

## OFFICIAL PLAN OF THE MUNICIPALITY OF MIDDLESEX CENTRE

Redline Draft V8

\*Please note, this redline draft of the Official Plan is for reference purposes only. It is recommended that the Municipality prepare a new Consolidated Official Plan once the Official Plan Update Amendment has been approved and comes into effect.

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## SECTION 1.0 INTRODUCTION AND PLANNING APPROACH

### 1.1 TITLE AND COMPONENTS OF THE PLAN

This Plan shall be known as the Official Plan of the Municipality of Middlesex Centre. The following text, consisting of Sections 1.0 through 12.0 and the attached Schedules A, B, C, D, and A-1 through to A-11 constitute the Official Plan.

### 1.2 PURPOSE OF THE OFFICIAL PLAN

This Official Plan is intended to provide for the orderly growth and development of the Municipality, and provide guidance in the management of change. In particular, this Plan includes goals and policies relating to land use, agricultural and settlement areas, the classification of a Municipal natural areas system, economic, social and servicing matters.

This Plan establishes a consistent policy structure for the three former Townships amalgamated in January of 1998 (the former Townships of Delaware, Lobo and London). The Plan will guide Council and other public bodies and officials in the consideration of their related responsibilities, and will provide direction and assurance to private individuals when making related decisions.

This Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it. This Official Plan may also contain a description of the measures and procedures proposed to obtain the objectives of the plan and a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the Official Plan or in respect of a proposed zoning by-law.

This Official Plan may be supplemented by other Municipal studies, guidelines or plans.

### 1.3 PLANNING HORIZON

This Plan uses a ~~2520~~ year planning horizon, from ~~2011-2031~~~~2021 to 2046~~-. This timeframe is used within the Plan for the purposes of determining land use needs and other policies. Population projections used in the preparation of this Plan are based on this ~~20~~ 25-year timeframe, and it is intended that the Plan be monitored, reviewed, and amended if necessary every five years to ensure its continued applicability, relevance and appropriateness.

### 1.4 INTERPRETATION AND LEGAL EFFECT

The Municipality of Middlesex Centre Council, appointed Committees, and Municipal staff will be responsible for interpreting all aspects of this Official Plan, except where policies may be of Provincial or County significance. In such cases, the interpretation of this Plan will be undertaken in conjunction with the County of Middlesex. Many sections and policies of this Plan are inter-related, and thus the Plan should be read and interpreted in its entirety.

The preambles in italicized writing at the beginning of Sections 2.0 to 10.0, are for information only and do not form part of the Official Plan. The definitions contained in Section 12.0 form part

of this Plan and are used to interpret the same words and phrases as they appear in Section 1.0 to Section 11.0.

All figures and quantities contained within this Plan shall be considered as approximate only. Amendments to this Plan will not be required where reasonable deviations from any of the figures and quantities are proposed, provided the general intent of the Plan is maintained. It is intended that land use designation boundaries shown in the schedules included in this Plan, be considered approximate, and absolute only where bounded by roads, railways, bodies of water or other similar geographic barriers. Hamlet area designation boundaries are to be interpreted to align with existing lot lines and physical and natural features. Amendments to this Plan will not be required to make minor adjustments to the approximate land use boundaries provided that the general intent of this Plan is maintained.

The legal effect of this Plan is such that no major municipal public works shall be undertaken, and no municipal by-law passed for any purpose, that does not conform to this Official Plan. Public works undertaken by all other levels of government or public agencies shall also be required to conform to this Plan, except where exempted under Federal or Provincial legislation.

It is not the intent of this Official Plan to exercise any jurisdiction over lands located ~~on native reserves outside the corporate boundary of the Municipality.~~

## 1.5 RELATIONSHIP TO THE COUNTY PLAN

The Municipality of Middlesex Centre Official Plan is required to conform to the County of Middlesex Official Plan. Whereas the County Plan contains broad policies involving County responsibilities and Provincial interests, the Official Plan of the Municipality of Middlesex Centre is intended to address local issues, unique characteristics, and special objectives and goals of the local municipality. The County Plan has specifically set out matters which are to be included and considered within local Official Plans.

## 1.6 MUNICIPAL MISSION STATEMENT

In ~~early 1999~~2020, Council ~~for the newly amalgamated Municipality~~ adopted a new Strategic Plan for the years 2021-2026, which includes ~~a~~ Municipal Vision and Mission Statements. ~~These~~ Mission Statements ~~are~~ was worded as follows:

Vision:

A thriving, progressive and welcoming community that honours our rural roots and embraces our natural spaces.

Mission:

Middlesex Centre is a community of urban and rural communities, woven together by the strength of our agricultural base, community spirit, and positive vision. Through innovative planning, financial responsibility, and strong partnerships, we will sustain our unique character while ensuring a strong future for our citizens. To deliver the highest standard in municipal services in a sustainable, professional and innovative manner.

~~These~~ Mission ~~Statements~~, along with additional sections of the Strategic Plan, ~~has~~ ves acted as a guide in the establishment of the policy included in this Official Plan. ~~The~~ Vision and ~~is~~ Mission Statements may be updated by the Municipality from time to time without amendment to this

Official Plan. Significant changes to the [Vision Statement](#), Mission Statement or Strategic Plan may be considered justification for consideration of a general update to the Official Plan, in the context of one of the Official Plan's five year review periods.

## 1.7 MUNICIPAL GENERAL PRINCIPLES: TRADITIONAL TOWN AND COUNTRY PLANNING IN MIDDLESEX CENTRE

During the creation of the Municipality's Strategic Plan, five priorities were developed with specific initiatives and objectives associated with each. The five priorities were, Engaged Community, Balanced Growth, Vibrant Local Economy, Sustainable Infrastructure and Services, and Responsive Municipal Government. ~~a consistent theme during public participation related to the recognition and preservation of the traditional physical and social character of Middlesex Centre's settlement and agricultural areas. In a physical sense, many residents referred to the preservation of the Municipality's traditional "village scapes" and "country scapes", and other aspects that could be characterized as reflecting a more traditional style of town and country planning. It should be noted that for the purposes of this Plan, the term "traditional" is not meant to describe "business as usual" or more modern development approaches, but rather a return to a more community-oriented planning and design approach reflective of earlier settlement forms and developments.~~

It is the intent of this Official Plan to apply the broad concept of traditional town and country planning, while achieving the objectives of these priorities as a general guide in the establishment of the overall Official Plan principles. ~~It should be noted that for the purposes of this Plan, the term, "traditional" is not meant to describe "business as usual", but rather a more community-oriented planning and design approach reflective of the established form of the Municipality's urban areas.~~

For the purpose of this Plan, this concept has been interpreted to include the following general principles:

- a) To establish as a key priority of this Plan, the protection of agricultural areas for agricultural and resource uses, and enhance the agricultural economy within the Municipality.
- b) To promote and protect the predominately agricultural character and economy of the Municipality by ensuring the continued viability of agricultural resource areas, the agricultural industry, and agricultural communities in the Municipality. This will include encouraging a wide range and scale of on-farm diversified uses and agriculture-related businesses.
- a)c) This will be accomplished in part through the ~~To~~ minimization of ~~minimize~~ land use conflicts and the prevention of non-agricultural urban uses outside of settlement areas.
- b)d) To establish a clear separation of "town" and "country" through the establishment of defined settlement area edges, ~~and urban densities to reduce the amount of land required to accommodate population growth, and the prohibition of small and incremental expansions of defined hamlet boundaries.~~ the discouragement of urban uses "blending into" rural or agricultural areas on the edge of settlements.
- e)e) To create attractive, functional and livable settlement areas that reflect the traditional or historic character of the Municipality.
- d)f) To preserve and enhance wherever possible the distinctive identity ~~and character~~ heritage of individual settlement areas within the Municipality, while accommodating expected growth over the planning horizon of this Plan.

- g) To manage growth and change in an appropriate manner and in appropriate locations, with the intent of maintaining the positive physical character and attributes that Municipal residents currently enjoy.
- e)h) To manage the pace of new residential development and encourage the complementary availability of commercial, school, and public amenities as population increases.
- f)i) To provide adequate land supply and appropriate locations for anticipated and projected growth and development, on lands characterized either by existing municipal services, or by the potential for future municipal services, in keeping with the settlement area hierarchy established in this Plan.
- j) To promote efficient, cost effective development and land use patterns to minimize land consumption, reduce servicing costs and encourage intensification.
- g) —
- h)k) ~~To provide an adequate supply a full range and diversity of housing types and tenures for residents at all stages of life, including rentals, affordable housing and seniors housing in appropriate locations within settlement areas using innovative practices throughout the municipality.~~
- i)l) To provide adequate educational, social, community and cultural services to serve Municipal residents, in co-ordination with existing or proposed services and facilities provided within adjacent municipalities.
- j)m) ~~To develop-revitalize~~ the Municipality's Village Centres as the centres of commercial activity and community services, and as primary gathering places for community social interaction. New commercial and retail development should be directed to Village Centres wherever possible, with such Centres encouraged to be mixed use and of appropriate scale.
- k) — To encourage ~~settlement~~ complementary subdivision and site plan design, including the lay-out of streets, in a manner that is in keeping with the traditional or historic urban form of existing settlement areas. Street patterns that disrupt or are not in character with existing settlement street patterns, will be discouraged. New neighbourhood development is encouraged to maintain and continue traditional settlement area patterns, and provide a high level of street and pedestrian connectivity within settlements to facilitate walkability and a highly connected village pattern.
- h)n) —
- m)o) To enhance or revitalize existing civic or Municipal public spaces where appropriate through design and programming of use. To create new neighbourhood civic spaces of a variety of scales, from Municipal parks to neighbourhood village greens, in the context of the Municipality's overall parks and recreation system.
- n)p) ~~To encourage-permit redevelopment within appropriate infilling in-existing developed areas, in a manner that reflects the needs of a growing community is-compatible-with existing development and the existing character of neighbourhoods.~~

- e)g) To encourage the preservation of heritage, rural or agricultural landscapes, in part through the promotion of a strong agricultural industry and presence outside of settlement areas.
- e)r) To reduce the risk to public safety and to property from natural hazard processes including flooding and unstable slopes.
- e)s) To protect, and wherever possible enhance, significant natural features and areas, including but not limited to rivers, streams and associated valley lands; wetlands; groundwater recharge areas; significant woodlots; significant wildlife and wildlife habitat; fish habitat; headwater areas; areas of natural or scientific interest; threatened and endangered species and their habitat; and other environmentally significant features. Natural areas are often also natural hazard areas due to the constraints posed by flooding or steep slopes.
- e)t) To ensure the protection for long term extraction of mineral aggregate and petroleum resources, and to ensure progressive and appropriate rehabilitation of associated sites.
- e)u) To provide an efficient and safe transportation network facilitating all forms of movement through and within the Municipality, including pedestrian and cycling movement ~~wherever possible and appropriate~~ within and between settlement areas.
- v) To promote tourism within the Municipality as well as economic development which facilitates appropriately located and scaled commercial or industrial uses.
- w) To explore and facilitate the servicing and development of a municipal business park and a municipal industrial park.
- e)x) To facilitate the expansion of high speed internet, electric vehicle charging stations, and other emerging technological infrastructure;
- y) To encourage open and constructive communication and consultation with the community on all planning matters within the Municipality.

## 1.8 MAJOR LAND USE CONCEPT

The Municipality of Middlesex Centre's general concept is illustrated in the land use schedules included in this Official Plan. The long-term land use concept for the Municipality consists of the following general components:

- a) The predominant use of land within the Municipality will continue to be for agricultural and related purposes.
- b) The structure of settlement areas within this Plan establishes a hierarchy of settlement areas that includes *Urban Settlement Areas*; *Community Settlement Areas*; and *Hamlets*.
- c) The majority of growth within the Municipality will be directed to *Urban Settlement Areas* as established in this Plan. Such areas will accommodate growth on full municipal servicing, with such growth being permitted where adequate servicing capacities are

established. More limited growth will be permitted within *Community Settlement Areas*, in the form of infilling and redevelopment of existing properties, subject to issues of servicing availability and other policies of this Plan.

- d) The seven *Hamlets* within the Municipality are intended to function as local service centres for their surrounding agricultural areas. It is not expected that *Hamlet Areas* will expand within the planning horizon of this Plan. Compatible opportunities for infill development within *Hamlet Areas* may be considered.
- e) Development within *Urban Settlement Areas*, and limited development within *Community Settlement Areas* and *Hamlets*, is expected to provide an opportunity for a full range of housing opportunities at varying densities and levels of affordability, in a manner that avoids or minimizes land use compatibility issues and supports is compatible with existing neighbourhoods, and the traditional character of the Municipality's settlement areas.
- f) Lands outside of settlement areas are designated for specific purposes including "Agriculture", "Rural Industrial", "Rural Commercial", "Parks and Recreation", "Natural Environment Areas", and "Flood Plain". These designations are illustrated on Schedule A. Schedule A also includes a policy overlay relating to "Aggregate Resource Areas". Where such an overlay exists, the underlying designation will also apply. Lands designated "Rural Industrial" and "Rural Commercial" will generally correspond with lands designated for similar purposes in previous Official Plans, and it is not expected that new Rural Industrial or Rural Commercial designations outside of settlement areas will be permitted.

Schedule A also illustrates site specific policy areas.

- g) Schedules B and C include policy overlays relating to "Greenland Features" and "Natural Hazards". Where these overlays exist, the underlying land use designations on Schedule A will also apply.
- h) Within settlement areas (as shown on Schedule A and its sub-schedules), lands have been designated for specific purposes including "Residential", "Village Centre", "Settlement Commercial", "Settlement Employment", "Natural Environment Area", "Floodplain", and "Parks and Recreation". Settlements identified as *Urban Settlement Areas* or *Community Settlement Areas* have been separated into these land use designations. Settlements identified as *Hamlet Settlement Areas* have not been separated into individual land use designations, but rather are designated "Hamlet" in their entirety.
- i) The Schedules of this Plan include both land use designations and policy overlays. The text of this Plan include applicable policies relating to both land use designations and overlays. In all cases where a policy overlay exists over an underlying land use designation, both the land use designation policies and overlay policies will apply. For example, policies relating to lands with an "Aggregate Resource Area" overlay will be subject to the policies of Section 4 of this Plan, as well as the policies relating to the underlying designation. In most cases outside of settlement areas, the underlying land use designation will be "Agriculture", and in such instances the policies of Section 2 will also apply.

## SECTION 2.0 POLICIES FOR AGRICULTURAL AREAS

Preamble: The Municipality of Middlesex Centre has a tremendous agricultural resource, and a long-standing agricultural heritage that helps to define our community identity. The agricultural land base represents one of our most significant economic and community assets, with the majority of the Municipality considered Prime Agricultural land. It is a key priority of the Municipality that agricultural areas be protected for agricultural and resource uses, and that the agricultural economy be enhanced within the Municipality. The continued viability of agricultural resource areas, the agricultural industry, and agricultural communities will be protected by the Municipality, in part through the avoidance of land use conflicts and the prevention of non-agricultural urban uses outside of the settlement areas.

### 2.1 GENERAL AGRICULTURAL GOALS

The following goals relate to lands within the Agriculture designation. These include the majority of lands outside of the Municipality's settlement areas.

- a) To preserve agriculture as the primary land use outside of settlement areas within the Municipality.
- b) To recognize the agricultural heritage within the Municipality, and the significant importance of agriculture to not only the rural community, but also to the viability and character of settlement areas within the Municipality, and to the Provincial economy as a whole.
- c) To protect agricultural areas from interference or encroachment from conflicting land uses, or uses which could reduce or negatively impact the future flexibility or efficiency of agricultural operations.
- d) To enhance the viability of farm operations wherever possible to ensure their continued economic strength.
- e) To encourage the retention of existing woodlots within the Municipality, and encourage the establishment of new or expanded woodlots on lands with poor soil capability for agriculture.
- f) To encourage good farm management and stewardship practices, and agricultural practices that consider the health of the natural environment.
- g) To promote and encourage a wide range and scale of on-farm diversified uses and agriculture-related businesses, in accordance with provincial guidelines, which provide the opportunity for farm operators to earn a supplementary income in a manner that minimizes the use of prime agricultural lands.

### 2.2 GENERAL AGRICULTURAL POLICIES

- a) Non-agricultural urban uses within agricultural areas are prohibited, unless specifically permitted in other subsections of Section 2.0 of this Plan.

- b) New estate residential lots outside of settlement areas are prohibited.
- c) The fragmentation of farm parcels in agricultural areas is strongly discouraged.
- d) The expansion of farm parcels through lot assembly is encouraged wherever possible.

### 2.3 PERMITTED USES IN AGRICULTURAL AREAS

Agricultural areas are intended to be used predominantly for agriculture, ~~and~~ agriculture-related uses and On-Farm Diversified uses. This includes all forms of farming, including the principal farm dwelling, related buildings and structures, practices and uses of land.

Other permitted uses in agricultural areas include the following:

- ~~Agriculture-related Commercial or industrial activities subject to Section 2.4 and directly related to agriculture and required in close proximity to associated farming operations, or "value-added" agriculturally related uses~~ as defined in Section 12.0.
- On-Farm Diversified uses subject to Section 2.5, as defined in Section 12.0.
- Retail sale of farm produce produced on individual properties or communally among neighbouring farms. Such communal operations should not be of a size, scale or nature likely to negatively affect the rural character of the area in question. Size and scale will be further regulated in the Municipality's zoning by-law.
- Forestry and woodlots.
- ~~Bed and Breakfast Establishments.~~
- ~~Home Occupations.~~
- Natural areas and conservation uses.
- Residence Surplus to a Farming Operation.
- Small scale public and private passive recreation uses-areas which may include trails and open spaces, but not campgrounds, golf courses or mobile home parks, subject to site specific zoning.
- Commercial Wind Energy Generation Systems (CWEGS) subject to site specific Zoning By-law Amendment.

Notwithstanding the permitted uses set out in section 2.3 of this Plan, non-farm residences which existed prior to the establishment of the Middlesex Centre on January 1, 1998 may be used, altered, reconstructed, repaired and renovated provided that the reconstruction, repair or renovation, as the case may be, is undertaken in full compliance with all applicable law.

In addition to the above, any lots, which existed lawfully prior to the establishment of Middlesex Centre on January 1, 1998 and which are vacant may be used for the construction of a non-farm

residence, if the use is permitted by the Comprehensive Zoning By-law and if the non-farm residence is constructed in full compliance with all applicable law, including Minimum Distance Separation Formula 1.

## 2.4 ~~AGRICULTURE~~~~EALLY~~-RELATED COMMERCIAL AND INDUSTRIAL DEVELOPMENT

~~Agriculture-Related Uses are farm-related Ccommercial and farm-related industrial uses that are compatible with and do not hinder surrounding agricultural operations, are directly related to agriculture, support agriculture, benefit from being, and required in close proximity to farming operations, and provide direct products and/or services to farm operations as a primary activity, in accordance with OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Area.~~

~~Proposals for Agriculture-Related Uses within the Agriculture designation shall require a zoning by-law amendment to permit the specific use proposed and to establish development standards appropriate for the proposal. Proposals shall be compatible with surrounding agricultural areas and shall be subject to are permitted within the agriculture designation, subject to approval of a site specific zone change application and the requirements of Site Plan Control under Section 10.5 of this Plan, having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.~~

~~A justification report may also be required by the Municipality to demonstrate how the proposal meets the definition of an Agriculture-Related Use and the criteria described below, at its discretion. Such uses are nevertheless encouraged to locate within settlement areas except where they are essential to the functioning of agriculture, require a location in close proximity to agriculture, or would cause conflicts in settlement areas. Uses that could potentially cause conflicts in settlement areas would include feed mills, livestock assembly yards, and slaughter houses.~~

~~Agriculture related tourism or recreational uses may also be permitted, subject to the policies of Section 2.0 of this Plan, and further subject to consideration of issues including the proposed scale of the use; a determination that no negative impacts on nearby agricultural operations will result; and a determination that the use is well removed from potential land use conflicts. Site specific zoning will be required.~~

~~When considering the establishment of new agriculture~~eally~~-related commercial, ~~or~~ industrial-~~or~~ tourism uses, or the expansion of existing uses of this type, Council will consider the following criteria:~~

- a) The loss of productive farm land in the accommodating of such uses, shall be discouraged. Uses will be encouraged to locate on lands of lower soil capability or lands proven to be unsuitable for farming due to lot size, shape or topography.
- b) ~~New lot creation for Agriculture-Related uses shall be limited to The amount of land devoted to the use shall include only~~ the minimum size necessary to support the use and its servicing needs.
- c) The use must not require municipal sewer or water services. The method of servicing shall require approval by the appropriate regulatory bodies. Any industrial use shall be "dry" in nature.

- d) Access shall be available from a public road of reasonable construction and year-round maintenance. Development is encouraged on a hard-surface, dust-free road.
- e) The nature of the use shall be directly related to farm operations in the area and shall provide direct products or services to farm operations as a primary activity (e.g. food processing, grain drying facility, mill, abattoir, etc.).
- f) Access to Provincial Highways for agriculturally related commercial and industrial development uses will be subject to the review and approval of the Ministry of Transportation (MTO). An entrance permit from the MTO will be required for the change in use of the access. The entrance permit will identify the primary land use (i.e. farmstead) with a specific secondary land use for the agriculturally-related commercial or industrial use.
- g) In addition, the MTO would not support a future severance where a property owner wishes to separate the agriculturally-related commercial and industrial use from the property where a new entrance from the highway for the new lot of record would be required.
- h) A site plan agreement shall be entered into with the Municipality. Such an agreement will require particulars relating to, at a minimum, access, traffic, drainage, and grading.
- i) Where a severance of land is necessary to accommodate such a use, the severance policies in Section 10.3 of this Plan will apply.
- j) Compliance with minimum distance separation shall be required where a proposed agriculturally related commercial or industrial use is in proximity to livestock and/or poultry operations. The Municipality may exercise discretion, through the consideration of Minor Variance applications, based on the proposed type of commercial or industrial use, and the extent of its sensitivity to agricultural activities. Input from the appropriate agencies with respect to Minor Variance request will be sought by the Municipality. This Plan recognizes that such agriculturally-related commercial or industrial uses may also have negative impacts on adjacent agricultural operations. Minimum distance separation shall also be used to address impact of such uses on sensitive agricultural uses.
- k) Adequate separation distances and buffering shall be required where such uses are proposed adjacent to existing residential or other sensitive uses. Adequate visual buffering or landscaping will be required where such uses may generally impact the agricultural or rural character of the Municipality.

## 2.5 ON-FARM DIVERSIFIED USES

Non-agricultural uses may be permitted in the form of On-Farm Diversified Uses within the Agricultural Area, subject to the policies below and provided they satisfy the PPS definition of On-Farm Diversified Uses and the OMAFRA guidelines on permitted uses in Ontario's Prime Agricultural Areas. The intent is to allow farm operators to supplement their income through a secondary use or activity provided it does not become the primary use of the property.

- a) On-Farm Diversified Uses may include the following, provided the criteria set out below are met:
- Home occupations;

- Home industries (e.g. sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair, seasonal storage of boats or trailers);
  - Small-scale retail, café, or bakery;
  - Agri-tourism uses such as bed and breakfast establishments, seasonal attractions (e.g. corn maze, pick-your-own, hay rides), but not including permanent event facilities;:-
  - Value-added agricultural uses;
  - Farm market; and,
  - Farm winery, cidery, brewery or distillery.;
- a)b) Any other non-agricultural use located on a farm that meets the criteria set out below in Section 2.5.1 may be permitted.
- b)c) All On-Farm Diversified Uses shall be subject to applicable policies related to that use elsewhere in this Plan.
- d) Certain On-Farm Diversified Uses (such as Home Occupations) may be permitted as-of-right by the Zoning By-law, however a Zoning By-law Amendment may be required to permit uses that are not generally permitted within, or accessory to, a residential dwelling.
- e)e) All On-Farm Diversified Uses shall be subject to site plan control.
- f) Proponents may be required to enter into an agreement with the Municipality to ensure the use adheres to the requirements of this plan.
- g) Examples of uses that would not be considered On-Farm Diversified Uses include: equipment or vehicle dealerships, hotels, landscape businesses, manufacturing plants, trucking yards, full-scale restaurants, banquet halls and permanent wedding venues, recurring events with permanent structures, large scale active-recreational uses or spectator sports facilities, among others.

### **2.5.1 CRITERIA FOR ASSESSING ON-FARM DIVERSIFIED USES**

A proposed On-Farm Diversified Use must demonstrate that it will:

- a) Be secondary to the principal agricultural use of the property;
- b) Be limited in area to a maximum of 2% of the property on which the uses are located, to a maximum of 1 ha;
- c) Not prevent or preclude the on-going agricultural use of the property.

Agriculture related tourism or recreational uses may also be permitted, subject to the policies of Section 2.0 of this Plan, and further subject to consideration of issues including the proposed scale of the use; a determination that no negative impacts on nearby agricultural operations will result; and a determination that the use is well removed from potential land use conflicts.

Site specific zoning and Site Plan Control may be required to establish limits to the proposed use, location and time periods of operation, or other elements to ensure the proposed use meets the policies of this plan.

## **2.6 NON-AGRICULTURAL RELATED USES**

Non-agricultural related uses, save and except for those specifically permitted in this Plan, are prohibited within agricultural areas. Limited non-residential uses specifically permitted in this Plan may be permitted provided that the following are demonstrated:

- a) The land does not comprise a specialty crop area;
- b) The proposed use complies with the minimum distance separation formulae;
- c) There is an identified need within the planning horizon for additional land to accommodate the proposed use; and
- d) Alternative locations have been evaluated, and
  - i. There are no reasonable alternative locations which avoid prime agricultural areas; and
  - i.ii. There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Non-agricultural residential development will be limited to those consent-for-severance opportunities identified in Section 10.3 of this Plan. All other proposals for non-agricultural residential development within agricultural areas, including estate residential proposals, will be prohibited.

Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

## **2.7 RURAL COMMERCIAL AND INDUSTRIAL USES**

Certain Rural Commercial and Rural Industrial uses outside of Municipal settlement boundaries are permitted due to previous designations in former Official Plans. Existing Commercial and Industrial Uses are permitted to continue. It is not intended that new commercial uses or industrial uses will be permitted outside of settlement areas except in accordance with the policies for Agriculture-related uses. Applications to expand or change the use of existing rural commercial or rural industrial uses shall be reviewed in the context of policies for legal non-conforming uses and the following:

- a) Uses that would meet the definition of Agriculture-Related will be preferred.
- b) Site plan considerations must also be addressed.
- c) Such applications will be considered based on justification, as well as issues relating to adjacent land uses.
- d) Proposals of this type that result in intermittent locations of industrial and commercial lands along rural corridors, will be discouraged.

### **2.7.1 General Rural Commercial and Industrial Uses Goals**

The following goals relate to Rural Commercial and Industrial Uses:

- a) To permit existing commercial-related uses and existing industrial uses to continue in areas outside of designated settlement areas;
- b) To achieve a high standard of site development and design in keeping with the design policies included in Section 6.0 of this Plan, having regard for the Municipality's Urban Design Guidelines, and to consider environmental and agricultural heritage issues;
- c) To ensure that such development is adequately serviced;

- d) To limit or mitigate any adverse impacts to surrounding agricultural operations or opportunities and to ensure that adjacent lands or uses are adequately buffered to minimize conflict with incompatible Rural Commercial and Industrial Uses.

### **2.7.2 General Rural Commercial and Industrial Uses Policies**

When considering **expansions** to existing Rural Commercial and Industrial Uses, the following policies shall apply:

- a) Proposed uses shall meet requirements, and obtain necessary approvals, with respect to water supply, waste water disposal and solid waste disposal. Certain uses or expansions to existing uses may be restricted as a result of their servicing requirements.
- b) Such applications will require site plan approval under Section 41 of the Planning Act, in accordance with Section 10.5 of this Plan, **shall have** regard for the Municipality's Site Plan Manual, and will require execution of a corresponding site plan agreement.
- c) a drainage plan and /or additional servicing reports may be required by Council or staff. Consideration of the site plan application will relate to design policies included in Section 6.0 of this Plan and having regard for the Municipality's Urban Design Guidelines
- d) Access shall be available from a public road of reasonable construction and year round maintenance. Access to provincial highways will be subject to the review and approval of the Ministry of Transportation (MTO). At staff's, Council's or the MTO's discretion, such applications may require submission of transportation or traffic analysis establishing that the proposal will not generate conditions that are considered to be hazardous to traffic movement on the surrounding network.
- e) Adequate off-street parking, loading and unloading facilities shall be provided.
- f) Adequate buffering shall be provided where such proposals are adjacent to residential or other sensitive land uses.
- g) The design policies in Section 6.0 of this Plan and regard for the Municipality's Urban Design Guidelines shall apply.
- h) Industrial applications must make efficient use of land resources. Proposals that are inefficient or wasteful of such land uses will be discouraged.
- i) Any lands to be developed for rural industrial purposes south of the Ilderton *Urban Settlement Area*, will ultimately be serviced by municipal water and sanitary sewage, where economically and physically feasible. As an interim measure and where environmental conditions permit, rural industrial uses which are "dry" in nature may be considered where municipal services are not provided, or where municipal water services only are provided. Such "dry" rural industrial uses shall not require large volumes of water or generate large volumes of effluent. Effluent generated shall be from domestic sources only and not as a result of any industrial processes. If full municipal services are ultimately provided, industrial uses which are not "dry" in nature may be considered without amendments to this Plan.
- j) Industrial uses shall be limited to dry industrial uses (as defined in Section 11), including manufacturing, processing, assembling, wholesaling, warehousing, distributing, repair, servicing and storage of goods and materials. Uses accessory to industrial operations such as offices and factory retail outlets accessory and subordinate to an industrial use are also permitted. Research facilities, public facilities and recycling operations are also permitted.
- k) Commercial uses shall be limited to those uses which exhibit a strong orientation to vehicular traffic and single purpose shopping trips, or commercial uses which by nature of the size of product sold, require large selling areas. Without limiting the generality of the foregoing, such uses shall include commercial establishments which are oriented to vehicular traffic such as automobile sales establishments, automobile service stations and

[gas bars, public garages, building supply outlets or lumber yards, motels and accessory restaurants, farm machinery and equipment sales and service, farm supplies, and drive in restaurants.](#)

## **2.678 SEVERANCE POLICIES IN AGRICULTURAL AREAS**

Severances within agricultural areas of the Municipality are prohibited, except in those instances identified in the severance policies contained in Section 10.3 of this Plan.

## **2.798 MINIMUM DISTANCE SEPARATION**

In order to avoid land use conflicts within the Agricultural Areas designation, it is the policy of this Plan that the Minimum Distance Separation Formulae (referred to as MDS I and MDS II) are used to establish appropriate standards for separating new development from existing, new or expanding livestock facilities. These standards also apply to the review of the location or expansion of livestock facilities in proximity to existing or approved development. The Municipality may impose more restrictive setbacks than those established through MDS separation by other means such as the implementing zoning by-law.

The Municipality may also impose appropriate separation distances in its implementing zoning by-law between various settlement area boundaries identified in this Plan or boundaries with abutting urban municipalities.

The following policies shall apply in respect of MDS I and MDS II:

- a) MDS I shall apply to all existing lots of record.
- b) MDS I shall not apply if a catastrophe destroys part or all of a non-agricultural building or dwelling provided the resulting new non-agricultural building or dwelling is built no closer to a livestock facility than prior to the catastrophe.
- c) MDS I shall apply where a livestock facility is located within a designated settlement area.
- d) MDS II shall not apply if a catastrophe destroys part or all of a livestock facility provided the resulting livestock facility is constructed no closer to surrounding development than prior to the catastrophe. If however the reconstruction results in higher values in respect of nutrient units, odour potential, and/or manure form than before the catastrophe, then MDS II shall apply.
- e) A cemetery shall only be recognized as a Type A land use when there is no place of worship located on the same lot as the cemetery.

## **SECTION 3.0**

### **POLICIES FOR NATURAL AREAS AND NATURAL HAZARD AREAS**

Preamble: The Municipality's natural environment will be protected through innovative planning and close partnerships between the Municipality, County of Middlesex, Provincial Ministries and Conservation Authorities. It is a priority of this Plan to protect, and wherever possible enhance, significant natural features and functions for the long term from unacceptable impacts. It is further a priority to prevent or reduce the risk to public safety and property from natural hazard processes including flooding and unstable slopes.

#### **3.1 NATURAL AREA AND NATURAL HAZARD GOALS**

The following goals relate to the Municipality's natural system, including lands designated "Natural Environment Area" or "Floodplain" on Schedule A, Greenland Features on Schedule B, and Natural Hazard Areas on Schedule C.

- a) To identify, protect, sustain and enhance where possible and appropriate, the natural and environmental features and functions within the Municipality's Greenland system.
- b) To consider natural heritage and watershed areas (i.e. the Thames River watershed) in a holistic manner, and plan for them as a Greenland system of natural features and functions.
- c) To protect wetlands and significant habitats of threatened or endangered species through the prohibition of development within such areas.
- d) To prevent incompatible development within all environmental features of the Municipality, and to limit and control the impact of permitted compatible development on features and functions.
- e) To promote and encourage the retention of existing woodlots, corridors and linkages within the Municipality.
- f) To retain and enhance significant valleylands in their natural state in terms of ecological function, and natural and scenic quality.
- g) To consider the Municipality's natural system as part of a larger system that crosses municipal boundaries, and to integrate the Municipality's natural system with similarly identified systems and features in adjoining municipalities.
- h) To encourage partnerships with private and public landowners, public groups, the Conservation Authorities and the governments of Ontario and Canada for the continued stewardship and enhancement of the Municipality's Greenland system.
- i) To encourage improvements to water quality, base flow and peak flow conditions and general aquatic habitat conditions in all watercourses located within the Municipality. This involves consideration of natural heritage values, the agricultural needs for agricultural lands drainage, the protection of groundwater resources and the avoidance of potential natural hazards associated with watercourses.

- j) To be consistent with the Provincial Policy Statement and the County of Middlesex Official Plan, and the requirements and policies of Conservation Authorities.
- k) To encourage continued stewardship and conservation of natural heritage areas and water resources.
- l) To reduce the risk to life and the risk of property damage and social disruption from flooding and unstable slopes.
- m) To identify natural hazard areas and regulate development within these areas.

### 3.2 MUNICIPAL NATURAL ~~AREA~~HERITAGE SYSTEMS AND NATURAL ~~HAZARD~~HAZARDOUS LANDS POLICIES

The natural area policies of this Plan relate to an overall Municipality natural system, including Natural ~~Areas~~Heritage Systems and ~~Natural Hazard Areas~~Hazardous Lands. It is the policy of this Plan to conserve natural features and functions throughout the Municipality wherever possible, given their contributions to general Municipal quality of life issues, landscape-aesthetic concerns, ecological processes and interactions, water quality and ground water conservation, soil conservation, and similar matters. This Plan considers natural functions to be as important as the features themselves, given that it is often the natural function that makes the natural feature significant, and further that the health of natural features is often connected to the continuance of natural functions.

This Plan separates natural features into those where development is prohibited within their boundaries (areas designated Natural Environment Areas); those where development and site alteration may be permitted within their boundaries subject to the findings of a development assessment report (DAR) (areas with a Greenland overlay on Schedule B); and those where preservation is generally encouraged. This last category includes woodlots within the Municipality that are not considered significant; and road side and fence-line tree plantings.

This Plan also separates ~~Natural Hazard areas~~Hazardous Lands into floodplain areas (as shown as a land use designation on Schedule A and addressed in Section 3.6 of this Plan), and additional ~~Natural Hazard areas~~Hazardous Lands including steep slopes or fill line conditions (as shown as a policy overlay on Schedule C and addressed in Section 3.7 of this Plan).

Additional Natural ~~Area~~Heritage Systems and ~~Natural Hazard~~Hazardous Lands policies are as follows:

- a) Subject to Provincial and Federal statutes, regulations and the County Woodlands Conservation By-law, the policies of the Municipality's Green system does not limit the continuation of existing agricultural uses within or adjacent to such areas.
- b) This Plan encourages the retention of woodlots or portions of woodlots that are not considered significant, in the context of development provided that site triangle regulations pursuant to the Municipality's comprehensive zoning by-law are not being compromised. It is further encouraged that wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. This Plan encourages the preservation or replanting of road side and fence-line shrubs and tree plantings wherever possible and appropriate in the context of new development.

- c) The Municipality encourages consultation with the Ministry of Natural Resources for the evaluation (through DAR's) of development proposals consistent with the Natural Area policies. Council encourages opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions, for preserving and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation.
- d) Where components of the Municipality's natural system are held in private ownership, nothing in this Plan requires that these lands be free and available for public use, and the identification of lands as part of the Green system will not oblige the Municipality, or other public agencies to purchase these lands.
- e) Council will, to the extent feasible, ensure that required maintenance of existing drains is carried out in a manner that mitigates impacts upon components of the Municipality's natural system.
- f) Applications for proposals requiring access to significant amounts of groundwater or surface water from streams or ponds will only be considered by the Municipality where the applicant has illustrated that the Ministry of Environment has been consulted, and that the Ministry has not ruled out possible consideration of an application for a water taking permit. For the purposes of this policy, significant means water requirements that exceed what would be usually expected to sustain normal farming practices such as those found within the Municipality. Examples of such significant water users may include (but are not limited to) the following: golf course uses, and intensive agricultural uses. Approvals may also be required from relevant agencies.
- g) When considering applications or initiating projects in rural areas under the *Drainage Act* or *Ontario Water Resources Act* for drainage works, Council must be satisfied that the works will be engineered and constructed to ensure no negative impact on components or related ecological functions of the Municipality's natural system. Such consideration may include completion of a development assessment report (DAR) or an environmental appraisal carried out under the *Drainage Act*.
- h) For lands generally referred to as the Komoka Feedmill Prairie north of the Komoka-Kilworth Settlement Area on Schedule A-2 (as identified on Schedule B), it is recognized that this type of prairie is very rare in the Province, with only three percent of the original prairie remaining. In particular, an area of virgin prairie along the CN railway right-of-way is particularly significant. These circumstances should be considered in the context of any DAR should development be proposed for this site.
- i) The Municipality contains two provincially significant earth science ANSI's, Elginfield Moraine (lots 13-24, concessions 14-16, former London Township) and Komoka Lake Maumee II (lots 1 and 2, concession 4, former Lobo Township). Earth science ANSI's consist of some of the most significant representative examples of the bedrock, fossil and landforms in Ontario, and include examples of ongoing geological processes.
- j) The Municipality will ensure the protection of Natural Heritage Systems from public infrastructure project impacts wherever possible. Infrastructure projects within Natural Heritage Systems will be primarily limited to crossings (i.e. gas line, electricity lines, etc.) provided impacts are minimized and sensitive features are avoided to the extent possible.

- k) The ecological health of the Natural Heritage System will be monitored whenever possible and feasible.
- l) The Municipality will ensure that the planning of the Natural Heritage Systems are consistent at multiple levels including at the regional, watershed, sub-watershed and/or secondary plan levels, as appropriate.
- l)m) Additional features, functions, and linkages not identified within Natural Heritage Systems of this Plan may still need to be addressed and protected. Further studies and assessments may identify these features in greater detail, and when appropriate, these boundaries may be included as amendments to this Plan.

Earth science ANSI's are generally less sensitive to development and site alteration than life science ANSI's. Appropriate land uses are generally those that conserve topography and geologically defining features for which the area was identified. Consideration of any development proposals in this area will involve consultation with MNR relative to potential impacts on earth science ANSI's as part of the decision making process.

### 3.3 NATURAL ENVIRONMENT AREAS DESIGNATION

It is the policy of this Plan that all development or site alteration shall be prohibited, save and except for those permitted in Section 3.5 within the following types of natural areas:

- Wetlands
- Significant habitat of endangered or threatened species
- Floodplains and flood prone areas mapped and/or regulated by a Conservation Authority

Significant portions of Endangered Species Habitat are not shown on Schedule A of this Official Plan, however the Province should be consulted regarding these habitats, as required.

Such features are shown within the Natural Environment Areas designation on Schedule A of this Official Plan. The boundaries of such features may be more precisely defined through environmental evaluations such as a development assessment report to the satisfaction of the Municipality in consultation with appropriate agencies.

Development may be permitted in adjacent lands subject to the completion and findings of a development assessment report acceptable to the Municipality. Such developments must not result in a negative impact on the natural areas and functions or ecological processes of the feature in question. The extent of adjacent lands are identified on Figure 1 of this Plan.

### 3.4 GREENLAND FEATURES OVERLAY

Greenland Features as shown on Schedule B of this Official Plan constitute, for the most part, significant woodlands. These woodlands are of County significance and are identified through the Middlesex Natural Heritage Study (MNHS), a Natural Heritage Study to identify significant woodland patches in the Municipality as well as other parts of Middlesex County.

Schedule B is not a land use designation schedule and is included as part of this Official Plan as a means of raising public awareness of the importance of our natural environment. These lands

will be subject to the policies associated with the applicable land use designation on Schedule A, as well as the natural area policies of this section.

It is the policy of this Plan that development or site alterations within or on lands adjacent to the environmental features, save and except for those uses included in Section 3.5, shall be subject to completion of a Development Assessment Report acceptable to the Municipality. The distances associated with adjacent lands are identified in Figure 1 of this Plan. Development or site alteration within or adjacent to such features will be prohibited unless it can be shown that there will be minimal or no impacts on the form or function of such features.

**FIGURE 1: AREAS SUBJECT TO DEVELOPMENT ASSESSMENT REPORT (DAR)**

<b>Natural Feature Type</b>	<b>Development adjacent to Natural Feature Type</b>	<b>Development within Natural Feature Type</b>
wetlands and adjacent lands. Adjacent lands are those within 120 metres of an individual wetland area or land connecting individual wetlands within a wetland complex	DAR required within 120 m	Not Permitted
significant habitat of endangered or threatened species	DAR required within <del>100</del> -120 m	<del>Not Permitted</del> <u>only in accordance with Provincial and Federal requirements.</u>
floodplains and flood prone areas mapped and/or regulated by a Conservation Authority	DAR required within 50 m	Not Permitted
significant woodlands and ANSI's as identified on Schedule 'B'	DAR required within 50 m	DAR Required
significant wildlife Habitat	DAR required within 50 m	DAR Required
significant valley lands	DAR required within 50 m	DAR Required
fish Habitat	DAR required within 30 m	Not Permitted"

### **3.5 PERMITTED USES WITHIN MUNICIPAL NATURAL ENVIRONMENT AREAS AND GREENLAND FEATURES**

Within or adjacent to lands designated as Natural Environment Areas on Schedule A, or within Greenland features identified on Schedule B of this Plan, the following uses are permitted without the preparation of a development assessment report.

- a) \_\_\_\_\_ Silvicultural, forest, woodlot or wildlife management (exclusive of aggregate extraction), or harvesting activities consistent with the County of Middlesex Woodlands Conservation by-law or supported by a woodlands management plan, a farm management plan or other appropriate resource management plan.
- b) \_\_\_\_\_ Natural heritage appreciation supported by small scale interpretative facilities such as nature trails and outdoor displays.
- c) \_\_\_\_\_ Maple syrup production.

- d) Recreational trails existing as of the date of approval of this Plan or identified through an appropriate master plan.
- e) Existing agricultural uses may continue, although expansions of farming operations or practices would be subject to the various policies of this Plan.
- f) In the case of watercourses, crossings or farm culverts approved under the Conservation Authorities Act; flood and erosion control works; fisheries habitat improvement projects; and other projects undertaken by Conservation Authorities.

**3.6 FLOODPLAIN AREAS**

The Municipality is located within the jurisdiction of five conservation authorities. Each conservation authority, in co-operation with the watershed municipalities, has designated a regulatory floodplain standard that is appropriate for the physical condition of their respective watershed. -The various flood standards are identified in the glossary of terms in this Plan.

The Municipality generally utilizes a “one zone” floodplain system. In certain circumstances the Municipality may establish a “two zone” distinction as outlined in Sections 3.6.1 and 3.6.2 of this Plan. Schedule ‘A’ includes a land use designation relating to floodplain areas.

[New buildings and structures are prohibited within areas identified as floodplain. Expansions and alterations to existing buildings within floodplain areas may be permitted subject to the Conservation Authorities’ Fill, Construction and Alteration to Waterways Regulation.](#)

The distances associated with adjacent lands for Natural Hazard Areas are identified in Figure 3 2 of this Plan.

**FIGURE 2: NATURAL HAZARD AREAS**

Natural Hazard Feature	Boundary defined by:	Development and site alterations may be permitted where:
Flood plains and flood prone areas mapped and/or regulated by a Conservation Authority	regulations administered by, or mapping provided by, the Conservation Authorities.	DAR demonstrates no increased risk to life and property and no impact on flood conveyance, upstream or downstream flood levels or aggravation of existing natural hazard processes such as slope stability. DAR’s should also demonstrate no negative impacts on natural features / functions.

Natural Hazard Feature	Boundary defined by:	Development and site alterations may be permitted where:
Slope hazards	mapping provided by the Conservation Authorities	DAR demonstrates no increased risk to life and property and no impact on: slope stability; flooding; upstream or downstream properties; aggravation of existing natural hazard processes; or negative impacts on natural features / functions.

### **3.6.1 Floodplain Areas Outside of Identified Settlement Areas**

~~Within Development within Floodplain Areas on~~ lands outside of identified settlement areas ~~of the Municipality, development~~ is prohibited, save and except for the following uses:

- a) Existing and established agriculture and related uses, excluding buildings and structures;
- b) Outdoor passive recreation uses such as public or private open space, where such uses will have no impact on flood plain functions;
- c) Forestry;
- d) Uses related to conservation or management of water supplies, wildlife or other natural features or functions;
- e) Resource extraction, excluding buildings and structures, subject to conformity with other policies of this Plan;
- f) Public utilities with adequate flood proofing measures; and
- g) Flood and erosion control structures.

The above uses will only be permitted where it can be demonstrated that the natural hazard will not be aggravated, and the requirements of the applicable Conservation Authority(ies) or other agencies can and will be met, including the requirement for a development permit from the conservation authority. -A Development Assessment Report (DAR) may be submitted to establish a "two-zone" distinction identifying the floodway and flood fringe. Such studies shall be prepared to the satisfaction of the Municipality and the applicable Conservation Authority(ies), and where such a report has been accepted, the development of amenity uses (in separate designations, but on the same land parcel) may be permitted within the flood fringe if considered appropriate. Such amenity uses might include accessory structures or similar and acceptable uses. -A key component of this Development Assessment Report will be an evaluation of appropriate risk management to potential flood hazard. The DAR must also establish that there are no alternatives available involving the location of such accessory uses on portions of land outside of the flood fringe.

### **3.6.2 Floodplain Areas Within Identified Settlement Areas**

The uses permitted in Section 3.6.1 are also permitted within Floodplain Areas on lands ~~Within~~ identified within settlement areas ~~the uses listed in Section 3.6.1 are also permitted. Additionally, alternative~~ ~~Within settlements, alternative~~ developments may also be permitted, subject to the completion of a Development Assessment Report (DAR). This report will specifically evaluate the floodplain area, and establish a "two-zone" distinction that identifies the floodway and the flood fringe. -Where such a study has been prepared to the satisfaction of the Municipality and the applicable Conservation Authority(ies), the development of amenity uses relating to development or land uses (in separate designations, but on the same land parcel) may be permitted within the flood fringe if considered appropriate. Such amenity uses might include accessory structures, rear yards of residential lots, parking areas, or other similar and acceptable uses. -A key component of this Development Assessment Report ~~DAR~~ will be an evaluation of appropriate risk management to potential flood hazard. The DAR must also establish that there are no alternatives available to locate amenity uses on portions of land outside of the flood fringe.

### 3.6.3 Existing Development

Where there is an existing lawfully established development within lands designated Floodplain on Schedule A, this development is permitted to continue.– Where it is proposed that such development be expanded or altered in a manner that may represent a risk of potential flood hazard, a Development Assessment Report (DAR) may be required for review by appropriate agencies including Conservation Authorities, and such proposals may be subject to approval requirements in legislation such as the *Conservation Authorities Act* and the *Fisheries Act*.– An expansion or alteration may require approval by the Municipality's Committee of Adjustment. Such expansions to existing uses may be permitted in either the floodway or the flood fringe, where deemed appropriate and acceptable by the Municipality and appropriate agencies.– Floodplain location may be more accurately defined in the Municipality's new comprehensive zoning by-law.

Certain lands on Schedule A designated for Residential, Hamlet or other purposes, are shown within a floodline.– Although these lands are not designated for floodplain purposes, and are not subject to the policies in Section 3.6, they are located within the identified floodline.– Existing permitted uses shall continue to be permitted; however, new uses or expansions or alterations to existing uses in a manner that may represent a risk of potential flood hazard, may require the completion of a Development Assessment Report (DAR) at the discretion of the Municipality and the appropriate Conservation Authorities.– Such an expansion or alteration may also require approval by the Municipality's Committee of Adjustment at the Municipality's discretion.– The Municipality's new Comprehensive Zoning By-law shall continue to zone these properties in keeping with the designation of this Official Plan; however, the by-law shall delineate areas within the floodline in a manner consistent with this policy and contain appropriate regulations relative to the floodplain constraint.

Notwithstanding the above or Section 3.6.1, an expansion of the Sunningdale Golf Course located at Part Lots 17 and 18, Concession 6 (Geographic Township of London), shall be permitted.

The preparation and review of DAR's relating to this section shall be guided by the policies of the respective Conservation Authority or Authorities, and the Ministry of Natural Resources.

### 3.7 ADDITIONAL NATURAL HAZARD AREAS

Lands associated with additional natural hazards have been identified on Schedule C.– These natural hazard lands relate to either slope hazard or fill line conditions. Uses specifically permitted in Floodplain areas listed in Section 3.6, are also permitted within areas defined as Natural Hazard Lands on Schedule C.– Alternative developments or site alterations proposed within such lands will be subject to the completion of a Development Assessment Report (DAR) acceptable to the Municipality and the applicable Conservation Authority (ies).– This DAR will evaluate the lands in question and the proposed development on the basis of appropriate risk assessment and management relative to the natural hazard feature. Development may be permitted if the DAR establishes to the satisfaction of the Municipality and appropriate agencies, that risk issues can and will be adequately addressed. –Such developments may also require additional approvals from various agencies.

Where such natural hazard features overlap with Greenland features identified on Schedule B of this Plan, the DAR report will also consider issues relative to natural form and functions as outlined in other sections of this Official Plan.

The preparation and review of DAR's relating to this section shall be guided by the policies of the respective Conservation Authority or Authorities, and the Ministry of Natural Resources.

### 3.8 DEVELOPMENT ASSESSMENT REPORTS (DAR)

Development Assessment Reports required by this Plan are to be submitted to the Municipality for review (in co-ordination with other appropriate agencies). The Municipality may develop more specific guidelines for the preparation of DAR's (in co-operation with appropriate agencies), however DAR's will address the following issues as a minimum:

- a) An identification and description of the purpose of the proposed development; the natural heritage features and functions and/or hazard features present; the existing interconnections or corridors with adjacent natural features; the nature and duration of potential impacts to the site, adjacent lands and ecological processes/functions; and the potential cumulative effects of the proposed development. In the case of Natural Hazards, information relative to slope stability, flooding potential, existing natural hazard processes and so on will be provided.
- b) The specific location of boundaries or edges of such features and functions present, and the location of proposed development or site alterations with respect to these delineated boundaries.
- c) A description of the environment, including ecological processes/functions, that will be affected or might reasonably be affected by the development, as well as a description of the effects that will be caused or might reasonably be expected to be caused to the environment.
- d) A description of the actions which are necessary or may reasonably be expected to be necessary to prevent, change or mitigate the effect(s) that might reasonably be expected upon the environment, including ecological processes/functions. These actions may be required / implemented through Zoning By-law Amendment and/or Site Plan Control.
- e) An assessment of the proposal given particular attention to the following:
  - Potential or expected impacts on the features or functions or natural hazard conditions in -question.
  - Opportunities for enhancing the conservation and management of the feature or functions.
  - Expected or proposed mitigation measures. These may include setbacks, buffers, landscaping, special measures to be taken during construction or other measures to reduce or eliminate negative impacts on the identified features.

These policies replace the Development Assessment Report requirements of the County of Middlesex Official Plan, as outlined in Section 2.2.1.2 of the County Plan. The County Plan states that where local municipalities require a Development Assessment Report, the County will waive its requirement provided the Impact Assessment submitted to the local municipality meets the County's requirements. For the purposes of this section, the Municipality is considered the approval authority. The Municipality shall consult with the County, the Conservation Authority or Authorities having jurisdiction, and the Province.

A DAR shall be prepared and completed to accepted professional standards by an appropriate professional (i.e. a qualified environmental scientist or similar environmental professional) to the satisfaction of the Municipality in consultation with the Ministry of Natural Resources, applicable Conservation Authorities, and other agencies.

At the Municipality's discretion in consultation with appropriate agencies, where it is felt that the potential environmental implications of a proposed development or site alteration are minimal, a scoped DAR may be deemed adequate to satisfy the policies of this Plan. A scoped DAR may include such information deemed appropriate by the Municipality to adequately consider relevant environmental issues. If a scoped DAR identifies issues requiring further study, a full DAR may subsequently be required.

### **3.9 COMPETING PROVINCIAL INTERESTS**

Where a proposal related to other Provincial Interests could compete with any of the Natural Area policies of this Plan, Council may request both a DAR, which defines the feature and likely impacts, and a justification study that evaluates the proposal in terms of:

- the long term environmental, social and economic public benefits of the proposal in comparison with the environmental and ecological cost of the impact to the Green System feature or value that could be affected;
- alternative means and methods for designing and implementing the proposal which could mitigate, lessen, or compensate for impacts on Green System values; and,
- justifying the environmental, social and economic costs and benefits of the proposal to the Municipality and the Province.

As an example, a property may exist where Provincial interests relating to natural areas, aggregate resources, agricultural issues, and/or housing issues apply. For example, a significant woodlot may be located within a prime agricultural area, on lands identified as having significant aggregate resource deposits. Each of these are identified as a Provincial interest in the various sections of the Provincial Policy Statement.

Where a DAR and a justification study recommend consideration be given to a competing Provincial Interest, Council may consider a site-specific application for an amendment to the natural area policies of this plan. Other approvals under other legislation or from the Municipality or agencies may be required.

### **3.10 NATURAL AREAS STEWARDSHIP**

The Municipality supports a wide variety of stewardship options to assist and encourage landowners to manage their natural resources. These programs should be established in partnership with land owners, to meet their needs. These programs may include land owner contacts, conservation easements, land trusts, tax incentives and rights of way to preserve, enhance and access natural areas, and to preserve and enhance the interconnecting natural linkages and corridors among and between natural areas.

The Municipality encourages stewardship and farm management initiatives that strive to protect and enhance natural features, improve water quality, [mitigate climate change](#), reduce soil erosion and increase the amount and variety of natural vegetation species.

## SECTION 4.0

### POLICIES FOR AGGREGATE AND PETROLEUM RESOURCE AREAS

*Preamble: The Municipality recognizes the importance of aggregate resource deposits within its boundaries, and in partnership with the Ministry of Natural Resources, will ensure the appropriate protection for long term extraction of mineral aggregate and petroleum resources. The Municipality will also strive to mitigate or prevent unreasonable land use conflicts, and ensure the progressive and appropriate rehabilitation of associated resource sites.*

#### 4.1 AGGREGATE AND PETROLEUM RESOURCE GOALS

The following goals relate to extractive resource areas within the Municipality. These goals, and the policy that follow, relate to areas identified as areas of aggregate resource within the Municipality (as identified as an overlay on Schedule A of this Plan), or areas of oil, gas and salt solution resources.

- a) To identify and protect existing pits, quarries and resource deposits in co-ordination with the achievement of other planning policies and objectives of this Plan.
- b) To ensure that as much of the mineral aggregate resource as is realistically possible is made available to supply the need for aggregate, as close to market as possible.
- c) To balance competing priorities for the protection of aggregate resources for future extraction, with the need to protect agricultural land, natural heritage areas and water resources identified in this Plan.
- d) To require that extraction be undertaken and completed in an orderly fashion and to ensure that extraction does not have a permanent adverse impact on the agricultural land base or on the components of the natural system identified on Schedules A and B of this Plan. The effects of operational activities on existing residential areas and other existing sensitive land uses shall be controlled to ensure unacceptable impacts do not occur.
- e) To identify existing aggregate operations licensed under the Aggregate Resources Act and to identify known deposits of quality mineral aggregates that have sufficient quantity and quality to warrant possible present or future extraction.
- f) To ensure that aggregate resources are available for use.
- g) To protect existing licensed operations from activities or proposed land uses that would preclude or hinder their operation or possible expansion and to protect known deposits of mineral aggregate from unnecessary fragmentation of ownership and from land uses and development proposals that could preclude or hinder future access and extraction of the deposits.
- h) To ensure that aggregate extraction sites are rehabilitated to leave the sites amenable for uses that are compatible and consistent with surrounding land uses.

- i) To encourage the continuance of compatible land uses (i.e. agricultural land uses) on lands having deposits of aggregate materials and on licensed areas until such a time as aggregate extraction occurs.
- j) To protect all existing petroleum wells and associated “works” from encroachment by development. For the purposes of this Plan, works shall be defined as any pipeline or other structure or equipment that is used in association with a well.
- k) To encourage the use of field gathering lines and centralized works where it will reduce vehicular traffic required to service wells and collect produced oil.
- l) To prevent development patterns that might preclude future access to known or discovered petroleum deposits.
- m) To encourage the use of depleted natural gas reservoirs for natural gas storage.
- n) To require abandonment and plugging of wells in accordance with the standards under the Oil, Gas and Salt Resources Act when wells cease production.
- o) To ensure new development proposals address any historic natural hazards from former petroleum resources operations prior to the development proceeding.

Any development standards or performance measures to be imposed on new Aggregate and Petroleum Resource applications should be addressed through the submission of a studyPlanning Justification Report required as part of a complete application.

#### 4.2 AREAS OF AGGREGATE RESOURCE DEPOSITS

Aggregate resource areas within the Municipality have been shown as a policy overlay on Schedule A. This overlay affects any underlying land use designation illustrated in the Schedules.

Where a proposed new extraction site is within a delineated Aggregate Resource Area, no amendment to this Plan will be required as a component of the planning process. Where the proposed new extractive site is outside of an Aggregate Resource Area delineated by this Plan, an amendment to this Plan will be required.

Existing licensed aggregate operations will be zoned in the Municipal Comprehensive Zoning By-law for aggregate extraction and accessory uses. Where new extractive sites or expansions of existing sites are proposed, applications for rezoning will be required if the lands in question are not already zoned for aggregate extraction. Rezoning applications for new extractive sites will be assessed by the Municipality, with consideration of the following criteria as a minimum:

- a) The impact on adjacent land uses and residents including visual impacts.
- b) The impact on any components of the Municipality’s Natural Areas or Greenlands system.
- c) The impact on significant cultural heritage sites or features as designated under the *Heritage Act*.
- d) The impact on the existing road network.

- e) The impact on existing groundwater resources.
- f) The manner in which the operation would be carried out.
- g) The nature of the progressive and final rehabilitation that is proposed.
- h) The capabilities of the site for agriculture and other land uses.

This Plan encourages applicants to pre-consult with the Municipality so that other policies, goals and objectives deemed necessary for consideration can also be taken into account. This Plan further encourages applicants to undertake public consultation in a manner that co-ordinates public requirements under the Planning Act and the Aggregate Resources Act. Applicants are encouraged to ensure reports required in support of an Aggregate Resources Act licence simultaneously address municipal concerns and are used to support required rezoning applications and, if required, applications to amend this Plan.

#### **4.3 PERMITTED USES WITHIN EXTRACTIVE RESOURCE AREAS OR LICENCED OPERATIONS**

For lands within or adjacent to Extractive Resource Area delineations or a licensed pit or quarry, the uses permitted are those of the designations underlying the Extractive Resource Areas overlay, so long as the use would not preclude or hinder extraction. The uses permitted may include, but are not limited to, agriculture, forestry, conservation and recreation. The specific uses permitted will be in the Zoning By-law. Where extraction may be hindered or precluded, development may occur only if:

- a) resource use would not be feasible; or
- b) the proposed land uses or development serves a greater long term public interest; and
- c) issues of public health, safety and environmental impact are addressed.

Within licensed operations, the permitted uses will be governed by the site plans approved under the *Aggregate Resources Act* licence application process.- Council, in reviewing applications for aggregate extraction operations, shall require that uses permitted prior to licencing are allowed to continue within the portions of the licenced area not under active extraction and within portions of the licenced area that have been rehabilitated.

For the purposes of this section, adjacent lands are defined as within 300m of the limit of an existing licenced pit or delineated resource area.

#### **4.4 WAYSIDE PERMITS**

A wayside pit or quarry is a pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right of way.- Aggregate extraction operations under the authority or a wayside permit issued under the *Aggregate Resources Act* shall be permitted within lands designated Agriculture on Schedule A (without amendment to this Plan or the comprehensive zoning by-law), but shall not be permitted on lands constrained by natural features as identified on Schedules A, B, and C of this Plan.

In the review of applications for Wayside Permits, Council will consider the following matters in commenting to the Ministry of Transportation:

- Impacts on the right of property enjoyment of nearby residences will be avoided or fully mitigated.
- Impact upon livestock operations will be avoided or fully mitigated.
- Groundwater resources will not be affected.
- Full compliance with the Ministry of Environment requirements is assured.
- That the wayside pit or quarry is capable of being rehabilitated to an agricultural use once the aggregate material has been removed or the wayside permit expires.

It is the policy of this Plan that such wayside permit extraction areas be rehabilitated to agricultural use once the aggregate material has been removed or the wayside permit expires. In such cases, the approximate acreage and average soil capability for agriculture that existed previous to the extraction, shall be restored where possible.

#### **4.5 PORTABLE ASPHALT PLANTS**

Portable asphalt plants means a public or private facility designed to heat and dry aggregate and to mix aggregate to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and means a facility which is not of permanent construction, but which is dismantled at the completion of the construction project in question. For purposes of the Official Plan, portable asphalt plants include portable concrete plants.

Portable asphalt plants used on public authority contracts will be permitted without the need for Official Plan amendment, rezoning or development permits under the *Planning Act* in all areas except for those areas of existing development; lands identified as Natural Environment or Flood Plain on Schedule A; Significant Woodlots identified on Schedule B; and Hazard Lands identified on Schedule C which have been determined to be incompatible with extraction and associated activities. Where possible, portable asphalt plants will be located and operated within wayside pits or quarries, without amendment to this Plan or the comprehensive zoning by-law.

In the review of applications for Portable Asphalt Plants, Council will consider the following matters in commenting to the Ministry of Transportation:

- Impacts on the right of property enjoyment of nearby residences will be avoided or fully mitigated.
- Impact upon livestock operations will be avoided or fully mitigated.
- Groundwater resources will not be affected.
- Full compliance with the Ministry of Environment requirements is assured.
- The plants are dismantled and the site declared environmentally clean upon completion of the public road project.

#### **4.6 REHABILITATION OF AGGREGATE RESOURCE SITES**

It is the policy of this Plan that extractive sites be progressively rehabilitated to a land use corresponding with the land use designation established beneath the Aggregate Resource Area overlay. For most of the lands outside of settlements therefore, extractive sites will be rehabilitated for agricultural uses, corresponding with the agricultural designation found beneath the overlay. Should an applicant propose an afteruse not permitted within the underlying designation, an Official Plan Amendment to change the underlying designation would be required prior to establishment of the afteruse. Where an after use plan has been approved by a Provincial Ministry that suggests a land use not permitted in the underlying designation of this Plan, an Official Plan Amendment will still be required in order to permit the afteruse. The existence of such an afteruse plan does not in any way obligate Municipal Council in the consideration of such an application, and does not pre-suppose the approval of such an application.

In lands designated Agriculture, site rehabilitation will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored. Such complete agricultural rehabilitation is not required if:

- a) There is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b) The depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- c) Other alternatives have been considered by the applicant and found unsuitable; and
- d) Agricultural rehabilitation in remaining areas will be maximized.

#### **4.7 USE OF AGGREGATE FROM A FARM PROPERTY**

The extraction of aggregate from a farm property for use on the same farm property shall be permitted subject to the *Aggregate Resources Act*.

#### **4.8 PROTECTING PETROLEUM RESOURCE OPERATIONS FROM OTHER ACTIVITIES**

Petroleum exploration and production, subject to the application of provincial regulations on locating wells and works, are permitted activities throughout the municipality in all designations.

The Municipality supports the subsurface storage of gas or other hydrocarbons, subject to Provincial regulations, if it can be shown that it will not adversely affect surface development rights as set out in the Official Plan.

The Municipality supports the proper disposal of oil field brines, in accordance with Provincial requirements.

#### **4.9 DEVELOPMENT NEAR OR ON DEPOSITS OF PETROLEUM RESOURCES**

The Municipality will consult with the Province where new development is proposed adjacent to or in areas of known oil or gas pools. Development will be setback 75 metres from petroleum resource operations.

To reduce incompatible land uses adjacent to oil and gas production and associated works, the Municipality shall deny development applications and land division within 75 metres of an active oil or gas well or works.

#### **4.10 PETROLEUM RESOURCE OPERATIONS AND THE NATURAL/CULTURAL ENVIRONMENT**

The Municipality encourages the use of technology, such as directional drilling for the exploration and production of subsurface resources from a well site that is located on lands adjacent to components of the natural system on Schedules A and B or cultural heritage features.

New wells and associated works are generally prohibited where they may cause any surface or ecological disturbance to identified natural or cultural heritage features. If no alternatives to a location in a significant natural heritage or cultural heritage areas exist, measures may be taken, as identified in a DAR, to mitigate negative impacts. Where forest cover is removed it will be replaced at a location specified by the landowner whose forest cover was removed and should the owner not have a suitable location, then the replacement would occur at a location specified by the Municipality.

#### **4.11 GATHERING LINES AND WORKS**

Council may allow:

- a) Consents that convey an interest in land (but do not create a separate parcel) where a portion of a property is being considered for centralized works that are associated with production of oil or natural gas or that are associated with underground storage of natural gas; and,
- b) Subject to consultation with the Municipality or the appropriate road authority, the routing of field or gathering pipelines along road rights-of-ways where it does not impact road safety and maintenance needs.

#### **4.12 WELL AND WORKS SITE REHABILITATION**

When production ceases, well sites and locations of associated works shall be rehabilitated to permitted uses set out in the land-use designation where the well sites are located. In Agricultural areas, rehabilitation shall restore the site so it can be used for agricultural purposes.

#### **4.13 MITIGATING SUSPECTED HAZARDS**

As a condition of approving development, the municipality will require that improperly abandoned wells that are known or discovered on the lands during development will be properly plugged, capped or otherwise made safe in accordance with Provincial requirements. Building locations should be examined for the presence of possible well sites using established standards and procedures. Areas where wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.

#### **4.14 RESTORATION OF CONTAMINATED SITES**

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If sites of former works are discovered, these locations shall be rehabilitated prior to development proceeding.

## SECTION 5.0 SETTLEMENT AREA POLICIES AND LAND USE DESIGNATIONS

Preamble: The Municipality will strive to maintain attractive, functional and liveable settlement areas that reflect the traditional character of the Municipality. Wherever possible, the distinctive identity and character of individual settlement areas will be preserved, while accommodating the expected growth within the Municipality over the planning horizon of this plan through effective growth management.

The Municipality's organized structure of settlements areas will accommodate an adequate supply and diversity of housing types, will maintain healthy and viable village centres as the Municipality's primary centres of commercial activity and community gathering, and will accommodate additional settlement commercial and settlement employment areas that facilitate an appropriate Municipal employment base.

### 5.1 SETTLEMENT AREA STRUCTURE

The structure of settlement areas within the Municipality is based on a three-level hierarchy, in conformity with the Middlesex County Official Plan. The three levels are *Urban Settlement Areas*, *Community Settlement Areas*, and *Hamlet Settlement Areas*. Policies relating to each of these three levels are outlined in detail in this section. The Municipality's 11 settlement areas are categorized as follows, ~~with their 2007~~ 2016 ~~estimated population:~~

#### Urban Settlement Areas

Ilderton	<del>21758,200</del>
Komoka-Kilworth	<del>312515,900</del>

#### Community Settlement Areas

Arva	<del>5501,300</del>
Delaware	<del>15902,100</del>

#### Hamlets

Ballymote	<del>100</del>	Lobo	<del>50</del>
Birr	<del>240</del>	Melrose	<del>280</del>
Bryanston	<del>160</del>	Poplar Hill-Coldstream	<del>780</del>
Denfield	<del>240</del>		

~~Presently only Ilderton, Komoka-Kilworth and Arva are generally serviced with municipal water and sewage services. Six additional settlement areas are serviced with municipal water, but have private sewage services. These are Ballymote, Birr (partial water), Delaware, Denfield, and Melrose (partial water). The remaining three settlement areas (Bryanston, Lobo and Poplar Hill-Coldstream) are on private services.~~

Presently, only Ilderton, Komoka-Kilworth and Arva are serviced with municipal water and sewage services. ~~Five~~Six additional settlement areas are serviced with municipal water but have private individual sewage services. These are Ballymote, Birr (partial water), Delaware, Denfield, and Melrose (partial water). The remaining three settlement areas (Bryanston, Lobo

and Poplar Hill-Coldstream) are on full private individual services. The Municipality intends to provide full municipal sewer and water services to Delaware within the next 25 years.

Population, housing and employment projections for the Municipality are as follows:

<u>Population</u>		
	<u>2016</u>	<u>2046</u>
<u>Ilderton</u>	<u>3,500</u>	<u>7,100</u>
<u>Komoka-Kilworth</u>	<u>4,600</u>	<u>15,900</u>
<u>Arva</u>	<u>500</u>	<u>1,000</u>
<u>Delaware</u>	<u>1,600</u>	<u>3,600</u>
<u>Hamlets &amp; Remaining Rural Areas</u>	<u>7,600</u>	<u>8,000</u>
<u>Total Population</u>	<u>17,800</u>	<u>35,600</u>

\*Note: Numbers may not add-up due to rounding

	<u>2016</u>	<u>2021</u>	<u>2026</u>	<u>2031</u>	<u>2036</u>	<u>2041</u>	<u>2046</u>
<u>Population</u>							
<u>Total Population</u>	<u>17,800</u>	<u>20,100</u>	<u>23,400</u>	<u>26,700</u>	<u>29,600</u>	<u>32,900</u>	<u>35,500</u>
<u>Residential Units</u>							
<u>Total Residential Units</u>	<u>5,990</u>	<u>6,760</u>	<u>7,950</u>	<u>9,160</u>	<u>10,380</u>	<u>11,630</u>	<u>12,750</u>
<u>Employment</u>							
<u>Total Employment</u>	<u>5,800</u>	<u>6,600</u>	<u>7,600</u>	<u>8,700</u>	<u>9,900</u>	<u>10,900</u>	<u>11,700</u>

	<u>2016</u>	<u>2021</u>	<u>2026</u>	<u>2031</u>		<u>2046</u>
<u>Population</u>						
<u>Total Population</u>						<u>35,500</u>
<u>Residential Units</u>						
<u>Total Residential Units</u>						<u>12,750</u>
<u>Employment</u>						
<u>Total Employment</u>	<u>5,438</u>					

It is expected that for projected housing growth to the year 2046, Komoka-Kilworth will accommodate approximately 63% of the total housing growth, Ilderton will accommodate 20%, for a total of 84%. Community settlement areas including Arva (35%), Delaware (11%), and remaining hamlets and rural areas (26%) account for the remaining 16% of overall housing growth over the same period.

### 5.1.1 Urban Settlement Areas

There are two *Urban Settlement Areas* within the Municipality of Middlesex Centre. These are Ilderton, and Komoka - Kilworth. For the purposes of this Plan, Komoka and Kilworth are considered one settlement area.

These areas either provide or have the potential to provide full municipal services. All new proposed development shall be fully serviced by municipal water and sewage disposal systems. *Urban Settlement Areas* are expected to have the highest concentration and intensity of land uses, and will be the focus for future growth by accommodating a significant portion of expected growth over the Official Plan's planning period.

Lands within *Urban Settlement Areas* are separated into the following land uses designations:

- Village Centres
- Settlement Commercial Areas
- Residential Areas
- Settlement Employment Areas
- Parks and Recreation Areas

Expansion of the boundaries of an Urban Settlement Area shall not be permitted except through a *comprehensive review* and will require an amendment to this Plan, ~~and will be~~ subject to the various policies, goals and objectives of this Plan, including Section 5.1.4. It is policy of this Plan that where substantial vacant land exists between the existing built up area of the settlement, and the settlement's urban boundary, development will proceed in a sequential, phased manner, with a settlement pattern in keeping with the design policies outlined in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines. Adjustments to a settlement boundary may be permitted outside of a comprehensive review subject to requirements of Section 5.1.5, and will be subject to the various policies, goals and objectives of this Plan, including Section 5.1.4.

### 5.1.2 Community Settlement Areas

There are two *Community Settlement Areas* identified in the Municipality of Middlesex Centre. These are Arva and Delaware.

These areas are intended to serve the surrounding agricultural areas, while also providing an alternative to city or *Urban Settlement Area* living. Such areas serve a community function, but provide a more limited range of land uses and activities than found in *Urban Settlement Areas*. The concentration and intensity of development is expected to be lower than in *Urban Settlement Areas*. While such areas are expected to accommodate a portion of the Municipality's growth, this is expected to be less growth than in *Urban Settlement Areas*.

Lands within *Community Settlement Areas* are separated into the following land uses designations:

- Village Centres
- Settlement Commercial Areas
- Residential Areas
- Settlement Employment Areas

- Parks and Recreation Areas

New development in *Community Settlement Areas* is intended to take place on municipal services. If such services are not available or planned, communal services may be considered if appropriate justification is provided subject to requirements under Section 9.3.3. Further, in areas where municipal or communal services are not available or will not be available in the immediate future, Council and staff may consider the approval of interim development/low intensity development on existing, vacant lots of record or under-utilized property, where it does not conflict with any Special Policy Areas, on other than full municipal services, where provided for in a master servicing strategy component of a Settlement Capability Study or Environmental Assessment pursuant to the Environmental Assessment Act. Such development should not preclude the efficient use of land should full services become available in the future and servicing studies shall consider servicing options.

In considering development applications within *Community Settlement Areas* of the Municipality, Council will consider the design policies included within Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines, and the cultural heritage policies included in Section 9.5 of this Plan.

Expansion of the boundaries of a Community Settlement Area shall not be permitted except through a *comprehensive review* and subject to full municipal servicing and will require an amendment to this Plan. Adjustments to a settlement boundary may be permitted outside of a comprehensive review subject to requirements of Section 5.1.5, and will be subject to ~~its~~ the various policies, goals and objectives of this Plan, including Section 5.1.4.

### 5.1.3 Hamlet Settlement Areas

There are seven Hamlet Areas within the Municipality of Middlesex Centre. These are Ballymote, Birr, Bryanston, Denfield, Lobo, Melrose and Poplar Hill - Coldstream. For the purposes of this Plan, Poplar Hill and Coldstream are considered one settlement area.

Lands within *Hamlet* designations are not separated into specific land use categories on Schedule A. Permitted uses within *Hamlet* designations include residential uses (subject to the policies in section 5.2 of this Plan), commercial or industrial uses of a scale compatible with the character and size of the *Hamlet Areas*, institutional uses, and parks and recreation uses. Specific lands associated with each use shall be established in more detail through the implementing zoning by-law. On Schedule A, there may be lands designated for Hamlet purposes but shown within a floodline. Although such lands are not designated Floodplain and are thus not subject to policies in Section 3.6, new uses or expansions or alterations to existing uses may be subject to the preparation of a Development Assessment Report (DAR) at the discretion of the Municipality and the appropriate conservation authority (ies), and may also require approval by the Committee of Adjustment at the Municipality's discretion.

*Hamlet Areas* within the Municipality are expected to accommodate only limited future development, through infilling within the existing *Hamlet* settlement boundaries. New lots shall generally be created through the consent process, however plans of subdivision will be utilized where vacant lands exist within *Hamlets*, between the existing built up area and the existing settlement boundary.

*Hamlet Areas* shall not be expanded within the planning period of this Plan except through a *comprehensive review*. Hamlet Area boundaries may be adjusted outside a comprehensive

review, provided there is no net increase to the area of the Hamlet and subject to requirements of Section 5.1.5. Hamlet area designation boundaries are to be interpreted to align with existing lot lines and physical and natural features. ~~It is further not expected that Hamlet Areas will be however not expected to~~ accommodate a significant portion of expected growth within the Municipality. Except where infilling developments are involved, new developments may require the preparation of a Settlement Capability Study, depending on the scale of development proposed. The requirements of such a study are established in the Middlesex County Official Plan, and apply where new development is proposed within a settlement area which does not provide full municipal water and sanitary sewer systems.

New development within *Hamlet Areas* must be serviced by acceptable servicing standards. Private Communal Services may be appropriate subject to the requirements of Section 9.3.3. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. ~~Significant or major new development, such as the development of more than three new lots through plan(s) of subdivision, will require provision of full municipal services.~~

#### **5.1.4 General Settlement Area Policies**

The following represent general policy for all settlement areas within the Municipality:

- a) Growth shall generally be directed to areas designated as *Urban Settlement Areas* within this Plan.
- b) Wherever possible, development within settlement areas should proceed on full municipal services. In general, the amount, location and timing of development shall be dictated by the nature and availability of services necessary to support proposed development.
- c) Settlement area expansions shall not be permitted except through a *comprehensive review*.
- d) When expansions of settlement areas are considered, to justify such an expansion as contemplated in paragraph 5.1.4c), it may be appropriate to down-designate undeveloped lands within the same or in other settlement areas to Agricultural or to another appropriate non-settlement designation. If contemplating the down-designation of undeveloped lands, the Municipality shall first notify the owners of such potential change in designation. When deciding to down-designate undeveloped land in settlement areas the Municipality shall take into account the current status of any planning application submitted to develop the lands.
- e) Adjustments to settlement area boundaries may be considered outside of a comprehensive review, provided there is no net increase to the area, subject to the requirements of Section XX5.1.5

~~The settlement areas of the Municipality are intended to develop in a phased, compact manner that does not result in strip patterns of development and reflects the design policies of Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.~~

- f) The settlement areas of the Municipality are intended to develop in a phased, compact manner that does not result in strip patterns of development and reflects the design

policies of Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.

- g) As development proceeds within ~~Municipality~~ settlement areas, every effort shall be made to ~~preserve-reflect~~ their traditional or historic character. New development shall represent efficient use of land, and shall complement the positive elements of the existing built and urban form, in keeping with the design policies of Section 6.0 of this Plan.

#### 5.1.5 Adjustments to Settlement Area Boundaries

Adjustments to settlement area boundaries may be proposed outside of a comprehensive review provided:

- a) The adjustment would not result in a net increase of land within the settlement area(s);
- i. Areas proposed to be removed from the settlement area may not include parks, employment lands, or lands with existing development
- b) The adjustment would support the Municipality's ability to meet intensification and redevelopment targets established in this Plan;
- c) Policies in the PPS related to Prime Agricultural Areas are addressed; and,
- d) The settlement area to which the lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.

## **5.2 SETTLEMENT AREA EXPANSION REQUESTS**

The Middlesex County Official Plan includes policies that allow municipalities to adjust or expand settlement areas at the time of a local Official Plan Review. Section 1.1.3.8 of the Provincial Policy Statement, 2020 requires that settlement area expansions may only occur where it has been demonstrated that:

- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in prime agricultural areas:
  - 1. the lands do not comprise specialty crop areas;
  - 2. alternative locations have been evaluated, and
    - i. there are no reasonable alternatives which avoid prime agricultural areas; and
    - ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- e)d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and
- e) impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

Each request for lands to be added to a settlement area must be assessed in accordance with the criteria set out in the Provincial Policy Statement and considered in the context of other policies of this Plan that relate to development within settlement areas. This includes the servicing hierarchy established in Section 1.6.6 as discussed in section 9.3 of this report.

### **5.32 RESIDENTIAL AREAS**

#### **5.32.1 General Residential Policy**

The following policy relates to lands designated Residential within *Urban* and *Community Settlement Areas* of the Municipality, as well as to residential development within *Hamlets*.

- a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.
- b) The Municipality encourages the provision of alternative forms of housing for special needs groups, where possible.

- c) The Municipality shall ensure at least a three year supply of draft approved and registered plan of subdivision lots within the Municipality, and will maintain an appropriate data base of municipal residential consumption rates to ensure that this supply is provided.
- d) The Municipality shall ensure at least a fifteen (15) ~~ten~~-year supply of designated residential land available at all times to meet projected new housing needs of the Municipality. The Municipality will prepare an inventory of residential lands and unit mix status at least every five years.
- e) The Municipality shall support opportunities to increase the supply of housing through intensification, while considering issues of municipal service capacity, transportation issues, and potential environmental considerations. Specifically, the Municipality shall require that 105 percent of ~~all~~ development in Community Settlement Areas occur by way of intensification, and that 20 percent of development in Urban Settlement Areas occur by way of intensification. Delaware may not achieve the 10% target until servicing constraints are resolved.-
- f) Residential development including intensification should ~~reflect a high quality of residential and neighbourhood design~~ allow for a full range and mix of housing options throughout the Municipality, in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines. A mix of housing types and options includes consideration for purpose-built rental units, secondary suites, supportive housing, rooming houses, and units with more than two bedrooms.
- g) The Municipality shall encourage that 20 percent of new housing is accessible to lower and moderate income households in accordance with the County of Middlesex's Official Plan. In this regard the County of Middlesex through its Official Plan will require that 20 percent of all housing be affordable. In the case of ownership housing the least expensive is considered to be housing for which the purchase price is at least 10 percent below the average purchase price of a comparable resale unit in the regional market area for the previous year. This 'benchmark' purchase price figure for 2005 is \$195,845 in the Middlesex regional market area. This 'benchmark' figure will change over time as a result of fluctuating mortgage costs, utility rates, and the vagaries of the housing market over which the County of Middlesex and the Municipality have no control. The County will; however, monitor the 'benchmark' on an annual basis.
- h) The maintenance and improvement of existing housing is encouraged within the Municipality, in part through local by-laws.
- i) The Municipality will promote development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

### **5.32.2 Permitted Uses**

The predominant land use within areas designated Residential shall be residential dwellings, including single detached, semi-detached, townhouses, duplex / triplex / fourplex dwellings, and low to mid-rise ~~low~~medium-rise apartment dwellings. Mobile homes or mobile home parks shall not be permitted within the residential designation. ~~Residential units, other than single detached are encouraged to be serviced by municipal water and sewage systems.~~

Other permitted uses within the residential designation include the following:

- a) Institutional uses such as schools and ~~churches~~ places of worship.
- b) Municipal uses.
- c) Parks or open space.
- d) Group homes.
- e) Small-scale neighbourhood commercial

On Schedule A, there may be lands designated residential, but shown within a floodline. These are lands within the floodplain; however, they are not designated for Floodplain purposes, and the policies of Section 3.6 do not apply. Existing permitted uses in the residential designation will continue to be permitted; however, new uses or expansions or alterations to existing uses may require the completion of a Development Assessment Report (DAR) at the discretion of the Municipality and the appropriate Conservation Authority (ies). Expansions or alterations may also require approval by the Committee of Adjustment at the Municipality's discretion. Such lands will be identified within the Municipality's new Comprehensive Zoning By-law, with appropriate regulations consistent with this policy.

### **5.32.3 Policies For Multiple Dwellings in Residential Areas**

Multiple dwellings, including four-plexes, town-houses and ~~low/medium-rise apartment~~ dwellings over three storeys in heights shall be subject to the following policies:

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas, where possible.
- b) ~~Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas.~~
- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.
- d) ~~The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods or settlements is encouraged.~~
- de) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.
- ef) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality's Site Plan Manual and Urban Design Guidelines.
- fg) The Municipality's zoning by-law shall establish an appropriate zoning standards such as setbacks and maximum heights for apartment dwellings and other uses.

## **5.43 VILLAGE CENTRES**

### **5.43.1 General Village Centre Goals**

The following goals apply to lands designated Village Centre within *Urban* and *Community Settlement Areas* of the Municipality.

- a) To facilitate the continued health, use and awareness of Village Centres by settlement and surrounding agricultural residents, and to promote their role as a community gathering place.
- b) To establish or maintain unique identities and characteristics within each Village Centre.
- c) To encourage and facilitate strategic improvements to existing Village Centres in a manner that enhances their role, is in keeping with their traditional character, and is compatible with adjacent residential neighbourhoods.
- d) To encourage ease of access to Village Centres through multiple travel options, including pedestrian and cycling traffic, and to encourage compatible integration of residential uses, including residences above shops and medium to high residential density development.
- e) To establish or strengthen linkages between Village Centres, and the tourism industry within the Municipality.
- f) To encourage and facilitate the clustering of synergistic industries and land uses, including knowledge-based sectors.

#### **5.43.2 Village Centre Policies**

- a) It is the intent of this Plan to establish and maintain Village Centres in Urban and Community Settlement Areas as the centres of retail and services, community gathering, and community identity in the Municipality.
- b) Village Centres are planned to function as traditional village main streets that provide for daily and weekly convenience and general retail and service needs for the settlement area and the surrounding agricultural community. Such centres will also represent the commercial and social focal points for the settlement area and its surrounding farm communities.
- c) Infilling within Village Centres is encouraged. The physical form of such infilling should be compatible with existing development and the character of the individual Village Centre. Wherever possible, infilling should enhance the existing pattern of buildings, sidewalks and streets.
- d) Mixed use buildings are encouraged within Village Centre areas.
- e) Village Centre areas should remain as compact as possible. Consistency in terms of building massing, scale and setback are encouraged. Building designs that allow for separate access to second and third stories along the street are strongly encouraged.
- f) In the context of new development, the preservation and reuse of buildings with architectural or historical merit is strongly encouraged.

- g) Parking within Village Centres will be provided in the context of new development. Cash-in-lieu of parking may be collected by the municipality to facilitate the establishment of appropriately located municipal parking. All parking will be designed and landscaped to de-emphasize its effect on the physical appearance of the Village Centre.
- h) Development shall be subject to the policies in Section 6.0 and in Section 10.5 of this Plan, and shall have regard for the Municipality's Site Plan Manual and Urban Design Guidelines.

### **5.43.3 Permitted Uses**

Uses permitted within Village Centres include the following:

- a) Commercial uses, including general and convenience retail, small-scale department stores, personal services, and office uses. This does not include major retail, auto-oriented commercial such as gas stations and drive-throughs and automotive sales and service establishments.
- b) Restaurants, hotels, compatibly scaled entertainment / recreational facilities, and open space or park land.
- c) Residential uses, so long as they do not negatively disrupt the compact nature, and commercial and service use focus, of Village Centres. Residential uses above ground floor commercial uses are encouraged.
- d) Institutional and civic uses such as municipal offices and functions, post offices, schools and libraries.

## **5.54 SETTLEMENT COMMERCIAL AREAS**

### **5.54.1 General Settlement Commercial Goals**

The following goals apply to lands designated Settlement Commercial within *Urban* and *Community Settlement Areas* of the Municipality.

- a) To provide an additional opportunity for retail, service and office uses within *Urban and Community Settlement Areas*, where such uses will not undermine the planned function of the established Village Centres of the Municipality.
- b) To provide areas where larger commercial uses can locate outside of (or adjacent to) existing Village Centres.

### **5.45.2 General Settlement Commercial Policies**

- a) Retail uses such as department stores and general merchandise stores will not be permitted, as these uses have the potential to undermine the planned function of Village Centres.
- b) The physical design and form of developments within this designation shall be in keeping with the design policies in Section 6.0 of this Plan having regard for the Municipality's Site Plan Manual and Urban Design Guidelines, and shall reflect the traditional character of

the Municipality's settlement areas. Building orientation, parking, landscaping, setbacks, building massing and scale will be encouraged to reflect this policy.

### **5.45.3 Permitted Uses in Settlement Commercial Areas**

Uses permitted within Settlement Commercial areas include ~~general~~ retail, [department stores](#), [general merchandise stores](#), personal services, recreational uses, restaurants and office uses. [Examples of other permitted uses may include gas stations, micro breweries, low-impact employment uses, etc.](#)

### **5.45.4 Proposals for Additional Lands for Settlement Commercial Purposes**

The following policies relate to applications for Official Plan amendment relating to any of the following:

- Proposals to establish new Settlement Commercial designations.
- Proposals to expand existing Settlement Commercial designations.
- Proposals relating to the ability to establish permitted uses within Settlement Commercial designations that are not contemplated or permitted in Sections 5.4.2 and 5.4.3 of this Plan.

Such proposals will be accompanied by the following supporting documentation at a minimum:

- a) Sufficient market analysis to determine anticipated impacts on the continued health and viability, and planned function, of identified Village Centres; existing and proposed settlement commercial areas; and existing and proposed rural commercial areas within the Municipality. Such studies should also consider the implications of the application to the commercial structure, and existing commercial opportunities, within adjacent municipalities.
- b) Transportation studies showing potential transportation and parking implications of the application.
- c) Planning studies detailing implications of the application to land use and public interest issues including impacts on adjacent properties and uses; impacts on the proposed structure of land use within the Municipality; issues of physical design; and issues of general Municipal quality of life and community character.

Applications will be evaluated in the context of the results of such study. In order to evaluate such applications, the Municipality at its discretion may require applicants to fund appropriate peer reviews by qualified individuals.

## **5.56 SETTLEMENT EMPLOYMENT AREAS**

### **5.56.1 Settlement Employment Area Policies**

The following policies relate to lands designated Settlement Employment Area within *Urban* and *Community Settlement Areas*.

- a) It is the policy of this Plan to encourage the development of industrial and business uses within settlement areas on full municipal services wherever possible.
- b) Within *Urban* and *Community Settlement Areas* industrial land uses shall have access to public roads of reasonable construction and year round maintenance. Development is encouraged on a hard-surface, dust-free road. Within *Community Settlement Areas* (Arva and Delaware), industrial land uses shall be dry in nature.
- c) Industrial uses shall be adequately buffered where adjacent to ~~residential uses or other~~ sensitive land uses.
- d) New industrial operations that produce significant amounts of noise, dust, odours, particulate emissions, or heavy truck movements shall not be permitted to locate in proximity to existing residential areas or in locations within settlement areas that would negatively affect the quality of life or character of the settlement area. Proposed industrial uses not meeting this policy are encouraged to locate within existing Rural Industrial designations outside of settlement areas where they are not located in close proximity to sensitive agricultural uses.
- e) Cannabis production facilities may only be permitted through a site-specific zoning by-law amendment and where facilities are entirely indoors.
- fe) Development shall be subject to the policies in Section 6.0 and in Section 10.5 of this Plan, and shall have regard for the Municipality's Site Plan Manual and Urban Design Guidelines.
- gfF) Major retail uses having a gross leasable area of 2,000 square metres or more greater shall not be permitted in employment areas.

### **5.56.2 Permitted Uses**

This section outlines the uses permitted within the Settlement Employment Area designation, which contemplates the development of both industrial and business uses.  
~~Permitted uses within the settlement employment area designation include the following:~~

- a) Industrial uses including manufacturing, processing, assembling, wholesaling, warehousing, distributing, repair and servicing and storage of goods and materials. Within *Community Settlement Areas*, where municipal water supply is not provided, such uses must be dry in nature.
- b) Office park uses, including office buildings and research facilities.
- c) Trucking terminal
- d) Contractor's yard
- e) ~~d)~~ Limited retail and personal service uses that are compatible with industrial uses and located within an office building or industrial use. Such uses must be accessory

e)f) and subordinate to the primary permitted use. Limited retail uses do not include large-scale or large format and stand-alone retail centres having a gross leasable area of 2,000 square metres or greater, that have the primary purpose of commercial activities.

### 5.67 PROTECTION OF EMPLOYMENT LANDS

Municipal Council will support the protection of designated Settlement Employment ~~Strategic Employment~~ Areas in the Municipality, including lands that are designated for clusters of business and economic activities including, but not limited to manufacturing, warehousing, offices, and their associated retail and ancillary facilities. ~~Proposals to permit for t~~The conversion of lands within Settlement Employment ~~Strategic Employment~~ Areas to non-employment uses may only be permitted through a Comprehensive Review, subject to the following criteria:

a) The site does not offer direct access to major transportation corridors (e.g., highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g., airports, intermodal yards, and rail).

b) The site is ~~not part of a larger~~ employment area.

c) The site offers limited market supply potential for employment areas development due to size, configuration, access, physical constraints, and servicing constraints, etc.

d) The proposed conversion to non-employment uses is compatible with surrounding land uses and/or could be mitigated from potential land use conflicts.

e) The conversion of the proposed site to non-employment uses would not compromise the Municipality's overall supply of large employment land sites.

f) The conversion of the site to a non-employment use would not conflict with municipal interests and policies.

g) A Pre-Consultation shall be required prior to the submission of a formal application

h) There is an identified need for the conversion and the land is not needed for employment purposes over the long term.

~~, only where it has been demonstrated that the land is not required for employment purposes over the long term and, that there is a need for the conversion.~~ Council may refuse to adopt or approve an amendment to remove areas of employment, in accordance with the *Planning Act*, even if other land is proposed be added. All other lands designated Settlement Employment may be converted to non-employment uses subject to an Official Plan Amendment subject to Section 10.1.

## 5.78 KOMOKA-KILWORTH SECONDARY PLAN

The Komoka-Kilworth Urban Settlement Area is one of the primary areas to accommodate urban growth in Middlesex Centre and permits a range of residential, commercial and employment uses with supporting parks, schools, open space, recreational and community facilities. The Secondary Plan for Komoka-Kilworth provides a statement of objectives and policies and a land use plan intended to guide and direct the nature of land development within this community. The following text and Schedule A-2 constitute the Komoka-Kilworth Secondary Plan and apply to the area shown on Schedule A-2 in addition to all other sections of the Official Plan, and should be read in conjunction with the Official Plan in its entirety. In the event of a conflict between this section and any other section of the Official Plan, the more restrictive policies shall apply.

### 5.78.1 Komoka-Kilworth Secondary Plan Goals

The following goals apply to the land shown on Schedule A-2 in addition to the Municipal General Principles of section 1.8 and other goals identified in this Plan:

- a) To establish a balanced mix of land uses serving key functions of a complete and vibrant community, including housing, local businesses, employment, schools, recreation facilities, and parks and open space;
- b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;
- c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas;
- d) To minimize the consumption of prime agricultural land and potential impacts on farm operations and promote continuation of existing farming operations;
- e) To plan for the development of a new mixed use Village Centre as part of a centrally located destination area including the Wellness and Recreation Centre and emphasizing Glendon Drive as a traditional village main street with street-oriented, mixed use buildings to promote the unity of Komoka and Kilworth;
- f) To provide for an appropriate range and mix of housing types and densities;
- g) To define and protect a priority location for a ~~strategic employment~~ Settlement Employment Area;
- h) To support community design that fosters place-making, social engagement, community safety, barrier-free access and active and healthy lifestyles;
- i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;
- j) To plan for a safe, connected and multi-modal transportation network;

- k) To promote energy conservation and efficiency through community layout and building design and reducing reliance on private automobiles;
- l) To conserve significant environmental features for the long-term;
- m) To direct new development away from natural hazard areas and minimize risks to public safety; and
- n) To protect aggregate resources for future extraction subject to preserving the long term use of the land for designated settlement area functions.

### **5.78.2 Land Use Plan**

The Land Use Plan for Komoka-Kilworth is shown on Schedule A-2 to this Plan and is further defined by the following policies.

- a) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of a balanced, mixed use community with a new village centre, a mix of housing types and densities distributed among residential and medium density residential areas, a [Settlement Strategic Employment Area](#), community gateways, schools and community facilities, a connected network of multi-use trails and a linked parks and open space system, based on Schedule A-2.
- b) The land use and circulation pattern for Komoka-Kilworth shall be based on Schedule A-2. The location of roads, multi-use trails, neighbourhood parks, potential school site, stormwater management facilities and boundaries of land uses shown on Schedule A-2 should be considered approximate. Amendments will not be required for minor adjustments to the location of these features provided the general intent of this Plan is maintained, and subject to the policies of Section 1.4 of this Plan identifying circumstances where land use boundaries are to be considered absolute.
- c) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and multi-use trails and Schedule A-2 recognizes the need to plan for these public spaces. Development shall provide landscaping adjacent to the street or sidewalk to promote an attractive landscaped transition between the public and private realm.
- d) Development proposals will be encouraged to integrate energy and water conservation, efficiency and sustainability measures.

### **5.78.3 Komoka-Kilworth Village Centre Policies**

The following policies apply to the land designated as “Village Centre” on Schedule A-2 in addition to the policies of Section 5.3:

- a) The Village Centre is planned to function as a centrally located traditional village main street providing a focal point and destination area for community gathering and identity, social interaction, local business and civic activity, in conjunction with and complemented by convenient access and connections to the Wellness and Recreation Centre.

- b) To facilitate the implementation of a traditional main street in this location, the planning and design of any future improvements to Tunks Lane and Glendon Drive will consider an urban road cross-section with off-street cycling lanes, street trees, wide sidewalks, street lighting, signage and street furniture, underground utilities, on-street parking, bicycle parking and safe and well-defined pedestrian crossing locations.
- c) In addition to the permitted uses of Section 5.3.3, permitted uses in the Komoka-Kilworth Village Centre shall include mixed use buildings having a residential character including live/work units, provided the built form is in keeping with the policies of this section.
- d) The built form within the Village Centre area shall provide for consistent building massing, scale, height and setbacks to promote a pedestrian-friendly streetscape with active and engaging building facades at grade level, and residential above, with regular breaks in the street wall to facilitate pedestrian access and connectivity.

#### 5.78.4 Komoka-Kilworth Residential Area Policies

The following policies apply to the land designated as “Residential” and “Medium Density Residential” on Schedule A-2 in addition to the policies of Section 5.2:

- a) The types of housing, density of development and targeted housing mix within the Residential and Medium Density Residential designations on Schedule A-2 are as follows:

e)f) Use	f)g) Housing Targets Mix	g)h) GrossNet Density (units per ha)
h)i) Low density residential (e.g. singles, semis)	h)l) 60%	j)k) less than 20
k)l) Medium density residential (e.g. townhouses)	h)m) 40%	m)n) 20 to 50

The net density refers to the land area to be used for housing as well as the abutting local streets, but does not include major streets and other residentially associated land uses. Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.

- b) Development proposals within the areas shown as Medium Density Residential on Schedule A-2 shall:
  - i) Provide for a diverse mix of multi-unit housing forms and choices to accommodate the needs and lifestyles of people at different stages throughout their life;
  - ii) Along the north and south sides of Glendon Drive, provide for building orientation, façade and landscape treatments that create an attractive streetscape, and all driveways access from internal local roads. Back-lotting of housing units along Glendon Drive shall be strongly discouraged. Improvements to Glendon Drive including, but not limited to, upgrades to an urban cross section with underground stormwater system and utilities, bike lanes, sidewalks and boulevards, may be required as a condition of development of the land on either side of Glendon Drive.

- c) All residential development shall ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces and to facilitate the penetration of sunlight into these spaces.
- d) Private garages for residential development shall not be located closer to the street than the habitable portion or porch on the main floor of the building and may be subject to maximum width and other requirements within the Municipality's Zoning By-law to limit the visual and streetscape impacts of garages and encourage a positive street frontage oriented to pedestrians, and shall have regard for the Municipality's Site Plan Manual and Urban Design Guidelines.
- i) Private attached garages for residential dwellings located at 10293 Glendon Dr., lands legally described as Part of Lots 7 and 8 Concession 1 (geographic Township of Lobo) shall be located no closer than zero (0) metres to the front lot line (i.e. edge of street ROW) than the habitable portion or porch of the main floor of the dwelling for lot widths less than 12.19 m (40 ft). However, attached garages for residential dwellings may be located up to one (1) metre closer to the front lot line (i.e. edge of street ROW) for lot widths from 12.19m (40 ft) up to 14 m (46 feet) and up to two (2) metres closer to the front lot line (i.e. edge of street ROW) for lot widths greater than 14 m (46 feet) wide provided that a variety of house designs and positive street frontage oriented to pedestrians is required by Architectural Design Guidelines prepared for the subdivision and that such exceptions may be subject to a maximum garage width and other requirements within the Municipality's Zoning bylaw to limit the visual and streetscape impacts of garages.

Without limiting the foregoing, these exceptions shall be limited and subject to municipally accepted Architectural Design Guidelines prepared for the subdivision by a qualified architect in Ontario acceptable to the Municipality, acting reasonably. The Architectural Design Guidelines will be managed by the developer in cooperation with and supported by the Municipality, having regard to the Municipality's Official Plan, Zoning By-law, Site Plan Manual and Urban Design Guidelines. The Architectural Design Guidelines will be included as a Schedule to all subdivision agreements and the subdivision agreements will include a provision for the hiring of a Control Architect at the implementation stage

- e) Entrance features to new residential neighbourhood development shall be encouraged, provided that the features are landscape-related and require minimal maintenance.
- f) One potential future school site is shown on Schedule A-2 and shall be reserved within the Residential Area south of Glendon Drive for future school facilities to serve the Kilworth area. In the event that the School Board(s) do not require a school site in this location, residential uses shall be permitted in accordance with the policies of this Plan.

#### **5.78.5 Komoka-Kilworth Settlement Commercial Area Policies**

The following policies apply to the land designated as "Settlement Commercial" on Schedule A-2 in addition to the policies of Section 5.4:

- a) Where commercial development is proposed adjacent to a residential area, building setbacks, visual screening of parking areas, landscaping, fencing and other forms of buffering will be required to mitigate potential adverse impacts between the uses.

- b) No open storage of goods, materials, machinery or equipment is permitted.
- c) Two Community Gateway locations are identified on Schedule A-2 that overlay the Settlement Area Commercial designation. In these locations, development proposals shall provide for the following:
  - i) Building orientation to address the street corner;
  - ii) Parking areas located to the rear or to the side of the building(s);
  - iii) Landscape treatments and building design that create an attractive and unified streetscape and a sense of entrance and arrival to the community;
  - iv) High quality design character of development that contributes to the image and identity of Komoka-Kilworth.

#### **5.78.6 Komoka-Kilworth Settlement Employment Area Policies**

The following policies apply to the land designated as “Settlement Employment” on Schedule A-2 in addition to the policies of Section 5.5:

- a) Land located north of Glendon Drive and west of Komoka Road and designated as “Settlement Employment” as shown on Schedule A-2 shall be protected as a [Settlement Strategic](#) Employment Area as per Section 5.6 of this Plan.
- b) Development proposals shall provide for on and off-road pedestrian connections to other land use areas, in particular residential areas, to encourage active transportation between areas of housing and employment, where feasible and in accordance with Section 9.4.6 of this Plan. The provision of facilities such as bicycle parking/storage and changeroom/shower facilities by local employers will be encouraged and considered in the review of development proposals for employment land uses.
- c) Development proposals shall provide for appropriate building orientation with screening requirements for parking, storage and loading areas.

#### **5.78.7 Komoka-Kilworth Parks and Recreation Area Policies**

The following policies apply to the land designated as “Parks and Recreation” on Schedule A-2 in addition to the policies of Section 8.0:

- a) The Wellness and Recreation Centre shall be the primary indoor recreation facility within the community. Indoor and outdoor active and passive recreation facilities and other complementary uses shall be permitted in this location.
- b) Development proposals for lands surrounding the Wellness and Recreation Centre shall be complementary to the planned function of the facility as the primary recreational destination, and shall provide for efficient access and a high level of connectivity to the site including the provision of walkways and community trails, pedestrian road crossings and wayfinding signage.
- c) The Municipality will work with the County and other public agencies to promote seamless connections and efficient multi-modal transportation access to the Wellness and Recreation Centre as part of public sector projects such as area road improvements, sidewalk and cycling provision, trail development, wayfinding signage and future

- intersections/ pedestrian road crossings, as well as promotional, tourism and related initiatives.
- d) The Municipality will promote a partnership approach with the Ministry of Natural Resources to create and enhance linkages between the municipal parks and open space system and the Komoka Provincial Park including consideration of opportunities for trail connections, compatible forms of passive recreational activities, and the restoration and enhancement of natural habitat linkages, and to ensure that any development proposed on land adjacent to the Provincial Park is complementary and adequately buffered where required.
- e) Existing and future Community and Neighbourhood Parks, Recreation Facilities and Multi-Use Trails are shown on Schedule A-2. The location of future parks and trails should be considered approximate and will be finalized through development proposals and in accordance with the following:
- i) Parks and Recreation Areas shall be located, planned and designed in a manner that provides for seamless connections and a high level of pedestrian and cycling access to and among parks, recreational and open space areas, diverse settings for a range of passive and active recreational pursuits and cultural activities, barrier-free access and use, healthy lifestyles, social engagement, and active transportation.
  - ii) Neighbourhood Parks shall be provided in new residential neighbourhoods so as to maximize their accessibility and connections to the broader parks and open space system and existing and future trail network. To assist in achieving this, two neighbourhood parks are designated on Schedule A-2 to illustrate the conceptual location and distribution of parkland among future residential neighbourhoods north and south of Glendon Drive, and related multi-use trail connections. Parkland shall be dedicated as a condition of future development in accordance with Section 8.4 of this Plan to facilitate the establishment of new neighbourhood parks approximately in these locations, or in alternative locations provided that the intent of this Plan is maintained.
  - iii) The future expanded Neighbourhood Park shown south of Glendon Drive on Schedule A-2 shall be coordinated with the location of a future school site if additional school facilities are required by the School Board(s) in this area.
  - iv) A Multi-Use Trail system providing continuous linkages among areas of housing, employment, commercial business and retail, the Village Centre and Wellness and Recreation Centre, Komoka Provincial Park, the Thames River, neighbourhood parks and open space and on-road pedestrian and cycling facilities, shall be provided generally as shown on Schedule A-2. To facilitate this, development proposals shall be required to include provisions for Multi-Use Trails and related walkway and on-road walking and cycling connections, and the dedication of land to the Municipality for the proposed Multi-Use Trails shall be required as a condition of development. Variations to the location of Multi-Use Trails may be permitted provided the intent of this Plan is maintained. The Municipality shall encourage the provision of supporting amenities such as bicycle parking, staging areas, benches, signage and other facilities, and this will be considered in the review and evaluation of all development proposals.

- f) Land designated within the Parks and Recreation Areas immediately surrounding and adjacent to the existing aggregate ponds as shown on Schedule A-2 shall be planned and designed for compatible forms of public or private outdoor recreation including the consideration of opportunities for both land- and water-based recreation. The dedication of land for Multi-Use trails in these areas shall be required as a condition of development, and additional lands within these areas may be considered as part of the mandatory parkland dedication subject to the policies of Section 8 and/or Section 9.4.6 of this Plan as the case may be.

#### **5.78.8 Komoka-Kilworth Community Gateway Policies**

The following policies apply to the locations designated as “Community Gateways” on Schedule A-2:

- a) The planned function of Community Gateways identified on the Concept Plan is to promote a strong visual and cultural identity for Komoka-Kilworth, defined community edges, and welcoming features that provide a signal of entry and arrival to the community.
- b) Community Gateways shall be priority areas for civic landmark features, welcome signs and special landscape treatments, and the integration of these community elements in visually prominent locations within or near the areas shown as Community Gateways on Schedule A-2 shall be considered in the planning and design of any future improvements in these areas and in the review of development proposals for lands within or adjacent to these areas.

#### **5.78.9 Komoka-Kilworth Natural Environment, Natural Heritage Enhancement and Natural Hazard Area Policies**

The following policies apply to the land shown on Schedule A-2 in addition to the policies of Section 3:

- a) Lands designated as “Natural Heritage Enhancement Areas” are shown on Schedule A-2, and are intended for maintenance and enhancement of linkages to the natural system through:
- i) Filling in natural area gaps via plantings of native trees and shrubs. Species recommendations should reflect the existing conditions of the surrounding communities, but should consider a combination of woodland, wetland and prairie restoration;
  - ii) Promotion of acquisition of properties adjacent to Natural Environment Areas by the Municipality, the Upper Thames River Conservation Authority, Ministry of Natural Resources or other interested parties to increase interior habitat, provide additional buffers and increase corridor links;
  - iii) Increase of corridor links along stream corridors and between significant vegetation patches;
  - iv) Restoration along watercourses to produce a natural riparian community;

- v) In the case of Natural Environment Areas shown on Schedule A-2, woodland/wetland/prairie improvements and other projects undertaken by the Conservation Authority;
  - vi) The establishment of buffer areas through collection of site specific data having regard for the natural heritage feature and proposed adjacent land use.
- b) Natural Heritage Enhancement Areas are subject to landowner agreement and/or acquisition. The boundaries of the Natural Heritage Enhancement Areas should be considered approximate and further detailed studies, including the preparation of DARs, shall be required to define these areas in greater detail.
- c) Development Assessment Reports prepared for development proposals on adjacent lands to Natural Environment Areas shall be prepared in accordance with Sections 3.8 and 10.20.3 of this Plan and shall include an Environmental Management and Monitoring Plan identifying the necessary steps to be followed in order to protect the natural features and ecological functions from adverse effects of developing the adjacent lands. The Environmental Management and Monitoring Plan shall include the following components:
- i) Identified protected Natural Environment Areas;
  - ii) Natural Heritage Enhancement/Environmental Buffer Area Establishment and Management Recommendations;
  - iii) Development of mitigation recommendations;
  - iv) Ecological Compensation Requirements (if required), and;
  - v) Environmental Monitoring Recommendations.
- d) Opportunities for compatible forms of public access and passive recreational uses such as trails, wildlife viewing areas, outdoor education and interpretive signage shall be encouraged within Natural Environment and Natural Heritage Enhancement Areas. Wherever possible, the location of public parks, open space and multi-use trails will be integrated and coordinated with and complementary to the Natural Environment and Natural Heritage Enhancement Areas shown on Schedule A-2.

### **5.78.11 Komoka-Kilworth Servicing Policies**

The following policies apply to the land shown on Schedule A-2 in addition to the policies of Section 9.3:

#### **General**

- a) The Municipality has prepared a Master Servicing Plan to guide the determination of how lands required for long term urban growth will be serviced. The Master Servicing Plan projects a 20 year servicing boundary and identifies the probable servicing solutions for these areas. This Secondary Plan provides a more detailed servicing plan and progression of phasing for the Komoka-Kilworth Urban Settlement Area.
- b) For the purposes of this section, the term “services” includes: linear sanitary sewage collection system; sanitary treatment facilities, storm water management, water distribution and treatment.

- c) Full municipal services shall be required for all land use and development proposals that require services within the Komoka-Kilworth Urban Settlement Area and Secondary Plan.
- d) Services and utilities shall be provided in an orderly and coordinated manner that:
  - i) Provides for and encourages the construction and maintenance of services and utilities in an efficient manner while minimizing conflicts with other land uses.
  - ii) Provides for the future extension of services by developing sufficient capacity in the distribution, collection and treatment facilities to service the present and future needs of the Municipality.
  - iii) Protects the natural environment while providing the required services and utilities.
  - iv) Promotes co-operation with public agencies in planning for the multiple use of servicing and utility rights-of-way and corridors wherever possible.
  - v) Protects the service and utility from encroachment that would constrain its operation, result in hazard to life and property, and/or increase the cost of its operation.

#### Sanitary Sewerage

- e) The Municipality promotes gravity based sewerage servicing and seeks to minimize the transfer of sewage flows across drainage areas by pump stations. To provide a consistent basis for future planning of sanitary sewerage servicing, the Municipality will utilize the recommended servicing strategy for each sewershed.
- f) The Municipality has established a program to implement recommendations of the Master Servicing Plan. Identified priority works will be undertaken at the earliest opportunity within the financial capabilities of the Municipality, including:
  - i) [Potential expansion of the Komoka Treatment Plant](#) ~~environmental assessment~~; and
  - ii) ~~Kilworth to Komoka trunk sewer / force main linkage of existing systems.~~
- g) The Municipality may establish an area rated Development Charge to recover the growth-related capital costs of these works.

#### Stormwater Management

- h) Existing and conceptual locations for future Stormwater Management (SWM) ponds are shown on Schedules [A-21 through A-11, where applicable](#). The location and number of future SWM ponds should be considered approximate and revised locations and/or additional facilities shall be determined as a component of policies (k) and (l) below.
- i) The location of any future stormwater management facility shall be subject to the Ministry of the Environment's Certificate of Approval process. Amendments to this Plan shall not be required to deviate from the location of any future stormwater management facility shown on Schedule A-2.
- j) ~~The preparation of a Community Drainage and Stormwater Management~~

~~Plan for Komoka-Kilworth may be considered by the Municipality.~~

- j) Stormwater Management Plans shall be required for future land use and development proposals to address storm drainage and stormwater management issues and best management practices in accordance with the Municipality's Stormwater Management Policy Manual and shall include, but are not limited to, the following information:
- i) Provisions to prevent loss of life and reduce property damage;
  - ii) Provisions to mitigate the impact of proposed development on the environment and on existing overland stormwater flows;
  - iii) Provisions to control erosion, sedimentation, and pollution likely to result from development projects;
  - iv) Provisions to reduce on-site and downstream surface ponding and flooding;
  - v) Provisions to protect and enhance water quality and baseflow in receiving watercourses;
  - vi) Provisions to protect groundwater recharge/discharge areas;
  - vii) Provisions to reduce the total cost of a stormwater drainage system and its related works by minimizing the number of stormwater management facilities. The Municipality shall encourage the use of regional stormwater management facilities;
  - viii) Provisions to consider the integration of stormwater retention, detention or other management facilities into public park and open space areas, provided the overall function of the park or open space area is protected; and
  - ix) Any other criteria or guidelines which, in the opinion of Council, may be required to regulate development in order to achieve effective stormwater management in the subcatchment or tributary.

#### **5.78.12 Komoka-Kilworth Transportation Policies**

The following policies apply to the land shown on Schedule A-2 in addition to the policies of Section 9.4:

- a) The existing and future transportation system shall include a continuous linked network of Arterial, Collector and Local Roads, on-road pedestrian and cycling facilities and Multi-Use Trails that is coordinated with future land use based on Schedule A-2, and in accordance with the following policies:

##### Arterial Roads

- i) Glendon Drive (County Road 14) is an arterial road under the jurisdiction and subject to the requirements of the County of Middlesex. The planned function of this road is to serve high volumes of local and regional traffic movements at medium to high speeds. Access will generally be limited to public road intersections to preserve the

through-traffic function in accordance with the requirements of the County of Middlesex. Within the designated Village Centre area it is intended that Glendon Drive will be designed as a traditional village main street with street oriented development.

- ii) Within the planning period of this Plan, it is envisaged that Glendon Drive may be upgraded to a four lane urban arterial road standard with underground stormwater systems and utilities, street lighting, and consideration of sidewalks and landscaped boulevards and street trees. To achieve this, the Municipality will work with the County of Middlesex to determine the feasibility of implementing such improvements and related requirements as a condition of development and/or through the recovery of the land on either side of Glendon Drive.
- iii) The use of window streets, service roads, or looped local roads providing single loaded access to individual properties, with buildings oriented toward the Arterial Road, shall be considered in the planning and design of development proposals on land adjacent to the Arterial Road.
- iv) The use of window streets, service roads, or looped local roads providing single loaded access to individual properties, with buildings oriented toward the Arterial Road, shall be considered in the planning and design of development proposals on land adjacent to Arterial Roads.

#### Collector Roads

- v) Komoka Road (County Road 16) is a collector road under the jurisdiction and subject to the requirements of the County of Middlesex. The planning and design of any future road improvements to Komoka Road (County Road 16) should consider sidewalk provisions on both sides of the road.
- vi) The planned function of Future Collector Roads is to serve light to moderate volumes of local traffic at low speeds for short travel distances providing connections between Local Roads and Arterial Roads while allow direct access to individual properties. Sidewalks shall be required on both sides of Collector Roads.

#### Local Roads

- vii) Future Local Road Connections are shown on Schedule "A-2" based on an extension of existing local road alignments and new roads proposed within future subdivisions. Actual Local Road alignments will be determined through specific development proposals in accordance with the policies of this Plan.
- viii) The local street pattern shall be based on a grid or modified grid layout that maximizes community connectivity and convenience of active transportation modes including walking and cycling. Mid-block pedestrian walkways may be required for long blocks of development. New cul-de- sacs shall be avoided. Sidewalks should be provided on both sides of local streets, with certain exceptions such as single-loaded/window

streets. Sidewalk locations shall be integrated with the Multi-Use Trail system shown on Schedule A-2.

#### Multi-Use Trails

- ix) The Multi-Use Trails shown on Schedule A-2 shall be planned and provided as an integral part of the transportation system. To facilitate this, development proposals shall be required to include provisions for Multi- Use Trails and related walkway and on-road walking and cycling connections, and the dedication of land to the Municipality for the proposed Multi-Use Trails shall be required as a condition of development of the land. Variations to the location of Multi-Use Trails may be permitted provided the intent of this Plan is maintained. The Municipality shall encourage the provision of supporting amenities such as bicycle parking, staging areas, benches, signage and other facilities, and this will be considered in the review and evaluation of all development proposals. Opportunities will be explored to reduce parking standards in concert with enhanced pedestrian and cycling facilities.

#### County Roads

- x) The County road system provides for the efficient movement of traffic between provincial freeways and highways and local roads. The provision and maintenance of other facilities (such as sidewalks) or improvements to road side aesthetics (such as street lighting) are the responsibility of the Municipality.

## SECTION 6.0 MUNICIPAL DESIGN POLICIES

*Preamble: The Municipality's "village-scapes" will be preserved and enhanced through appropriate and positive settlement design. Physical design issues, including urban form, public realm and public spaces, and high quality subdivision and site plan design are considered very important to the achieving of the Municipality's general vision. The Municipality has prepared Urban Design Guidelines to supplement the policies of this section.*

### 6.1 SETTLEMENT AREA DESIGN GOALS

The following goals relate to the physical design of new development, including plans of subdivision, infill development proposals, and site plans within the Municipality.

- a) To recognize the increased importance placed on infill and intensification within the Urban and Community Settlement Areas, to support local businesses, provide a range of housing options for every stage of life and make efficient use of existing infrastructure.
- b) To maintain and improve the physical design characteristics of the Municipality's settlement areas in the context of new and existing development. To stress a general high quality of settlement design throughout the Municipality.
- c) To promote sustainable architecture and development practices that help achieve the Municipality's sustainability objectives.
- ~~db~~) To ensure that new development is designed in keeping with the traditional character of existing settlements, in a manner that preserves the traditional "village scape", and enhances the sense of place within the Municipality and the community image of existing settlement areas.
- ~~ee~~) To promote efficient and cost-effective development patterns that minimize land consumption. Compact settlement form and intensification will be encouraged.
- ~~fe~~) To promote the improvement of the physical character, appearance and safety of street scapes, civic spaces, parks, and other aspects of the public realm.
- ~~ge~~) To preserve and enhance design aspects that add to the Municipality's sense of place, including views, vistas, access to natural features, and the preservation of landscapes and landmarks.
- ~~hf~~) To encourage significant community or civic buildings such as ~~churches~~places of worships, schools, fire halls and so on, to be sited at locations which enhance their visual status and contribute to the image and sense of place of the Municipality.
- ~~ig~~) To encourage tree retention wherever possible and appropriate within plans of subdivision, severances, and site plan applications.
- ~~jh~~) To address the interface between the Municipality's rural/agricultural and settlement areas and the need to transition between these areas.

- [k\)](#) To have regard for the Municipality's Urban Design Guidelines.

## 6.2 DESIGN POLICIES - PLANS OF SUBDIVISION

The following policies apply, with necessary modifications, to Plans of Subdivision and Plans of Condominium, as well as Site Plan applications for Land Lease Developments and cluster developments such as [townhouse and](#) apartment complexes.

- a) This Plan strongly encourages subdivision design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure. Neighbourhood patterns are encouraged to provide clearly defined neighbourhood centres and edges where appropriate. Design should emphasize connectivity and multiple route choice for pedestrians, cyclists and automobiles.

b) Where new plans of subdivision are proposed in settlement areas characterized by standard or modified block patterns or traditional street grids, the continuation of such patterns is encouraged unless more suitable or innovative patterns are agreed to. Cul-de-sacs are discouraged in such circumstances.

~~Where new plans of subdivision are proposed next to a roadway reserve, a connection to the roadway reserve is required.~~

b) ~~New development shall include sidewalks, and other active transportation infrastructure and traffic calming measures as deemed appropriate by the municipality.~~

c) \_\_\_\_\_

e) Street patterns that create view corridors and vistas, particularly in circumstances where significant landmarks or features are involved, are encouraged.

d) \_\_\_\_\_

e) At the Municipality's discretion, residential proponents may be required as part of a complete application to submit design guidelines with plan of subdivision applications, establishing how the policies of Section 6.0 have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, garage placement, and architectural treatment.

d) Designs that establish reverse lotting on Municipal roads, or require features such as noise attenuation or privacy fencing, are discouraged. Wherever possible, new residences will be oriented toward streets or parks.

f) \_\_\_\_\_

e)g) Alternative development standards as set out in the Provincial document "Making Choices: Alternative Development Standards Guidelines" will be considered. Such standards may relate to:

- Boulevard widths, road rights-of-way and pavement widths.
- Alternative standards for the spacing and location of underground services.

h) ~~g) Developments shall be required to comply with the Municipality's current infrastructure design standards as may be amended from time to time.~~

f)j) Development shall have regard for the Municipality's Urban Design Guidelines.

### 6.3 DESIGN POLICIES - SITE PLANS AND INFILL DEVELOPMENTS

a) This Plan encourages ~~compatibly scaled and designed~~ infill developments within Village Centres, ~~which that~~ enhance the traditional character and economic viability of such centres.

b) Residential infill of a residential type, scale and architecture that ~~is compatible with~~ complements existing residences and neighbourhoods, is encouraged.

- c) A high quality of site design and architectural design is encouraged for new commercial, industrial and medium density residential developments, in keeping with the physical character of the settlements. Setbacks, massing, location of parking, architecture and so on will be considered carefully to promote developments ~~compatible with that complement~~ existing development ~~and character~~. Parking areas should be de-emphasized through appropriate placement and through well designed landscaping.
- d) A high quality of architecture and site design for institutional uses such as schools, ~~churches~~ places of worships and libraries is encouraged.
- e) The preservation of historical or heritage features, landscapes and buildings in the context of site design or redevelopment proposals is strongly encouraged.
- f) New buildings and development ~~should generally shall~~ be oriented to wards streets or parks, and should be designed and situated ~~in harmony and~~ in a compatible complementary manner with adjacent structures and the surrounding neighbourhood ~~character~~.
- g) Development shall have regard for the Municipality's Urban Design Guidelines.

#### 6.4 DESIGN POLICIES - STREETSCAPES AND PUBLIC OR SEMI-PUBLIC REALM

- a) Streetscaping that ~~is complementary to reflects the intended character of settlement areas~~ the existing built form of the neighbourhood is encouraged. -In particular, traditional streetscaping in Village Centres is encouraged. ~~A~~ Further, accessible sidewalks and low impact development standards should be incorporated, where possible, to minimize the impacts of climate change and reduce stormwater management costs. A coordinated approach should be taken ~~to in~~ the planning and design of streetscape improvements in commercial areas, including the upgrading of building facades, signage, sidewalks, lighting, parking areas and landscaping.
- b) ~~To de-emphasize off-street parking areas within Village Centres, placement of sSurface parking shall be locatedis encouraged behind buildings, away from the street to provide a continuous streetscape.~~ ~~Where this is not possible/feasible, other locations and reduced parking requirements may be considered where appropriate and to the satisfaction of the Municipality.~~ ~~AA~~ appropriate design treatments andadequate buffering is encouraged to screen its viewparking areas from the public realm. ~~of off-street parking areas within Village Centres is encouraged, with appropriate design treatments to de-emphasize parking areas.~~
- c) On-street parking is supported within Village Centres and within new residential neighbourhoods where appropriate.
- d) Appropriate and traditional residential streetscaping, street design, and residential unit design is encouraged in the context of new plan of subdivision applications. Residential unit design includes issues of setback, garage placement, and architectural detailing.
- e) The merits of traffic calming measures within new residential neighbourhoods will be studied and considered, as a method of decreasing vehicular speeds.

- f) A network of public open spaces throughout the Municipality will be promoted with each space designed and integrated within neighbourhoods to act as visible—and usable neighbourhood or community gathering places. Connectivity of municipal trails to these spaces will be encouraged.
- g) A high quality of park and open space design is strongly encouraged.—The lands for park land dedication will be carefully selected to facilitate their use as a central focal point to new or existing neighbourhoods.—Where possible, uses should front onto parks. Connectivity of municipal trails to these parks will also be encouraged.
- h) Development shall have regard for the Municipality’s Urban Design Guidelines
- i) Where they are proposed, electric vehicle charging stations shall be located in a manner that cables and charging infrastructure shall not create a hazard for pedestrians or cyclists.

## SECTION 7.0 RURAL COMMERCIAL AND INDUSTRIAL AREAS

*Preamble: Certain Rural Commercial and Rural Industrial areas outside of Municipal settlement boundaries have been designated in this Plan due to similar designations in former Official Plans. Such designations generally allow existing commercial or industrial uses that are “dry” in nature. It is recognized that the County of Middlesex Official Plan would not permit the establishment of new or additional Rural Commercial or Rural Industrial areas outside of settlement boundaries. For those currently designated, the Municipality wishes to ensure that such areas be well planned and designed in keeping with the Municipality’s Vision.*

### 7.1 — RURAL COMMERCIAL AREAS

#### 7.1.1 — General Rural Commercial Goals

The following goals relate to lands designated Rural Commercial within the Municipality.

- a) — To provide opportunity for lands designated for existing commercial-related uses outside of settlements under previous official plans to continue.
- b) — To allow limited commercial development, not necessarily related to agriculture, in areas considered well suited for these purposes, outside of settlement areas.
- c) — To achieve a high standard of site development and design in keeping with the design policies included in Section 6.0 of this Plan and having regard for the Municipality’s Urban Design Guidelines.
- d) — To ensure that such development is adequately serviced so as to not create a premature need for the installation of piped municipal services.
- e) — To ensure that adjacent lands or uses are adequately buffered to minimize conflict with incompatible Rural Commercial development.

Lands designated for Rural Commercial purposes outside of settlement areas represent lands either developed for commercial purposes under previous official plans in the Municipality, or previously designated but unbuilt for commercial purposes, that are considered appropriate for Rural Commercial uses. It is not the intention of this Plan to permit the expansion or designation of additional Rural Commercial lands outside of settlement areas within the Municipality.

#### 7.1.2 — Permitted Uses in Rural Commercial Areas

Lands designated for Rural Commercial uses may be developed for the following purposes:

- a) — Commercial uses which exhibit a strong orientation to vehicular traffic and single purpose shopping trips, or commercial uses which by nature of the size of product sold, require large selling areas. Without limiting the generality of the foregoing, such uses shall include commercial establishments which are oriented to vehicular traffic such as automobile sales establishments, automobile service stations and gas bars, public garages, building supply outlets or lumber yards, motels and accessory restaurants, farm machinery and equipment sales and service, farm supplies, and drive in restaurants.

- b) ~~Retail uses such as grocery stores or supermarkets, clothing and apparel stores, hardware, books and other speciality retail, pharmacies, general merchandise stores, department stores or shopping centres that would compete with retail sales in commercial areas within settlements, or which function as a regional retail role, are not permitted within the Rural Commercial designation. Furthermore, Laundromats, car washes or other facilities consuming large amounts of water are not permitted.~~

### ~~7.1.3 General Rural Commercial Development Policies~~

~~When considering development within existing Rural Commercial designations, the following criteria or policies will apply:~~

- a) ~~Proposed uses shall meet requirements, and obtain necessary approvals, with respect to water supply, waste water disposal and solid waste disposal. Notwithstanding the permitted uses in Section 7.1.2 of this Plan, certain uses or expansions to existing uses may be restricted as a result of their servicing requirements.~~
- b) ~~Such applications will require submission and approval of a site plan application under Section 41 of the Planning Act in accordance with Section 10.5 of this Plan and regard for the Municipality's Site Plan Manual, and will require execution of a corresponding site plan agreement. In co-ordination with said site plan agreement, a drainage plan and /or additional servicing reports may be required by Council or staff.~~
- c) ~~Access shall be available from a public road of reasonable construction and year round maintenance. Access to provincial highways will be subject to the review and approval of the Ministry of Transportation (MTO). At staff's, Council's or the MTO's discretion, such applications may require submission of transportation or traffic analysis establishing that the proposal will not generate conditions that are considered to be hazardous to traffic movement on the surrounding network.~~
- d) ~~Adequate off street parking, loading and unloading facilities shall be provided.~~
- e) ~~Adequate buffering shall be provided where such proposals are adjacent to residential or other sensitive land uses.~~
- f) ~~The design policies in Section 6.0 of this Plan and regard for the Municipality's Urban Design Guidelines shall apply.~~

## ~~7.2 RURAL INDUSTRIAL AREAS~~

### ~~7.2.1 General Rural Industrial Goals~~

~~The following goals relate to lands designated Rural Industrial uses outside of settlement areas.~~

- ~~1. To ensure that lands developed for industrial purposes through previous official plans remain viable and support the rural economy, and to allow appropriate industrial development to proceed on lands designated Rural Industrial in this Plan.~~
- ~~2. To limit or mitigate any adverse impacts of Rural Industrial uses to surrounding agricultural operations or opportunities.~~

3. ~~To achieve a high standard of Rural Industrial site development in keeping with the design policies in Section 6.0 of this Plan, and to consider environmental and agricultural heritage issues in the development of industrial lands.~~
4. ~~To ensure that Rural Industrial development is adequately serviced.~~

~~Lands designated in this Plan for Existing Rural Industrial purposes uses were permitted for similar purposes in previous Plans for the former Townships. It is not intended that new industrial uses will be permitted additional land outside of settlement areas be added to the Rural Industrial designation within the planning horizon of this Plan except in accordance with policies for Agriculture related uses.~~

~~Applications to expand or change the use of existing redesignate Rural Commercial lands to Rural Industrial uses shall be reviewed in the context of policies for legal non-conforming uses. may be considered subject to an Official Plan Amendment, with supporting documentation establishing the need / justification for additional Rural Industrial lands, relative to a corresponding lesser need for Rural Commercial lands. Uses that would meet the definition of Agriculture-Related will be preferred. Site considerations should also be addressed. Such applications will be considered based on justification, as well as issues relating to adjacent land uses. Proposals of this type that result in intermittent locations of industrial and commercial lands along rural corridors, will be discouraged. Wherever possible, Rural Industrial and Rural Commercial uses will be clustered, rather than staggered or interspersed.~~

#### **~~7.2.2 Permitted Uses in Rural Industrial Areas~~**

~~Permitted uses within the Rural Industrial designation shall be limited to dry industrial uses (as defined in Section 12.0), including the manufacturing, processing, assembling, wholesaling, warehousing, distributing, repair, servicing and storage of goods and materials. Uses accessory to industrial operations such as offices and factory retail outlets accessory and subordinate to an industrial use are also permitted. Research facilities, public facilities and recycling operations are also permitted.~~

#### **~~7.2.3 General Criteria for Development Within Rural Industrial Areas~~**

~~When development applications are proposed within existing rural industrial designations, the following general principles or criteria will apply:~~

- a) ~~Access will be provided to a public road of reasonable construction and year round maintenance. Development is encouraged on a hard surface, dust-free road. Where deemed necessary by the Municipality, applicants may be required to submit traffic or transportation analysis establishing that the use will not generate conditions considered to be hazardous to traffic movement on the surrounding road network.~~
- b) ~~Adequate off-street parking, loading and unloading facilities will be provided.~~
- c) ~~Adequate buffering shall be provided if lands are adjacent to residential uses, or other potentially sensitive uses.~~
- d) ~~If a severance of land is necessary to accommodate the development, the application must satisfy the severance policies included in Section 10.3 of this Plan.~~

- e) ~~Such applications will require site plan approval under Section 41 of the Planning Act, and shall be required to enter into a site plan agreement with the Municipality. Consideration of the site plan application will relate to design policies included in Section 6.0 of this Plan and having regard for the Municipality's Urban Design Guidelines.~~
- f) ~~Any lands to be developed for rural industrial purposes south of the Ilderton *Urban Settlement Area*, will ultimately be serviced by municipal water and sanitary sewage, where economically and physically feasible. As an interim measure and where environmental conditions permit, rural industrial uses which are "dry" in nature may be considered where municipal services are not provided, or where municipal water services only are provided. Such "dry" rural industrial uses shall not require large volumes of water or generate large volumes of effluent. Effluent generated shall be from domestic sources only and not as a result of any industrial processes. If full municipal services are ultimately provided, industrial uses which are not "dry" in nature may be considered without amendments to this Plan.~~
- g) ~~Industrial uses fronting onto a Provincial Highway, County Road or Municipal Road, or adjacent to a residential area, shall incorporate high standards of design in keeping with Section 6.0 of this Plan.~~
- h) ~~Industrial applications must make efficient use of land resources. Proposals that are inefficient or wasteful of such land uses will be discouraged.~~

## SECTION 8.0 PARKS AND RECREATION AREAS

*Preamble: Parks and Recreation areas include the Municipality's various municipal parks, open space areas, conservation areas, municipal trails and walkways, arenas and recreation areas, and private recreation opportunities. The Municipality is striving to meet the changing recreational needs of its residents, in part through the planning of well designed and appropriately sized and distributed parks and recreation facilities across the Municipality.*

### 8.1 GENERAL PARKS AND RECREATION GOALS

- a) To encourage appropriately sized and located parks and recreation facilities distributed to address Municipal needs, primarily within settlement areas.
- b) To ensure that recreational development will not interfere or conflict with the agricultural land use activities of the Municipality.
- c) To promote parks and recreational design that is sensitive to the physical characteristics and natural features of their respective sites, and the traditional character of the related settlement areas.
- d) To encourage the provision of adequate recreational and parks opportunities to serve the settlement and rural residents of the Municipality.
- e) To encourage a range of sizes of parks and recreation opportunities within the Municipality, from large Municipal wide park areas to small neighbourhood oriented village green areas.
- f) To promote a range and balance of active and passive park land opportunities to serve Municipal residents.
- g) To encourage parks and recreation opportunities that meet the changing recreational needs of Municipal residents, considering the changing nature of the Municipality in terms of age, income, family and household structures.
- h) To promote equitable access to recreational experiences for all residents including connections with the Trails Master Plan (2014), where possible.
- i) To encourage public municipal facilities as part of mixed-use private development, particularly within Urban Settlement Areas, to support the diversification of housing opportunities.

### 8.2 GENERAL PARKS AND RECREATION APPROACH AND DESIGNATED AREAS

Schedule A of this Plan identifies areas designated Parks and Recreation. This designation includes Provincial parks within the Municipality; conservation areas; public and private recreation areas including golf courses and campgrounds; and public and private parks. At present, public and private parks are not identified on Schedule A. It is the intention of the Municipality to prepare a Municipal-wide parks and recreation master plan. Once this exercise is complete, an official

plan amendment will be prepared that integrates the results of the study into this Plan. At that time, the Schedules of this Plan will be amended to include the identification of all Municipal parks.

Parks and recreation uses are also permitted within the Residential and Village Centre designations of the Municipality's *Urban* and *Community Settlement Areas*, and within the *Hamlet* designation.

The Municipality's comprehensive zoning by-law will establish specific locations for parks and recreation uses within an appropriate zoning category.

### 8.3 PARKS AND RECREATION PERMITTED USES

Within areas designated Parks and Recreation on Schedule A, the following uses are permitted:

- a) Public and private parks and open space areas;
- b) Public and private recreation areas, including golf courses and campgrounds;
- c) Conservation areas, including uses identified in a conservation area master plan;
- d) Provincial parks, including uses identified in a parks master plan prepared by the Province;
- e) Pedestrian walkways and bicycle paths;
- f) Playgrounds and picnic areas;
- g) Municipally owned recreational facilities (swimming pools, sports fields, community centres, arenas etc.);
- h) Farmers market;
- i) Tourist information centres; and
- j) Museums; and
- ke) The existing ~~race track~~racetrack in the former Township of Delaware, known as the Delaware Speedway Park. This use and appropriate accessory uses will continue to be permitted; however, proposals to expand the land area associated with this use will be discouraged.

### 8.4 GENERAL MUNICIPAL PARKS AND RECREATION POLICIES

- a) Recreational development on lands actively used for agricultural purposes or on lands that have a high capability for agriculture are discouraged and will only be permitted by amendment to this Plan. Where recreational development is proposed on lands considered to have a poor capability rating for agriculture, consideration shall be given to potential impacts that such development may have on surrounding agricultural activities. Minimum Distance Separation Formulae will be applied to provide adequate separation distances for new recreational development from existing, new or expanding livestock

- facilities, and adequate separation distances for new or expanding livestock facilities from existing or approved development. No recreational development will be permitted in agricultural areas where an adverse effect on the surrounding agricultural uses is expected.
- b) Uses considered to be parks and recreation uses include Ministry of Natural Resources land, Provincial parks, Conservation Authority lands, public parks, pedestrian walkways and bicycle paths, playgrounds, picnic areas, municipally owned swimming pools, sports fields, community centres, arenas, farmers markets, tourist information centres, museums, golf courses and other similar public recreational uses.
  - c) Municipal parkland may be acquired by dedication, purchase, donation, bequests, or expropriation.
  - d) The Municipality shall require that 5% of lands to be developed or redeveloped for residential purposes be conveyed for public park or recreational purposes. Land in the amount of 2% will be dedicated in the event of development or redevelopment for commercial or industrial purposes. Alternatively at the Municipality's discretion, a parkland dedication may be required at a rate of one hectare for each ~~300~~500 dwelling units proposed in the context of a plan of subdivision application.
  - e) In the case of such parkland dedications, lands to be conveyed shall be of adequate size, dimension, drainage and grading for their intended recreational use, and will be of an appropriate size and shape to meet the needs and goals of the Municipality. These goals may be established through the completion of a Municipal wide Parks and Recreation Master Plan. Stormwater detention areas, drains, natural hazard lands subject to flooding, or Natural Environment Areas identified in this Plan shall not be accepted in fulfilment of this requirement, however they may be accepted as an adjunct to a functional park area. Natural areas other than those listed above may be accepted at a rate reflecting their relative potential for recreational use. Connecting walkways and pedestrian grade separations, sidewalks and protective buffer areas between conflicting land uses shall not be considered as a portion of a parkland dedication.
  - f) Council may, at its discretion, accept payments of cash-in-lieu of parkland dedication in cases where park and recreational facility sites in the vicinity of the lands to be developed are adequate for present and future needs, or where parklands of adequate size could not be achieved, even in combination with adjoining lands. Council may also accept payment of cash-in-lieu where the dedication of parkland location and shape renders the remainder of the site unsuitable or impractical for development. Cash-in-lieu of parkland payments shall be placed in a separate account and used for the acquisition or development of parkland within the Municipality that meets the goals for parkland established in Section 8.1.
  - g) When lands are dedicated, the Municipality shall endeavour to establish parks at locations near or adjacent to schools or natural areas. Such parks are encouraged to be located within a short distance wherever possible to adjacent residential neighbourhoods, within settlements to be served. Such policy may be further defined in a Municipal Parks and Recreation Master Plan.
  - h) When lands are to be dedicated, the municipality shall endeavour to ensure adequate street frontage and visibility, and wherever possible will encourage the orientation of

adjacent housing and uses so that ongoing visibility and monitoring of the park area is provided. Lands capable of providing scenic vistas or possessing unique natural qualities are encouraged to be dedicated for municipal parkland. Policies in Section 6.0 will also apply.

- i) Parkland design, location and configuration will be such that parkland can act as an attractive and unifying community or settlement feature.
- j) At its discretion, the Municipality may accept a park dedication on lands other than those contained in the particular subdivision or development plan.
- k) At its discretion, the Municipality may acquire new parks and recreation spaces where they are needed and provide amenities in existing parks where population is increasing.

## SECTION 9.0 GENERAL MUNICIPAL POLICIES

Preamble: This Plan is intended to provide well co-ordinated policy relating to a number of Municipal issues, including the planning of institutional facilities (i.e. schools, government uses, ~~churches~~places of worship, and community centres), the facilitation of economic development (including business recruitment and retention, home occupations and tourism), the provision of appropriate municipal infrastructure and services, the establishment of a safe and efficient transportation system, the provision of a well-planned and distributed parks and recreation structure, and the identification and protection of cultural and heritage features.

### 9.1 INSTITUTIONAL POLICIES

The following policies relate to institutional uses within the Municipality. Institutional uses are generally social, educational, government or religious in nature, and may include nursing homes, schools, libraries, museums, municipal offices or uses, ~~churches~~places of worship, community centres, and other similar facilities. It is the policy of this Plan that institutional facilities be established and distributed in a manner that will best provide for the needs of the residents of the ~~Municipality, and~~Municipality and will ensure ease of access.

- a) Within settlement areas, institutional uses shall be permitted within all land use designations. Existing institutional uses are permitted within Agricultural designations outside of settlement areas, however the establishment of new institutional uses outside of settlements will require an amendment to this Plan.
- b) The establishment of new institutional facilities shall be subject to various considerations, including compatibility with adjacent land uses, and close or convenient access to major County or Municipal roads.
- c) Institutional uses shall be encouraged to be sited and designed in keeping with the character and built form of adjacent land uses, and in keeping with the design policies of Section 6.0 of this Plan and having regard for the Municipality's Urban Design Guidelines.
- d) It is recognized that certain institutional uses such as post offices, libraries and civic offices are beneficial to the health and viability of Village Centres within the Municipality. Such uses are encouraged to locate within Village Centres, and where such uses currently exist within Village Centres, their relocation outside of Village Centres is discouraged.
- e) It is the policy of the Municipality to support the use of existing educational facilities, wherever possible, prior to consideration of construction of new school facilities. Consideration of opportunities to combine community uses such as schools, libraries, community centres and so on is encouraged.
- f) Appropriate school boards will be consulted in the approval of plans of subdivision, as to whether existing schools can adequately accommodate anticipated growth in enrollment, and whether alternatives to construction of new schools, such as the changing of school boundaries, bussing or expansion of existing schools in nearby areas, can address School Board needs.

g) This Plan recognizes preferred locations for daycare centres, including sites adjacent to multiple residential developments, existing schools or parks, or employment areas. Daycare centres are encouraged to locate within Village Centre designations where possible. Council supports the use of existing suitable accommodations in schools, community centres, ~~church~~places of worships or other institutional buildings for daycare purposes.

## 9.2 ECONOMIC DEVELOPMENT POLICIES

### 9.2.1 *General Economic Development* Policies

The following policies apply to economic development within the Municipality.

- a) It is a goal of this Plan to develop a diverse economic base within the Municipality, recognizing the importance of agriculture as the primary economic function. The Municipality shall endeavour to increase its tax base and job opportunities in a manner that improves the quality of life of existing and future Municipal residents, and balances various economic sectors to ensure a sustainable economic base.
- b) The Municipality will balance the promotion of new business development, and the retention/expansion of existing businesses, to ensure growth in local employment opportunities.
- c) Community based commercial and industrial growth is encouraged within the Municipality wherever possible, and the vertical integration of industry is promoted.
- d) The Municipality will monitor the supply of lands designated for industrial or commercial purposes, to ensure that a sufficient supply is available to meet demand and opportunities, and further that the nature of the lands designated are appropriate in size, configuration and location to address the anticipated demand.
- e) The Municipality will encourage that an adequate supply of serviced land be available for appropriate business expansion.
- f) The Municipality will prohibit sensitive uses from locating in industrial or business areas of this Plan or adjacent to existing industrial operations, in order to protect such operations from encroachment or interference with business activity.
- g) The Municipality will promote the viability and health of its Village Centres in its policies and decisions.
- h) The Municipality will encourage industrial development and practises which minimize negative effects on the natural environment, are dry in nature, and/or have minimal visual impacts on the surrounding community.
- i) The remediation, conversion and reuse of industrial or other “brownfields” properties within the Municipality is strongly encouraged.
- j) The Municipality will encourage mixed-use areas in its Village Centres and Settlement Commercial areas.

- k) The Municipality will ~~include~~consider the economic development priorities outlined in the Middlesex Centre Strategic Plan in its policies and decisions.
- l) The Municipality will promote and encourage on-farm diversified uses and agriculture-related uses to support the agricultural economy.

### 9.2.2 Home Occupations

In order to promote economic development and recognize changing lifestyles of Municipal residents, it is the policy of this Plan to permit home occupations in dwelling units within or outside of settlement areas. Bed and breakfast establishments are also permitted within single detached dwellings in any designation where such a dwelling is permitted.

The following additional policies shall apply:

- a) For home occupations outside of settlement areas, the scale of the home occupation must be clearly accessory to the residential or farm use.
- b) For home occupations in settlement areas, no customer parking should be required. Only small scale signage so as to not impact the residential character of the lot and neighbourhood in question, shall be permitted.
- c) Home occupations within settlement areas will be clearly subordinate to the primary residential use, and will not require alterations which interfere with the residential character of the structure. Such uses will not be permitted if they generate uncharacteristic traffic for a residential neighbourhood, or require outdoor storage of goods or materials, or will otherwise disrupt the peaceful and quiet enjoyment of other residential properties in the neighbourhood.
- d) Outside storage associated with home occupations will not be permitted.
- e) Home occupations shall not negatively impact natural areas as identified in this Plan.
- f) Home occupations may be regulated by the Municipality through the Municipal Zoning By-law or other by-law or licensing procedure.
- g) Home occupations located on provincial highways require the approval of the Ministry of Transportation (MTO). Typically, the MTO will require that the property owner obtain an entrance and sign permit. As a condition of these permits, the MTO requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupation. In addition, the MTO would not support a future severance where a property owner wishes to separate the home occupation from the property where a new entrance from the highway for the new lot of record would be required.

### 9.2.3 Tourism Policies

It is the policy of this Plan to encourage compatible and non-obtrusive tourism growth within the Municipality's settlement and agricultural areas. In particular, tourism opportunities relating to the agricultural industry within the Municipality are supported.

In addition, the following tourism oriented policies shall apply:

- a) Tourism uses shall be permitted within the Agriculture designation of this Plan subject to other agricultural policies, and in the Village Centre, Settlement Commercial and Rural Commercial designations of this Plan.
- b) The Municipality shall promote existing tourism uses within the Municipality, and encourage the establishment of additional tourism opportunities within settlement areas and agricultural areas.
- c) Tourism uses within Village Centres will be encouraged to augment and strengthen the health of Village Centres, while ensuring that the primary function of such centres is to serve the local community.
- d) ~~Agriculturally related and ecologically related~~Agri-tourism opportunities will be encouraged subject to additional policies within this Plan.

#### 9.2.4 Reuse of Brownfield Sites

**It is the policy of this Plan that the reuse of industrial or other brownfield sites within the Municipality, or the conversion and reuse of existing unused buildings for alternative uses, shall be encouraged. Applications to redevelop existing or previously used industrial lands or some institutional lands (such as municipal works yards) for non-industrial purposes, such as residential or institutional, shall include best available information about the present and past uses of the property.**

Where this preliminary analysis indicates the likelihood of contamination, further investigation will be required to determine the extent of contamination and any measures necessary to clean up the site in accordance with Ministry of Environment standards. The applicant's professional engineer shall affirm that necessary remedial measures have been fully carried out and that the site is suitable for the proposed use.

### 9.3 MUNICIPAL INFRASTRUCTURE AND SERVICES POLICIES

#### 9.3.1 Settlement Area Municipal Services

- a) The primary municipal services in the Municipality are water supply, sewage disposal, and storm water management. At present, three settlement areas (Arva, Ilderton and Komoka/Kilworth) are generally serviced by municipal sanitary sewer systems. The remainder of the settlement areas are are serviced by private individual sewage treatment systems on private sanitary service systems. The establishment of municipal sanitary sewer infrastructure in Delaware is possible within the planning period of this Plan.
- b) Six of the eleven settlement areas within the Municipality are on full municipal water services (Ilderton, Komoka-Kilworth, Delaware, Arva, Denfield, and Ballymote). Melrose and Birr have partial services (Two are on partial municipal water only) services (Melrose and Birr) and Bryanston, Lobo and Poplar Hill-Coldstream three are on private individual services only wells (Bryanston, Lobo, and Poplar Hill-Coldstream).

- c) It is the policy of this Plan that future development within settlement areas proceed on the basis of full municipal services, with partial services potentially being permitted on an interim basis where proper justification is provided.
- d) Where municipal services are not available or planned, development may be approved on the basis of Private Communal Servicing subject to the policies of Section 9.3.3.
- e) The Municipality will undertake the preparation of Community Storm Water Management Studies in settlement areas where deemed appropriate and necessary.
- f) It is the policy of this Plan that treatment capacities and operational effectiveness for municipal services will be monitored by the Municipality, with the results provided to the County of Middlesex every five years as a minimum.
- g) All lots affected by an application for severance or plan of subdivision shall be sized such that there is sufficient space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply if municipal water is not available.

### 9.3.2 Servicing in Non-Settlement Areas

- a) The principal means of sewage disposal in agricultural areas of the Municipality is the septic tank and weeping tile system. It is anticipated that such systems will continue to be the principal means of sewage disposal outside of settlements in the foreseeable future, however the consideration of alternative and improved technologies is encouraged. The installation of septic systems is subject to the approval of the authority having jurisdiction.
- b) Where new development with septic systems is proposed, it is the policy of this Plan that lots on which the new development is to occur be of sufficient size to accommodate ~~the a~~ conventional private individual sewage disposal system and contingency area in compliance with Provincial guidelines. Minimum lot requirements will be established in the implementing zoning by-law.
- c) Municipal water and sewage systems shall generally not be provided to areas outside of settlement area boundaries, except where otherwise noted in this Plan.
- d) Appropriate approval shall be required for any new septic tank and tile bed systems. The Municipality may require a servicing options statement or report accompanying all development and redevelopment proposals to identify the most appropriate forms of servicing to ensure environmental protection.
- e) Holding tanks are not permitted for new development. Holding tanks will only be permitted for existing developments where the appropriate agency has deemed a problem exists with existing septic tank systems, and there is no other alternative.
- f) In processing development applications, the Municipality and the applicants shall have regard to the principles of storm water management so that new development does not significantly increase downstream flows above existing levels or degrade water quality.

- g) All lots affected by an application for severance or plan of subdivision shall be sized such that there is sufficient space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply if municipal water is not available.

### 9.3.3 **Private Communal Servicing**

- a) The Municipality may permit private communal servicing as an alternative to private wells and septic tanks, only where it is deemed feasible, and is supported by the Ministry of Environment, Conservation, and Parks. Proponents shall fully satisfy all financial, technical, and other requirements of this Plan and other relevant approval authorities.
- b) Development on private communal services may only be permitted within the Hamlets of Ballymote, Birr, Bryanston, Poplar Hill & Coldstream, Denfield, Lobo, and Melrose.
- c) Development on private communal services shall only be considered for a plan of condominium.
- d) Any such system shall meet the requirements of the approval processes under the Environmental Assessment Act, the Ontario Water Resources Act, the Safe Drinking Water Act, and the Planning Act.
- e) The Municipality shall require a responsibility agreement to be established between the proponent and the Municipality. In approving any private communal servicing system, the Municipality shall require financial securities to ensure that all operational, maintenance, and administration costs associated with the private communal services will not create an unacceptable financial burden for the Municipality in the event of default by the owner-operator of the services.
- g) Pre-consultation with the Municipality is required for any proposal for a private communal services system. In reviewing proposals for development on private communal systems, the Municipality will determine the number and types of communal systems that will be deemed acceptable by the Municipality.
- h) An application submitted on the basis of private communal servicing must demonstrate conformity with the above requirements before it will be accepted as complete.

### 9.3.4 **Policies Relating to Hydro Services**

Electric power supply facilities such as transmission lines, transformer stations and distribution stations, shall be permitted in any designation without amendment to this Plan. The planning of all such facilities will be carried out having regard to the policies of the Plan and such facilities will be approved under and satisfy the provisions of the *Environmental Assessment Act*, including regulations made under the *Act* and any other relevant statutes. Furthermore, Ontario Hydro Services Company or such other Company shall consult with the Municipality on the location of all new electric power facilities.

### 9.3.5 **Landfill Sites**

- a) The establishment of new landfill sites within the Municipality, or the expansion of existing landfill sites, will require an amendment to this Plan. Such landfill sites will be identified on Schedule A. (*deferral #3*)

- b) Approval authorities shall consult with the Municipality during site rehabilitation or land reclamation involving landfill sites within Middlesex Centre. Reuse of land may require a Section 46 approval from the Ministry of Environment.
- c) No development will be permitted within the identified influence area of a landfill until satisfactory measures have been implemented to mitigate the impacts from the landfill site. For the purposes of this Plan, the potential influence area involves a 500m radius around the waste cell. This influence area may be reduced, as a result of more detailed site investigations, without amendment to this Plan.
- d) Prior to consideration of development proposals in or within the influence of active or former landfill sites, the County or the Municipality can require the completion of various studies, including but not limited to:
  - i) Soil and groundwater samples;
  - ii) Potential for rehabilitation of the development site where necessary to meet appropriate Federal, Provincial and Regional standards;
  - iii) Potential human health concerns such as noise, dust and odours;
  - iv) Procedures and timing of site rehabilitation where necessary;
  - v) Possible on-site soil rehabilitation of contaminated sites, rather than the removal of contaminated soils; and
  - vi) Tests for leachate and/or combustible gas migration.

## **9.4 TRANSPORTATION AND UTILITIES POLICIES**

### **9.4.1 *General Transportation Goals***

The following goals relate to transportation systems within the Municipality:

- a) To facilitate the efficient movement of people and goods to and from the Municipality, and within the Municipality
- b) To establish and maintain a transportation system of local roads in the context of County and Provincial transportation systems, to ensure free and appropriate movement of traffic within and through the Municipality.
- c) To maintain and improve transportation safety within the Municipality.
- d) To promote the preservation of roads considered scenic and to preserve their scenic character in the context of development proposals or proposed changes to the transportation system.
- e) To consider bicycle and pedestrian transportation options within, and where feasible, between Municipal settlement areas. Such options may be considered further through a Municipal Parks and Recreation Master Plan and -Trails Master Plan.

- f) To promote and encourage the establishment of safe, convenient and visually appealing pedestrian and cycling opportunities within settlement areas by providing paved shoulders, sidewalks, and bicycle parking.
- g) To limit direct access to County Roads where access is available by a local road.
- h) To encourage the conversion of abandoned rail right-of-ways to ~~private ownership or to~~ publicly accessible uses.
- i) To promote the establishment of a Municipal wide trail system.
- j) To consider the need for transportation options for special needs residents of the Municipality.
- k) To consider alternative design standards relative to municipal rights-of-way.
- l) To limit direct access to Provincial Highways where access is available by a local road.
- m) To promote development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.
- n) The Municipality, the County and the Ministry of Transportation (MTO) will work cooperatively with respect to the land use planning and its associate access connections within the Ministry's permit control area adjacent to all provincial highways and interchanges within the Municipality, in order to protect for the future safety, operation and capacity of the provincial, county and municipal highway networks for the movement of people and goods.
- o) To support the installation of infrastructure related to electric vehicles.

#### **9.4.2 Municipal Transportation Structure**

Existing roads within the Municipality are separated into Provincial highways, County roads, and Municipal roads. The general transportation system is illustrated on Schedule D. Within settlement areas, Municipal roads may be further defined into arterial streets, collector streets and local streets. Regardless of further classification, Municipal roads are intended to carry low volumes of traffic, and provide access to abutting properties.

#### **9.4.3 Policies relating to Transportation Systems**

The following policies relate to transportation within the Municipality:

- a) Where a development is likely to generate significant traffic volumes on a Provincial Highway, County or Municipal road, the Municipality, the County and/or the Ministry of Transportation may require the applicant to submit a transportation study to assess the impact on the Provincial, County or Municipality's transportation system in accordance with Section 10.20.3. Such study shall be submitted to the Ministry of Transportation, County or Municipality, as appropriate for review and approval.

- b) The development of new Municipal roads shall generally occur through the plan of subdivision process. Design relating to the orientation of Municipal roads shall consider the design policies included in Section 6.0 and Section 10.5 of this Plan.
- c) All new development in the Municipality must front onto a public road which is constructed to a minimum standard established by the Municipality and is maintained on a year-round basis.
- d) The Municipality's ~~Implementing~~-Zoning By-law shall set forth appropriate setbacks for roadway rights-of-way for new development. Alternative development standards relating to setbacks from local roads are encouraged to be considered where appropriate within settlement areas.
- e) Where additional land is required for roadway widening, or extensions of rights-of-way, such land may be obtained by the appropriate road authority in the course of plans of subdivision, severances, and site plan agreements.
- f) The location of access driveways should not create a ~~visual~~-traffic hazard due to concealment or visual obstructions. Access driveways should be limited in number and be designed to minimize the dangers to pedestrian and vehicular traffic. In the planning and design of plans of subdivisions, the use of noise barriers or the back-lotting of residential lots onto Municipal Roads shall be discouraged.
- g) There are four provincial highways located within the Municipality (Highway 401, Highway 402, Highway 4 and Highway 7) which are under the control and jurisdiction of the Ministry of Transportation (MTO). Development which falls within the MTO's permit control areas under the Public Transportation and Highway Improvement Act is subject to the requirements of the MTO. Specifically, direct access to Highway 4 and Highway 7 will be permitted only if the proposed access meets the MTO's access management policies, standards and requirements. Direct access to Highway 401 and Highway 402 is prohibited.

New entrances or the upgrading of entrances, location of buildings, signs and encroachments within the MTO's permit control area of a provincial highway shall be subject to the approval of the MTO. This may well increase the Level of Service standards, capacity optimization, access management policies such as intersection separation and traffic signal spacing requirements, building and sign setback requirements, placement of utilities, etc. outlined elsewhere in this Official Plan or in Municipal Zoning By-laws.

In addition to all applicable municipal requirements, all proposed development located within the vicinity of a provincial highway within the Ministry of Transportation's (MTO) permit control areas as defined under the Public Transportation and Highway Improvement Act will also be subject to MTO approval.

- h) Electric vehicle charging stations shall be permitted in all land use designations (except natural heritage and hazard lands), subject to site plan control. The Municipality's Zoning By-law may establish electric vehicle equipment requirements where private parking is provided for larger-scale mixed-use, medium-high density residential uses, office and industrial developments.

#### **9.4.4 Policies Relating to Railway Operations**

- a) All proposed development within 300 metres of an active railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality and appropriate agencies in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise identified.
- b) All proposed development within 75 metres of an active railway right-of-way may also be required to undertake vibration studies, to the satisfaction of the Municipality and appropriate agencies in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration identified.
- c) All proposed development adjacent to active railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.

#### **9.4.5 Policies for Utility Corridors**

Regional and inter-provincial utility lines within major utility corridors cross the Municipality. They are shown on Schedule 'D'. The following policies relate to Utility Corridors within the Municipality.

- a) The Municipality will protect the utility corridors from encroachment that would constrain operation, result in a hazard to life and property, and/or increase the cost of operation.
- b) The multiple use of major utility corridors is encouraged wherever possible. Other uses may include open space and certain recreational uses.
- c) The Municipality will participate with other agencies in the planning of future transmission routes, easements, and utility services, and their integration with the established or anticipated pattern of development.
- d) The construction of major electric power lines, gas or oil pipelines, and other utility lines or services should be located so as to minimize their impact on people, adjacent land uses, and the environment.

#### **9.4.6 Policies for Multi-Use Trails**

- a) the following principles shall be used as a guide when planning, constructing and maintaining multi-use trails in the Municipality of Middlesex Centre:
  - i) Destinations/Connectivity - in addition to providing leisure opportunities, trails serve utilitarian purposes that link users with destinations, encouraging active transportation choices. Trails should connect users between origins and a variety of key destinations, which may include, but not be limited to, commercial shopping centres, community facilities, parks, and schools, among others.
  - ii) Safety - the identification of trail routes that are safe for users and minimize risk is a key consideration as a strong relationship exists between usage and a user's

perception of safety. Generally speaking, trails will be used more frequently if users feel safe on them. Trail safety can be largely achieved by removing users from the road, whether through the provision of a designated shoulder or pathway, or physically separating the user from the right-of-way with a barrier or off-road trail route. User safety can also be further enhanced through the incorporation of key Crime Prevention Through Environmental Design (CPTED) principles.

- iii) Visibility - building on the preceding principle, visibility not only promotes trail safety, but also creates awareness of the Municipality's trail system. A number of opportunities exist to improve the visibility of trails including, but not limited to, guidebooks and maps, development of trailheads, and signage. Outdoor tourism in Middlesex Centre can also reap the benefits of trail enhancement, particularly given the number of non-resident visitors from surrounding communities.
  - iv) Multi-modal - trails should be designed to accommodate a variety of active transportation choices, including pedestrian movement and cycling. Motorized uses (excluding power-assisted mobility aids) and equestrian uses ~~should be discouraged~~shall be prohibited on trails.
  - v) Accessible - existing and new trails should be accessible to a wide range of potential users and, where possible, be inclusive of persons with disabilities. In accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*, the Municipality is required to comply with various regulations, including the Design of Public Spaces Standards, as modified from time to time.
  - vi) Municipal Ownership - trails should be located on municipally owned lands or rights-of-ways to ensure trail routes are safe, accessible, and appropriately maintained. The Municipality should employ a variety of land acquisition tools, including written agreements with private landowners where feasible, to secure lands for proposed trail routes.
  - ~~vii) Cost Effective - the primary focus should be placed on the provision and maintenance of high traffic priority routes as the trail network is phased in over time, as funding and opportunity permits.~~
  - viii) Supporting Amenities - amenities should be strategically located along trail routes to provide the creature comforts that enhance the users' trail experience, such as parking, signage, seating, washrooms, etc., in keeping with the recommended trail hierarchy. Where required, the Municipality shall consult with the Accessibility Advisory Committee and persons with disabilities in the design and location of trail amenities.
  - ~~viii)~~ Partnership Opportunities - community partners should be engaged to assist in the development and/or maintenance of municipal trail routes. Coordination with the County and adjacent municipalities will also be required to enhance trail connections between communities.
- b) the following policies relate to the encouragement, preservation and establishment of an inter-connected system of multi-use trails and pathways in the Municipality of Middlesex Centre.

- i) All development applications shall be reviewed by the Municipality to ensure that they have regard to the Municipality of Middlesex Centre Trails Master Plan. Where proposed routes are identified in the Trails Master Plan or through subsequent review by the Municipality, development applications shall be required to include provisions for the establishment of multi-use trails and pathways and related connections.
- ii) Multi-use trails shall be permitted in all land use designations. Existing and proposed multi-use trail routes identified in Schedule A-2 and Schedule 'E' through Schedule E-6 inclusive to this Plan are based on primary and secondary trail routes identified in the Municipality of Middlesex Centre Trails Master Plan and Secondary Plans. They are to be interpreted as conceptual and may be revised by the Municipality without amendment to the Official Plan to reflect site-specific characteristics, environmental constraints and new opportunities. Depending on site characteristics, trail locations may change in order to recognize, and provide appropriate buffers from, any lands identified as natural hazard/significant natural heritage lands. The Municipality will engage the respective Conservation Authority to assist in making these determinations. Additional linkages within and between future plans of subdivision are anticipated. At the Municipality's discretion, sidewalks may substitute for multi-use trails where paralleling the road allowance, provided that the intent of the Trails Master Plan is maintained.
- iii) As a condition of subdivision approval (including condominiums) in accordance with Section 51(25)(b), or site plan approval in accordance with Section 41, of the *Planning Act* the owner/developer shall provide, to the satisfaction of the Municipality, land dedications for the purposes of establishing multi-use trails and pathways, over and above lands dedicated for parkland or cash-in-lieu of parkland. Consideration and preference shall be given to land dedications which maintain the spirit and intent of the recommended trail network as described in the Municipality of Middlesex Centre Trails Master Plan and as shown on Schedule A-2 and Schedules 'E' through 'E-6' inclusive to this Plan.
- iv) As a condition of subdivision approval (including condominiums), multi-use trails and pathways that primarily serve the development in which they are located shall be installed as part of the servicing works or at the Municipality's discretion, wherever possible and in accordance with applicable Municipal standards referenced in 9.4.6(b)(vii). Provisions shall be made to connect these trails to the Municipal-wide and/or settlement-area wide trail network as shown on Schedule A-2 and Schedules 'E' through 'E-6' inclusive to this Plan. Additional improvements and supporting amenities, such as benches, trailheads and signage, will also be considered in the review and evaluation of all development proposals.
- v) Expansion of the multi-use trail network is anticipated through the land development process. To resolve critical gaps in the trail system, the Municipality may consider other means of securing access, such as through the use of public parks, abandoned rail lines, utility corridors, unopened road allowances and other rights-of-way, land purchases, leases, easements, agreements and any other applicable means.
- vi) Multi-use trails situated on private property will be established and maintained in accordance with Official Plan Section 9.4.6 and other applicable laws and

regulations. Multi-use trails identified as 'proposed' and not yet developed are not accessible to the public.

- vii) The design of multi-use trails may vary depending on the location and intended use. The Municipality's Infrastructure Design Standards shall be consulted and the standards contained therein shall form the basis of technical requirements for the construction of new trail facilities and the redevelopment and refurbishment of existing trails in Middlesex Centre.
- viii) The Municipality shall continue to promote the social and environmental benefits of multi-use trails.
- ix) The Municipality shall support and encourage active transportation for a range of users and abilities through new multi-use trail development and related infrastructure as opportunities arise and where resources exist.
- x) The Municipality shall encourage and support all efforts by the development community to communicate with and convey information to potential homebuyers regarding future multi-use trail development within and adjacent to new residential development.
- xi) The Municipality shall undertake all reasonable efforts to ensure that adequate information is made available to the public in advance of multi-use trail construction, and shall provide opportunities for public input and engagement during the design process.

## **9.5 CULTURAL AND HERITAGE FEATURE POLICIES**

### **9.5.1 *Goals for Heritage and Cultural Features***

- a) To encourage the identification, restoration, protection, maintenance, and enhancement of the Municipality's cultural heritage resources.
- b) To recognize the importance of cultural heritage resources within the Municipality, and ensure that such resources are managed in a manner that continues their use and maintains their heritage value to the community. If such features cannot be maintained, a secondary goal is to ensure their contribution to the Municipality's understanding of its past through documentation prior to redevelopment.
- c) To encourage wherever possible, the incorporation of heritage resources into any new development plan.
- d) To encourage new development to be planned in a manner that preserves and enhances the context in which cultural heritage resources are situated.

### **9.5.2 *Cultural Heritage Policies***

The following general policies relate to cultural or heritage resources within the Municipality, either within or outside of settlement areas.

- a) For the purposes of this Plan, heritage features include, but are not restricted to, archaeological sites, buildings and structural remains of historical and/or architectural value, and human-made rural, village, or settlement area districts or landscapes of historic and scenic interest (including rural scenic roads).
- b) Development adjacent to built heritage resources or cultural landscapes is encouraged to be sensitively scaled and designed relative to the heritage feature.
- c) An archaeological assessment will be required when development proposals have the potential to affect identified or known archaeological resources or areas of archaeological potential.
- d) This Plan encourages the fostering of public awareness, participation and involvement in the conservation of cultural heritage resources. The Municipality supports information gathering and research into the cultural heritage of the Municipality.
- e) The engagement and partnering of indigenous communities is encouraged to consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.
- fe) The *Ontario Heritage Act* will be utilized to conserve, protect and enhance the cultural heritage resources of the Municipality, through the designation of individual properties, conservation districts and archaeological sites.
- gf) Council may choose to establish a local architectural conservation advisory committee (LACAC) under the Ontario Heritage Act to advise and assist Council on heritage matters. Pursuant to the *Ontario Heritage Act*, a Council may in consultation with a LACAC, by by-law designate properties to be of historic and/or architectural value or interest; define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and designate the municipality, or any area or areas within the municipality, as a heritage conservation district. The Municipality's Clerk will maintain a register of all designated properties. The municipality or its LACAC may also maintain an inventory of all properties identified as being of architectural and historical interest.
- hg) Prior to the designation of a heritage conservation district or districts, Council may pass a by-law defining an area or areas to be examined for future designation as such a district, or may prepare a study for the area to determine the feasibility and appropriateness of such a designation. Such a study should be prepared in accordance with the Ontario Heritage Conservation District Guidelines of the Province of Ontario.
- ih) Council may choose to participate in the development of significant cultural heritage resources through acquisition, assembly, resale, joint ventures or other forms of involvement that may result in the sensitive conservation, restoration and/or rehabilitation of these resources.
- ji) Council may undertake the inventory of cultural heritage resources within the municipality.
- kj) Council may establish the Municipality or area thereof as a demolition control area under Section 33 of the *Planning Act*, as a method of addressing potential demolition of heritage structures or areas.

- k) The Municipality supports the wise management and maintenance of heritage resources, properties, and facilities owned by the Municipality.
- l) Council may seek to protect significant archaeological resources through zoning by-law provisions set out in subsection 34(1)3.3 of the *Planning Act*.
- m) The Municipality may request an impact assessment report to identify significant built heritage and heritage landscape resources when deemed appropriate by Council, the local Historical Society or local LACAC.
- n) Council may undertake a comprehensive heritage master plan containing detailed heritage mapping, guidelines, and strategies for heritage conservation.

## 9.6 SECONDARY UNITS

### 9.6.1 Additional Residential Units

Additional Residential Units are permitted in all designations where single detached, semi-detached, and rowhouse (townhouse) dwelling units are permitted, subject to the requirements of the implementing Zoning By-law. Additional Residential Units are permitted within the principal dwelling and a detached building or structure accessory to the principal dwelling. Additional Residential Units within a detached accessory building or structure shall not be severed from the principal dwelling lot.

Proponents are advised that the following may be required prior to issuance of a building permit:

- a) A maximum of two Additional Residential Units will be permitted on a lot, one within the principal dwelling and one within a detached accessory building or structure. A garden suite shall not be permitted where an existing Additional Dwelling Unit is located within a detached accessory building or structure.
- b) Demonstration of adequate sewer and water servicing capacity;
- c) Demonstration that the Additional Residential Unit is not located within the natural heritage system, floodplain areas, or other hazardous lands.
- d) Demonstration that the proposal complies with the Minimum Distance Separation formulae, where applicable.
- e) Demonstration that the Additional Residential Unit has a floor area of 49% or less of the primary residential unit principal dwelling.
- f) Demonstration that the Additional Residential Unit is in full compliance with the Ontario Building Code and fire code.
- g) Notwithstanding section 9.6.1 e), further limitations on the maximum permissible size of an additional residential unit may be identified in the Municipality's Zoning By-law.
- h) The Zoning By-law will establish provisions for the accommodation of Additional Residential units, including requirements for detached Additional Residential Units.

- i) For Additional Residential Units in a detached accessory building or structure in Agricultural Areas, the clustering of buildings is encouraged to minimize the impact on agricultural land and co-locate services, where possible.

### **9.6.21 Second Units in Agricultural Principal Farm Dwellings**

It is the policy of this Plan that the conversion of an existing principal farm dwelling to add a second unit may be permitted, subject to the requirements of the implementing zoning by-law. Such second units will be accommodated within the existing building, and will not require an addition to facilitate the conversion.

## **9.7 EXISTING GARDEN SUITES**

Garden suites are single-unit detached residential structures containing bathroom and kitchen facilities, designed to be portable and are accessory to an existing residential structure. Garden suites are not considered Additional Residential Units and may be permitted through a temporary use by-law for a period of up to 20 years. Extensions to the Temporary use by-law may be granted for periods of up to three years at a time.

The following policies shall apply to garden suites:

- a) A single garden suite shall be permitted on a lot in conjunction with a permitted single-detached dwelling provided there is no existing additional dwelling unit within a detached building on the same lot.
- b) A garden suite may only be permitted through the passing of a temporary use by-law under Section 39 of the Planning Act. The use shall not exceed twenty (20) years from the date of passing the by-law.
- o) Garden suites shall be permitted where there is adequate water and sewage capacity on the lot to service the suite.
- p) Garden suites must comply with the setbacks for accessory buildings, as set out in the Zoning By-law.
- q) As per the Planning Act provisions for garden suites, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
- i. The installation, maintenance and removal of the garden suite;
  - ii. The period of occupancy of the garden suite by any of the persons named in the agreement; and
  - iii. The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite.

### **9.7.1 Continuation of Existing Garden Suites**

~~It is the policy of the Plan that new garden suites will not be permitted within the Municipality. Garden suites are temporary housing on a property over and above the primary residence.~~

~~Notwithstanding the above, the existing garden suites located on properties described as part of lots 29 and 30, Concession 13 (geographic Township of London) and part of lot 5, Concession 8 (geographic Township of Lobo) shall continue to be permitted as established by existing temporary use bylaws, and subsequent renewals up to the maximum time period specified in the Planning Act may be considered by the Municipality.~~

## **9.8 MOBILEMODULAR / PRE-FABRICATED HOUSING AND TINY DWELLINGS**

~~The Municipality supports housing development that is innovative and compact in its design and may represent non-traditional additions to the Township's housing stock. Modular / Pre-Fabricated Housing and Tiny dwellings represent housing types that promote affordability, increased homeownership opportunities, diversity of housing stock, and availability to a broader range of demographics than traditional housing types, including young **individuals** and families, aging residents, and residents seeking to down-size to a smaller housing type.~~

~~A Modular / Pre-Fabricated Housing or Tiny dwelling means a dwelling structure which is or has been constructed off-site and cannot move (and was not designed to be moved) under its own power. These dwelling types do not include a mobile home or a recreational vehicle/trailer. Modular / Pre-Fabricated Housing or Tiny dwellings may be permitted subject to the following:~~

- ~~a) as a principal dwelling or additional residential unit subject to the other policies of this Plan, as applicable.~~
- ~~b) considered a detached additional residential unit for the purposes of Section 9.6.1 when it is not the principal dwelling on the lot.~~
- ~~c) A maximum of one (1) shall be permitted on a lot.~~
- ~~d) Regardless of dwelling size, minimum lot size requirements shall be maintained, as established in the Zoning By-law~~
- ~~e) shall comply with the requirements of the Ontario Building Code and Fire Code, the Municipality's Zoning By-law, and other Municipal or County By-laws.~~

## **9.98 ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS**

The Municipality shall encourage the development of alternative and renewable energy systems, as a source of energy for the economic and environmental benefit of the Municipality of Middlesex Centre, Middlesex County and the Province of Ontario. These systems significantly reduce the amount of harmful emissions to the environment when compared to conventional energy systems.

The Municipality encourages the use of wind, water, biomass, methane, solar and geothermal energy and the establishment of such systems in the Agricultural Areas will not require an amendment to this plan.

### 9.98.1 Wind Energy Generation Systems

The Municipality supports the development of Wind Energy Generation Systems (WEGS) due to its increasing recognition as a viable alternative energy source. These policies are intended to accommodate such systems at both small and commercial scales.

Small Wind Energy Generation Systems (SWEGS) generally produce electricity only for the on-site domestic consumption of the property owner. The establishment of a SWEGS is generally considered to be an accessory use to the principle use of the property and therefore may be permitted, subject to the provisions of the Municipality's Zoning By-law.

Commercial Wind Energy Generation Systems (CWEGS) are a more intensive land use and usually comprise more than one generating unit. CWEGS are intended to be connected to the provincial electrical transmission grid. The establishment of a CWEGS in the Agricultural Areas will not require an amendment to this Plan; however an amendment to the Municipality's Zoning By-law will be required. The establishment of a CWEGS will also be subject to site plan control.

Prior to Council considering the approval of a CWEGS, the following policies shall be addressed:

- a) A site plan shall be provided illustrating the location of the proposed turbines, as well as the location and height of all existing structures on the subject property and the location and height of all existing structures within 500 metres of the subject property.
- b) The CWEGS shall be designed built, operated and maintained by firms or individuals qualified to undertake the work.
- c) A Site Plan Agreement, pursuant to the provisions of Section 41 of the Planning Act shall be required and should include location of road access, parking, accessory buildings, vegetative buffers, location of external works/facilities, storm water management/drainage and any other identified mitigation measure.
- d) CWEGS shall have separation distances of at least 500 metres from either a designated Settlement Area or any sensitive land use (such as schools, nursing homes, etc). Depending upon the scale of the proposed CWEGS, additional separations may be required due to Ontario Ministry of the Environment noise requirements from sensitive land use.
- e) Proponents of proposed CWEGS within 10km of an airport reference point shall obtain written approval from Transport Canada.
- f) CWEGS are encouraged to locate on large parcels of lower capability agriculture land and be positioned to minimize disruption to normal farm practices.
- g) CWEGS are encouraged to locate in areas with limited residential and institutional development on-site or nearby in order to provide sufficient area or setbacks from sensitive land uses. The site shall be separated from settlement areas, in order to reduce the potential safety, noise and visual impacts.
- h) Setbacks from road allowances, lot lines, and structures (on site and off site) and maximum height provisions shall be established in the Zoning By-law amendment.

- i) An amendment to the Zoning By-law may provide for a holding provision which should be removed when a contract has been executed to allow the CWEGS to be connected to a transmission grid for electrical distribution.
- j) Appropriate studies shall be undertaken by qualified professionals for the development of CWEGS, including one or more of the following:
- A noise impact study to determine the setbacks from CWEGS so that noise levels will not exceed the Ministry of the Environment noise standards for sensitive land uses.
  - Where airports or telecommunication systems exist in proximity to the proposed CWEGS, a study to ensure the siting and operation of the turbines will not impact on the operation or safety of these land uses;
  - A visual impact study to determine impact and mitigation measures required for the shadow or reflection of light coming from any part of the wind turbine on surrounding sensitive land uses; and
  - Where development occurs in or adjacent to any element of the County's Natural System, a Development Assessment Report (DAR) to determine the potential impact on the natural feature and the study shall identify measures to mitigate the impact as required.

### **9.98.2 Other Alternative Energy Generation Systems**

The Municipality encourages the use of alternative energy generation systems, including but not limited to wind, water, biomass, methane, solar and geothermal energy and the establishment of such systems.

For proposals for alternative energy generation systems, other than wind energy, both small and commercial scale, the policies of Section 9.8.1 shall apply with any necessary modifications.



## SECTION 10.0 IMPLEMENTATION AND INTERPRETATION

Any decision of the Municipality's Council, the Committee of Adjustment, a local board or a planning board shall be consistent with the Provincial Policy Statement and Provincial Plans issued under the *Planning Act* as amended.

### 10.1 AMENDMENTS TO THIS OFFICIAL PLAN

This Official Plan may be amended by the Municipality upon consideration of all relevant issues relating to the public interest. The Municipality shall give consideration to all applications to amend its Official Plan, and shall notify the general public and various agencies and Ministries of the nature of the proposed amendment in accordance with the notice requirements of the Planning Act.

Applications to amend this Official Plan shall be considered by the Municipality using the following criteria as a minimum:

- a) Does the proposed amendment relate, and conform to the vision for the Municipality of Middlesex Centre?
- b) Is there a demonstrated need or justification for the proposed change?
- c) Is the amendment in keeping with Provincial and County policy?
- d) What are the effects of the proposed change on the demand for Municipal services, infrastructure and facilities?
- e) Can the lands affected by the application be adequately serviced to accommodate the proposed development? Are improvements necessary to adequately service the lands in question?
- f) What impacts will the proposed development have on surrounding land uses, traffic systems, infrastructure and servicing, settlement or Municipal character, features or structures of cultural heritage importance, and natural environment features? Can negative impacts be mitigated or eliminated?

The Municipality shall, not less frequently than every five years after the Official Plan comes into effect, undertake a review of the Official Plan, hold a special meeting open to the public and revise the plan, as required, in accordance with the requirements of the *Planning Act*. The revisions shall ensure that the Official Plan conforms with provincial plans, has regard to matters of provincial interests, and is consistent with the policy statements issued under subsection 3(1) of the *Planning Act*.

#### 10.1.1 Settlement Area Adjustments

Proposals to adjust Settlement Areas outside a comprehensive review shall be subject to the requirements of Section 1.1.3.9 of the PPS, 2020 and the following:

- a) A Pre-Application Consultation submission shall be required prior to the submission of a formal application;
- b) The proposal shall identify the lands to be added as well as the lands proposed to be removed from the Settlement Area; and
- c) The lands proposed to be added to the Settlement Area must abut the existing boundary of the Settlement Area and have frontage on a public road leading to the Settlement Area.

## 10.2 COMPREHENSIVE ZONING BY-LAWS AND AMENDMENTS

The Municipality shall prepare and maintain a comprehensive zoning by-law for the Municipality as a whole, which may be amended at the Municipality's discretion. The Municipality will refuse amendments to the comprehensive zoning by-law that do not conform with this Official Plan.

Where this Official Plan has been amended pursuant to Section 26 (1) or (8) of the Planning Act, as amended, the Municipality's comprehensive zoning by-law shall be amended, within three years, to ensure it conforms with this Official Plan.

## 10.3 SEVERANCE POLICIES

### 10.3.1 General Severance Policies

The following general policies apply to severance applications, either within or outside of settlement areas.

- a) Severances shall only be granted if a plan of subdivision is not necessary for the proper and orderly development of the land. Plans of subdivision will not be required where three or fewer new lots are proposed to be created, or where circumstances exist where a plan of subdivision is not considered by the Municipality to be necessary. Where more than three new lots are proposed to be created, the Municipality may exercise flexibility in determining whether a plan of subdivision process is required for the orderly development of the land. Notwithstanding the above, in all cases where the creation or extension of municipal streets and/or services, or private communal services, is proposed, a plan of subdivision and/or condominium process will be required.
- b) Where individual wells and septic systems are proposed, lot areas must be of a size and configuration to accommodate a conventional ~~n-appropriate~~ septic system, sewage envelope and contingency area. For a conventional septic system a storage envelope consists of the area occupied by the tile bed and mantle. The size of the storage envelope will vary depending on the projected water use of the anticipated use and the soils and slope of the subject site. The contingency area will be equal in size to the tile bed and sewage mantel.
- c) All lots must front on and have access to an existing public road maintained on a year round basis and at a reasonable standard of construction. Direct access to and from County or Provincial roads will be limited in accordance with the policies and regulations established by the agencies having jurisdiction over these roads.

- d) “Flag-shaped” lots with narrow road frontage that provides access to a larger backlot area behind an abutting lot will not be permitted within Settlement Areas and will be discouraged outside of settlement areas.
- ~~c) Residence surplus to a farming operation.~~
- ~~d)e)~~ An adequate and potable water supply must be available for any proposed lots created by consent. An exception to this policy may be made if it can be shown that the purpose for which the lot(s) in question is to be used does not require a water supply.
- ~~e)f)~~ All lots created by severance must be suitable or capable of being made suitable to support a sewage disposal system.
- ~~f)g)~~ Severances may be permitted for the purposes of making a lot boundary correction provided that such corrections are minor in nature.

### 10.3.2 Severances Within Agricultural Areas

The following policies will apply to severance applications within the Agriculture designation of the Municipality in addition to policies in Section 4.5.3.4 of the County Official Plan. These policies serve to complement the general severance policies in Section 10.3.1, and are intended to implement the goals and policies of the Agricultural designation in Section 2.0 of this Plan.

10.3.2.1 Severances within agricultural areas will be prohibited, except under the following specific circumstances:

- a) Severances relating to minor boundary adjustments may be considered permitted. Such severances must not create non-viable farm parcels, and must not adversely affect agricultural activities.
- b) Severances for ~~a~~Agriculture-related Uses commercial and industrial uses may be permitted considered, subject to additional policies of this Plan in Section 2.3. Applicants must demonstrate that the proposed lot area for a new Agriculture-Related Use is the minimum size required to accommodate the use and appropriate sewage and water services can be provided.
- ~~c)~~ Severances for conservation purposes may be considered permitted, where a parcel or parcels or an interest in land is created for the purposes of protection of natural areas, features or functions. Such severances may only be permitted where the configuration of remnant parcels will not result in the potential for new non-farm uses or lots. Further, such applications may not result in farms which are less than 40 hectares in size. It is intended that lands severed for such purposes be rezoned for an appropriate conservation purpose, and conveyed to a government agency, conservation authority or charity registered under the Income Tax Act whose purpose relates to conservation issues.
- ~~e)~~ Severances for Agricultural Uses must be a minimum of approximately 40 hectares in area with frontage on an open, public road.
- ~~d)~~
- ~~d)~~

- e) Natural hazard concerns relating to the severance are addressed to the satisfaction of the conservation authorities that have jurisdiction in the area
- f) Consent to sever a residence surplus to a farming operation as a result of farm consolidation may be permitted, ~~provided subject to that, in addition to all requirements of the County Official Plan, the following conditions are satisfied and the following:~~
- i. For the purposes of this policy, farm consolidation occurs when the owner of a farm property purchases an additional farm property to be added to the farming operation;
  - ii. For the purposes of this policy, a residence becomes surplus to a farming operation (Surplus Residence) when a farm property with an existing, habitable dwelling, is consolidated with another farm property or operation with an existing, habitable dwelling;
  - iii. The surplus residence is determined to be habitable by the Municipality's Chief Building Official;
  - iv. A new residence shall be prohibited (through a Zoning By-law Amendment) on any remnant parcel of farmland created by a surplus residence severance;  
~~— There has been no previous separation of land for residential purposes from the lot as it existed on Jan 1, 1999, other than in a settlement area;~~
  - v. The lot for the surplus residence shall be the minimum size needed necessary to accommodate the residential use, taking into consideration water and sewage services;-
- c)
- vi. The boundaries of the severed lot shall be generally regular in shape, except ~~and to exclude~~ environmental and topographic features. The loss of agricultural land shall be avoided wherever possible when determining an appropriate size and shape;
  - vii. Additional severances shall be prohibited on lots that have been severed as a result of being a residence surplus to a farming operation;
  - viii. The residential lot and the remnant farm lot shall meet the minimum standards of the Comprehensive Zoning By-law. ~~If the resulting farm lot does not meet the minimum property standards of the Comprehensive Zoning By-law, the resulting lot standards are to be recognized through an implementing zoning by-law amendment. This requirement if the remnant farm is merged title with an abutting farm.~~
  - ix. Lot creation for the Residence Surplus to a farm operation shall comply with Minimum Distance Separation Formulae (MDS);
  - x. Livestock ~~are~~ shall be prohibited (through the Comprehensive Zoning By-law) on the severed residential lot.
  - xi. A notice shall be registered on the title of the residential lot specifically notifying future owners about normal farm practices, as outlined in the *Farming and Food Production Protection Act, 1998*, as amended.

- ~~xii. The surplus farm dwelling must be a minimum of 20 years old on the date of the application for consent (Resolution 2022-106).:-~~
- ~~i. Farm consolidation occurs or has occurred through the acquisition of an additional farm property by the owner of the subject land.~~
  - ~~ii. The farming operation consists of at least two farms. The farms may be located in different municipalities and the registered ownerships of the farms need not necessarily be identical provided it is demonstrated that the farms are operated as a single operation.~~
  - ~~iii. The farming operation applicant demonstrates that the acquired farm has rendered a habitable residence surplus to the needs of the operation.~~
  - ~~iv. The subject lands have included a habitable dwelling since at least residence was constructed prior to January 1, 1999.~~
  - ~~v. The residence is habitable, as determined by the Municipality's Chief Building Official.~~
    - ~~— The lot for the surplus farm residence is limited to the minimum size needed to accommodate the use and appropriate sewage and water services, including contingency areas. The loss of agricultural land shall be avoided wherever possible when determining an appropriate lot size. Environmental features, including but not limited to natural heritage features and natural hazards, will also be avoided when determining an appropriate lot size.~~
  - ~~— Flag-shaped lots shall not be permitted.~~
  - ~~— The surplus dwelling shall have direct frontage on an open, public road with no remnant farm buildings, or accessory buildings, located between the dwelling and the front lot line.~~
  - ~~vi. Existing accessory buildings and structures that are proposed to be retained must meet the requirements of the Zoning By-law.~~
  - ~~vii. That safe ingress/egress for vehicles is possible for both resulting lots, which may necessitate new road entrances or road upgrades to be undertaken at the expense of the applicant. Environmental features, including but not limited to natural heritage features and natural hazards, will be avoided when considering new road entrances or road upgrades.~~
  - ~~viii. If required, a revised assessment schedule in accordance with the *Drainage Act*, as amended, is commissioned and paid for by the applicant.~~
  - ~~ix. The lot creation for the surplus farm residence is to comply with the Minimum Distance Separation I formula if there are livestock buildings on the remnant farm.~~
  - ~~x. Livestock are prohibited on the residential lot, specifically through the Municipality's Comprehensive Zoning By-law.~~

- ~~xi. — A notice is registered on the title of the lot that is to accommodate the surplus farm residence; specifically notifying future owners of normal farm practices, as outlined in the *Farming and Food Production Protection Act, 1998*, as amended.~~
- ~~xii. — New residences are prohibited on any remnant farm lot resulting from the severance, specifically through the Municipality's Comprehensive Zoning By-law.~~
- ~~xiii. — If the remnant farm lot does not meet the minimum lot area and lot frontage standards of the Comprehensive Zoning By-law, the new minimum lot area and lot frontage that result are to be recognized through an implementing zoning by-law amendment. This requirement shall not apply if the remnant farm is merged in title with an abutting farm.~~
- ~~xiv. — There are no negative impacts on natural and built heritage features as a result of the severance.~~
- ~~xv. — Natural hazard concerns relating to the severance are addressed to the satisfaction of the conservation authorities that have jurisdiction in the area.~~

10.3.2.2 Severances will not be considered on land located within 300 metres of an active sand, gravel or quarry operation or open pit mining operation.

10.3.2.3 The fragmentation of existing farm lots will be strongly discouraged. Severances for new farm lots will not be permitted where a farm lot of less than 40 hectares will result.

10.3.2.4 It is the policy of this Plan that farm lot size shall be sufficiently large to create large continuous farming blocks and maintain long term flexibility to adapt to future changes in agriculture, and to avoid the unwarranted fragmentation of farm land.

10.3.2.5 Compliance with the Minimum Distance Separation Formulae shall be maintained.

#### 10.4 PLAN OF SUBDIVISION POLICIES

The following policies will apply to the consideration of applications for draft plans of subdivision within the Municipality.

- a) Plans of subdivision will not be required where three or fewer new lots are proposed to be created or where circumstances exist where a plan of subdivision is not considered by the Municipality to be necessary. Where more than three new lots are to be created, the Municipality may exercise flexibility in determining whether a plan of subdivision process is required. Notwithstanding the above, in all cases where the creation or extension of municipal streets and/or services is proposed, a plan of subdivision and/or condominium process will be required.
- b) When considering plans of subdivision applications, the review is to consider whether the proposed development is premature. One key consideration of this review relates to the availability of appropriate services and capacity. Other relevant factors may also be considered.

- c) The review of plans of subdivision within the Municipality will be based in part on consideration of design policies included in Section 6.0 of this Plan and the Municipality's Urban Design Guidelines.
- d) Where possible, plans of subdivision within the Municipality will incorporate a mixture of housing types and levels of affordability in keeping with policies included in Residential policies included in Section 5.2 of this Plan.
- e) All lots within a proposed plan of subdivision must have frontage on a public road which is or will be opened and maintained on a year round basis, and constructed to an acceptable Municipal standard.
- f) Plans of subdivision that respect natural contours and topography will be encouraged. All unique natural features and assets, as well as heritage features, should be **preserved conserved** and integrated into the subdivision design.
- g) For large plans of subdivision, consideration of appropriate staging or phasing will be included.
- h) It is the policy of this Plan that all new plans of subdivision be subject to a subdivision agreement between the municipality and the owner / developer. This agreement shall address various matters pertaining to the plan of subdivision, as determined by the Municipality.
- i) Park land dedication provided to the Municipality in keeping with Section 9.5 of this Plan, must be considered suitable for park land purposes and acceptable to the municipality. Under no circumstances shall Municipal Council be obligated to accept park land which is being offered by an applicant for a proposed plan of subdivision. Park land dedications shall be reviewed in the context of public realm policies included in Section 6.0 of this Plan.
- j) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.
- k) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area.
- l) That highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary.

## **10.5 SITE PLAN CONTROL**

### **10.5.1 General Policies**

The Municipality as a whole is identified as a proposed site plan control area. The Municipality may, under the site plan control sections of the Planning Act, designate all or part of the Municipality as a site plan control area, by by-law or by-laws.

Developments that are excluded from site plan control requirements include the following:

- a) Development related to farm operations, farm buildings and the residence of a farm operator, except where an agriculture-related use, on-farm diversified use or cannabis production facilities are proposed.
- b) Single detached dwellings, semi detached dwellings and duplexes, save and except for those permitted within or contiguous to natural environment areas, or where units form part of a zero lot line, linked housing or similar innovation in housing developments.

### **10.5.2 Site Plan Agreements**

The Municipality will require applicants to enter into a site plan agreement with the Municipality in the following circumstances:

- a) There is construction of one or more buildings and structures;
- b) An addition or alteration to a building or structure that has the effect of substantially increasing the size thereof is proposed; or
- c) The development of a parking lot (or alteration of an existing lot) is proposed.

### **10.5.3 Site Plan Provisions**

The Municipality may require the following, as a minimum, be provided through the site plan approval and agreement process:

- i) Street widenings to the minimum right-of-way widths in accordance with this Plan.
- ii) Off street vehicular loading and parking facilities;
- iii) Lighting facilities of lands, buildings or structures;
- iv) Means of pedestrian access and movement;
- v) Facilities designed to have regard for accessibility for persons with disabilities;
- vi) Landscaping;
- vii) Required municipal and utilities easements;
- viii) Grading or contour / elevation alteration and the disposal of storm, surface and waste water from the lands in question;
- ix) Matters relating to exterior design including elements pertaining to character, scale, appearance and design features of buildings and their sustainable design;
- x) The design elements of any adjoining highway under a public authority's jurisdiction including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramp, waste and recycling containers and bicycle parking facilities;
- xi) Location and massing of buildings and structures;

- xii) Facilities for on-site pedestrian and vehicular circulation;
- xiii) Measures to minimize loss of sunlight and privacy to adjacent properties;
- xiv) Location and design of outdoor recreation areas;
- xv) Security, bonding, or other appropriate security or financial arrangements to the satisfaction of the Municipality.
- xvi) The entering into of one or more agreements with the municipality ensuring that development proceeds in accordance with the plans and drawings approved by the Municipality.

The Municipality shall consult with the County, the Conservation Authorities and any other agency having jurisdiction when considering applications for site plan approval and applying conditions to corresponding site plan agreements having regard for the Municipality's Site Plan Manual.

## **10.6 LAND USE COMPATIBILITY**

Managing noise, vibration and odour levels is important to ensuring health and well-being, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation system.

It is the policy of the Municipality that:

- a) New industrial uses proposed in proximity to sensitive land uses, including, but not limited to, residential dwellings or institutional uses, shall submit a land use compatibility study demonstrating that the proposed use will comply with Provincial land use compatibility guidelines.
- b) New residential or other sensitive uses will not be located in noise sensitive areas unless noise abatement techniques are employed to reduce the noise to comply with the Ministry of the Environment sound level criteria/guidelines.
- c) New residential or other sensitive uses will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Ministry of the Environment sound level criteria and/or guidelines.
- d) Only those new commercial or employment uses that can meet Provincial sound level criteria will be permitted.
- e) The development of new employment uses and sensitive land uses will have regard for Provincial guidelines respecting separation distances between industrial uses and sensitive land uses.
- f) For any proposed development of a sensitive land use in proximity to a Provincial Highway, a noise and vibration study will be required to be submitted by a proponent, prepared by a qualified acoustical consultant, in accordance with the appropriate provincial guidelines, to the satisfaction of the County and/or local municipalities, and/or

other jurisdiction prior to development approval. The recommendations of the approved noise and vibration report will be incorporated in the development agreement for implementation, as approved.

### **10.7 LEGAL NON-CONFORMING USES**

Legal non-conforming uses within the Municipality are uses which were lawfully established and legally existed prior to the passing of the Municipality's comprehensive zoning by-laws, but are not permitted in the new zoning by-law. Such non-conforming uses may continue to exist, provided no alterations, expansions, interruption of use, or changes of use are made. All alterations, expansions or changes in use require approval by Municipal Council or its Committee of Adjustment.

Uses of land may also be considered legal non-conforming to this Plan, if such uses legally existed at the date of adoption of this Plan but are not currently in conformity with its policies or designations.

It is the policy of the Municipality that legal non-conforming uses should cease to exist in the long term, in order that the lands may revert to a use that conforms with the policies for the applicable designation in this Plan, and/or the applicable zoning category- in the comprehensive zoning by-law.

The Committee of Adjustment may grant permission for an addition, expansion or change in use where appropriate. Municipal Council or its Committee of Adjustment shall use the following criteria to assess such proposals. Failure to meet one or more of these criteria may provide grounds for refusal of the application by Municipal Council or its Committee of Adjustment.

- i) The proposed addition, expansion or change in use will not increase the non-conforming nature of the use or property.
- ii) The proposed addition, expansion or change in use shall be in an appropriate proportion to the size of the existing use.
- iii) The proposed addition, expansion or change in use shall have minimal impact on the surrounding built environment with respect to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. No extension or enlargement of a non-conforming use shall be approved if one or more of the above nuisance factors are created or increased so as to add to the incompatibility of the non-conforming use.
- iv) The addition, expansion or change in use shall include the protection of surrounding uses through the provision of landscaping, buffering, or screening, appropriate setbacks for buildings and structures, or other measures which improve compatibility with surrounding uses or lands.
- v) Traffic and parking conditions shall not be adversely affected by the proposed addition, expansion or change in use. Appropriately designed ingress and egress points and improvements to site conditions shall be considered to promote maximum safety for pedestrian and vehicular traffic, particularly in proximity to intersections.
- vi) The site shall include adequate provisions for off street parking and loading facilities.

- vii) Services such as water, sewage disposal, storm drainage and roads that may be necessary to serve the expanded or altered use must be adequate.

The Committee of Adjustment may place conditions on the approval for an addition, expansion or change in use of legal non-conforming uses. Such conditions may include, but are not limited to, the application of site plan control; the payment of cash-in-lieu of parking and/or parkland; the installation of services; and security/bonding. Notwithstanding the opportunity to make such an application for addition, expansion or change, the Municipality is not obligated to grant permission to extend or enlarge a legal non-conforming use under any circumstance.

### **10.78 LEGAL NON-COMPLYING USES**

Where a present use of a parcel of land is permitted within the applicable zone in the comprehensive zoning by-law of the Municipality, but the buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use is considered to be legal non-complying to the regulations of the applicable zone. Applications for the expansion, alteration or addition of the non-complying use must be submitted to Municipal Council or its Committee of Adjustment.

### **10.89 EXISTING USES WHICH DO NOT CONFORM WITH THE PLAN**

Existing land uses which do not conform with this Plan, and are considered incompatible with surrounding land uses, are intended to cease to exist in the long term.

### **10.910 MINOR VARIANCES**

In circumstances where a development proposal may not meet one or more of the provisions of the comprehensive zoning by-law, a minor variance may be requested from one or more of the requirements of the zoning by-law. Municipal Council or its Committee of Adjustment may consider granting a minor variance which cannot reasonably meet one or more of the provisions of the zoning by-law, provided that the development meets sound planning principles, and provided that the following have been demonstrated:

- i) The proposal is compatible with the surrounding neighbourhood;
- ii) The proposal is in keeping with the general intent and purpose of the comprehensive zoning by-law;
- iii) The proposal is in keeping with the general intent and purpose of the Official Plan;
- iv) The proposal is an appropriate and desirable use of land; and,
- v) The variance is generally minor in nature. The interpretation of what is minor is not necessarily based on the extent by which the by-law is varied. Rather, it is based on whether the effect of the variance could be considered minor.
- vi) There are valid reasons as to why the by-law cannot or should not be complied with, and that reasonable alternatives that comply with the by-law have been considered.

Where minor variance applications are approved, the Committee of Adjustment may impose conditions to ensure the development has minimal impact on surrounding uses and satisfies reasonable planning criteria.

Conditions imposed by the Committee of Adjustment may include a requirement that the owner of the land enter into one or more agreements with the Municipality dealing with some or all of the terms and conditions if the requirement is set out in the decision. Such agreement(s) may be registered against the land to which it applies and the Municipality is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

### **10.10~~1~~ INTERIM CONTROL BY-LAWS**

The Municipality may establish interim control by-laws in accordance with the relevant sections of the Planning Act, in order to control the use of land, buildings and structures within specifically identified areas for a specified period of time not exceeding two years in length. Prior to passing such a by-law, Council shall pass a resolution directing that a review or study be undertaken. Where an interim control by-law ceases to be in effect, Council may not, for a period of three years, pass a further interim control by-law that applies to any lands to which the original interim control by-law applied.

### **10.11~~2~~ TEMPORARY USE BY-LAWS**

Council may pass a temporary use by-law to allow a use otherwise prohibited by the Municipality's zoning by-law. A temporary use by-law will define the land or lands to which it applies, and shall prescribe the period of time during which it is in effect, said period to not exceed three years from the day of the passing of the by-law (Garden Suites may be permitted through a temporary use by-law for up to 20 years). Council may extend this period by passing further by-laws, each of which shall not be in effect for more than three years.

In enacting a temporary use by-law, Council shall have regard for the following as a minimum:

- a) The compatibility of the proposed use with the surrounding land uses;
- b) The adequacy of any services that may be required for the proposed use;
- c) Access and parking requirements;
- d) Traffic impacts;
- e) The conformity of the proposed use with the policies of this Plan. Temporary use by-laws shall not be passed for the purpose of permitting uses that are not in conformity with this Plan.

### **10.12~~3~~ HOLDING BY-LAWS**

Holding provisions may be used by the Municipality in circumstances where it is necessary or desirable to zone lands for development in advance of the fulfilment of specific requirements or conditions, or where the details of the development have not yet been fully resolved. These details or circumstances include, but are not limited to, the following:

- a) The provision of adequate services or road works.
- b) The completion of environmental contamination remediation.
- c) The completion of appropriate environmental impact analysis.
- d) The completion of future subdivision of lands.

The Municipality may place a holding symbol on the zone which prevents development from occurring until the Municipality is satisfied that certain conditions have been met. This allows the Municipality to indicate its support for the development in principle, while identifying the need for additional actions prior to development proceeding. Specific actions or requirements for the lifting of the holding symbol, are to be set out in the zoning by-law relative to the holding provision. Holding provisions may be used in all designations in this Plan and may be applied throughout the Municipal zoning by-law to any zoning category or specific land use. A holding provision may also include the listing of interim uses permitted while the holding provision is in place. These may include either existing uses, or other uses deemed appropriate by Council which do not adversely affect the future development potential of the lands in question.

#### **10.134 PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS**

It is the intent of this Plan to aid in the prevention of property neglect, and to establish a property maintenance and occupancy standards by-law for the Municipality to establish minimum standards for the maintenance and occupancy of property and associated buildings. Through such a by-law, the Municipality may legally require the repair of buildings or the clean up of properties that do not meet acceptable Municipal standards.

Council may appoint a property standards officer to enforce the by-law pursuant to the applicable provisions of the Planning Act, and may appoint a property standards committee for the purpose of hearing appeals against an order of the property standards officer.

A Municipal property maintenance and occupancy standards by-law may be reviewed from time to time to assess its adequacy and determine whether amendments are necessary. Such a by-law will set appropriate standards or conditions pertaining to matters such as:

- a) Pest prevention.
- b) Garbage disposal.
- c) Structural maintenance of buildings.
- d) Cleanliness of buildings.
- e) Safety of buildings.
- f) Adequacy of service to buildings such as plumbing, heating and electricity.
- g) Maintenance of yards, lands, parking, storage, loading and unloading areas, including the removal of weeds, debris, rubbish, unlicensed or wrecked vehicles, trailers and so on.
- h) Maintenance of fences, swimming pools, accessory buildings and signs.

- i) Standards of occupancy.

In addition to the enforcement of minimum standards on private properties, the Municipality shall undertake to keep all municipally owned properties and structures in a fit and well maintained condition, and to maintain in good repair municipal services such as roads, sidewalks, water and sewage facilities.

#### **10.145 SIGN BY-LAW**

The Municipality may regulate, through a by-law and permit system, the placement of signs, notices, placards, or other advertising devices on private and public lands. Under such a by-law, the Municipality may require the removal of signs not in compliance with the by-law, levy fines against contravention to the sign by-law, and require licensing of those persons supplying mobile signs.

#### **10.156 CASH-IN-LIEU OF PARKING PROVISIONS**

Where the Municipality's comprehensive zoning by-law prescribes a minimum number of parking spaces for specific land uses, the Municipality may offer an exemption from such requirements and/or accept a cash payment in lieu of each parking space not provided. Monies raised through cash-in-lieu payments shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking resources and/or establishing new parking facilities.

In order to determine the actual costs of providing a parking space, and the appropriate fee to be charged for each space levied, the Municipality may undertake a parking study.

The Municipality considers the payment of cash-in-lieu of parking as an effective mechanism for encouraging compact, efficient and viable Village Centres within the Municipality, and in order to encourage the strengthening of Village Centres, the Municipality may establish cash-in-lieu fees which are less than the true cost of new parking spaces.

#### **10.167 SECONDARY PLANS**

The Municipality may establish secondary plans for settlement areas, portions of settlement areas, or lands to be added to settlement areas. Secondary plans may be deemed necessary in particular, for those settlement areas expected to accommodate significant growth within the planning horizon of this Plan. Secondary plans may be used to establish unique or more detailed land use policies or community designs, ~~or could and may~~ provide a greater range of land use designations, as considered necessary. Such plans may also establish locations for key community features such as schools, parks, community centres and so on within lands more broadly designated in the Official Plan.

Secondary Plans shall be adopted as amendments to this Plan. In the event of a conflict between the Secondary Plan and any other section of the Official Plan, the policies of the secondary plan shall apply.

10.176.1 At a minimum, Secondary Plans shall:

- a) Provide a statement of objectives and goals specific to the Secondary Plan Area;
- b) Provide a land use plan for the Secondary Plan Area;
- c) Provide policies related to land use designations, parks and open spaces, transportation, infrastructure, servicing related to water, wastewater and stormwater and urban design;

10.176.2 Privately-initiated Secondary Plans in support of large-scale development or redevelopment may be considered by the municipality, subject to the following:

- a) The proponent has engaged the municipality in pre-application consultation;
- b) The proposal is supported by studies related to growth management, natural heritage, transportation, and infrastructure related to water, wastewater and stormwater, prepared by qualified professionals to a standard acceptable to the Municipality, demonstrating the following:
  - i. The proposed development will satisfy unmet demand in the municipality for a full range and mix of housing options;
  - ii. The natural heritage features have been assessed and there shall be no negative impacts on significant natural heritage features or their ecological functions;
  - iii. The proposed transportation plan will integrate with the existing network without unacceptable impacts;
  - iv. There is sufficient servicing capacity available to accommodate the proposed development;

### **10.178 STAGING OF DEVELOPMENT REPORTS**

This Plan encourages the preparation and annual updating of a staging of development report for the Municipality. This report shall consider the status of various development applications, in the context of timing of municipal infrastructure and servicing capacity. The report will consider timing and priorities for the completion of infrastructure projects relative to the timing of plan of subdivision registrations, with the intent of ensuring adequate services are in place as new developments are approved and constructed.

### **10.189 COMMUNITY IMPROVEMENT AREAS**

The Municipality may identify areas of this Plan as community improvement areas under the Planning Act. In such areas, the Municipality may prepare an implementing community improvement plan which itemizes and prioritizes community improvement projects, potentially in co-operation with community groups and organizations whose objectives include community improvement.

In the consideration of such a designation, the following criteria, among others, may be considered by the Municipality:

- a) Buildings or sites in need of maintenance, rehabilitation or redevelopment;

- b) Deterioration in structure or appearance of building facades, streetscapes, parking facilities, pedestrian access or signage, and so on;
- c) Municipal services and parking facilities which may be inadequate or in need of repair;
- d) An inadequate supply of parkland, cultural or social facilities;
- e) The existence of incompatible or conflicting land uses;
- f) Susceptibility to flooding and poor drainage;
- g) The need for construction and improvements to energy efficiency;
- h) The provision of affordable housing.

### **10.189.1 Grants and Loans**

Grants and loans may be provided by the Municipality to registered owners, assessed owners, and tenants of lands and buildings within a community improvement project area, and their assigns, for the purpose of implementing the community improvement measures under this plan.

### **10.1920 PUBLIC CONSULTATION**

Municipal Council actively encourages public participation on land use planning matters within the Municipality. The following represent the goals of the municipality in terms of public participation:

- a) To adhere to the public notification requirements prescribed in the Planning Act, as amended, including holding public open houses where required.
- b) To ensure that the public is adequately notified and consulted in the context of all land use decisions including official plan amendments, zone change applications, minor variances, plans of subdivision, and severances.
- c) To encourage public participation in planning matters and provide appropriate access to applicable planning information.
- d) To review public communication methods on an ongoing basis to ensure their effectiveness in facilitating public involvement.
- e) To consider, and implement where appropriate, innovative methods of public facilitation and participation, involving both methods of communication of planning information, and methods of information gathering from the public.
- f) To encourage the organization of additional public meetings or similar events over and above those minimums required under the Planning Act.
- g) To consider the use of more informal methods of public participation, including workshops and focus groups, open houses and so on.

- h) To encourage the establishment and involvement of community and neighbourhood organizations within the planning process.
- i) To encourage applicants to consult with the Municipality before submitting applications under the Planning Act, as amended.
- j) [To encourage consultation with Indigenous communities including the need to confirm the preferred level of consultation.](#)

### **10.20.1 Ministerial Zoning Orders**

Section 47 of the *Planning Act* permits the Minister of Municipal Affairs and Housing to enact, by order, zoning and Site Plan Approval without the need for public consultation or Council support. The Municipality shall provide notice and seek public input in accordance with the public consultation requirements of a Zoning By-law Amendment prior to making a decision on whether to endorse a proposed Minister's Zoning Order.

## **10.201 COMPLETE APPLICATIONS**

The Planning Act permits a Municipal Council or a delegated approval authority to require that a person, public body or applicant who apply, submit or make requests or applications for amendments to the Official Plan, amendments to the Zoning By-law, approval of plans of subdivision (including condominiums), and consents, provide any "other information or material" that Municipal Council or the approval authority considers it may need to provide a basis for sound land use planning decisions in addition to the requirements of the policies of the Official Plan and the Provincial Policy Statement.

### **10.201.1 Complete Application Provisions**

To ensure that all relevant and required information pertaining to a planning application is available at the time of submission of the application to enable Municipal Council and its delegated approval authorities to make informed decisions within the prescribed period of time and to ensure that the public and other stakeholders have access to all the relevant information earlier in the planning process; any or all of the studies outlined below may be requested from applicants who apply, submit or make requests or applications for consents, amendments to the Official Plan, amendments to the Zoning By-law, site plan approval and approvals of plans of subdivision, including condominiums.

In all instances the number and the scope of the studies to be required for the submission of a complete application should be appropriate and in keeping with the scope and complexity of the application. For applications that may be considered minor in nature, little, if any additional information may be required.

### **10.201.2 Reports and Studies**

Support studies may be required as part of development and infrastructure approval process, or as a part of a more detailed planning study. [The required supporting studies will be identified through pre-consultation with the municipality, and those that have been identified will be required as part of a complete application.](#) –The reports and studies are intended to provide additional information pertaining to a subject site and the areas adjacent to it to assist Municipal Council

and its delegated approval authorities to evaluate an application. The need and the timing of the support studies will be determined by the Municipality on a site or area specific basis having regard to the other provisions of this Plan and provincial legislation, policies and appropriate guidelines.

Support studies shall be prepared having regard to relevant federal and provincial legislation, policies and appropriate guidelines.

Support studies shall be prepared by qualified professionals to the satisfaction of the Municipality and, where applicable, in consultation with relevant public agencies and affected parties.

A public participation program may be established as part of the preparation of a support study to allow interested or affected parties to participate in the process.

All relevant mitigation recommendations included in a support study shall be considered as a condition to approval to be implemented by the proponent of development.

Municipal Council may adopt a support study by resolution.

### **10.201.3 Types of Reports and Studies**

Municipal Council and its delegated approval authorities may require that a person, public body or applicant who apply, submit or make requests or applications for amendments to the Official Plan, amendments to the Zoning By-law, approval of plans of subdivision (including condominiums), and consents, provide any “other information or material” that Municipal Council or the approval authority considers it may need. Therefore, the following broad categories of reports and studies are not intended to preclude Municipal Council and its delegated approval authorities from requiring additional reports and studies that may be identified during the planning process if circumstances necessitate the need for such information as part of the decision making process. It is encouraged that the Municipality be consulted prior to the undertaking required reports/studies through the submission of a terms of reference.

#### **Reports/Studies to address Planning Matters**

The submission of reports and studies related to local and provincial planning matters is to ensure that a proposed development and/or change in land use is consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan and provides an integrated approach to land-use planning. The required reports/studies are to specifically address how a proposed development and/or a change in land use is consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan. The reports/studies must also demonstrate that the proposed development and/or a change in land use are consistent with the Provincial Policy Statement, the County Official Plan, and the Municipal Official Plan. Where applicable, the reports/studies will also address consistency with an Area Plan and/or Guideline Documents that have been adopted by Municipal Council.

#### **Reports/Studies relating to Environmental and Natural Matters**

The required reports/studies are to identify the environmental and natural features which may be affected by the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the environmental and/or natural features and the proposed development and/or change in land use; and identify any other mitigative measures to be

undertaken to protect the environmental and natural features from any adverse impacts associated with the proposed development and/or change in land use. These studies may include, but not be limited to Development Assessment Reports as outlined in Section 3.8 of the Official Plan. Study components may be determined in consultation with the applicable Conservation Authority or other agency.

#### Reports/Studies to address Transportation Matters

The required reports/studies are to ensure that a proposed development and/or change in land use will not have a negative impact on the transportation network or on its surrounding land uses. Where new transportation infrastructure is required or an expansion of the existing transportation infrastructure is necessary to accommodate a proposed development and/or change in land use, the transportation reports/studies will demonstrate that the improved transportation infrastructure will be adequate to accommodate all modes of transportation in an efficient manner with minimal adverse impact on surrounding uses. Study components may include but not be limited to:

- a) the collection and projection of traffic related data;
- b) trip generation, assignment and distribution;
- c) street and intersection capacity; and
- d) recommended measures required to achieve the transportation goals, objectives and policies of this Plan.

Within 800 metres of the limit of a provincial highway, the Ministry of Transportation (MTO) shall require the preparation of a transportation impact assessment for major development proposals for large traffic generators in accordance with its "General Guidelines for the Preparation of Traffic Impact Studies." The main purpose of the Traffic Impact Study is to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner that is consistent with the objectives of the MTO. The Traffic Impact Study also serves as the basis for the identification and evaluation of transportation related improvements or measures to be included as a condition of access approval, including funding, for the development or redevelopment.

#### Reports/Studies to address Servicing and Infrastructure Matters

The required reports/studies are to ensure that a proposed development and/or change in land use can be supported by adequate municipal water, sanitary sewer, and stormwater management services. Where new infrastructure is required or an expansion of the existing infrastructure is necessary, the servicing and infrastructure reports/studies will demonstrate that the improved infrastructure will be adequate to accommodate the proposed development and/or change in land use as well as any anticipated users of the infrastructure. Study components may include but not be limited to:

- a) identifying the routing of services;
- b) identifying the sizing of services;
- c) providing for the cost of sharing of services;
- d) identifying the timing of services;
- e) describing any interim servicing measure; and
- f) detailing any implementation requirements, including how the disturbed area will be rehabilitated.

Stormwater management reports/studies shall be circulated to the Ministry of Transportation (MTO) and the County of Middlesex for review and approval for development situated adjacent to or in the vicinity of a provincial highway and/or county road whose drainage may impact the highway or road.

#### Reports/Studies to address Financial and Market Impact Assessment Matters

The submission of reports and studies related to financial matters is to demonstrate that a proposed development and/or change in land use will not have an undesirable or unanticipated financial impact on the Municipality. The required reports/studies are to identify the short-term and long-term costs to the Municipality for the provision of municipal infrastructure and services required to support a proposed development and/or change in land use and an estimate of anticipated revenues arising from a proposed development and/or change in land use. Study components may include but not be limited to:

- a) describing the proposal in detail, including any expected benefits to the municipality;
- b) identifying municipal costs associated with the proposal;
- c) recommending a proposed financing and timing scheme;
- d) indicating how and why the proposal may contribute to the economic viability of the Municipality.

The Market Impact Assessment is to determine if a proposal is feasible and to identify land use problems that may arise as a result of a proposed commercial development. Study components may include but not be limited to:

- a) including public surveys;
- b) evaluating alternative locations;
- c) identifying and assessing the impact on existing uses of a similar nature;
- d) including relevant financial data; and
- e) documenting the feasibility of the proposal.

#### Reports/Studies to address Urban Design and Cultural Matters

The required reports/studies are to demonstrate how a proposed development and/or change in land use will have a positive impact on neighbouring built heritage, is sensitive to archaeological issues, and is designed in a manner that enhances the local built form and/or natural environment. Study components may include but not be limited to:

- a) documenting the area's character on a street and block pattern basis showing the size, orientation and lotting of each block;
- b) providing a three dimensional profile for each street and block within the area;
- c) identifying the existing urban design elements, such as nodes, landmarks, districts, paths and edges, which contribute to the character of the area and to its physical form and development pattern;
- d) identifying potential urban design elements that would enhance the future physical form, development pattern and character of the area such as streetscape treatments, significant views and vistas and locations for the provision of gateways and art; and
- e) establishing guidelines for the area which would assist in evaluating any proposed development or infrastructure undertaking.

#### Reports/Studies to address Nuisance and Hazard Matters

The submission of reports and studies related to nuisance and hazard matters is to demonstrate that inhabitants or users of a proposed development and/or change in land use are buffered from nuisances related to noise, dust, odour, and vibration, and to reduce the potential for public cost or risk to future inhabitants resulting from natural and human-made hazards. The required reports/studies are to identify all of the potential nuisance issues and natural/human-made hazards which may impact the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the nuisance issues and natural/human-made hazards and the proposed development and/or change in land use; and identify any other measures to be undertaken to mitigate the impacts associated with the nuisance issues and natural/human-made hazards from the proposed development and/or change in land use.

Where such Study is required, study components may include but not be limited to:

- a) Assessing the existing and predicted noise and vibration levels on the site, identifying and recommending various abatement measures, warning clauses, and/or other appropriate measures, which can be implemented and secured by way of zoning, site plan agreement, subdivision agreement and/or development agreement; and
- b) Having regard to relevant provincial legislation, policies and appropriate guidelines.

## 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-54), 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-54), 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.

b) That the property municipally known as 10915 Longwoods Road be reconsidered for designation with a mix of residential and employment/commercial lands (Resolution 2022-107).

#### 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.

**SPA #8**

For lands so identified in the Delaware *Community Settlement Area* (Schedule A-54) notwithstanding the residential policies of this Plan, development on lands located in this special policy area within 38.1 metres (125 ft.) from the easterly Settlement Boundary shall not be permitted. This area shall serve as a buffer between residential uses and adjacent agricultural uses.

**SPA #10**

For land so identified in the Delaware *Community Settlement Area* (shown on Schedule A-54), the land may be used for settlement commercial purposes; and that portion of the land located at the southwest corner of the subject property having dimensions of 91.44 metres (300 feet) of width and 129.8 metres (426 feet) of depth, shall not be used for the following land uses: gas bars, car washes, public garages, motor vehicle sales establishments, motor vehicle service establishments or any drive-thru facilities. Prior to development of the subject land, the developer shall enter into a Site Plan Agreement with the Municipality of Middlesex Centre, pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, c. P.13. Prior to the development of the subject land, the applicant shall undertake an archaeological assessment of the subject land to the satisfaction of the Ministry of Culture. This assessment shall be carried out by a consultant licensed by the Ministry of Culture. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

**SPA #11**

For the lands so identified as “Parks and Recreation” on Schedule ‘A’, being part of Lot 4, Concession 6, former Township of London. Notwithstanding the policies of this Plan, the lands may be used for a licensed extractive operation and a recycling operation.

- a) Prior to development of the subject land, the portions of the property proposed for public or private park use, agricultural test plots and topsoil composting shall be rehabilitated in accordance with the approved, or approved as amended Final Rehabilitation Plans, and to the satisfaction of the Ministry of Natural Resources.
- b) Prior to the issuance of a Certificate of Approval by the Ministry of Environment for the subject land, the applicant must satisfy the requirements of the Ministry of Environment with respect to groundwater and surface water matters. Long-term monitoring of groundwater on the subject land shall be undertaken by the operator to the satisfaction of the Ministry of Environment and the Municipality.
- c) Prior to third and final reading of the implementing Zoning By-law Amendment, a new Site Plan Agreement for the existing TRY Recycling operation at Part of Lot 5, Concession 6 (geographic Township of London) which requires, among other items, maximum heights for material stockpiles, windrows for composting materials, and appropriate berming and buffering, shall be executed by the parties and registered on title to the lands. Prior to execution of the Site Plan Agreement, the Municipality will co-ordinate a formal public information meeting to present the draft Site Plan and Site Plan Agreement to members of the public.
- d) Subsequent to approval of the Certificate of Approval by the Ministry of Environment, and prior to third and final reading of the implementing Zoning By-law Amendment, a Site Plan Agreement for the subject property, which requires, among other items, maximum heights

for material stockpiles, windrows for composting materials, and appropriate berming and buffering, and entrances, shall be executed by the parties and registered on title to the lands. Prior to execution of the Site Plan Agreement, the Municipality will co-ordinate a formal public information meeting to present the draft Site Plan and Site Plan Agreement to members of the public.

SPA #12

For lands so identified north and east of the Komoka & Kilworth Settlement Boundary (Schedules A and A-2), the permitted uses shall be limited to a golf course and accessory uses, and shall be subject to the following policies:

- a) Notwithstanding the Natural Environment designation on a portion of the subject lands, the construction of golf holes within and/or adjacent to the area commonly referred to as the Komoka Feed Mill Prairie shall be subject to the finalization of the Development Assessment Report which demonstrates there will be no negative impacts on the natural features and their sustaining ecological functions. The Part 2 – Environmental Impact Study which fulfills the Municipality's Official Plan requirements regarding Development Assessment Reports shall be approved by the Municipality, Upper Thames River Conservation Authority, and the Ministry of Natural Resources prior to any grading or construction commencing on the subject lands.
- b) The applicant shall satisfy the requirements of the Ministry of Natural Resources regarding the removal of aggregate from the subject lands. If deemed necessary, the applicant shall obtain an aggregate pit license from MNR, and rehabilitate the affected lands to the satisfaction of MNR and the Municipality. The removal of aggregate and the rehabilitation of the affected lands shall occur prior to any grading or construction on the subject lands.
- c) The applicant shall satisfy the requirements of the Ministry of Natural Resources and the Municipality regarding the appropriate rehabilitation of the portion of the subject lands formerly used for aggregate extraction.
- d) Prior to execution of a Site Plan Control Agreement for the development of the golf course, the applicant shall ensure that title to the two properties merge into one ownership.
- e) Prior to any grading or construction commencing on the subject lands, the applicant shall enter into a site plan agreement with the Municipality, which agreement shall be registered on title to the subject lands. The agreement shall address, among other issues, grading and drainage on the site, location and construction of entrance driveway(s) and turn taper(s), parking, fencing, location of clubhouse and accessory structures, location and construction of Oxbow Creek bridge crossings, septic system construction, stormwater management requirements, sediment and erosion control requirements, golf hole layout, groundwater and surface water for irrigation purposes and aggregate extraction and rehabilitation. The agreement shall also contain clauses regarding the testing and monitoring of water wells on neighbouring properties in accordance with Ministry of Environment requirements.
- f) Prior to any grading or construction commencing on the subject lands, the applicant shall prepare and submit a stormwater management plan to the satisfaction of the Municipality and Upper Thames River Conservation Authority.

- g) Prior to any grading or construction commencing on the subject lands, the applicant shall prepare and submit a sediment and erosion control plan to the satisfaction of the Municipality and Upper Thames River Conservation Authority. Prior to any grading or construction commencing on the subject lands, the applicant shall prepare and submit an Archaeological Assessment Report to the satisfaction of the Ministry of Tourism, Culture and Recreation. If archaeological artifacts are discovered on the subject lands, the applicant shall undertake the removal and documentation of artifacts to the satisfaction of the Ministry of Tourism, Culture and Recreation.
- i) Prior to any grading or construction commencing on the subject lands, the applicant shall satisfy the requirements of the Ministry of the Environment regarding the supply of groundwater for irrigation purposes. The applicant shall also satisfy the requirements of the Municipality and the Upper Thames River Conservation Authority regarding the provision of water storage ponds for irrigation purposes and for stormwater and flood control purposes.
- j) Prior to any grading or construction commencing on the subject lands, the applicant shall obtain any other necessary governmental or agency approvals as may be required, including, but not limited to: approval from the Department of Fisheries and Oceans related to fish habitat in Oxbow Creek; approval from the Ministry of the Environment of a Water Taking Permit for irrigation and drinking water; approval from the Ministry of the Environment of a Certificate of Approval for a septic system; approval from the Upper Thames River Conservation Authority of a fill permit(s) for grading and construction of crossings in the Oxbow Creek floodplain; and approval from the Ministry of Natural Resources for an aggregate pit license and aggregate pit rehabilitation.

#### SPA #13

For lands so identified on Schedule A described as Part of Lots 10 and 11, Concession 3 in the geographic Township of Delaware, notwithstanding the "Agriculture" designation of this Plan, the severance of the excavating business from the portion of the property containing the existing single detached dwelling shall be permitted. The existing excavating business shall be permitted on the subject property. The construction of a new dwelling on either the severed or the retained parcels is prohibited.

#### SPA #14

The land identified as Special Policy Area #14, as shown on Schedule "A" to this Official Plan, shall be subject to the following policy:

Notwithstanding the Agriculture designation of the subject land and the policies contained within section 2.0 of this Official Plan, the use of a transportation service with the lot having a frontage of 76.51 metres and a lot area of 3.05 hectares is permitted.

#### SPA #15

The land identified as Special Policy Area #15, as shown on Schedule "A" to this Official Plan, shall be subject to the following policy:

Notwithstanding Sections 2.2, 2.6 and 10.3.2.1 of the Official Plan, a severance to create an agricultural holding with a lot area of approximately 37.2 hectares, from an institutional use with a lot area of approximately 4.9 hectares known municipally as 14996 Ilderton Road, shall be permitted.

SPA #16

The land identified as Special Policy Area #16, as shown on Schedule "A" to this Official Plan, shall be subject to the following policy:

Notwithstanding Sections 2.2, 2.6 and 10.3.2.1 of this Official Plan, a severance to create a lot with a lot frontage of approximately 183 metres and a lot area of approximately 4.2 hectares from the original 41 hectare farm parcel shall be permitted to facilitate the establishment of a municipal public works garage use.

Notwithstanding the Agriculture designation of the subject land and the policies contained in Section 2.0 of this Official Plan, a municipal public works garage use shall be permitted on the lot to be severed.

SPA #17

The land identified as Special Policy Area #17, as shown on Schedule "A" to this Official Plan, shall be subject to the following policy:

The existing institutional use, namely Teen Challenge Farm, operates an accessory vehicle donation program whereby donated vehicles are temporarily stored, cleaned and refurbished before been taken off site to be sold at auction. The vehicle donation program does not include a public garage or motor vehicle service establishment where mechanical repairs, changing of fluids or painting of vehicles is carried out.

SPA #18

The land identified as Special Policy Area #18, as shown on Schedule "A" to this Official Plan, shall be subject to the following policy:

Notwithstanding the Parks and Recreation policies of this Plan, an existing single detached dwelling shall be permitted. Severance of the existing dwelling shall be permitted in accordance with the policies of Section 10.3 of the Official Plan.

SPA #19

For lands so identified as "Parks and Recreation" and "Flood Plain" on Schedule A-3 being Part of Lot 17, Concession 6, Lot 13, Registrar's Compiled Plan 1028 (geographic Township of London). The lands shall be subject to the following conditions being met prior to development being permitted:

- i) That a Development Assessment Report be prepared for the development of the subject land for golf course purposes to the satisfaction of the Municipality of Middlesex Centre and the Upper Thames River Conservation Authority.
- ii) That an Archaeological Study be undertaken by a qualified consultant to the satisfaction of the Ministry of Culture.
- iii) That a Site Plan Agreement be approved by the Municipality of Middlesex Centre in consultation with the Upper Thames River Conservation Authority which implements the recommendations of an approved Development Assessment Report, an approved Archaeological Study and among other things provides for the appropriate drainage, berming and buffering of the site and that the Site Plan Agreement be executed by the parties and be registered on title to the lands. Prior to execution of the Site Plan

Agreement, the Municipality will co-ordinate a formal public information meeting to present the draft Site Plan and Site Plan Agreement to members of the Public.

#### SPA #20

For the lands so identified as Park and Recreation Special Policy Area #20, on Schedule "A" to this Official Plan being part of Lot 1, Concession 3 (geographic Township of Delaware), the development of these lands shall be subject to the following policies:

- a) **Notwithstanding Section 2.7 of the Official Plan, active recreational development within the Parks and Recreation Special Policy Area #20 shall not be permitted within 220 metres (721 ft) of the livestock barn located at 2597 Brigham Road. This setback on the subject property shall serve as a buffer between parks and recreation uses and adjacent agriculture-related uses.**

#### SPA #21

For lands so identified in the Poplar Hill & Coldstream Hamlet Area (Schedule A-8), notwithstanding the designation of the subject lands as Agriculture, the permitted uses of the lands shall include a concrete batching plant and ancillary uses and shall be further defined in the Municipality's Zoning By-law.

#### SPA #22

For land so identified on the Komoka-Kilworth Urban Settlement Area and Secondary Plan (Schedule A-2), the development of this land shall be governed by the following policies in addition to all other policies of the Official Plan unless otherwise noted and should be read in conjunction with the Official Plan in its entirety:

##### 1. Goals and Objectives

The development of the subject land shall be based on the desire to achieve the following goals and objectives:

- a) To create a unique centre with a strong identity that accommodates cultural and daily needs that serves not only the local community but also residents from neighbouring communities.
- b) To provide opportunities for public gatherings and social interaction through the introduction of a civic space with pedestrian linkages to surrounding uses.
- c) To recognize the evolving function of Glendon Drive (County Road 14) as a traditional main street and promote the safe passage of motor vehicles in conjunction with cyclists and pedestrians.
- d) To promote a diversity of housing types and choices to accommodate the needs and lifestyles of a broader demographic.
- e) To create a green community that is environmentally sustainable based on the standard set by the Middlesex Centre Wellness Complex by ensuring the design and construction of buildings utilize green building practices.

- f) To encourage the generation of on-site renewable energy including but not limited to solar, wind and geo-thermal.
- g) To improve air quality and reduce cooling loads on buildings with the planting of shade trees along new and existing streets.
- h) To promote local food production to increase access to fresh produce by encouraging the growing of produce through the use of balconies, roof tops and community gardens.

## 2. Grain Handling Facility and CN Railway Corridor Buffer Areas

Known municipally as 171 Railway Avenue, there is an existing grain handling facility located north and east of the subject land and adjacent to the CN Railway corridor on a property legally described as Part of Lot 6, Concession 2 and more specifically described as Part 1 on Reference Plan 33R-8745 (geographic Township of Lobo), in the Municipality of Middlesex Centre.

Technical studies (e.g. noise study) will be required to facilitate development of sensitive land uses, including residential uses, within 300 metres of the grain handling facility and the railway corridor that are located in the area. The recommendations of the aforementioned studies would be implemented through subsequent development approvals, including but not limited to zoning by-law amendments, subdivision control and site plan control.

### SPA #23

Notwithstanding the Medium Density Residential designation of the land, Village Centre and Parks and Recreation uses shall also be permitted. The provisions of SPA #22 shall also apply to land within SPA #23.

### SPA #24

Notwithstanding the Village Centre designation of the land, Medium Density Residential uses shall also be permitted. The provisions of SPA #22 shall also apply to land within SPA #24.

### SPA #25

Notwithstanding the Parks and Recreation designation of the land, Medium Density Residential uses shall also be permitted. In addition, low density residential development shall be permitted along the south side of Railway Avenue. The provisions of SPA #22 shall also apply to land within SPA #25.

### SPA #26

The land identified as Special Policy Area #26, as shown on Schedule 'A' to this Official Plan, shall be subject to the following policy:

Notwithstanding any other section of the Official Plan, a severance to create an agricultural holding with a lot area of approximately 36.42 hectares, from a 40.469 hectare property with a

special care facility, and single-detached dwelling, a significant woodland and cultivated land, shall be permitted.

#### SPA#27

The establishment of any new uses on the property shall be subject to a further zoning by-law amendment application that includes the submission of a planning justification report, a market impact assessment and any other additional supporting documentation as deemed appropriate by the Municipality.

#### SPA#28

The land identified as Special Policy Area #28, as shown on Schedule 'A' to this Official Plan, shall be subject to the following policy:

Notwithstanding any other section of the Official Plan, a self storage establishment shall be permitted within an existing building.

#### SPA #29

Lands identified as SPA #29 on Schedule A may continue to be used for legally existing uses established prior to the adoption of this policy. New development shall occur in accordance with the underlying land use designations and subject to the following:

- a) New lot creation, including consents to sever and plans of subdivision, shall not be permitted until such time as municipal sewer and water services are available.
- b) All new development shall be required to connect to municipal sewer and water services;
- c) An Official Plan Amendment shall be required to remove the SPA #29 designation prior to, or as part of, a development proposal.
- d) New development proposals shall demonstrate conformity with policy 5.2 of this plan (Settlement Expansion Requests) prior to approval to ensure appropriate phasing of growth.
- e) The Municipality may undertake the preparation of a Secondary Plan(s) to guide land use within this area in accordance with the policies of this plan.
- f) Landowners are encouraged to coordinate phasing of development and cost-sharing for the extension of municipal services.

## SECTION 12.0 GLOSSARY OF TERMS

**Adjacent Lands** are lands contiguous to a specific feature or area designated as a natural environmental area on Schedule A of this Plan, or identified as a component of the Municipality's greenlands system on Schedule B of this Plan, where development or site alteration could have a negative impact on the feature or area. The extent of adjacent lands relating to natural areas are identified on Figures 1 and 2 included in this Plan.

**Adverse Effects** is defined as one or more of the following:

- Impairment of the quality of the natural environment for any use that can be made of it;
- Injury or damage to property or plant and animal life;
- Harm or material discomfort to any person;
- An adverse effect on the health of any person;
- Impairment of the safety of any persons;
- Rendering any property or plant or animal life unfit for use by humans;
- Loss of enjoyment or normal use of property; and
- Interference with normal conduct of business

**Agriculture-Related Uses** are defined as farm-related commercial and farm-related industrial uses that are directly related to [a farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, provide direct products and/or services to farm operations as a primary activity](#), and are small in scale.

**Agricultural Uses** are defined as the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

**Areas of Natural and Scientific Interest (ANSI)** are defined as areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

**Bed and Breakfast Establishment** is defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. The proprietor of

such an establishment lives on the premises. The bed and breakfast establishment must be an accessory use to the principle dwelling use.

**Catastrophe** is defined as an unanticipated, disastrous loss of part, or all of a dwelling or building due to fire, collapse, flood, wind, or other such event.

**Compatible (or compatibility)** means able to exist or act together harmoniously. For the purposes of this Plan, compatible does not necessarily mean “the same as” or “identical to”, but rather relates to the ability to exist in harmony without creating an inappropriate anomaly or an undue physical or functional adverse impact.

**Comprehensive Review** means an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

- a) is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth through intensification;
- c) confirms that the lands to be developed do not comprise specialty crop areas;
- d) is integrated with planning for infrastructure and public service facilities; and
- e) considers cross-jurisdictional issues.”

**Department Store** is defined as a building occupied by a store primarily engaged in the sale of general merchandise at retail, of a wide range of individual commodities, organized into a number of departments within the building. This would include both full line department stores and junior department stores. Junior department stores are typically differentiated from full line department stores in that they typically sell general merchandise items at prices lower than that of the traditional department stores, and are popularly described as discount operations.

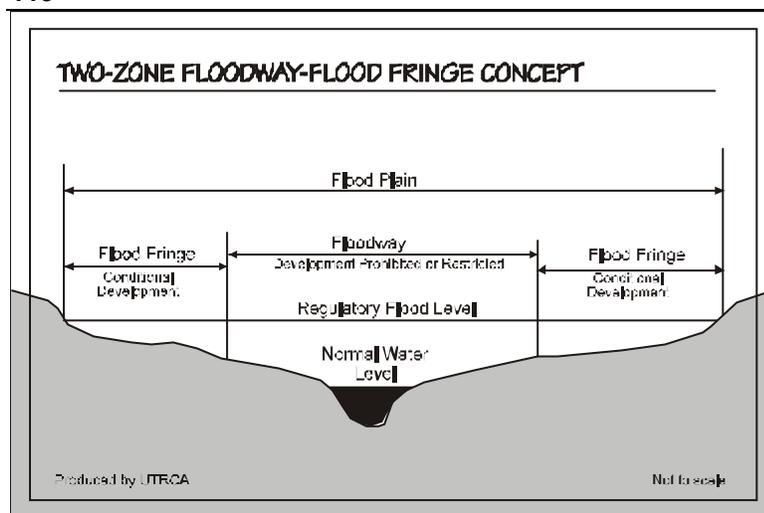
**Development** is defined as the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include activities that create or maintain infrastructure authorized under the Environmental Assessment process, works subject to the Drainage Act, or conservation projects.

**Development Assessment Report (DAR)** relates to a study prepared in accordance with the policies of this Plan to identify and assess the impacts of development on a natural environment area, greenland feature, floodplain or natural hazard land area as identified in this Plan.

**Dry Industry** is defined as industry which does not require large volumes of water, or generate large volumes of effluent, in its operation, either throughout the year or at specific times of the year.

**Ecological Function** is defined as the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Erosion Protection Allowance** is defined as a setback of six (6) metres from the long term angle of stability.



**Flood Fringe** is defined as the outer portion of the floodplain between the floodway and the flooding hazard limit. Depth and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. The flood fringe is the area where development or site alteration may be permitted, subject to appropriate flood proofing to the flooding hazard elevation or other flooding hazard standard approved by the Ministry of Natural Resources.

**Floodplain** is defined as the area, usually low lands, adjoining a water course, which has been or may be subject to flooding hazards. This includes both the flood fringe and the floodway.

**Floodway** is defined as the inner portion of the floodplain between the watercourse and the edge of the flood fringe. Depth and velocities of flooding are generally more severe in the floodway than experienced in the flood fringe. It is this portion of the floodplain that is more strictly regulated by appropriate agencies.

**Greenland Features** are features identified with an overlay on Schedule B. These features constitute for the most part significant woodlands as identified in the Middlesex Natural Heritage Study. Whereas natural environment areas are designated as such, areas subject to a greenland feature overlay have underlying land use designations on Schedule A.

**Home occupation** is defined as a privately operated legal business within a residential dwelling, operated by the occupant or owner thereof, which is accessory and clearly secondary to the principle residential use. Home occupation may include a variety of uses, however retail or wholesale store, restaurant, adult entertainment parlour, video rental outlet, automotive use (including mechanical repairs and body work), clinic, nursing home, or any use considered noxious or incompatible with a residential neighbourhood, are specifically prohibited.

**Infrastructure** is defined as physical structures that form the foundation for development, including sewage and water works, waste management systems, electrical power, communications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Institutional Uses** are defined so as to include hospitals, nursing homes, pre-school, school nurseries, daycare, schools, [places of worship churches](#), and government facilities.

**Intensification** is defined as intensification of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

**Long Term Angle of Stability Allowance** is defined as a setback based on 3 horizontal : 1 vertical and projected from the toe erosion allowance.

**Major Retail** is defined as a large-scale or large-format stand-alone retail store or retail centre, having a gross leasable area of 2,000 square metres or greater, that have the primary purpose of commercial activities.

**Minimum Distance Separation Formulae** means separation distances developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, and the Ontario Ministry of Environment to provide adequate separation distances for new development from existing livestock facilities, and adequate separation distances for new or expanding livestock facilities from existing or approved development. The Separation Distance can be found in the Guide to Agricultural Land Use, Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) Documents produced in March 1995, and as amended from time to time.

**Multi-use Trails** are defined as facilities which allow shared use by pedestrians (including those requiring power-assisted mobility aids), cyclists and/or other non-motorized wheeled users for recreational and utilitarian purposes.

**Natural Environment Area** are lands included within the natural environment area designation illustrated on Schedule A of this Plan. These include wetlands; significant habitat of endangered or threatened species; and floodplains and floodprone areas mapped and/or regulated by a Conservation Authority. These areas are related to, but separate from, lands identified as greenland features on Schedule B of this Plan.”

**Natural System** refers to the overall system of natural features and functions within the Municipality. This includes both areas designated natural environment area on Schedule A, as well as greenland features identified on Schedule B. The natural system would also include linkages and connections within such features throughout the Municipality.

**Negative Impacts** are defined as:

- In regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the Fisheries Act using the guiding principle of no net loss of productive capacity.
- In regard to other natural environment areas or greenland features, the loss of the natural features or ecological functions for which an area is identified.

**On-Farm Diversified Uses** is defined as uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.

**One Zone Concept** relates to an approach where the entire floodplain, corresponding with the regulatory flood, is treated as one single unit, and all development is prohibited or restricted. The floodplain is not separated into the floodway and flood fringe.

**Prime Agricultural Area** is defined as areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the province.

**Prime Agricultural Land** is defined as specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

**Principal Farm Dwelling** is defined as a dwelling on farm lands used as the primary residence of an active or full time farm employee.

**Recreational Uses, Active** is defined as uses or facilities that allow for and facilitate active physical participation by individuals or groups, including but not limited to active sports, play facilities, golf facilities and so on.

**Recreational Uses, Passive** is defined as uses or places that allow an individual or a group to participate in passive or non-physical activity, including listening, observing, walking or enjoying quiet relaxation. Physical activity is at a minimum.

**Regulatory Flood** is defined as the adopted Regulatory Flood Standard of the respective Conservation Authority.

Conservation Authority	Regulatory Flood Standard
Ausable Bayfield Conservation Authority (ABCA)	Hurricane Hazel Storm Event
Kettle Creek Conservation Authority (KCCA)	Hurricane Hazel Storm Event
Lower Thames Valley Conservation Authority (LTVCA)	1:250 Year Storm Event (1937 Observed)
St Clair Region Conservation Authority (SCRCA)	Hurricane Hazel Storm Event
Upper Thames River Conservation Authority (UTRCA)	1:250 Year Storm Event (1937 Observed)

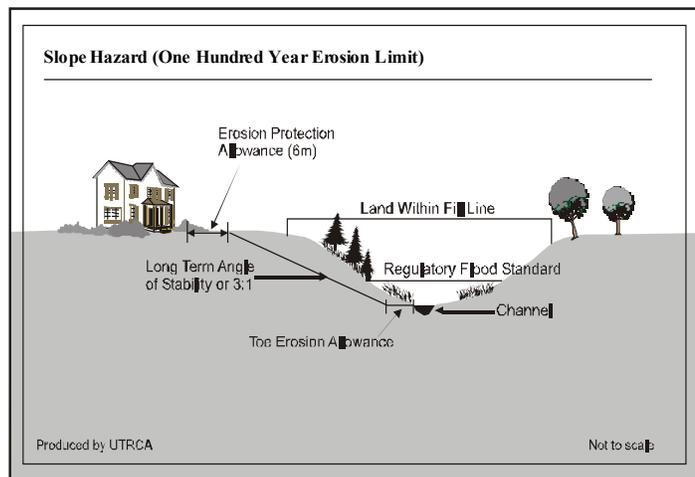
**Residence Surplus to a Farming Operation** means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**Significant** is defined as:

- a) In regard to areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province, as amended from time to time.
- b) In regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.
- c) In regard to woodlands, those wooded areas identified as being significant in the Middlesex Natural Heritage Study (MNHS) in that they meet one or more landscape criteria.
- d) In regard to other features and areas in policy 2.1 of the PPS, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of the County's Natural System. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used.
- e) In regard to other matters, important in terms of amount, content, representation or effect.

**Slope Hazard** is defined as land adjacent to ravines, river valleys and streams that may be affected by the combined influence of the Erosion Protection Allowance, the Long Term Angle of Stability Allowance and the Toe Erosion Allowance. The Slope Hazard is also often referred to as the One Hundred Year Erosion Limit.

**Toe Erosion Allowance** is defined as a setback based on the anticipated toe erosion which would occur for a one hundred year design period or 100 times the long term average measured annual recession rate.



**Two Zone Concept** involves an approach where the floodplain are separated into the floodway, and the flood fringe. A two zone concept assumes that certain portions of the floodplain are less hazardous than others, thus some development may occur within the flood fringe.

**“Value-Added” Agriculturally Related Uses** are defined as activities within the farm parcel that relate to onsite or communal farming practises, such as processing, storing and packaging of farm produce. Such communal uses should not exceed a scale necessary to meet the needs of the surrounding agricultural community. Such uses may also be considered agriculturally related commercial or industrial uses as permitted in the agricultural designation of this Plan however value-added uses must be directly associated with activities on the farm parcel, whereas commercial or industrial activities related to agriculture need not be directly associated with farming practises on the site in question.

