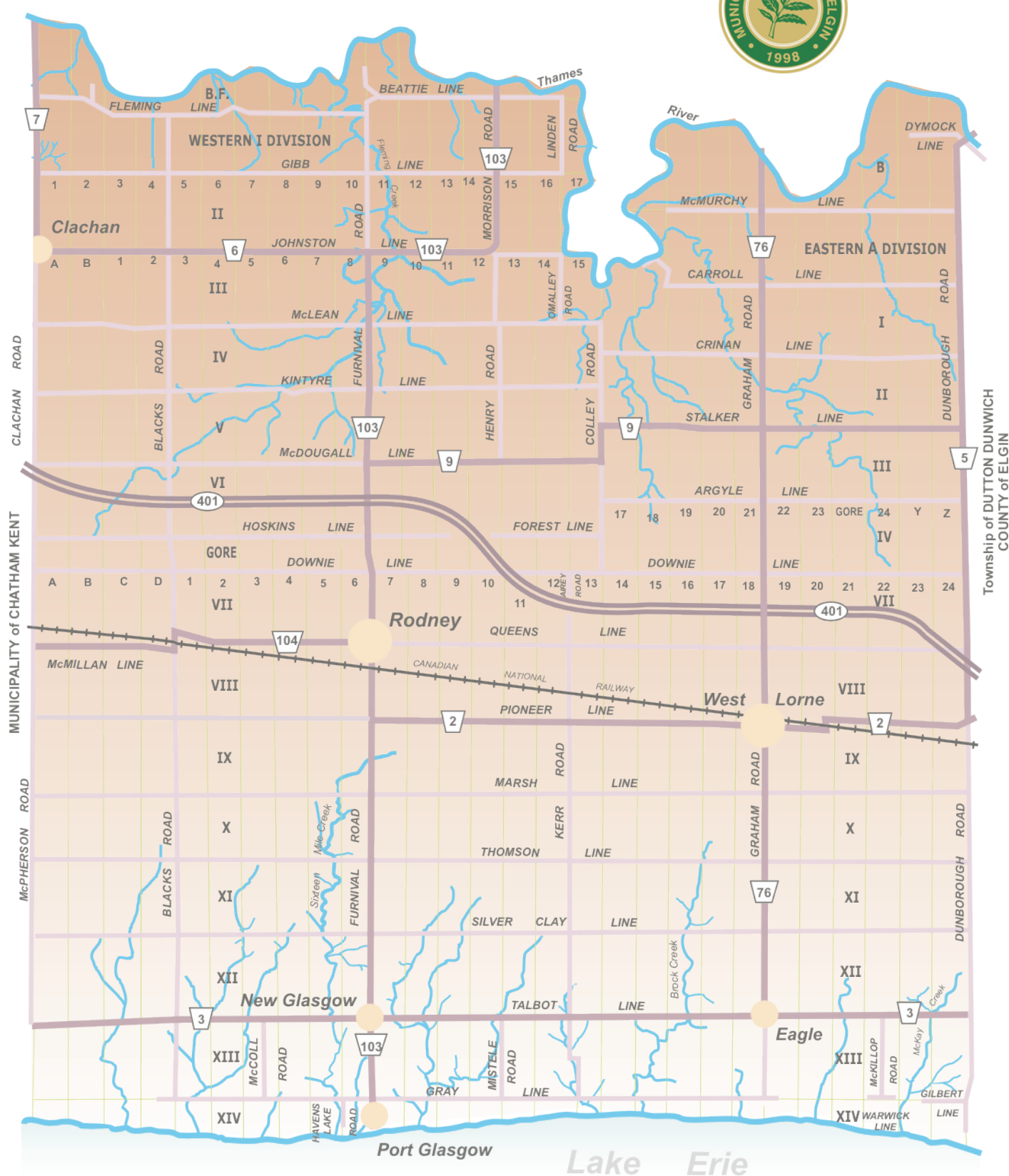


The Municipality of West Elgin



OFFICIAL PLAN

CONSOLIDATED VERSION

NOVEMBER 2013

The Municipality of West Elgin



This document, consisting of the following text and schedules, constitutes the Official Plan of the Municipality of West Elgin adopted by Council on 21 February 2008 and approved with modifications by the Ministry of Municipal Affairs and Housing on 7 February 2011.

Modifications have also been made as ordered by the Ontario Municipal Board in its decision rendered on 16 August 2013 as a result of appeals filed by Patton Cormier & Associates on behalf of Seaside Waterfronts Inc. and Lighthouse Waterfronts Inc.

This version of the adopted and approved Municipality of West Elgin Official Plan includes grammatical and similar revisions for purposes of clarity and accuracy but which do not alter the meaning or intent of the Plan.

OFFICIAL PLAN

CONSOLIDATED VERSION NOVEMBER 2013

File No.: 34-0P-4035
Municipality: Municipality of West Elgin
Subject Lands: All lands within the Municipality of
West Elgin

Date of Decision: February 7, 2011
Date of Notice: February 15, 2011
Last Date of Appeal: March 7, 2011

NOTICE OF DECISION

With respect to an Official Plan
Subsection 17(35) of the Planning Act

A decision was made on the date noted above to approve with modifications the Official Plan for the Municipality of West Elgin adopted by By-law No. 2008-13.

Purpose and Effect of the Official Plan

The new Official Plan constitutes the first Official Plan for the Municipality of West Elgin which was formed in 1998. It will provide a framework with respect to land use planning decisions in the Municipality. It establishes the type, form and desired pattern of land use for the Municipality and provides a basis for considering matters related to the use of land, the development and redevelopment of land, the wise use of the resource base and the protection of the Municipality's natural and cultural heritage. The modifications are technical in nature, provide clarification, provide consistency with the Provincial Policy Statement and were recommended by various provincial ministries and the Municipality of West Elgin. A copy of the decision is attached.

When and How to File An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of

an individual who is a member of the association or group.

When the Decision is Final

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications: none

Getting Additional Information

Additional information about the Official Plan is available for public inspection during regular office hours at the Ministry of Municipal Affairs and Housing office at the address noted below or from the Municipality of West Elgin Municipal Office.

Mailing Address for Filing a Notice of Appeal

Ministry of Municipal Affairs and Housing
Municipal Services Office -Western
659 Exeter Road, 2nd Floor
London ON N6E 1L3
Submit notice of appeal to the attention of
Tammie Ryall, Planner.
Tel: (519) 873-4031
Fax: (519) 873-4018

**CORPORATION OF MUNICIPALITY OF WEST
ELGIN BY-LAW NO. 2008-13**

**A BY-LAW TO ADOPT AN OFFICIAL
PLAN FOR THE MUNICIPALITY OF WEST
ELGIN**

WHEREAS Section 14.7(3) of the Planning Act, R.S.O. 1990, c.P. 13, requires a municipality to prepare and adopt an official plan;

AND WHEREAS the requirements of Section 17(15) to Section 17(21) of the Planning Act, R.S.O. 1990, c.P. 13, as appropriate, have been met;

AND WHEREAS the Council of the Corporation of the Municipality of West Elgin now deems it advisable to adopt a new official plan and to submit it for approval pursuant to Section 17(22) of the Planning Act, R.S.O. 1990, c.P. 13;

**NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION
OF THE MUNICIPALITY OF WEST ELGIN AS FOLLOWS:**

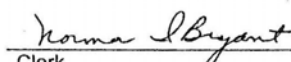
1. **THAT** the Official Plan of the Municipality of West Elgin, attached hereto as Schedule "A", is hereby adopted by the Council of the Corporation of the Municipality of West Elgin.
2. **THAT** the Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of the said official plan, and upon approval by the Ministry, the plan shall take effect subject to Section 17(36) of the Planning Act, R.S.O. 1990, c.P. 13.
3. **THAT** By-law No. 86-23 of the former Village of Rodney which adopted the Official Plan of the Village of Rodney and a subsequent by-law which adopted an amendment thereto upon approval of said Official Plan are hereby repealed.
4. **THAT** By-law No. 24-86 of the former Village of West Lorne which adopted the Official Plan of the Village of West Lorne and a subsequent by-law which adopted an amendment thereto upon approval of said Official Plan are hereby repealed.
5. **THAT** By-law No. 89-8 of the former Township of Aldborough which adopted the Official Plan of the Township of Aldborough and all subsequent by-laws which adopted amendments thereto upon approval of said Official Plan are hereby repealed.

Read a FIRST and SECOND TIME this 21st day of February, 2008.

Read a THIRD TIME and FINALLY PASSED this 21st day of February, 2008.




Mayor



Clerk

CERTIFIED TRUE
COPY



CLERK

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1.0 INTRODUCTION

This section of the Official Plan sets out the general purpose of the Plan, mission statement and general goals. The design population and growth management strategy are addressed and matters of provincial interest as stipulated in the Planning Act are listed. All applications under the Planning Act should be initially vetted against this section as well as all initiatives of the Municipality affecting the development, redevelopment, infrastructure and physical improvement of West Elgin.

This document constitutes the first-ever Official Plan of the Municipality of West Elgin. The Municipality was formed in January 1998 by the amalgamation of the Township of Aldborough and the Village of West Lorne. The Village of Rodney had previously amalgamated with the Township of Aldborough in March 1993. This Official Plan replaces the official plans and all amendments thereto of the former Village of Rodney and the former Village of West Lorne both adopted in 1986 and the official plan and all amendments thereto of the former Township of Aldborough adopted in 1989.

Under the Planning Act, a municipal planning authority is required to prepare and adopt an official plan in respect of the land in the municipal planning area. Aside from this statutory requirement, an official plan for the Municipality of West Elgin is desirable as a result of the amalgamations of the three aforementioned municipalities (each of which had its own official plan) but also to establish appropriate goals, objectives and policies in light of the new municipal boundary and prevailing and future circumstances. Finally, policies and guidelines of the Province, released and up-dated since the adoption of the existing official plans, have a significant bearing on the planning and development of all municipalities and need to be addressed in a new official plan for West Elgin.

1.1 PURPOSE

The Official Plan of the Municipality of West Elgin is designed to achieve a number of specific purposes, namely:

- a) To provide a rationale and consistent basis for actions and decisions on all matters relating to the use of land and stewardship of the Municipality's resources;
- b) To ensure the health, safety, welfare, convenience and well being of the existing and future residents of the Municipality; and
- c) To inform the general public, special interest groups, private interests and enterprises of the intended nature and direction regarding the use of land and stewardship of the Municipality's resources.

1.2 MISSION STATEMENT

The following encompassing and overriding statement is intended to provide a basis and general direction for local decision making affecting the Municipality.

“To create and maintain a strong, healthy and sustainable rural community which capitalizes on our assets, fosters economic development, protects the environment, provides basic goods and services and facilities for the health, education, accommodation, recreation and spiritual needs of the community”.

To maintain a strong, healthy and sustainable community in West Elgin, the following are considered minimum essential services and facilities:

- a) an elementary school and a separate school,
- b) a secondary school,
- c) medical and dental services,
- d) a secure and clean water supply,
- e) basic consumer goods and services,
- f) a publicly accessible arena and swimming pool, and
- g) a community gathering facility.

1.3 GOALS

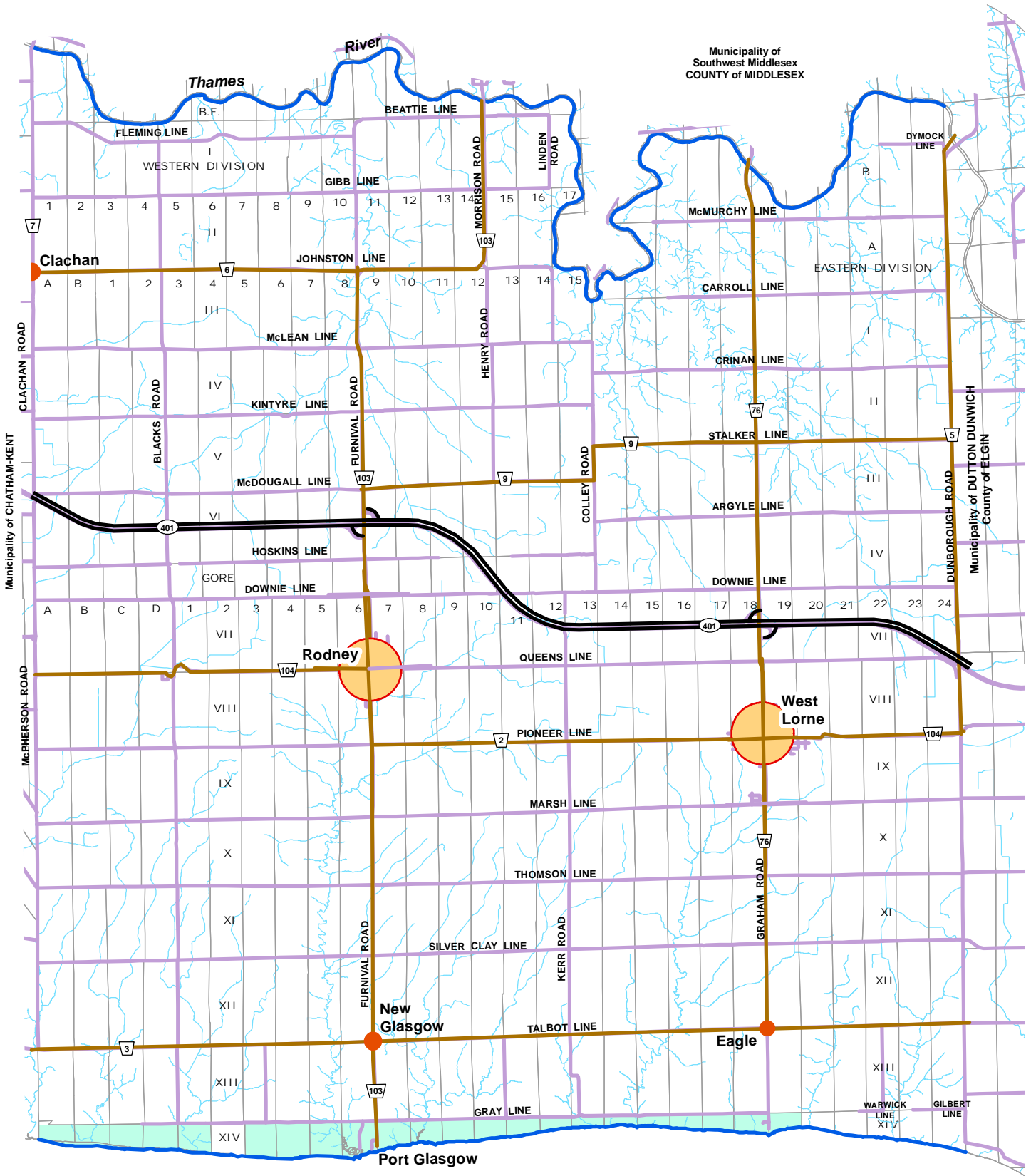
The Official Plan of the Municipality of West Elgin is based on the desire to achieve the following general goals:

- a) To achieve a modest and steady increase in population growth,
- b) To foster economic development,
- c) To maintain and improve essential community services related to health, education, recreation, infrastructure and safety,
- d) To provide a diverse and affordable range of housing opportunities,
- e) To capitalize on the assets of the municipality,
- f) To ensure logical, efficient, orderly, compact and compatible development,
- g) To maintain the predominantly agricultural character,
- h) To protect and enhance natural heritage features,
- i) To build strong, healthy villages and hamlets,
- j) To protect areas of aggregate resource potential for extraction purposes, and
- k) To work co-operatively with neighbouring municipalities in matters related to land use and infrastructure.

1.4 DESIGN POPULATION

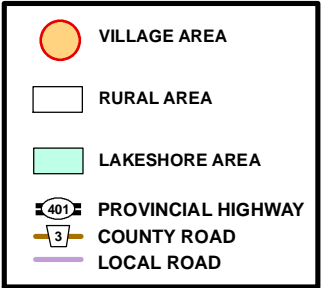
The most recent census population of the Municipality of West Elgin is 5464 (Statistics Canada, 2001). Of this, it is estimated that 1225 persons reside in, or adjacent to, the former Village of Rodney while 1800 persons reside in, or adjacent to, the former Village of West Lorne. The remainder of the population of 2440 persons resides in Clachan, Eagle, Port Glasgow and New Glasgow and throughout the rural area of the Municipality.

Past population growth in West Elgin (combining the former Township of Aldborough along with the former Village of Rodney and the Village of Rodney),



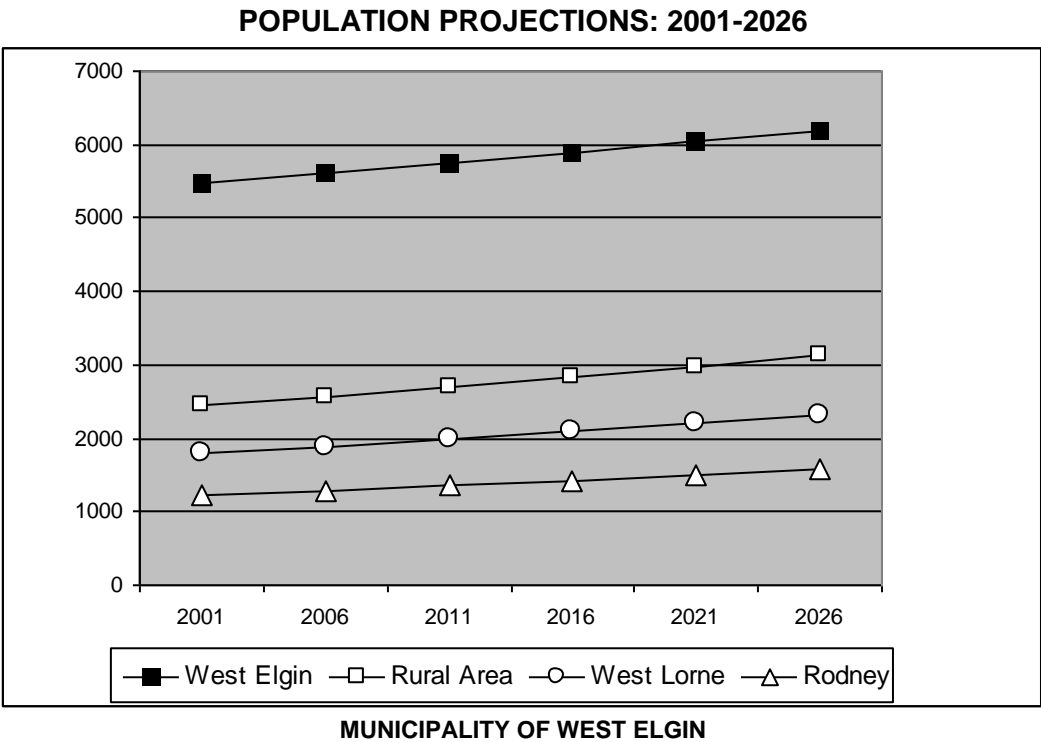
AREAS SHOWN ARE NOT
INTENDED TO BE CONSTRUED
AS LAND USE DESIGNATIONS

SCALE 1:100,000
0 500 1,000 2,000 3,000 4,000 5,000 Metres



has been virtually stable increasing by just over 100 persons from 5353 to 5464 over the 25 year period 1976 – 2001. While the villages of Rodney and West Lorne experienced more significant growth during the same period, decline in the rural area essentially offset these gains. In fact, the population of West Elgin actually declined between 1996 and 2001 by over 100 persons.

At the same historic rate (i.e. 0.08%), future population growth in West Elgin would be modest increasing from 5464 in 2001 to 5577 in 2026 – the end of the planning period. Based on an annual growth rate of 1.0% and a current population of 5464 persons, the population of West Elgin would be in the order of 7000 persons by the year 2026, being the end of the planning period. While such a rate may represent a desirable target, it would be difficult to sustain over a 25 year period. An average annual rate of 0.5%, resulting in a population of 6190 in 2026, would seem more realistic.



Source: Community Planners Inc

The prospects for future growth of West Elgin will depend largely on economic growth in the region as well the ability of the municipality to attract those persons prepared to commute to nearby centres (i.e. Chatham, London, and St. Thomas) for employment and higher order goods and services. Reasons to support increase in population growth include the availability of municipal water supply and sanitary sewage systems, opportunities for development and the benefits of a small community lifestyle. On the other hand, the rising cost of fuel and the goods, services, employment opportunities and amenities offered in larger, nearby centres act as a deterrent to increased growth in West Elgin.

The current population of Rodney is estimated to be in the order of 1225 persons. Development contiguous to the built-up area of the Village situated beyond its boundary prior to amalgamation with the Township of Aldborough in 1993 is included by applying an average household size to the actual number of dwellings within these areas. By 2026, the population of Rodney would increase by 315 persons to 1540 persons based on an average annual growth rate of 1.0%. Compared to the average annual rate of 0.6 % rate over the period 1976 - 1996, such a rate represents a significant increase and should be regarded more as a target than a projection.

West Lorne, on the other hand, has a current population estimated to be in the order of 1800 persons. As is the case with Rodney, this estimate includes development contiguous to the built-up area of the Village (most notably, Evandale) outside its former boundary. At an average annual rate of 1%, the population of West Lorne would increase by 460 persons to approximately 2250 persons The growth anticipated is considered a realistic possibility given the average annual rate of 1.3 % experienced over the period 1976-1996.

The current population of the rural area (including hamlets) is estimated to be in the order of 2400. Non-farm residential development will generally be restricted in the rural area to specifically designated areas to limit the potential for conflicts with agricultural uses and to maintain the predominant and pre-eminent use of the rural area for agricultural purposes. It is anticipated that future growth will be modest, being focused primarily in areas designated for these purposes.

1.5 GROWTH MANAGEMENT STRATEGY

It is the intent of this Plan that the majority of future population growth in West Elgin be directed to the 'Village Area' of Rodney and the 'Village Area' of West Lorne as shown on Schedule 'A'. These settlement areas are the only areas of West Elgin which are serviced by municipal water supply and municipal sanitary sewage systems with reserve capacities to accommodate growth. By directing the majority of future population growth to the two villages, the amount of land needed to accommodate this growth will be used most efficiently, the viability of these settlements will be improved, the investment in municipal infrastructure better utilized and the loss of prime agricultural land to development minimized.

In addition, the Port Glasgow Community area shall accommodate growth and development on public and private services in accordance with the Port Glasgow Secondary Plan in Section 11 of this Plan.

Future residential development in the 'Rural Area' of the Municipality will be restricted and directed to the hamlets (i.e. Clachan, Eagle, New Glasgow), to selected areas along Graham Road (County Road No. 76) between West Lorne and Eagle and along Pioneer Line (County Road No. 2) between Rodney and West Lorne designated 'Rural Residential' and the area designated 'Lakeshore' along the Lake Erie shoreline. In areas designated 'Agricultural', the creation of new residential lots will be limited to those situations governing the disposal of surplus farm dwellings.

Non-agriculturally related commercial and industrial uses will be directed to Rodney and West Lorne and to locations exhibiting convenient access to Highway No. 401 via interchanges at Graham Road (County Road No. 76) and Furnival Road (County Road No. 103). New institutional uses will be directed to Rodney and West Lorne and the designated hamlets.

1.6 PLANNING CONTEXT

The County of Elgin is the approval authority in the Municipality of West Elgin for the granting of consents only. Aside from this function, there is no upper tier planning authority in the County. Approval of this Official Plan and any amendments thereto, plans of subdivision and plans of condominium and other approvals under the Planning Act is the responsibility of Province acting through the Ministry of Municipal Affairs and Housing. The Municipality of West Elgin is responsible for the preparation and adoption of a comprehensive zoning by-law which shall implement various aspects of the Official Plan and shall be in conformity therewith.

Under the Planning Act, the Official Plan shall have regard to matters of provincial interest and be consistent with the Provincial Policy Statement (PPS), effective March 1st, 2005. Matters of provincial interest declared under the Planning Act are:

- a) the protection of ecological systems, including natural areas, features and functions,
- b) the protection of the agricultural resources of the Province,
- c) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest,
- d) the supply, efficient use and conservation of energy and water,
- e) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems,
- f) the minimization of waste,

- g) the orderly development of safe and healthy communities,
- h) accessibility for persons with disabilities,
- i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities,
- j) the adequate provision of a full range of housing,
- k) the adequate provision of employment possibilities,
- l) the protection of the financial and economic well-being of the Province and its municipalities,
- m) the co-ordination of planning activities of public bodies,
- n) the protection of public health and safety,
- o) the appropriate location of growth and development, and
- p) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

Matters of provincial interest are further elaborated upon in the Provincial Policy Statement 2005 on land use planning. They shall be considered by the Municipality in the evaluation of any proposed amendment to the Plan; in the adoption of a new comprehensive zoning by-law and any subsequent amendments or variances thereto; in its comments on a plan of subdivision or condominium and on the granting of a consent or any other approval under the Planning Act.

2.0 ECONOMIC DEVELOPMENT

This section of the Official Plan addresses the economic development of West Elgin focusing on its three key sectors of agriculture, industry and commerce and tourism. Support for home based occupations and businesses is also addressed. Proposals which would foster the local economy or might otherwise be detrimental to it should be reviewed in the context of this section to establish conformity with the Plan.

Agriculture, traditionally and to this day, is West Elgin's economic mainstay being characterized primarily by cash crop operations and the raising of livestock. While the growing of tobacco was once significant, this is no longer the case with only two tobacco farms remaining in the municipality. Agriculturally-related commercial and industrial uses, ranging from the sale of farm-supplies and equipment, building trades, construction contractors and grain drying establishments, provide supporting infrastructure.

Although long considered a secondary component to the local economy, West Elgin also has a significant industrial base given its small population and largely rural character. Its manufacturing plants employ approximately 500 persons in total. Growth of the industrial sector over the past 10 years has been slow despite being highly accessible through two interchanges to Highway No. 401 and the ability to offer serviced or potentially serviced industrial sites. Key factors appear to be the area's small labour force and distance to larger urban centres (i.e. London, St. Thomas and Chatham) being situated between 50 to 70 km from Rodney and West Lorne. Shifts in manufacturing jobs overseas and the movement towards a highly skilled knowledge-based economy present additional challenges to West Elgin.

One particular bright development has been the introduction of bio-oil technology to Erie Flooring and Wood Products in West Lorne in 2005. The process produces green energy from oil created from the superheating of sawdust and other wood waste generated at the plant. The oil is subsequently burned in turbines creating less emissions than traditional fuels and generating enough energy to supply the plant with surplus being available to the grid. The project has attracted worldwide attention to West Lorne from scientists, engineers, investors and government.

The tourism potential of West Elgin seems largely untapped. While possessing a considerable stretch of Lake Erie shoreline, much of the shoreline is inaccessible due to the presence of high, steep bluffs. Unrelenting erosion, the lack of safe and convenient access and limited infrastructure combine to discourage development. Port Glasgow represents a rare exception and offers considerable potential to attract residents and visitors and, in turn, increase tourism. Preparation of a master plan is underway which will identify opportunities and improvements for the enjoyment of local residents, increase tourism and act as a catalyst for the development of adjacent lands. Other

points of interest to tourists include heritage sites, natural areas, small villages and campgrounds.

While generally small in scale, home occupations or home businesses are capable, on a cumulative basis, of being a significant contributor to local economic development. On an individual basis they are an important and, in some cases, the sole source of income. In some cases, they are an incubator for a start-up business and an ideal setting for creative pursuits. Limitations are, however, necessary so as not to undermine designated industrial and commercial areas and the 'Downtown Core', to ensure compatibility with neighbouring uses and to avoid servicing issues.

2.1 GOALS AND OBJECTIVES

The following goals and objectives are designed to foster economic development in West Elgin:

- a) to maintain agriculture as a significant component of the local economy and the infrastructure necessary to support it;
- b) to attract new industries and facilitate the expansion or improvement of existing industries which have, or potentially have, the ability to increase the tax base and employment opportunities, which do not have an adverse impact on the environment and which are compatible with surrounding land uses;
- c) to enhance existing tourist attractions and develop new tourism related-establishments and activities; and
- d) to support home based occupations and businesses.

2.2 AGRICULTURE

2.2.1 Intent

The Municipality recognizes and values the contribution of agriculture to the local economy and shall support those measures which lead to increased production, strong commodity prices, diversity of crops, adjustments to changing marketing conditions, adoption of new practices and technology and economies of scale provided such measures are environmentally sustainable and without adverse impacts on the community.

2.2.2 Infrastructure

The Municipality shall use its best efforts to maintain and improve the physical infrastructure necessary to ensure a productive and efficient local agricultural economy.

2.2.3 Agriculturally-related Commercial and Industrial Uses

The establishment of agriculturally-related commercial and industrial uses and the retention and expansion of existing uses which directly serve the needs of the farm community shall be encouraged and facilitated in locations considered appropriate for these purposes by this Plan in accordance with Section 6.2.3 and other applicable sections of this Plan.

2.2.4 Secondary Farm Uses

Uses which are secondary to the farm operation and limited in scale such as home occupations and home industries and uses that produce value-added agricultural products from the farm operation shall be encouraged in accordance with section 6.2.2 and other applicable sections of this Plan.

2.3 INDUSTRY AND COMMERCE

2.3.1 Intent

The Municipality shall promote industrial and commercial development that would strengthen, expand and diversify its economic base, which would not burden municipal infrastructure and which would be compatible with existing development and neighbouring land uses. To this end, the Municipality shall support and facilitate the implementation of the County Economic Development Plan where it is in the best interests of the community to do so, as well as business recruitment and expansion measures in West Elgin.

2.3.2 Industrial and Commercial Sites

Lands shall be designated for commercial and industrial uses which:

- a) are physically suitable for such purposes,
- b) have superior road access and visibility,
- c) are serviced or capable of being serviced, and
- d) are compatible with neighbouring uses.

2.3.3 Supply of Land

The Municipality shall, at all times, ensure that a supply of designated, zoned and serviced (or potentially serviced) lands is available to ensure an appropriate mix and range of opportunities for commercial and industrial development and expansion and is protected for these purposes.

2.3.4 Accessibility and Visibility

The Municipality shall promote and facilitate, to the extent its resources permit, the development of lands lying in close proximity to Highway No. 401 interchanges for commercial and industrial establishments which require or otherwise benefit by its superior visibility and accessibility. The requirements of the Ministry of Transportation and the County of Elgin governing entrances, signage, drainage and land use shall be satisfied.

2.3.5 Sensitive Land Uses

The Municipality shall discourage sensitive land uses from locating in proximity to commercial or industrial uses where necessary to protect such uses from encroachment or interference with their operations.

2.4 TOURISM

The Municipality shall encourage tourism through improving, and increasing awareness of, its natural and cultural heritage, through supporting new tourism initiatives, activities and establishments and through capitalizing on the untapped potential of the Lake Erie shoreline.

2.5 HOME OCCUPATIONS AND BUSINESSES

Home based occupations and businesses shall be encouraged provided they are clearly secondary to the main use of the dwelling and the main use of the lands from which they are conducted. They shall be small in scale, unobtrusive in nature, compatible with neighbouring uses and in keeping with the character of the area in which they are situated. The requirements of the Elgin St. Thomas Health Unit shall be met at all times to ensure public health and safety. The range or type of home occupations or businesses permitted (and prohibited) and the standards applying to them may vary between and within the 'Village Areas' and the 'Rural Area' to ensure land use compatibility. The Zoning By-law shall address the range and type permitted and standards applying to them.

2.6 ECONOMIC DEVELOPMENT PLAN

The Municipality shall, with the assistance of the West Elgin Chamber of Commerce, prepare a local economic development plan to identify those measures and actions necessary to achieve the stated goals and objectives of this Plan with respect to economic development. The plan shall take into consideration the findings and recommendations of the Economic Development Plan 2007-2011 prepared by the County of Elgin.

This section of the Official Plan identifies matters affecting the environment and, in particular, the Municipality's natural heritage. Where a proposed change in land use has the potential to adversely affect the environment, regard shall be had to this section.

Environmental protection in West Elgin, as elsewhere, is on the rise and an increasingly important element in many municipal and most planning-related decisions. The Municipality is capable of playing a meaningful role at the local level in preventing environmental degradation, remediating substandard environmental conditions and in achieving a healthy and sustainable environment.

West Elgin is also an area rich in natural heritage which warrants protection and enhancement for existing residents and future generations. Wetlands and woodlands are abundant and found throughout the Municipality. A total of 18 wetlands have been recognized by the Ministry of Natural Resources in West Elgin, 13 of which are considered provincially significant. West Elgin lies within the Carolinian Canada Zone considered one of the most biologically diverse regions in Canada. Forest cover is recognized as being above average at 18%.

The Municipality's most significant watercourse and, by extension, a significant valleyland in the context of the Provincial Policy Statement (PPS) is the Thames River. It has also been designated a Canadian Heritage River for its unique natural, human and recreational values. Flowing in a meandering fashion from east to west, it forms the northern boundary of the municipality. Also significant from a natural heritage perspective is West Elgin's roughly 20 kilometres (12 miles) of Great Lake's shoreline characterized for the most part by high, steep, eroding bluffs.

The only area identified in West Elgin, at this point in time, as constituting a habitat of an endangered or threatened species lies along the Lake Erie shoreline at the westerly end of the Municipality and extending into the Municipality of Chatham-Kent. This area, which has also been identified as an area of natural and scientific interest (i.e. ANSI) by the Ministry of Natural Resources, is an active nesting area of the bald eagle – an endangered species.

While there are believed to be a number of significant woodlands in West Elgin, they have not been individually evaluated in this respect. On the other hand, there is only one significant ANSI, being the aforementioned area along the Lake Erie shoreline and one significant valleyland, being the valley associated with the Thames River which forms the northern boundary of West Elgin.

3.1 GOALS AND OBJECTIVES

The following goals and objectives are intended to preserve, protect and enhance the natural environment of West Elgin:

- a) To prevent the release of toxic or similar substances into the air, water and land,
- b) To adopt environmentally-friendly and responsible measures in local decision-making,
- c) To recognize and protect natural heritage features and to prevent any adverse impact of development or site alteration on such features,
- d) To enhance natural heritage features in terms of their ecological function, diversity, connectivity and scenic quality,
- e) To improve the quality and quantity of surface and groundwater resources, and
- f) To promote the sustainable use of surface and groundwater resources.

3.2 ENVIRONMENTAL ACTION

3.2.1 Release of Toxic and Similar Substances

The Municipality shall use its best efforts and the opportunities afforded it to prevent the release of toxic and similar substances into the air, water and land through its review and evaluation of such matters as development proposals, nutrient management plans and property maintenance issues.

3.2.2 Environmentally-friendly and Responsible Measures

The Municipality shall adopt environmentally-friendly and sustainable measures in undertaking its responsibilities, wherever required or feasible to do so, with respect to the provision, up-grading, operation and maintenance of municipal services and facilities.

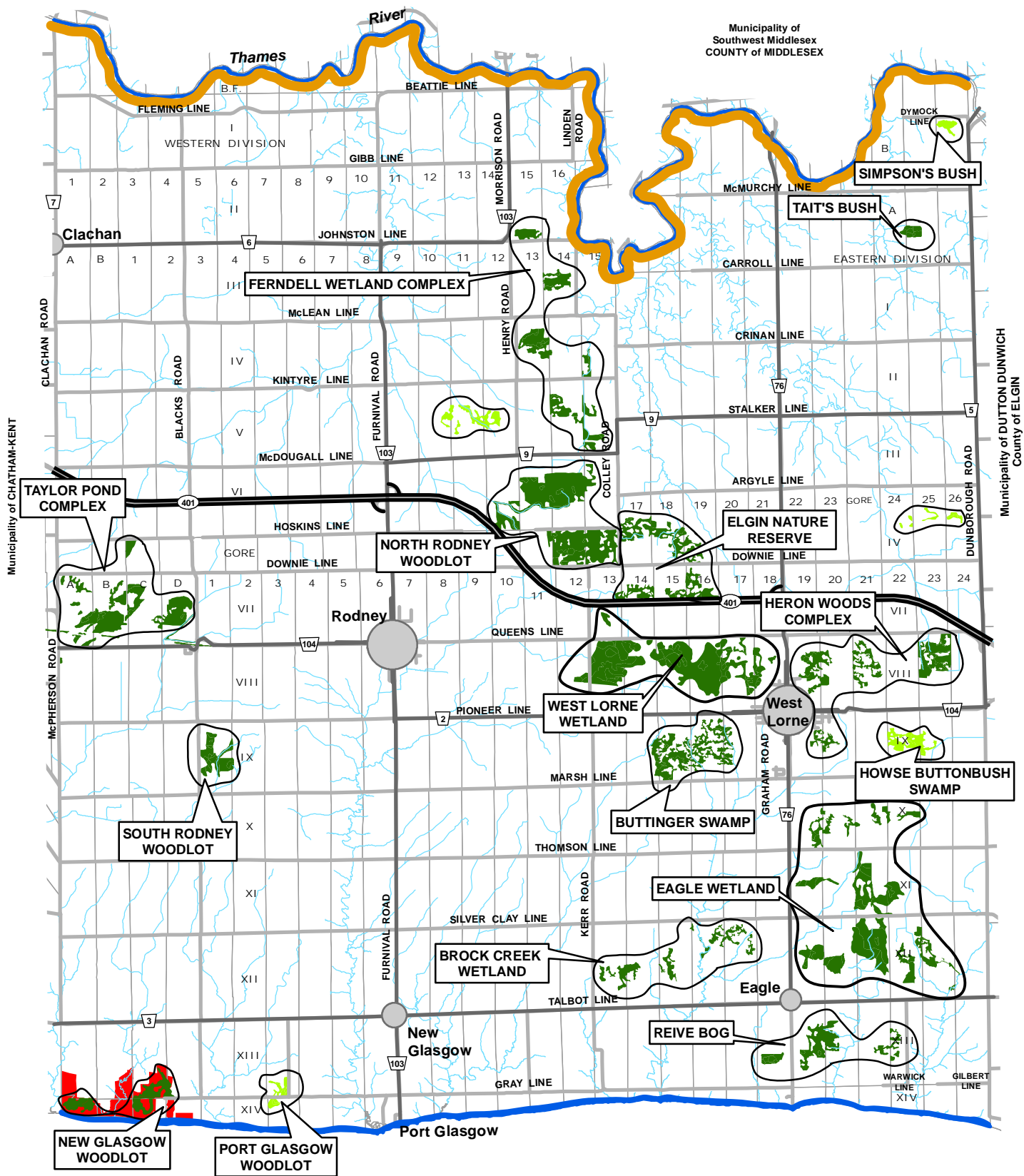
3.2.3 Environmental Concerns

Environmental concerns raised with respect to a proposed initiative, change in land use or as a result of a proposed development or redevelopment, shall be addressed by the proponent where such concerns or issues are considered legitimate. In determining which concerns or issues may be legitimate, the Municipality may seek the assistance and advice of the Province and the Lower Thames Valley Conservation Authority.

3.3 NATURAL HERITAGE

3.3.1 Meaning

Natural heritage features in West Elgin shall include wetlands, areas of natural and scientific interest, the valley of the Thames River, the Lake Erie shoreline and woodlands as shown on Schedule 'B' and other areas considered to be of significant natural, ecological and/or scenic importance including habitat of endangered and threatened species, and fish habitat and wildlife habitat. The term 'significant' shall be defined within the meaning of the Provincial Policy Statement.



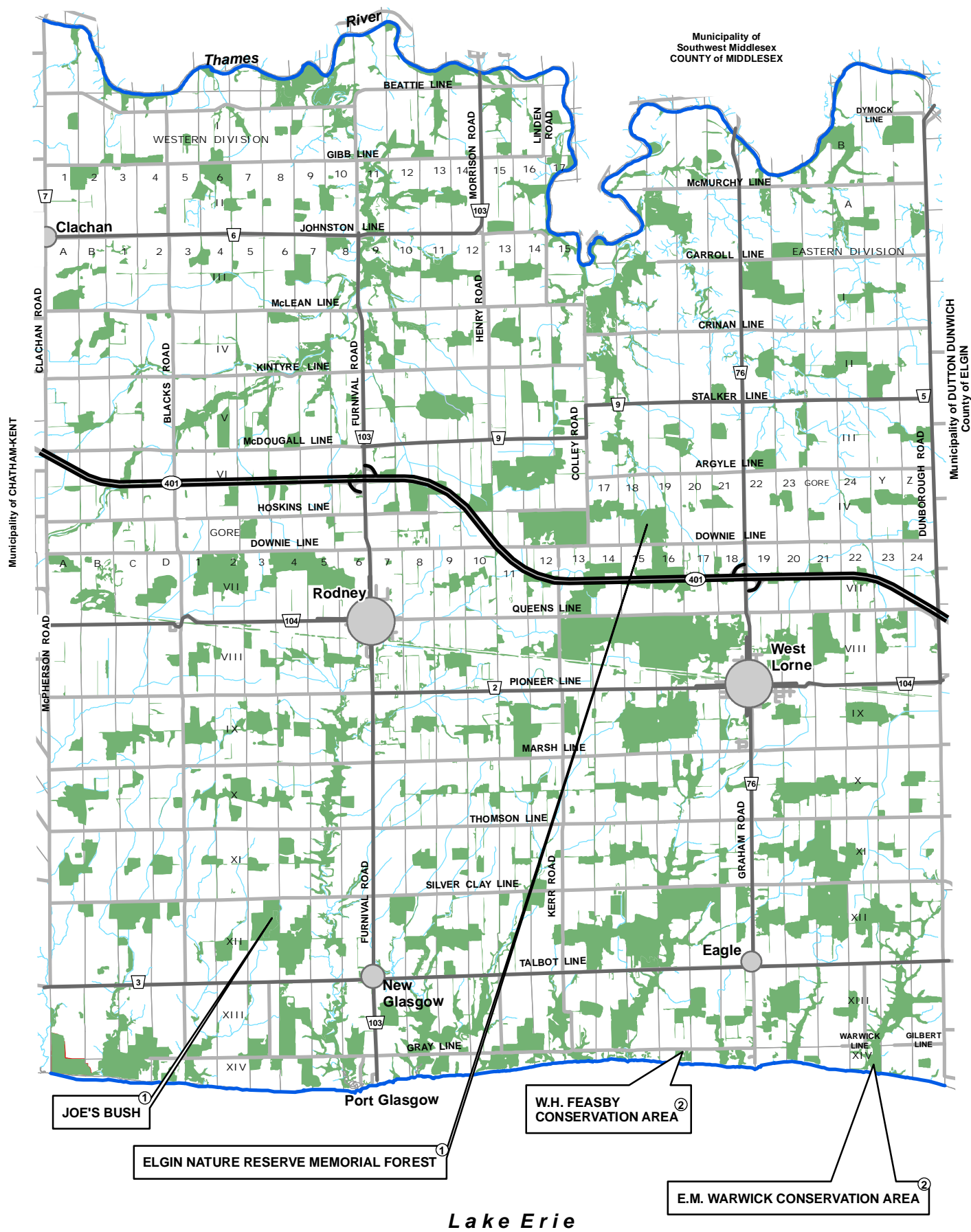
SCALE 1:100,000

0 750 1,500 3,000 4,500 6,000 Metres

Lake Erie

- PROvincially SIGNIFICANT WETLAND
- LOCALLY SIGNIFICANT WETLAND
- ANSI
- VALLEYLANDS
- SHORELINE
- FOR IDENTIFICATION PURPOSES ONLY

SOURCE: Ministry of Natural Resources, 2008



- ① MUNICIPALITY OF WEST ELGIN
- ② LOWER THAMES VALLEY CONSERVATION AUTHORITY

SCALE 1:100,000

0 750 1,500 3,000 4,500 6,000 Metres



SOURCE: Southern Ontario Land Resource
Information System (SOLRIS), 2006

3.3.2 Intent

It is intended that significant natural heritage features are protected from development and site alteration which may threaten their integrity over the long term. The Municipality shall support the protection, restoration, conservation, enhancement and maintenance of natural heritage features. The Municipality further recognizes the importance of creating, maintaining and enhancing linkages between natural heritage features and surface and groundwater resources.

3.3.3 Wetlands

Development or site alteration shall not be permitted in provincially or locally significant wetlands. On adjacent lands, development or site alteration shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated there will be no negative impact on the natural heritage feature or on its ecological function. Adjacent lands are generally considered to be a minimum of 120 metres in the case of a provincially significant wetland and 30 metres in the case of a locally significant wetland.

3.3.4 Habitat of Endangered or Threatened Species

Development or site alteration shall not be permitted in any area identified by the Ministry of Natural Resources as significant habitat of endangered or threatened species. On adjacent lands, generally considered to be lands within 50 m of such habitat, development and site alteration shall not be permitted unless the ecological function of the lands has been evaluated and it has been demonstrated that there will be no negative impact on the habitat or on its ecological function.

3.3.5 Fish Habitat

Development and site alteration shall not be permitted in waters identified as fish habitat except in accordance with provincial and federal legislation and policies for the protection of fish and fish habitat. On adjacent lands, generally considered to be lands within 30 m of such areas, development and site alteration shall not be permitted unless it has been demonstrated there will be no negative impact on the fish habitat or on its ecological function. Fish habitat includes spawning grounds and nursery, rearing food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. All watercourses, lakes, ponds (other than man-made off-stream ponds), municipal drains and wetlands shall be deemed to be fish habitat unless it can be demonstrated otherwise to the satisfaction of the authority having jurisdiction.

3.3.6 Wildlife Habitat

Development and site alteration shall not be permitted in areas deemed to be significant wildlife habitat. On adjacent lands, generally considered to be lands within 50 m of such areas, development and site alteration may be permitted where it can be demonstrated that there will be no negative impacts on the wildlife habitat or its ecological function.

3.3.7 Woodlands, ANSI's and Valleylands

Development and site alteration shall only be permitted in significant woodlands, significant ANSI's and significant valleylands where it is demonstrated that there will be no negative impact on the natural heritage feature or on its ecological functions. Not all woodlands shown on Schedule 'B' Map 2 are significant within the meaning of the Provincial Policy Statement. Whether a woodland is deemed to be significant shall be determined at the development stage in consultation with the Lower Thames Valley Conservation Authority. In the case of significant woodlands and significant ANSI's, development on adjacent lands, generally

considered to be lands lying within 50 m of such areas, is subject to the same evaluation.

3.3.8 Meaning of Development and Site Alteration

Development means the construction of buildings or structures, a change in use or the creation of a lot that requires approval under the Planning Act. It does not include activities that create or maintain infrastructure authorized under an environmental assessment process or works subject to the Drainage Act. Site alteration means activities such as grading, excavation, and the placement of fill that would change the landform and natural vegetative characteristics of a site.

3.3.9 Impact of Development and Site Alteration

Where development or site alteration is proposed and potentially permitted in accordance with Section 3.3.5, Section 3.3.6 and Section 3.3.7 of this Plan within a significant natural heritage feature or on adjacent lands, a study shall be prepared and completed to accepted standards by persons qualified in such matters that demonstrate that there will be no negative impact on the natural heritage feature and its ecological function. The proponent shall consult with the Municipality and the Ministry of Natural Resources or the Lower Thames Valley Conservation Authority, as the case may be, to determine the scope and the level of effort of the study. The study shall address, but not be necessarily limited to, the following:

- a) a description of the proposed development and its purpose, the nature and duration of potential impacts to the site, adjacent lands and ecological processes and the potential cumulative effects of the proposed development;
- b) a description and statement of the rationale for the development, alternative methods of carrying out the development and the alternatives to the development;
- c) an environmental description including ecological processes that will be affected or that might reasonably be expected to be affected;
- d) a description of the effects that may be caused or that might reasonably be expected to be caused to the natural environment including ecological processes; and
- e) the actions that are necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effect or the effects that might reasonably be expected upon the natural environment, including ecological processes.

The Municipality shall consult with the Lower Thames Valley Conservation Authority and the Ministry of Natural Resources or require a third party peer review in rendering a decision on the study.

3.3.10 Woodlots

The retention of woodlots or portions of woodlots that are not identified as 'Woodlands' on Schedule 'B', Map 2, is also encouraged. Wherever possible and practical, additional trees shall be planted to replace trees removed as a result of development. The preservation and/or provision of roadside trees and fence-line tree planting is encouraged except where a safety issue is apparent.

3.3.11 Tree Cutting and Planting

The Municipality recognizes the importance of retaining individual trees, woodlots and woodlands, the latter as identified on Schedule 'B', Map 2. The cutting of trees and the clearing of woodlots shall only be permitted in accordance with the County of Elgin Woodlands Conservation By-law. In such cases, the owner shall be encouraged to plant and maintain a woodlot,

equivalent or superior in size, species and/or quality to the area to be cleared, elsewhere in West Elgin. The Municipality shall support, to the extent its resources permit, the efforts of other public bodies, organizations and landowners to improve the amount and quality of woodlands in West Elgin.

3.3.12 Land Ownership

Natural heritage features are, for the most part, privately owned. Their designation as natural heritage features is not intended to infer that such lands are free and open to the general public or that the lands will be acquired or assumed by the Municipality or any other public body.

3.4 WATER RESOURCES

The water resources of West Elgin include the Thames River which bounds the Municipality on the north and Lake Erie which bounds the Municipality on the south as well as numerous streams and creeks which flow into these respective water bodies. Also included are groundwater resources on which a large part of the 'Rural Area' depends as a source of water. Measures and practices are necessary to reduce or eliminate the potential for impairment of the quality and quantity of the Municipality's surface and groundwater resources.

3.4.1 Source Water Protection Plan

The Municipality shall actively participate in the preparation and implementation of a source water protection plan in accordance with the Clean Water Act and led by the conservation authorities designated for these purposes.

3.4.2 Adverse Impacts

Where development is being proposed that may have an adverse impact on the Municipality's water resources, the proponent shall be required to submit a report prepared by a person or persons qualified in this field to identify and evaluate such impacts and the measures which are feasible to mitigate these impacts.

3.4.3 Sustainable Use

The Municipality shall promote efficient and sustainable use of its water resources by adopting water conservation measures and sustaining water quality through such measures as maintaining appropriate sewage rates in areas served by municipal treatment plants, the preparation and implementation of nutrient management plans for livestock operations, requiring stormwater management plans for new development and promoting appropriate use and maintenance of individual and communal waste disposal systems and the use of low nitrate generating systems.

3.4.4 Partnerships

The Municipality shall co-operate with the Lower Thames Valley Conservation Authority and other interested groups to identify and implement cost effective measures for protecting, improving and restoring the quality and quantity of the water resources of West Elgin.

3.4.5 Stormwater Management

Studies may be required for undeveloped areas prior to development to minimize stormwater runoff and contaminant loads as well as to maintain or enhance vegetative and pervious surfaces. Such studies shall be prepared, where appropriate to do so, on a sub-watershed basis as opposed to a land ownership basis. Stormwater Management facilities shall not be permitted in provincially significant wetlands. In the preparation and evaluation of such studies, the Lower Thames Valley Conservation Authority shall be consulted. All design parameters for stormwater management shall be approved by the Municipality, the Ministry of Environment and the Lower Thames Valley Conservation Authority. A certificate of approval shall be required from the Ministry prior to construction.

3.4.6 Watershed Boundaries

Rodney and West Lorne are situated partially within the watershed of the Thames River and partially within the watershed of Lake Erie. Within these settlements, there are a number of sub-watersheds stemming from a series of drains. In the case of Rodney, these include the Milton Drain and the Wismer Drain while in the case of West Lorne, they include the Trigger Drain and the Wilton Outlet Drain. Modifications to the boundaries of sub-watersheds may be required as a result of minor re-grading to facilitate development. Such modifications shall be subject to the approval of the Municipality and the Lower Thames Valley Conservation Authority.

This section of the Official Plan deals with the importance of building and sustaining a strong community in West Elgin. It addresses matters of a nature that are of importance in this regard to West Elgin as-a-whole, such as community improvement, housing and cultural heritage as opposed to a specific area or location. Proposals and other initiatives that would strengthen or sustain West Elgin as a community should be evaluated against the goals, objectives and policies of this section.

Creating a strong, viable and sustainable rural community in West Elgin is essential to maintaining a meaningful quality of life for existing residents and to attract new residents and development. Such a strategy requires an-ongoing assessment of community needs from which improvements to community infrastructure, facilities and services are identified and undertaken. Identifying and protecting the cultural heritage is also considered an important element of community sustainability.

The type, cost and quality of housing are critical considerations in the supply of housing in any community. In West Elgin, housing is primarily in the form of single unit detached dwellings with only limited instances of multiple unit housing, usually in the form of small scale apartment style accommodation. New housing starts are low, reflective of the traditionally slow population growth characteristic of the Municipality.

Based on the findings of the St. Thomas & Elgin County Affordable Housing Needs Assessment released in 2004, a need exists to ensure there is an adequate supply of affordable housing to meet current and future housing needs in communities across Elgin County including St. Thomas. The study found a significant number of lower income households in St. Thomas and Elgin County as-a-whole. West Elgin was identified along with Bayham, Aylmer and St. Thomas as having the highest concentrations of low-income households. Housing needs were found to be greatest in St. Thomas, Aylmer and West Elgin. A local housing group, Heritage Homes Non-Profit Housing, has identified a need for 16 housing units for seniors on low and moderate incomes and is developing a housing project of that size in West Lorne.

The study identified a total housing need of 335 units for West Elgin over the 10 year period 2005 – 2016. It also determined that 45% of all households in West Elgin constituted the lowest 60% of the income distribution. Assuming this figure remains constant, at least in the short term, out of the total need of 335 units, 150 need to be affordable to low and moderate income households. In actual fact, given the average price of housing in West Elgin, housing is affordable to moderate income households leaving only low income households in need. Low income households make up approximately 30% of all households in West Elgin according to the aforementioned needs study.

Annual housing starts in West Elgin over the last 10 year period (1995 – 2005) averaged 16 units per year. If 25% of all housing starts is a reasonable housing target for low and moderate income households, a total of 4 units per year would be required or 20 units over a five year period and 80 units over the planning period if average housing starts remain constant. Coupled with the 16 units already established as a target for senior citizen housing, the amount of additional housing required for low and moderate income households would be 4 units over the next 5 year period. Given the relatively low average price of housing in West Elgin of approximately \$120,000, there is evidently housing available in the market place, to some extent, that is affordable to both low and moderate income households.

4.1 GOALS AND OBJECTIVES

- a) To improve the health, safety and welfare of the community,
- b) To maintain and improve social, educational and recreational services and facilities,
- c) To foster a sense of community involvement and pride,
- d) To create an appealing and distinctive community image,
- e) To provide an appropriate range of housing types in terms of selection and affordability,
- f) To achieve intensification and redevelopment in settlement areas,
- g) To improve housing and property conditions,
- h) To protect and enhance cultural heritage resources, and
- i) To create opportunities and amenities for increasing physical fitness and exercise.

4.2 COMMUNITY DEVELOPMENT

4.2.1 Facilities & Services

The Municipality recognizes the importance of maintaining and improving health, educational and recreational facilities and services to the quality of life and to the development of a sustainable community in West Elgin. Where opportunities exist to expand or improve such facilities and services or where existing facilities and services are threatened, the Municipality shall take the necessary measures to ensure such opportunities are considered and existing facilities and services are maintained.

4.2.2 Intensification and Redevelopment

Intensification and redevelopment shall be encouraged in the 'Village Areas' of Rodney and West Lorne where opportunities are greatest for these purposes. Opportunities include abandoned railway lands, former industrial sites and other vacant or underutilized lands. Opportunities also exist to convert and up-grade vacant or underutilized buildings, many of which may be found in the downtown cores to more intensive and viable purposes. Changes in use shall be in conformity with this Plan. To encourage intensification and redevelopment, the Municipality may offer incentives in accordance with the provisions of the Planning Act and the Municipal Act. In terms of targets, a minimum of 20

intensification and/or redevelopment projects over the planning period is established.

4.3 COMMUNITY IMPROVEMENT

4.3.1 Objectives

- a) To up-grade physical services to a minimum standard,
- b) To improve streetscapes, pedestrian amenities and parking,
- c) To convert underutilized, obsolete or derelict building space to more productive purposes,
- d) To reduce land use conflicts and incompatibilities, and
- e) To eradicate substandard housing and property conditions.

4.3.2 Improvement Areas

The contiguous built-up areas of Rodney and West Lorne are designated as a 'Community Improvement Area' within the meaning of the Planning Act. Within these areas, community project areas may be established, by by-law, for the purposes of undertaking specific or comprehensive improvement projects. These areas shall be selected using the following guidelines:

- a) areas where there is a deficiency in municipal services and facilities (e.g. water supply, sanitary sewers, storm drainage, streets, sidewalks, parking, traffic circulation),
- b) areas in need of economic revitalization and beautification (e.g. 'main' street),
- c) areas where there is a potential for a more efficient use of land through redevelopment, infilling or reuse of brownfield sites,
- d) areas of older dwellings and buildings which are in need of repair and/or rehabilitation, and
- e) areas with land use conflicts or incompatibilities.

4.3.3 Establishing Priorities

Community improvement projects shall be identified, from time to time, having regard to the stated goals and objectives, the availability of government financial assistance, the impact on the area directly affected and the financial limitations to the Municipality. Priorities shall be given to those areas where deficiencies are found to be the most critical from the standpoint of public health and safety.

4.3.4 Implementation

Once a community improvement project area has been identified, the Municipality shall prepare, adopt and implement a community improvement plan which may include the following measures:

- a) undertaking capital improvements and public works,
- b) acquiring, holding, and preparing lands for redevelopment,
- c) preserving and restoring architecturally and historically significant buildings and structures,

- d) developing local funding programs and tax incentives,
- e) obtaining financial support from other levels of government, and
- f) eliciting the support and involvement of local groups and clubs.

4.3.5 Property Maintenance

The Municipality shall prepare and adopt bylaws to ensure minimum standards of property maintenance and occupancy to protect public health, safety and welfare; to eliminate unsightly and unsafe conditions and appearances with respect to buildings, lands, neighbourhoods and other areas; and to ensure adequate enjoyment of property. These by-laws may take the form of Property Maintenance and Occupancy Standards adopted under the Building Code Act or the Clearing and Cleaning of Land adopted under the Municipal Act.

4.4 HOUSING

4.4.1 Supply of Building Lots

The Municipality shall maintain at all times, subject to limitations imposed as a result of servicing constraints and market demand, a minimum 10 year supply of land designated and available for residential intensification, redevelopment and development and a minimum 3 year supply of land available for residential development with servicing capacity.

4.4.2 Housing for Special Needs

The Municipality, within the limits of its financial resources and statutory authority, shall use its best efforts and may partner with senior levels of government and other bodies or groups to ensure that an adequate and physically accessible supply of housing is available for those in social and economic need including low and fixed incomes, senior citizens and the mentally and physically challenged. The *St. Thomas and Elgin County Housing Strategy: Housing Demand and Supply Analysis* (November, 2004) shall be used as a basis for developing a municipal housing strategy.

4.4.3 Affordable Housing

The Municipality shall support, to the extent its resources permit, the efforts of non-profit housing organizations and similar groups to increase the supply of housing to moderate and low income households. Such support may take the form of land, the provision of services, waiving of municipal fees and other incentives. For the 5 year period 2008 – 2012, a target of 20 housing units is established. The target shall be reviewed at the time of the mandatory 5 year review of the Plan as required by the Planning Act and revised as need be.

4.4.4 Group Homes

Group homes comprise living arrangements whereby persons by reason of their emotional, mental, social or physical condition require or benefit by a group living arrangement reside under responsible supervision. They may be permitted in settlement areas and in the 'Rural Area' in existing dwellings in areas designated 'Agricultural'. In order to prevent an undue impact of group homes in settlement areas, standards governing their type, size and location (including minimum separation distances between them) may be established in the Zoning By-law. Group homes shall also be registered by the Municipality under the provisions of the Municipal Act.

4.4.5 Garden Suites

A garden suite (as defined by the Planning Act), granny flat or other temporary accommodation may be permitted for up to 10 years on the same lot as a dwelling for family members and for reasons related to the personal health and safety of the main occupant(s) of the dwelling. Such units shall be designed to be portable and removed or readily converted to non-residential use upon not being required for the intended occupancy. The lot on which the unit is to be placed shall be sufficiently large to accommodate the dwelling and its required services and be compatible with adjacent uses. A Temporary Use By-law shall be required in accordance with the provisions of the Planning Act along with an agreement with the Municipality that addresses occupancy of the dwelling and its removal or conversion to other uses at the end of the temporary period.

4.4.6 Substandard Housing

The Municipality shall use its statutory powers and may participate in programs to eradicate substandard housing conditions. Opportunities shall be explored to up-grading the existing housing stock as a means of increasing the supply of affordable housing.

4.5 CULTURAL HERITAGE

4.5.1 Recognition and Regard

The Municipality recognizes the importance of cultural heritage resources and shall encourage their identification, conservation, protection, restoration, maintenance and enhancement. All development permitted by the land use policies and designations of this Plan shall have regard for cultural heritage resources and shall, wherever possible, incorporate these resources into the proposed development. In addition, all development shall be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated. The Municipality shall endeavor:

to ensure all significant cultural heritage resources including heritage buildings, cultural heritage landscapes and archaeological sites are identified, conserved and enhanced; and

to ensure all significant cultural heritage resources are managed so as to continue their use and maintain their heritage value, integrity and benefit to the community.

4.5.2 Meaning

Cultural heritage resources shall include artifacts, buildings, structures, installations, remains, archeological sites, cemeteries and burials, patterns of development, streetscapes, scenic roads and landscapes modified by human activities which serve to give the community a sense of identity and uniqueness and considered to be of value to the community as a tangible reference to its past and in distinguishing itself from other communities.

4.5.3 Inventory

The Municipality may undertake an inventory to identify, evaluate and record its cultural heritage resources to assist it in efforts of ensuring their protection and to increase public awareness, understanding and appreciation of them.

4.5.4 Alteration and Destruction

The inappropriate and unwarranted alteration, destruction and demolition of cultural heritage resources shall be prevented wherever possible.

4.5.5 Heritage Buildings and Structures

The Municipality shall use its best efforts and the measures available to it to protect, conserve and enhance buildings and structures of significant architectural and historical interest. Development and redevelopment which is sensitive to the preservation, restoration and reuse of heritage buildings and structures shall be encouraged. The Municipality may utilize the Ontario Heritage Act to conserve significant cultural heritage resources through the designation of individual properties or cultural heritage landscapes and the designation of a group or groups of properties as heritage conservation districts.

4.5.6 Archeological Resources

Areas exhibiting an archaeological potential shall be determined through the use of screening criteria of the Ministry of Tourism and Culture. Where development (including the creation of a building lot) is proposed in an area of archaeological potential, an archaeological assessment shall be required prior to the final planning approval or as a condition of final planning approval. Archaeological assessment reports shall be conducted by a licensed archaeologist in compliance with the standards and guidelines of the Ministry of Tourism and Culture.

The appropriate First Nations shall be provided notification with regard to identification of burial sites and significant archaeological resources relating to the activities of their ancestors. If the Municipality initiates the preparation of an archaeological master plan, the appropriate First Nations shall be notified and invited to participate in the process.

4.5.7 Cemeteries

Where an identified marked or unmarked cemetery is affected by a proposed development, the Ministry of Tourism and Culture and the Ministry of Consumer Services shall be notified in accordance with the provisions of the Ontario Heritage Act and the Cemeteries Act.

This section of the Official Plan deals with the villages of Rodney and West Lorne being the two largest and only fully serviced settlement areas in West Elgin and the most logical and desirable areas to concentrate most of the future growth and development of the Municipality. All proposals and initiatives affecting or related to these settlement areas shall be governed by the goals, objectives and policies of this section to establish conformity with the Official Plan.

Rodney and West Lorne are the largest settlement areas in West Elgin, being situated in the central area of the Municipality south of Highway No. 401. Historically, the two villages developed as separate, incorporated entities before being amalgamated with the neighbouring Township of Aldborough (Rodney in 1993 and West Lorne in 1998).

With an estimated population of 1225 and 1796 persons respectively, Rodney and West Lorne are the only settlement areas in West Elgin serviced by municipal water supply and municipal sanitary sewage systems. As a result, they are best suited to accommodating the majority of West Elgin's future growth in accordance with the Provincial Policy Statement (PPS).

Both villages are more or less bisected by a former railway corridor; reminiscent of the key role the railways once played in the settlement and development of the area. As is the case with a number of similar communities, the railway fostered the early development of both Rodney and West Lorne. The use of the railway corridor through West Elgin, however, declined substantially over the years to the point that railway traffic has come to an end and the railway lines abandoned and the tracks removed. Use of the corridor may be suitable and desirable for a trail linking the two villages.

Each village contains a downtown core surrounded, more or less, by residential development. Both downtown cores are relatively compact and provide the villages with a mix of commercial, institutional and residential uses occupying an older and somewhat underutilized building stock on a main street comparable, to greater or lesser degree, to many villages and towns its size and activity in southwestern Ontario. Competition from larger, neighbouring centres has been significant -- witnessed by a number of vacancies and reduced business activity. A remnant stock of heritage buildings and the historic pattern of development provide a distinguishing characteristic. Economic revitalization and improved physical appearance of the downtown cores appear warranted.

Outside the core in West Lorne commercial development is generally limited to a few scattered locations. With respect to Rodney on the other hand, a concentration outside the core may be found on Pioneer Line east of Furnival Road (County Road No. 103) in the south end of the village.

Industry is limited in both villages with Rodney having one relatively large plant and West Lorne having two relatively large plants as well as number of smaller establishments in terms of scale and number of employees. The attraction of new industries to either village has been limited on account of a number of factors including accessibility, visibility and the size and skills of the labour force.

The most dominant land use in the villages is residential which generally surrounds the downtown cores. Single unit dwellings constitute the predominant housing type. A small number of low rise multiple unit dwellings are scattered throughout both villages.

Both villages have large recreational complexes offering both indoor and outdoor facilities. In addition, West Lorne is the location of a separate school, a senior elementary school and a secondary school. There are no schools in Rodney at the present time, although a public school lies just south of the settlement area.

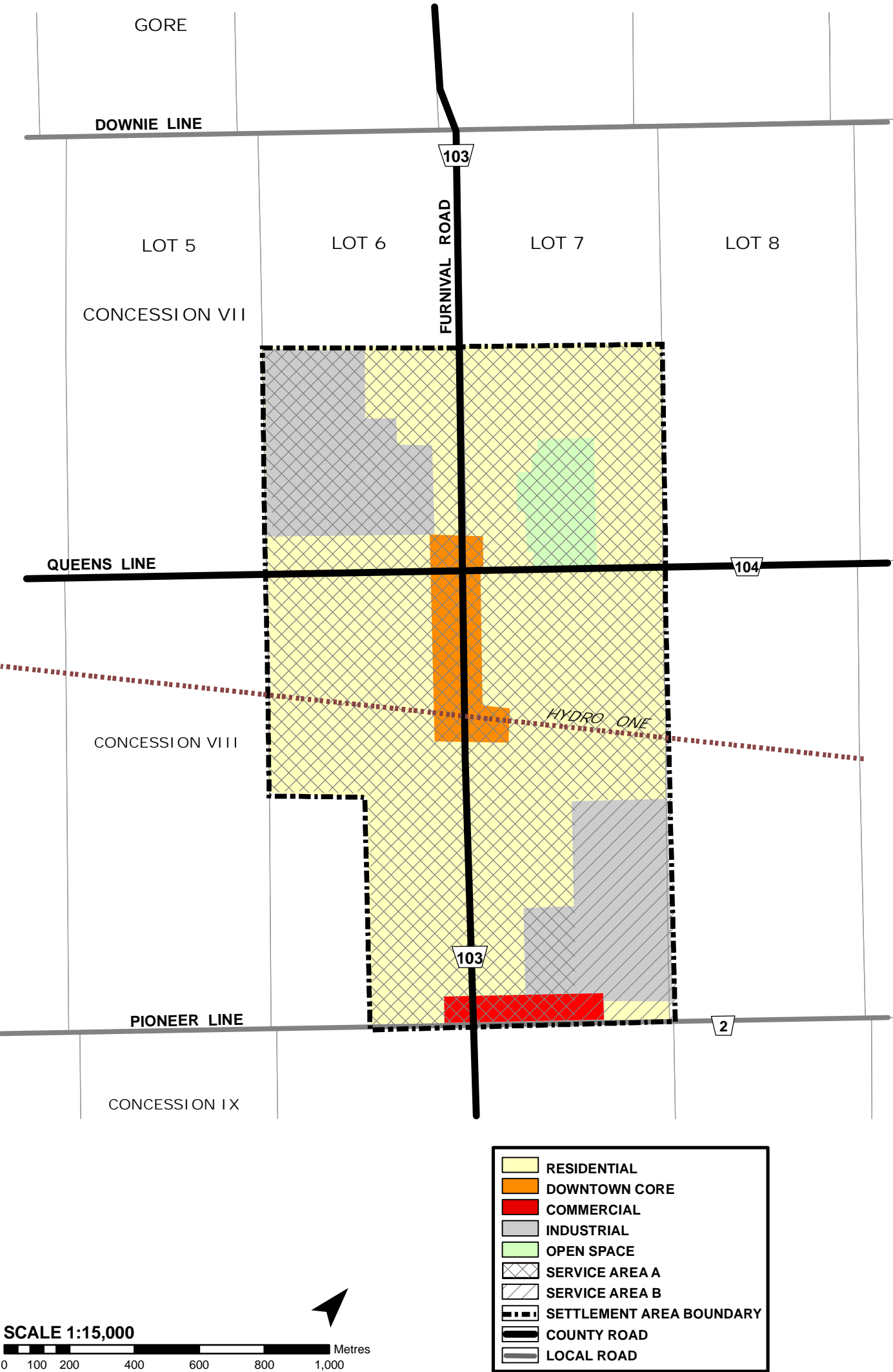
5.1 GOALS AND OBJECTIVES

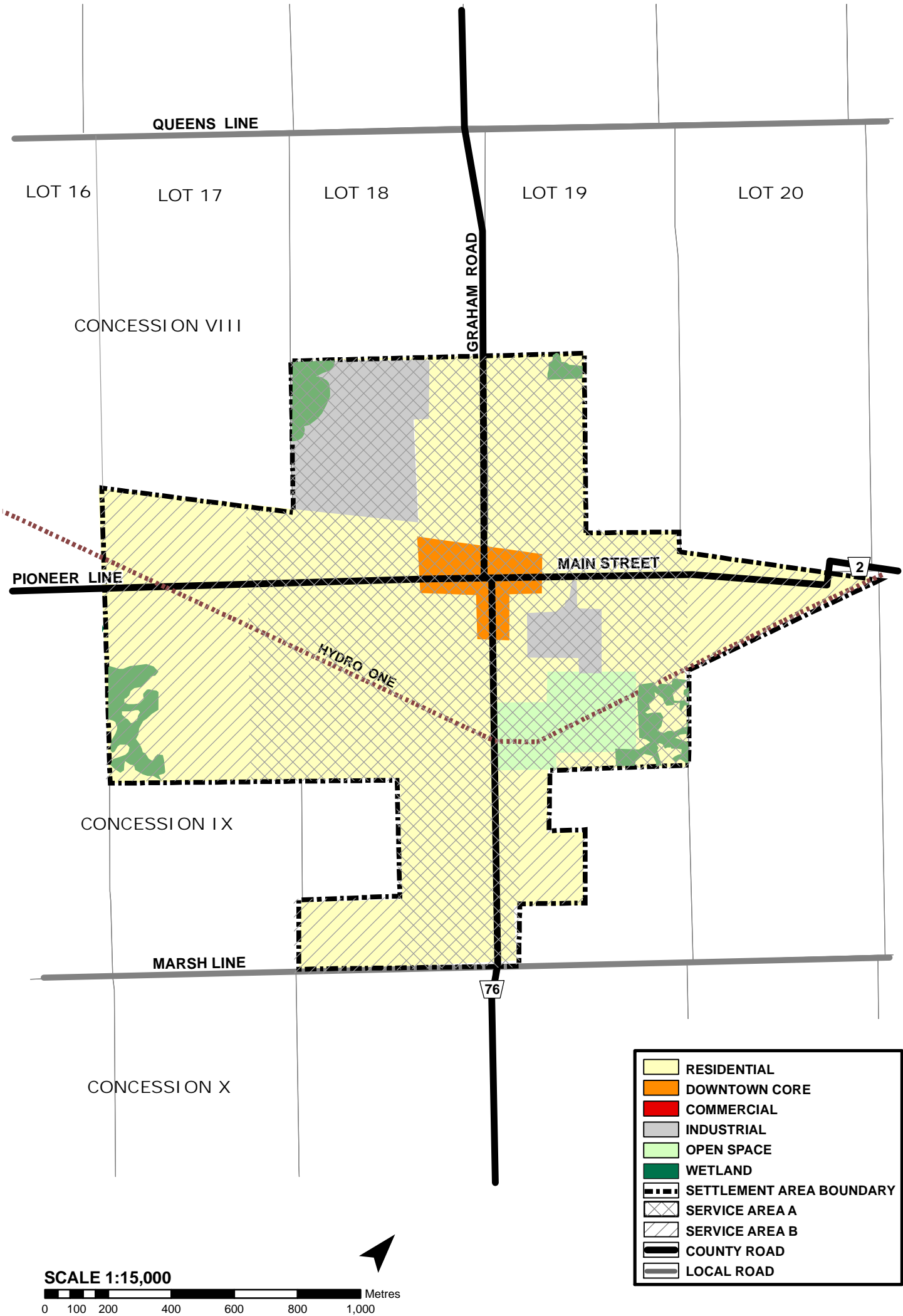
The following goals and objectives shall guide the planning, development, redevelopment and improvement of the 'Village Areas':

- a) To direct the majority of population growth and residential development in West Elgin to the villages;
- b) To ensure development and redevelopment in the villages does not have a detrimental effect on the ability of the Municipality to provide the necessary infrastructure to accommodate it;
- c) To create strong, viable, attractive and pedestrian-friendly downtown cores as the primary focus of commercial and social activity in West Elgin with a unique sense of identity and character and offering a range of basic goods and services;
- d) To accommodate land extensive, vehicular-oriented commercial development and other commercial uses not suited to the downtown cores;
- e) To direct industrial development to areas suitable for such purposes and in a manner that does not detract from existing or planned residential and/or commercial development;
- f) To maintain the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility in residential areas; and
- g) To accommodate new institutional uses and retain existing institutional uses to meet the educational, health and spiritual needs of the community.

5.2 RESIDENTIAL

Areas designated for residential purposes in the 'Village Area' of Rodney and the 'Village Area' of West Lorne include existing residential development as well as lands for accommodating future residential development. While residential development has been traditionally, and continues to be primarily, in the form of low-density single unit dwellings, a demand exists for other housing types to meet the socio-economic needs of the area.





Undeveloped lands designated for residential purposes lie adjacent to existing residential areas to ensure contiguous development and the cost-efficient extension of services. Within existing developed areas, opportunities exist for redevelopment and infilling. The abandonment of the railway lands may free up lands for residential development, amongst other purposes.

5.2.1 Primary Uses

Within areas designated 'Residential' on Schedule 'C' and Schedule 'D', the primary use of land shall be for single unit dwellings. Other dwelling types are permitted including semi-detached dwellings, apartments in houses, townhouses and low-rise small-scale apartment buildings.

5.2.2 Secondary Uses

Secondary uses may also be permitted provided they complement and are compatible with these areas and do not detract from their predominantly residential character. These uses may include churches, schools, neighbourhood parks, nursing and rest homes, garden suites, group homes and home occupations.

5.2.3 Scale, Density and Form

The scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the villages. At the same time, it is recognized that multi-unit forms of residential development will provide the potential for more affordable housing as well as housing more able to meet the increasingly diverse needs and preferences of the community. To ensure compatibility with existing development, the density and height of new residential development shall be limited.

5.2.4 Infilling and Minor Extensions

The majority of new development is expected to take place through infilling and minor extensions and rounding out of existing development. Such development shall normally occur by consent where new building lots are being proposed and a plan of subdivision is not considered necessary given the number of lots being created and the nature of any extension required to municipal services and streets in accordance with Section 5.2.6, Section 10.3 and Section 10.4 and other applicable sections of this Plan. An agreement with the Municipality shall normally be required where municipal services are being extended or a new street is being created.

5.2.5 Natural Heritage Features

Natural heritage features shall be protected. Development and site alteration within a natural heritage feature or on adjacent lands shall not be permitted unless it has been demonstrated that there will be no negative impact on natural heritage features or its ecological functions in accordance with Section 3 of this Plan.

5.2.6 Plans of Subdivision

In evaluating plans of subdivision, the following factors shall be taken into consideration:

- a) integration with neighbouring development,
- b) preservation and enhancement of site amenities,
- c) protection of natural heritage features,
- d) housing types, forms and density,

- e) availability and adequacy of municipal services,
- f) traffic circulation to facilitate maintenance and to ensure safety,
- g) effective, sensitively integrated and easily maintained stormwater management,
- h) well designed, located and readily maintained amenities (e.g. sidewalks, lighting, tree planting, parkland),
- i) energy conservation through design, and
- j) walkability.

5.2.7 Apartments in Houses

The creation of additional dwelling units in existing dwellings shall be permitted in areas zoned for these purposes subject to the following conditions:

- a) compliance with the Ontario Building Code,
- b) adequate yards outdoor amenity space and on-site parking,
- c) compatibility with neighbouring dwelling types, and
- d) maintenance of the quality of the streetscape.

5.2.8 Medium Density Housing

Medium density residential development in the form of townhouses, low-rise apartments and other forms of multiple unit housing shall be encouraged. Preference shall be given to:

- a) sites with direct or proximate access to a County Road;
- b) sites in proximity to the 'Downtown Core', schools and/or parks and open space; and
- c) sites which due to their size, configuration or neighbouring land uses are considered suitable for such purposes.

Municipal services shall be available or capable of being made available. Intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbouring development expected. Appropriate buffering and setbacks shall be provided where necessary to ensure compatibility. Standards regarding housing types, density, height, parking and landscaped open space shall be addressed in the Zoning By-law. Site plan control shall apply.

5.2.9 Housing Mix

Development proposals for large undeveloped parcels shall incorporate a range of housing types and densities, as permitted by this Plan, unless it is capable of being demonstrated that market, servicing, site conditions and neighbouring land use dictate otherwise.

5.2.10 Zoning

The actual uses permitted shall be specified in the Zoning By-law as well as the standards that would apply to buildings and structures. The actual uses shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses.

5.3 DOWNTOWN CORE

Areas designated as the ‘Downtown Core’ in Rodney and West Lorne comprise the historic main streets of the villages. In Rodney, the ‘Downtown Core’ lies generally along Furnival Road (County Road No. 103) between Albert Street to the north and Main Street on the south, and includes lands lying on the east side of Jane Street. In the case of West Lorne, the ‘Downtown Core’ lies generally along Pioneer Line (County Road No. 2) and Graham Road (County Road No. 76), in the, more or less, geographic centre of the Village being bounded by the former railway corridor to the north, Elm Street to the south, Argyle Street to the east and Ridge Street to the west. While commercial uses tend to dominate, institutional and residential uses contribute to the mixed-land use character and multi-functional role of the ‘Downtown Core’ in both villages.

Similar to many rural villages and towns in southwestern Ontario, the downtown cores of Rodney and West Lorne have struggled economically in recent years, reflected by vacant storefronts and undeveloped and underutilized properties. Extensive commercial development in the south end of London easily accessed via Highway No. 401 is believed to be a key factor. Nevertheless, opportunities are evident for redevelopment, infilling and the conversion of residential uses to commercial uses. Policies of the Plan aim to encourage economic and social vitality, diversity and uniqueness, a mix of land uses, compact development, pedestrian-friendly amenities and conveniences, and the preservation and enhancement of the historic streetscape.

5.3.1 Primary Uses

Within areas designated ‘Downtown Core’ on Schedule ‘C’ and Schedule ‘D’, a wide range of commercial uses shall be permitted including retail stores, restaurants, specialty shops, financial institutions, business and professional offices.

5.3.2 Secondary Uses

Other uses that enhance and strengthen the identity, diversity and function of the ‘Downtown Core’ such as institutional and residential uses shall also be permitted and encouraged as well as small scale, low impact industrial uses.

5.3.3 Development and Redevelopment

Compactness of the ‘Downtown Core’ shall be encouraged and strengthened and intrusions into predominantly residential areas discouraged by preventing undue extensions while encouraging redevelopment, infilling and the conversion of existing non-commercial uses to commercial uses. New buildings and improvements and additions to existing buildings shall be designed in a manner to enhance and complement the core’s heritage character and compact nature through the use of compatible building materials and features, and facade heights and building setbacks consistent with the historic development of the core. Vehicular parking shall be encouraged on-street and at the rear of buildings accessible to pedestrians by walkways. Signage may be controlled by guidelines and/or a sign by-law adopted by the Municipality.

5.3.4 Pedestrian and Commercial Focus

To maintain and strengthen the vibrancy and pedestrian friendly nature of the ‘Downtown Core’, the conversion of ground floor commercial space to residential space, the closing of front entrances to the street, the establishment of drive-in or drive-through facilities and similar changes shall be discouraged.

5.3.5 Residential Uses

While commercial uses dominate the ‘Downtown Core’, dwelling units contribute to the character and activity of the core, offer an alternative use for upper storeys in commercial buildings and provide a desired location for those wishing

to reside in the 'Downtown Core'. Single unit dwellings that remain are potential candidates for conversion to commercial purposes while still retaining a residential component. New residential units in the form of apartments over ground floor commercial uses and as a component of mixed-use developments shall be encouraged where they will not detract from, or be in conflict with, business activity at street level.

5.3.6 Core Area Improvements

Enhancement of the 'Downtown Core' in terms of public amenities, façade restoration, sidewalks, parking, street lighting, tree planting, maintenance and other measures shall be undertaken or otherwise facilitated by the Municipality in consultation with business owners, property owners and the community in general. Where lands are being developed or redeveloped, opportunities for upgrading the public realm shall be considered.

5.3.7 Zoning

Permitted uses in the 'Downtown Core' shall be specified in the Zoning By-law in a manner that allows a broad range of uses to encourage diversity and vitality while minimizing the potential for conflicts between uses. Development standards shall ensure compact development by establishing high maximum lot coverage, minimum setbacks for buildings and structures and relief from parking requirements where appropriate.

5.4 COMMERCIAL

Unlike the 'Downtown Core', areas designated 'Commercial' are essentially commercial as opposed to mixed use in character. Development is space extensive with buildings well setback from the street and property lines with lands reserved for on-site parking and outside storage. Pedestrian amenities are limited. The designation includes existing commercial development as well as lands considered suitable to accommodate future commercial development unsuitable to the 'Downtown Core'.

5.4.1 Primary Uses

Within areas designated 'Commercial' on Schedule 'C' and Schedule 'D', the primary use of land shall be for commercial uses which cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, garden supply outlets, sale of bulk goods and certain types of convenience retail and service outlets. Lands designated 'Commercial' on Schedule 'C' may also be used for uses permitted under Section 5.5 'Industrial' in accordance with the requirements thereof.

5.4.2 Form of Development

Development will be characterized primarily by buildings set back from the street and outside areas for parking, outside storage and display. Efforts will be made to internally link adjacent development to minimize vehicle entrances and enhance public safety.

5.4.3 Zoning

The actual uses shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses. Development standards shall allow for outside storage and display and the provision for on-site parking shall be required.

5.5 INDUSTRIAL

Lands designated 'Industrial' within the 'Village Areas' are serviced or readily capable of being serviced by both the municipal water supply system and the municipal sanitary sewage system. Access to and visibility of these areas is restricted and the proximity of residential development requires measures be taken to mitigate the potential for adverse impacts

5.5.1 Primary Uses

Within areas designated 'Industrial' on Schedule 'C' and Schedule 'D', industrial uses and uses having requirements or exhibiting characteristics similar to industrial uses shall be permitted provided they do not generate unacceptable levels of noise, vibration, odour and/or particulate matter which would adversely affect adjacent non-industrial areas. Such uses may include activities engaged in the manufacturing, fabricating, assembling and processing of materials, goods or products; warehousing and storage; repair, servicing and maintenance operations, automotive related uses and transportation terminals.

5.5.2 Secondary Uses

Uses that are compatible with industrial uses, make use of existing buildings not required for industrial purposes or are well suited to areas designated 'Industrial' may be permitted.

5.5.3 Services

Development shall be serviced by the municipal water supply and municipal sanitary sewage system or similar level of services in accordance with Section 8.3, Section 8.4 and other applicable sections of this Plan.

5.5.4 Buffering and Screening Measures

To ensure industrial development does not detract from or conflict with existing or planned residential development; adequate buffering, screening and/or setback measures will be required. Site plan control shall apply.

5.5.5 Natural Heritage Features

Natural heritage features shall be protected and development and site alteration on adjacent lands shall ensure there are no negative impacts on such features or their ecological functions in accordance with Section 3 of this Plan.

5.5.6 Zoning

The actual uses shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses.

5.6 PARKS AND OPEN SPACE

Parks and public open space are generally limited to two instances in Rodney and West Lorne. In each settlement area, there may be found the main recreation complex capable of accommodating a variety of active and passive recreational activities. This includes the Fairgrounds and Community Centre in Rodney and the West Elgin Sports Centre and Arena and Miller Park in West Lorne. Smaller-scale or neighbourhood parks on the other hand are generally non-existent. Cemeteries contribute to the open space character of both settlement areas.

5.6.1 Primary Uses

Within areas designated 'Parks and Open Space' on Schedule 'C' and Schedule 'D', the primary use of land shall be for public parks, natural areas, outdoor recreation facilities and cemeteries.

5.6.2 Secondary Uses

Secondary uses may include buildings and structures appropriate to park-like setting such as community centres, arenas and similar indoor facilities.

5.6.3 Natural Heritage Features

Natural heritage features shall be protected. Development and site alteration shall not be permitted within a natural heritage feature or on adjacent lands unless it has been demonstrated that there will be no negative impact on the natural heritage feature or its ecological functions in accordance with Section 3 of this Plan.

5.6.4 Neighbourhood Parks

Neighbourhood parks may be established to meet local needs or to otherwise contribute to the form and character of the community. While such facilities may be established in all land use designations, they shall be zoned as 'Open Space' in the Zoning By-law.

5.6.5 Acquisition of Parkland

Future parkland shall primarily be acquired through dedications as a condition of lands being subdivided or otherwise developed, or through purchase using monies received from cash-in-lieu of providing parkland in areas where parkland is not considered necessary or appropriate, or where the lands available for dedication would be insufficient in size or deficient in terms of location. Lands proposed to be dedicated for park purposes shall be evaluated on the basis of the following criteria:

- a) proximity to existing parks and open space,
- b) proximity and access to users,
- c) size, shape, topography and drainage,
- d) development and maintenance costs,
- e) potential for expansion, and
- f) contribution to community form and character.

5.6.6 Land Ownership

Where lands designated 'Parks and Open Space' or are zoned accordingly are in private or quasi-private ownership, such designation does not imply that these lands are necessarily free and open to the general public or that these lands will be ultimately acquired or always maintained by the Municipality or any other public authority as open space. It is expected that these areas will be used and maintained as open space as long as conditions permit and that development of adjoining lands will be undertaken in such a manner which complements and ensures the long-term protection of these areas as open space.

5.6.7 Zoning

The actual uses permitted shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses.

5.7 INSTITUTIONAL

Institutional uses include public and quasi-public uses serving the educational, health and social needs of the community. Typical uses include churches, schools, libraries, nursing and rest homes, community centres, quarters of community organizations and clubs, health clinics, and government buildings and offices. They are often found throughout the community and, depending on their scale, are generally compatible with most uses.

5.7.1 Primary Uses

Institutional uses shall include public and quasi-public uses and uses with characteristics similar to institutional uses. Typical institutional uses in the 'Village Areas' include churches, schools, day care centres, community centres, quarters of community organizations and community clubs and government buildings. Funeral homes, due to their characteristics similar to churches, may also be considered an institutional use.

5.7.2 Secondary Uses

Secondary uses may include a dwelling or dwelling unit along with an institutional use if such dwelling is necessary to the operation and/or maintenance of the institutional use.

5.7.3 Areas Permitted

Institutional uses shall be permitted in all land use designations subject to an amendment to the Zoning By-law upon due consideration of:

- a) compatibility of the proposed use with neighbouring uses,
- b) protection of natural heritage features,
- c) avoidance of hazardous lands,
- d) availability and adequacy of municipal services,
- e) site suitability,
- f) adequate off-street parking, and
- g) adequate buffering and landscaping.

6.0 RURAL AREA

This section of the Official Plan deals with the rural area of West Elgin, the majority of which constitutes a prime agricultural area within the meaning of the Provincial Policy Statement. All proposals and initiatives affecting or related to the rural areas shall be governed by the goals, objectives and policies of this section to establish conformity with the Official Plan.

The economic base of West Elgin is firmly rooted in agriculture, with the growing of cash crops and the raising of livestock being the predominant farming types. Other farming types include the growing of tobacco (once of much greater significance), organic farming, market gardening and nurseries. Family farming operations remain widespread although large corporate farms are becoming more prevalent and appear to be a growing trend as witnessed in other parts of Ontario. Despite the introduction of the Nutrient Management Act, concerns continue to persist in the community about the impact of large livestock operations (e.g. odours, pollution of watercourses), particularly hog operations and the generation of large volumes of liquid manure and offensive odours.

Lands designated 'Agricultural' cover most of West Elgin with the majority of lands lying within the first three soil capability classes of the Canada Land Inventory for Agriculture. Although a potential is believed to exist, there are currently no designated specialty crop areas in West Elgin, being areas where specialty crops such as tender fruits, grapes, vegetables, greenhouse crops and crops from agriculturally developed organic soils are predominantly grown. Marginal or unproductive lands are limited and generally associated with alluvium and valley complex soils of the Thames River, smaller watercourses and abandoned gravel pits. As such, lands designated 'Agricultural' in this Plan constitute, for the most part, a prime agricultural area within the meaning of the Provincial Policy Statement, being an area where prime agricultural lands predominate (Class 1 to Class 3 and specialty crop areas).

6.1 GOALS AND OBJECTIVES

The following goals and objectives shall guide the use of land and character of the 'Rural Area':

- a) To preserve and protect prime agricultural land for agricultural purposes;
- b) To maintain agriculture as the predominant use of land;
- c) To enable farmers the freedom and flexibility to operate effectively and efficiently without undue interference from the intrusion of non-agricultural, conflicting uses;
- d) To ensure livestock operations are properly located and effectively managed to minimize the potential for adverse impacts;
- e) To facilitate the establishment of services and facilities and the provision and maintenance of infrastructure necessary to support agriculture;
- f) To recognize the legitimate requirements and needs of certain non-farm related uses to establish without conflicting with agricultural uses;
- g) To recognize the importance of woodlands to the long term viability of agricultural lands due to their moderating effects on wind, moisture, temperature and their associated benefits to sustaining agricultural production;
- h) To ensure reforestation and other conservation efforts and farm management practices designed to maintain a significant amount of forest cover;

- i) To maintain hamlets as small, primarily residential communities capable of accommodating limited development, facilities and services and offering an alternative residential lifestyle;
- j) To recognize and protect existing residential concentrations and to allow for limited residential development within these areas similar in scale and character with existing development;
- k) To attract commercial and industrial development in proximity to Highway No. 401 interchanges;
- l) To achieve a high standard of site development, appearance and maintenance in areas development for commercial and industrial purposes;
- m) To ensure the use of land does not compromise or conflict with existing or future aggregate extraction;
- n) To ensure any new sand and gravel pits adhere to sound principles of aggregate extraction and progressive site rehabilitation;
- o) To rehabilitate or find appropriate and more productive uses of abandoned gravel pits;
- p) To protect petroleum resource areas for long term use; and
- q) To ensure the production of oil and gas adheres to sound principles of resource extraction and site rehabilitation.

6.2 AGRICULTURAL

6.2.1 Primary Uses

Within areas designated 'Agricultural' on Schedule 'E', the primary use of land shall be for farming and buildings, structures, uses and facilities associated with the farm operation including the farm dwelling and dwellings required for full-time farm help. A full range of agricultural activities shall be permitted including the raising of livestock and poultry (and other animals for food, fur or fibre), cash crop farming, specialty farming, mixed farming, aquaculture, apiaries, maple syrup production, horticulture, nurseries, forestry and general farming.

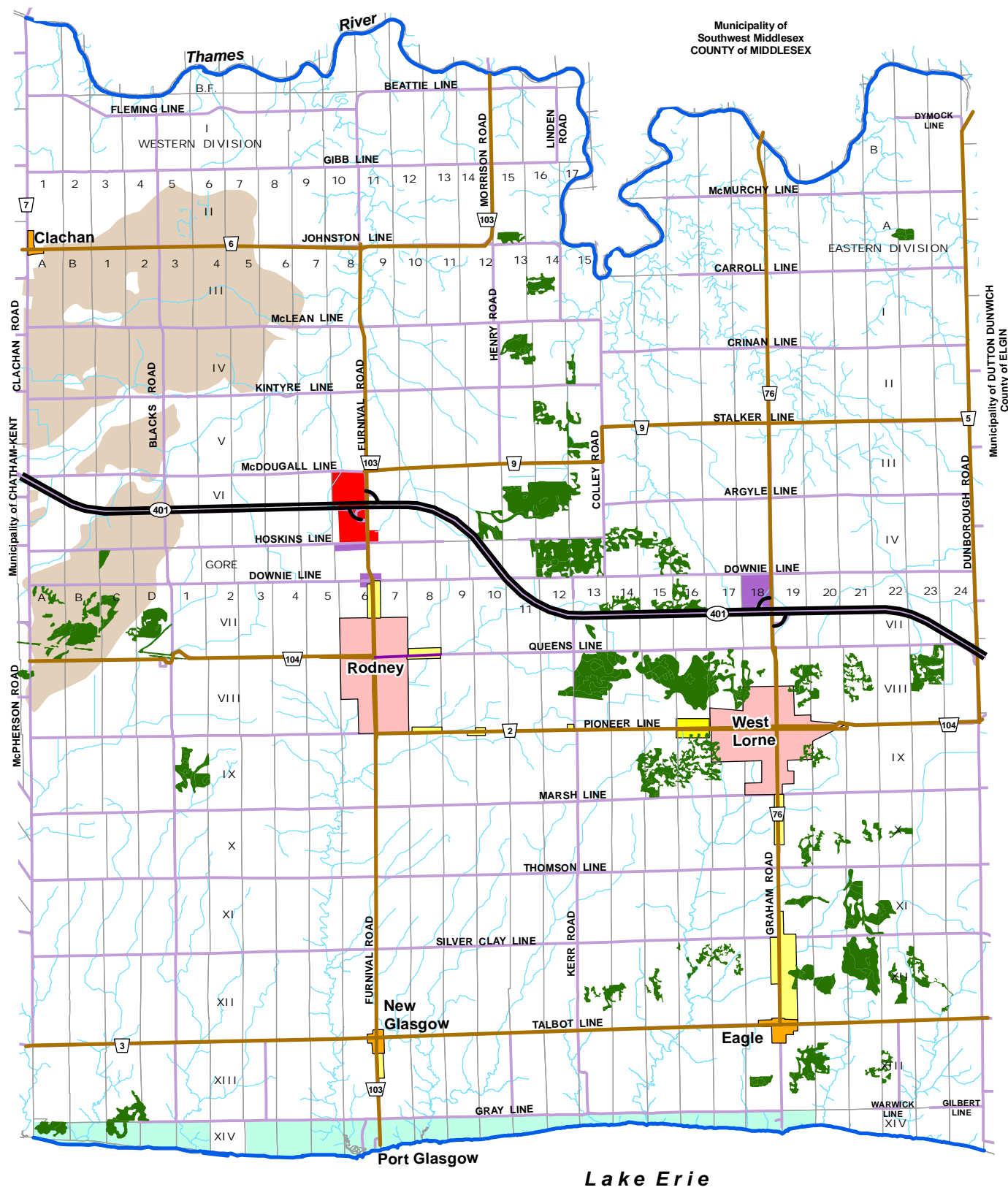
6.2.2 Secondary Uses

Secondary uses may also be permitted where they are limited in scale as prescribed by the Zoning By-law and are clearly secondary to the principal use of the parcel on which they are conducted. Such uses may include home occupations and uses that produce value added agricultural products for the farm operation. Where these new uses would conflict with farming operations or would reduce the farming options or flexibility on adjacent or surrounding farmland, they shall not be permitted. Compliance with the MDS Formula One (MDS I) shall be required.

6.2.3 Agriculturally-related Commercial and Industrial Uses

Agriculturally-related commercial and agriculturally-related industrial uses that are directly related to serving the needs of the farm community and are required to be, or benefit by being, in close proximity to farming operations shall be permitted subject to the following criteria:

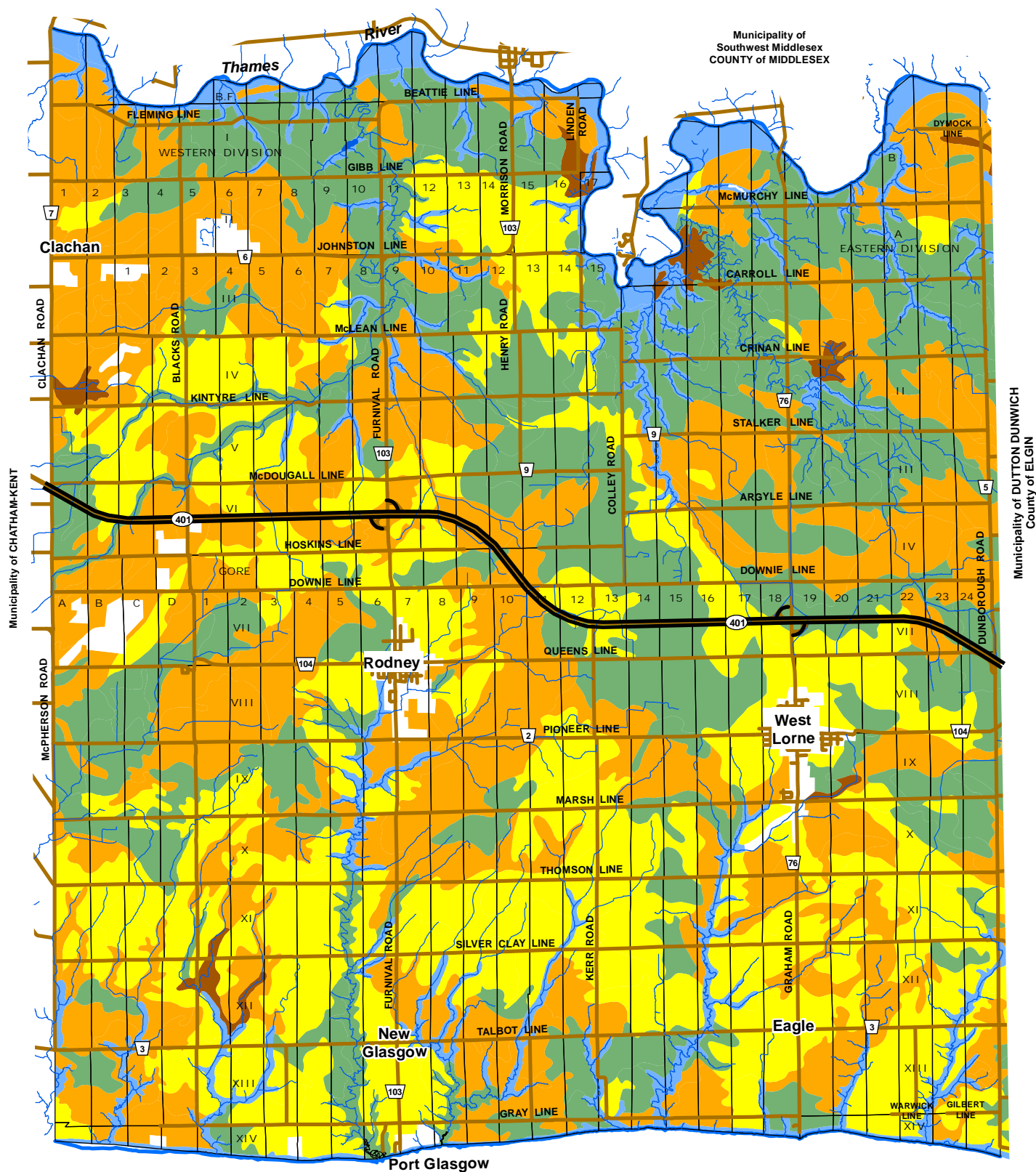
- a) a demonstrated need exists for the use within the planning horizon;
- b) reasonable alternative sites including sites within designated settlement areas which avoid prime agricultural areas do not exist and where a location in a prime agricultural area is being proposed, lower priority agricultural lands are considered;



SCALE 1:100,000

0 750 1,500 3,000 4,500 6,000 Metres





Lake Erie

SCALE 1:100,000

0 500 1,000 2,000 3,000 4,000 5,000 Metres



SOURCE: Ontario Ministry of Agriculture & Food, 2007

- c) specialty crop areas are not impacted;
- d) suitability of the site for the purposes intended;
- e) availability of an adequate and potable water supply;
- f) approved waste disposal means or facilities;
- g) access, or proximate access, to a hard surfaced road subject to the approval of the authority having jurisdiction;
- h) measures, if need be, to ensure compatibility with neighbouring land uses;
- i) compliance with the Minimum Distance Separation Formula (MDS I);
- j) an amendment to the Zoning By-law; and
- k) entering into a site plan agreement.

6.2.4 Prime Agricultural Lands

Prime agricultural lands comprise areas exhibiting a soil capability rating of Class 1, 2, or 3 as defined by the Canada Land Inventory as well as specialty crop areas. Lands with a soil capability rating of Class 1, 2 or 3 are shown on Schedule 'F'. While there are no specialty crop areas designated at this time in West Elgin, should such areas be identified in the future, they shall be protected. Within the areas designated 'Agricultural' on Schedule 'E', prime agricultural lands, in order of priority, shall be preserved for farming and uses related to farming except as may be otherwise permitted by this Plan.

6.2.5 Right-to-Farm

The Municipality shall uphold the principle of 'normal farm practice' when faced with complaints with respect to noise, odours and dust and similar nuisances associated with farming operations and may participate in any hearing to resolve such complaints under the Farming and Food Production Protection Act.

6.2.6 Livestock Operations

The establishment of new livestock operations and the expansion of existing livestock operations shall be subject to the following criteria:

- a) the requirements of the Nutrient Management Act and its regulations,
- b) compliance with the Minimum Distance Separation Formula (MDS II), and
- c) compliance with the Zoning By-law.

6.2.7 Severing of Agricultural Lands

To discourage the severing of prime agricultural land into smaller parcels, the minimum area of both the severed and the retained parcels shall generally be 40 hectares. Where parcels smaller than 40 hectares are being proposed, they may be permitted subject to the following factors being taken into account:

- a) the need to discourage the unwarranted fragmentation of farmland;
- b) the lots to be created are of a size appropriate for the type of agricultural activity common in the area;
- c) whether the resulting parcels would constitute viable farm units;
- d) the severed and retained parcel are large enough to maintain flexibility for future changes in the type or size of agricultural operations;

- e) whether the size of the parcels would have a detrimental impact on agricultural productivity, operating efficiencies or future farming options;
- f) the boundaries of the parcels being created and their effect on the intended use of the lands for agricultural purposes;
- g) previous lots created out of the parcels including land dedications or expropriations; and
- h) the inadvertent merging of the parcels as a result of the introduction of subdivision control in 1970.

6.2.8 Municipal Drains

Buildings and structures shall be adequately setback from municipal drains to facilitate maintenance. Minimum setbacks shall be prescribed in the Zoning By-law.

6.2.9 Surplus Farm Dwellings

The creation of a lot for the purposes of disposing of a dwelling considered surplus as a result of farm consolidation, being the acquisition of additional farm parcels to be operated as one farm operation, shall be considered in accordance with the following:

- a) the dwelling considered surplus has been in existence for at least 10 years;
- b) the dwelling is structurally sound and suitable, or potentially made suitable, for human occupancy;
- c) no new or additional dwelling is permitted in the future on the remnant parcel which shall be ensured through an amendment to the Zoning By-law;
- d) compliance with MDS I with respect to any livestock building, structure or manure storage facility on the remnant parcel;
- e) minimizing the loss of productive farmland; and
- f) deteriorated, derelict, abandoned farm buildings (including farm buildings and structures with limited future use potential) are demolished and the lands rehabilitated.

6.2.10 Housing for Farm Help

Housing for full-time farm help may be permitted where the nature or size of a farm operation requires such accommodation and provided the dwelling being erected is designed and constructed in a manner which is capable of being readily removed from the farm when no longer required. Such requests shall be considered on a case by case basis. The temporary use provisions of the Planning Act shall be utilized to regulate the location, type of construction and duration of housing for these purposes. Prior to the enactment of a temporary use by-law, an agreement with the Municipality shall be executed to ensure that the dwelling is removed from the farm when no longer required, the lands are rehabilitated to the satisfaction of the Municipality and sufficient financial security is provided to ensure due performance.

6.2.11 Dog Kennels

Dog kennels shall only be permitted as a secondary use on lands designated 'Agricultural' and accessory to a residential use subject to appropriate and effective measures being taken to minimize or eliminate any adverse impacts on neighbouring sensitive land uses, to ensure the peace and safety of neighbouring residents and to properly dispose of animal waste. Sites shall be limited in scale, but shall be sufficiently large enough to provide adequate space for outdoor exercise for the dogs, as well as buffering from neighbouring

properties to avoid nuisance complaints. A minimum lot size, along with minimum separation distances from settlement areas and neighbouring dwellings shall be prescribed in the Zoning By-law. Site plan control may apply to ensure adequate noise attenuation measures, security fencing and other site improvements are undertaken and maintained. The Municipality shall also use its authority under the Municipal Act to further specify the requirements, including licensing, for establishing and operating a dog kennel.

6.2.12 Existing Vacant Lots

Existing lots (or lots of record) may be developed for the purposes of erecting a single unit detached dwelling subject to the following:

- a) an adequate and potable water supply,
- b) an approved on-site sanitary waste disposal system,
- c) an approved entrance from the applicable road authority,
- d) compliance with the Minimum Distance Separation Formula (MDS I), and
- e) compliance with the Zoning By-law.

6.2.13 Oil and Natural Gas

The exploration for and the production of oil and natural gas including buildings, structures, pipelines and related facilities shall be permitted provided significant natural heritage features are protected and the requirements of the Oil, Gas and Salt Resources Act are complied with. An amendment to the Zoning By-law shall not be required.

6.2.14 Alternative and Renewable Energy

The Municipality shall encourage alternative and renewable energy projects such as wind generation. Large scale energy projects which provide electricity into the Province's transmission grid are subject to Federal and Provincial approvals and regulations. The Municipality shall consider the following matters when providing comments during the consultation process on large scale energy projects:

- a) the potential impact of safety, noise and visual intrusion;
- b) access to a public road of a standard adequate to accommodate construction equipment, vehicles and maintenance; and
- c) the ability to contain safety and noise impacts on the site.

6.2.15 Zoning

The actual uses permitted in the 'Agricultural' designation shall be specified in the Zoning By-law in a number of specific land use zones. The By-law shall, amongst other matters, prescribe a minimum lot area for the creation of new agricultural parcels and shall include the Minimum Separation Distance (MDS) formulae.

6.3 HAMLETS

Areas designated 'Hamlet' comprise the small rural settlements of Clachan, Eagle and New Glasgow. Combined, they have a population estimated to be less than 300 persons. Historically, growth has been limited and continues to be so, attributed in large measure to lack of full municipal services, lack of community functions and lack of amenities. While Port Glasgow might also be considered a designated "Hamlet", it is included in the 'Lakeshore Area' and is governed by the policies of that section.

Eagle and New Glasgow are serviced by the West Elgin Primary Water Supply System while Clachan relies on individual wells. Sanitary sewage disposal in all three hamlets is provided by means of private on-site systems, primarily septic tank and tile bed systems. In the absence of a municipal sanitary sewage system and given the ability to accommodate growth and development in Rodney and West Lorne on full municipal services, future development of the hamlets will continue to be both limited and restricted.

6.3.1 Primary Uses

Within the settlements designated as ‘Hamlet’ on Schedule ‘E’, the use of land shall be primarily for the purposes of single unit dwellings.

6.3.2 Secondary Uses

Secondary uses shall include small-scale commercial, industrial, institutional and recreational uses and home occupations with limited servicing needs

6.3.3 Scale and Character of Development

Development shall be limited to infilling, rounding out and minor extensions to existing development within the boundaries of the hamlets as shown on Figure 3, Figure 4 and Figure 5 and be complementary to and compatible with the nature, scale and character of existing development.

6.3.4 Conditions for Development

Where new development is proposed, it shall be capable of being serviced by the municipal water supply system (where available) and on-site sanitary waste disposal systems. A soils report may be required which demonstrates the suitability of the lands for on-site waste disposal, the type of system most appropriate in terms of minimizing the potential for groundwater contamination and failure, and the recommended design parameters and procedures for installing and maintaining such system. Development shall not be permitted where it may add to, or aggravate, an existing servicing problem and adequate septage treatment capacity shall exist for the development. Documentation to this effect may be required. Proper site grading and drainage shall be provided and a stormwater management plan may be required. Where necessary or desirable, adequate buffering shall be provided to ensure compatibility with adjacent uses.

6.3.5 Zoning

The actual uses permitted shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses.

6.4 RURAL RESIDENTIAL

Areas designated ‘Rural Residential’ include concentrations of existing rural residential development on Graham Road (County Road No. 76) south of West Lorne between Thomson Line and Talbot Line (Eagle) and on Pioneer Line between Rodney and West Lorne. The areas designated were previously designated ‘Rural Residential’ under the former Official Plan of the Township of Aldborough and provide an attractive alternative to urban living. The size and shape of undeveloped parcels in these areas limits their use for agricultural purposes. The potential for adverse impacts on farming operations is not considered significant as a result of existing development.

6.4.1 Primary Uses

Within areas designated 'Rural Residential' on Schedule 'E' and more clearly shown on Figure 6, the use of land shall be restricted to single unit dwellings on large lots.

6.4.2 Secondary Uses

Secondary uses shall be limited to home occupations.

6.4.3 Creation of Lots

The creation of lots shall only be permitted which front on existing public roads. Development in depth and the establishment of new roads shall not be permitted. Lots shall normally be created by land severance or consent in accordance with the provisions of the Planning Act and Section 10.4.4 and other applicable sections of this Plan.

6.4.4 Minimum Distance Separation

The creation of lots shall comply with the Minimum Distance Separation Formula (MDS I) with respect to any neighbouring livestock operation.

6.4.5 Water Supply and Sanitary Waste Disposal

Residential development shall be serviced by the municipal water supply system and by on-site sanitary sewage systems. In some instances, it may be feasible to extend the municipal sanitary sewage system serving Rodney or West Lorne to the lands being developed. Where lots are to be serviced by on-site sanitary sewage systems, a soils report may be required which demonstrates the suitability of the lands for on-site waste disposal, the type of system most appropriate in terms of minimizing the potential for groundwater contamination and failure, and the recommended design parameters and procedures for installing and maintaining such systems. Development shall not be permitted where it may add to or aggravate an existing servicing problem and adequate septage treatment capacity shall exist. Documentation to this effect may be required.

6.4.6 Zoning

The actual uses permitted shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development. The By-law shall prescribe a minimum lot frontage and area appropriate to a rural residential environment and partial on-site services. Undeveloped lands may be placed in a 'holding' type zone in accordance with the provisions of the Planning Act until such time as conditions are appropriate to permit development. Alternatively, these lands may remain in an agricultural zone until such time as a specific development proposal has been submitted and approved by the Municipality.

6.5 COMMERCIAL/INDUSTRIAL AND INDUSTRIAL

Non-agriculturally related commercial and industrial establishments in the 'Rural Area' are generally small in scale, limited in number and located in close proximity to Rodney or West Lorne. New establishments, unless they are related to agriculture, shall be directed to areas specifically designated for these purposes or to the settlement areas. Areas designated 'Commercial/Industrial' and 'Industrial' are characterized by visibility on high volume roads, well-drained, level sites for building and parking, safe and convenient vehicular access, and the availability or potential availability of municipal services and utilities.

The areas designated include lands at the interchanges of Highway No. 401 with Furnival Road (County Road No. 103) and Graham Road (County Road No. 76). Some of these areas were previously designated for similar purposes in the former Township of Aldborough Official Plan.

6.5.1 Primary Uses

Within areas designated 'Commercial/Industrial' on Schedule 'E', the primary use of land shall be for either commercial or industrial purposes while within areas designated 'Industrial' on Schedule 'E', the primary use of land shall be for industrial purposes. Commercial uses shall include those uses which demonstrate a strong orientation to single purpose trips, to being accessed by vehicular traffic, to meeting the needs of the travelling public and/or to large land masses for building coverage, outside storage, merchandizing and/or parking. Industrial uses shall include the manufacturing, fabrication, assembling and processing of materials, goods or products; warehousing; outside storage; contractor's yards; repair, servicing and maintenance operations; and truck and bus terminals.

6.5.2 Creation of Lots

The creation of new lots for commercial and industrial purposes shall take place by consent or by plan of subdivision in accordance with the provisions of the Planning Act and the relevant policies of this Plan including Section 10.3 and Section 10.4. The minimum area and minimum frontage of new lots shall be prescribed in the Zoning By-law.

6.5.3 Development on Major Roads

The Municipality shall ensure a high standard of development, appearance and maintenance where such development is visible from major roads particularly along gateways leading into settlement areas and along Highway No. 401 through the application of site plan control and other means at its disposal.

6.5.4 Neighbouring Uses

Commercial and industrial development shall be planned in such a way to minimize the potential for conflicts with neighbouring land uses including agricultural uses. The Minimum Distance Separation Formula (MDS I) shall be satisfied with respect to any neighbouring livestock operations. Buffering measures including planting strips, the screening of outside storage areas and appropriate separation distances shall be required.

6.5.5 Criteria for Development

Proposals for development shall meet the following criteria:

- a) site suitability: The site shall be suitable to enable the proper siting of buildings and structures. A geotechnical report shall be submitted;
- b) water supply: Where a municipal water supply is not available, an independent water supply capable of meeting the needs of the proposed use shall be demonstrated to exist. Where deemed necessary, a report from a qualified well driller, hydro-geologist or engineer confirming that an adequate and potable water supply is available to service the proposed use shall be submitted;
- c) sanitary waste disposal: Where municipal sanitary sewage services are not available or cannot be made available, soils shall be suitable or made suitable to enable the proper installation and functioning of an independent, on-site sanitary waste disposal system subject to the approval authority having jurisdiction. Development shall not be permitted where it may add to or aggravate an existing servicing problem and adequate septage treatment capacity shall exist. Documentation to this effect may be required;

- d) stormwater management: Proper site grading and stormwater management measures shall be required to ensure properly drained sites, controlled runoff and suitable outlets, and to eliminate or minimize surface drainage onto adjacent lands and roads. For large sites with the ability to accommodate multiple uses, the preparation of a sub-watershed study may be required as a basis for the preparation of site plans for specific developments. Where a sub-watershed study has been prepared, site plans for specific developments shall be required to conform therewith. A stormwater management plan/report shall be prepared by the proponent and approved by the Ministry of Transportation for those developments located adjacent to or in the vicinity of Highway No. 401 where storm drainage may impact the highway.
- e) vehicular access: Vehicular access shall be available or made available from a hard surfaced road and limited in terms of location, number and design subject to the approval of the authority having jurisdiction. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to a traffic intersection or the traffic flow characteristics of the highway or road. Where access is being proposed to a road which is substandard for commercial or industrial purposes, a condition of development may be imposed requiring the road to be brought up to the necessary standard. All development adjacent to County Roads shall comply with the requirements and obtain the necessary permits from the County of Elgin with respect to entrances, setbacks and drainage. New entrances, the up-grading of existing residential or agricultural entrances for commercial or industrial uses and/or the creation of new public road entrances shall not be permitted from Furnival Road between McDougall Line and Hoskins Line and from Graham Road between Downie Line and Queens Line. All access for lands so affected shall be provided by alternative roads under the jurisdiction of the County of Elgin or the Municipality. All development within the Ministry of Transportation's permit control area shall be subject to the Ministry's approval.
- f) site plan control: Site design, retention of natural amenities and features (if any), on-site landscaping, buffering of parking areas and adjoining lands, external lighting and signage shall be addressed through the application of site plan control. A site plan agreement shall be required.
- g) traffic impact study: For major development proposals for large traffic generators within the permit control area of Highway No. 401, the proponent shall prepare a transportation impact assessment in accordance with the Ministry's *General Guidelines for the Preparation of Traffic Impact Studies*.

6.5.6 Land Dedications

Land dedications for future road widenings shall be determined by the road authority having jurisdiction and acquired through the consent granting or site plan approval process.

6.5.7 Zoning

The actual uses permitted shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses. At least two separate zones shall be established to maintain compatibility between commercial and industrial uses. Undeveloped areas may be placed in a 'holding' type zone in accordance with the provisions of the Planning Act until such time as conditions are appropriate to permit development. Alternatively, these lands may remain in an agricultural zone until such time as a specific development proposal has been submitted and approved by the Municipality.

6.6 AGGREGATE RESOURCES

Areas designated 'Aggregate Resources' constitute areas that exhibit the potential for the commercial extraction of sand and gravel. West Elgin is not rich in terms of high quality sand and gravel and the potential for quarrying is not

apparent. Currently, there are two areas of the Municipality where a number of licensed pits are found. One area is located along Johnston Line (County Road No. 6) near Clachan and the other area is located along Downie Line just west of Blacks Road.. Sand and gravel is also taken out of Lake Erie at Port Glasgow and sold commercially. The licensed operation is undertaken by the Port Glasgow Yacht Club to prevent the mouth of the harbour from filling in. In all cases, the quality of aggregate being extracted is generally low

This section of the Plan also addresses aggregate related uses and activities on lands not necessarily designated 'Aggregate Resources'. These uses and activities include portable asphalt/concrete plants, removal or levelling of hills and wayside pits.

6.6.1 Primary Uses

Within the areas designated 'Aggregate Resources' on Schedule 'E', lands shall be used for the extraction of aggregate unless the available aggregate has been extracted or it is otherwise determined that the available resource is not commercially viable to extract. Uses accessory to extraction and processing (including the crushing, recycling, washing and stockpiling of aggregate extracted from the operation) shall be permitted. Agricultural uses shall also be permitted and the policies of this Plan governing lands designated 'Agricultural' shall apply.

6.6.2 Secondary Uses

Licensed or abandoned sand and gravel pits may also be used for the purposes of processing, recycling or stockpiling aggregate, concrete, asphalt and similar materials brought in from elsewhere. Uses such as agriculture and forestry shall also be permitted. Outdoor recreation uses may be permitted in abandoned gravel pits subject to an amendment to this Plan.

6.6.3 New Sand and Gravel Pits

All proposed sand and gravel pits operations shall require an amendment to the Zoning By-law and a license from the Ministry of Natural Resources pursuant to the Aggregate Resources Act. The following shall also be taken into consideration:

- a) impact on groundwater: A pit may not be permitted which has the potential to have a deleterious effect on the quantity or quality of groundwater resources. Mitigating measures or safeguards may be required to ensure neighbouring waterwells will not be jeopardized;
- b) land use compatibility: To minimize land use conflicts, buffering measures in the form of tree planting, earth berms or some combination thereof capable of providing an effective visual, dust and noise buffer between the proposed pit and neighbouring land uses may be required. Limitations may be imposed on the nature and location of processing facilities to ensure an acceptable degree of compatibility with neighbouring land uses;
- c) haul routes: Adequacy of haul routes shall be determined subject to the approval of the authority having jurisdiction. In no case shall access be permitted where traffic hazards could result due to poor sight lines or proximity to a traffic intersection;
- d) site plan: A site plan shall be submitted complete with information required by the Aggregate Resources Act and regulations pursuant thereto, or any other pertinent and applicable legislation or guidelines including the report required under the Aggregate Resources Act; and
- e) site rehabilitation: Rehabilitation of lands in accordance with the approved plans licensed under the Aggregate Resources Act shall be implemented in a progressive manner as extraction takes place. Where the aggregate resource is situated on agricultural land, restoration of the agricultural capability of the lands shall be required. Rehabilitation to agriculture and

agriculturally-related uses, forestry, conservation and nature reserves shall not require an amendment to this Plan.

6.6.4 New Lots and Alterations to Existing Lots

The creation of new lots, including the creation of lots to dispose surplus farm dwellings in accordance with this Plan, or the alteration of existing lots which would have the effect of compromising an existing or potential extractive operation shall not be permitted.

6.6.5 Re-designation of Lands

Proposals to re-designate lands from 'Aggregate Resources' to some other designation shall be considered based on the following:

- a) the subject lands have been exhausted of all aggregate resources; or
- b) aggregate resources present are uneconomical to extract; or
- c) aggregate extraction may result in environmental degradation difficult to mitigate; or
- d) the proposed change in designation would not significantly preclude or hinder future extraction; and
- e) consistency with the Provincial Policy Statement.

6.6.6 Wayside Pits

The establishment of a wayside pit by a public road authority or its contractor for public road purposes shall be permitted in all land use designations without an amendment to this Plan or the Zoning By-law subject to the following conditions:

- a) a permit from the Ministry of Natural Resources,
- b) compatibility being demonstrated with respect to neighbouring uses or natural heritage features, and
- c) restoration of the site upon completion of the project for which the wayside pit was required.

6.6.7 Abandoned Pits

To the extent its resources permit, the Municipality shall support the efforts of landowners, special interest groups, the conservation authority having jurisdiction and the Ministry of Natural Resources in the rehabilitation of abandoned pits provided such rehabilitation is for a use that is in conformity with this Plan. Mitigation of any known or suspected hazards shall be addressed.

6.6.8 Removal or Levelling of Hills Containing Aggregate

The removal or levelling of hills containing aggregate for the purposes of increasing or improving lands for agricultural uses shall be permitted in all land use designations of this Plan provided no excavation takes place below the average grade of land surrounding the hill. Prior to permitting the removal or levelling of such hills, the Municipality shall consult with the Ministry of Natural Resources to ensure land use compatibility has been addressed and that a license is issued, if required, pursuant to the Aggregate Resources Act.

6.6.9 Portable Asphalt/Concrete Plants

Portable asphalt or concrete plants, used by a public road authority or its contractor, may be permitted in all land use designations without an amendment to this Plan or the Zoning By-law subject to the following conditions:

- a) a certificate of approval from the Ministry of the Environment,
- b) compatibility being demonstrated with respect to neighbouring uses,
- c) natural or cultural heritage features are not adversely affected, and
- d) removal of all structures and restoration of the site upon completion of the project for which the plant is required is assured.

6.6.10 Zoning

The actual uses permitted shall be specified in the Zoning By-law. Lands licensed under the Aggregate Resources Act for the purposes of aggregate extraction as well as lands proposed to be licensed for aggregate and related activities shall be zoned accordingly. The 'H' symbol may be applied for pits proposed to be licensed but not yet in receipt of a license. The end use of the lands following extraction may also be permitted. Lands designated 'Aggregate Resources' but not licensed for extraction may be zoned for agricultural purposes until such time as an application for a license pursuant to the Aggregate Resources Act has been submitted and the requirements of this Plan are deemed satisfied by the Municipality.

This section of the Official Plan deals with the lands along the Lake Erie shoreline as shown on Schedule 'E' and Figure 7. All proposals and initiatives within this area shall be governed by the goals, objectives and policies of this section to determine conformity with the Official Plan.

Lands comprising the 'Lakeshore Area' lie along the Lake Erie shoreline. Gray Line passes through the area, for the most part continuous and parallel to the shoreline. The TransCanada Trail runs along Gray Line between Blacks Road and Graham Road. The lands along the lake are generally characterized by high, eroding bluffs interrupted by a number of ravines and remnants of Carolinian forest that once extensively covered southwestern Ontario.

Existing development in the area includes campgrounds and trailer parks, seasonal and year round dwellings and the small recreational hamlet of Port Glasgow that includes a marina and public beach. Additional lands were designated for development under the former Township of Aldborough Official Plan and zoned for recreational and residential purposes but remain undeveloped.

Natural heritage features are abundant and diverse, particularly in the westerly end of the 'Lakeshore Area', and contribute significantly to the character of the area. They include wetlands, an area of natural and scientific interest, habitat of threatened and endangered species, wildlife habitat, fish habitat, woodland, valleylands and the shoreline itself.

Although a few significantly sized parcels exist, agriculture is generally limited to small remnant pockets of cultivated land with the exception of more extensively cultivated lands lying east of Eagle. There are no livestock operations within the area although a major facility lies just outside the 'Lakeshore Area' in the east end of the Municipality.

The presence of the shoreline has attracted limited residential development attributed to the existence of the high, erosion prone bluffs that characterize the shoreline. The height of the bluffs make access to the shoreline treacherous in most areas and compromises lake views while the eroding nature of the bluffs requires precautionary measures in terms of building setbacks and countervailing design and construction measures.

Municipal services are limited in the area and costly to provide as a result of topography, erosion, sparse population and the relative remoteness of the area. A municipal water supply is available in Port Glasgow and at Lakeview Estates south of Eagle. Municipal sanitary sewage services are not available in the area and may be cost-prohibitive to provide. Gray Line, for the most part, is a gravel road under the jurisdiction of the Municipality. It is unopened west of Black's Road and between Graham Road and McKillop Road and east of McKillop

Road. Sections west and east of Port Glasgow are not maintained in winter due to the presence of steep topography.

The 'Lakeshore Area' as shown on Schedule 'E' and in greater detail on Figure 7 includes lands in Concession XIII and Concession XIV except as otherwise shown. In Concession XIII, the 'Lakeshore Area' extends a distance of 100 m from Gray Line. Not all lands lying within the 'Lakeshore Area' are intended or suitable for the purposes of development. In some instances, development in natural heritage features is prohibited or only permitted where it is capable of being demonstrated that there will be no negative impacts on such features or their ecological functions. On lands adjacent to a natural heritage feature, the impact of the development on the feature also has to be considered as set out in Section 3. In addition, regard for the shoreline hazard, slope instability, servicing and accessibility will also serve to limit development in the 'Lakeshore Area'.

7.1 GOALS AND OBJECTIVES

The following goals and objectives shall guide the use of land and character of the 'Lakeshore Area':

- a) To protect and, wherever possible, enhance the natural heritage features of the shoreline environment and adjacent lands;
- b) To facilitate outdoor recreation uses and limited residential development compatible with and related to the shoreline environment;
- c) To ensure that the appropriate level of infrastructure is available or made available to accommodate new development;
- d) To ensure that development is directed away or the appropriate measures are taken to reduce the potential for risks to health, safety and property damage by natural hazards characteristic of the area; and
- e) To increase and improve public access to the shoreline without at the same time infringing on legitimate private property rights.

7.2 PRIMARY USES

Within the 'Lakeshore Area' on Schedule 'E', the primary use of land shall be for uses and activities that are attracted by the scenic character, natural characteristics and outdoor recreational opportunities of the area while at the same time protective of its natural heritage features, cognizant of its servicing and access limitations and respectful of hazardous conditions. Uses permitted include seasonal residential and year-round residential development, campgrounds and trailer parks, golf courses, marina facilities, tourist retail and service establishments, parks and conservation areas.

7.3 SECONDARY USES

Secondary uses shall include agricultural uses (other than the raising or keeping of livestock) and home occupations.

7.4 NATURAL HERITAGE FEATURES

Natural heritage features shall be protected and development and site alteration on adjacent lands shall ensure there are no negative impacts on such features or their ecological function in accordance with Section 3 of this Plan.

7.5 PORT GLASGOW SPECIFIC POLICY AREA

The following policies apply to the land designated as 'Port Glasgow Specific Policy Area' on Figure 6.

Port Glasgow on the shores of Lake Erie lies within the 'Lakeshore Residential' designation and consists of a small concentration of year round and seasonal dwellings, campgrounds, a yacht club, marina and beach. It is the one area along the lakeshore within West Elgin where public access to the lake and views of the lake are the greatest. It is presently serviced by a municipal water supply system. Improvements to the harbor and adjoining municipally-owned lands are on-going.

It is intended that the lands within the Port Glasgow Specific Policy Area, identified on Figure 6, continue to develop as the centerpiece of the 'Lakeshore Area' offering a range of housing types, recreational and cultural opportunities, and commercial establishments catering to both residents of the Municipality and visitors from outside the area.

Development within the Port Glasgow Specific Policy Area is anticipated and encouraged subject to the appropriate level of services being in place. The natural heritage features, cultural heritage features, access to the lake, and views of the lake will be protected and enhanced wherever possible.

A Secondary Plan may be used to establish more detailed land use policies and land use designations than that of this Plan.

A Secondary Plan has been prepared for lands within the Port Glasgow Specific Policy Area identified on Figure 6. Prior to amending in the future the Secondary Plan, the municipality will consult with the public, interested public bodies, relevant approval authorities, and others.

The Secondary Plan, if amended, will appropriately address the development of the Port Glasgow Policy Area in accordance with this section. The Secondary Plan should include the following:

- a) Population and demographic characteristics;
- b) The type, density and arrangement of uses;
- c) Urban design guidelines;
- d) Vehicle, bicycle, and pedestrian circulation;
- e) Public access to and views of the lake;
- f) Lands to be dedicated to the Municipality for public use;
- g) Protection and enhancement of potentially impacted natural heritage and cultural heritage features;
- h) Servicing strategies; and,
- i) The phasing of development.

Such Secondary Plan will be comprised of land use policies, (a) concept plan(s) and supporting schedules, drawings, reports, documents and information.

The Port Glasgow Secondary Plan is included as Section 11 to this Official Plan.

The Secondary Plan may be updated or amended, as needed, through five year review of the Official Plan or an Official Plan amendment, in conformity with the relevant goals, objectives and policies of this Plan.

7.6 BUILDINGS AND STRUCTURES

Proposals to erect buildings or structures along the shoreline and below the regulatory line established by the Lower Thames Valley Conservation Authority shall be forwarded to the Authority for its review and approval. Where a threat exists to safe occupancy and a potential for property damage as a result of flooding, erosion or other natural hazards, such proposals are unlikely to be permitted. To facilitate the relocation of permanent buildings and structures in these areas as the need arises, buildings shall be designed and constructed in such a manner to be readily relocated to safer ground and sufficiently set back from the top-of-bank. Temporary buildings and structures including travel trailers and similar recreational vehicles which are readily movable shall be less strictly controlled. In addition to obtaining a permit from the Authority in these situations, a building permit from the Municipality may also be required.

7.7 WATER SUPPLY AND SANITARY SEWAGE DISPOSAL

While the preferred method of servicing development in the 'Lakeshore Area' is by municipal water supply and municipal sanitary sewage services, such services are not currently available and, if made available, would only be so to limited areas. Proposals for new development and major expansions to existing development shall be carefully evaluated in terms of their ability to provide sustainable services on site given the nature of soil conditions and shoreline erosion. In the case of condominium developments and campgrounds, communal water and sewage services shall be the preferred method of servicing in the absence of municipal services. A responsibility agreement with the Municipality may be required and may be entered into by the Municipality provided it is assured that it is not exposed to unacceptable and unreasonable risks.

7.8 PUBLIC ROAD ACCESS

Due to the discontinuous nature of Gray Line as well as certain segments of Gray Line that are not maintained during winter, proposals for new development and major expansions to existing development shall be carefully evaluated in terms of their access requirements. Development shall only be permitted where safe and reliable access is available or can be made available commensurate with the needs of the development.

7.9 CREATION OF LOTS

The creation of new lots in the 'Lakeshore Area' shall take place by consent or by plan of subdivision or plan of condominium in accordance with the provisions of the Planning Act and the relevant policies of this Plan including Section 10.3 and Section 10.4.

7.10 CRITERIA FOR DEVELOPMENT

The following criteria shall be used to evaluate proposals for new development and expansions to existing development:

- a) site characteristics: Lands proposed for development should be well-suited for the purposes being proposed and include sufficient lands over the long term for safe and secure building sites where required. Variable topography, preservation of views and access to the shoreline are considered desirable features to incorporate into the design of development along the lakeshore. Creative design in harmony with the natural characteristics of the site and the surrounding area shall be expected. Where lands are lacking in natural amenities and features, measures shall be taken to enhance the natural characteristics. Featureless, strip development shall not be permitted;
- b) natural amenities and scenic quality: The natural amenity and scenic quality of the lands shall be identified, maintained and, where necessary,

enhanced. Natural heritage features shall be protected. A *naturalizing* plan may be required which provides for the planting of trees and other vegetation to offer shade and amenity for the development and corridors for wildlife;

- c) adjacent and surrounding land use: The proposed use shall be compatible with existing or proposed neighbouring land uses. Where necessary or desirable, the proposed use shall be adequately buffered from neighbouring land uses by the provision of adequate setbacks and/or screening. Compliance with the Minimum Distance Separation Formula shall be required with respect to any neighbouring livestock operation;
- d) vehicular access: Vehicular access shall be available or made available from a public road of reasonable construction and maintenance subject to the approval of the authority having jurisdiction. In no case shall access be permitted where traffic hazards could result due to poor sight lines or proximity to a traffic intersection;
- e) lot dimensions: Lots proposed to be used or created shall be adequate for the use being proposed. In no case shall lots be created which do not conform to the provisions of the Zoning By-law unless the By-law is otherwise amended or a variance granted;
- f) water supply and sanitary sewage disposal: The proponent shall undertake the necessary studies and prepare the necessary plans to determine how water supply and sanitary sewage disposal are best provided taking into account land use, environmental considerations, financial feasibility, ownership and operating responsibilities and related factors. The studies may include hydro-geological, soils and/or other appropriate technical reports to determine the suitability of servicing the lands for development;
- g) stormwater management: Proper site grading and stormwater management measures shall be required to ensure properly drained sites, controlled runoff and suitable outlets, and to eliminate or minimize surface drainage onto adjacent lands and roads. Adequate provisions for storm drainage and surface runoff shall be provided. The Municipality may require the submission of a grading plan to ensure surface runoff does not adversely affect neighbouring properties or contribute to erosion; and
- h) site plan control: A high standard of building and site design, including site location, retention of natural amenities and features (if any), on-site landscaping, buffering of parking areas and adjoining lands, external lighting shall be encouraged.

7.11 CAMPGROUNDS AND TRAILER PARKS

Campgrounds and trailer parks shall be restricted to seasonal occupancy with the exception of accommodation for the owner/operators thereof and for up to one additional household for security and safety reasons. The owner/operator shall take those measures necessary to ensure year round occupancy does not occur. The seasonal occupancy period shall be established by the Zoning By-law or other appropriate legislation.

7.12 GOLF COURSES

In addition to the criteria of Section 7.10, the following criteria shall be used to evaluate proposals for golf courses:

- a) irrigation: Since golf courses require extensive amounts of water to generate and maintain ideal course conditions, the proponent shall submit the necessary studies to determine how irrigation is to be provided taking into account surrounding land use, environmental considerations, financial feasibility and related factors;
- b) fertilizers and pesticides: As golf courses are significant users of fertilizer and pesticides in order to improve course conditions, those with a nitrogen

content can be potentially harmful to the environment regarding run-off and impacts on watercourses. The use of organic fertilizers and pesticides shall, therefore, be encouraged; and

- c) vegetation: Wooded areas shall be retained and reforestation encouraged to enhance wildlife habitat including wildlife corridors. The planting of native species shall be encouraged in order to generate a more natural golf course setting.

7.13 PUBLIC ACCESS TO THE SHORELINE

Efforts shall be made wherever possible and feasible to increase and enhance public access to the Lake Erie shoreline at selected locations where conditions are suitable for these purposes and adjacent land uses are not adversely or unreasonably affected. Wherever possible and practical, the Municipality may, as a condition of development, require that certain lands be dedicated for the purposes of providing public access.

7.14 ZONING

The actual uses shall be specified in the Zoning By-law in a manner that ensures orderly and compatible development and minimizes the potential for conflicts between existing and future uses. Separate zones shall be established for campgrounds and trailer parks, passive outdoor recreation uses and residential uses to maintain compatibility amongst such uses. Undeveloped lands may be placed in a 'holding' type zone in accordance with the holding provisions of the Planning Act until such time as conditions are appropriate to permit development. Alternatively, these lands may remain in a restricted use agricultural zone until such time as a specific development proposal has been submitted and approved by the Municipality.

8.0 INFRASTRUCTURE

This section of the Official Plan deals with the main components of the physical or servicing infrastructure in West Elgin; namely its roads, water supply system and sanitary sewage systems. All proposals and initiatives should be vetted against this policy in terms of implications to access and impact on public roads, method of water supply and method of sanitary waste disposal. Stormwater management is also addressed in this section and potentially applies to both new development and redevelopment.

8.1 WHERE PERMITTED

The use of land for the provision and maintenance of public utilities and infrastructure (e.g. water supply, sanitary sewage disposal, roads, electricity, natural gas, telecommunications) and any buildings, structures or appurtenances thereto shall be permitted in all land use designations in accordance with any and all environmental requirements and approvals and without an amendment to this Plan.

8.2 ROADS

West Elgin is served by a network of county roads under the jurisdiction of the County of Elgin and local roads under the jurisdiction of the Municipality. Provincial Highway No. 401 meanders through West Elgin from west to east virtually bisecting the municipality. Access to the highway is limited to two interchanges, one serving primarily Rodney and the other serving primarily West Lorne. The road network is shown on Schedule 'D'.

8.2.1 Provincial Highways

Development adjacent to Highway No. 401 and its interchanges in the area defined by the Ministry of Transportation as an area of permit control will require the approval of the Ministry with respect to the use of lands and erection of buildings and structures, access to County Roads and 'Local Roads', drainage and signage. Minimum setbacks for buildings and structures from Provincial Highways shall be specified by the Ministry of Transportation.

8.2.2 County Roads

Development of lands adjacent to county roads shall satisfy the requirements and obtain all the necessary approvals of the County of Elgin. The Municipality shall solicit input from the County prior to approval of development that may directly or indirectly affect county roads with respect to such matters as entrances, setbacks, load restrictions and drainage. The County is in the process of classifying roads under its jurisdiction by type and function. The study will also include the determination of ultimate design widths for county roads which will be used as a basis for requesting land dedications as a condition of consent, plan of subdivision/condominium or site plan approval. When this study is complete and is officially adopted by the County, this Plan shall be amended as need be.

8.2.3 Local Roads

The primary function of 'Local Roads' is to provide direct access to abutting properties, typically carrying less than 1500 vehicles per day. Streets with only one access (i.e. cul-de-sacs) shall typically have a maximum volume of 200 vehicles per day. Lower speed limits and traffic control devices may be applied to ensure public safety and the enjoyment of adjacent residential properties.

8.2.4 Road Allowances

The minimum road allowance width for local roads shall be 20 m. Existing road allowances with less than the standard width may be maintained where the design width would adversely affect abutting properties or is otherwise not feasible, desirable or necessary to acquire. New road allowances less than the standard width may be considered depending on the length of the street and the nature of development being proposed. Land dedications may be required as a condition of approval of a consent, plan of subdivision/condominium or site plan approval to bring existing road allowances up to their design width. Where a land dedication for road widening is being considered as a condition of development or the subdividing or severing of land, the amount of land to be taken shall be taken in equal amounts from both sides of the subject road measured from the centreline of the road except where physiographic conditions, utility lines or other features dictate otherwise.

8.2.5 Design and Construction

New roads created for dedication to the Municipality shall be designed and constructed to the standards of the Municipality prior to assumption. Where new roads are proposed to intersect with a county road, the location, design and construction of these roads at their point of intersection shall be subject to the approval of the County of Elgin.

8.2.6 Minimum Setbacks

Minimum setbacks for buildings and structures from county roads and local roads shall be specified in the Zoning By-law.

8.2.7 Entrances

Where access is available from both a county road and a local road, access shall generally be restricted to the local road. The number, location, design and construction of entrances shall be subject to the authority having jurisdiction.

8.2.8 Private Streets

Private streets shall only be considered in developments registered under the Condominium Act or as otherwise may be permitted by this Plan.

8.2.9 Unopened or Abandoned Road Allowances

Unopened or abandoned road allowances may be closed and the lands conveyed to abutting property owners where access would not be compromised in accordance with the provisions of the Municipal Act.

8.3 WATER SUPPLY

The 'Village Areas' of both Rodney and West Lorne are serviced by the West Elgin Primary Water Supply System -- a regional system serving parts of the County of Elgin, the County of Middlesex and the Municipality of Chatham-Kent. A significant portion of the 'Rural Area' is also serviced by the system including Eagle and New Glasgow but not Clachan. The system currently supplies an average of 4,000 m³ (141,250 ft³) per day, equivalent to 60% of the design capacity. A major up-grade of the system has been approved which will include a new treatment plant with state-of-the-art membrane technology. The plant will be located south of Eagle near Lake Erie. The existing treatment plant built in the 1930's will be abandoned. The system has sufficient reserve capacity to accommodate the anticipated population growth and future development of Rodney and West Lorne.

8.3.1 Mandatory Connection

All new development in the 'Village Areas' shall be connected to and serviced by the municipal water supply system.

8.3.2 Extensions

The Municipality may consider additional extensions of the water supply system to service areas outside the settlement areas subject to the requirements of the Environmental Assessment Act and the approval of the Ministry of Environment.

8.3.3 Monitoring

The municipal water supply system shall be monitored to ensure an adequate, secure and potable water supply to those being served by it. Improvements shall be undertaken and measures adopted as necessary to ensure the supply remains adequate and secure and water quality standards are met.

8.4 SEWAGE DISPOSAL

The only areas serviced by sewage treatment plants in West Elgin are the 'Village Areas' of both Rodney and West Lorne. During the 1990's, major upgrades were undertaken to both facilities resulting in the replacement of the lagoon systems with mechanical sewage treatment plants. The lagoons now function as a standby system in the event of a failure that would require either of the plants to be shutdown pending repairs. The current average daily flows amounts to 350 m³ (12,360 ft³) representing 59% of the design capacity in the case of Rodney and 590 m³ (20,800 ft³) representing 66% of the design capacity in the case of West Lorne. As a result, the systems have sufficient reserve capacity to accommodate projected population growth and future development. The municipal sanitary sewage systems have been designed, to the greatest extent possible, to service by gravity flow the area comprising the respective villages prior to their amalgamation with the Township of Aldborough.

8.4.1 Mandatory Connection

All new development in the 'Village Areas' shall be connected to and serviced by the respective municipal sanitary sewage system. All existing dwellings and establishments not currently connected to the system shall be connected to the system as the opportunities arise. 'Service Area A' as shown on Schedule 'C' and Schedule 'D' comprises the area of Rodney and West Lorne designed to be serviced by the sewage treatment plants. The areas are co-terminus with the boundaries of the two villages prior to amalgamation with the Township of Aldborough. 'Service Area B' as shown on Schedule 'C' and Schedule 'D' comprises lands lying beyond 'Service Area A' yet within the settlement area boundaries of Rodney and West Lorne established by this Plan. A class environmental assessment may be required prior to any extension of the system into 'Service Area B'. Servicing studies may also be required for these areas prior to development to determine the optimal location of any required pumping station and the routing of any required forcemain to a suitable outlet either at the main pumping station or to a trunk main with adequate design capacity.

8.4.2 Improvements

Improvements shall be made to the municipal sanitary sewage systems as the need arises to maintain the capacity of the collection and treatment systems to accommodate existing and future development.

8.4.3 Expansion

When 90% of the design capacity of a municipal sanitary sewage system is reached, the process of expanding the plant to meet future needs shall be initiated. Until such time as a commitment is made to expand the plant and the necessary regulatory approvals have been obtained, no further approvals shall be given to developments which require connection to or which otherwise increase the load on the system.

8.4.4 Private Sanitary Sewage Systems

Development shall be permitted on private, sanitary waste disposal systems in accordance with the requirements of the Ontario Building Code as administered by the Municipality or, in the case of systems generating more than 10,000 L/day, in accordance with the requirements of the Ministry of Environment except where connection to a municipal sanitary sewage system is available or otherwise mandatory.

8.4.5 Impact on Groundwater Resources

Where conditions warrant given the nature, scale or location of development being proposed that would not be connected to a sewage treatment plant, the Municipality, upon consultation with the Ministry of Environment, may require the submission of an engineer's report to ensure that such development will not adversely impact the groundwater resource and any impact is within the guidelines of the Ministry of Environment. The report shall identify the type and design parameters of the appropriate sanitary sewage system or systems to be utilized. Where situations warrant, low nitrate generating systems may be required as a condition of the development being proposed.

8.4.6 Septage Treatment Capacity

The Municipality shall ensure that adequate septage treatment capacity is available prior to the creation of a lot whether by consent, plan of subdivision or plan of condominium where development is intended to be serviced by communal or on-site sewage works. Adequate septage treatment capacity shall be determined by developing and maintaining an up-to-date municipal septage plan which addresses the reserve capacity for septage at the Rodney or West Lorne sewage treatment plants or by a duly executed agreement with another municipality or with an approved privately owned and operated facility. Alternatively, the Municipality may require a proponent to demonstrate adequate septage treatment capacity exists at an approved facility as a condition of development.

8.4.7 Reserve System Capacity

The Municipality shall establish and maintain a tracking system of new development capable of determining its water and sewage reserve servicing capacity at any given time. The tracking system shall include development on communal or individual sewage systems if such systems are dependent on the Municipality's sewage treatment plants for septage disposal.

9.0 DEVELOPMENT SENSITIVITY AREAS

This section of the Official Plan identifies areas or features considered sensitive to development due to the presence of physical hazards, noise, odours and similar impacts. All proposals and initiatives should be vetted against this section to ensure they are not on lands lying in proximity to such areas or features or, if being the case, the necessary measures are taken to mitigate the potential for adverse impact.

9.1 HAZARDOUS LANDS

West Elgin lies partially within the watershed of the Thames River and partially within the watershed of Lake Erie. Lands primarily associated with the Thames River and its tributaries and the Lake Erie shoreline and the streams and gullies flowing into it are hazardous or potentially hazardous to development and a risk to life and property. Such hazards arise within these areas as a result of susceptibility to flooding, erosion, subsidence, slumping, inundation and the presence of steep slopes.

Since 2006, conservation authorities across the Province have been required by law to establish a 'regulatory line' within which certain restrictions and procedures would apply to development and the use and alteration of land. Approval of the Lower Thames Valley Conservation Authority is required where development is being considered. Development is defined broadly under the regulation adopted by the Authority.

9.1.1 Lands Affected

Lands identified as 'Hazardous Land' areas on Schedule 'H' comprise the area identified by regulation of the Lower Thames Valley Conservation Authority as potentially unsafe to development as a result of naturally occurring processes associated with flooding, erosion, dynamic beaches, or unstable soil or bedrock. Within these areas, development shall not be permitted unless the Authority has determined that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

9.1.2 Meaning of Development

Development on 'Hazardous Lands' for the purposes of this Plan shall include:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- b) any change to a building or structure which would have the effect of altering its use or potential use, increasing its size, or increasing the number of dwelling units therein,
- c) site grading, or
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

9.1.3 Uses, Buildings and Structures

Within 'Hazardous Land' areas, the use of land shall be governed by the policies applying to the underlying land use designation. No buildings or structures shall be permitted and no building permit shall be issued by the Municipality without the express written approval of the Lower Thames Valley Conservation Authority. Applications for building permits within these areas shall be referred to the Conservation Authority for review and comment. The Municipality shall rely on the mapping of the Conservation Authority to determine whether the lands affected lie within the area regulated by the Authority. The location of the 'Regulatory Line' of the Lower Thames Valley Conservation Authority as shown on Figures 5 and 6 to this Plan is approximate only. Permits, if required, shall be obtained from the Authority prior to any buildings or structures being constructed or prior to any work or alteration being undertaken adjacent to the bank of Lake Erie.

9.2 LANDFILL SITES

There is one active and a number of abandoned or closed landfill sites in West Elgin. The only active landfill site is a municipally-owned and operated situated in the south half of Lot B, Concession VII. Most of the abandoned/closed landfill sites are situated in the 'Rural Area' although one is situated in the northeast quadrant of the 'Village Area' of Rodney. Active and abandoned/closed landfills have a potential for adverse impacts to public health and safety as a result of the migration of methane gas and leachate.

9.2.1 Methane Gas and Leachate

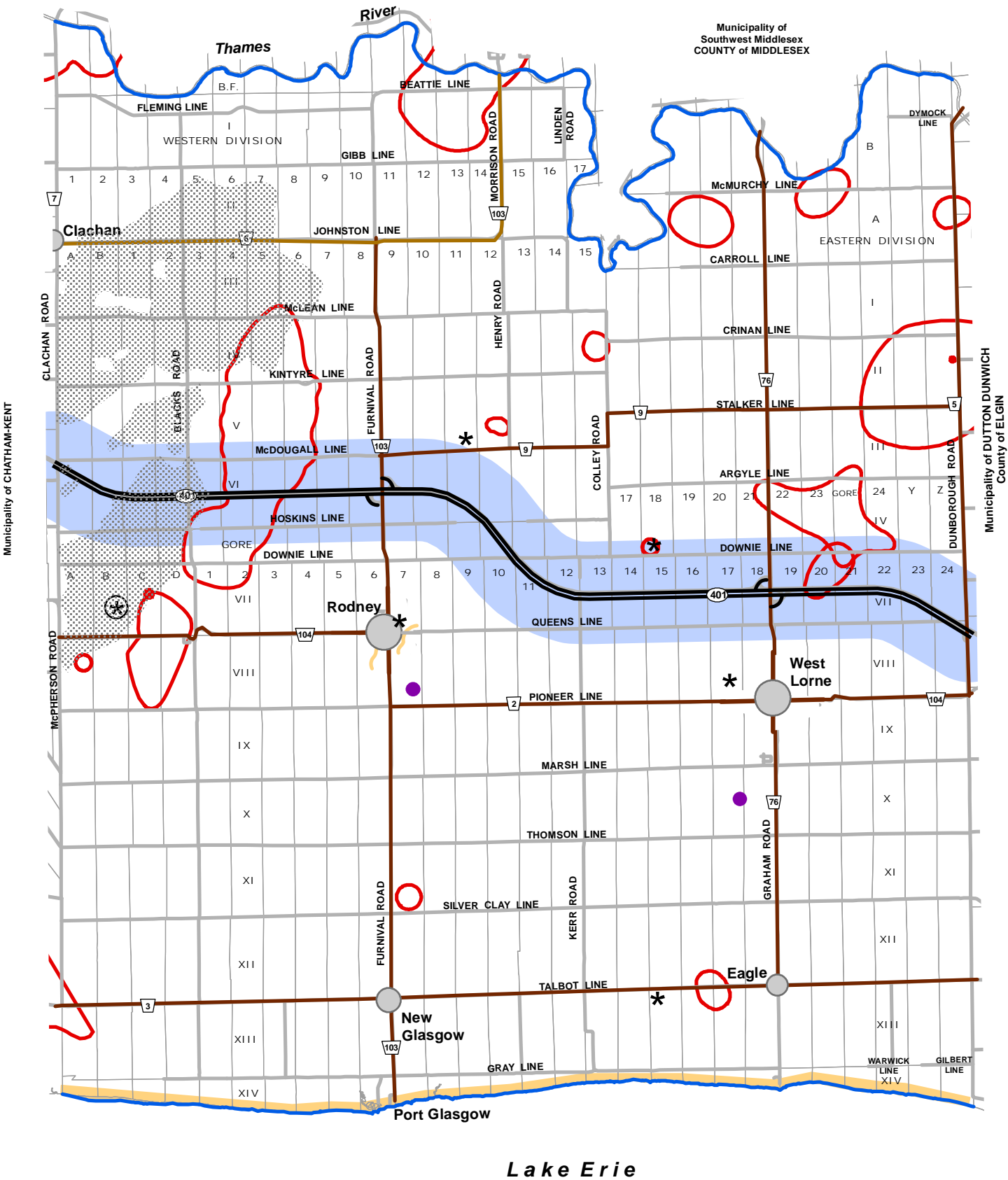
Within active or abandoned/closed landfill sites as shown on Schedule 'H' and within 500 metres of the perimeter of the fill area associated with such landfill sites, soils, atmospheric and groundwater testing for methane gas and leachate migration may be required prior to the approval of any development or the issuance of a building permit.

9.2.2 Abandoned and Closed Landfill Sites

In accordance with the Environmental Protection Act, no use shall be made of abandoned or closed landfill site for a period of 25 years without the consent of the Ministry of Environment.

9.3 SEWAGE WORKS

There are two sanitary sewage works in West Elgin, one serving Rodney in the southeast quadrant of the former village and the other serving West Lorne in part of Lot 18, Concession X lying south of Marsh Line and west of Graham Road. Both facilities feature a mechanical type plant and a sewage lagoon used in the sludge settling process of wastewater treatment. Such plants have a potential to emit an odour unpleasant to the enjoyment of property, particularly residential property. The Ministry of Environment recommends a minimum separation distance of 100 metres between sewage treatment plants and sensitive land uses.



Lake Erie

401 PROVINCIAL HIGHWAY
3 COUNTY ROAD
LOCAL ROAD

SCALE 1:100,000

0 600 1,200 2,400 3,600 4,800 6,000 Metres

HAZARDOUS LANDS / WETLANDS	
AGGREGATE RESOURCE AREA	
PETROLEUM RESOURCE POOL	
NOISE SENSITIVITY AREA	
SEWAGE TREATMENT PLANT	
LANDFILL SITE (ACTIVE)	
LANDFILL SITE (CLOSED/ABANDONED)	
	1 km adjacent lands buffer
	100 m adjacent lands buffer
	500 m adjacent lands buffer
	500 m adjacent lands buffer

9.3.1 Odour Impacts

Within 100 metres of a sewage works as shown on Schedule 'H', the impact of odour on residential and other sensitive land uses shall be determined and where necessary, appropriate measures implemented. Such measures may include various forms of buffering and minimum setbacks. Where development is relatively minor in nature (such as infilling, replacement of, or additions to, existing dwellings) or where the odour impact is not known to be significant, such studies shall not be required.

9.4 BROWNFIELD SITES

While extensive areas of so-called brownfield sites are not evident in West Elgin, contaminated lands do exist as a result of previous oil production activity, railway operations and former commercial and industrial uses. Where such lands exist, measures are necessary to determine whether a risk exists to public health and safety prior to such lands being used or redeveloped for other purposes.

9.4.1 Studies and Record of Site Conditions (RSC)

Prior to approval being given for the use or development of lands which may result in health or safety risks to the public or future occupants as a result of previous uses or activities, the necessary studies shall be prepared by the proponent to determine the appropriateness of such use or development including any required remedial measures. Where there is a change in use from commercial, industrial or similar type uses to residential, institutional and similar sensitive type uses, a Record of Site Conditions (RSC) prepared by qualified persons in accordance with regulations under the Environmental Protection Act shall be required. Decommissioning and/or remediation of the site may be necessary prior to development. The RSC shall be prepared by the proponent and submitted to the Ministry of Environment and the Municipality. Where the Municipality has reason to believe off-site contamination may result in adverse effects, it shall notify the Ministry of Environment.

9.4.2 Remediation, Reuse and Conversion

The remediation, conversion and reuse of *brownfield sites* shall be strongly encouraged.

9.5 OIL AND GAS WELLS

Buildings and structures unrelated to the production of oil and gas shall be setback a minimum of 75 metres from oil and gas wells as prescribed by the Oil, Gas and Salt Resources Act. Abandoned gas and oil wells shall be plugged in accordance with the Oil, Gas and Salt Resources Act and shall be a condition of any proposed development. Existing petroleum resource pools identified by the Ministry of Natural Resources are shown on Schedule 'H'. These areas shall be protected from development which would preclude or hinder future extraction.

9.6 COMMERCIAL GRAIN DRYING FACILITIES

There remains only one commercial grain handling facility in West Elgin, situated west of Rodney. The Ministry of Environment has identified a potential influence area of 300 metres around these facilities where a potential exists for

adverse impacts due to noise and dust on sensitive land uses (i.e. residential, institutional).

9.6.1 Noise and Dust Impacts

Within 300 metres of a commercial grain drying facility, the impact of noise and dust on residential and other sensitive land uses shall be determined and where necessary, appropriate measures implemented as a condition of development. Such measures may include various forms of buffering and minimum setbacks. Where development is relatively minor in nature (such as infilling, replacement of, or additions to, existing dwellings), such studies may not be required.

9.7 LANDS ADJACENT TO EXPRESSWAYS

The Municipality of West Elgin is virtually bisected by Highway No. 401, a four lane, divided expressway. As a result of the potential for adverse noise impacts, the Ministry of Environment has established guidelines with respect to new residential development adjacent to such facilities. Between 55 dBA and 70 dBA, noise attenuation measures are generally necessary and effective. Beyond 70 dBA, residential development is generally not advisable.

9.7.1 New Development

Prior to considering any new residential development within 1 km of Highway No. 401 as shown on Schedule 'H', the proponent shall engage the services of an engineer knowledgeable in acoustics to undertake a noise study. The study shall identify the total noise impact from all sources on the lands proposed to be developed and shall determine whether noise control measures are required to satisfy the Ministry of Environment's sound level criteria of 55 decibels (dBA).

9.7.2 Noise Abatement Measures

Where a need for noise abatement measures is determined, the recommended noise reduction measures shall be designed and implemented to the satisfaction of the Municipality in consultation with the Ministry of Environment. Abatement measures may include noise barriers, increased setbacks and building design features.

10.0 INTERPRETATION AND IMPLEMENTATION

This section of the Official Plan contains policies designed to assist in resolving issues pertaining to interpretation of the Plan, when and when not amendments to the Plan shall be required as well as when the Plan will undergo a comprehensive review. The specific legislation or tools by which the Plan will be implemented and their key elements are identified. Before an application under the Planning Act is submitted, regard shall be had to the relevant policies of this section

10.1 GENERAL

10.1.1 Unexpected Situations

Where a situation arises not specifically addressed by the policies of this Plan, the general intent and spirit of the Plan shall be determining factors establishing conformity with the Plan.

10.1.2 Settlement Area Boundaries

The boundaries of the settlement areas are shown on Schedule ‘C’, Schedule ‘D’ and Schedule ‘E’ and more precisely on Figure 1 to Figure 5 inclusive follow, wherever possible, readily definable physical features or lot lines (or half lot lines) and are generally to be considered absolute. In accordance with the Provincial Policy Statement, expansion of a settlement area boundary may only be considered at the time of a comprehensive review of the Plan and where the requirements of the PPS have been satisfied.

10.1.3 Land Use Boundaries

The boundaries of the land use designations shown on the schedules to this Plan shall be considered approximate. Only where such boundaries are defined by County roads or significant natural or man-made features shall they be considered absolute.

10.1.4 Accessory Uses

Uses, buildings and structures accessory to a main use shall be permitted in all land use designations provided they are clearly secondary, subordinate and incidental to the main use and situated on the same lot therewith. They shall be appropriate in scale to the main use of the lot on which they are situated and not adversely affect the peace, enjoyment or character of neighbouring uses or create a nuisance, eyesore, health or safety issue with respect to neighbouring uses. Where such uses would have, or have the potential to have, an adverse impact on neighbouring uses (e.g. domestic wind towers, radio antennae, outdoor furnaces), they shall only be permitted in accordance with appropriate provisions being established in the Zoning By-law to mitigate any adverse impacts on neighbouring uses.

10.1.5 Numerics

Numerical figures in this Plan are to be considered approximate. Minor deviations from these figures may be acceptable without the need for an amendment to this Plan provided the general intent and purpose of the Plan is maintained.

10.1.6 Implementation Measures

This Plan shall be implemented by means of the powers conferred upon the Municipality by the Planning Act, the Municipal Act and such other statutes as may be applicable from time to time. More particularly, the Plan shall be implemented by the enactment of zoning by-laws, site plan control, the granting of consents, the undertaking of community improvement projects and public works.

10.1.7 References to Statutes

Where any Act or portion of any Act is referred to in this Plan, such references shall be interpreted as referring to any subsequent amendments or revisions of the Act.

10.1.8 Review of Existing By-laws

Upon adoption of this Plan, the Municipality shall review all existing by-laws governing or affecting the use of land. Where necessary, the Municipality shall amend these by-laws or adopt new by-laws as may be required to ensure they are in conformity with this Plan.

10.2 AMENDMENTS AND REVIEW

10.2.1 When Considered

Amendments to the Plan shall be considered in response to changing circumstances within or affecting the Municipality; changes in policy, legislation and guidelines of other levels of government which may have a bearing on existing uses or the future development of the Municipality and in response, to specific applications by landowners and developers.

10.2.2 When Not Required

Amendments to the Plan shall not be required in order to make minor adjustments to the boundaries of land use designations and the location of roads provided the general intent and purpose of the Plan is maintained. Such adjustments need not be reflected on the schedules.

10.2.3 Five-Year Review

From the date the Plan comes into effect and not less frequently than every 5 years thereafter, the Municipality shall consult with the Ministry of Municipal Affairs and Housing and other bodies prescribed and convene at least one meeting of Council open to the public in accordance with the Planning Act for the purpose of determining the need for any amendments or revisions to the Plan.

10.2.4 Comprehensive Review

A comprehensive review of the Plan, within the meaning of the Provincial Policy Statement, may be undertaken at any time, however, the need for a comprehensive review shall be considered not later than every 5 years from the day the Plan comes into effect. Any changes to a settlement area boundary or any proposed reduction in lands designated as employment lands within the meaning of the Provincial Policy Statement (essentially lands designated for commercial or industrial purposes) shall only be considered on the basis of a comprehensive review.

10.3 PLANS OF SUBDIVISION/CONDOMINIUM

A recommendation for approval by the Municipality to the approval authority for a plan of subdivision or plan of condominium shall be subject to the following criteria being satisfied:

- a) the applicable land use designation and policies of this Plan,
- b) the requirements of the Planning Act,
- c) consistency with the Provincial Policy Statement,
- d) the entering into of a subdivider's/ condominium agreement with the Municipality, and
- e) the posting of sufficient financial security to ensure the protection of the Municipality.

10.4 CONSENTS

10.4.1 New Lots

The creation of lots by land severance or consent shall be evaluated in accordance with the following:

- a) whether a plan of subdivision is considered necessary to ensure the proper and orderly development of the Municipality. Generally, a plan of subdivision shall not be considered necessary where the proposal represents a limited number of lots, the proposed lots front on an open public road and there is no other land under the same ownership adjacent to the lots proposed to be created and designated for the same type of development;
- b) whether the proposed use and severance is in conformity with the policies and land use designations of this Plan;
- c) whether the requirements of the Planning Act are satisfied;
- d) whether the consent is consistent with the Provincial Policy Statement; and
- e) the input received from public agencies.

Issues arising out of the above evaluation may be addressed through conditions imposed to the granting of the severance, including entering into an agreement between the Municipality and the applicant pursuant to the Planning Act.

10.4.2 Number of Lots

The creation of lots by consent may only be granted for up to four (4) parcels exclusive of the retained parcel (four severed and one retained) and where it has been determined that a plan of subdivision is not necessary for the proper and orderly development of the lands. The further creation of lots from the parcel of land as it existed upon the coming into effect of this Plan shall be by plan of subdivision or condominium to assess, among other matters, the feasibility of municipal or communal water and sewer services and the cumulative environmental impact of the development.

10.4.3 Adjusting and Correcting Lot Boundaries

The granting of a severance for purposes of adjusting or correcting lot boundaries or to convey a relatively modest amount of land to an abutting lot shall only be permitted provided:

- a) the conveyance does not lead to the creation of an undersized, irregularly shaped lot(s) unsuited to the purpose for which it is being used or proposed to be used, or contrary to the provisions of the Zoning By-law unless the By-law is otherwise amended or a variance granted;
- b) the lands being conveyed are registered in the same name and title as the lands to which they are being added; and
- c) It is stipulated in the granting of the severance that any subsequent conveyance or transaction will require a future severance.

10.4.4 Mortgage Purposes

A consent shall only be granted for mortgage purposes where it is capable of satisfying the appropriate policies of this Plan and the appropriate provisions of the Zoning By-law with respect to the use to which the lands would be put and the dimensions and size of the parcel if the mortgage is foreclosed and a separate lot created.

10.5 ZONING

10.5.1 Conformity with the Official Plan

Except as may be otherwise provided for by this Plan, the Zoning By-law shall zone land in conformity with the land use designations and policies of this Plan and shall establish regulations to control the use of land and the character, location, and use of buildings and structures.

10.5.2 Existing Uses

Some existing uses of land may not satisfy the land use designations and policies of this Plan. To prevent undue hardship, these uses may be zoned as conforming uses in the Zoning By-law provided:

- a) The use does not constitute a danger, nuisance, or a blight with respect to neighbouring uses by virtue of its characteristics or the traffic which it generates;
- b) Any extension or enlargement of the use shall not be permitted if such extension or enlargement would be detrimental to neighbouring uses;
- c) Any change of use is compatible with the quality and character of neighbouring uses; and
- d) Where any such use is located in a 'Hazardous Land' area, any reconstruction, extension or enlargement of such use shall be first approved by the Lower Thames River Conservation Authority.

10.5.3 Temporary Uses

The temporary use of land, buildings and structures may be permitted through the adoption of a temporary use by-law in accordance with the Planning Act. Such uses may be permitted in all land use designations for a period not exceeding three years except in the case of garden suites (often referred to as granny flats) for a period not exceeding 10 years. The temporary use by-law shall describe the area affected and specify the duration for which the use permitted by the by-law will be allowed. In consideration of a by-law to permit the temporary use of land, the Municipality shall have regard to the following:

- a) existence of adequate and approved services where required,
- b) vehicular access to a public road of reasonable construction and maintenance,

- c) compatibility with adjacent and surrounding uses,
- d) effect on possible and probable future uses in the area, and
- e) satisfactory assurances that the land will be returned to its previous state and all buildings and structures removed (where deemed appropriate) upon the lapsing of the period stipulated in the by-law or upon the lapsing of any extension period that may be granted.

10.5.4 Non-Conformity

Those existing uses of land which do not satisfy the requirements of Section 10.5.2 shall not be recognized as conforming uses in the Zoning By-law. While it is the intent of this Plan that such uses cease to exist in the long run, it may be acceptable to permit their extension or enlargement where it is otherwise not feasible for the Municipality to acquire them or to relocate them to a more desirable location in conformity with this Plan. In these circumstances, permission to extend or enlarge these non-conforming uses shall be based on the following considerations:

- a) The proposed extension or enlargement shall not unduly aggravate the situation created by the existence of the use particularly in regard to neighbouring uses, the policies of this Plan and the regulations of the Zoning By-law;
- b) The proposed extension or enlargement is in appropriate proportion to the size of the non-conforming use as it existed on the date of passing of the Zoning By-law;
- c) The characteristics of the non-conforming use and the proposed extension or enlargement with regard to noise, vibration, fumes, smoke, dust, odour, lighting or traffic generation shall not add significantly to the incompatibility of the use with the surrounding area;
- d) The neighbouring uses shall be protected, where deemed necessary, by landscaping; buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and by regulations for alleviating adverse impacts caused by outside storage, lighting, signs and other similar devices. Such provisions and regulations shall be applied as conditions to the proposed extension or enlargement and may also be extended to the established use in order to improve its compatibility with the surrounding area;
- e) Traffic and parking conditions in the vicinity shall not be adversely affected by the extension and enlargement. Traffic hazards shall be kept to a minimum by the appropriate design of ingress and egress points to and from the site. Improvement of sight conditions especially in proximity to traffic inter-sections may be required;
- f) Adequate provisions shall be made for parking and loading facilities where deemed necessary or desirable; and
- g) Existing or proposed services and utilities shall be adequate or be made adequate to service the proposed extension or enlargement.

10.5.5 Premature Uses or Development

In order to prevent the use or development of large areas of undeveloped land before a demand exists and/or before the necessary requirements are in place to adequately accommodate the proposed use or development, lands may be restricted to their existing use by the Zoning By-law until such time as conditions and circumstances are appropriate for development to take place

10.5.6 Holding Provisions

The use of a holding symbol ('H') may be applied in conjunction with any land use zone of the Zoning By-law. The purpose of the 'H' symbol is to generally prevent or limit the use of land in order to achieve orderly development and to ensure that the servicing and other requirements of this Plan have been satisfied. Removal of the 'H' symbol shall not take place until the following conditions have been met:

- a) a specific proposal has been submitted to the Municipality,
- b) the relevant policies of this Plan are satisfied with respect to the use or development being proposed,
- c) services and utilities have been demonstrated to have sufficient capacity and are available to service the proposed development,
- d) a plan of subdivision, where appropriate, has been submitted and has received draft plan approval, and
- e) a satisfactory agreement, where deemed necessary, has been entered into between the Municipality and the developer/owner.

In the interim and until such time as the 'H' symbol is removed, the Zoning By-law may permit uses, buildings and structures and those uses which are compatible with neighbouring uses, which would not compromise the ultimate and desirable development of the lands and which are in conformity with this Plan. The Zoning By-law may also prescribe regulations allowing enlargement of existing buildings and the erection or extension of accessory buildings.

10.5.7 Minor Variances

Applications for minor variances to the Zoning By-law shall be evaluated by the Committee of Adjustment in accordance with the following:

- a) whether the variance is "minor",
- b) whether the general intent and purpose of this Plan is maintained,
- c) whether with the general intent and purpose of the Zoning By-law are maintained,
- d) whether the variance is desirable for the appropriate use and development of the lands and neighbouring lands,
- e) whether compliance with the Zoning By-law would be unreasonable, undesirable or would impose undue hardship, and
- f) whether the variance would result in a substantial detriment, hazard or nuisance that would detract from enjoyment, character or use of neighbouring lands.

In granting applications for minor variances, conditions may be imposed where the Committee deems it advisable to ensure the intent of the above-noted criteria are satisfied or will be satisfied.

10.6 INTERIM CONTROL

Where the Municipality has directed that a review or study be undertaken in respect of the land use planning policies for any area in the Municipality, the Municipality may adopt an interim control by-law to prevent the potentially inappropriate development or use of land pursuant to the Planning Act. The by-law shall specify a time period (not to exceed one year) for prohibiting the use of land, buildings or structures for, or except for, such purposes as are set out in the by-law.

10.7 SITE PLAN CONTROL

10.7.1 Scope

To ensure a high standard of development and to provide appropriate protection to adjacent uses, the entire Municipality shall be deemed to be a site plan control area. Within this area, development as defined by the Planning Act shall be subject to site plan control with the exception of low-density residential uses and agricultural uses. A site plan control by-law shall be adopted by the Municipality which specifies the lands and type of development for which site plan approval shall be required.

10.7.2 Site Plan

Where site plan control applies, a site plan shall be submitted, satisfactory to the Municipality, describing the proposed development and showing the location of all buildings and structures, ingress and egress, parking areas and loading areas, landscaping, grading and drainage, external lighting, access for persons with physical disabilities, and buffering and other measures to protect adjacent lands. The location of any required water well and private sanitary waste disposal system shall also be shown on the site plan. Where development is proposed adjacent to a County Road, the Municipality shall request the comments of the County of Elgin on the site plan. Where development is proposed adjacent to Highway No. 401 or within the access control radius of a Highway No. 401 interchange, the Municipality shall request the comments of the Ministry of Transportation on the site plan. Permits from the Ministry may be required.

10.7.3 Building Drawings

The submission of drawings showing plan, elevation and cross-section views for new buildings, including residential buildings containing more than three dwelling units shall be required in areas that are subject to site plan control.

10.7.4 External Design

Drawings showing plan, elevation and cross-section views sufficient in detail to illustrate the external design (i.e. character, scale, appearance, features and similar features) of a proposed building or building addition shall be submitted for non-residential buildings and for residential buildings containing more than three dwelling units in areas specifically designated for such purposes by this Plan.

10.7.5 Streetscape Elements

On any adjoining street or highway, plans may also be required showing plantings, paving materials, sidewalks, street furniture, curb ramps and similar elements adjacent to the development.

10.7.6 Land Dedications for Road Widening

As a condition of site plan approval, the owner may be required to dedicate lands to the Municipality, as the case may be, for road widening purposes.

10.7.7 Site Plan Agreement

A site plan agreement pursuant to the Planning Act shall be required in most instances. Financial security shall be required to ensure due performance.

10.7.8 Site Plan Guidelines

The Municipality may prepare and adopt guidelines to assist proponents in obtaining site plan approval.

10.7.9 Public Input

Upon receipt of an application for site plan approval, the Municipality shall provide an opportunity for review and comment by adjacent owners unless, in the opinion of the Municipality, the development or redevelopment being proposed is minor and without significant adverse impact on adjacent owners.

10.8 DEVELOPMENT CHARGES

As a contribution towards the growth-related capital costs incurred or likely to be incurred by the Municipality as a result of new development taking place, the Municipality may levy a development charge against such development. The amount of the charge, the type of development it applies to, the method of calculation and the scheduling of payments shall be prescribed by by-law adopted in accordance with the Development Charges Act. A mechanism may be provided in the by-law which would allow for automatic adjustments in the levy as a result of inflation.

11.0 PORT GLASGOW SECONDARY PLAN

11.1 GOALS & OBJECTIVES

The following goals and objectives shall guide the planning, development, redevelopment and improvement of the community of Port Glasgow as shown on Figures 1 and 7.

- a) Port Glasgow will be recognized as the predominant location for waterfront development, attractions and amenities in the Municipality of West Elgin.
- b) Future development and redevelopment of all lands in Port Glasgow will be environmentally sustainable.
- c) Future development and redevelopment of all lands in Port Glasgow should contribute whenever possible, to improved economic development and prosperity in Port Glasgow and the Municipality of West Elgin.
- d) All land use activity in Port Glasgow, including future development and redevelopment will be in accordance with the Provincial Policy Statement.
- e) All land use activity in Port Glasgow, including future development and redevelopment will protect, and wherever possible, complement and enhance the Natural and Cultural Heritage of Port Glasgow and the Municipality of West Elgin.
- f) Future development and redevelopment of lands in Port Glasgow will be compatible in terms of land use and built form with existing development in Port Glasgow.
- g) Future development and redevelopment in Port Glasgow will have regard for the accommodation of pedestrian traffic, non-motorized vehicles and low speed vehicles.
- h) Future development and redevelopment in Port Glasgow will protect, and wherever possible enhance and increase opportunities for public access to the waterfront amenities.

11.2 LAND USE

11.2.1 Primary Uses

Land use in Port Glasgow will be in general conformity with the Land Use Plan shown on Figure 7. It is intended that future development and redevelopment in Port Glasgow offer a range of permanent, year round and seasonal housing types, recreational and cultural opportunities, and commercial establishments catering to both residents of the Municipality of West Elgin and to visitors from outside the local area.

The establishment of new development and/or site alteration in Port Glasgow will have regard for the LTVCA Regulation restrictions for Regulated Areas. Figure 6 of the Official Plan of the Municipality of West Elgin will be used as a guideline to identify the lands subject to these regulations. Figure 6 of the Official Plan will also be used as a guideline in the identification of Significant Woodlands.

11.2.2 Secondary Uses

Secondary uses will include agricultural uses (other than the raising of livestock) and occupations.

11.2.3 Residential Uses

Residential uses will include low and medium density housing development, generally restricted to a maximum of four stories above grade. Regulation of residential uses will be achieved with the Municipality's Zoning By-law, and where applicable under the regulations of the Planning Act, by means of site plan control for medium density housing.

11.2.4 Commercial Uses

Commercial uses will include those retail, service and hospitality uses which primarily serve the permanent and seasonal residents of Port Glasgow, and the recreational day users and tourist visitors in Port Glasgow. Commercial uses serving regional markets such as, but not limited to automotive retailers, farm implement retailers, recreational vehicle and boating retailers, and big box

retailers will be discouraged in Port Glasgow. Unique retail businesses such as artisanal shops, studios, and retailers who produce wares and goods on premises including food, beverage, clothing and crafts will be encouraged. Buildings accommodating commercial uses will be restricted to a maximum of three stories above grade. Residential uses may be established on the upper floors of commercial building. Ground floor residential uses will be discouraged in the commercial land use category.

11.2.5 Mixed Uses

Mixed uses will consist of a combination of residential and commercial uses which may occur on separate floors of the same building provided the commercial use occurs on the ground floor, and the residential use occurs on upper floors, or at the rear of ground floor commercial use. Mixed uses may also include contiguous blocks of ground floor residential uses situated in a manner that will not result in land use conflict with neighbouring commercial uses and/or associated vehicular traffic. The types of residential and commercial uses which will be contemplated in the Mixed Uses category will be those described in subsections 11.2.3 and 11.2.4 of the Port Glasgow Secondary Plan. Mixed use buildings will be restricted to a maximum of three stories in height above grade. Mixed uses will be regulated by unique regulations in the Municipality's Zoning By-law.

11.2.6 Seasonal Residential Uses

Seasonal uses will be subject to the policies for Campgrounds and Trailer Parks in Section 7.11 of the Official Plan of the Municipality of West Elgin.

11.2.7 Parks and Open Space

Parks and Open Space uses will be subject to the Parks and Open Space policies in Section 5.6 of the Official Plan of the Municipality of West Elgin.

11.2.8 Aggregate Extraction

Aggregate extraction will be subject to the Aggregate Resources policies in Section 6.6 of the Official Plan of the Municipality of West Elgin. Aggregate extraction in the community of Port Glasgow will primarily be associated with the historical activity of dredging to maintain a functional harbour. Aggregate extraction activities, including dredging and stockpiling will take place in the Waterfront Amenity and Attraction land use category.

Existing mineral aggregate operations shall be permitted to continue without the need for an official plan amendment, rezoning or development permit under The Planning Act. Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact.

11.2.9 Waterfront Amenity and Attraction

The lands in the Waterfront Amenity and Attraction category in Port Glasgow consist of those lands that have been improved or designated for recreational use along the Lake Erie shoreline, and without limiting the generality of the foregoing, include the east and west beach areas in Port Glasgow, the marina, and the parking and picnicking areas, trails and open space associated with the marina and public beaches. The sites used for dredging, and stockpiling of aggregate materials are also located in this land use category. The improvement, expansion and intensification of these works, facilities, natural areas and resources are encouraged in accordance with the goals and objectives of the Secondary Plan for Port Glasgow. Future development in this category will be compatible and supportive of the existing active and passive recreation uses, and should be intended to improve, or to maximize the potential and utility of existing features and attractions for day use and tourist recreation activities. No land use activity or development in the Waterfront Amenity and Attraction area will preclude or hinder the expansion or continued use of the existing aggregate operation.

11.2.10 Hazard Lands

Certain lands within Port Glasgow may pose a risk for development or redevelopment due to the presence of physical hazards, noise, odours and similar impacts. Such hazards may include lands or areas which are susceptible to flooding, erosion, subsidence, slumping, inundation and the presence of steep slopes. All development including public and private works will have

regard for existing and proposed slopes and grades such that slope stability will not be compromised.

All lands in Port Glasgow will be subject to the policies of Section 9.0 of the Official Plan of the Municipality of West Elgin. Given that a significant portion of Port Glasgow is included on Schedule 'G', due to scale of mapping and generalized designations along the lake shore, more precise identification of Hazard Lands will take place in consultation with the LTVCA and the Province of Ontario during the process of development approvals.

11.2.11 Parkland Dedication

The acquisition of lands for use as public parks, including trails and related uses will be subject to Section 5.6.5 of the Official Plan of the Municipality of West Elgin. Such acquisition may involve transferring of titles from private to public holdings, and vice versa, depending on the identification of land needs, form, function and location of these sites and areas during the development approval process. Without limiting the generality of the foregoing, parkland dedication is primarily envisaged for linear features such as Pedestrian Trails and Connections, Public Promenade, Greenway; and site features such as Gateway, Architectural Attraction. Any and all of these linear and site features may be established on either public or private lands, or a combination thereof. Land dedication for parkland including trails will be negotiated in the development approval process.

11.3 SERVICING

The Province of Ontario and in particular the Ministry of the Environment, through the Ontario Water Resources Act, the Environmental Protection Act, and the Provincial Policy Statement is concerned with the development and operation of infrastructure including both sanitary and storm sewerage systems. The Municipal Engineer's Association Class Environmental Assessment for Municipal Water and Wastewater Projects will be applied to such infrastructural projects, and be subject to Provincial approval. Some infrastructural servicing may also be subject to the regulations of the Conservation Authorities Act. R.S.O.152/06.

11.3.1 Water

All development and redevelopment in Port Glasgow will be connected to, and serviced by the piped municipal water supply system.

11.3.2 Sewage Disposal

The preferred method of providing sanitary sewage disposal services for all classes of development in Port Glasgow will be by private, communal systems, subject to the completion of a provincial environmental assessment process. Private, non-communal sewage disposal systems will also be permitted for individual dwelling and commercial units which are not part of a plan of subdivision or plan of condominium, in accordance with the regulations of the Ministry of the Environment or their delegated authority.

11.3.3 Stormwater Management

The preferred method of providing storm water management services will be by private communal works and facilities, and/or other private individual works or facilities, as approved by the Ministry of the Environment under the Ontario Water Resources Act. All run-off and drainage from impervious surfaces proposed by development or redevelopment will have regard for, and mitigate any negative impacts on Sixteen Mile Creek, its tributary, and Lake Erie in accordance with the Conservation Authorities Act, R.S.O. 152/06, for the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations. The establishment of storm water management works and facilities will be subject to the Stormwater Management Planning and Design Manual 2005 of the Ministry of the Environment.

11.3.4 Phasing of Servicing

Communal gravity based sewerage systems are preferred for all new residential, commercial or mixed uses. Given the topographic characteristics of Port Glasgow, gravity based servicing will generally accommodate phased development in a south to north direction, and secondarily in a west to east direction.

Sanitary and storm sewerage systems will be designed and sized according to the needs of the ultimate extent of development anticipated in any defined drainage area. In some instances, this may require the installation of sewer works with capacity that is greater than that required by initial phases of development.

Temporary or interim sewerage and drainage works may be permitted, where the public interest is served, technical guidelines are not compromised, long term and ultimate design plans are respected, and capable of being feasibly implemented in the future.

Individual on-site wastewater treatment systems will be discouraged for all development except for infill development or redevelopment of lands in the Existing Built Area and Existing Seasonal Residential categories. Individual on-site wastewater treatment systems will be established subject to the approval of the appropriate approval authority.

Combined sanitary and storm sewers will not be permitted for any class of development, or redevelopment within the Port Glasgow community.

Storm drainage and storm water management systems and works for all new development and redevelopment will be designed to control flooding, erosion, contaminant and sediment discharges into water courses and Lake Erie from development and redevelopment, with the intent of maintaining water quality, and whenever possible, enhancing water quality and the environmental characteristics of local water courses and Lake Erie.

Storm water management plans will be prepared on the basis of natural watershed characteristics and tributary areas in consultation with the Province or their delegated authorities.

Erosion and sediment control plans will be prepared by development proponents to the satisfaction of the Province or their delegated authorities in order to minimize the impact of erosion or sedimentation on water courses and Lake Erie caused by any development.

11.3.5 Roads and Transportation Works

New roads and transportation works including pedestrian sidewalks, bicycle and low speed vehicle lanes will be established in all developments to the satisfaction of the Municipality of West Elgin, and where applicable, the County of Elgin and the Province of Ontario. Such roads and transportation works shall be privately developed and maintained through the Draft Plan of Subdivision/Condominium regulations of the Planning Act, except for those roads and transportation works which are developed on public lands. Those roads and transportation works shall be developed and maintained by the applicable public authority.

11.3.5.1 Havens Lake Road

Development and Redevelopment of land in Port Glasgow will be encouraged to receive vehicular access via local roads, preferably privately owned and maintained local roads wherever possible. Direct vehicular access from Havens Lake Road to individual properties, uses and small clusters of properties and uses will be discouraged. Direct access to individual properties or small clusters of properties from Havens Lake Road may be permitted on a case by case basis when the Municipality of West Elgin and Province of Ontario or their delegated authorities where applicable, are convinced that other methods of access apart from direct access from Havens Lake Road is not feasible, environmentally sustainable or otherwise causes undue hardship to the proponent, or the Municipality. In all cases, the Municipality and the LTVCA will be satisfied that slope stability and drainage issues can be effectively remediated.

11.3.5.2 Pedestrian and LSV Considerations

All development and redevelopment in Port Glasgow shall have regard for, and strive to accommodate facilities and works for pedestrian, bicycle and Low Speed Vehicles. Facilities and works for pedestrian and Low Speed Vehicles will be designed in a fashion which maximizes network connectivity and broad circulation opportunities in Port Glasgow, and which improve or maximize access by the public to the waterfront Attraction and Amenity in Port Glasgow.

11.4 IMPLEMENTATION

The Port Glasgow Secondary Plan is intended to be implemented as an integrated section of the Official Plan of the Municipality of West Elgin. The integration of the Secondary Plan will be completed under the Planning Act, and this may be achieved by means of Minister's Modification, or by Official Plan Amendment.

Many of the Goals established in Section 1.3 of Official Plan of the Municipality of West Elgin will be addressed by the implementation of the Port Glasgow Secondary Plan. At a minimum, the Goals of the Official Plan to be implemented by the Secondary Plan will include the following:

- To foster economic development;
- To provide a diverse and affordable range of housing opportunities;
- To capitalize on the assets of the municipality;
- To ensure logical, efficient, orderly, compact and compatible development;
- To protect and enhance natural heritage features,
- To build strong, healthy villages and hamlets;
- To protect areas of aggregate resource potential for extraction purposes.

11.5 GENERAL IMPLEMENTATION POLICIES

- The land use categories and designations shown on the Land Use Plan – Figure 7 are to be interpreted and implemented in accordance with the policies in Section 11.2 of the Secondary Plan.
- The boundaries and areas of the land use categories and designations shown on the Land Use Plan – Figure 7 are to be interpreted with some degree of flexibility. These areas could be altered pursuant to more detailed planning studies including, but not limited to, Environmental Impact Studies, Class EA Studies, Draft Plan of Subdivision, Condominium and Site Plan Approvals. Minor extensions, alterations, adjustments and refinements to the areas and geometry of all Land Use categories may be permitted in the public interest, pursuant to the approval of the Municipality of West Elgin, and the applicable approval authority of the Province of Ontario or their delegated authority.
- Significant changes to the boundaries and areas of any land use category shown on the Land Use Plan – Figure 7 will be subject to the interpretation of the Municipality of West Elgin and the applicable approval authority. Significant changes to these boundaries and areas will be implemented by Official Plan Amendment.
- Elements depicted by symbols on the Land Use Plan – Figure 4 including Gateway, Greenway, Pedestrian Trails, Public Promenade, Architectural Attraction, Vistas and Traffic Control Works are not intended to be interpreted as in exact scale in size or location, unless otherwise described in more detail in the Secondary Plan. These symbols are conceptual in nature and probable in location as shown on the Land Use Plan – Figure 7. Without limiting the generality of the foregoing, regard will be had for the following:
 - The number and location of the Vistas and their “visual cones” are not fixed. Similarly, the geometries of the “visual comes” is conceptual in nature. It will be beneficial to provide as many Vistas, with as many varied “visual cones” as possible, commensurate with development approvals and the establishment of new or improved public and private works.
 - Nothing in the Secondary Plan will preclude the establishment of multiple Architectural Attractions.

- Nothing in the Secondary Plan will preclude the enhancement of the number and location of pedestrian trails as shown on the Land Use Plan – Figure 7.

11.6 SPECIFIC IMPLEMENTATION POLICIES

- Expansion or alteration of the boundaries of the Port Glasgow community as shown on the Land Use Plan-Figure 7 will be by Official Plan Amendment. Such amendment will be in conformity with the applicable policies of the Official Plan and be consistent with the Provincial Policy Statement.
- Future expansion of the Port Glasgow Settlement Area should ideally be accommodated within the areas designated “Lakeshore Recreation” in the Official Plan of the Municipality of West Elgin, and not within the “Agricultural” designation unless justification can be provided, all in accordance with the Provincial Policy Statement.
- Land dedication pursuant to the development, subdivision and condominium planning approval process will primarily be required for road widening, the development of the public promenade, architectural attraction(s) and pedestrian trails. Land dedication for local area and neighbourhood park needs will not be required to meet any of the Goals and Objectives of the Secondary Plan, unless such dedication extends public access to Lake Erie, or protects identified natural or cultural heritage features.

11.7 DESIGN CRITERIA

Regard will be had for the following design criteria in the evaluation and approval of all development and works to be considered in the plan of subdivision, condominium, severance and conveyance, and site planning approval processes in the Port Glasgow community:

- i. Design ROW Havens Lake Road 25 metres;
- ii. Design ROW Gray Line and Furnival Road 20 metres;
- iii. Paved Private Road width 15 metres;
- iv. Non Paved Private Road width 4 metres;
- v. Public Promenade 6 metres;
- vi. Sidewalks 1.2 metres;
- vii. Public Parking Spaces – Automobiles 2.7 metres x 6 metres;
- viii. Parking Spaces - Boat Trailers minimum: 3 metres x 11 metres;
 - Recreational Vehicle stalls minimum: 6 metres x 16 metres;
- ix. Pedestrian Trails 3 metres;
- x. Greenway 4 metres;
- xi. Maximum Grade Pedestrian Walkways, Sidewalks, Public Promenade 8%;

11.8 LAND DIVISION

The division of land proposed for development in Port Glasgow will be achieved by the Draft Plan of Subdivision and/or Plan of Condominium process in accordance with the Planning Act. The process of Severance and Conveyance of land will only be used for lot creation in the instances of minor lot extensions, adjustments, expansions, property consolidations, boundary corrections or adjustments, and infill development where no more than one new lot is created. This policy is not intended to preclude the transfer or severing of blocks of land which would be developed by Plan of Subdivision

The Municipality of West Elgin

FIGURES

FIGURE 1 - VILLAGE AREA: RODNEY

FIGURE 2 - VILLAGE AREA: WEST LORNE

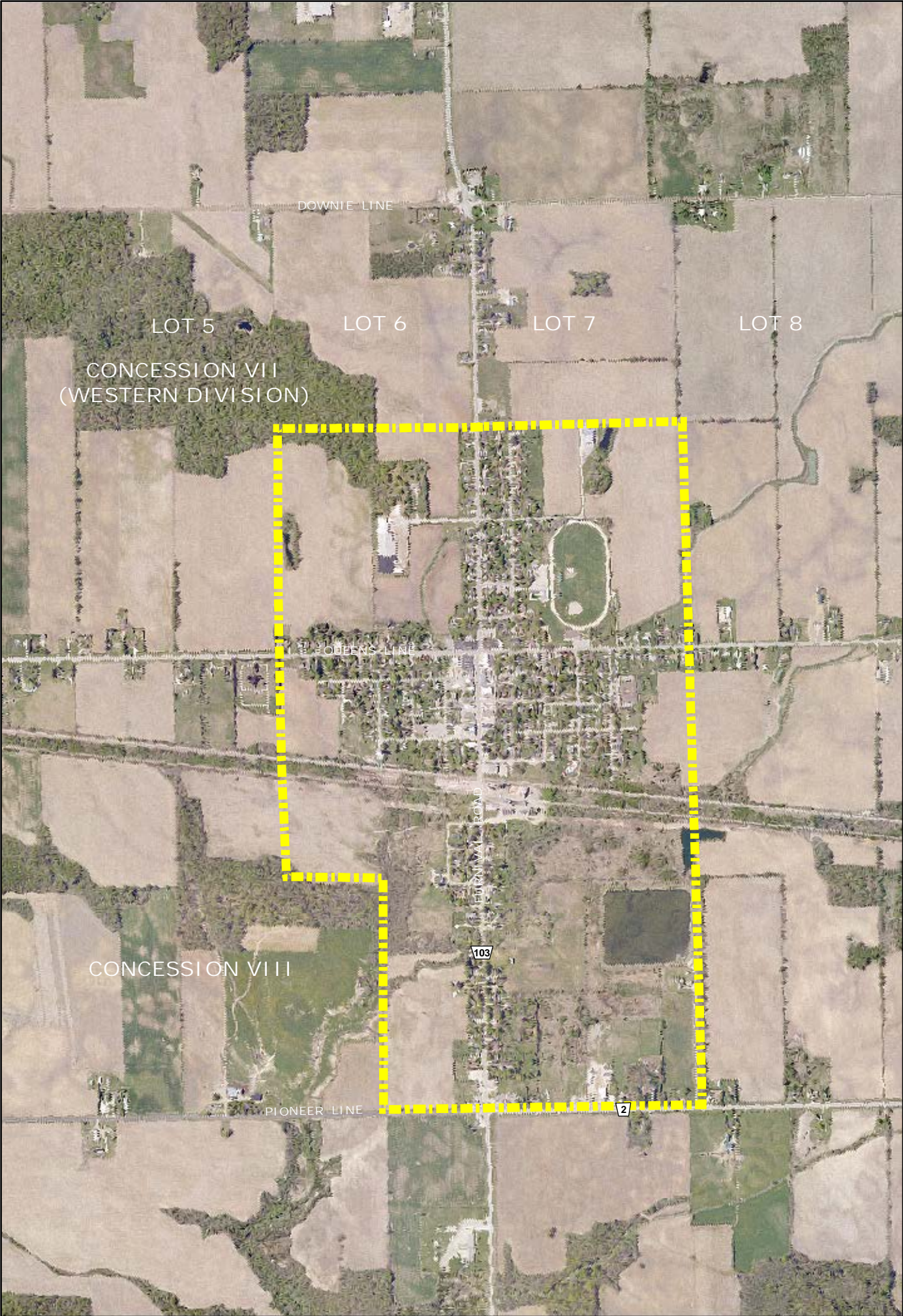
FIGURE 3 - HAMLET AREAS OF EAGLE, CLACHAN & NEW GLASGOW

FIGURE 4 - RURAL RESIDENTIAL AREAS

FIGURE 5 - LAKESHORE AREA

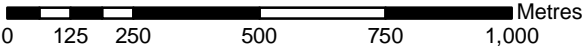
FIGURE 6 - PORT GLASGOW

FIGURE 7 - PORT GLASGOW LAND USE PLAN



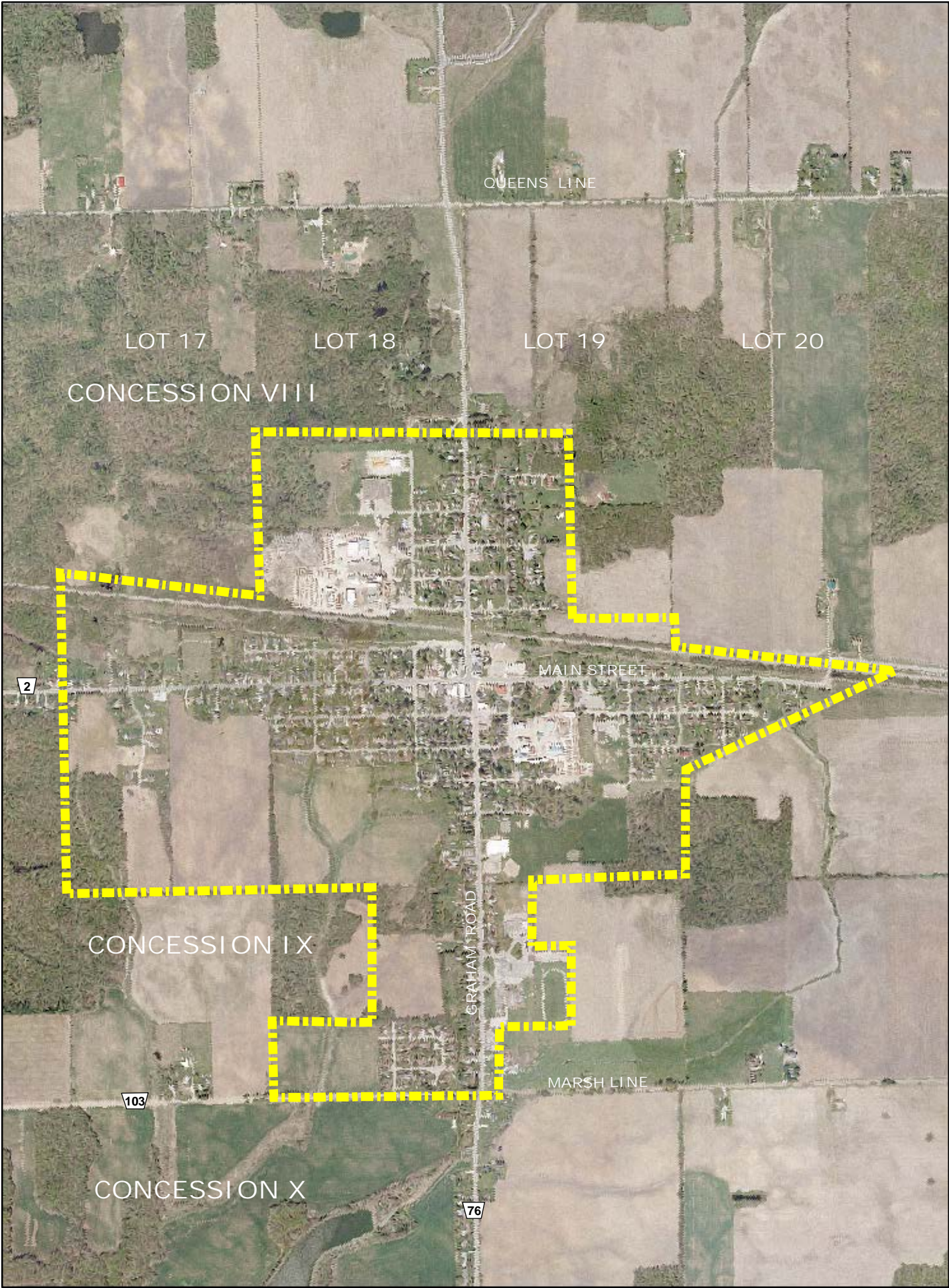
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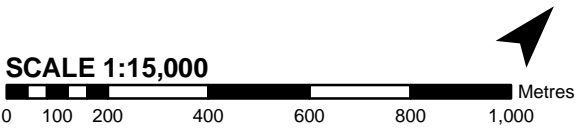


 SETTLEMENT AREA BOUNDARY

Figure: 1

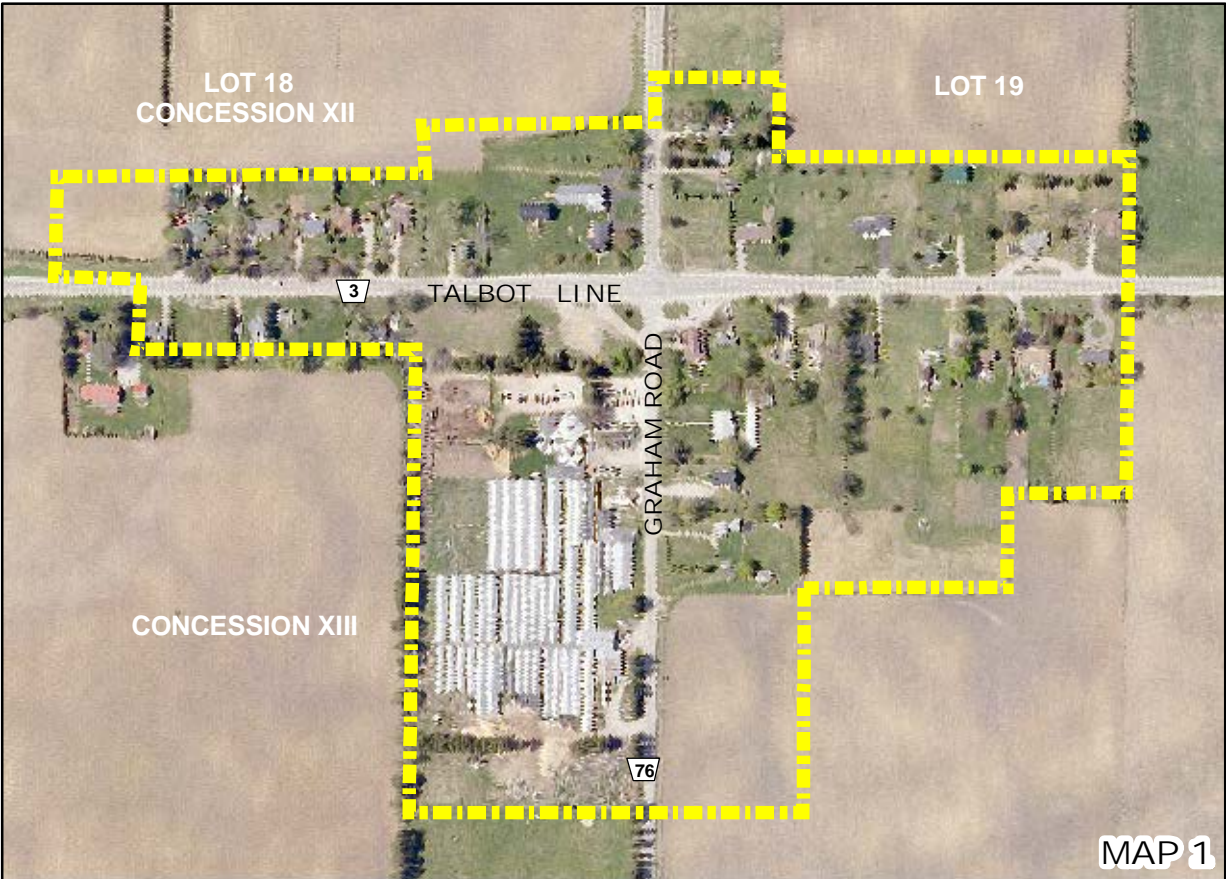


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 SETTLEMENT AREA BOUNDARY

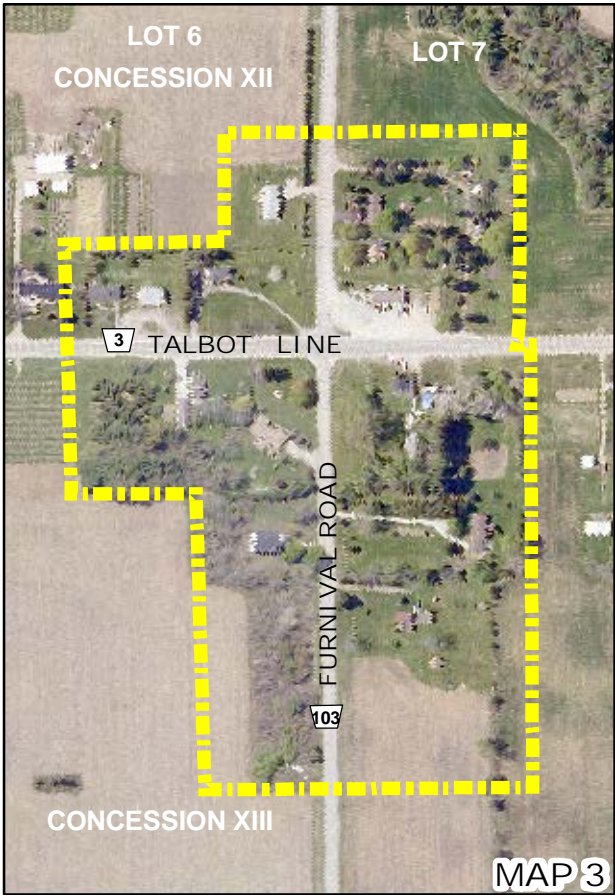
Figure: 2



DATE OF PHOTO: 2006
Hamlet of EAGLE



DATE OF PHOTO: 2006
Hamlet of CLACHAN



DATE OF PHOTO: 2006
Hamlet of NEW GLASGOW

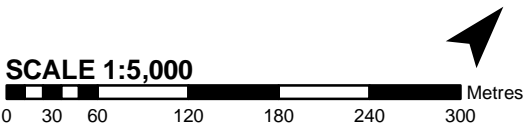
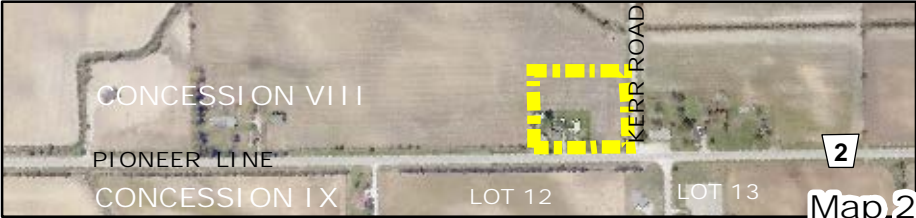


Figure: 3



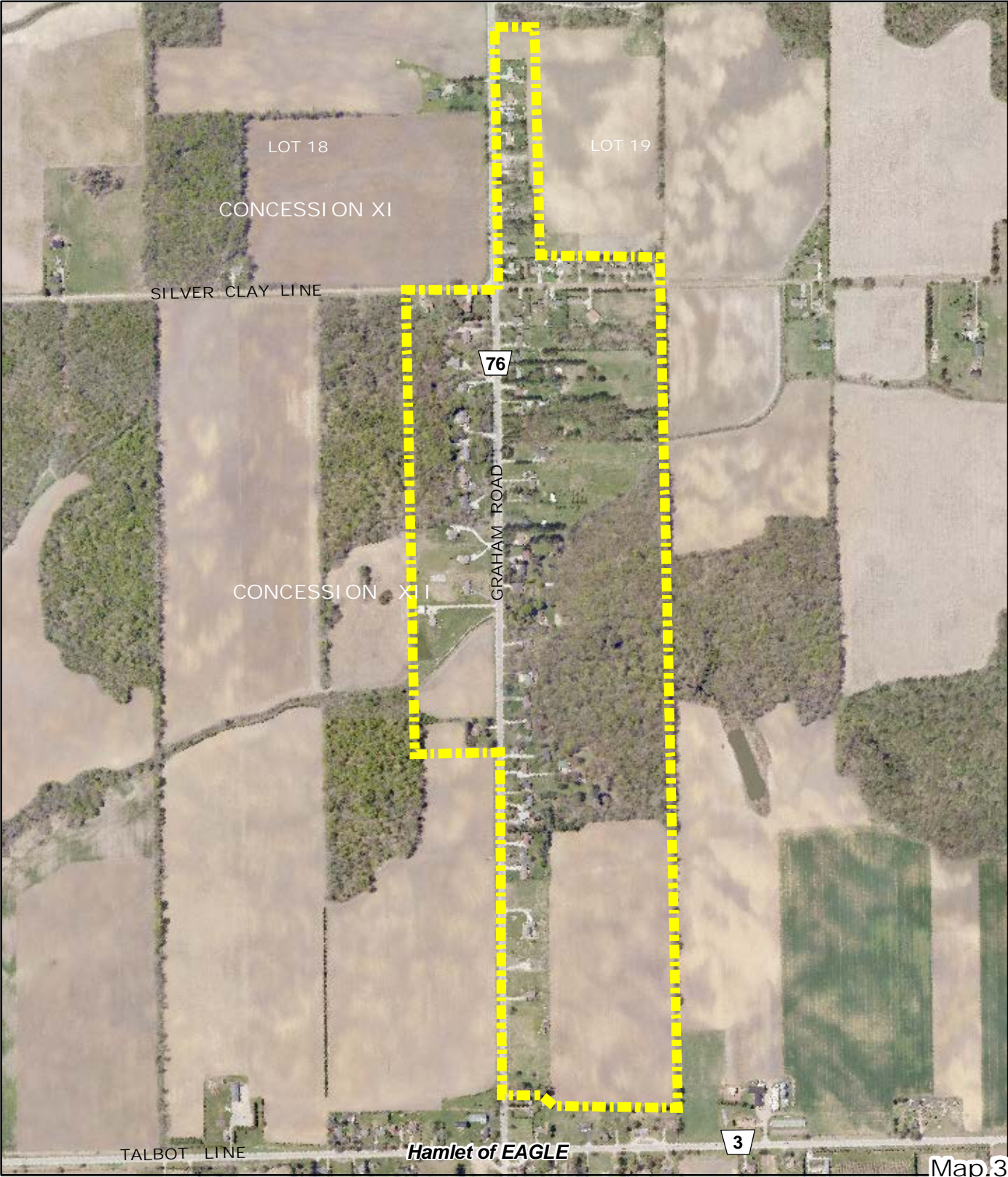
DATE OF PHOTO: 2006

Map.1



DATE OF PHOTO: 2006

Map.2



DATE OF PHOTO: 2006

Map.3

SCALE 1:10,000

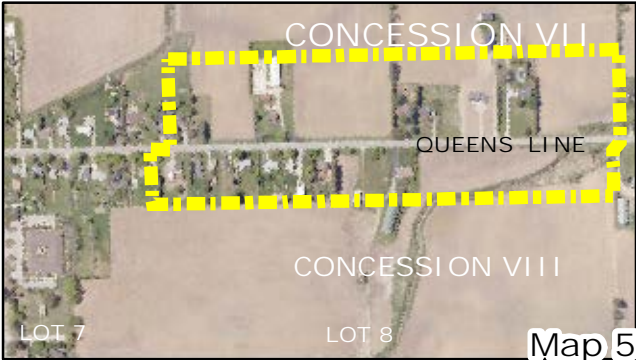


 RURAL RESIDENTIAL BOUNDARY

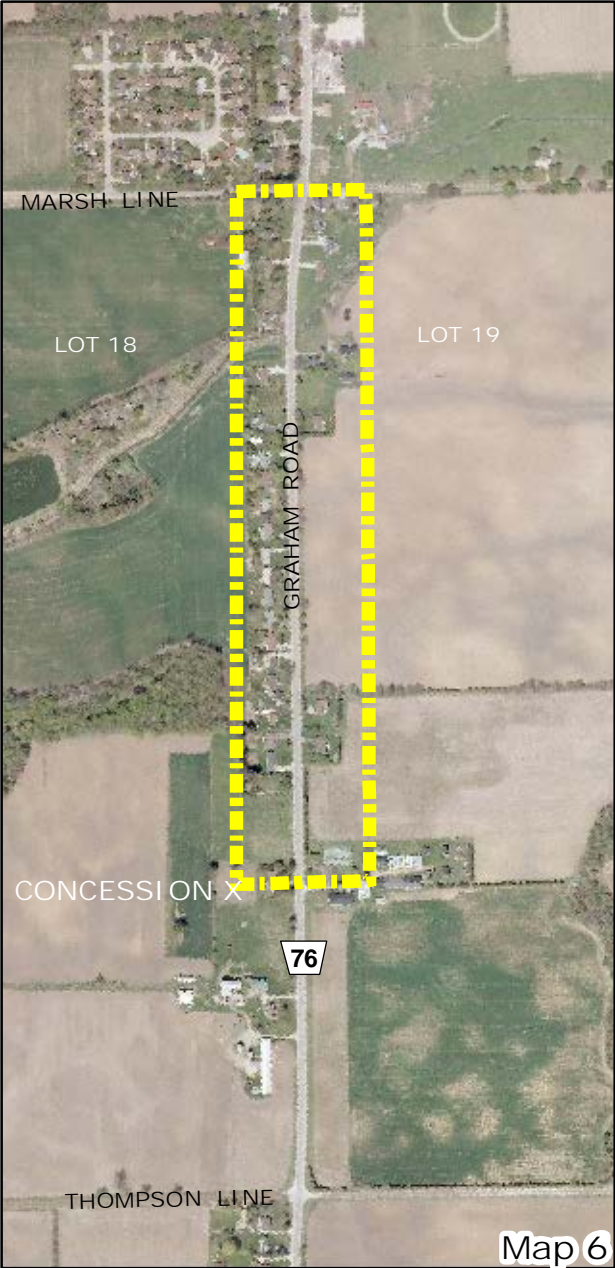
Figure: 4 (con't)



DATE OF PHOTO: 2006



DATE OF PHOTO: 2006



DATE OF PHOTO: 2006



DATE OF PHOTO: 2006

 RURAL RESIDENTIAL BOUNDARY

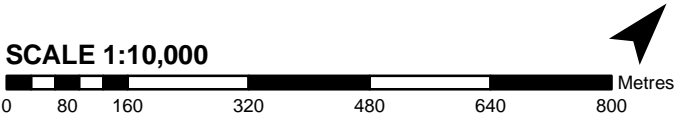


Figure: 4

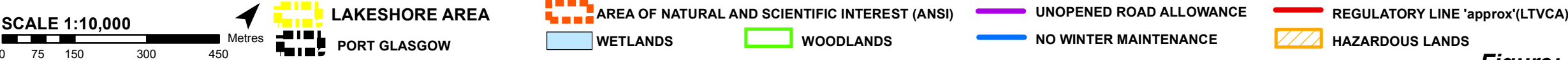
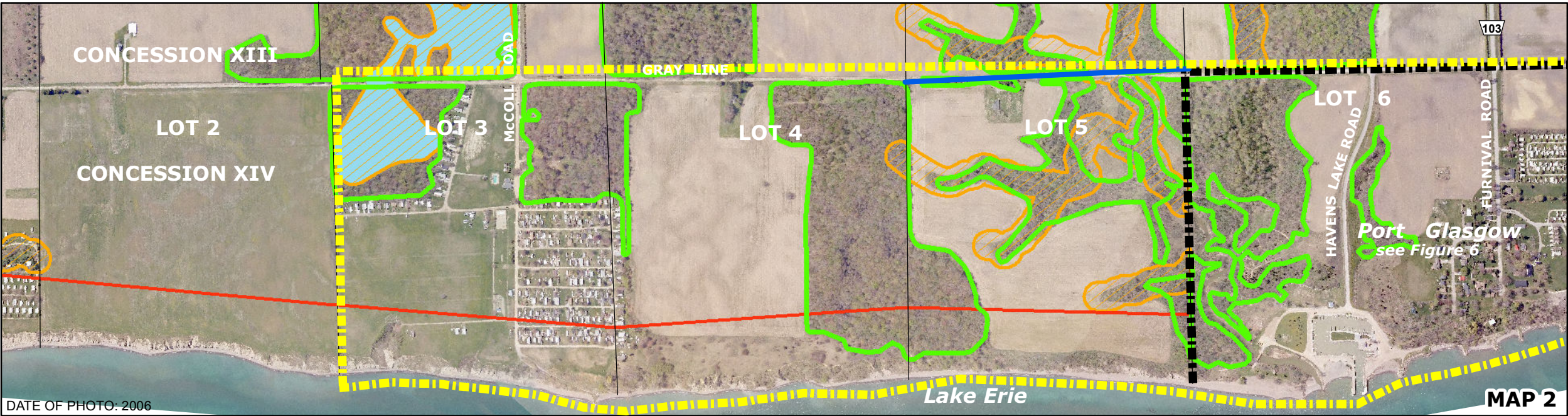
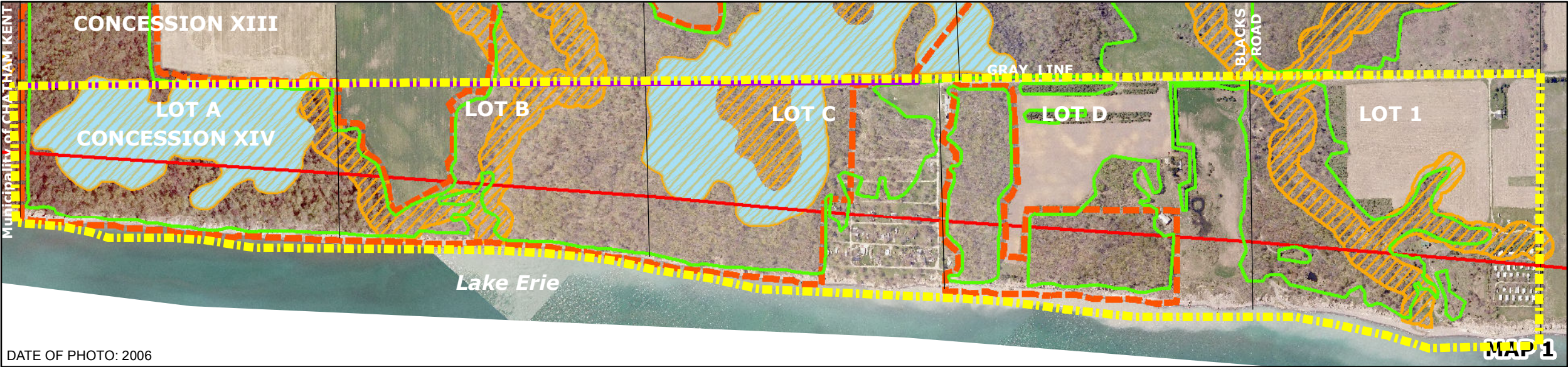
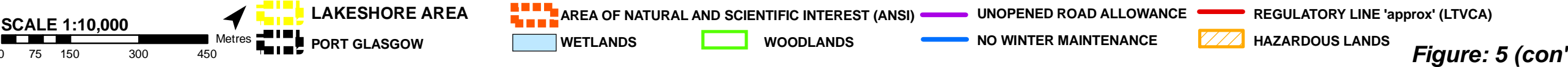
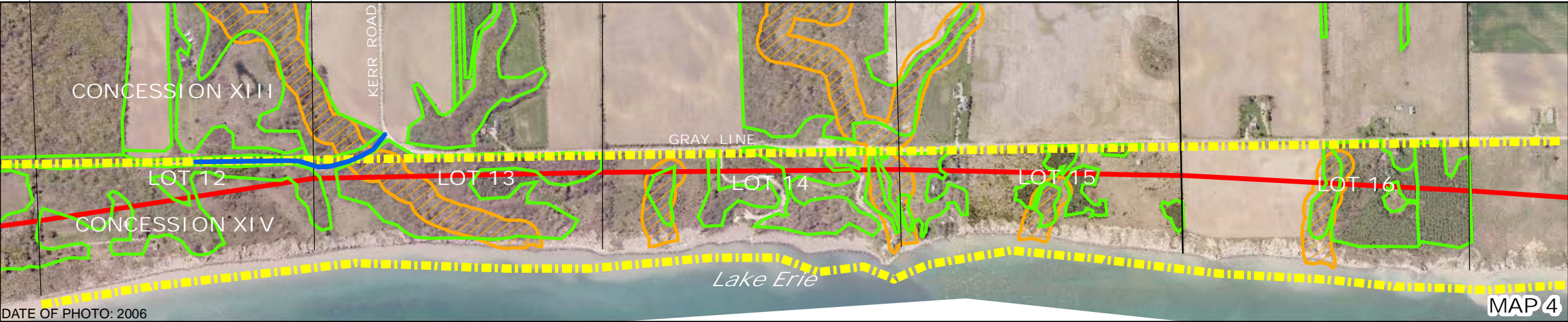


Figure: 5 (con't)





LAKESHORE AREA

AREA OF NATURAL AND SCIENTIFIC INTEREST (ANSI)



WETLANDS



WOODLANDS



UNOPENED ROAD ALLOWANCE



NO WINTER MAINTENANCE



REGULATORY LINE 'approx' (LTVCA)



HAZARDOUS AREA

SCALE 1:10,000

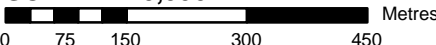


Figure: 5

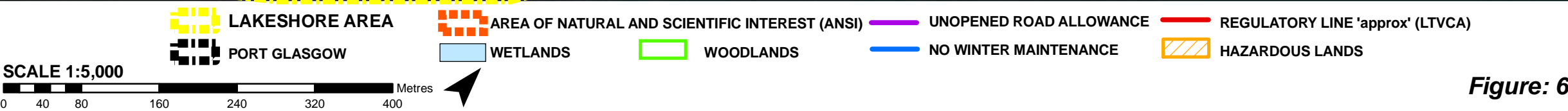


Figure: 6

Land Use Plan - Figure 7



* adapted from Figure 6 of the Official Plan of the Municipality of West Elgin.