilities from Incompatible Residential Encroachment), where we urged stronger provincial oversight to prevent land-use conflicts that jeopardize Ontario's agri-food sector.

The Sarnia Grain Terminal, represents around 35% of Ontario's grain export capacity is a vital component of Cargill's operations and Ontario's broader agri-food supply chain, serves as a key export hub for grain and other agricultural products, **supporting thousands of jobs**, rural economies, and our province's global competitiveness in food production.

Located on strategic port lands along the St. Clair River, it relies on its established position for efficient logistics, rail and water access, and proximity to farming communities. Any residential encroachment or incompatible land use would not only disrupt these essential operations but also expose the facility to nuisance complaints, regulatory restrictions, and mitigation costs - precisely the risks we outlined in our previous correspondence.

Recent residential development interests in proximity to the Terminal underscores the urgent need for ministerial intervention. These plans fail to incorporate the provincial land-use compatibility guidelines we advocated for, including minimum separation distances, rigorous compatibility studies, and buffers to protect industrial operations. Facilities like the Sarnia Grain Terminal are irreplaceable assets in the agri-food supply chain.

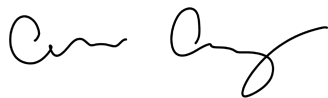
In alignment with FBO's earlier recommendations to the Minister - particularly those emphasizing municipal accountability, recognition of agri-food infrastructure, and safeguards for port and multimodal transportation corridors, we respectfully urge the Minister to exercise his powers under the Planning Act and to support Cargill's application.

Protecting this facility is not only a matter of supporting Cargill but also a proactive step toward implementing the consistent methodology and enforcement mechanisms FBO called for in August. It would demonstrate your Ministry's commitment to shielding Ontario's food production infrastructure and ensuring long-term economic resilience.

Food and Beverage Ontario stands ready to work with the Ministry, Cargill, and other stakeholders to advance these protections. FBO appreciates the opportunity to provide any additional sector insights to support the Ministry's work.

Thank you for your attention to this critical issue. We appreciate your strong engagement and support of a strong agri-food sector in Ontario.

Regards,

A handwritten signature in black ink, appearing to read "Chris Conway". The signature is fluid and cursive, with the first name "Chris" and last name "Conway" clearly distinguishable.

Chris Conway
Chief Executive Officer
Food and Beverage Ontario



Ontario Agri Business Association

655 Southgate Drive, Guelph, Ontario N1G 5G6

Phone: 519-822-3004

November 14, 2025

Cynthia Lee
Director, Government Relations
Cargill Limited
300-240 Graham Ave.
Winnipeg, MY R3C 4C5

E: cynthia_lee@cargill.com

Subject: Support for a Ministerial Zoning Order for the Cargill Sarnia Grain Terminal at 101 Exmouth St., Sarnia, ON

The Ontario Agri Business Association (OABA) is the provincial trade association representing crop input centres, country and terminal grain elevators, livestock feed mills, and associated agribusinesses. Our members operate approximately 500 facilities across Ontario, generating more than \$23 billion in annual sales.

OABA and its member companies, which includes Cargill, recognize the Cargill Sarnia Grain Terminal as a vital component of Ontario's agricultural supply chain. Its advantageous location and multi-modal access via water, rail, and road, make it an essential hub for grain movement within Canada. Since its construction in 1927, the terminal has played a critical role in the agri-food value chain, facilitating both fertilizer imports and grain exports that support farmers across southwestern Ontario, and meet the needs of global grain customers. Notably, the terminal handles roughly 35 percent of Ontario's total grain exports. This infrastructure directly supports key provincial priorities related to trade, agricultural production, and economic development, and aligns with the City of Sarnia's Official Plan, which identifies the protection of agricultural lands and agricultural based operations as a municipal priority. The terminal is indispensable in connecting Ontario crops to domestic and international markets.

OABA strongly supports efforts to protect and proactively manage land use in the area surrounding the terminal to ensure the continuation of its industrial operations, promote compatible development, and preserve its essential role within the province's agri-food network. We fully endorse Cargill's request for the Minister of Municipal Affairs and Housing to exercise the authority provided under Section 37 of the Planning Act through a

"Representing the Crop Input, Grain and Feed Industry"

www.oaba.on.ca



Ontario Agri Business Association

655 Southgate Drive, Guelph, Ontario N1G 5G6

Phone: 519-822-3004

Ministerial Zoning Order (MZO). Such an order would help secure development protections and compatible land uses adjacent to the terminal, ensuring this critical piece of agri-food infrastructure remains viable and is not constrained by potential air, dust, or noise restrictions stemming from incompatible development.

Thank you for your attention to this important sector priority. Should you require any additional information or have further questions, please do not hesitate to contact us.

Respectfully,

A handwritten signature in black ink that reads "Russel Hurst". The signature is written in a cursive, flowing style.

Russel Hurst
Executive Director, OABA
E: russel@oaba.on.ca



APPENDIX B

Proposed MZO Text

Planning Act
Loi sur l'aménagement du territoire

ONTARIO REGULATION XX/26

made under the

PLANNING ACT

ZONING ORDER - CITY OF SARNIA

Definitions

1. In this Order,

"101 Exmouth" means the property located at 101 Exmouth Street, Sarnia, Ontario with legal description: PT WATER LT 8 PL 24 SARNIA CITY; PT WATER LT 9 PL 24 SARNIA CITY; PT WATER LT 10 PL 24 SARNIA CITY; PT WATER LT 11 PL 24 SARNIA CITY AS IN L648712; S/T L435611; SARNIA.

"300 m Buffer Lands" means all lands, including a portion thereof, located within 300 meters of 101 Exmouth, as depicted on the map in Schedule "A" to this Order.

"650 m Buffer Lands" means all lands, including a portion thereof, located within 650 meters of 101 Exmouth, excluding the 300 m Buffer Lands, as depicted on the map in Schedule "A" to this Order.

"Dwelling" means a building or part thereof used or intended, adapted or designed to be used, occupied or capable of being occupied, as a home, residence or sleeping place for one or more persons having a right to the exclusive use thereof, but shall not include any travel trailer, hotel, motel, private garage, a home for the aged, nursing home, hospital, or living quarters for a caretaker, watchman or other person or persons using living quarters which are accessory to a non-residential use.

"Sensitive land uses" means buildings, amenity areas, or outdoor spaces that are part of the natural or built environment where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major or industrial facility, and includes, but is not limited to single and multi-unit dwellings, residences, day care centres, and educational and health facilities.

"Storey" shall mean that portion of a building other than a cellar or attic storey which is included between one floor level and the next higher floor level or the ceiling and which is not less than 2.25m nor more than 4.25m in height.

Application

2. This Order applies to lands in the City of Sarnia, in the Province of Ontario, being lands delineated on Schedule A (attached hereto) filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street, Toronto, Ontario.

Application of by-laws

3. (1) Except as otherwise provided in this Order, the zoning by-law(s) of the City of Sarnia continue to be in effect, as applicable in the municipality and as amended or replaced, at the lands described in section 2 of this Order.

(2) Any portion of any amended or future by-laws of the City of Sarnia, as applicable in the municipality, that is inconsistent with this Order is of no force and effect.

Zoning requirements

4. (1) The zoning requirements for the lands subject to this Order are the zoning requirements as set out in the sections of the City of Sarnia Zoning By-law 85 of 2002, as applicable in the municipality and as amended or replaced, with the following exceptions:

1. No new sensitive land uses are permitted in the 300 m Buffer Lands as of the date this Order comes into legal force.

2. All properties in the 650 m Buffer Lands shall be subject to a new holding symbol (H). The new holding symbol (H) may only be lifted in accordance with this Order.

(2) Subsection 4(1)(2) of this Order shall only apply at properties at which a new sensitive land use is commenced or proposed to be commenced after the date this Order comes into legal force.

(3) Subsection 4(1)(2) and subsection 4(2) of this Order do not apply at properties at which the new sensitive land use is proposed to be:

1. a building or structure consisting of four or fewer Dwelling units, and/or

2. a building or structure containing Dwellings which is three or fewer Storeys in height.

Holding Symbol (H)

5. (1) For the purpose of subsection 4(1)(2) of this Order, the removal of holding symbol (H) shall only occur by By-Law when the following conditions have been fulfilled to the satisfaction of the applicable planning authority by the owner of the property in the 650 m Buffer Lands seeking to remove holding symbol (H):

1. A land use compatibility study is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority demonstrating that the proposed sensitive land use(s) will be compatible with the existing Class III industrial facility and its operations located at 101 Exmouth.

2. A noise and vibration study is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority and in accordance with the Ministry of the Environment, Conservation and Parks' guidelines, including

Publication NPC-300, as amended, demonstrating that the proposed sensitive land uses will be compatible with the existing Class III industrial facility and its operations located at 101 Exmouth.

3. An Emission Summary and Dispersion Modelling Report is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority in accordance with Ontario Regulation 419/05: Air Pollution – Local Air Quality, as amended, demonstrating that the proposed sensitive land uses are compatible with the existing Class III industrial facility and its operations located at 101 Exmouth, including any odour, dust and air emissions therefrom.

4. A Traffic Impact Study is undertaken by a qualified professional on behalf of the owner/applicant to the satisfaction of the applicable planning authority demonstrating that the proposed sensitive land uses and any additional traffic generated therefrom do not negatively impact the existing Class III industrial facility and its operations located at 101 Exmouth.

5. The owner registers the following warning clause on title:

Purchasers and tenants are advised that this development is in close proximity to an operating grain terminal located at 101 Exmouth Street, Sarnia, Ontario. The grain terminal is a bulk terminal that receives, stores, and ships agricultural crops and crop inputs. Operations at the grain terminal include drying and cleaning of grain, as well as receipt and bulk storage and blending of fertilizer. The grain terminal operates 16 hours per day, five days per week, and 52 weeks per year. However, operations at the grain terminal can vary seasonally with processes operating up to 24 hours per day. The grain terminal operations and buildings may be altered or expanded in the future within its property limits, subject to obtaining applicable approvals.

Notwithstanding the inclusion of best practice measures in this development and at the grain terminal to reduce potential noise impacts, noise from the grain terminal's operations may be audible and may sometimes affect the indoor and/or outdoor living environment of residents, visitors, tenants and workers. The owner(s) and operator(s) of the grain terminal will not be responsible for any complaints or claims arising from the noise impacts of the activities at the grain terminal related to its operations.

Purchasers and tenants are advised that despite the inclusion of air quality mitigation measures in development and at the grain terminal to reduce potential air emission, odour and dust impacts from the grain terminal, such emissions and impacts may be discernible at times and may impact the enjoyment of indoor and outdoor areas of this residential development. The owner(s) and operator(s) of the grain terminal will not be responsible for any complaints or claims arising from air emission, odour and dust impacts resulting from the activities at the grain terminal related to its operations.

(2) All studies described in subsection 5(1) shall be completed with the assumption that the facility at 101 Exmouth is operating at maximum (peak) capacity using data from the facility at 101 Exmouth, if reasonably available.

(3) In the event the applicable planning authority removes holding symbol (H) in accordance with this Order on a property in the 650 m Buffer Lands, the applicable planning authority shall, as a condition of Site Plan Approval and/or Building Permit issuance, ensure that a new holding symbol (H) is applied to the same property so that any further and additional new sensitive land uses proposed by an owner/applicant of the such property in the future is required to be shown to satisfy the conditions of Section 4(1)(2) of this Order at the time of the said further and additional proposed new sensitive land uses.

(4) For clarity, subsection 5(3) of this Order applies to ensure that all new sensitive land uses on properties in the 650 m Buffer Lands, whether on initial change in use in accordance with this Order or further intensification of a previously permitted change of use in accordance with this Order, are subject to a holding symbol (H) that is lifted only in accordance with section 5(1) of this Order.

Terms of use

6. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

7. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be a by-law passed by the council of the City of Sarnia.

Commencement

8. This Regulation comes into force on the day it is filed.











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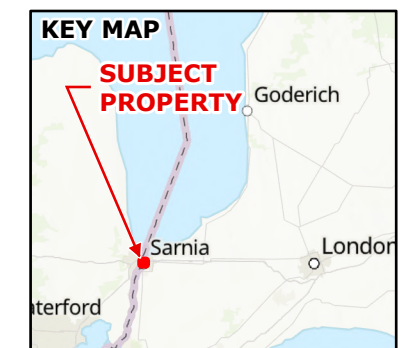
Minister of Municipal Affairs and Housing

Date Made:

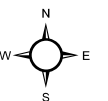
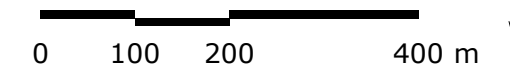
MINISTERIAL ZONING ORDER

SCHEDULE A

-  Subject Property
-  City of Sarnia
-  Radius (300m)
-  Land within 300m
-  Radius (650m)
-  Land between 301 - 650m
-  Parcels
-  Highway
-  Major Road
-  Minor Road



SCALE 1:8,000



MAP DRAWING INFORMATION:
DATA PROVIDED BY ESRI, LAMBTON COUNTY

MAP CREATED BY: EGG
MAP CHECKED BY: TJO
MAP PROJECTION: NAD 1983 UTM Zone 17



PROJECT: 25-2506
STATUS: DRAFT
DATE: 2025-12-16

Planning Act
Loi sur l'aménagement du territoire

ONTARIO REGULATION XX/26

made under the

PLANNING ACT

ZONING ORDER – VILLAGE OF POINT EDWARD

Definitions

1. In this Order,

“101 Exmouth” means the property located at 101 Exmouth Street, Sarnia, Ontario with legal description: PT WATER LT 8 PL 24 SARNIA CITY; PT WATER LT 9 PL 24 SARNIA CITY; PT WATER LT 10 PL 24 SARNIA CITY; PT WATER LT 11 PL 24 SARNIA CITY AS IN L648712; S/T L435611; SARNIA.

“300 m Buffer Lands” means all lands, including a portion thereof, located within 300 meters of 101 Exmouth, as depicted on the map in Schedule “A” to this Order.

“650 m Buffer Lands” means all lands, including a portion thereof, located within 650 meters of 101 Exmouth, excluding the 300 m Buffer Lands, as depicted on the map in Schedule “A” to this Order.

"Dwelling" means a building or part thereof used or intended, adapted or designed to be used, occupied or capable of being occupied, as a home, residence or sleeping place for one or more persons having a right to the exclusive use thereof, but shall not include any travel trailer, hotel, motel, private garage, a home for the aged, nursing home, hospital, or living quarters for a caretaker, watchman or other person or persons using living quarters which are accessory to a non-residential use.

“Sensitive land uses” means buildings, amenity areas, or outdoor spaces that are part of the natural or built environment where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major or industrial facility, and includes, but is not limited to single and multi-unit dwellings, residences, day care centres, and educational and health facilities.

"Storey" shall mean that portion of a building other than a cellar or attic storey which is included between one floor level and the next higher floor level or the ceiling and which is not less than 2.25m nor more than 4.25m in height.

Application

2. This Order applies to lands in the Village of Point Edward, in the Province of Ontario, being lands delineated on Schedule A (attached hereto) filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street, Toronto, Ontario.

Application of by-laws

3. (1) Except as otherwise provided in this Order, the zoning by-law(s) of the Village of Point Edward continue to be in effect, as applicable in the municipality and as amended or replaced, at the lands described in section 2 of this Order.

(2) Any portion of any amended or future by-laws of the Village of Point Edward, as applicable in the municipality, that is inconsistent with this Order is of no force and effect.

Zoning requirements

4. (1) The zoning requirements for the lands subject to this Order are the zoning requirements as set out in the sections of the Village of Point Edward Zoning By-law 20-2012, as applicable in the municipality and as amended or replaced, with the following exceptions:

1. No new sensitive land uses are permitted in the 300 m Buffer Lands as of the date this Order comes into legal force.

2. All properties in the 650 m Buffer Lands shall be subject to a new holding symbol (H). The new holding symbol (H) may only be lifted in accordance with this Order.

(2) Subsection 4(1)(2) of this Order shall only apply at properties at which a new sensitive land use is commenced or proposed to be commenced after the date this Order comes into legal force.

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1. A land use compatibility study is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority demonstrating that the proposed sensitive land use(s) will be compatible with the existing Class III industrial facility and its operations located at 101 Exmouth.

2. A noise and vibration study is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority and in accordance with the Ministry of the Environment, Conservation and Parks' guidelines, including

Publication NPC-300, as amended, demonstrating that the proposed sensitive land uses will be compatible with the existing Class III industrial facility and its operations located at 101 Exmouth.

3. An Emission Summary and Dispersion Modelling Report is undertaken by a qualified professional engaged by the owner/applicant to the satisfaction of the applicable planning authority in accordance with Ontario Regulation 419/05: Air Pollution – Local Air Quality, as amended, demonstrating that the proposed sensitive land uses are compatible with the existing Class III industrial facility and its operations located at 101 Exmouth, including any odour, dust and air emissions therefrom.

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Purchasers and tenants are advised that despite the inclusion of air quality mitigation measures in development and at the grain terminal to reduce potential air emission, odour and dust impacts from the grain terminal, such emissions and impacts may be discernible at times and may impact the enjoyment of indoor and outdoor areas of this residential development. The owner(s) and operator(s) of the grain terminal will not be responsible for any complaints or claims arising from air emission, odour and dust impacts resulting from the activities at the grain terminal related to its operations.

(2) All studies described in subsection 5(1) shall be completed with the assumption that the facility at 101 Exmouth is operating at maximum (peak) capacity using data from the facility at 101 Exmouth, if reasonably available.

(3) In the event the applicable planning authority removes holding symbol (H) in accordance with this Order on a property in the 650 m Buffer Lands, the applicable planning authority shall, as a condition of Site Plan Approval and/or Building Permit issuance, ensure that a new holding symbol (H) is applied to the same property so that any further and additional new sensitive land uses proposed by an owner/applicant of the such property in the future is required to be shown to satisfy the conditions of Section 4(1)(2) of this Order at the time of the said further and additional proposed new sensitive land uses.

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Terms of use

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(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

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Commencement

8. This Regulation comes into force on the day it is filed.











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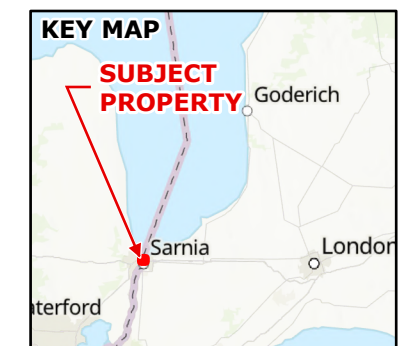
Minister of Municipal Affairs and Housing

Date Made:

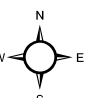
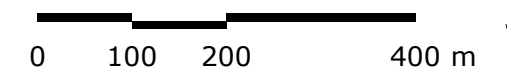
MINISTERIAL ZONING ORDER

SCHEDULE A

-  Subject Property
-  Village of Point Edward
-  Radius (300m)
-  Land within 300m
-  Radius (650m)
-  Land between 301 - 650m
-  Parcels
-  Highway
-  Major Road
-  Minor Road



SCALE 1:8,000



MAP DRAWING INFORMATION:
DATA PROVIDED BY ESRI, LAMBTON COUNTY

MAP CREATED BY: EGG
MAP CHECKED BY: TJO
MAP PROJECTION: NAD 1983 UTM Zone 17



PROJECT: 25-2506
STATUS: DRAFT
DATE: 2025-12-16

