

## SECTION 11.0 SPECIAL POLICY AREAS

The policies in the following subsections relate to site specific special policy areas having corresponding SPA numbers on Schedule A and its various sub-schedules relating to the eleven Municipal settlement areas.

### SPA #1

For lands so identified in the Ilderton *Urban Settlement Area*, on Schedule A-1, notwithstanding the residential designation, these lands may also be used for purposes permitted within the Settlement Commercial designation, if the lands are developed as a mixed-use area or with settlement commercial uses at ground floor, and residential uses above and/or behind. Commercial uses shall be designed and integrated in a manner that is compatible with adjacent residential uses. Further, the portions of the property adjacent to the north and east boundary of the special boundary areas should be developed to be predominantly residential in nature and character. The Municipality's comprehensive zoning by-law shall further define such areas.

### SPA #2

For lands so identified in the Komoka and Kilworth *Urban Settlement Area* on Schedule A-2, notwithstanding the Settlement Commercial designation, the lands may also be used for purposes permitted within the Settlement Employment designation of this Plan.

### SPA #3

**For lands so identified on the Delaware *Community Settlement Area* (Schedule A-4), notwithstanding the residential policies of this Plan, are subject to the following policies:**

- a) **The Municipality is committed to the provision of municipal sewage services to service existing and future development in this area in the long term as indicated in the Delaware Water and Wastewater Servicing Study prepared by Dillon Consulting dated May 31, 2005, being Phases 1 and 2 of the Municipal Class Environmental Assessment. In this regard, the Municipality shall move forward with the subsequent phases of the full Class Environmental Assessment process.**
- b) **Development within this area on municipal water and private on-site septic systems shall be restricted to lands located on existing road right-of-ways, being Harris Road, Martin Road and Wellington Street. Such development should not preclude the efficient use of land should municipal sewage services become available.**
- c) **Development shall adhere to the extent feasible and practicable with the conceptual area plan as described in the August 1997, "Delaware Village Area Plan and Environmental Management Study" prepared by Delcan Corporation which includes new road allowances to ultimately provide access for the internal lands namely those not situated on existing road right-of-ways and areas suitable for stormwater control structures.**
- d) **The development restrictions which limit development to lands located on existing road right-of-ways shall be removed upon this area being serviced by municipal sewage services. The development of the internal lands, being those not located on existing road right-of-ways, shall adhere to the extent feasible and practicable to the generalized street pattern as outlined to in the August 1997, "Delaware Village Area Plan and Environmental Management Study" prepared by Delcan Corporation.**

- e) **The creation of lots which do not extend along the entire frontage of a property on existing road right-of-ways (with the exception of new road allowances to ultimately provide access for the internal lands) shall be prohibited.**
- f) **No lots may be developed on existing right-of-ways without confirmation that the lots can accommodate an appropriate septic system, sewage envelope and contingency area as outlined in Section 10.3.1b) of this Plan.**
- g) **The lands must be graded to control storm water run-off quantity and quality in accordance with a grading plan approved by the Municipality. No lots may be developed without confirmation that the creation of the lots will not prejudice future storm water management efforts of the area and depending on the scale of the development, the Municipality may request the preparation of a Storm Water Management Study to be completed to the satisfaction of the Upper Thames River Conservation Authority prior to development preceding.**
- h) **The Municipality shall initiate a groundwater monitoring program to determine the impacts of existing septic systems on ground and surface water. Notwithstanding the other policies of SPA #3, development within this area may be prohibited if ground water nitrate levels are found to be at an unacceptable level by the Ministry of Environment and the Municipality.**

#### SPA #4

For lands so identified adjacent to the Delaware *Community Settlement Area* (Schedule A-4), notwithstanding the Rural Industrial Designation of this Plan, these lands are encouraged to be developed on municipal water services through an extension of such services from the Village. Where such municipal water services are provided, permitted uses that are not “dry” in nature may be considered.

#### SPA #5

For the lands so identified east of *Delaware Community Settlement Area* (shown as Schedule A-4), the development of these lands shall be subject to the following policies:

- a) Notwithstanding the Settlement Employment designation of the subject lands, prior to the consideration of enactment of an implementing zoning by-law amendment, a noise impact assessment is required to be prepared by a qualified consultant and approved by the Municipality which determines the appropriate uses that are to be permitted on the land; and provides recommendations for appropriate mitigation measures to be incorporated into subdivision design and site plan design.

#### SPA #7

For lands so identified on Schedule A designated Rural Commercial, prior to development proceeding, proponents will be required to submit a detailed concept plan for the area as a whole, addressing general distribution of uses/buildings, proposed access/egress points, proposed parcel sizes, proposed servicing provisions, and other issues or details deemed relevant by the Municipality. It is the Municipality's wish to ensure this area is planned and developed in a co-ordinated manner.