

# **APPENDIX 1**

**PROPOSED AMENDMENT NO. 27**

**MARKED UP VERSION OF THAMES CENTRE OFFICIAL PLAN**



# THE MUNICIPALITY OF THAMES CENTRE

# OFFICIAL PLAN

Consolidation Version January 2022

## PROPOSED AMENDMENT NO. 27 FOR COUNCIL CONSIDERATION

Showing potential amendments to the Official Plan as of July  
5, 2022

As adopted by Council on October 27, 2003

BY-LAW NUMBER 100-2003

As approved by the County of Middlesex on July 20, 2004

As modified by the Ontario Municipal Board

Decision issued on January 24, 2006

Decision/Order No.: 0232

As amended by OPAs No. 1 through No. 21



## **Explanation of Document Format**

Wording within this document that is shown with underline is proposed to be added to the Official Plan.

Wording within this document that is shown with ~~strikethrough~~ is proposed to be deleted from the Official Plan.

Wording within this document that is shown without underline or strikethrough and without shading is existing wording within the approved Official Plan that is proposed to remain.



The Municipality of Thames Centre

# Official Plan

Consolidation Version January 2022

This office consolidation of The Municipality of Thames Centre Official Plan has been provided for convenience only. This consolidation incorporates all modifications, subsequent approvals, Ontario Municipal Board decisions and amendments to the Plan up to and including January 1st, 2022. For official documentation, reference should be made to the original amendments made to the 2004 Official Plan. Interpretation of the Official Plan shall be the responsibility of the Municipality of Thames Centre. Please contact the Planning Department for official interpretation of the policies listed herein and assistance prior to making any development application.

## INCLUDED IN THIS CONSOLIDATION

### Official Plan Amendments

<b>OPA No.</b>	<b>By-Law</b>	<b>Date of Passing</b>	<b>Location</b>	<b>OP Change</b>
1	78-2005	Sept 19, 2005	south side of Hamilton Road between Ferrar Road & Harris Road	Agricultural to Highway Commercial Special Policy Area 2 & New "4.4.6 (4)" subsection
2	31-2006	April 24, 2006	east side of Olalondo Road, south of Thorndale Road, west of The Community of Thorndale	Agricultural to Extractive Industrial
3	39-2007	June 4, 2007	west side of Nissouri Road between Thorndale Road & the CN Railway	Rural Industrial to Rural Industrial Special Policy Area 4 & New "4.5.5 (4)" subsection
4	46-2007	Aug 15, 2007	north side of Gladstone Drive, west of Putnam Road	Agricultural to Agricultural Special Policy Area 1 & New "3.1.4 (1)" subsection
5	56-2008	Sept 8, 2008	south side of Marion Street between Elgin Road & Hunt Road	Agricultural to Extractive Industrial
6	62-2008	Sept 8, 2008	south side of Robinson Road, east of Five Points Road	Protection Area to Protection Area Policy 1 & New "3.2.5.3 (1)" subsection
8	19-2010	April 12, 2010	south of Highway 40, east of Dorchester Road and north of Cromarty Drive	Agricultural to Recreation
9	96-2011	Dec 12, 2011	west Side of Nissouri Road, north of Thorndale Road, northwest of the community of Thorndale	Agricultural to Extractive Industrial
10	6-2012	Feb 6, 2012	north of County Raod 29 (Hamilton Road), west of the boundary with Oxford County	Protection Area to Extractive Industrial
11	97-2013	Dec 16 2013	west Side of Hunt Road, south of Trafalgar Road, southwest of Thamesford	Agricultural to Extractive Industrial
12	74-2014	Oct 6, 2014	Municipal wide and site-specific	5 Year Review

<b>OPA No.</b>	<b>By-Law</b>	<b>Date of Passing</b>	<b>Location</b>	<b>OP Change</b>
13	86-2014	March 24, 2015	south of Thorndale Road and east of Medway Road	Agricultural to Extractive Industrial
14	104-2015	March 8, 2016	east side of Putnam Road and north of Hamilton Road	Agricultural to Extractive Industrial
15	77-2016	May 25, 2018 OMB Decision PL161154	east side of Heritage Road and north of Dundas Street	Agricultural to Extractive Industrial
16	86-2017	January 16, 2018	south of Trafalgar Street and west of Hunt Road	Agricultural to Extractive Industrial
17	96-2017	February 13, 2018	east side of Thorndale Road, west of the Village of Thorndale	Agricultural to Extractive Industrial Special Policy 3
18	66-2018	July 16, 2018	west side of Purple Hill Road and north of Dundas Street	Agricultural to Extractive Industrial
19	82-2018	October 1, 2018	south of King Street and east of Nissouri Road, and west of C.N. Rail	Residential to Environmental Area, Residential to General Commercial, Environmental to Parks and Open Space, Environmental Area to Residential
20	35-2019	April 29, 2019	Thames Centre	Sourcewater Protection Polices
21	109-2019	December 16, 2019	west side of Westchester Bourne and north of Bradley Avenue	Agricultural to Extractive Industrial Special Policy 2

#### Ontario Municipal Board Decisions

<b>Decision No.</b>	<b>Issue Date</b>	<b>Location</b>	<b>OP Change</b>
0487	Feb 14, 2006		Section 4.7.1, 4.7.3(1), 4.7.3(4) & 4.7.3(7) modified
2682	Oct 10, 2007	Storey Drive	Protection Area to Agriculture & Remove Significant Woodland Designation

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## SECTION 1. INTRODUCTION

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### 1.1 TITLE AND ORGANIZATION

This Plan, when approved by the County of Middlesex, shall be known as ***The Official Plan for the Municipality of Thames Centre***.<sup>1</sup>

The following text and Schedules "A" to "CD", inclusive, constitute the Official Plan and shall apply to all the lands located within the Municipality's corporate limits. The policies and land use designations described in this Plan shall guide development and implementing by-laws for the Municipality until the year 20222046.

The following components, unless otherwise stated, form part of the Official Plan for the Municipality of Thames Centre:

- Section 1.**     **Introduction** - sets the purpose, scope, time period, organization and strategy of the Plan. Section 1 of the Official Plan does not contain policies but is an important part of this planning process as it sets the foundation or philosophy behind the policies to follow. Subsequent sections of this Official Plan serve to implement the hierarchy and philosophy established in Section 1. In considering any amendment to this Plan, Section 1 needs to be considered in order to determine whether or not the foundations for the subsequent policies are being undermined by desires to maximize an individual need over the collective objectives of this community called the Municipality of Thames Centre.
- Section 2.**     **Development Policies** - outlines the policies applicable to all new development and redevelopment in the Municipality, including land division policies.
- Section 3.**     **Agricultural and Green-space-SystemNatural Environment-Policies** - sets out the policies that guide the use and management of agricultural, aggregate, and natural environment-landsheritage systems and hazardous lands within the Municipality.
- Section 4.**     **Settlement Area and Land Use Policies** - sets out the policies that guide the use and management of land within settlement areas, including residential, industrial, and commercial development, as well as recreational land uses.
- Section 5.**     **Transportation Policies** - sets out the policies of the Plan relative to the Municipality's transportation system.
- Section 6.**     **Strategic Policies** - contains pertinent to community improvement areas, heritage conservation and economic development.

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<sup>1</sup> Throughout this Plan certain words are bolded or underlined to assist the reader in finding key operative words or sentences. No special meaning is assigned to these type settings.

**Section 7.**    **Implementation and Interpretation** - describes the various mechanisms to achieve the objectives of the Plan, implement its policies, and review the Plan and amendments to it. This section also provides direction for interpreting the Plan's policies and contains a glossary of terms used in the Plan to assist in its consistent interpretation.

### 1.1.1 SCHEDULES

- **Schedule 'A' Land Use Plan**
- Schedules 'A-1' to 'A-11': Settlement Areas
  - Schedule 'A-1' Avon
  - Schedule 'A-2' Crampton
  - Schedule 'A-3' Gladstone
  - Schedule 'A-4' Harrietsville
  - Schedule 'A-5' Mossley
  - Schedule 'A-6' Nilestown
  - Schedule 'A-7' Putnam
  - Schedule 'A-8' Wellburn
  - Schedule 'A-9' Waubuno
  - Schedule 'A-10' Dorchester
  - Schedule 'A-11' Thorndale
- ~~Schedules 'A-12' to 'A-14': Wellhead Protection Areas~~
  - ~~Schedule 'A-12' Dorchester Wellhead Protection Area~~
  - ~~Schedule 'A-13' Thorndale Wellhead Protection Area~~
  - ~~Schedule 'A-14' Belmont Wellhead Protection Area~~
- The more detailed **Schedule 'B'**, namely:
  - **Schedule 'B-1' Urban Settlement Area of Dorchester, Land Use Plan**
  - **Schedule 'B-2' Urban Settlement Area of Thorndale, Land Use Plan**
- **Schedule 'C' - Transportation Plan**
- **Schedule 'D' – Sourcewater Protection Areas**
  - **Schedule D-1 Dorchester WHPA**
  - **Schedule D-2 Thorndale WHPA**
  - **Schedule D-3 Belmont WHPA**

### 1.1.2 APPENDICES

- **Appendix 1 - Natural Heritage ~~Features-Systems~~** (Parts A and B)
- **Appendix 2 - Soil Capability for Agriculture**
- **Appendix 3 - Aggregate Resources**
- **Appendix 4 - Glossary**

The four attached appendices do not constitute part of the Plan and are included for planning decision information purposes. The appendices may be modified or revised by



the Municipality from time to time without amendment to the Plan. The modifications or revisions shall be based solely on information supplied by the Federal and/or Provincial Ministries and agencies, Conservation Authorities, and/or the County of Middlesex having jurisdiction over such matters.

## **1.2 THE AREA AFFECTED BY THE PLAN**

The area affected by the Plan is the entire Municipality of Thames Centre, which was created January 1, 2001 as a lower-tier municipality, under the name of the Corporation of the Municipality of Thames Centre. The ~~new~~ Municipality includes the former Township of North Dorchester and the Township of West Nissouri. The County of Middlesex is the upper-tier municipality.

The last officially recorded population of the Municipality of Thames Centre was ~~13,000~~ **13,980** according to the ~~2011-2021~~ census (Statistics Canada) and included the urban centres of Dorchester and Thorndale, as well as the smaller settlement areas of Avon, Crampton, Gladstone, Harrietteville, Mossley, Nilestown, Putnam, Waubuno, and Wellburn, ~~as well as the remaining rural areas of the Municipality. In addition, a number of small industrial and commercial areas are situated near the Provincial Highway 401 corridor and along the County Road No. 2 corridor.~~

The Municipality of Thames Centre is situated in southwestern Ontario at the southeastern boundary of the County of Middlesex. It is bordered on its exterior perimeters by: the Townships of ~~Lucan Biddulph and~~ Perth South to the north, the Townships of Zorra and South-West Oxford to the east, the Township of Malahide and the Municipality of Central Elgin to the south, and the City of London and Municipality of Middlesex Centre to the west.

## **1.3 PLANNING HISTORY**

This document ~~is originates from an up-dated version of~~ the first ever Official Plan of the Municipality of Thames Centre adopted by Council on October 2<sup>nd</sup>, 2003 and approved by the County of Middlesex on July 20th, 2004. ~~Following that, the Official Plan was subject to a review which was implemented through the approval of Amendment No. 12 in 2015. The latest Official Plan review was conducted in 2021/2022.~~

## **1.4 RELATIONSHIP TO THE COUNTY OFFICIAL PLAN**

The County of Middlesex adopted an Official Plan in 1997. The County Plan contains countywide land use and planning policies that guide growth and development over a twenty-year time period. The County Official Plan establishes an upper-tier policy framework that provides guidance to local municipalities, especially in the preparation of local Official Plans, and sets a framework for coordination and cooperation amongst the County and its lower-tier municipalities on planning and development issues that transcend municipal boundaries.

The Municipality of Thames Centre Official Plan is required to conform to the County of Middlesex Official Plan and shall be consistent with the Provincial Policy Statement. In some cases, where warranted and supported by the community, the policies of this Official Plan go beyond the minimum standards established in the County Plan or the direction suggested by the Provincial Policy Statement. The Official Plan for the Municipality of Thames Centre complements both the County Official Plan and the Provincial Policy Statement and provides more detailed strategies, policies and land use designations for planning matters at the local level.

## **1.5 MUNICIPAL STRATEGIC PLAN**

Council for the Municipality of Thames Centre adopted a new Strategic Plan for the period 2020-2024, which includes Municipal Vision and Mission Statements as noted below:

**Vision:**

**Thames Centre is a vibrant safe community combining innovation and tradition for all stages of your life.**

**Mission:**

**Working together to sustain and grow our community through quality services and responsible leadership.**

These Statements along with the balance of the Strategic Plan act as a guide for the establishment of policy included in this Official Plan. These Statements may be updated by the Municipality from time to time without the need for amending this Official Plan. Significant changes to the Strategic Plan shall however be considered as part of a five-year Official Plan review

### **1.51.6 PURPOSE OF THE PLAN**

The general purpose of this Plan is to provide strategies and policies to provide for the orderly growth and physical development of the Municipality to the year **20222046**. Although Official Plans are long range documents that regulate development for twenty-five years, there is the necessity to update or even revise the policies of the Plan when the Plan no longer properly reflects the goals or even the boundaries of the Municipality.

This Official Plan sets out in general terms the future pattern of development for the Municipality of Thames Centre. In particular, the Plan's purpose is to:

- (1) set the framework for development within the Municipality by identifying and establishing policies that provide for the desired direction, as expressed by the greater community, and establish a degree of order to all future development within the Municipality to the year **20222046**;
- (2) establish policies that will guide future economic, social, environmental, and land use changes within the Municipality;



- (3) provide a policy framework which: encourages sustainable growth and prosperity in the Municipality through compact built form; promotes the Municipality as a desirable place to work, live, and visit by maintaining and enhancing the Municipality's physical and cultural resources; strengthens the community's tax base; and provides ample opportunities for employment;
- (4) interpret and apply the intent of Provincial and County legislation, regulations and/or policies to the Municipality in a manner which reflects the regional interests;
- (5) provide a policy framework which encourages the protection and maintenance of the agricultural industry, not only as a producer of food and other products, but also as an important component of the Municipality's economic base and as a basis for the Municipality's rural agricultural community and rural way of life. The policies will ensure that good agricultural land is preserved for agricultural use through the protection of the land base and by directing land uses that are not related to or compatible with agriculture away from the agricultural areas. At the same time certain economic opportunities will be permitted, as will on-the-farm job creation through supporting agriculture-related uses and on-farm diversified uses and the continued presence of social and recreational support facilities within the rural portion of the Municipality;
- (6) ensure that the minimum agricultural operation unit size or farm parcel size is sufficient for the typical agricultural operation, while also permitting farming operations to adjust to changing economic and technological conditions;
- (7) develop planning policies and implementing regulations that will respect the natural, cultural, and heritage features of the Municipality, including minimizing any adverse impacts on the natural environment, wildlife habitat, natural heritage features and areas, mitigating the effects of climate change and protecting significant environmental features and the water quality of the area's watershed through the application of best management practices;
- (8) establish a land use pattern that ensures sufficient lands have been identified in settlement areas and specific land use designations identified for development to accommodate a variety of housing and employment opportunities to meet current and future needs;
- (9) create subdivision and consent policies which are relevant, reasonable and appropriate for the Municipality while being consistent with the Provincial Policy Statement and the County of Middlesex Official Plan. The policies will be reflective of the differing circumstances resultant of variations in servicing requirements, location, density and environmental/natural resource impacts;
- (10) develop policies that will prohibit uncontrolled development throughout the Municipality and which would have due regard to the cumulative effects of development on the natural environment and surrounding land uses;
- (11) establish policies to ensure a logical, and—orderly and compact pattern of development in accordance with the servicing capabilities of the Municipality with the intent that new development is generally to occur on full municipal services.

Limited infilling development within the established hamlets and certain residential, industrial and commercial designations may occur on private servicing systems if accepted standards can be met;

- (12) encourage the provision of a variety of housing types in a variety of designated locations to meet the needs of all stages of life;

- (13) facilitate the expansion of broadband, electric vehicle charging stations and other emerging technological infrastructure;

- ~~(13)~~(14) ensure that all future development occurs at a pace which is within the financial capability of the Municipality;

- ~~(14)~~(15) inform the private sector of the servicing type and standards that will be accepted by the Municipality in the future;

- ~~(15)~~(16) provide for the protection and maintenance of the mineral aggregate resources industry, not only as a producer of sand and gravel and other products, but also as an important component of the Municipality's economic base. Although a limited resource, mineral aggregate resources will not have priority over natural environmental issues, particularly wetlands. Policies will be developed to ensure compatibility with the environment, the road system and abutting land uses as part of the extraction processes;

- ~~(16)~~(17) guide Council, various committees, staff and regulatory agencies in carrying out the goals, objectives and policies of this Plan;

- ~~(18)~~ establish a framework for public involvement in the implementation, review and amendment of the Plan's goals, policies and land use decisions;

- ~~(17)~~(19) provide a frame of reference for future detailed studies which may be undertaken when considered necessary by ~~Council~~the Municipality;

- ~~(18)~~(20) provide a policy document that is able to withstand development proposals that are not in the best interest of the community as a whole; and

- ~~(19)~~(21) establishing policies that support active transportation choices for pedestrians and cyclists, including the development of a municipal wide trail system and regional cycling route network.

The Official Plan should not be considered static and will be reviewed every five years in accordance with the *Planning Act* or when economic, environmental, or social conditions suggest that an amendment in policy direction and/or land use designation would be in the public's best interest.



#### **4.61.7 LEGISLATIVE AUTHORITY**

In accordance with Section 17 of the *Planning Act, R.S.O. 1990 Chap.P.13*, as amended, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality. An Official Plan is defined in the *Planning Act* as a document, approved by the Minister (or delegate), containing objectives and policies established primarily to provide guidance for the physical development of a municipality while having regard for relevant social, economic and environmental matters. In the case of the Municipality of Thames Centre, the upper-tier County of Middlesex has been delegated the authority for approving lower-tier Official Plans, Official Plan amendments, and plans of subdivision and condominium by the Province. **Section 24 of the *Planning Act, R.S.O. 1990 Chap.P.13* further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.**

Under Section 26 of the *Planning Act R.S.O.1990, Chap. P. 13*, as amended,

*If an official plan is in effect in a municipality, the council or the municipality that adopted the official plan, shall, not less frequently than every five years after the plan comes into effect as an official plan...*

*(a) Revise the official plan as required to ensure that it,*

- i. Conforms with provincial plans or does not conflict with them, as the case may be,*
- ii. Has regard to the matters of provincial interest listed in section 2, and*
- iii. Is consistent with policy statements issued under subsection 3(1); and,*

~~*(b) Revise the official plan, if it contains policies dealing with areas of employment, including, without limitation, the designation of areas of employment in the official plan and policies dealing with the removal of land from areas of employment to ensure that those policies are confirmed or amended;*~~

#### **4.71.8 OTHER STATUTORY APPROVALS**

In situations where statutory approvals may be required under provincial legislation (i.e., *Ontario Water Resources Act, Environmental Protection Act, Conservation Authorities Act*, etc.) other than the *Planning Act*, the proponent is encouraged to consult directly with the responsible Ministry to determine any necessary requirements and/or conditions. Compliance with such conditions, however, does not mean acceptance or approval of a land use issue governed by this Official Plan. All applicable policies and/or tests of this Plan must be met.

#### **4.81.9 TIME PERIOD OF THE PLAN**

This Official Plan shall provide guidance for the physical development of the Municipality of Thames Centre through the establishment of land use patterns and development policies while having regard to relevant social, economic, and environmental issues for the twenty-five year planning period, from ~~2002-2021~~ to ~~2022-2046~~.



It is intended that this Plan be reviewed from time to time, to determine if new technical, physical, social, environmental or economic conditions have changed sufficiently to warrant amendments to the policies and/or land use designations contained within this Plan. It is also intended that at least every five years, a special public meeting be called by Council to invite public opinion on the appropriateness of policies and designations contained within the Plan.

#### **1.91.10 BASIS OF THE PLAN**

This Plan has been prepared and updated based on a compilation of technical background information and input from Thames Centre Council, the public and prescribed agencies in consultation with the delegated approval authority for official plans being the County of Middlesex. This Plan is based on the results of numerous planning studies and decisions made by the Councils of the former municipalities that now comprise the new Municipality of Thames Centre. The previous Official Plans of the two former municipalities contained a number of policies and directions that remain relevant to the current state of the new Municipality. An effort has been made to update and carry forward these pertinent policies in order to maintain continuity in land use planning regimes.

Further foundation for the Plan was developed through the identification of demographic, servicing, land use, and environmental issues, as well as public opinion undertaken by the new Council of the Municipality of Thames Centre in the preparation of this Official Plan. Each of these issues were identified and assessed in the Background Report to this Official Plan.

The background studies have identified the strengths and weaknesses within the existing Official Plans. Council and administration have concluded that a new stand-alone Plan is required in order to establish a comprehensive policy direction at a level of detail which will reduce problems of interpretation, blend (where necessary) the policies of the previous municipalities, reflect current provincial policies and reduce the need for amendments.

The need to prepare one Official Plan was partially created by the desire to replace the two Plans that served the recently amalgamated Municipality of Thames Centre, thereby installing one uniform policy regime for the entire Municipality. Another driving force behind this new Official Plan is the impetus to bring it into conformity with the County of Middlesex Official Plan and to give consideration to the Provincial Policy Statement, both of which have been updated and/or changed since the former municipal Official Plans were completed.

In addition to changes in the boundary, there continues to be a concern regarding the preservation and enhancement of natural resources and natural heritage features, economic development, servicing, variation in housing forms and affordability, and a greater appreciation for cost efficient community planning. All these issues need to be addressed by today's standards and priorities.

All of these events have culminated in forming the basis for the preparation of this Official Plan.



Meetings/interviews have been held with many former and existing councillors, landowners, the general public, and staff of the Municipality, County, Province and applicable agencies in order to obtain insight into the current thinking, desires, objectives and problems affecting the Municipality.

#### **1.10.11 ISSUES AND GENERAL LAND USE STRATEGIES**

The preparation of a Background Report and Issues Report have resulted in the identification of topic specific issues that Council has addressed in order to establish policy directions for the new Official Plan. Neither the Background Report nor the Issues Report form part of this Official Plan.

In order to provide additional background for the basis of the Official Plan policies, the issues arising from the public consultation process and the recommended policy approaches are outlined below. Municipal Council's directives, Provincial and County policy and comments, as well as input received from the general public, guided the land use strategies incorporated in this Plan. The purpose of the land use strategies are to establish directions for future development within Thames Centre and to provide guidance for the Official Plan policies that follow.

The following items form the basis for the policies of this Plan:

##### **1.10.11.1.1 SERVICING**

Full municipal services ~~have now been~~are provided within the Urban Settlement Areas of Dorchester and Thorndale. In Dorchester, however, full municipal services are currently available on the south side of the Thames River while only municipal water services are available on the north side of the River. The extension of municipal sanitary sewage services to the north side of the river will require a significant capital expenditure for the purposes of a pumping station. Without such a facility, any significant residential development on the north side of the River remains 'on hold'. In Thorndale, full municipal services are available to service ~~recently approved new~~ development ~~opportunities (i.e. Trails of Wye Creek, Fox Estates) and be readily extended to service future residential development (i.e. Monteith Phase II).~~ The Hamlet Settlement Areas are not serviced by municipal water or sewage services nor are these services intended to be provided during the planning period due to the limited scale and scope of existing development and the anticipated high cost and difficulties of providing such services. Future development of the Hamlet Settlement Areas will therefore be strictly limited.

##### **1.10.21.11.2 GROWTH AND DEVELOPMENT**

Fundamental elements of the Official Plan are what type of growth should occur; how much growth will occur and where should this growth occur. As such, the Plan has addressed what type of development is permitted in Thames Centre and the most appropriate locations for growth and development in Thames Centre. Key considerations have included the availability and potential availability of municipal services, the location of existing development, strategic factors, the County of Middlesex Official Plan which this Plan must conform with and the Provincial Policy Statement which this Plan must be consistent with.

## (1) Residential Growth

To assist in determining future land needs, population and housing projections have been undertaken ~~to the end of the planning period being 2046~~<sup>5</sup>. When the Official Plan was prepared in 2003, the 2001-estimated population of Thames Centre was 12,899. It turned out ~~actually to be 12,480 based on the 2001 census~~. According to the 2021 census, Thames Centre recorded a population of 14,630 which is projected to increase to 21,966 by 2046. Those projections are consistent with the figures used in the Development Charges Background Study dated December, 2021 and undertaken by Watson and Associates. Projections commissioned by the County in 2003 and ultimately adopted by it in 2006 (Official Plan Amendment No. 2) suggested the population of Thames Centre under a 'High' growth scenario would reach 14,673 in 2011; 15,877 in 2016 and 16,970 in 2021. In actual fact, the population only reached 13,000 in 2011 (Statistics Canada). Projections undertaken as part of the Comprehensive Review of the Official Plan in 2013, predict the population of the Municipality will grow to only 13,072 by the year 2021 and thereafter slowly decline. All projections are based on a cohort survival model that takes into account births, deaths and migration but does not take into account changes in development policies, availability of servicing and other extraneous factors.

It is apparent that population of Thames Centre is not growing as fast as projected by the County and may even be headed for slow growth and even decline in the years ahead. From the analysis of population growth and housing undertaken as part of the 2013 Comprehensive Review, the following conclusions were drawn:

*~~For Thames Centre to achieve sustainable population growth, the Municipality will need to attract more families and retain aging baby boomers and seniors in the community. This will require that an affordable range of housing types (owned, rental, condo) are available, including single detached homes, townhouses, homes geared to seniors, etc. At the same time, Thames Centre has attracted people with higher income who will likely continue to be seeking opportunities for larger homes.~~*



~~It should be noted that the demand for housing and the attraction of people to live in the community is also impacted by other factors such as employment opportunities; education, parks and recreation facilities and services and other quality of life factors which can be promoted through economic and social development initiatives to counter current trends.~~

~~With regard to housing, i~~It is now anticipated that the total number of dwelling units in Thames Centre will increase from 4,315,925 in 2001-2021 (Statistics Canada) to 5,267,764 in 2021-2046 based on projections of total population and average household size undertaken as part of the 2013 Official Plan review undertaken in 2022. Comprehensive Review. The number of new dwelling units to accommodate the projected population growth to 2021-2046 (the end of the planning period) is expected to be 952,271 units (an average of 48-109 units per year).

Currently, a significant amount of land designated 'Residential' exists within the Urban Settlement Areas of ~~Dorchester and Thorndale~~, however, due primarily to servicing constraints, ~~particularly Dorchester~~, much of this land on the north side of the Thames River cannot currently be developed. The Urban Settlement Areas currently offer an over-supply of approximately 1,000 acres of undeveloped, residentially designated lands which exceeds the land requirements for the 2025-year planning period of the Official Plan.

~~At the time the Official Plan was prepared in 2003, the public expressed the view that growth should be focused on Dorchester and, if any expansion of its boundary was to be considered, that it be to the southwest. It was also felt that, should Thorndale develop adequate servicing, it should also be designated as a growth centre, although to a lesser degree than Dorchester. With servicing capability being enhanced in Thorndale (which included the construction of increased water storage capacity and a new sewage treatment plant) Thorndale is able to adopt a role as a growth centre of the Municipality along with Dorchester.~~

On the other hand, there are significant limitations regarding the ability of the Hamlet Settlement Areas to support additional growth, residential or otherwise. All nine of the hamlets recognized in Thames Centre have been developed on private septic systems and wells. The potential for contamination as a result of seepage from septic systems into water wells; the cumulative impact of development, and the inability to economically provide full services to the Hamlets have been recognized by the Municipality as serious concerns. The Municipality, therefore, finds it prudent to place severe restrictions on new development within the Hamlets and to strictly limit future expansion.

~~Almost-Just over 90~~ 97% of the Municipality's housing stock is single detached dwellings. As a result, some of Thames Centre's aging population has been forced to move away as there are limited housing options for them in the municipality. A greater diversity of housing in the form of semi-detached, townhouse, apartments and condominium dwellings continues to be warranted, in appropriate locations and amounts, for to accommodate a broad demographic including young adults, seniors, 'empty-nesters' and smaller households.



## (2) Non-Residential Development

Thames Centre's proximity to the City of London has a significant impact on commercial and industrial development and commuting patterns in the Municipality. Greater diversification of the ~~local~~ economy in order to provide more local employment opportunities and a broadened economic focus are desirable to provide greater self-reliance ~~and~~, reduce the prevalence of commuting and provide a more sustainable community.

~~At the time the Official Plan was prepared in 2003, the public was of the opinion that additional designated lands for commercial and industrial purposes, at appropriate locations, are warranted within the Municipality.~~ Given the existing servicing constraints in the Municipality, emphasis should be placed on promoting and developing 'dry' industries such as warehousing and transportation businesses, which do not require large volumes of water to operate. In order to minimize the impact of industry on ~~agricultural areas and~~ residential areas and to take advantage of Thames Centre's strategic location in relation to the Provincial Highway network, industrial uses located close to the Provincial Highway 401 and at interchanges ~~was supported~~ are encouraged.

Furthermore, tourism ~~was also identified as is~~ an undervalued economic sector in Thames Centre. Both agri-tourism and eco-tourism represent emerging opportunities to diversify the economic base of the Municipality.

### 1.10.31.11.3 AGRICULTURE

Agricultural lands, resources and values are predominant features within the Municipality. Agricultural uses dominate except where valley slopes or wetlands have constrained active farming. Overall, the rural areas of the Municipality are very productive and contain a considerable amount of prime agricultural soils. Class 1 soils are more prevalent in the northern half of the Municipality, while the southern portion of the Municipality is dominated by Class 2 soils.

Livestock operations are also important components of the Municipality's agricultural industry. Large operations are not common, but there are a number of medium sized livestock operations. Nevertheless, policies for livestock operations are warranted to ensure the Municipality's watercourses and water supplies are protected.

For the most part, the Municipality's urban areas are well defined and have not encroached significantly upon agricultural land uses. Non-agricultural development extending east from London along Dundas Street, however, has been encroaching upon the pockets of significant organic and muck soils.

The minimum lot size in the agricultural area shall generally be 40 hectares, while specialty crop development may be permitted on smaller land bases.

The severance of a residence surplus to a farming operation shall be the only permitted type of rural severance.

~~Livestock and agricultural operations will be permitted in the Agricultural area without requiring an amendment to the Zoning By-law, provided the location is in compliance with~~

~~the minimum distance separation (MDS) formulae, the Zoning By-law and Nutrient Management By-law.~~

#### **1.10.41.11.4 AGGREGATE RESOURCES**

Thames Centre has a large, rich supply of aggregate resources. Nearly all of the extractable sand and gravel resources are currently licensed. These resources need to be protected for extraction and regulated. In areas of primary aggregate resources that are not also identified as significant natural heritage features, priority for development will be given to extractive industrial uses (i.e., lands will not be developed until aggregate is removed from the ground).

Under the *Aggregate Resources Act*, municipal councils are given the discretion to decide whether or not Official Plan and/or Zoning By-Law Amendments are required in order to establish a new aggregate use or to expand an existing aggregate use. In order to ensure Council's control over the establishment of new aggregate uses and the expansion of existing operations and to enhance the public's opportunity for input and education, applications for Official Plan and Zoning By-law Amendments will be required.

Both an Official Plan Amendment and a Zoning By-Law Amendment will be required to establish a new aggregate use.

Rehabilitation plans for aggregate lands will require that the lands revert back to agriculture or natural environment uses. Complete agricultural rehabilitation is not required if there is a substantial quantity of mineral aggregates below the water table warranting extraction.

#### **1.10.51.11.5 NATURAL ENVIRONMENT**

The Municipality of Thames Centre has many well known natural heritage features, including Dorchester Swamp, North Dorchester Swamp, Mud Lakes (also known as Dingman Lakes), the North and South Branches of the Thames River, and additional wetlands, areas of natural and scientific interest, environmentally sensitive areas, significant woodlands and habitats, and natural heritage systems and corridors. Furthermore, the natural hazards in the Municipality include flood plains and valley slopes associated with both branches of the Thames River and other watercourses.

All of the Municipality's wetlands, ANSIs and ESAs merit protection from changing land uses. Most are within rural agricultural areas, however, and are not likely to be affected by development interests. The notable exceptions are Dorchester Swamp, which is close to the southeasterly developing area of Dorchester, and St. Ives Floodplain and Thorndale River Valley, where historically, there has been pressure from estate residential development.

The wetland, ANSI and ESA features within Thames Centre's agricultural area are not likely to be threatened from development pressures as much as they are by drainage pressures and clearing for agricultural uses. Often these activities can occur without requiring approval under the *Planning Act*. As such, the Official Plan will contain policies directed at informing landowners of the benefits of retaining these areas, many of which



are important groundwater recharge areas and, therefore, make important contributions to groundwater quantity and quality. The Municipality does, however, have the ability to control drainage matters through the *Drainage Act* and has the authority to pass "Tree Cutting By-laws" and "Site Alteration By-laws" under the *Municipal Act*. Furthermore, all wooded areas provide valuable windbreak functions. Overall, their ecological benefits outweigh short-term agricultural gains that may result from clearing or from aggressive drain maintenance projects.

~~There was strong consensus from the public that surface and ground water, including the Thames River, is very important resources and must be preserved and protected. The Official Plan includes policies to protect the Municipality's wellfield areas. Further hydrologic and hydrogeologic study have been undertaken to properly assess and define the extent of the wellhead protection areas through the Middlesex-Elgin Groundwater Study (2003) and through the preparation of source water protection plans under the Clean Water Act.~~

Woodlands provide important contributions to both environmental quality and to agriculture, however, they comprise only about ten percent of Thames Centre's land base. The Official Plan strongly encourages the retention of woodlands to minimize soil erosion and to mitigate the effects of climate change. Very few of the woodland areas abut areas of urban growth, but where they may, consideration should be given to retaining them as open space areas to help moderate the local climate.

The Official Plan includes policies for the maintenance of existing natural areas within the rural landscape and for farming practices to include buffers along watercourses and around the edges of wetland areas to recognize their ecological importance. Within and around areas where growth is anticipated, components of the natural heritage system should be considered 'open space' for the aesthetic and visual variety contributions they can provide to urban development planning. These measures will contribute significantly to maintaining the Thames Centre components of the County of Middlesex natural heritage system.

Protecting features and ecological functions of the wetlands, woodlands, ANSI features, watercourses and the existing natural corridors between them will protect existing fish, wildlife, floral and most rare, threatened and endangered species habitat. This may, however, affect the expansion potential of existing development that is adjacent to or within these features.

Surface and ground water sources in Thames Centre will be protected and enhanced. In this regard, the Official Plan has addressed the range of permitted uses and activities within wellhead protection areas.

The Thames River is a designated Canadian Heritage River and one of Thames Centre's most significant natural features. Policies prohibiting the removal of trees along watercourses have been incorporated into the Plan.

### 1.10.6 SUMMATION OF ISSUES AND STRATEGIES

1. The Municipality will continue attempts to resolve servicing constraint issues within Dorchester ~~on the north side of the Thames River and Thorndale.~~
2. Except where identified by this Plan, growth and development will be promoted in and directed to the Urban Settlement Areas of Dorchester and Thorndale where full municipal services are available or can be made available.
3. Waste reduction initiatives and waste diversion from the landfill site will be encouraged.
4. Clear boundaries and strong policies have been established to limit future growth in Hamlet areas.
5. A mix of housing types intended to meet the needs of all incomes and ages are encouraged within the Urban Settlement Areas. Housing should promote continuum of lifestyle, while having regard to the limited social services.
6. ~~To promote healthy living and a decreased reliance with motor vehicles, Development development~~ should be designed in a manner which promotes safe, convenient, and attractive active transportation options for pedestrians and cyclists within, and where feasible, between settlement areas.
7. Regard shall be had to more concentrated forms of development ~~including pedestrian friendly environments, more~~ rental housing ~~opportunities options~~, and the discouragement of urban sprawl.
8. There is a need to set aside sufficient lands for industrial ~~and commercial~~ development in locations that are attractive to industry, particularly at or near Provincial Highway No. 401. The development of "dry" industrial uses in appropriate locations is also encouraged and shall be promoted by the Municipality.
9. Tourism and in particular, agri-tourism, will be promoted and encouraged in Thames Centre. In doing so, a tourism strategy may be developed for the Municipality.
- ~~10. Livestock operations shall be permitted in the 'Agricultural' designation without requiring an amendment to the Zoning By-law, provided the location is in compliance with the minimum distance separation (MDS) formulae, the Zoning By-law and Nutrient Management Act.~~
- ~~11.~~
- ~~12-10.~~ Rehabilitation plans for depleted aggregate lands will require that the lands revert back to agriculture, natural environment uses or green energy systems. Complete agricultural rehabilitation will not be required if there is a substantial quantity of mineral aggregates below the water table warranting extraction.
- ~~12-11.~~ Surface and ground water sources will be protected and enhanced.

~~13.12.~~ *The Thames River is a designated Canadian Heritage River and arguably Thames Centre's most significant natural feature*



## **SECTION 2. DEVELOPMENT POLICIES**

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### **2.1 GENERAL**

In order to effectively accommodate the current and future residents of the Municipality, Council will endeavour to ensure that:

- (1) the various School Boards make both adequate and appropriate provision for the accommodation of existing and future school children;
- (2) sufficient community facilities, such as parks and recreational facilities, are provided;
- (3) any increases in traffic can be accommodated by the road network without causing unacceptable congestion, accident hazard, or nuisance to adjacent residential areas;
- (4) residential amenities are maintained;
- (5) development has regard for the natural environment and the community has been assured that any adverse effects are minimized or avoided;
- (6) adequate municipal services such as sewage disposal, water supply, storm drainage, police and fire protection, and garbage disposal can be made available where appropriate and without undue additional cost; and
- (7) natural hazard processes, such as the extent of the flood plain or the 100 Year Erosion Limit, have been adequately assessed and that the risk associated with these hazards is being avoided or appropriately managed.

Council will support economic growth through promotion of the Municipality and cooperation with the Federal Government, the Province, and the County of Middlesex in attracting industry and commerce to the Municipality.

The policies of this Plan have been established in order that future development of the Municipality is controlled in an orderly and systematic basis. **The Development Policies in this Section are to be followed for all new development and redevelopment in the Municipality of Thames Centre, where applicable.**

### **2.2 SITE SUITABILITY**

Prior to the approval of any development or amendment to this Plan or the Zoning By-law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:

- (1) soil and drainage conditions are suitable to permit the proper siting of buildings;

- (2) the services and utilities, whether they are municipal or private, can adequately accommodate the proposed development. Full municipal or communal sanitary and water services will be the preferred method of servicing development;
- (3) the road system is adequate to accommodate projected increases in traffic;
- (4) the land fronts on a public road (unless specifically noted as an approved private road) which is of a reasonable standard of construction and maintenance;
- (5) lot frontage and area is suitable for the proposed use and conforms to the standards required by the implementing Zoning By-law; and
- (6) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing adjacent use or on the natural heritage features and functions.

## **2.3 COSTS OF SERVICING DEVELOPMENT**

### **2.3.1 LOCATION OF DEVELOPMENT**

In order to minimize the cost of services provided by all public agencies, no new development in the Municipality will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Municipality or by the developer. As per Section 34(5) of the *Planning Act, R.S.O. 1990 Chap.P.13*, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning.

### **2.3.2 DEVELOPMENT CHARGES**

In order to defray costs to the Municipality associated with any development or redevelopment, the Municipality may implement any or all of the provisions of the *Development Charges Act*, as amended.

### **2.3.3 INDUSTRIAL SERVICES**

In order to encourage industries to locate within the Municipality of Thames Centre, the Municipality may participate in the development of additional or expanded industrial park sites and/or the provision of services to privately owned industrial lands so as to ensure an adequate supply of available serviced industrial lands within the Municipality. In doing so, the Municipality shall have regard to the relevant policies of this Plan.



## **2.4 WATER SUPPLY AND SEWAGE DISPOSAL**

### **2.4.1 HIERARCHY**

All site-specific development proposals within Settlement Areas shall be accompanied by an evaluation of servicing options. The preferred servicing hierarchy for development within the Municipality is as follows:

- (1) extension from existing municipal systems;
- (2) extension from existing private communal systems;
- (3) new municipal or private communal systems; and
- (4) individual septic systems and private-individual wells.

The following provides an outline of the servicing requirements for development and redevelopment within the Municipality. Where appropriate, more detailed requirements have been included under the relevant land use designation policies.

#### **2.4.22.4.1 PUBLIC PIPED SYSTEMS**

Where possible, urban development or redevelopment in the Municipality shall be based on public piped water and sanitary sewer systems. In certain cases, this will entail extensions and/or improvements to the existing public piped systems in order to service areas of new urban development.

Where the servicing of new urban development requires extensions and/or improvements to the existing public piped systems, such servicing will generally be financed, constructed, and maintained by the developer before being turned over to the Municipality.

Areas currently on private systems will be required to connect to a public system should the services become available.

When the capacity of the water and sewage facilities have been fully allocated and prior to the facilities reaching their capacity, the Municipality shall demonstrate a commitment to the expansion of the facilities in accordance with the municipal servicing strategy/plan, before additional approvals are given to further development proposals. Limitations in the capacity and operating performance of the water and sewage facilities will be recognized as a constraint to the approval and timing of new development proposals. Alternative servicing proposals will be considered based on sound engineering and environmental assessments and the approval of the Municipality.

It shall also be the policy of the Municipality to not grant sewage allocation until the time of subdivision draft plan approval. Draft plans of subdivision sewage allocation shall be generally limited to three years in order to ensure reserve capacity is efficiently and effectively utilized. When 90% of the hydraulic design capacity of the plant has been utilized by development, Council shall initiate expansion of the plant. While the process for plant expansion is underway, Council will not approve new development or issue

building permits for development which would result in flows to the facility exceeding its hydraulic design capacity.

The Municipality may also enter into servicing agreements with the City of London and/or the Province of Ontario and/or associated water boards.

#### **2.4.32.4.2 PRIVATE SYSTEMS**

If a site is located in an area where the public sanitary sewage treatment is not readily available or is not intended, development may take place on individual on-site sewage treatment systems or on developer-provided private communal systems in accordance with all other policies of this Plan. Within Settlement Areas or specific land use designations intended for the proposed use, approval by Council or its designate will be required before development is permitted on private communal or individual sewage disposal systems and may be conditional on mandatory connection to public systems when piped services become available.

When development of any type will utilize a private sewage disposal system, the lot area shall comply with requirements of the Municipality or its designated agent for the type of development proposed and the type of private system to be used.

Individual on-site sanitary sewage treatment systems will continue to provide the primary means of sanitary sewage treatment in the "Agricultural" designation, "Hamlet Settlement Areas" and other land use designations where development is permitted outside urban settlement area boundaries.

Private wells will continue to be the primary means of water supply in both the Agricultural and Hamlet designations and may be permitted for limited infilling purposes in existing development designations of Settlement Areas that do not have a piped municipal water supply. Private-I wells will also be permitted within the "Rural Industrial" and "Rural Residential" designation subject to appropriate engineering review.

Where multi-lot or multi-unit residential or industrial development is proposed for more than two lots/units on individual wells and/or individual subsurface treatment systems, a servicing report will be prepared by the applicant and submitted to the Municipality. The report shall address potable groundwater quality, groundwater yield, groundwater interference, soil suitability and the lot area for effluent treatment. The servicing report, when required, shall be prepared by qualified professionals. If the proposed use of individual on-site sanitary sewage treatment systems is to handle effluent in quantities greater than 4,500 litres per day, a hydrogeological study that demonstrates such system can operate satisfactorily on the site must be prepared.

Where a communal system is proposed, the Municipality shall own the system or shall make alternative ownership arrangements that comply with the Ministry of Environment, Conservation and Parks requirements. Any development proposing a communal servicing system must satisfy the requirements of the appropriate authority, may be restricted to a type, make or model acceptable to the Municipality. Reference should also be made to Section 2.27 of this Plan.



All services, whether private, communal or municipal, shall comply with the requirements of the Ministry of the Environment, the *Environmental Protection Act*, *Ontario Water Resources Act*, and other Provincial and municipal requirements, as applicable.

## **2.5 STORMWATER MANAGEMENT POLICY**

Stormwater management is required to control flooding, erosion and sedimentation to enhance water quality and aquatic habitat. Prior to development being allowed to proceed, and if required by either the Upper Thames River or Kettle Creek Conservation Authority, the developer shall undertake an appropriate engineering study to determine the effect of increased run-off due to development of the site, and to identify stormwater management measures as necessary to control any increases in flows in downstream watercourses, up to and including the 250-year or Hurricane Hazel Storm Event (depending on the requirements of the Conservation Authority). As well, the developer shall install the stormwater management measures identified in the study as part of the development of the site, to the satisfaction of the Municipality and the relevant Conservation Authority.

In addition to the applicable Conservation Authority, the Ministry of the Environment, County of Middlesex and the Ministry of Transportation shall also be consulted on stormwater management plans in situations where statutory approvals are necessary under the *Ontario Water Resources Act* and/or in situations where development is proposed adjacent to a Provincial Highway. Stormwater management plans will be considered in light of the Ministry of the Environment's current *Stormwater Management Practices Planning and Design Manual*.

Consideration shall also be given to the recommendations of Conservation Authorities Watershed and Subwatershed Studies. These studies will provide guidance when dealing with any new development within these two watersheds. Subwatershed planning will be supported in areas experiencing urban development pressures and in areas where significant environmental concerns are identified. Priority areas for subwatershed studies will be established in consultation with the appropriate Conservation Authority. Significant findings and recommendations from these studies may result in amendments to this Plan.

## **2.6 ENVIRONMENTAL CONCERNS**

### **2.6.1 ACTIVE AND FORMER WASTE DISPOSAL SITES**

Schedules "A" and "B" show the location of known active or former waste disposal sites (as of the date of Provincial approval of this Official Plan). For any new development or change of use on these sites, or on lands located within 500 metres of these sites (or other such sites located in adjoining municipalities), the Municipality may require the applicant to undertake a study, prepared by a qualified professional, that evaluates the presence and impact of environmental contaminants including, but not necessarily limited to, methane gas and leachate migration in soils. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety does exist, development may be restricted and/or refused.

The minimum land use buffer is 30 metres where both leachate collection and methane gas attenuation are required, and 20 metres where only methane gas attenuation is required. The land use buffer, however, may be increased to account for noise, dust, litter, odours, and other nuisance effects. The land use buffer shall be determined through a site-specific assessment of the nuisance effects from the operation of the landfill.

Where significant development, or change of use is proposed on a waste site itself, no development will be permitted to occur until the approval from the Province and/or its delegate for the proposed use is obtained in accordance with Section 46 of Ontario's *Environmental Protection Act*, as amended from time to time.

To foster community sustainability, The-the Municipality encourages recycling programs that will have the effect of reducing, reusing and recycling waste.

## **2.6.2 SEWAGE TREATMENT PLANT**

Schedule "B-1" shows the location of all sewage treatment works in the Municipality. No sensitive land uses will be permitted within 150 metres of the property line housing an adjoining Municipality's sewage works. The actual separation distance to an adjoining Municipality's sewage works will be dependent upon the recommendation of the municipalities involved as determined by the type, capacity, and nature of waste being treated.

## **2.6.3 CREMATORIUMS**

A minimum separation distance shall be maintained between crematoriums and sensitive land uses. Conversely sensitive land uses shall maintain a minimum separation distance to a crematorium. The appropriate separation distances shall be prescribed in the Zoning By-law.

## **2.7 PUBLIC PARKLAND**

### **2.7.1 PUBLIC PARKLAND STANDARDS**

The following standards shall be used as guidelines for the establishment of community parkland. Community parkland shall be established, in accordance with the policies of this Plan, on the basis of 3 hectares per 1,000 population. Such parklands are intended to serve the residents of the Municipality.

The greatest concentration of existing parkland is currently within Dorchester. Parkland should continue to locate in the urban areas, however, playing fields may be developed to serve the larger community by locating them in an accessible location and may be established within the "Agricultural" designation if the recreational development does not interfere with existing farm operations, no alternative site within a Settlement Area exists, and the location will serve the greater community.

### **2.7.2 LAND CONVEYANCES**

Whenever development or redevelopment of lands is proposed for residential purposes, the Municipality shall, as a condition of approval, require that up to five percent (5%) of such lands for development at 14 units per gross hectare or less, or one hectare (1 ha) for every 300 dwelling units for development at densities greater than 14 units per gross hectare, be conveyed to the Municipality for park purposes. Commercial and industrial development shall, as a condition of approval, require that up to two percent (2%) of such land be conveyed to the Municipality for parkland. All lands to be so conveyed shall require approval by the Municipality and under no circumstances will Municipal Council be obligated to accept parkland which is being offered by an applicant for a proposed plan of subdivision. Lands having environmental constraints may not be acceptable to the Municipality.

### **2.7.3 ALTERNATIVE CONVEYANCES**

The Municipality may require the developer to convey cash-in-lieu of parklands. The cash value of such lands shall be determined by an appraisal authorized by the Municipality. The value of the lands shall be determined as of the day before the day the issuance of the building permit as outlined in Section 42 of the *Planning Act, R.S.O. 1990 Chap.P.13*. For plans of subdivision, the value of the land is determined as of the day before the day the Draft Plan is approved, as outlined in Sections 51.1(3) and (4) of the *Planning Act, R.S.O. 1990 Chap.P.13*. Funds collected under the alternative conveyance regulations shall be used for parkland upkeep, parkland development, recreational facilities, acquisition of natural habitat areas, and for the protection of natural habitat areas.

Cash-in-lieu of land dedication shall be considered by Council when:

- (1) The required land dedication fails to provide an area of suitable shape, size, or location for development as public parkland; or
- (2) The required dedication of land would render the remainder of the site unsuitable or impractical for development; or
- (3) Existing park and recreational facilities in the vicinity of the site are, in the opinion of Council, already adequate to serve the projected increase in population.

### **2.8 BUFFERING**

The proposed development and redevelopment of all land in the Municipality must generally be compatible with adjacent land uses. Residential areas and other sensitive land uses, such as nursing homes, shall be protected from the undesirable air quality and excessive noise and vibration through the policies of this Plan and the use of Site Plan Control.

Developers proposing to locate residential or other sensitive land uses near industry, airports, railway lines, arterial roads and/or provincial highways may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the Ministry of Environment and/or the Municipality and which meet the Ministry's recommended sound and vibration limits.



The Municipality may use Site Plan Control in accordance with Section 7.6 of this Plan to require buffering between uses of land where there may be conflicts such that one use may detract from the enjoyment and functioning of the adjoining use. Such buffering will be considered in light of the Ministry of Environment's guideline entitled *Guideline on Separation Distance Between Industrial Facilities and Sensitive Land Uses*, as amended from time to time, and may include landscaping, screening and the separation of uses by extra distance between them.

Added conditions such as increased yard requirement, planting strips, fencing, and/or berms, deflective lighting, restrictions of use of certain portions of the land, etc., are all added requirements that may be imposed to offset aspects of incompatibility between any two land uses.

In areas where a conflict already exists between residential and non-residential land uses, the Municipality may consider the erection of a buffer such as sound attenuation fencing as either a general or local improvement.

The Municipality may also consider the installation of attractive buffering to screen storage and loading areas, particularly where there is an interface with residential uses or Provincial Highway No. 401.

## **2.9 DEVELOPMENT ADJACENT TO RAILWAYS**

To minimize conflicts between residential development and railway corridors, attenuation measures will be required to buffer future residential development and other sensitive land uses from the CN and CP Railway lines in noise sensitive and vibration sensitive areas.

Furthermore, proposals for development adjacent to railways shall have regard to the guidelines set out in the Railway Association of Canada and the Federation of Canadian Municipalities' Guide for New Development in Proximity to Railway Operations. The guidelines propose building setbacks, noise and vibration influence areas, security fencing and warning clause guidelines.

"Noise Sensitivity Zones" are considered to be those areas proposed for residential development and other sensitive land uses and lying within 300 metres of a CN or CP Railway. The following policies shall apply to all new residential plans of subdivision and other sensitive land use development within the "Noise Sensitivity Zones":

- (1) Prior to approval of a residential plans of subdivision or other sensitive land use development proposal within a "Noise Sensitivity Zone", the Municipality shall consult with the owner/operator of the railway, and may require that the proponent engage the services of a recognized acoustical consultant to undertake a noise evaluation study.
- (2) The noise evaluation study shall identify the total noise impact on the development site from all sources and shall demonstrate whether noise control measures are required to satisfy the Ministry of Environment's sound level criteria. The study shall be prepared to the satisfaction of the Ministry of Environment, and the Municipality in consultation with the owner/operator of the railway. Where a need is

demonstrated, the study shall recommend the appropriate noise reduction measures to be applied.

- (3) As a condition of draft subdivision plan approval or other residential development approval, and where the noise evaluation study shows a need, the Municipality shall require the proponent to prepare a detailed acoustical design study to be submitted to the Municipality, the Ministry of Environment, and the owner/operator of the railway. Where development is proposed by plan of subdivision, the approved noise control measures, as defined in the acoustical design study, shall be included in the subdivision agreement, which shall be submitted upon execution to the Ministry of Environment for review prior to registration of the plan.

"Vibration Sensitive Zones" are considered to be those areas proposed for residential development and lying within 75 metres of a CN or CP Railway. The following policies shall to all new residential and other sensitive land use development within the "Vibration Sensitivity Zones":

- (1) Prior to approval of a residential or other sensitive land use development proposal within a "Vibration Sensitivity Zone", the Municipality shall consult with the owner/operator of the railway, and may require that the proponent engage the services of a consultant in monitoring ground-borne vibration levels.
- (2) The study shall be prepared in consultation with the owner/operator of the railway and shall identify any vibration impact and the mitigation measures to be applied.
- (3) Where the study identifies a need, attenuation measures shall be provided for in the draft plan of subdivision approval and any subdivision agreement or other development agreement. These measures shall be designed and implemented to the satisfaction of the Municipality.

Where proposed residential plans of subdivision or other sensitive land use development lies within 300 metres of the railway, other mitigation and buffering measures in addition to those required by the noise and/or vibration impact studies, such as setbacks, intervening safety berms, and security fencing, will be required as a condition of subdivision approval or other development approvals. For all commercial, institutional, recreational and residential buildings on adjoining properties, 2.5 metre high safety berms and a 30 metre building setback are required, unless development is adjacent to the CP Railway Principle Branch Line (which runs through Putnam on to St. Thomas), whereby the minimum berm height shall be 2.0 metres and the minimum building setback shall be 15 metres. Additional mitigating measures and specifications may also be required by the owner/operator of the railway.

Where residential plans of subdivision or other sensitive land use development is proposed within 300 metres of a railway, a suitable agreement between the Municipality and the owner/proponent shall specify that future purchasers will be advised that, despite the inclusion of noise and vibration control measures within the development, alterations to rail operations may occur that may adversely affect the living environment and enjoyment of the residents. Where appropriate, such agreements will provide for the registration on title of a warning clause.



## 2.10 SOURCE WATER PROTECTION

Thames Centre is highly dependent on groundwater for its domestic water requirements. As such, it is the intent of the Municipality that land use and activities throughout Thames Centre shall not negatively impact vulnerable areas, impair groundwater or surface water quality, overtax groundwater supply or significantly reduce groundwater recharge.

With respect to water resources, the Municipality shall endeavor to:

- (1) ensure that land use decisions advance water conservation efforts and support the efficient use of water resources;
- (2) encourage the reduction of water consumption levels through the promotion of the efficient use of water;
- (3) encourage agricultural practices that protect water resources;
- (4) promote sustainable stormwater management practices that protect for, or where feasible, enhance water quality and water quantity control; and encourage the use of low impact development standards and green infrastructure as alternative stormwater management strategies;
- (5) ensure that land use planning contributes to the protection, maintenance, and enhancement of water and related resources and aquatic systems on an integrated watershed management;
- (6) ensure that development meets provincial water quality objectives; and
- (7) protect surface and groundwater quality through the use of regulatory and voluntary means of prohibiting, restricting, or influencing land uses and activities within vulnerable area, and overlying vulnerable aquifers.

The Municipality recognizes and supports the need to protect municipal drinking water sources. The Clean Water Act, 2006 is intended to ensure the protection of municipal drinking water supplies by setting out a risk-based process to identify vulnerable areas and associated drinking water threats and issues through the preparation of Assessment Reports, and develop policies and programs to eliminate or reduce the risks posed by identified drinking water threats through the preparation of Source Protection Plans. This process is otherwise known as Source Protection Planning.

The science-based Assessment Report is the technical basis upon which a Source Protection Plan is prepared. The Source Protection Plan contains policies to address the drinking water threats identified in the Assessment Report. Two Source Protection Plans apply within the Municipality of Thames Centre – The Thames, Sydenham & Region Source Protection Plan and the Kettle Creek Source Protection Plan.

The boundaries of these Source Protection Plans as they apply to the Municipality are identified on Schedule D to this Plan. Assessment Reports and Source Protection Plans may be amended from time to time in accordance with the Clean Water Act, 2006.



Identified vulnerable areas within the Municipality include the Wellhead Protection Areas (WHPAs) surrounding the municipal drinking water supply wells servicing the Urban Settlement Areas of Dorchester and Thorndale as well as the Wellhead Protection Area surrounding the municipal drinking water well of Belmont in the adjacent Municipality of Central Elgin. The on-going protection of these systems from contamination will ensure a sustainable and safe water supply to meet the current and future needs of those residents, businesses and users that rely on them. Schedules D1 to D3 of this Plan identify the vulnerable areas for each of these municipal water supply sources and their associated vulnerability score, as mapped in the applicable Source Protection Plan.

A Wellhead Protection Area is an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats because land use activities in these areas have the potential to affect the quality of water that flows into the well. WHPAs associated with water quality are identified on Schedules D1 to D3 as Wellhead Protection Areas A, B, and C. WHPA-Ds are not identified on Schedules D1 to D3 as there are no significant drinking water threat policies identified in the applicable Source Protection Plans for these WHPAs. The time related capture zones associated with each WHPA are summarized as follows:

- a) WHPA A: 100 metre radius surrounding the well.
- b) WHPA B: 2 year travel time for water to enter the well.
- c) WHPA C: 5 year travel time for water to enter the well.

The 'vulnerability score' for each WHPA illustrated on Schedules D1 to D3 identifies the degree to which a WHPA within the Municipality is vulnerable to contamination. The vulnerability score of a WHPA can range from 1 to 10, with 10 being the most vulnerable. The vulnerability score is used, together with a table of drinking water threats published by the Ministry of Environment and Climate Change, to determine whether a drinking water threat is significant, moderate or low.

Land use activities which may pose a drinking water threat to municipal water supplies are defined by the Clean Water Act, 2006 as an activity or condition that adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of drinking water. Drinking water threats include the following as prescribed by Ontario Regulation 287/07 of the Clean Water Act, 2006 and further defined by the circumstances outlined in the table of drinking water threats, as may be amended from time to time:

1. Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.

7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of road salt.
13. The handling and storage of road salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid (DNAPL).
17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.
19. An activity that takes water from an aquifer or surface water body without returning the water to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

Significant drinking water threats within vulnerable areas are either prohibited or regulated by Source Protection Plan policies. The significance of a prescribed drinking water threat depends on the characteristics of the activity and where the activity is occurring within a vulnerable area. Schedule D to this Plan identifies where the Thames, Sydenham and Region and Kettle Creek Source Protection Plans apply within the Municipality.

Notwithstanding the land uses permitted by the underlying land use designation in this Plan, the following policies shall apply within vulnerable areas:

- (1) Permitted land uses that involve a significant drinking water threat within a WHPA identified in Schedules D1 to D3 to this Plan may be either prohibited or regulated by the applicable Source Protection Plan.
- (2) Within the Thames Sydenham and Region Source Protection Plan Area, an application for development, redevelopment, or site alteration for any land use, with the exception of residential uses, within a WHPA that may involve a significant drinking water threat shall only be deemed complete under the Planning Act if the Risk Management Official has issued a Section 59 Notice in accordance with the Clean Water Act, 2006, where applicable in accordance with the Thames, Sydenham and Region Source Protection Plan.
- (3) Within the Kettle Creek Source Protection Plan Area, an application for

development, redevelopment, or site alteration for any land use within a WHPA that may involve a significant drinking water threat shall only be deemed complete under the Planning Act if the Risk Management Official has issued a Section 59 Notice in accordance with the Clean Water Act, 2006, where applicable in accordance with the Kettle Creek Source Protection Plan.

- (4) The Municipality's Risk Management Official shall determine whether a new land use or activity is, or involves, a significant drinking water threat in accordance with the Clean Water Act, 2006 and whether the use or activity is prohibited or regulated through a Risk Management Plan in accordance with the applicable Source Protection Plan.
- (5) The Risk Management Official may provide guidance to the Municipality in screening applications for development, redevelopment or site alteration within WHPAs.
- (6) Within the Thames Sydenham and Region Source Protection Plan Area, locating new septic systems shall be prohibited within a WHPA with a vulnerability score of 10. This policy shall not apply to those new septic systems that are required for a municipal water supply well.
- (7) The Municipality may request a Disclosure Report as part of a complete application under the Planning Act for development, redevelopment or site alteration of non-residential uses within a Wellhead Protection Area. The report shall disclose the proposed use, details of operation, whether any prescribed drinking water threats are expected to occur on the property, and specify if any chemical substances would be used or stored on site and the measures proposed for spill containment to the satisfaction of the Risk Management Official. The report shall also include a threats inventory, a vulnerability analysis, a risk analysis and, where applicable, an analysis of risk management measures which may be applied to mitigate the risks to the drinking water sources. The Disclosure Report may be used by the Risk Management Official to determine whether proposed activities associated with a Planning Act application are prohibited or regulated by the applicable Source Protection Plan. The Disclosure Report may also be used by the Risk Management Official to prepare a Risk Management Plan, if required under Section 58 of the Clean Water Act, 2006.

## **2.11 DRAINS AND WETLANDS**

For those ~~rivers~~watercourses, open municipal drains and wetlands where engineered floodlines are not available, the Municipality in consultation with the Upper Thames River Conservation Authority or the Kettle Creek Conservation Authority, will incorporate appropriate building setbacks from the top of bank of such watercourses, municipal drains and wetlands into the Zoning By-law. When determining such setbacks, the Municipality shall take into consideration the type of watercourse, slope stability, watercourse erosion, *Ontario Regulation 358 of the Environmental Protection Act* and other relevant aspects. In evaluating development applications for lands adjacent to any watercourse, drain or



wetland, the Municipality in consultation with the applicable Conservation Authority, may request the proponent to undertake a Study to determine the Regulatory Flood Plain elevation or the 100 Year Erosion Limit and establish appropriate flood proofing elevations or setbacks, and such requirements shall be implemented through the Zoning By-law and Development Agreements.

## **2.12 MINIMUM DISTANCE SEPARATION - LIVESTOCK**

To reduce incompatibility issues such as odour, the Zoning By-law ~~will~~**shall** ensure that a buffer area is maintained between ~~intensive~~ livestock operations and other sensitive uses. To achieve this, the location of new and the expansion of existing livestock operations shall comply with the appropriate minimum distance separation (MDS) formula. To ensure that appropriate separation occurs, setbacks may be used reciprocally (i.e., at the time of applications for Consent to Sever, Zoning By-law Amendments, and/or Official Plan Amendments). Livestock operations ~~will~~**shall** also be protected from encroachment by residential and other types of uses in the Zoning By-law through the use of the appropriate minimum distance separation (MDS) formula.

## **2.13 HERITAGE CONSERVATION**

It is the policy of this Plan to encourage the restoration, protection, conservation, and maintenance of the Municipality's archaeological and heritage resources, which include buildings and structures of historical and/or architectural value, as well as the natural heritage landscape. All new development or redevelopment permitted by the policies and designations of this Plan shall have regard for the conservation of heritage resources.

It shall be the policy of the Municipality to use all relevant legislation and programs whenever possible to encourage the preservation and enhancement of heritage resources and to develop a greater awareness of the value of heritage conservation in the community. When appropriate and necessary the Municipality will use the provisions of the *Ontario Heritage Act* to conserve, protect and enhance the Municipality's heritage. More detailed policies on Heritage Conservation Areas are found in Section 6.2 of this Plan.

As natural heritage includes visual landscape corridors such as along the Thames River and other natural watercourses, this Plan will use the "green-space" system designations to assist in preserving the natural heritage features as well as site plan control and increased separations or setbacks in the Zoning By-law.

The Municipality will identify any development applications that will impact areas containing registered archaeological sites or lands of archaeological potential. Archaeological site locations and areas of archaeological potential will be determined by the Municipality based on registered site data and potential screening criteria provided to the Municipality by the Province. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The Municipality supports the preparation of a county-wide archaeological management plan to assist lower tier municipalities in conserving archeological resources. ~~The interests of Aboriginal~~



~~communities shall be considered in all matters related to the conservation of archaeological resources. The interests of indigenous communities shall be encouraged in identifying, protecting and managing archaeological resources.~~

## **2.14 ENERGY CONSERVATION**

~~The Municipality shall promote energy conservation by encouraging developers to implement designs that attempt to minimize energy use. Such techniques as innovative building designs, efficient road patterns, lot layouts and landscaping, all of which can reduce future energy requirements, shall be encouraged. The Municipality shall also encourage involvement in various energy conservation programs.~~

~~The Municipality shall encourage development which minimizes energy consumption including the reduction of greenhouse gas emissions when evaluating planning applications through compact urban forms of development, encouraging mixed use developments (where appropriate) to minimize car dependency and promote transit and active transportation opportunities.~~

~~The Municipality shall also support construction methods which support the development of new sustainable buildings as well as retrofitting and redevelopment opportunities of existing buildings. Sustainable features encouraged by the Municipality include renewable energy systems such as wind, geothermal and solar power installations; energy efficient building standards (including LEED, net-zero); green roofs that reduce water run-off and urban heat island effects; and, permeable paving and other innovative stormwater management methods including low impact development.~~

### **2.14.1 GREEN (RENEWABLE) ENERGY**

#### **2.14.1.1 MUNICIPAL INTEREST**

~~The Municipality supports the development of green or renewable energy systems and facilities on low capability Class 4 to Class 7 agricultural lands as defined by the Canada Land Inventory for Agriculture outside designated 'settlement areas', lands designated 'Rural Industrial' and lands comprising abandoned or depleted pits and quarries as production sources of electricity for the economic and environmental benefit of the Municipality and the Province. Where renewable energy approvals are required, the Municipality shall maintain an active role through the consultation process to ensure the best interests of the Municipality are maintained.~~

#### **2.14.1.2 ISSUES OF CONCERN**

~~Proponents of green energy projects in Thames Centre are encouraged to contact the Municipality prior to commencing background supporting studies, to determine the nature and scope of the issues which are of potential interest to the Municipality including matters related to servicing, infrastructure and site development. Renewable energy projects may be subject to an agreement with the Municipality with respect to the location and design of road access, setbacks from municipal drains, drainage issues and stormwater~~



~~management, location of external works/facilities, stormwater management/ and other impact mitigation measures.~~

## **2.15 ELECTRIC POWER FACILITIES**

In accordance with Section 62 of the *Planning Act, R.S.O. 1990 Chap.P.13*, as amended, any use of lands, buildings or structures by the providers of hydro transmission and/or hydro generators, that is subject to and approved under the *Environmental Assessment Act*, shall be exempt from the policies of this Plan and the provisions of the Municipality's Zoning By-law. However, any use of lands, buildings or structures by the providers of hydro transmission and/or hydro generators that are not subject to approval under the *Environmental Assessment Act* such as executive, administrative and retail uses, shall comply to the policies of this Plan and the provisions of the Zoning By-law.

## **2.16 OTHER UTILITY FACILITIES**

All existing facilities and the development of any new facilities associated with a public utility, a telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company, shall be permitted in any land use designation, except within the "green-space" system designations, without an amendment to this Plan. The utility or company involved should consult the Municipality regarding the location of any and all new facilities. Non-linear facilities not contained totally underground will require an amendment to the Zoning By-law. When above ground non-linear facilities are proposed in the "Agricultural" designation, the need must be justified, as must the reasons why lower capability or marginal land cannot be used.

All buildings and facilities not used directly for the transmission or reception of an electrical current or signal, a liquid or gas or similar substance, shall comply with all other provisions of this Plan and the Zoning By-law.

## **2.17 ACCESSORY USES**

Wherever a use is permitted in a land use classification, it is intended that uses, buildings, or structures normally incidental, accessory, and essential to that use are also permitted.

## **2.18 MOBILE HOMES/TRAILERS & GARDEN SUITES/GRANNY FLATS**

Mobile homes and trailers shall not be permitted except in appropriate designations such as a Mobile Home Park designation. Mobile homes and trailers may be permitted for the accommodation of seasonal farm labourers or ~~an aged/disabled~~ family member (garden suite/granny flat) within appropriate land use designations. The establishment of a garden suite, granny flat, or accommodation for seasonal farm labourers will require the passing of a temporary use by-law pursuant to Section 7.10 of this Official Plan and Section 39 of the Planning Act.

## **2.19 PERMANENT DWELLING UNITS FOR FARM LABOUR**

**2.19.1** In addition to Section 2.18 of this Official Plan, the erection or placement of additional dwellings on farm parcels for the purposes of permanent accommodation for farm labourers in the form of a converted dwelling or bunk house may be permitted where the size or nature of the farm operation warrants additional dwellings. The establishment of permanent dwelling units for farm labour shall be permitted subject to a Zoning By-law Amendment and in accordance with the following criteria:

- a) **Need:** Sufficient information must be provided which outlines how the type, scale, and/or size of the farm operation warrant the need for a permanent dwelling unit for farm labour;
- b) **Existing dwellings:** Sufficient justification must be provided to show how any existing permanent dwelling units for farm labour that are part of the farm operation cannot satisfy the housing needs of the farm operation;
- c) **Location:** Sufficient justification must be provided to show how the location of the permanent dwelling unit for farm labour makes efficient use of the existing services and infrastructure and how the location will not impact surrounding land uses. Preference will be given to close proximity to principal farm dwellings and the use of natural landscaping to buffer permanent farm dwelling units for farm labour from surrounding land uses;
- d) **Size and type:** The permanent dwelling unit for farm labour is of a minimum size and type that can accommodate building code requirements, and shall be no larger than necessary to accommodate the needs of the temporary farm labourers residing in the dwelling unit. Preference will be given to temporary dwellings as outline in Section 2.18 of this Official Plan, or alternatively permanent dwellings that are one storey in height with a maximum floor area of approximately 167m<sup>2</sup> (1,800 ft<sup>2</sup>);
- e) **Services:** the permanent farm dwelling unit for farm labour must demonstrate an adequate supply of potable water and sanitary sewage disposal system to the satisfaction of the authority having jurisdiction. Preference will be given to dwelling units which can make use of existing services; and,
- f) **Vehicular access:** the permanent dwelling unit for farm accommodation must demonstrate how vehicular access will not contribute to any traffic-related hazards to the satisfaction of the appropriate road authority. Preference will be given to the use of existing driveways.

The Municipality may require the applicant to enter into an agreement relating to such matters as location, maintenance, buffering, removal and period of occupancy of any dwellings, as well as any other matters deemed appropriate to ensure that the dwelling is used for its intended purpose of providing housing for farm labourers.

## **2.19.2 LARGE SCALE PERMANENT DWELLING UNITS FOR FARM LABOUR**



Permanent dwelling units for farm labour that exceed the approval criteria in Section 2.19.1 may be permitted for a permanent dwelling subject to the following policies:

1. The owner shall apply for an Official Plan and Zoning By-law Amendment to permit the permanent dwelling unit for farm labour subject to the following criteria:
  - a) Demonstration that alternative locations for the accommodation in existing farm dwellings on lots in the same farm operation, in temporary accommodation, in settlement areas and other similar accommodation are not feasible and not appropriate for the intended accommodation;
  - b) Identification of the potential off-site impacts related to noise, lighting, traffic, maintenance and operation of the site on the surrounding area and the identification of appropriate mitigation measures; and
  - c) A location in the Municipality where the site and building design shall provide appropriate accommodation for the health and safety of seasonal farm labourers.
2. Large scale permanent dwelling units for farm labour shall be located in proximity to the farm building cluster. The site and buildings shall be subject to agreements with the Municipality for the maintenance, buffering, improvement of structure and limitations on the period of seasonal occupancy. The Municipality may enact licensing by-laws to ensure the health and safety of the occupants.

## **2.19.20 WAYSIDE PITS AND QUARRIES**

A wayside pit or wayside quarry means a temporary pit or a quarry opened and used by a public road authority or their contractor or agent, solely for the purpose of a particular project or contract of road construction and not located on the road right of way. Under the authority of a wayside permit issued under the *Aggregate Resources Act*, wayside pits and quarries are permitted in the "Agricultural" and "Extractive Industrial" designations without the need for Official Plan amendment, rezoning, or development permit under the *Planning Act*, if it can be demonstrated that there will be no unacceptable impact on groundwater resources. Wayside permits within Agricultural designation will be prohibited on lands constrained by natural features as identified on Schedules "A" and "B" of this Plan, unless supported by recommendations and conclusions from an approved Environmental Impact Study.

When reviewing applications for wayside pits or quarries, Council will consider the following matters in commenting to the Ministry of Transportation:

- (1) negative impacts upon green-space system features or areas will be avoided or fully mitigated;
- (2) impacts on the right of property enjoyment of nearby residences will be avoided or fully mitigated;
- (3) impacts upon livestock operations will be avoided or fully mitigated;
- (4) groundwater resources will not be affected;



- (5) full compliance with Ministry of Environment requirements is assured; and
- (6) the site, if on prime agricultural lands (Class 1 to 3 according to the Canada Land Inventory classification system), be rehabilitated to its former agricultural use and that substantially the same acreage and average soil capability for agriculture is restored.

#### **2.202.21 PORTABLE ASPHALT PLANTS**

Portable asphalt plants used on public authority contracts may be permitted without the need for an Official Plan amendment, re-zoning or development permits under the *Planning Act* in all areas except for those areas of existing development, lands that are part of the green-space system, lands that are constrained by a natural hazard (e.g., flood plains, steep slopes etc.) or lands which have been determined to be incompatible with extraction and associated activities. Where possible, portable asphalt plants will be located and operated within wayside pits or quarries.

When reviewing applications for portable asphalt plants, Council will consider the following matters in commenting to the Ministry of Transportation:

- (1) negative impacts upon green-space system features or areas will be avoided or fully mitigated;
- (2) impacts on the right of property enjoyment of nearby residences will be avoided or fully mitigated;
- (3) impacts upon livestock operations will be avoided or fully mitigated;
- (4) groundwater resources will not be affected;
- (5) full compliance with Ministry of Environment requirements is assured, but in no case shall a portable asphalt plant be located closer than 400 metres to an existing residence;
- (6) the plants will be dismantled and the sites declared environmentally clean upon completion of the public road project; and
- (7) the site, if within an agricultural area, be rehabilitated to its former agricultural use.

#### **2.212.22 SOIL PRESERVATION**

It is the Municipality of Thames Centre's desire to conserve local topsoil and peat and to reduce the exportation of these natural resources through section 142 of the Municipal Act. The extraction of peat, muck, or organic soil and its associated developments, by their very nature, degrade or destroy the form and functions of the "green-space" system.

To help achieve this objective, the following policies shall apply:

- (1) All development, including public works, shall incorporate measures to reduce or mitigate soil erosion and conserve topsoil.
- (2) No peat extraction shall occur within any lands designated within the "green-space" system and an amendment to the Zoning By-law will be required for any other location. No peat or topsoil extraction shall occur within the "Agricultural" designation without an Environmental Impact Study. The Report will address surface water drainage and water quality, loss or impairment to habitat for wildlife, fish and invertebrate species and include measures to mitigate impacts. Applicants will also be required to submit plans regarding the after use of the site including croplands or new wetlands and identify where the topsoil is being relocated if not contained within the property boundaries.

#### **2.222.23 DECOMMISSIONING/REMEDATION**

Where a change in land use is proposed and the previous and/or existing use has the potential to cause environmental contamination, the site shall be decommissioned and/or remediated in accordance with the Ministry of the Environment's *Guidelines for Use at Contaminated Sites in Ontario*. Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and automotive repair garages may present similar contamination concerns.

Where there is reasonable evidence to believe that development is being proposed on lands that may have been contaminated, Council shall require that a soil study be prepared, in accordance with Provincial guidelines for the decommissioning and remediation of the contaminated site, and be submitted along with the development application.

Development of any contaminated site shall not be permitted until the site is decommissioned or remediated to the satisfaction of the Municipality and subject to the submission of a Ministry of the Environment acknowledged Record of Site Condition to the Municipality.

#### **2.232.24 BARRIER FREE ACCESS**

It shall be a policy of this Plan that, in reviewing development applications and when the Municipality is undertaking public works, serious consideration be given to the creation of a barrier free environment. Encouragement will also be given to design standards that create a safe pedestrian environment. Guidance may be obtained from the County of Middlesex Accessibility Committee.

Barrier free design will be applied to intersection, curb cuts, pedestrian activated signals, public buildings, all new institutional, recreational, commercial, industrial, or multi-unit structures.



## **2.242.25 LONDON INTERNATIONAL AIRPORT**

The development of lands in close proximity to the London International Airport shall be controlled so that it does not interfere with the operation of the Airport, limit the potential for the expansion of Airport facilities, or result in land uses that will be exposed to airport-related noise levels that exceed established guidelines. Incompatible uses and obstacles that may negatively impact the Airport's operation will not be permitted adjacent to the Airport.

To protect airports from incompatible development:

- (1) New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set out on maps (as revised from time to time) approved by Transportation Canada; but
- (2) Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long term function of the airport.

## **2.252.26 DETAILED STUDIES**

### **2.25.12.26.1 PLANNING IMPACT ANALYSIS**

Where noted in this Plan, a Planning Impact Analysis will be required for Official Plan and/or Zoning By-law amendments in order to determine the appropriateness of proposed changes and to identify ways of reducing any adverse impacts on surrounding land uses. A Planning Impact Analysis will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. The Planning Impact Analysis must be prepared by the applicant to the satisfaction of the Municipality.

Proposals for changes in the use of land which require the completion of a Planning Impact Analysis shall address the following items to the satisfaction of the Municipality:

- (1) the compatibility of proposed uses with surrounding land uses;
- (2) the likely impact of the proposed development on present and future land uses in the area on the character and stability of the surrounding neighbourhood;
- (3) if the proposed development is within an Agricultural designation, a demonstrated need for the land use and proof of no reasonable alternative locations that avoid prime agricultural land or lands of a lower agricultural rating;
- (4) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;



- (5) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- (6) the proximity of any proposal for medium density residential development to public open space and recreational facilities, community facilities, municipal services, transit services, and the adequacy of these facilities and services to accommodate the development proposed;
- (7) the size and shape of the parcel of land on which a proposed development is to be located, and the ability of the site to accommodate the intensity of the proposed use;
- (8) the location of vehicular access points and the likely impact of traffic generated by the proposal on streets, on pedestrian and vehicular safety, and on surrounding properties;
- (9) the exterior design and layout of buildings and the integration of these uses with present and future land uses in the area;
- (10) the location of lighting and screening and the adequacy of parking areas;
- (11) the provisions for landscaping and fencing;
- (12) the location of outside storage, garbage and loading facilities;
- (13) conformity with the provisions of the Site Plan Control By-law;
- ~~(14)~~ the design and location of signs, and the compliance of signs with the Sign Control By-law;
- ~~(14)~~~~(15)~~ anticipated impacts that may result from a changing climate.
- ~~(15)~~~~(16)~~ measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets that have been identified as part of the Planning Impact Analysis; and
- ~~(16)~~~~(17)~~ all other items included in Section 7.20 of this Plan pertaining to amendments.

## **2.262.27 PLANS OF SUBDIVISION AND CONDOMINIUM**

With the exception of land severances granted by the consent-granting authority, all land divisions in the Municipality shall take place by registered plan of subdivision. It is a policy of this Plan that all new development within Settlement Areas, with the exception of infilling or redevelopment, shall occur through plan of subdivision.

A plan of subdivision may be required when any of the following occur:

- (1) more than three lots (two severed and one retained) from a land holding are being created;
- (2) lots created require a new road for the provision of access; or
- (3) the provision or extension of municipal servicing (water and/or sewers) is required.

A plan of subdivision may not be required when the proposal involves infilling of up to three lots having frontage on a public road within a settlement area.

Notwithstanding the above, the Municipality may exercise flexibility in determining whether a plan of subdivision process is required.

When considering applications for plans of subdivision, the Municipality and/or County will ensure that the area to be subdivided can be provided with necessary services, roads and amenities and that the proposed development would not adversely affect the economy of the Municipality. All lots within a proposed plan of subdivision must have frontage on a public road that is of adequate construction and that is, or will be, opened and maintained year-round. For large plans of subdivision, consideration shall also be given to appropriate phasing. Other relevant factors may also be considered.

It shall be the policy of this Plan that approval be granted only to those plans of subdivision which can comply with the policies of this Plan and which, to the satisfaction of Council, can be supplied with adequate public utilities and services such as schools, fire protection, water supply, sanitary sewers (including treatment capacity), and storm drainage facilities as required by this Plan, and which by reason of such approval, would not adversely affect the economy of the Municipality. As a condition to the approval of a plan of subdivision or condominium, lands for pedestrian pathways and bicycle paths may be required to be dedicated to the Municipality.

Under conditions of approval attached to plans of subdivision or condominium, County and/or Municipal Council may require that the applicant(s) enter into appropriate agreements which may be registered against the title of the subject lands. Such agreements may include matters such as, but not limited to, services, financial requirements, County and local roads and road facilities, dedication of land for public uses, drainage, grading and landscaping, sidewalks, and other requirements to implement the provisions of the County Plan and this Plan.

## **2.272.28 LAND SEVERANCES**

Should the consent-granting authority establish that a plan of subdivision is not necessary for proper and orderly development, consideration for consent to a land severance may be allowed. Under no circumstances shall consents be granted for approval that are contrary to the policies of this Plan or the County Official Plan.

The following "General Policies" shall apply to all consents in the Municipality. The "Settlement Area Policies" shall apply to consents within Urban and Hamlet Settlement Areas and the "Agricultural Area Policies" shall apply to consents within all other areas of the Municipality, including "Rural Residential" areas.



## **2.27-12.28.1 GENERAL CONSENT POLICIES**

The following policies shall apply to all consent applications:

(1) Consents for building purposes will not be permitted where:

- a) the division of land is located within or abutting a "green-space" system designation and a suitable building site cannot be found through the Environmental Impact Study in accordance with Section 3.2.3.1 of this Plan;
- b) the division of land is located in a floodplain or the 100 Year Erosion Limit – or any other physical constraint as determined by the Municipality in consultation with the appropriate Conservation Authority – and an appropriate building site cannot be provided or access to the building site is subject to flooding or erosion based on comments from the Conservation Authority. Exceptions are consents for uses that, by their nature, must be located within a floodplain, such as flood and erosion control works and passive non-structural uses;
- c) the division of land results in the creation of "flag-shaped" lot(s) with narrow road frontage that provides access to a larger backlot area being an abutting lot.
- d) the division of land conveys an Additional Residential Unit on a separate parcel of land from the main dwelling.
- e)e) the division of land is located on significant mineral aggregate or mineral deposits, as identified by the Province; or
- f) the division of land involves any parcel that requires access to be obtained where a traffic hazard could be created due to limited sight lines on curves or grades or proximity to intersections.
- d)g) the division of land for the purpose of conveying any dwelling unit used or previously used for farm labour accommodation either temporary or permanent.

(2) The division of land may be permitted where:

- (a) the lands are located within a designation that permits the proposed development;
- (b) the severed and retained lots abut a public road that is opened and maintained year-round and is of a standard of construction acceptable to the Municipality (and County or the Province, where applicable);
- (c) safe and suitable access is available. Access may also be restricted and/or prohibited on Arterial Roads and Provincial Highways if required to ensure safe traffic movement. It may be a condition of consent that a service road be



constructed to the satisfaction of the Municipality in conformity with Ministry of Transportation standards;

- (d) Provincial transportation objectives, standards and policies for safety and access can be maintained. For consents on a County Road, County Roads entrance and building setback policies must also be maintained;
  - (e) it has been established that soil and drainage conditions and lot configuration and size dimensions for all parcels involved are suitable to permit the proper siting of a building, obtain a sufficient and potable water supply, and permit the installation of an adequate means of sewage disposal. In areas where no piped municipal services are available and the installation of a septic tank system or other private sewage disposal system is required, the standards established by the Ministry of Environment and/or its designated agent shall be met;
  - (f) compliance with the Minimum Distance Separation Formulae is maintained; and the proposed lots comply with the underlying land use designation(s) and the provisions of the Municipality's Zoning By-law. The Zoning By-law shall establish minimum lot frontages and areas in accordance with the requirements of the Ministry of Transportation and the Ministry of Environment and/or their designated agent(s). Where applicable, a Zoning By-law amendment or minor variance shall be a condition of the consent approval.
- (3) Consents to create new lots – other than for public authority acquisitions that are, in whole or in part, within a "green-space" system designation and that do not require the erection of any buildings or structures – shall only be considered where the resulting lots are at least 40 hectares in area. Any new lots created by consent for a public authority need not front on, or have access to, a public road allowance provided such lot is part of a wetland or ANSI acquisition program or similar passive use program which has been approved by the County and/or Municipality.
  - (4) Notwithstanding any other policy of this Plan, consents for the creation of easements or right-of-ways and minor lot adjustments or minor boundary changes are permitted provided they are granted conditional to Section 50(3) or (5) of the *Planning Act*, R.S.O. 1990 Chap.P.13 and the consent would not result in the creation of a new building lot.
  - (5) The consent-granting authority may exercise its powers under Section 53(2) of the *Planning Act*, R.S.O. 1990 Chap.P.13 when reviewing the shape, size, etc. of any proposed lot.
  - (6) When considering consent applications or plans of subdivision, consideration will be given to the following requirements, which may be stipulated as a condition of consent or plan of subdivision approval where applicable:
    - (a) that a fee (including 5 percent of the value of the lot for park purposes) and charges as specified for community services in accordance with the Municipality's Development Charges By-law be paid at the building permit stage;

- (b) that the applicant enter into an agreement to maintain any drainage facilities servicing the agricultural sector which may traverse the property;
- (c) that the applicant enter into an agreement to construct or maintain fences around the proposed lot;
- (d) that the Municipality's Zoning By-law be amended to permit the proposed use, if necessary, prior to the stamping of deeds;
- (e) that applications abutting or located adjacent to a County Road or a Provincial Highway must meet the policies and guidelines of the County or Ministry of Transportation for access and will be subject to the permit approval of the agencies having jurisdiction;
- (f) that where residential development is proposed for four or more lots/units, only a plan of subdivision will be considered and the applicant must submit an evaluation of the servicing alternatives (individual, communal and full municipal services), including justification for the proposed form of servicing pursuant to the Ministry of Environment *Planning for Sewage and Water Guideline*;
- (g) that all new development proposed within fully serviced areas shall be serviced by municipal piped water supply and municipal sanitary sewage facilities;
- (h) that all new development be in conformity with the "green-space" system policies of the Plan; and
- (i) that the applicant prepare stormwater management plans to the satisfaction of the Municipality and the appropriate Conservation Authority.

## **2.27.22.28.2 SETTLEMENT AREA POLICIES**

In addition to meeting the policies outlined above, the following policies shall apply to all consent applications within Urban or Hamlet Settlement Areas, as well as residential, commercial, industrial and recreational land use designations.

- (1) First consideration for the division of land in Urban Settlement Areas shall be given to development by plan of subdivision. When the scale of development does not require a Plan of Subdivision a consent to sever will be considered provided:
  - a) the application represents infilling and the proposed lots are compatible with the lot area, frontage and density pattern of the surrounding area; and
  - b) the application represents orderly and efficient use of land, and its approval would not hinder future development of the retained land.
- (2) The division of land within Hamlet Settlement Areas shall generally occur through the consent process in accordance with the policies of this Plan and within the boundaries of the Hamlet Settlement Areas as established on Schedule 'A-1' to Schedule 'A-9'. Plans of subdivision may, however, be required depending on the



size of the parcel being subdivided, the number of lots being created, the need to create a new road, and the nature of supporting technical studies required.

- (3) Where development is permitted by this Plan on private services and municipal services do not exist, regard shall be had to the suitability of the soil conditions and surface and groundwater conditions to provide for an adequate potable water supply, and to adequately support sub-surface sewage treatment to the standards of the approving agency having jurisdiction.

### **2.27.32.28.3 AGRICULTURAL AREAS**

In addition to meeting the policies of Section 2.27.1 of this Plan, the following policies shall apply to all consent applications outside of the Urban and Hamlet Settlement Areas:

- (1) In considering applications to divide agricultural parcels of land, the Municipality shall have regard to:
  - (a) the need to discourage the unwarranted fragmentation of farmland;
  - (b) the agricultural capability of the land;
  - (c) the type of agricultural activity engaged in and proposed to be engaged in;
  - (d) the requirements of the *Planning Act*, the *Provincial Policy Statement*, and the County of Middlesex Official Plan; and
  - (e) the minimum farm parcel size as established in the Zoning By-law.
- (2) Consents to sever a dwelling considered surplus to a farm operation as a result of farm consolidation shall be permitted provided the following conditions are or will be satisfied:
  - (a) farm consolidation has occurred or will occur through the acquisition of additional farm parcels;
  - (b) it is demonstrated that the dwelling is surplus to the needs of the farm operation;
  - (c) the dwelling has been inhabited as a residence for at least 10 years and also provided the residence was built prior to the date specified in the County of Middlesex Official Plan;
  - (d) the dwelling has been inspected by the Chief Building Official and deemed to be habitable for human occupancy;
  - (e) the parcel being created is the minimum size needed to accommodate the use and the required water supply and sanitary waste disposal system. The inclusion of cultivated agricultural land shall be kept to a minimum. Any substandard sanitary waste disposal system shall be brought up to minimum standards to the satisfaction of the Chief Building Official;

- (f) the parcel being created does not result in the creation of a rural residential cluster which would impose a greater Minimum Separation Distance (MDS II) on the establishment or expansion of a neighbouring livestock operation than would otherwise be the case.
  - (g) surplus farm buildings shall not be included with the parcel unless deemed to be structurally sound and in good condition by the Chief Building Official and provided they do not exceed the maximum size or number permitted for accessory buildings or uses on such parcels as prescribed by the Zoning By-law. Large livestock buildings shall be decommissioned for the purposes of accommodating livestock or otherwise demolished to the satisfaction of the Chief Building Official;
  - (h) a new and independent vehicular entrance to the dwelling shall be established, if necessary, in accordance with the requirements of the authority having jurisdiction;
  - (i) a new and independent entrance to the remnant farm parcel shall be established, if necessary, in accordance with the requirements of the authority having jurisdiction;
  - (j) if required, a revised assessment schedule under the *Drainage Act* is prepared by a qualified individual at the expense of the applicant;
  - (k) all livestock buildings and structures remaining on the remnant farm parcel shall comply with the Minimum Distance Separation Formula One (MDS I) or are decommissioned for the purposes of accommodating livestock or are otherwise demolished to the satisfaction of the Chief Building Official;
  - (l) the erection of a dwelling on the remnant farmland shall be prohibited by the necessary amendment to the Zoning By-law;
  - (m) there are no negative impacts on any nearby natural heritage features or their ecological functions;
  - (n) any natural hazard issues have been addressed to the satisfaction of the conservation authority having jurisdiction;
  - (o) the parcel being created is rezoned for residential purposes. The keeping or rising of livestock on the parcel shall be limited in number to that which is not governed by the Nutrient Management Act. The remnant farmland is zoned for agricultural purposes only.
- (3) Consents involving minor boundary adjustments shall be considered provided that non-viable farm parcels are not created and agricultural activities are not adversely affected.



- (4) Consents for new farm lots shall not be considered where the creation of a farm lot less than 40 hectares will result.
- (5) Consents for new lots within the "Rural Residential" designation shall not be considered where the creation of a residential lot less than 0.5 hectares will result.
- (6) Consents for agricultural related commercial and industrial uses shall be considered when the commercial or industrial use, due to its nature, must be located in close proximity to the agricultural operations which it serves.
- (7) Consents will not be considered on land located within 300 metres of an active sand, gravel or quarry operation or open pit mining operation, or in areas identified as Primary Aggregate Resource in Appendix 3.
- (8) The creation of a lot for farm retirement purposes or for farm help will not be approved.

## **2.28.29 HOUSING POLICIES**

### **2.28.12.29.1 GENERAL**

The Municipality is concerned about the availability, affordability and appropriateness of the existing and future housing stock of the Municipality.

The existence of serviced and/or serviceable land can influence the supply of housing and, therefore, the availability of building lots. Furthermore, the mix of housing types can influence issues such as the correct fit between available housing stock to family structures. Also, lot size can affect the price of the finished home. For these reasons, the Municipality has deemed it appropriate to direct the development industry towards supplying the most appropriate mix of housing stock to meet the Municipality's residential needs.

### **2.28.22.29.2 HOUSING GOALS**

With regard to housing supply, the Municipality shall attempt to achieve the following goals:

- (1) To encourage a broad range of housing types which are suitable for the different age groups, lifestyles, and household structures of existing and future residents. In particular, housing types that promote continuum of lifestyle and allow residents to remain within the community throughout the course of their lives shall be encouraged.
- (2) To encourage an adequate supply of affordable housing as supported by the *Provincial Policy Statement*.
- (3) To encourage the rehabilitation and maintenance of the existing housing stock.

### **2.28.32.29.3 HOUSING SUPPLY POLICIES**

- (1) In approving development proposals, the type, tenure and size of housing needs for low, medium and high income groups and age, household and lifestyle needs of Municipality residents shall be considered.
- (2) The Municipality shall, where appropriate, inform the public of, and encourage the use of, federal and provincial housing programs.
- (3) The Municipality's housing actions shall be consistent with the Provincial Policy Statement and in conformity with the County of Middlesex Official Plan. More specifically, the Municipality will endeavor to meet the 20% target of the County Official Plan that all housing being developed be affordable and the 15% target of the County Official Plan that all housing be by intensification and redevelopment. As a consequence of the nature of services in the Hamlet Settlement Areas, the most appropriate location to meet these targets will be in the Urban Settlement Areas in locations where full municipal services are available.
- ~~(3)~~(4) To encourage a mix of housing types, the Municipality shall establish targets for all new housing in that 65% be comprised of low density residential development in the form of single and semi-detached units whereas the remaining 35% be comprised of medium density residential development in the form of townhouse and apartment units. Gross densities for low density residential development shall be less than 20 units per hectare compared 20 to 50 units per hectare for medium density residential development.
- ~~(4)~~(5) The Municipality shall ensure a minimum ~~10-15~~ year supply of land in the Urban Settlement Areas is designated and available at all times for residential development, residential intensification and residential redevelopment.
- ~~(5)~~(6) The Municipality shall, within its powers, maintain a ~~continuous minimum~~ three year supply of housing units available through between 150 to 200 residential dwelling units or individual lots in a combination of draft approved and/or registered lots and blocks on plans of subdivision in new residential development.
- ~~(6)~~(7) The Municipality shall encourage and assist, where possible, in the production of an adequate supply of both affordable and multi-unit housing by:
  - (a) expediting the development approval process and other administrative requirements;
  - (b) implementing senior government housing programs;
  - (c) encouraging innovative and alternative development forms and, where appropriate, apply more innovative and flexible zoning;
  - (d) promoting a three percent vacancy rate for rental housing;
  - (e) promoting the provision of assisted rental housing to meet the needs of low income and senior citizen households;



- (f) considering, where feasible, the introduction of cost reduction techniques such as reduced setbacks, reduced lot sizes and other modifications to the Zoning By-law where such techniques will lower the cost of housing and where land use compatibility would be maintained; and
  - (g) monitoring housing and subdivision activity, achievement of affordable housing targets and land availability.
- (7)(8) The Municipality shall continue to encourage and assist, where feasible, in the upgrading and rehabilitation of existing housing, particularly in older residential areas.
- (8)(9) The Municipality shall promote the conversion of vacant or under-utilized upper level buildings in Core Areas to residential apartment units in order to improve the use of the buildings and enhance the viability of the Core Areas while still having regard to the amenity needs of such inhabitants. Concessions to parking requirements may be considered by Council in assessing the merit of an application, unless otherwise noted in this Plan.
- (9)(10) The Municipality shall encourage the provision of specialized housing facilities to meet the needs requirements of residents with special needs of physically and developmentally handicapped residents and encourage ~~the~~ developers of medium and high density housing projects to provide units designed specifically for people with a disability special needs.
- (10)(11) The Municipality shall keep a housing inventory outlining the mix of housing by both type and tenure.
- (11)(12) The Municipality shall, at least every five years, prepare a summary of vacant land designated for residential development in the Urban Settlement Areas to ensure that an adequate supply of residential land is maintained in the Municipality.
- (12)(13) The Municipality shall support opportunities to increase the supply of housing through intensification and redevelopment in appropriate locations, taking into account availability and adequacy of municipal water and municipal sanitary services, the potential for adverse traffic impacts, environmental considerations and land use compatibility.

## **SECTION 3. AGRICULTURAL & GREEN-SPACE NATURAL ENVIRONMENT SYSTEM POLICIES**

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### **3.1 "AGRICULTURAL" DESIGNATION**

#### **3.1.1 OVERVIEW**

Sustaining agricultural operations, their productivity and economic contribution, and protecting prime agricultural areas and land will be guided by the policies of this Official Plan. In Thames Centre, the "Agricultural" designation applies to all agricultural land, including specialty crop areas and lands with Canada Land Inventory classes, but which is neither constrained by areas designated for development nor by designations applying to Thames Centre's Natural Heritage "Green System" Features Natural Heritage Systems and Hazardous Lands.

Future decisions may affect the viability of agricultural operations and the protection of valuable prime agricultural land. It is the intent of this Official Plan that those decisions will have regard for all policies within this Plan. Future decision-making and consideration of approvals for new land uses or expansions of existing uses are to recognize the goals and policies of this Plan.

#### **3.1.2 GOALS**

- (1) To preserve and enhance prime agricultural lands and lands being used for agriculture.
- (2) To control the fragmentation of lands within agricultural areas. Fragmentation of agricultural land into increasingly smaller parcels through severances results in parcel sizes that are not useful or available to agriculture.
- (3) To encourage existing undersized farm parcels to remain in agricultural production.
- (4) To ensure a suitable prime agricultural land base is preserved in order to allow those engaged in agricultural operations to carry on their operations with a minimum of disruption, as well as create opportunities for efficiencies of production.
- (5) To recognize the significant contribution that agriculture makes to the local economy.
- (6) To promote prime agricultural land as land dedicated to the business and industry of farming.
- (7) To direct non-agricultural development to Settlement Areas and to control the development of agriculturally related commercial and industrial uses in agricultural areas.
- (8) To avoid the encroachment of development on agricultural areas and to maintain the "right-to-farm", which acknowledges that farming practices produce dust, noise, light, flies, smoke, vibration and odours.



- (9) To retain "green-system natural heritage areas" such as wetlands, woodlots, treed fencerows and roadsides in order to mitigate wind and climate change effects and as well as protect surface and ground water resources.
- (10) To allow, as a solution to accommodate farm help or the need to care for a loved one, the right to create an accessory apartment within an existing dwelling or to establish a "granny flat/garden suite".
- (11) To protect specialty crop parcels that are within non-agricultural designations.
- (12) To ensure that livestock operations are properly located and that they have a suitable land base and manure storage facilities in order to protect the quality of surface and ground water resources.
- (12)(13) To encourage on-farm diversified uses and agriculture-related uses subject to the criteria provided in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

### 3.1.3 POLICIES

The following policies shall apply to those lands designated "Agricultural" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to agricultural uses and related buildings and structures, including specialty crops, cash crops, livestock and poultry, and forestry and silviculture, as well as petroleum extraction and open space and conservation uses. Secondary permitted uses may include agriculture-related uses and on-farm diversified uses ~~farm-related commercial and industrial uses~~ in accordance with OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, as amended from time to time in addition to the following policies, temporary second dwellings in accordance with the following policies, home occupations in accordance with the following policies, bed and breakfast establishments, ~~retail sales of agricultural products produced on the farm upon which the retail stand is located~~, and greenhouses and/or nurseries on existing undersized agricultural parcels.
- (2) New or expanded mushroom farms within agricultural areas shall be permitted but shall require site plan approval and shall be subject to a 300 metre setback from existing development and new non-farm development being prohibited within 300 metres. Greenhouses in excess of 2,000 square metres shall be subject to site plan approval and will require a zoning by-law amendment.
- (3) Golf Courses within agricultural areas shall require an amendment to this Plan. Proposals must be accompanied by a Planning Impact Analysis in accordance with Section 2.25.1 of this Plan and must also establish that the development will not conflict with the Official Plan green-system natural heritage area policies, the site is well removed from agricultural activity, all active areas of the golf course that are designated and zoned for that purpose.

- (4) Home occupations shall be permitted in the "Agricultural" designation subject to the following criteria:
- (a) the home occupation must be clearly incidental and secondary to the farm operation and must not reduce the ability of the land to be used for agricultural purposes;
  - (b) the home occupation must be operated by a person residing in the home and not more than two persons not residing in the home may be employed at the home occupation;
  - (c) on lots less than 1.0 hectare in size, the gross floor area of the home occupation shall not exceed the gross floor area of the residential unit;
  - (d) outside storage shall be limited in scale and screened from view from surrounding roads. Front Yard storage shall not be permitted;
  - (e) the home occupation may be located in the dwelling and/or within accessory buildings, however, the total gross floor area of the home occupation shall not exceed 550 square metres (5920 square feet);
  - (f) the home occupation must not create any negative impact on traffic functions; and
  - (g) the home occupation may include on-farm diversified uses in accordance with Section 3.1.3 (6) of this Plan, ~~by the Provincial Policy Statement~~.
- (5) ~~Agriculture~~-~~al~~ related ~~commercial and industrial~~ uses, including feed mills, farm implement dealers, grain drying, abattoirs, kennels, stables and veterinary clinics, shall be permitted in the "Agricultural" designation where such uses:
- (a) directly related to, and supportive of, agricultural operations;
  - (b) require a location in close proximity to agriculture;
  - (c) conform to the Minimum Distance Separation requirements;
  - (e)(d) are compatible with, and do not hinder, surrounding agricultural operations
  - (d)(e) do not require large volumes of water, nor generate large volumes of effluent; and
  - (f) can be serviced with appropriate water supply and sewage treatment facilities.
  - (e)(g) provide direct products and/or services to farm operations as a primary activity

The development of ~~agricultural~~-related ~~commercial and industrial~~ uses shall be subject to site plan control and shall require appropriate zoning in the Municipality's Zoning By-law. As little agricultural land shall be removed from production as possible.



(6) On-farm diversified uses shall be permitted in the "Agricultural" designation where such uses:

(a) are located on a farm that is actively in agricultural use;

(b) are secondary to the principal agricultural use of the property;

(c) are limited in area. The area occupied for the use shall not exceed more than 2% of the farm parcel to a maximum of 1 ha (10,000 square metres) based on the total land area that is unavailable for agricultural production including buildings, landscaped areas, well and sewage disposal system, excluding existing laneways;

(d) are compatible with and do not hinder surrounding agricultural operations

(e) are capable of being privately serviced with a private well and private on-site sanitary waste disposal system

(7) The creation of new lots involving surplus farm dwellings and new farm lots may be permitted in accordance with the policies of Section 2.27 of this Plan. The creation of lots for farm retirement purposes or for farm help shall not be permitted.

(6)(8)

(7) The division of large farms into smaller holdings shall be discouraged. Conversely, the consolidation of separate and distinct parcels of land of insufficient size to viable farm units shall be promoted.

~~(8)~~(9) Existing vacant lots may be used for the purposes of a single unit dwelling or permitted non-agricultural uses provided they are capable of being serviced by an adequate water supply and an approved on-site sanitary waste disposal system, and provide the location of the proposed dwelling complies with the relevant minimum separation distance formulae and the provisions of the Zoning By-law with respect to any neighbouring livestock operations.

~~(9)~~(10) Temporary second dwellings/units on existing agricultural parcels to accommodate farm help or the need to care for a loved one (e.g., granny flat or garden suite) may be permitted by a Temporary Use By-law, as outlined in Section 7.10 of this Plan. Permanent second units for farm labour may be permitted if grouped with the existing farm buildings and subject to the requirements outlined in Section 2.19 of this Plan. No building permit shall be granted nor the use established unless the owner has obtained written confirmation from the Municipality of Thames Centre or its designated agent noting that the septic tank system is adequate for the second dwelling or unit. Applications to create separate lots for second dwellings not in conformity with the policies of this Plan will be refused.

~~(10)~~(11) Additional residential units (ARUs) shall be permitted within a single detached dwelling unit and/or within an accessory building situated on the same lot subject to the provisions of the Zoning by-law and in accordance with Section 4.1.3(12) of this Plan and the requirements of the Ontario Building Code.

### 3.1.4 AGRICULTURAL SPECIAL POLICY AREAS

#### (1) Agricultural Special Policy Area 1

Notwithstanding any other policy of this Official Plan, an outdoor commercial paintball operation and accessory uses shall be permitted as a use that is secondary to the ongoing agricultural uses on portions of 3998 Gladstone Drive that are designated "Agricultural" and "Protection Area". An amendment to the Thames Centre Zoning By-Law, combined with Site Plan approval, shall be required prior to the commercial use of the property for outdoor paintball.

#### (2) Agricultural Special Policy Area 2

Notwithstanding any other policy of this Plan, a contractor's yard or shop use as well as an expansion of the said use through the conveyance of adjacent lands shall be permitted on a property legally described as Part of Lot 1, Concession 1 geographic Township of Westminister), Municipality of Thames Centre and known municipally as 2309 Westchester Bourne and shown on Schedule 'A' as Agricultural Special Policy Area 2. Specifically, the conveyance of a 3.4 hectare parcel of land for lot addition purposes from 2387 Westchester Bourne to enlarge the said use shall be permitted.

#### (3) Agricultural Special Policy Area 3

The lands designated Agricultural Special Policy Area 3 as shown on Schedule A to this Official Plan are lands located to the periphery of the Donnybrook industrial area and in the general vicinity of the Highway 401 corridor. In accordance with Section 4.5.2(10) of



this Plan, these lands are identified as potential future employment lands being candidate lands for inclusion as designated employment lands subject to the undertaking of a comprehensive review. To ensure the protection of these lands for potential future employment purposes, uses permitted shall be limited to existing uses. Notwithstanding Section 2.27.3(2) of this Plan, consents to sever a dwelling considered surplus to a farm operation as a result of farm consolidation shall not be permitted within this Special Policy Area.

### 3.2 NATURAL HERITAGE FEATURES AND NATURAL HAZARD AREASNATURAL ENVIRONMENT

#### 3.2.1 OVERVIEW - NATURAL HERITAGE "GREEN-SPACE" SYSTEM AND NATURAL HAZARDS

Protection and sustainable stewardship of the Municipality's natural heritage ~~features and areas~~system, and their natural resources values, will be guided by the policies of this Official Plan and the County of Middlesex Official Plan. Future decisions may affect maintenance and enhancement of these features, areas and values. It is the intent of this Official Plan, which incorporates Provincial planning policy and County of Middlesex Official Plan policies, that those decisions will have regard for all policies within this Plan.

Thames Centre has many natural ~~heritage features and areas~~ containing rare ecosystems, habitats of significant species and sites valued by the Municipality's residents for their natural appearance. The natural heritage system policies of the Plan rely upon a green-space system that protects and seeks improvements to the ecological and landscape interconnections among features and areas.

Policies in this Plan anticipate that natural heritage objectives will be achieved through two means: (1) careful planning and control of new land uses and development proposals in keeping with policies of this Plan and its supporting Zoning By-law; and (2) encouraging landowners to implement effective stewardship of their land holdings. The Municipality expects that the Conservation Authorities, the Ministry of Natural Resources, the Ministry of the Environment, the Ministry of Municipal Affairs & Housing, the Ministry of Agriculture and Food, and landowner-based organizations such as the Ontario Soil and Crop Improvement Association and the Middlesex Land Stewardship Council, will continue to provide significant land stewardship assistance to landowners through the various programs and services they provide.

The Thames Centre ~~green-space system~~natural environment includes the following elements which, while listed separately for convenience, are inter-connected and functionally interdependent: a combination of significant natural areas, their functions, and the corridors that connect them. The system includes:

##### Group A features:

- ~~Provincially significant wetlands~~
- ~~Habitats for endangered and threatened species~~
- ~~Fish habitat~~

##### Group B features:

- ~~Regionally significant wetlands~~
- ~~Significant woodlands and woodland patches identified by the Middlesex Natural Heritage Study~~
- ~~Significant valley lands~~
- ~~Significant wildlife habitat~~
- ~~Provincially significant areas of natural and scientific interest (ANSIs)~~



- Regionally significant ANSIs & environmentally significant areas (ESAs)

Group C features:

- Stream-bank corridors and flood plains along creeks and tributaries
- Natural hazard lands, including flood plains and flood-prone areas, areas within the 100-Year Erosion Limit, and areas susceptible to erosion

Natural Heritage System

- Woodlands
- Thickets
- Meadows
- Wetlands
- Watercourses and water bodies
- Connected vegetation features
- Significant wildlife habitat
- Significant valleylands
- Aquatic ecosystems including fish habitat
- Habitat supporting Species at Risk
- Areas of natural and scientific interest (ANSIs)

Natural Hazards

- Steep slope hazards
- Unstable soils
- Fill regulated areas
- Flood regulated watercourses and associated floodplains

The Municipality is interested in conserving and protecting these components of the green-space-system natural environment by ensuring development and site alteration activities are carefully evaluated before any planning approvals are given.

Development and site alteration shall not be permitted within the following Natural Heritage System features:

- Provincially Significant Wetlands;
- Fish Habitat except in accordance with federal and provincial requirements; and
- Habitat of Endangered Species and Threatened Species except in accordance with federal and provincial requirements.

Development and site alteration shall not be permitted within the following Natural Heritage System features unless it has been demonstrated that there will be no negative impacts on the Natural Heritage System features or their ecological functions:

- Significant Woodlands;
- Significant Valleylands;
- Significant Wildlife Habitat;
- Significant Areas of Natural and Scientific Interest; and
- Significant Vegetation Groups and significant Vegetation Patches as defined in the Middlesex Natural Heritage Systems Study 2014.

~~Some components impose greater constraints when considering new land-use planning applications:~~

~~The boundaries and extent of specific elements of the Natural Environment areas designated on Schedule A, Schedule B-1 and Schedule B-2 as Natural Heritage System and Natural Hazards are approximate. Refinements to boundaries may occur through environmental evaluations such as an Environmental Impact Study (EIS) in consultation with the Ministry of Natural Resources and Forestry, the Conservation Authority having jurisdiction and the Municipality. Changes to the boundaries as a result of more detailed analysis shall not require an amendment to this Plan.~~

~~For Group A features, development or site alteration is generally prohibited within identified boundaries of these features;~~

~~For Group B features, development and site alteration may be permitted if it can be demonstrated, through environmental studies conducted by qualified individuals, that no negative impacts on the features or their associated ecological functions will result;~~

~~For Group C features, development and site alteration may be permitted where compliance can be demonstrated with the objectives for natural heritage policies and natural hazard policies (if applicable). Conservation Authority "fill, construction and alteration to waterway regulations" may apply to flood plains and steep slopes. Development may be considered, subject to the approval of the appropriate Conservation Authority, where engineering analysis confirms either the absence of hazard or that the hazard can be mitigated without causing aforementioned negative impacts.~~

~~Thames Centre's natural heritage "green-space" system is framed within three groups of land use designations that correspond to the differing ecological and landscape sensitivities of its component features and areas. The designations provide an indication of the degree of regard that needs to be given to an area or feature as required by Provincial policies and by the County of Middlesex Official Plan. This framework is:~~

~~Natural Area designation:~~

- ~~• Provides policy direction and guidance for Group A features and areas~~

~~Protection Area designation:~~

- ~~• Provides policy direction and guidance for Group B features and areas~~

~~Environmental Area designation:~~

- ~~• Provides policy direction and guidance for Group C features and areas~~

### 3.2.2 GOALS

The goal for the Natural Heritage "~~Green-Space~~" System is to achieve an overall improvement in the extent, ecological condition and diversity ~~of the green-space system's components~~ during the life of this Plan. Achieving this goal will contribute quality of life



and environmental improvements, help protect groundwater areas and enhance the appearance of the Municipality's landscape.

Specific goals and objectives include:

- (1) To identify, protect, sustain and enhance, where possible and appropriate, the natural ~~and environmental~~ including the Municipality's Natural Heritage System and Natural Hazard Areas, ~~features and functions within the Municipality's green-space system.~~
- (2) To recognize that specific natural heritage ~~and environmental~~ features relate to one another and are best protected as components of larger landscape features or systems such as subwatersheds and valley lands, or as associated units acting together as a complex interconnected by natural corridors.
- ~~(3) To protect Group A features (provincially significant wetlands and significant habitats of threatened or endangered species) through prohibiting development in such areas.~~
- ~~(4) To protect fish habitat, a Group A feature, by ensuring that proposed new development, site alteration or new land uses will not cause harmful alteration, disruption or destruction of fish habitat and will not cause deposition of any deleterious substances in fish habitat, unless otherwise authorized under the Fisheries Act.~~
- ~~(5)~~(3) To prevent incompatible development within all environmental features of the Municipality, and to limit and control the impact of permitted compatible development on features and functions.
- ~~(6)~~(4) To promote and encourage the retention of existing woodlots, regionally significant wetlands and ESAs/ANSIs, natural corridors and ecological linkages within the Municipality.
- ~~(7)~~(5) To retain and enhance significant valley lands in their natural state in terms of ecological function, and natural and scenic quality.
- ~~(8)~~(6) To recognize the Municipality's ~~green-space system~~ Natural Heritage System is part of larger systems that cross municipal boundaries and to integrate the Municipality's natural ~~systems environment~~ with similarly identified systems and features in adjoining municipalities.
- ~~(9)~~(7) To encourage partnerships among private and public landowners, public groups, the Conservation Authorities, stewardship councils and the governments of Ontario and Canada for the continued stewardship and enhancement of the Municipality's green-space system.
- ~~(10)~~(8) To seek provincial cooperation so that improved identification and protection of sensitive groundwater areas can be achieved.

~~(11)~~(9) To encourage improvements to water quality, base flow and peak flow conditions and general aquatic habitat conditions in all municipal watercourses. This involves carefully integrating agricultural drainage needs and development proposals with protection of all natural features, habitats and natural vegetation patterns associated with watercourses.

~~(10)~~ To reduce the risk to life and the risk of property damage and social disruption from flooding and other natural hazard processes and to ensure new development does not add to or create conditions that might lead to increased natural hazards.

~~(12)~~(11) To encourage development and land use patterns that consider the impacts of climate change and aim to adapt to and mitigate those impacts through the promotion of resilient communities.

~~(13)~~(12) To have regard for the policies of be consistent with the *Provincial Policy Statement* and in conformity with the County of Middlesex Official Plan, and the requirements and policies of Conservation Authorities.

### 3.2.3 GENERAL POLICIES – NATURAL HERITAGE “GREEN-SPACE” SYSTEM

#### 3.2.3.1 Permitted Uses

For lands designated Natural Heritage System on Schedule A, Schedule B-1 and Schedule B-2 of this Plan, permitted uses shall generally be restricted to:

- a) Existing uses, including limited expansion where it has been demonstrated that such expansion will have no negative impact upon the natural features or their ecological function;
- b) Agricultural uses and normal farm practices;
- c) Conservation
- d) Forestry, fisheries and wildlife management;
- e) Passive recreation;
- f) Public parks and trails; and
- g) Horticulture.

#### 3.2.3.13.2.3.2 Environmental Impact Studies (EIS)

The goals and policies of both this Plan and the County of Middlesex Official Plan require that qualified individuals must evaluate new land use proposals and/or new development, site alteration or lot creation wherever such proposals are near-located within a Natural System feature or within 120 metres of a Natural System feature or within the general



~~locations of any Group A, B, or C "green-system" feature.~~ Evaluation of these new proposals, through an Environmental Impact Study (EIS), must, at a minimum, provide conclusions for two key areas of investigation:

- (1) The location of the proposal with respect to the Natural System and/or Natural Hazards Group A, B, or C "green-system" natural heritage feature or areas. This usually requires undertaking a life science, earth science and a hydro-geological (as appropriate) inventory of the feature or area to provide an accurate identification and boundary for the feature or area and the processes that are occurring; and,
- (2) To evaluate for possible or probable impacts, both positive and negative, that may result from the development proposal. If negative impacts might be expected, details as to how those impacts can be mitigated must be provided in the EIS.

Where appropriate, an EIS should be expanded in scope to serve more than one planning application purpose. Within areas adjacent to or within Conservation Authority jurisdiction (e.g., flood plains and hazardous areas due to erosion patterns or steep slopes regulated by Conservation Authorities under the *Conservation Authorities Act*) there is a need to address Conservation Authority permitting requirements.

~~The minimal standards for an EIS are set out in Table 1: EIS Standards. This table also provides policy guidance regarding where new uses, development, site alteration, and lot creation: (1) is not permitted; (2) may be permitted; and (3) can be permitted, subject to the findings and implementation of recommendations contained within an EIS.~~

Planning applications within or adjacent to "green-system" natural heritage features Natural System areas and/or Natural Hazard areas must be accompanied by an EIS prepared by a suitably qualified individual. EIS reports will be reviewed and accepted by Municipality according to standards provided in the various *Provincial Policy Statement* reference manuals that have been prepared by the Ministry of Natural Resources and Forestry. Where an EIS includes an analysis of a flood plain or hazardous area regulated by the Conservation Authority, acceptance of the EIS by the Conservation Authority will also be required in conjunction with any applicable Conservation Authority permit requirements. Where appropriate, Municipality may request a peer review of an EIS report at the applicant's expense.

~~The Municipality requires the proponent to consider features beyond the distance outlined in Table 1 to ensure the relevant context for the assessment of potential impacts. Where more than one natural heritage feature requiring an Environmental Impact Study is involved, the greater distance shall prevail and the EIS shall consider the interdependencies between the features.~~

At a minimum, EISs shall address the following items:

- (1) a description of the development and its purpose; the natural heritage features and functions present; the interconnections between natural features; the nature and duration of potential impacts to the site, adjacent lands and ecological processes; and the cumulative effects of the proposed development;

- (2) the specific location of boundaries or edges of such features and functions present, and the location of the proposed development or site alterations with respect to these boundaries and surrounding land uses;
- (3) a description and statement of the rationale for the development, the alternative methods of carrying out the development, and the alternatives to the development;
- (4) a description of the environment including ecological processes, that will be affected or that might reasonably be expected to be affected, as well as a description of the effects that will be caused or that might reasonably be expected to be caused to the environment; including ecological processes; and
- (5) a description of the actions that are necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effect(s) that might reasonably be expected upon the environment, including ecological processes, of the development.

Once the EIS is submitted to the Municipality for review, the Municipality shall notify the public, particularly adjacent property owners, of the preparation of an Environmental Impact Study and be given the opportunity to comment. Approval of the Environmental Impact Study shall rest with the Municipality (in coordination with other appropriate agencies, such as the County, the Conservation Authority having jurisdiction and the Province). The Municipality must approve the EIS before an Official Plan amendment, Zoning By-law amendment, subdivision application, and/or site plan application pertaining to the subject lands may proceed.

At the Municipality's discretion and in consultation with appropriate agencies, a scoped Environmental Impact Study may be deemed adequate to satisfy the policies of the Plan. A scoped EIS may be considered only when it is felt that the potential environmental impacts of a proposed development or site alteration are minimal. A scoped EIS may include such information deemed appropriate by the Municipality to adequately evaluate the impacts upon the natural features and does not preclude the requirement of a full EIS if issues requiring further study are identified. Should the Conservation Authority having jurisdiction waive the need for the undertaking of an EIS, such position shall deem to conform with this Plan.



**Table 1: EIS Standards**

<b>NATURAL AREA ("Group A" features)</b> <b>Development and site alteration is <u>not</u> permitted within the boundaries of these features.</b>				
<b>Natural Area or Feature:</b>	<b>Boundaries defined by:</b>	<b>Development constraint within boundaries:</b>	<b>Extent of adjacent lands:</b>	<b>Development and site alteration on adjacent lands may be permitted where:</b>
Provincially Significant Wetlands	Wetland evaluation carried out by an accredited professional according to procedures established by MNR. Evaluation and boundaries require acceptance by MNR.	None—development is not permitted within provincially significant wetlands.	Minimum of 120 metres—all development must have regard for a provincially significant wetland regardless of its distance from the wetland.	EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions.
Significant portions of the habitat of endangered and threatened species	An accredited professional in consultation with MNR.	None—development is not permitted within the significant portions of these habitats.	Minimum of 100 metres—new land uses and development proposals may not wilfully interfere with the habitat of endangered or threatened species regardless of the distance separation.	EIS demonstrates there will be no negative impacts on (a) the habitat values upon which the species depends directly and indirectly and (b) any related ecological functions.
Fish habitat—such habitat can be expected to be associated with all wetlands, ponds, watercourses, and municipal drains.	A qualified fisheries biologist.	Development or land uses that may cause harmful alteration, disruption or destruction (HADD) of fish habitat within watercourses or that may allow deleterious substances to enter fish habitat is not permitted unless authorized by the federal Department of Fisheries and Oceans.	Land within 30 metres (coldwater habitats) or within 15 metres (warm water habitat) or as defined by overlapping natural feature if present—HADD and deposition of deleterious substances must be avoided regardless of distance from the habitat.	EIS demonstrates there will be no HADD of fish habitat adjacent to watercourses, nor danger from deleterious substances, or, if the development is otherwise permitted and authorized by the federal Department of Fisheries and Oceans, EIS must also address Conservation Authority requirements (see Section 3.2.7).

**PROTECTION AREA ("Group B" features)**

Development and site alteration, subject also to Section 3.2.7 (Natural Hazard Policies), may be permitted within the boundaries of these features where it can be demonstrated there will be no negative impacts on the features or on associated ecological functions.

Natural Area or Feature:	Boundaries defined by:	Development constraint within boundaries:	Extent of adjacent lands:	Development and site alteration on adjacent lands may be permitted where:
Regionally significant wetlands	Wetland evaluation carried out according to procedures established by MNR.	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions	Minimum of 50 metres	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions
Significant woodlands	The natural edge of all woodlands 4 hectares or greater in area and/or all woodlands of any size adjacent to or straddling any watercourse or municipal drain; and/or all woodland patches meeting one or more landscape criteria as identified by the Middlesex Natural Heritage Study	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions	Minimum of 50 metres	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions
Significant valley lands (located along the branches of the Thames River)	Defined by the greater among: the edge of associated contiguous natural vegetation; the Regulatory Flood Plain; an erosion limit; or a fill line established by a Conservation Authority	Development may be permitted subject to consultation and approval by the appropriate conservation authority, assuming there are no other natural heritage features, functions or values present	Not normally applicable	Development is not normally constrained adjacent to significant valley lands. Development may be subject to conditions and require approval by the appropriate Conservation Authority
Significant wildlife habitat	As defined by the Ministry of Natural Resources. Most often, significant wildlife habitat is associated with other types of natural heritage features	May be permitted where an EIS demonstrates there will be no negative impacts on wildlife habitat requirements	Minimum of 50 metres	May be permitted where an EIS demonstrates there will be no negative impacts on the significant wildlife habitat



**PROTECTION AREA ("Group B" features) – continued**

<b>Natural Area or Feature:</b>	<b>Boundaries defined by:</b>	<b>Development constraint within boundaries:</b>	<b>Extent of adjacent lands:</b>	<b>Development and site alteration on adjacent lands may be permitted where:</b>
Provincially significant ANSIs	ANSI reconnaissance inventory conducted by an accredited professional according to MNR's <i>Standard Report Format</i> and according to MNR's <i>ANSI Implementation Guidelines</i>	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions	Minimum of 50 metres	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions
Regionally significant ANSIs & ESAs	As determined by an accredited professional	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions	Minimum of 50 metres	May be permitted where an EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions

**ENVIRONMENTAL AREA ("Group C" features)**

Development and site alteration may be permitted where compliance can be demonstrated with the objectives for natural heritage policies and natural hazard policies within Section 3.2.7.

Natural Area or Feature:	Boundaries defined by:	Development constraint within boundaries:	Extent of adjacent lands:	Development and site alteration on adjacent lands may be permitted where:
Natural corridors among Group A and/or Group B features	Watercourses, swales, fence lines, and similar linear features with predominantly natural vegetation	Development is subject to normal official plan policies	Not normally applicable. Development is not normally constrained adjacent to natural corridors.	Development within a natural corridor may be permitted where an EIS demonstrates no impacts or that impacts will be mitigated.
Flood plains, flood prone areas, areas within the 100-Year Erosion Limit, and other erosion-prone areas mapped and/or regulated by a Conservation Authority	Conservation Authority regulations and/or mapping. Some natural hazards may not be mapped and, in these cases, it is the responsibility of the proponent to undertake the necessary studies to identify the hazard to the satisfaction of the Conservation Authority	Development is not permitted in flood plains, flood-prone areas, and erosion-prone areas unless otherwise permitted by a Conservation Authority. In general, new development is required to locate the natural hazard and avoid it. Additions to existing development or redevelopment must characterize the hazard and address it.	Minimum of 50 metres	The hazard is appropriately avoided or mitigated, does not aggravate the hazard, and safe access is available for vehicles and people.

**3.2.3.2 Natural Heritage Area Boundaries**

The natural heritage areas are illustrated on Schedules "A" and "B" according to their functions and accompanying designations (Group A: "Natural Area"; Group B: "Protection Area"; and Group C: "Environmental Area"). The outline for each area, as depicted on Schedules "A" and "B" (and also shown in Appendix 1 which does not form part of this Official Plan) is approximate and serves adequately for the purposes of evaluating applications for new land uses or development. The EIS process will provide an accurate definition of the boundary at and/or near to the proposal. An amendment is not necessarily required to this Plan for a boundary adjustment where the boundary refinement is minor and fits generally within the geographical application of Plan policies indicated by the designations provided on Schedules "A" and "B".

**3.2.3.3 New Natural Heritage Areas**

Council may consider requests to recognize new Natural Heritage Areas System features or to expand the Natural Heritage Areas System. Requests must be supported by a detailed report prepared by a qualified individual that addresses, as appropriate, one or more of the following selection criteria:

- (1) The area contains unusual landforms and/or natural communities ranked rare regionally, provincially or nationally by appropriate provincial or federal agencies.



- (2) The area contains natural landform-vegetation communities that are representative of typical pre-settlement conditions.
- (3) The area provides habitat for species intolerant of disturbance or contains significant portions of the habitat of an endangered or threatened species.
- (4) The area contributes significant ecological functions to the maintenance of identified components of Thames Centre's ~~green-space-system~~Natural System, or provides an important floral or wildlife habitat linkage to a nearby component of Thames Centre's ~~green-space-system~~Natural System.
- (5) The required supporting report must document the interests and concerns of the landowner(s) affected by the request and document when and how the landowner(s) was (were) consulted.
- (6) The area meets one or more of the Middlesex Natural Heritage Study Criteria.

Before taking action upon a request to recognize a new Natural Heritage ~~Area~~System feature, Council may require a peer review of the supporting detailed report and Council will consult with Federal, Provincial and County authorities regarding the technical validity and accuracy of the request.

If Council deems a request to be valid, accurate and required in order to have regard for provincial policies under the *Planning Act*, County of Middlesex policies or the policies of this Plan, then Council shall initiate an amendment to this Official Plan (and to the Zoning By-law if necessary) to implement the requested recognition of the new ~~natural~~Natural Heritage System ~~heritage area~~feature or expansion of ~~an existing natural heritage area~~the Natural Heritage System.

#### **~~3.2.4 "NATURAL AREA" DESIGNATION~~**

~~The Natural Area policies apply to and contain Group A "green system" features and areas.~~

#### **3.2.4.1—Goals**

- ~~(1) — To maintain and enhance the ecological and landscape qualities of the most natural and most sensitive natural heritage and features, stream valleys, wetlands, fish habitats and related significant natural areas (i.e., Group A “green-system” features and areas).~~
- ~~(2) — To encourage compatible recreation, conservation and education activities.~~

#### **3.2.4.2—Policies**

The following policies and EIS standards for “Group A” green-system” features (as noted in Table 1) shall apply to those lands designated “Natural Area” on Schedules “A” and “B” of this Plan:

- ~~(1) — Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to existing agricultural operations, maple syrup production, forestry following good forestry management practices, non-intensive recreation uses such as nature viewing and trails activities (but not including motorized vehicle trail or the use of motorized vehicles), wildlife and fisheries management, archaeological activities, essential transportation and utility facilities subject to an Environmental Impact Study, buildings, structures and facilities accessory to existing uses, and small-scale commercial uses accessory to existing agriculture operations.~~
- ~~(2) — Where natural hazards exist within or adjacent to lands designated “Natural Area”, the policies in Section 3.2.7 shall also apply.~~

### **3.2.5—“PROTECTION AREA” DESIGNATION**

The Protection Area policies apply to and contain Group B “green-system” features and areas.

#### **3.2.5.1—Goals**

- ~~(1) — To maintain and enhance the ecological and landscape quality of Thames Centre’s Group B “green-system” natural heritage features and areas.~~
- ~~(2) — To maintain and enhance the open landscape character of Thames Centre’s rural area and river and stream valley features.~~

#### **3.2.5.2—Policies**

The following policies and EIS standards for Group B “green-system” features (as noted in Table 1) shall apply to those lands designated “Protection Area” on Schedules “A” and “B” of this Plan:



- ~~(1) Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to agricultural operations, maple syrup production, forestry following good forestry management practices, non-intensive recreation uses such as nature viewing and trails activities (but not including motorized vehicle trail or the use of motorized vehicles), wildlife and fisheries management, archaeological activities, essential transportation and utility facilities subject to an Environmental Impact Study, buildings, structures and facilities accessory to existing uses, and small-scale commercial uses accessory to agriculture operations.~~
- ~~(2) Where natural hazards exist within or adjacent to lands designated "Protection Area", the policies in Section 3.2.7 shall also apply.~~

### **3.2.5.3 Policies**

- ~~(1) Protection AreaNatural System Special Policy 1~~

~~Notwithstanding the policies of Section 2.27.1 and Section 3.2.5 of this Plan to the contrary, the lands designated 'Protection AreaNatural System' located on the south side of Robinson Road comprising part of Lot A & part of B, Concession 'B', SRT (North Dorchester) may be severed for the purposes of conveying the natural heritage system features of the lands to a recognized conservation land trust to be protected in perpetuity while retaining a small parcel sufficient in size to accommodate an existing dwelling, accessory building and on-site services."~~

## **~~3.2.6 "ENVIRONMENTAL AREA" DESIGNATION~~**

~~The Environmental Area policies apply to and contain Group C "green system" features and areas.~~

### **~~3.2.6.1 Goals~~**

- ~~(1) To maintain and enhance ecological and landscape qualities of lands within and adjacent to Thames Centre's "green system" features and areas, including areas within the north and south Thames River valley lands and valley lands of the Municipality's other creeks and tributaries.~~
- ~~(2) To prevent development, site alteration and lot creation from encroaching into areas susceptible to flooding, erosion, and steep slopes.~~
- ~~(3) To prevent development from creating new natural hazards or aggravating existing natural hazards.~~
- ~~(4) To ensure that development allows safe access for people and vehicles.~~

### **~~3.2.6.2 Policies~~**

The following policies and EIS standards for Group C "green system" features (as noted in Table 1) shall apply to those lands designated "Environmental Area" on Schedules "A" and "B" of this Plan or to any lands determined to be hazard lands that are not yet mapped:



- ~~(1) Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to agricultural operations, maple syrup production, forestry following good forestry management practices, non-intensive recreation uses such as nature viewing and trails activities (but not including motorized vehicle trail or the use of motorized vehicles), wildlife and fisheries management, archaeological activities, essential transportation and utility facilities and flood and erosion control structures subject to an Environmental Impact Study. Buildings, structures and facilities accessory to existing uses and small-scale commercial uses accessory to agriculture operations may be permitted provided they are not located in the flood plain or 100 Year Erosion Limit areas.~~
- ~~(2) Where natural hazards exist within or adjacent to lands designated "Environmental Area", the policies in Section 3.2.7 shall also apply.~~

### **3.2.73.2.4 NATURAL HAZARD AREAS**

#### **3.2.7.13.2.4.1 Overview**

The natural hazard policies apply to areas that have inherent physical hazards such as flood susceptibility, steep slopes, erosion susceptibility, or other physical condition, which are severe enough to cause property damage and/or potential loss of life if the lands were to be developed with habitable buildings or structures.

These areas include flood and erosion prone lands, including:

- Flood prone lands along the north and south branches of the Thames River, the mapping of which is based on engineering studies carried out by the Upper Thames River Conservation Authority;
- Flood prone lands associated with creeks and tributaries to the Thames River, including the Dingman Creek sub-watershed, which are delineated by the Upper Thames River Conservation Authority's fill lines;
- Watercourses, which are subject to regulations under the *Conservation Authorities Act* administered by the Upper Thames River Conservation Authority and the Kettle Creek Conservation Authority, although no engineering studies have been carried out to identify the extent of the lands subject to flooding and erosion;
- The valley slopes and setback areas found particularly along the north branch of the Thames River; and,
- Wetlands and areas bordering wetlands, as part of the Natural Heritage System.

~~Most of the natural hazard areas are within the Environmental Area Designation, but also, may be associated with the following:~~

~~Natural Area Designations:— within provincially significant wetlands and fish habitat areas — see Table 1: EIS Standards; or,~~

~~Protection Area Designations:— within locally significant wetlands and significant valley lands — see Table 1: EIS Standards.~~

The objectives of the ~~natural hazard land~~ hazardous lands policies are to:

- restrict development in those areas of Thames Centre where natural hazards could cause property damage and/or loss of life and to provide protection from loss of life and property damage.
- prevent development from creating new natural hazards or aggravating existing natural hazards.
- have regard for and enhance the ~~natural heritage features~~Natural Heritage System's ecological functions and values that are often associated with natural hazard areas.
- ensure that development and site alteration allow safe access for people and vehicles during emergency and flood events.

## Policies

The following policies shall apply to all lands containing, or adjacent to lands containing, ~~natural hazards~~Natural Hazard overlay areas identified on Schedule A, Schedule B-1 and Schedule B-2 of this Plan:

- (1) Uses may be natural hazard areas provided the use is not considered hazardous to life or property due to conditions such as unstable ground or soil, erosion, or possible flooding and subject to approval of the Conservation Authority having jurisdiction.
- ~~(1)~~(2) All development or site alteration within natural hazard areas is subject to review by the appropriate conservation authority. Development and site alteration shall not be approved without notification from the appropriate conservation authority that the proposed development and site alteration can be permitted under conservation authority regulations (per the *Conservation Authorities Act*) and the regulatory requirements are being addressed by the design of the proposed development or site alteration.
- ~~(23)~~ An amendment to this Official Plan is not required to modify the boundary of ~~a designation~~the Natural Hazard overlay that is solely associated with a natural hazard area if the modification is caused by the revision of a flood or fill line, as long as the changes are deemed suitable to Council after consultation with the appropriate conservation authority.
- ~~(3)~~ (4) Except for the Urban Settlement Areas of Dorchester and Thorndale, the Municipality has adopted a single zone approach for flood plain management. Under this approach, the entire area within a Regulatory Flood Plain is considered to be the floodway.
- ~~(45)~~ Within the Urban Settlement Areas of Dorchester and Thorndale, the Municipality has adopted a two-zone approach for flood plain management to allow for some new development within the flood fringe areas of the flood plain. In these areas, the flood way is defined as the land below the 100-year flood elevation. The flood fringe is the land that is between the limits of the Regulatory Flood Plain and the 100-year flood elevation (i.e., above and outside of the floodway). The floodway and flood fringe lines may be more precisely delineated in the Municipality's Zoning By-law.



(a) Development and site alteration is not permitted within the floodway.

(b) The Municipality or the proponent may, subject to the approval of the Upper Thames River Conservation Authority, more precisely determine the flood fringe area by completing a detailed flood depth and velocity assessment.

(56) Proponents of development or site alteration on lands adjacent to regulatory flood plains, near 100-year erosion limits, or near watercourses (where the extent of the hazard has not been mapped) must demonstrate through site planning that vehicles and people will be able to safely enter or leave the development during times of emergency (such as a flood or storm event). The proponent's site planning must include consultation with the appropriate conservation authority before the Municipality will consider approving such development proposals.

### 3.3 **NON-RENEWABLE RESOURCES**

#### 3.3.1 **OVERVIEW**

Non-renewable resources include aggregate resources and petroleum resources.

All aggregate extraction operations shall be considered an interim use and subject to a program of progressive rehabilitation as specified by the Provincial Policy Statement, the Aggregate Resources Act and the actual pit license.

Existing aggregate operations ~~have~~ are recognized within the "Extractive Industrial" ~~designation overlay~~ of this Plan. New aggregate operations proposed on lands that are not ~~designated-identified as~~ 'Extractive Industrial' will be permitted subject to an amendment to the Zoning By-law and the issuance of a license pursuant to the Aggregate Resources Act.

To date, very little petroleum resources production has occurred within the Municipality, but the possibility is real that future exploration work could lead to renewed petroleum production at some locations. Oil and gas wells consume very small areas, are temporary (they do not produce for long periods of time) and can integrate easily with most other land uses. A separate land use designation has not been created for petroleum resource production – the policies of this Plan, as well as regulations and standards under the *Oil, Gas and Salt Resources Act*, will govern the location of petroleum wells in the Municipality. Location standards respect locations of existing development and impose setbacks on well locations. Exploration activities do not use land — they often use remote sensing techniques and other non-disruptive methods to search for possible deposits. Exploration wells may be drilled to test potential deposits, and if a resource is found, they may be converted to production. Additional wells may be warranted to optimize production, and a series of wells may be connected through a system of buried gathering lines so that the produced oil or natural gas can be efficiently collected at a central location.

The Municipality recognizes the importance of non-renewable resources within its boundaries. Primary aggregate resource areas and known deposits of natural gas and oil will be identified to protect possible future opportunities for extracting these resources.

Exploration for natural gas and oil will be encouraged. All extraction operations must be planned to mitigate or prevent unreasonable land use conflicts, and ensure appropriate progressive rehabilitation.

### 3.3.2 GOALS

- (1) To protect existing and future licensed aggregate and petroleum operations from activities or proposed land uses that would preclude or hinder their operation or possible expansion.
- (2) To protect known deposits of mineral aggregate and petroleum from unnecessary fragmentation of ownership and from land uses and development proposals that could preclude or hinder future access and extraction of the deposits.
- (3) To encourage extraction of mineral aggregate resources where this is feasible recognizing these resources are needed as close to market as possible.
- (4) To achieve a balance among protecting aggregate resources for future extraction, protecting agricultural land and resources, and protecting the natural heritage features and areas of the Municipality's green-space system.
- (5) To require that extraction sites are operated in an orderly fashion so that extraction operations do not cause unacceptable adverse impacts on the agricultural land base, on the components of the green-space system, or on existing areas of development.
- (6) To ensure that aggregate extraction and petroleum sites are rehabilitated to leave the sites amenable for uses that are compatible and consistent with surrounding land uses.
- (7) To encourage the continuance of compatible land uses (i.e., agricultural land uses) on lands having deposits of aggregate materials and on licensed areas until such a time as aggregate extraction occurs.
- (8) To protect all existing petroleum wells and associated "works" from encroachment by development. "Works" are defined as any pipeline or other structure or equipment that is used in association with a well.
- (9) To encourage the use of field gathering lines and centralized works where it will reduce vehicular traffic required to service wells and collect produced oil.
- (10) To prevent development patterns that might preclude future access to known or discovered petroleum deposits.
- (11) To require abandonment and plugging of wells in accordance with the standards under the *Oil, Gas and Salt Resources Act* when wells cease production.
- (12) To ensure new development proposals address any historic natural hazards from former petroleum resources operations prior to the development proceeding.



### 3.3.3 "EXTRACTIVE INDUSTRIAL" POLICIES

Existing aggregate operations are illustrated on Schedules "A" and "B" under the "Extractive Industrial" ~~designation~~overlay. Primary and secondary aggregate resource areas are shown as an overlay on Appendix 3 and affects ~~underlying land-uses~~ ~~designations-overlays~~ illustrated in the Schedules.

Since many green-space system features and areas and specialty crop areas are found within aggregate resource areas, an amendment to this Plan will be required as part of a planning process for a new aggregate resource operation. Proposals for new aggregate resource operations outside of the aggregate resource areas delineated by this Plan must be accompanied by a technical report that demonstrates the quantity and quality of the resource that is being proposed for extraction.

Existing licensed aggregate operations will be zoned in the Municipality's Zoning By-law for aggregate extraction and accessory uses. Where a new extractive site or expansion of an existing site is proposed, an application for re-zoning will be required. The Municipality, using the following criteria as a minimum, will assess re-zoning applications for a new extractive site:

- (1) the impact on adjacent land uses and residents, including visual impacts;
- (2) the impact on any components of the Municipality's natural areas or green-space system natural heritage features and areas;
- (3) the impact on significant cultural heritage sites or features as designated under the *Heritage Act*;
- (4) the impact on the existing road network;
- (5) the impact on existing groundwater resources;
- (6) the manner in which the operation would be carried out;
- (7) the nature of the progressive and final rehabilitation that is proposed; and
- (8) the capabilities of the site for agricultural and other land uses.

Applicants for aggregate licences shall consult with the Municipality so that other policies, goals and objectives deemed necessary to assess the application are considered. This Plan encourages applicants to undertake public consultation in a manner that co-ordinates requirements under the *Planning Act* and the *Aggregate Resources Act*. Applicants are encouraged to ensure reports required to address matters set out in this Plan and required as part of the *Aggregate Resources Act* licence application simultaneously address municipal concerns and are used to support the required amendments to this Plan and re-zoning applications.

#### **3.3.3.1 Permitted Uses within the "Extractive Industrial" Designation Overlay**

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



On lands within 300 metres of the limit of an existing licensed pit or on lands within 1000 metres of the limit of a licensed quarry, uses that may preclude or constrain continued extraction operations will not be permitted.

### **3.3.3.2 Permitted Uses within Aggregate Resource Areas**

Within or adjacent to non-licensed aggregate resource areas shown on Appendix 3, permitted uses are those of the underlying designations. These uses may include, but are not limited to, agriculture, forestry, conservation and recreation. Development and lot creation that could preclude future access to the aggregate resource areas shown on Appendix 3 may occur only if:

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

### **3.3.3.3 Rehabilitation of Aggregate Resource Sites**

Aggregate extraction sites must be progressively rehabilitated to a ~~land use corresponding with the land use designation established beneath the Aggregate Resource Area overlay~~ an agricultural condition in which substantially the same areas and same average soil capability for agriculture are restored. Should an applicant propose an after-use not permitted within the underlying designation, an Official Plan Amendment to change the underlying designation would be required prior to establishment of the after-use. Where an after-use plan has been approved by a Provincial ministry that suggests a land use not permitted in the underlying designation of this Plan, an Official Plan Amendment will still be required in order to permit the after-use. The existence of such an after-use plan does not in any way obligate Council in the consideration of such an application, and does not pre-suppose the approval of such an application.

~~In lands designated "Agricultural", site rehabilitation will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.~~ Complete agricultural rehabilitation is not required if:

- (1) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- (2) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- (3) other alternatives, such as the rehabilitation of natural environment features, have been considered by the applicant and found suitable and agricultural rehabilitation in remaining areas will be maximized. Where other alternatives are for a use not normally permitted within the underlying designation, the Official Plan amendment application required to enable the operation will need to address those alternatives.

#### **3.3.3.4 "Extractive Industrial" Special Policy 1**

"Rural Industrial" uses permitted in Section 4.5.4 shall be permitted on the lands located east of Putnam Road north of Hamilton Road and ~~designated-located within the~~ "Extractive Industrial" overlay, subject to the aggregate resources being extracted, the site being appropriately rehabilitated, and the policies of Section 4.5.5(2). An amendment to the Official Plan will not be required for this expansion and change in land use, however, an amendment to the Zoning By-law, combined with Site Plan Control approval, shall be required prior to the development of "Rural Industrial" uses.

#### **3.3.3.5 "Extractive Industrial" Special Policy 2**

"Recreational" uses permitted in Section 4.7.3 shall be permitted on the lands located immediately north of Wyton Drive and between Lakeside Drive and Rebecca Road (part of Lot 11, 12 and 13, Concession 1) and ~~designated-located within the~~ "Extractive Industrial" overlay, subject to the aggregate resources being extracted and the site being appropriately rehabilitated. An amendment to the Official Plan will not be required for this change in land use, however, an amendment to the Zoning By-law, combined with Site Plan Control approval, shall be required prior to the development of "Recreational" uses.

#### **3.3.3.6 "Extractive Industrial" Special Policy 3**

The lands ~~designated-located within the~~ 'Extractive Industrial Policy 3' overlay and comprised of Part of Lot 15, Concession 1 (geographic Township of West Nissouri), Municipality of Thames Centre as shown on Schedule "A", may be used as a stand-alone aggregate recycling use for the storage and processing of used asphalt and concrete. Prior to the establishment of the foregoing use, an amendment to the Zoning By-law along with Site Plan Approval shall be required.

### **3.3.4 PETROLEUM RESOURCE POLICIES**

#### **3.3.4.1 Protecting Petroleum Resource Operations from Other Activities**

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

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

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

#### **3.3.4.2 Development near or on Deposits of Petroleum Resources**

The Municipality will consult with the Province where new development is proposed adjacent to or in areas of known oil or gas pools.



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

#### **3.3.4.3 Petroleum Resource Operations and the Natural/Cultural Environment**

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

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

#### **3.3.4.4 Gathering Lines and Works**

Council may allow:

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

#### **3.3.4.5 Well and Works Site Rehabilitation**

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

#### **3.3.4.6 Mitigating Suspected Hazards**

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

#### **3.3.4.7 Restoration of Contaminated Sites**

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



## **SECTION 4. SETTLEMENT AREA AND LAND USE POLICIES**

### **4.1 INTRODUCTION – SETTLEMENT AREAS**

It is the intent of this Plan to ensure that sufficient lands have been allocated in the Urban Settlement Areas and to areas specifically designated for development to accommodate the anticipated population in a variety of suitable locations, densities, and diversity of housing types and to provide employment opportunities and economic growth. This Plan also intends to ensure that new development or redevelopment is appropriately located and serviced, that it proceeds in a logical, phased manner, is compatible with surrounding land uses, reflects the traditional character of the Municipality, and incorporates energy efficient aspects in its design.

In this Plan, areas that contain considerable amounts of existing non-agricultural development have been characterized as Settlement Areas. The structure of Settlement Areas within the Municipality is based upon the hierarchy established by the County Official Plan.

The Municipality consists of two Urban Settlement Areas: Dorchester and Thorndale. The Urban Settlement Areas contain a variety of specific land use designations pertaining to residential, commercial, industrial, institutional and recreational land uses. The Municipality also contains nine Hamlet Settlement Areas: Avon, Crampton, Gladstone, Harrietteville, Mossley, Nilestown, Putnam, Waubuno, and Wellburn. The Hamlet Settlement Areas are designated "Hamlet" in this Plan, which permits a range of land uses. Settlement Areas are shown on Schedules "A" and "B" of this Plan. In addition, there are areas designated for specific land uses, such as industrial or commercial development, which are also referred to as Settlement Areas, but are outside of the defined Urban and Hamlet Settlement Areas. The Municipality does not contain any Community Settlement Areas as defined by the County Official Plan.

It is the intent of this Plan to direct non-agricultural development and growth to the Settlement Areas. The Urban Settlement Areas of Dorchester and Thorndale will be the focus of future growth and development. Both of these communities contain the highest concentration and mix of land uses within the Municipality and are partially serviced by municipal water services and municipal sewage services which are capable of being extended to service new development.

It is the intent of this Plan that the nature and availability of services necessary to support development shall dictate the amount, location and timing of that development. New residential development in the Urban Settlement Areas of Dorchester and Thorndale shall be fully serviced by municipal water and municipal sewage services other than limited infilling and small scale redevelopment. New development within Hamlet Settlement Areas shall only occur by individual on-site water services and individual on-site sanitary waste services.

Boundaries for the Urban Settlement Areas have been established based on existing patterns of development; lands previously designated and approved for development; to allow sufficient room for anticipated growth and development over the planning period and to avoid conflict with agricultural areas, natural heritage features and well head protection areas. An amendment to the Plan will be required to expand the Settlement Area boundaries.

#### 4.1.1 POPULATION AND HOUSING PROJECTIONS

The estimated ~~2011-2022~~ populations of the Urban Settlement Areas of Dorchester and Thorndale are set out below. The Hamlet Settlement Area populations are ~~2001-2022~~ estimates.

Urban Settlement Areas	Population	Hamlet Settlement Areas	Population
Dorchester <sup>1</sup>	<del>55866050</del>	Avon	110
Thorndale <sup>2</sup>	<del>6751400</del>	Crampton	100
		Gladstone	150
		Harrietsville	150
		Mossley	170
		Nilestown	150
		Putnam	100
		Waubuno	170
		Wellburn	100

Population and housing projections for the Municipality were prepared ~~by Watson and Associates as part of the Development Charges Background Study dated December 27, 2021 for the Background Report to the Official Plan arising out of the Comprehensive Review of 2013 and are shown below until the end of the planning period being 2046. The population projections (from 2016 to 2021) are based on a cohort survival model.~~

	<del>2001</del> (Census)	<del>2006</del> (Census)	<del>2011</del> (Census)	<del>2016</del> (Projected)	<del>2021</del> (Projected)
<b>Total Population</b>	12,480	13,075	13,000	13,196 <sup>3</sup>	13,247 <sup>4</sup>
<b>Total Dwelling Units</b>	4,416	4,695 <sup>5</sup>	4,836 <sup>6</sup>	5,056 <sup>7</sup>	5,267 <sup>8</sup>

	<del>2021</del>	<del>2026</del>	<del>2031</del>	<del>2036</del>	<del>2041</del>	<del>2046</del>
<b>Total Population</b>	14,630	16,590	18,550	19,689	20,828	21,966

<sup>1</sup> Upper Thames River Conservation Authority (June 10, 2011). "Upper Thames River Assessment Report—Municipal Drinking Water System Summary—Dorchester Water Supply System".

<sup>2</sup> Upper Thames River Conservation Authority (June 10, 2011). "Upper Thames River Assessment Report—Municipal Drinking Water System Summary—Thorndale Water Supply System".

<sup>3</sup> Monteith Brown Planning Consultants, (October 2013) "Draft Background Report—Five Year Comprehensive Review, Municipality of Thames Centre."

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*



Total Dwelling Units	5,318	6,041	6,764	7,189	7,614	8,039
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Since new lot creation outside of the Settlement Areas is strictly limited by the policies of this Plan, it is anticipated that the majority of future population and housing growth will almost entirely be accommodated within the Urban Settlement Areas and, to a much lesser extent, the Hamlet Settlement Areas.

#### 4.1.2 GOALS

The following goals shall apply to all Settlement Areas in the Municipality and all land use specific designations in this Section:

- ~~(1) To maintain an appropriate balance and diversity between areas to be used for residential, commercial, industrial, institutional, and recreational activities.~~
- ~~(1) To maintain an appropriate balance and diversity of land uses serving key functions of a complete and vibrant community including housing, local businesses, employment, schools, recreational facilities and parkland.~~
- (2) To designate major land use areas to ensure the proper functioning of each use and a desirable spatial distribution based on sound planning principles and analysis.
- (3) To establish a land use pattern that ensures that services and utilities are efficiently utilized.
- (4) To ensure sufficient employment opportunities by ensuring adequate industrial growth in appropriate locations such as the Provincial Highway 401 interchanges.
- (5) To encourage new development on municipal water and sewage disposal systems.
- (6) To direct non-agricultural growth and development to the Urban Settlement Areas of Dorchester and Thorndale and to areas specifically designated for development outside these areas.
- (7) To ensure that Dorchester and Thorndale are strengthened as the primary focal points of community life and commerce.
- (8) To ensure that new development and redevelopment are compatible with existing or planned neighbouring land uses.
- (9) To encourage infilling and redevelopment in Urban Settlement Areas that ~~is compatible with the character and scale of existing development in a manner that reflects the needs of a growing community.~~
- ~~(10) To preserve the historic character of Settlement Areas by requiring new development to complement the positive elements of the existing built form.~~

~~(10)~~(11) To promote energy conservation through compact built form thereby reducing car dependency and greenhouse gas emissions.

~~(11)~~(12) To minimize the negative ~~affects~~ effects of development on natural heritage features and sites of historical, geological or archaeological significance.

#### 4.1.3 POLICIES – ALL SETTLEMENT AREA DESIGNATIONS

The following policies, unless otherwise stated, shall apply to all lands within Settlement Areas as shown on Schedules "A" and "B" of this Plan:

##### (1) Expansion of Settlement Area Boundaries

The expansion of settlement area boundaries may only occur at the time of a comprehensive review where it has been demonstrated that:

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

Each request for lands to be added to a settlement area needs to be evaluated in accordance with the criteria specified by the Provincial Policy Statement and considered in the context of all other policies of this Official Plan.

~~While it is not anticipated that the boundaries of either the Hamlet or Urban Settlement Areas will be expanded during the planning period, any expansion will only be considered by the Municipality and only on the basis of a comprehensive review of the Plan, in conformity with the County of Middlesex Official Plan, and consistent with the Provincial Policy Statement with the following factors taken into account:~~

- ~~(a) land availability within the Settlement Area and the availability of land in other settlement areas;~~



~~(b) the serviceability of existing undeveloped land within the Settlement Area and the serviceability of the lands proposed to be added;~~

~~(b) projected land and housing needs;~~

~~(c) impact on natural heritage features, prime agricultural lands, and mineral aggregate resources.~~

**(2) ~~Intensive~~ Agricultural Operations Within and Surrounding Settlement Areas**

Existing ~~intensive~~ agricultural and livestock operations within Settlement Area boundaries will be allowed to continue their farming practices. New ~~intensive~~ agricultural and/or livestock operations, as well as expansions to existing operations, shall not be permitted within Settlement Area boundaries.

~~Any proposed development within a Settlement Area that would reduce the distance between the built-up area and an existing intensive agricultural operation will be reviewed by the Municipality for its impact on the agricultural operation. All development shall have regard to the *Minimum Distance Separation Formulae*. If the proposed development imposes constraints on the reasonable future expansion of the intensive agricultural operation, the development shall not be permitted.~~

**(3) Established Residential Areas**

Redevelopment proposals in established residential areas will, to the satisfaction of Council, ensure that the residential character of the area will be maintained or enhanced and not present a burden to existing facilities and services.

The Municipality shall review annually the supply of vacant land designated for residential development in draft approved and/or registered lots and blocks on plans of subdivision against the objective to maintain a minimum continuous three-year supply.

The Municipality shall ensure that an adequate supply of land designated for residential development to meet the demand for housing for a minimum twenty-~~five~~ year period is maintained within Urban Settlement Areas.

**(4) Vacant Residentially Designated Areas**

In vacant areas designated for residential purposes, a suitable mix of housing types should be provided, ~~while ensuring that the overall density restrictions are not exceeded and that conflicts do not occur between housing types.~~ Internal road networks should be designed to ensure good access to the major road network while discouraging through traffic.

The planning of new residential areas shall make provisions for a range of housing types, sizes, price and tenure arrangements in order to provide accommodation for households of differing socio-economic characteristics. Due to the lack of multiple dwelling development of either rented or condominium tenure, added emphasis and encouragement will be given to developments of this type.

Consideration shall be given to the orientation of streets, lots and buildings to make full use of solar energy, as well as energy efficient construction techniques. In order to achieve this aim, the following design techniques should be considered when evaluating new plans of subdivision:

- (a) east-west street orientation so facing walls and windows of houses may orient south;
- (b) angle lots; and
- (c) the development of pedestrian and bicycle pathways that bisect the community, providing the shortest distance between community and commercial facilities and the residential area.

In general, Council shall maintain a flexible attitude toward carefully designed experimental housing. Energy efficient construction of housing shall be encouraged in the Municipality, provided it meets the requirements of the Ontario Building Code. Also included would be the provision of rights-of-way that are narrower than those which have traditionally been required, consideration of one-way streets in new subdivisions or other innovative approaches to the design of housing developments.

New plans of subdivision within the residential designations shall be designed so that continuous secondary, interior access roads will result between adjacent subdivisions. Cul-de sac and similar 'dead-end' configurations will only be permitted where no viable through-street connection exists. For larger blocks of lands adjacent to arterial roads, direct access to the arterial road may be limited.



Undeveloped lands that are within the residential designations may be placed in a holding zone in the implementing Zoning By-law. The holding symbol will be removed when appropriate sanitary sewage, water and any other necessary arrangements are made to the satisfaction of the Municipality and the Ministry of Environment and a plan of subdivision is approved, where required. Existing uses shall be permitted in the interim.

**(5) Conservation and Rehabilitation of Existing Housing Stock**

The conservation and rehabilitation of the existing housing stock shall be encouraged in order to maintain the supply of older housing and to preserve the physical, social, and economic character of stable residential areas. The Municipality will take advantage of funding if offered by the Federal and Provincial governments to assist residents in rehabilitating the housing stock, where feasible.

In existing residential neighbourhoods, the applicable land use policies shall serve as guidelines for actions aimed at improving the neighbourhood and amenities and the housing and living conditions of residents.

**(6) Residential Development on Lots With Less Than the Minimum Frontage and/or Area**

In those cases where development is proposed on lots with less than the minimum frontage and/or area, as specified in the Zoning By-law, unless otherwise provided for in this Plan, Council shall ensure that the proposed development is compatible with existing surrounding development in terms of site coverage, housing size, and character, lot size and building setback. If the proposed development is determined to be compatible with the characteristics of the area, only the consent of the Committee of Adjustment, for a minor variance, will be required before a building permit will be issued.

If the proposed development is determined not to be compatible with the characteristics of the area, a Zoning By-laws amendment will be required before construction can be undertaken.

Exceptions to the above requirements will be those situations where an existing building on such a lot has been destroyed by natural causes, in which case the property owner may replace the structure.

**(7) Condominium Housing Developments**

It is a policy of Council to recognize and encourage condominium housing as an acceptable form of housing tenure and as a means of providing opportunities for home ownership. The County of Middlesex has been delegated approval authority for plans of condominium.

In cases where an application is made for a building permit or an amendment to the Zoning By-law involving residential development, it is the policy of Council that the applicant(s) be required to declare in writing, prior to the issuance of the building permit, whether or not such residential accommodation is to be provided on a condominium basis.

It is a policy of this Plan that the desire of citizens to participate in the joint ownership of a residential project shall be subject to the terms and conditions of the *Condominium Act*, whereby a Condominium Corporation will be formed to administer the common elements of the project. This provides the owner-shareholder with assurance that the project will be maintained and competently administered on a long-range basis.

Plans for condominium development are to show such things as: the location of all buildings and building setbacks, the nature and location of all amenity areas and/or facilities, the location and layout of driveways and parking areas, the walkways, the type and location of all existing and proposed landscape material, and the exterior treatment of the building(s).

Wherever possible, the proposed draft plan of condominium will be considered together with, and at the same time as, the requested amendment to the Zoning By-law. County Council may recommend draft plan approval, once all policies of this Plan are met.

Wherever draft plan approval is granted, the applicant is required to enter into a Condominium Agreement with the County or Municipality. The Condominium Agreement is to include any or all of the requirements imposed as conditions to the draft plan approval. A Development Control Agreement may also be required along with the Condominium Agreement.

#### **(8) Conversion of Existing Residential Developments to Condominium Tenure**

The conversion of existing residential accommodation to condominium tenure presents a different, as well as a somewhat more difficult, situation than does new construction. In some cases, existing residential developments were constructed under standards and conditions that were different and in some cases lower than those that prevail at the time of the conversion. As a result, problems may be encountered in attempting to upgrade existing developments in accordance with present policies, standards and criteria. Problems may also be encountered in a situation where rental housing vacancy rates are low. In this regard, tenants in existing projects may be displaced and be faced with finding suitable alternate accommodation in a housing market that provides little choice and opportunity.

Additionally, shortages may occur in certain types of housing as a result of a number of conversions. In view of these possibilities, the policies contained in the following sections may apply to the conversion of existing residential developments to condominium tenure.



In general, each application for the conversion of an existing residential development is to be considered on its own merits. Applications for such conversion are subject to the same standards and policies as for new condominium construction. The policies, standards and criteria for municipal services, building construction and aspects of site design and layout, as adopted by Council from time to time, apply. Only those developments which are able to substantially comply, or can be upgraded to an acceptable degree of compliance with the Municipality's policies, standards and criteria may be approved. Those developments that cannot be upgraded to an acceptable degree are to be refused.

The design, layout and standard features of the development to be converted are to be considered within the framework of development standards and criteria of the Municipality. The development standards and criteria contained in the Municipality are subject to amendment from time to time by Council without a formal amendment to the Official Plan.

The applicant is to submit a draft plan of condominium prepared in accordance with the requirements of Section 51 of the *Planning Act, R.S.O. 1990 Chap.P.13*. In addition, the Plan(s) submitted is to show such things as: the location of all buildings and building setbacks, the nature and location of all amenity areas and/or facilities, the location and layout of driveways and parking areas, the walkways, the type and location of all existing and proposed landscape material and the exterior treatment of the building(s).

Further, the applicant is required to submit a report prepared by a professional engineer or architect, outlining the structural condition of the building(s) involved. Such report is to include an analysis of the building(s) compliance or non-compliance with prevailing building and fire codes.

In evaluating a proposed conversion, regard is to be had for the following:

- (a) any or all of the matters contained in Section 51 of the *Planning Act, R.S.O. 1990 Chap.P.13*, as amended from time to time;
- (b) the overall mix of residential housing types in the Municipality;
- (c) the most current vacancy rate for rental accommodation in the Municipality;
- (d) the suitability of the development for conversion in terms of the policies, standards and criteria adopted by Municipality from time to time;
- (e) the effect on the provision of affordable housing; and
- (f) the willingness of the applicant to guarantee tenure to existing tenants.

Where draft plan approval is granted, the applicant is required to enter into a Condominium Agreement with the Municipality. The Condominium Agreement is to include any or all of the Municipality's requirements imposed as conditions to the draft plan approval.

The Municipality's consent to the registration of the condominium plan is to be given only after the completion of all construction work and compliance with all other requirements of the Condominium Agreement, except that in certain cases of hardship or unforeseen circumstances such things as the provision of paving, demolition of existing buildings, or provision of landscaping may be deferred with approval of Council provided that the applicant deposits with the Municipality security in the amount sufficient to cover the cost of the works deferred.

**(9) Home Occupation Uses**

Home occupation uses that are not disruptive to the neighbourhood are also permitted within the residential designations. Hairdressing and other personal service shops, small goods repair shops, insurance and other office type uses, ceramic and other home craft type uses shall be permitted with specific regulations outlined in the Zoning By-law. Home occupations, in conjunction with a dwelling in a residential area, are subject to the following conditions:

- (a) Home occupations shall be totally contained within the dwelling unit and/or attached or detached garage. However, any home occupation that requires the use of any other structure, building, or land on the subject property, except for parking or a sign, will require an amendment to the Zoning By-law.
- (b) The total gross floor area of the home occupation shall not exceed 25% of the gross floor area of the dwelling unit or as specified in the Zoning By-law.
- (c) No external alteration to the dwelling and/or garage that is not customary in residential buildings shall be permitted.
- (d) No exterior advertising of these activities or display of goods visible from outside the dwelling is permitted.
- (e) No such home occupation shall be noxious or offensive by reason of emission of noise, vibration, odour, smoke, dust or other particulate matter.
- (f) No storage of commercial vehicles shall be permitted on the premises. No parking of commercial motor vehicles with a load carrying capacity of one tonne (1,000 kg) GVW or more shall be permitted in a residential area.
- (g) No unreasonable use of lights, or nighttime operations shall be permitted.
- (h) No such home occupation shall result in high volumes of vehicular traffic that may impact Provincial Highways, arterial or collector roads or any local street or cause disruption of normal activities of adjacent residential activities.
- (i) No such home occupation shall create a safety hazard for the existing residential activities on the site or in the area.



- (j) No outdoor storage of materials or goods in support of such home occupation is permitted.
- (k) The home occupation must be operated by a person residing in the home. Not more than one person not residing at the home may be employed at the home occupation.

The implementing By-law may create further restrictions for home occupation use and may prohibit home occupations within certain residential zones. The Municipality may decide to require a business licence for all home occupations. If such a by-law is passed in accordance with the *Municipal Act*, the provisions of the business licence must be adhered to. If the licence is revoked, the use will no longer be permitted in accordance with the provisions of the By-law.

Where existing home occupations do not meet the policies of this Plan, they may be placed in a separate zone in the implementing Zoning By-law.

#### **(10) Institutional Uses**

The development of new institutional uses that serve a community and are not significant traffic generators, except those utilities referred to in Sections 2.15 and 2.16 of this Plan, and except the land uses that are explicitly designated "Institutional", shall be permitted in all Settlement Areas without an amendment to this Plan. Uses included in this section as being permitted in other land use designations include neighbourhood-oriented institutional uses such as churchesplaces of worship, community halls of less than 500 square metres and/or a hall associated with either a school or a churchplace of worship, cemeteries, public utilities, neighbourhood recreation facilities and parks, libraries, and facilities for special population groups (including centres or elementary schools for the care, boarding or teaching of children, interval houses for the physically abused, daycare facilities, and senior citizen centres).

Secondary schools, nursing homes, hospitals, arenas, larger community centres, correctional facilities and other major institutional uses will require an "Institutional" designation. On those lands not within Settlement Areas, only reasonable expansions to existing institutional uses on existing lots shall be permitted without an amendment to this Plan.

Both the development of new and the expansion of existing institutional uses shall be subject to the following policies:

- (a) the institutional uses shall be appropriately zoned in the Municipality's Zoning By-law;
- (b) adequate precautions shall be taken to ensure that the institutional uses have no adverse effects on adjacent land uses;
- (c) adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create

an attractive appearance and ensure compatibility with surrounding land uses; and

- (d) suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services.

Furthermore, new development or redevelopment in the "Residential" designation shall satisfy all of the following location and design criteria:

- (a) frontage or flankage on an arterial or collector street as indicated on Schedule "C" of this Plan;
- (b) design which is residential in character, maintaining the scale, density and character of existing land uses;
- (c) adequate buffering and transition is provided to protect surrounding existing development;
- (d) provision of adequate off-street parking to serve the particular use, while retaining sufficient useable yard space to maintain the visual characteristics of the area;
- (e) on those streets which have been designated "no stopping" areas by the Municipality, provision shall be made for off-street locations to accommodate drop-off and pick-up of the users of such facilities; and
- (f) they are able to conform to the policies of the underlying designation.

Generally, low density residential areas will be restricted to existing institutional uses with the only exceptions being elementary schools and day care facilities, in accordance with the policies of the "Institutional" designation.

Land severances that would result in the creation of a new lot for institutional purposes may be permitted by the consent granting authority provided the subject property has been successfully rezoned where required.

The Zoning By-law implementing this Plan will specify particular uses that would be permitted and those areas where such activities would most appropriately be located.

#### **~~(11) Group Homes~~**

~~Group homes are permitted within the "Residential" and "Hamlet" designations.~~

~~For the purpose of this section, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Provincial statute and in compliance with municipal by-laws.~~



The applicant must be prepared to demonstrate that the proposal will meet the Provincial criteria for licensing based on an assessment of factors requiring them to do the following:

- (a) Define its program and demonstrate the need for the service within the Municipality.
- (b) Demonstrate knowledge of the community and its resources, and to ensure that the needs of its residents can be met within a climate of community acceptance consistent with the objectives of its program requirements. This will include an understanding of fire, police, and ambulance response times so that remote locations are not selected.
- (c) Demonstrate the suitability of the proposed facility as required by Provincial and municipal legislation as to its construction and compliance with local health, safety and fire regulations.
- (d) Show how the particular proposal provides sufficient indoor and outdoor space and facilities for prospective residents and staff.
- (e) Demonstrate that all such group homes are properly licensed and registered by the Province of Ontario. The Municipality must be afforded the opportunity to review and comment on the application for a license before a final decision regarding its approval has been made.

In order to prevent an undue concentration of group homes in specific areas of the Municipality, standards requiring a minimum distance separation between these facilities will be incorporated in the implementing Zoning By-law.

Facilities existing on the date the Zoning By-law comes into effect, but not complying with the requirements of the By-law, will be allowed to continue in operation, however, will not be permitted to extend or expand without municipal approval.

#### **(12) Second Dwelling Units Additional Residential Units**

Additional Residential Units (ARUs) shall generally be permitted in all land use designations where single-detached, semi-detached and townhouse dwelling units are permitted. ARUs are generally permitted within the primary dwelling and a detached building or structure accessory to the primary dwelling.

The following policies shall apply to assist with the appropriateness of siting ARUs:

- a) For ARUs located outside of designated settlement areas, the clustering of buildings shall be encouraged.
- b) Confirmation of servicing adequacy (potable water and sanitary sewage disposal) shall be demonstrated.

c) ARUs shall not be permitted within the Natural Heritage System and Hazardous Lands.

d) ARUs shall be limited in size so that they remain clearly secondary to the main dwelling unit.

e) The Zoning By-law shall establish regulations for ARUs.

~~The addition of a second dwelling either within a single-detached, semi-detached or townhouse dwelling unit or within an ancillary building situated on the same lot shall be permitted, in settlement areas and in areas designated 'Agricultural' and 'Rural Residential' provided they are capable of being appropriately serviced.~~

~~The Zoning By-law shall identify residential zones where second dwelling units are appropriate and compatible with the existing neighbourhood. The identification of such residential areas will be based on inherent constraints such as, but not necessarily limited to the availability of municipal services (water and sanitary), as well as consideration of existing densities, neighbourhood character and the provision of an appropriate mix of housing types, including unit types, sizes and affordability. The Zoning By-law shall also establish appropriate standards for second dwelling units such as parking, lot size, floor area and provisions for accessory buildings containing a second dwelling unit.~~

~~Any regulation concerning second units shall limit the size of the second unit to ensure it remains clearly secondary to the primary dwelling unit.~~

~~All second dwelling units shall comply with the requirements of the Ontario Building Code.~~

## **4.2 "HAMLET" DESIGNATION**

### **4.2.1 OVERVIEW**

The Municipality consists of nine Hamlet Settlement Areas: Avon, Crampton, Gladstone, Harrierville, Mossley, Nilestown, Putnam, Waubuno, and Wellburn. These areas are characterized by small population bases and limited commercial and/or industrial activity that generally serves the surrounding agricultural community. Each Hamlet is currently serviced by private water and sewage systems and, therefore, larger lots will be encouraged in the event of new development, ~~however extensions to the boundaries of Hamlets will be discouraged and permitted only by an amendment to this Plan.~~ The intent of this Official Plan is to recognize existing development within Hamlets and to prohibit future development, with the possible exception of infilling and rounding out of the Hamlets within the established Settlement Area boundaries provided that there is no further outward expansion of the limits of existing development. The establishment of new Hamlets is prohibited.



Lands within the Hamlet designation are not separated into specific land use categories. As such, the Hamlet designation permits a variety of land uses including low density residential uses, commercial and industrial uses of an appropriate scale, institutional uses, and recreational uses. Specific lands associated with each use shall be established in more detail through the implementing Zoning By-law.

#### 4.2.2 GOALS

- (1) To maintain the character, scale, form and function of existing Hamlets.
- (2) To allow the Hamlets to maintain their identity as primarily residential Settlement Areas.
- (3) To recognize existing development within Hamlets and discourage new growth that would result in the expansion of the Hamlet boundary and/or unduly impact on the natural environment and agricultural lands.
- (4) To permit limited infilling of the existing development pattern and minor rounding out to the limits of the Hamlet Settlement Area boundaries if appropriate servicing can be achieved.
- (5) To establish a land use pattern that ensures the proper and long term functioning of private water and sewage systems.
- (6) To allow the Hamlets to continue to act as a small-scale service centre to area residents.

#### 4.2.3 POLICIES

The following policies shall apply to those lands designated "Hamlet" on Schedules "A" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include:
  - ~~(a)~~ ~~agricultural uses (excluding livestock operations and mushroom farms);~~
  - ~~(b)~~(a) single detached, semi-detached, duplex, and converted dwelling units and Additional Residential Units in accordance with Section 4.1.3(12) of this Plan;
  - ~~(c)~~(b) limited commercial uses of a scale and function that are in keeping with the character of the Hamlet and that serve the needs of the residents of the Hamlet and surrounding area and only if in conformity with Section 4.2.3(2) of this Plan;
  - ~~(d)~~(c) limited dry industrial uses that are home-based, small-scale operations, such as carpentry shops, repair shops and home crafts, in accordance with Section 4.2.3(2) of this Plan. Larger scale operations are encouraged to locate in industrially designated areas and will not be permitted in Hamlets;

~~(e)~~(d) recreational and park uses; and

~~(f)~~(e) home occupations in accordance with Section 4.1.3(9) of this Plan.

- (2) New commercial, industrial, institutional and recreational uses may be allowed without an amendment to this Plan provided the Zoning By-law is amended where necessary and the proposed use satisfies the following criteria:
- (a) the applicant adequately demonstrates the need for the proposed use;
  - (b) the proposed use is compatible with existing uses in close proximity;
  - (c) the existing roads can adequately serve the proposed use; notwithstanding, new commercial and industrial uses must front on a County or arterial road;
  - (d) the existing services are adequate for the proposed use;
  - (e) the off-street parking is adequate for the proposed use;
  - (f) the site plan requires adequate landscaping, buffering and building setbacks to protect the privacy of surrounding properties; notwithstanding, new commercial and industrial buildings and structures must provide a buffer of a minimum of 15 metres from all abutting residential lots and the buffer shall contain adequate fencing and/or landscaping; buffers shall not be used for storage and/or parking; and
  - (g) the proposed use has regard to the *Provincial Policy Statement*.
- (3) Existing non-residential uses, with the exception of intensive agricultural uses, will be allowed to expand within the boundaries of the Settlement Area provided the expansion satisfies the criteria outlined above and in Section 4.1.3(2) of this Plan.
- (4) Limited growth shall be permitted in Hamlets through intensification, infilling and rounding out of existing settlement patterns provided that there is no further outward expansion of the limits of existing development.
- (5) New lots will generally be created within Hamlets through the consent process. Plans of subdivision may, however, be utilized where vacant lands exist between the built-up area and the Hamlet Settlement Area boundary or where there is infill development of more than four lots.
- (6) Private services will be permitted for minor residential developments, such as the creation of three or fewer lots for the purpose of constructing single unit dwellings. In this circumstance, regard shall be had to the suitability of the soil conditions and surface and groundwater conditions to provide for an adequate potable water supply, and to adequately support sub-surface sewage treatment to the standards of the approving agency having jurisdiction and the potential for adverse cumulative impact on the servicing of existing development.



~~(7) It is not expected that the Hamlet boundaries will be expanded during the planning period. Any proposal to expand a Hamlet Settlement Area will require an amendment to this Plan. Where an expansion to a Hamlet Settlement Area is proposed, the proponent shall address the following:~~

- ~~(a) the need for the expansion within the context of the projected population growth for the Municipality and the availability of land to accommodate such growth;~~
- ~~(b) the availability of potable water to serve the proposed expansion area;~~
- ~~(c) adequate sewage disposal systems;~~
- ~~(d) the potential impact of the expansion on any Natural Heritage Features and Natural Hazards; and~~
- ~~(e) the potential impact of the expansion on surrounding agricultural operations.~~

~~A Settlement Capability Study may be required depending on the scale of development proposed.~~

~~(8)(7) The minimum lot size for the creation of new residential lots shall be prescribed in the Zoning By-law and shall be sufficiently large to provide for the long term functioning of individual on-site water services and individual on-site sewage services.~~

~~(9) Proponents may be required to prepare stormwater management plans to the satisfaction of the Municipality and the appropriate Conservation Authority.~~

~~(10)(8) \_\_\_\_\_ The implementing Zoning By-law shall zone all land parcels in the "Hamlet" designation according to their existing use. All undeveloped land parcels will be placed in an agricultural zone, which will not permit livestock operations or mushroom farms, or in an appropriate holding zone.~~

## **4.3 RESIDENTIAL DESIGNATIONS**

### **4.3.1 OVERVIEW**

Based on the population and housing projections, sufficient land has been designated to accommodate the housing needs of the Municipality for the planning period within the Urban Settlement Areas. Existing residential development is recognized by, and/or future residential development is permitted in, three residential designations:

- (1) Residential;
- (2) Rural Residential;
- (3) Mobile Home Park.

It is anticipated that the majority of new development shall occur in greenfield locations within the Urban Settlement Areas and to a lesser degree by redevelopment of existing sites, infilling, conversion of existing dwellings, and residential within the "General Commercial" designation. These residential designations allow for a variety of housing types, sizes, tenures, and locations intended to satisfy the needs of current and future residents over the length of the planning period.

It is the intent of this Plan for all new residential development to occur in a logical, phased manner in keeping with servicing capabilities and requirements.

The "Residential" designation will be the focus of residential growth in the Municipality within the Urban Settlement Areas. This designation permits and encourages a wide variety of densities and housing types, ~~although it is recognized that the predominant use of land is, and will continue to be, single detached dwellings.~~ Land uses compatible to dwellings-residential uses and deemed necessary ~~by Council~~ to serve the needs of local residents will also be permitted within the "Residential" designation, including churches places of worship, neighbourhood parks, etc., in accordance with Section 4.1.3(10) of this Plan and subject to specified location and design criteria. Such uses may also require selective-use specific zoning.

The "Rural Residential" designation recognizes existing pockets of residential development that are located outside of Urban and Hamlet Settlement Areas. Since these lands do not have, nor are intended to have, municipal water and/or sewage services and valuable agricultural and/or environmental lands typically surround them, it is the intent of this Plan to ~~strongly discourage prohibit~~ the outward expansion of these areas. A significant portion of the areas designated for "Rural Residential" is already developed for such purposes. Rural residential development on new lots is limited to infilling situations and lot sizes will generally be larger than those required in Settlement Areas. ~~The establishment of new "Rural Residential" lands or extensions to existing developments will require an amendment to this Plan.~~

The "Mobile Home Park" designation refers to a parcel of land under one or individual ownerships for the exclusive use of mobile homes. This designation has been applied to the four existing mobile home park developments. The establishment of new mobile home parks, extensions to existing mobile home parks, and the conversion of seasonal recreational trailer parks or recreational camping facilities for permanent year-round habitation is strongly discouraged and will require an amendment to this Plan.

#### 4.3.2 GOALS

- (1) To provide for the housing needs of existing and future residents mainly within the Urban Settlement Areas of Dorchester and Thorndale.
- (2) To recognize existing residentially developed areas in the Municipality outside of the Urban and Hamlet Settlement Areas.
- (3) To allow for residential development within areas specifically designated for such purposes, as opposed to being indiscriminately scattered throughout the Municipality.



- (4) To encourage the development of a greater variety of housing types, sizes and tenures. In particular, housing types that promote continuum of lifestyle and allow residents to remain within the community throughout the course of their lives shall be encouraged.
- (5) To establish cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.
- (6) To ensure that future residential development and redevelopment does not have a detrimental effect on the ability of the Municipality to provide the necessary services and facilities to accommodate such growth.
- (7) To support increased residential densities in Settlement Areas, adequate land supply and residential intensification, while considering issues of municipal service capacity, transportation, and potential environmental considerations.
- (8) To support new and innovative planning and servicing standards.
- (9) To maintain and improve the existing housing stock, primarily through local by-laws.
- (10) To ensure at least a three-year supply of draft approved and/or registered lots and blocks on new plans of subdivision and/or registered lots and to maintain an appropriate database of municipal residential consumption rates to ensure that this supply is provided.
- (11) To ensure at least a ~~ten~~fifteen-year supply of designated residential land available at all times to meet projected new housing needs of the Municipality and to prepare an inventory of residential lands and unit mix status at least every five years.

#### 4.3.3 "RESIDENTIAL" POLICIES

The following policies shall apply to those lands designated "Residential" on Schedules "B-1" and "B-2" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include:
  - (a) low density residential, including single detached dwellings, semi-detached dwellings, duplexes, triplexes, street townhouse dwellings and, Additional Residential Units in accordance with Section 4.1.3(12) of this Plan and home occupation uses in accordance with Section 4.1.3(9) of this Plan; mobile homes and mobile home parks shall not be permitted; residential uses may be placed in separate zoning categories in the implementing Zoning By-law;
  - (b) converted dwellings (i.e., a large dwelling that has been converted to contain two or more additional dwelling units), in accordance with the following policies:

- (i) Required parking spaces must be provided on the site, other than within the required front yard.
- (ii) There is no change to the exterior character of the dwelling.
- (iii) Adequate buffering and transition must be provided to surrounding lower density development.
- (iv) Water supply and sewage services are adequate to support the proposed development and/or redevelopment.
- (v) There is no change in the character of existing development, using the criteria outlined above to determine the effect of the proposal.

~~If the proposed development will result in a change in the character of the neighbourhood, an Official Plan amendment will be required, as will a study and a public hearing to determine if the Official Plan amendment should be undertaken.~~

- (c) medium density residential uses, including cluster townhouse dwellings, horizontal multiples, and low-rise apartments with a maximum height of three-four storeys, in accordance with the following policies:

- (i) ~~at least two of the location criteria listed below shall be present before such a site would be considered to have acceptable location characteristics~~ sites are encouraged to have frontage on arterial roads and to be in proximity to public parks and commercial area.:

~~—Frontage on an arterial road as indicated on Schedule "C" of this Plan.~~

~~—Abutting major public parks as indicated on Schedule "B" of this Plan.~~

~~—Abutting a commercial area as indicated on Schedule "B" of this Plan.~~

~~—The overall development application involves a land area of at least 2 hectares.~~

- (ii) The following additional items will be considered when reviewing the appropriateness of applications to amend the comprehensive Zoning By-law to allow medium density residential uses in an area designated "Residential":

- general compatibility with existing uses in close proximity to the proposed development; the proposal will be analyzed to determine if it will alter the character of existing development, using existing land uses within a 120 metre radius of the subject



property as a guide to the nature of existing development characteristics;

- the capacity of Municipal, County and Provincial roads affected and their ability to handle the expected increases in traffic;
- the adequacy of services to serve the proposed development;
- the adequacy of off-street parking facilities to serve the proposed development;
- the provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties; and
- consistency with the Provincial Policy Statement.

If the proposed site can satisfy the criteria listed above and can provide adequate buffering and transition for adjacent lower density residential uses, no Official Plan amendment would be required.

If the proposed development does not satisfy the ~~location~~ criteria, or if it will increase the scale or density of existing development, an Official Plan amendment will be required. A comprehensive study would be required to determine if the Official Plan policies in this regard are no longer appropriate. A public hearing will also be required.

(iii) The design considerations for medium density residential development should include provisions for the following:

- The height, bulk, and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding area.
- Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower density uses.
- Parking areas that are of sufficient size to satisfy the need of the particular development and that are well designed and properly related to buildings and landscaped areas shall be required on the site of each residential development.
- Pedestian linkages of internal walkways with existing sidewalk and trail networks are encouraged to reduce car dependency.
- Service areas may be required on the site of each development (e.g., garbage storage, snow storage areas).

- The design, construction, and maintenance of the vehicular, pedestrian, and amenity areas of residential developments will be subject to regulations by the Municipality.
  - All medium density residential development will be subject to Site Plan Control pursuant to Section 41 of the *Planning Act, R.S.O. 1990 Chap.P. 13*.
- (2) A suitable mix of various types of residential units of appropriate densities and levels of affordability are encouraged to develop during the planning period.
- ~~(3) To ensure compatibility with the existing scale and density of development, while allowing for greater diversity in housing stock, the density and height of new residential development shall generally be limited to a maximum of three storeys and 35 units per hectare.~~
- ~~(4)~~(3) Innovative forms of housing and creative housing design will be encouraged where it is demonstrated that individual units will be attractive, individual privacy will be enhanced, natural amenities will be retained, landscaped open space will be increased, and the amenity and character of neighbouring residential areas will be protected.
- ~~(5)~~(4) All new development on lands designated 'Residential', other than limited infilling and small scale redevelopment shall be fully serviced by the municipal water supply system and the municipal sanitary sewage system.
- ~~(6)~~(5) Where there is substantial vacant "Residential" land, new development shall proceed in a logical, phased manner.
- ~~(7)~~(6) The creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 2.27 of this Plan, and in accordance with the requirements and guidelines of the County of Middlesex and the Ministry of Environment and/or its designated agent.
- ~~(8)~~(7) Proponents may be required to prepare stormwater management plans to the satisfaction of the Municipality and the appropriate Conservation Authority.
- ~~(9) Only those lands already developed for residential purposes, as well as potential infilling opportunities, shall be zoned residential in the Zoning By-law. Large blocks of land designated "Residential" that are not currently developed for such purposes may be placed in an existing use or future development zone, agricultural zone, which will not permit livestock operations or mushroom farms, or in an appropriate holding zone in the implementing Zoning By-law until such time as the appropriate conditions exist to permit development.~~

#### 4.3.4 "RURAL RESIDENTIAL" POLICIES

The following policies shall apply to those lands designated "Rural Residential" on Schedule "A" of this Plan:



- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include: a single detached dwelling, ~~and parkland~~. Home occupations ~~will~~ shall be permitted in accordance with the policies of Section 4.1.3(9).
- ~~(2) The maximum density shall be 2 single detached dwelling units per hectare or less if required for proper site servicing.~~
- ~~(3) Amendments to the Plan to designate new lands for "Rural Residential" will not be permitted:~~
  - ~~(a) on or within 200 metres of areas containing primary aggregate resources unless investigation has proven that the resource is not commercially viable to extract;~~
  - ~~(b) within 200 metres of established extractive industrial operations;~~
  - ~~(c) if the minimum distance separation formulae cannot be met; or~~
  - ~~(d) if the lands front on an arterial road.~~
- ~~(4)~~(2) Building permits may be refused within areas designated "Rural Residential" if adequate servicing cannot be provided or if the minimum distance separation formulae or any other policy of Section 2.27 of this Plan cannot be met.
- ~~(5)~~(3) For all new development individual on-site water services and individual on-site sanitary services shall be required. Ground water conditions shall be capable of providing an adequate and potable supply of water while soil and topographic conditions shall be suitable to adequately support sub surface sewage treatment and disposal to required standards.
- ~~(6)~~(4) New lots shall be created through the consent process established in Section 2.27 of this Plan. New lots and infilling shall be permitted within the "Rural Residential" designation subject to all other relevant policies of this Plan being met.
- ~~(7)~~(5) Where the scale of development warrants, the proponent may be required to supply a reservoir of water of sufficient volume to ensure adequate fire protection and a hydrogeology report on the adequacy of potable water.
- ~~(8)~~(6) The implementing Zoning By-law shall zone all land parcels in the "Rural Residential" designation according to their existing use.

#### 4.3.5 "MOBILE HOME PARK" POLICIES

The following policies shall apply to those lands designated "Mobile Home Park" on Schedules "A" and "B-2" of this Plan:

- (1) The establishment of new or expanded Mobile Home Park areas and the conversion of seasonal recreational trailer parks or recreational camping facilities

for permanent year-round habitation will require an amendment to this Plan. Proposals for new, expanded or converted Mobile Home Park areas must be accompanied by a Planning Impact Analysis in accordance with Section 2.25.1 of this Plan.

- (2) Mobile Home Parks should be developed as an integrated part of a planned development. The development shall have access to arterial or collector roads without the necessity of passing through lower density residential areas. No access shall be permitted directly to Provincial Highways.
- (3) Mobile Home Park developments shall have full municipal or communal services, including adequate water supply, sanitary sewers, and storm drainage, paved roads, and street lighting. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. In general, the nature and availability of services necessary to support that development shall dictate the amount, location and timing of development.
- (4) The creation of new lots for Mobile Home Park purposes shall primarily occur by plan of subdivision. Consents for the purpose of dividing existing mobile home parks into smaller lots shall be prohibited.
- (5) A Mobile Home Park area must have a minimum site of 4 hectares, and have a density of not more than 17 units per gross hectare.
- (6) Mobile Home Parks shall be developed in accordance with a site plan approved by the Municipality.
- (7) Mobile Home Park lands may be zoned in separate zoning categories in the implementing Zoning By-law.
- (8) Mobile Home Park lands are not to be used as seasonal recreational trailer parks or recreational camping facilities.

#### **4.4 COMMERCIAL DESIGNATIONS**

##### **4.4.1 OVERVIEW**

Commercial activity will generally be directed toward the Urban Settlement Areas, although limited commercial opportunities exist in Hamlets for small-scale and "local" activities, in agricultural areas for particular ~~farm~~agricultural-related uses, and in existing pockets of commercial strip development along major roads.

The greatest concentrations of commercial development are found in the Core Areas of Dorchester. These areas, for the most part, do not have the general appearance of a historic downtown core along the main arterial roads, but rather have evolved over the life of the community. As a result, in Dorchester there are three areas that could be considered the commercial core. The areas considered to be the commercial Core Areas are identified on Schedule "B" of this Plan and are designated "General Commercial". The



function of these Core Areas as commercial and community centres must be maintained and enhanced through effective design standards, revitalization policies, and the siting of appropriate commercial uses within and outside of such areas.

Commercial uses will be encouraged to locate on arterial roads and within existing commercial areas. A number of opportunities exist within these areas for redevelopment and conversion from residential to commercial use. While it is intended that the primary use of such areas will be for the buying and selling of goods and services, non-commercial uses considered compatible with commercial development may also be permitted. The location of residential uses above compatible commercial uses shall also be encouraged.

Existing commercial development is recognized by, and future commercial development is permitted in, three commercial designations:

- (1) General Commercial;
- (2) Highway Commercial; and
- (3) Neighbourhood Commercial.

The three commercial designations allow for a wide range of commercial, retail, service, office, and non-commercial uses within a variety of appropriate settings.

The "General Commercial" designation permits the widest range of commercial and non-commercial uses, which are intended to serve the whole of the Municipality's market area. General Commercial uses are to be located in appropriate areas of the Urban Settlement Areas. Not all General Commercial uses may be permitted within each Core Area due to land use compatibility concerns and each area may receive special regulations within the implementing Zoning By-law to enhance its unique characteristics.

The "Highway Commercial" designation permits commercial uses that primarily serve vehicular traffic and the travelling public and that rely heavily upon such traffic for their economic existence. Highway Commercial uses are to be located within select areas of the Urban Settlement Areas and other existing built-up areas along arterial roads.

The "Neighbourhood Commercial" designation includes those commercial uses that provide for the sale of convenience goods and services to meet the daily living needs in foods, sundries and personal services, and may include neighbourhood business and professional offices. Neighbourhood Commercial uses are to be located in appropriate areas of the Urban Settlement Areas.

#### **4.4.2 GOALS**

- (1) To provide for a wide range of commercial goods and services within Urban Settlement Areas within a walkable environment to reduce car dependency and in-order to reduce the number of shopping trips to surrounding jurisdictions.
- (2) To enhance the character, identity, vitality, uniqueness and awareness of the Core Areas.

- (3) To maintain the role of the Core Areas as community gathering places and as the commercial and social focal points for the Settlement Areas and the surrounding farm communities.
- (4) To achieve a high standard of site development, design, appearance and maintenance in all commercial areas.
- (5) To allow for a limited amount of highway commercial development in areas well suited for these purposes.
- (6) To generally direct all new commercial development to lands abutting arterial roads.
- (7) To provide areas where larger commercial uses can locate outside of, or adjacent to, the Core Areas.
- (8) To encourage the compact built form through the integration of residential uses in the Core Areas, including the creation of residential units above compatible commercial uses.
- (9) To ensure that all commercial development and redevelopment is appropriately serviced.
- (10) To ensure that commercial development and redevelopment is compatible with adjacent residential neighbourhoods.
- (11) To encourage and enhance forms of active transportation including pedestrian and cycle-cycling movement within the Core Areas.

#### 4.4.3 "GENERAL COMMERCIAL" POLICIES

The following policies shall apply to those lands designated "General Commercial" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to those commercial establishments offering goods and services that primarily serve the whole of the Municipality's market area. Permitted uses include retail commercial establishments, offices, personal service establishments, banks, places of entertainment, assembly halls, eating establishments, hotels, motels, community facilities, public uses, recreational uses, convenience stores whether in the form of individual stores or in a shopping centre form of construction and/or ownership, and residential units above the first floor in accordance with Section 4.3 of this Plan, ~~and multi-unit residential developments.~~
- (2) In the Core Areas, all developments and redevelopment shall be in keeping with the scale, density, nature and character of existing development.
- (3) Within the "General Commercial" designation there are areas that are considered to be older established residential areas where a certain amount of non-



residential (primarily commercial) has taken place. In these areas, existing residential uses shall be permitted to continue, however, conversion of existing dwellings to commercial use is considered desirable, provided that the residential character of the dwelling and property is maintained. This may be achieved by maintaining a residential component within the building, restricting on-site parking to the rear of the buildings, maintaining the residential design features of the building, and maintaining front yards and exterior side yards as landscaped open space. Demolition of existing dwellings and replacement with commercially designed buildings will be discouraged if abutting uses continue to be residential. New buildings shall be designed in a manner that enhances and complements the residential character of the area.

- (4) All new development on lands designated "General Commercial" and including Core Areas, other than infilling or redevelopment, shall be fully serviced by municipal water services and municipal sanitary sewage services. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. In general, the nature and availability of services necessary to support that development shall dictate the amount, location and timing of development.
- (5) Where there is substantial vacant land within the "General Commercial" designation, new development shall proceed in a logical, phased manner.
- (6) Adequate setbacks and/or buffer planting shall be provided between the commercial uses and any adjacent residential and institutional areas. Such buffer planting shall include the provision of grass strips, berms, screening, and appropriate planting of trees and shrubs.
- (7) All development shall be subject to Site Plan Control.
- (8) Improvements to the streetscape, individual buildings, and parking areas is desirable and will be encouraged. The use of lockstone paving or decorative concrete should be considered as an aesthetically desirable option, as well as decorative lighting standards, sign control, development of enhanced planting area, etc.
- (9) Vehicular access shall be available or made available from a public road of reasonable construction and year-round maintenance, subject to the approval of the authority having jurisdiction. Frontage on an arterial road is preferred and shared access with similar adjacent development will be encouraged. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to traffic intersections or railway crossings, or the traffic flow characteristics of the road.
- (10) Adequate parking facilities shall be provided for all permitted uses and access to such parking shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Section 40 of the *Planning Act, R.S.O. 1990 Chap.P.13*, however, provides the Municipality with the right to allow property owners to make payment-in-lieu of parking spaces required by the Zoning By-

law. Section 40 of the *Planning Act, R.S.O. 1990 Chap.P.13* also allows the Municipality to collect money, which can then be used to provide municipal parking within the area. Under such a policy, the Municipality may exempt part or all of the parking space requirements of the Zoning By-law in return for a cash payment. The amount of the payment may change over time as it is based on land costs in the vicinity of the development site. This policy of payment-in-lieu does not guarantee that parking will be provided near the given development to be exempt from their parking requirements. Exemptions will only be applied if the Municipality must be satisfied that parking on-site is not necessary and that the Municipality can supply sufficient parking within a reasonable distance from the site, including an assessment of on-street parking. Payment-in-lieu of parking will only be considered within the General Commercial land use category within the Core Areas of Dorchester.

When applying the payment-in-lieu option, Municipal Council shall enter into an agreement exempting the owner or occupant, to whatever extent deemed appropriate, from the requirement of the Zoning By-law. An agreement will be registered against the land. New residential developments should attempt to include all required tenant parking on-site, however, the residential standards of the Zoning By-law may be significantly reduced within the General Commercial zone to encourage intensification and redevelopment that is deemed to have a positive impact on the Core Areas. Some minor adjustments may be considered for conversion to residential of upper floors of existing commercial buildings. Caution will be used in considering payment-in-lieu for high traffic generators such as medical buildings, clinics, restaurants, convenience stores, banks and taverns.

In evaluating a site as suitable for payment-in-lieu, the following factors must be carefully assessed: the effect the number of required spaces will have on the feasibility of the development; the availability of parking in the area; the opportunity or viability of ever providing parking in the area; the resulting accumulative effect of applying the payment-in-lieu policy; and whether or not the opportunity to achieve a desirable development can occur without creating a significant parking deficiency. A parking fund shall be established for payments-in-lieu of parking received from commercial development in General Commercial areas.

- (11) Prior to approving major commercial development or redevelopment, the Municipality may require the submission of a Planning Impact Analysis if the Municipality determines that such impacts are uncertain and/or potentially significant.
- (12) Only those lands already developed for commercial purposes, as well as potential infilling opportunities, shall be zoned commercial in the Zoning By-law. Undeveloped land designated "General Commercial" may be restricted in its development by the Zoning By-law until such time as the appropriate conditions exist to permit development.



#### 4.4.4 "HIGHWAY COMMERCIAL" POLICIES

The following policies shall apply to those lands designated "Highway Commercial" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include retail and service commercial uses which are more oriented to serve vehicular traffic and the travelling public. Permitted uses shall include recreational uses, automobile service stations, automobile sales and service agencies, agencies for recreational vehicles, tourist facilities, hotels, motels, drive-in restaurants or other eating establishments, accessory retail uses, and public uses. Uses requiring large volumes of water, such as a car wash, shall not be permitted unless full municipal services are provided.
- (2) Major commercial development or redevelopment, including retail uses requiring large enclosed or open storage areas such as, but not limited to, building supplies, warehouse outlets, food stores, and catalogue stores servicing domestic customers, may locate within the "Highway Commercial" areas subject to preparing a Planning Impact Analysis to the satisfaction of the Municipality. Major expansions to existing commercial uses shall also require the preparation of a Planning Impact Analysis.
- (3) Excessive extension of this land use classification into non-commercial areas shall be prohibited without an amendment to this Plan. In addition to an amendment to this Plan, expansions to existing "Highway Commercial" areas will require the proponent to prepare a Planning Impact Analysis and provide adequate justification, to the satisfaction of the Municipality, of the need for the expansion relative to land availability and infilling capabilities in other commercial areas.
- (4) "Highway Commercial" lands must be located on an arterial road. Access points shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic and may be further restricted by the Municipality and/or County. Shared access with similar adjacent development will be encouraged.
- (5) Adequate off-street parking facilities shall be provided for all permitted uses. Payment-in-lieu of parking, as per Section 40 of the *Planning Act, R.S.O. 1990 Chap.P.13*, shall not be permitted.
- (6) All new development on lands designated "Highway Commercial" within Urban settlement Areas, other than infilling or redevelopment, shall be fully serviced by municipal water services and municipal sanitary sewage services. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. In general, the nature and availability of services necessary to support that development shall dictate the amount, location and timing of development.

- (7) Full municipal services are encouraged for all new development on lands designated "Highway Commercial" outside Urban Settlement Areas, other than infilling or redevelopment, although partial or private services may also be permitted. Where private services are proposed, regard shall be had to the suitability of the soil conditions and surface and groundwater conditions to provide for an adequate potable water supply and to adequately support sub-surface sewage treatment to the standards of the approving agency having jurisdiction.
- (8) Where there is substantial vacant land within the "Highway Commercial" designation, new development shall proceed in a logical, phased manner.
- (9) Adequate setbacks and/or buffer planting shall be provided between the commercial uses and any adjacent residential areas. Such buffer planting shall include the provision of grass strips, berms, screening, and appropriate planting of trees and shrubs.
- (10) All development shall be subject to Site Plan Control.
- (11) Buildings contained within the "Highway Commercial" designation, as well as any lighting or signs, shall be designed and arranged so as to be as least distracting as possible to adjoining residential uses.
- (12) Lands designated "Highway Commercial" may be included in separate zoning classifications in the implementing Zoning By-law.
- (13) Only those lands already developed for commercial purposes, as well as potential infilling opportunities, shall be zoned commercial in the Zoning By-law. Undeveloped land designated "Highway Commercial" may be restricted in its development by the Zoning By-law until such time as the appropriate conditions exist to permit development.

#### 4.4.5 "NEIGHBOURHOOD COMMERCIAL" POLICIES

The following policies shall apply to those lands designated "Neighbourhood Commercial" on Schedules ~~"A" and "B-1"~~ of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall be limited to those commercial uses which provide for the sale of convenience goods and services to meet the daily living needs in foods, sundries and personal services. Permitted uses include variety/convenience stores, personal service establishments, ~~dry-cleaning-establishments, take-out food restaurants, video-rentals, gas-bars, neighbourhood-business~~ and professional offices, ~~and public-uses~~.
- (2) The development of "Neighbourhood Commercial" areas may take place in the form of a small shopping plaza owned and operated as a unit or as individual establishments. The population of the area to be served shall guide the scale of development, but no single establishment shall exceed 500 square metres, and



the maximum size of any "Neighbourhood Commercial" site shall not exceed 0.4 hectares.

- (3) Adequate parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- (4) All new development on lands designated "Neighbourhood Commercial", other than infilling or redevelopment, shall be fully serviced by municipal or communal water and sewage disposal systems, otherwise a Settlement Capability Study in accordance with Section 2.25.2 of this Plan must be completed. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. In general, the nature and availability of services necessary to support that development shall dictate the amount, location and timing of development.
- (5) No open storage shall be permitted.
- (6) The establishment of new "Neighbourhood Commercial" areas will require an amendment to this Plan. Due to their functions and locations, development proposals for "Neighbourhood Commercial" uses will be evaluated largely on their ability to complement and integrate with adjacent residential development and to minimize the potential land use conflicts.
- (7) The buildings contained within "Neighbourhood Commercial" areas, and any lighting or signs, shall be designed and arranged so as to blend in with the character of adjacent residential areas.
- (8) All development will be subject to Site Plan Control.
- (9) The Neighbourhood Commercial uses may be included in separate zoning classifications in the implementing Zoning By-law.

#### **4.4.6 COMMERCIAL SPECIAL POLICY AREAS**

Certain commercial areas exist or may develop that do not fit into an existing designation and may be identified as a Special Policy Area. Special Policy Areas include:

- (1) **General Commercial Special Policy Area 1**  
As a result of the strategic location of lands designated "General Commercial" on Hamilton Road at the westerly and easterly entrances to Dorchester, development will be encouraged that offers creative building and site design that strengthens the character and image of the community. Emphasis will be placed on landscaping, signage, lighting, screening of parking areas, building materials and profile, and identifying landmark features.
- (2) **General Commercial Special Policy Area 2**  
Notwithstanding the policies of Section 4.4.3 of this Plan, medium-density residential uses as defined in Section 4.3.3(1)(c) of this Plan may, in addition to

"General Commercial" uses, be permitted on the lands designated "General Commercial" on the east and west side of Dorchester Road between Byron Avenue and the southern settlement area boundary. The policies of Section 4.3.3(1)(c) to 4.3.3(9), inclusive, shall apply to said medium density residential development.

**(3) Highway Commercial Special Policy Area 1**

Due to the valuable organic soils that are present in and around the "Highway Commercial" designation on Highway 2, any expansion of this area would be subject to the policies of the "Highway Commercial" designation and must not be located upon or within 100 metres of lands containing organic soils.

**(4) Highway Commercial Special Policy Area 2**

In addition to the policies of Section 4.4.3 of this Plan and notwithstanding any other policies of the Plan to the contrary, the following shall also apply to the lands designated 'Highway Commercial Special Policy Area 2' lying on the south side of Hamilton Road between Ferrar Road on the west and Harris Road on the east:

- (1) a communal water supply system shall be designed and constructed by a qualified engineer;
- (2) sanitary sewage shall be disposed of using advanced treatment systems designed by a qualified engineer and constructed to reduce nitrate production;
- (3) uses shall be restricted in the Zoning By-Law to low volume water users with limited waste water discharges (i.e. uses that do not depend on water to produce a product or provide a service) which generate a sewage flow less than 10,000 litres / day;
- (4) a minimum floor area shall be prescribed in the Zoning By-law to encourage small retail establishments to remain, or locate in, the historic village core of Dorchester;
- (5) creative building and site design that strengthens the character and image of the community shall be expected particularly in light of the location of the lands at the westerly entrance to Dorchester. Emphasis will be placed on landscaping, signage, lighting, screening of parking areas, building materials and profile, and identifying landmark features. Measures will be applied through the site plan approval process to ensure any adverse visual or noise impact on nearby residents are addressed and mitigated.



## 4.5 INDUSTRIAL DESIGNATIONS

### 4.5.1 OVERVIEW

Employment or Industrial-industrial activity will generally be directed toward the Urban Settlement Areas, although limited industrial opportunities exist in Hamlets for small-scale and "local" activities, in a limited number of rural areas containing existing industrial development, and at strategic locations along Provincial Highway 401. Farm-related industrial uses- now referred to as agricultural-related uses may also be permitted in agricultural areas if the applicable policies under the "Agricultural" designation can be met.

Ensuring that adequate servicing is available and that impacts on adjacent sensitive land uses are appropriately mitigated are the most important factors in permitting new industrial development and redevelopment. The range of permitted industrial uses, location of uses, and timing of development will be dictated by the nature and availability of services necessary to support that development.

Existing industrial development is recognized by, and future industrial development is permitted in, two designations:

- (1) Settlement Industrial; and
- (2) Rural Industrial.

Lands designated "Settlement Industrial" are located within Urban Settlement Areas and represent the primary employment areas in the Municipality. A broad range of industrial uses will be permitted in this designation, as well as a limited range of non-industrial uses in appropriate settings. All non-agricultural related industrial development shall be encouraged to locate in appropriate locations within the Urban Settlement Areas.

Lands designated "Rural Industrial" are found outside of Settlement Areas. "Rural Industrial" lands have been designated to recognize similar designations in former Official Plans. Due to their location beyond the Settlement Area boundaries, "Rural Industrial" uses do not have access to municipal water or sewage systems and it is the intention of this Plan to permit only industrial uses in these areas that are "dry" in nature. ~~The establishment of new "Rural Industrial" areas will not be permitted without demonstrated justification in terms of need or the re-designation of an equivalent area of existing 'Rural Industrial' areas to 'Agricultural'.~~

### 4.5.2 GOALS

- (1) To permit a wide range of industrial and employment uses
- (2) To encourage industrial development within Urban Settlement Areas on full municipal services wherever possible.
- (3) To allow for non-serviced industrial development in areas well suited for these purposes.

- ~~(4)~~ To ensure that lands developed for industrial purposes through previous Official Plans remain viable and to allow appropriate industrial development to proceed on lands designated for such purposes.
- ~~(5)~~~~(4)~~ To ensure that all industrial development and redevelopment is appropriately serviced.
- ~~(6)~~~~(5)~~ To ensure that all industrial development takes place in a logical and orderly fashion.
- ~~(7)~~~~(6)~~ To generally direct all new industrial development to lands abutting arterial roads.
- ~~(8)~~~~(7)~~ To ensure that all industrial development and redevelopment is appropriately buffered from adjacent and surrounding residential or other sensitive land uses.
- ~~(9)~~~~(8)~~ To limit or mitigate any adverse impacts of industrial uses on surrounding agricultural lands and operations.
- ~~(9)~~ To achieve a high standard of site development, design, appearance and maintenance in all industrial areas.
- (10) To consider identifying and protecting future industrial or employment areas that are currently not designated for such purpose beyond the planning horizon consistent with the Provincial Policy Statement.

#### 4.5.3 "SETTLEMENT INDUSTRIAL" POLICIES

The following policies shall apply to those lands designated "Settlement Industrial" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include activities engaged in the manufacturing, fabrication, assembling, wholesaling, or processing of raw materials, partially processed materials, goods, or products; warehousing, storage of bulk commodities; repair, servicing and maintenance operations; transportation facilities; crematoriums, ~~production of marijuana for medical purposes;~~ office park, laboratories and research facilities, communication facilities, and printing and publishing plants; and public uses. Limited retail uses may also be permitted if they are compatible with industrial uses, including commercial land uses that possess a warehouse aspect such as office supplies, home furnishings and appliances, veterinarian offices, funeral homes, assembly halls, recreational facilities, etc. Each land use shall be established in the implementing Zoning By-law under an appropriate zone.
- (2) Where there is substantial vacant "Settlement Industrial" land, new development shall proceed in a logical, phased manner.
- (3) New development on lands designated "Settlement Industrial" shall be serviced wherever possible by municipal water services and municipal sanitary sewage services. Where partial municipal services are considered, supporting studies



must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services.

- (4) All new development and redevelopment on lands designated "Settlement Industrial" must comply with all Provincial standards with respect to the emission of sounds and vibrations, permissible concentrations of air contaminants such as dust, smoke, fumes, odours and other particulates, water quality control and waste control, including the quality of discharge and run-off. Those uses likely to generate substantiated nuisance complaints as a result of air, noise, and other emissions that may have an adverse influence beyond the property line shall not be permitted and shall be encouraged to locate within existing "Rural Industrial" designations outside of Urban Settlement Areas where they are not located in close proximity to sensitive agricultural uses.
- (5) Industrial development and redevelopment may be permitted in areas in close proximity or abutting residential uses, provided that:
  - (a) adequate buffering is provided between the two uses by such means as adequate separation, landscaping, barriers (including noise attenuation barriers), plantings, berms, and screening.
  - (b) appropriate development controls are utilized to minimize the impact that parking, storage, loading and lighting may have on adjacent land uses; and
  - (c) the impacts of industrial uses on the surrounding area, in terms of traffic flows, building forms, noise vibration and dust, and relationships to neighbouring buildings or uses, are acceptable.
- (6) Prior to approving major industrial development or redevelopment, the Municipality may require the submission of a Planning Impact Analysis if the Municipality determines that such impacts are uncertain and/or potentially significant.
- (7) Crematoriums and facilities for the production of ~~marijuana~~cannabis shall be sufficiently setback from residential and other deemed to be sensitive land uses as may be prescribed in the Zoning By-law.
- (8) All development shall be subject to Site Plan Control.
- (9) Vehicular access shall be available or made available from a public road of reasonable construction and year-round maintenance, subject to the approval of the authority having jurisdiction. Development on an arterial road is preferred. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to traffic intersections or railway crossings, or the traffic flow characteristics of the road. Traffic generated by industrial uses will be discouraged from penetrating designated "Residential" areas.
- (10) Only those lands already developed for industrial purposes, as well as potential infilling opportunities, shall be zoned industrial in the Zoning By-law. Undeveloped land designated "Settlement Industrial" may be restricted in its

development by the Zoning By-law until such time as the appropriate conditions exist to permit development.

- (11) Industrial uses that are proposed to be developed adjacent to existing industrial uses will be encouraged to integrate the design and dimensions of structures, parking areas and access points with those of the adjacent uses.
- (12) In order to enhance the viability of industrial areas, Council, where feasible and deemed appropriate, may encourage and assist the appropriate authorities to establish and/or maintain the accessibility of industrial areas through the provision of highways, arterial roads, and rail services.
- (13) Council will promote industrial development by encouraging the County of Middlesex to promote industrial areas in the Municipality.
- ~~(14) Council may encourage and, where feasible, assist in the relocation of uses not permitted in areas designated for industry and in the relocation of existing industries into such areas.~~
- ~~(15)~~ (14) Council may encourage and, where feasible, assist in programs for the improvement of the appearance and amenity of industrial areas.
- (15) Council may encourage and, where feasible, assist in programs to acquire industrial lands, develop serviced industrial sites, and/or provide services to privately owned industrial lands, so as to ensure an adequate supply of serviced and available industrial lands within the Municipality.
- (16) The conversion of lands designated Settlement Industrial to non-industrial or non-employment uses may be allowed through a comprehensive review, only where it is demonstrated that the lands is not required for industrial or employment purposes over the long term and that there is a need for the conversion.



#### 4.5.3.1 SPECIAL SETTLEMENT INDUSTRIAL POLICIES

(1) Settlement Industrial Special Policy 1

Notwithstanding the policies of Section 4.5.3 of this Plan to the contrary, the lands designated 'Settlement Industrial' in the Thorndale Urban Settlement Area may be used for 'Extractive Industrial' purposes in accordance with Section 3.3.3 until such time as the aggregate resource remains feasible to extract, after which the primary use of said lands shall be for settlement industrial purposes.

(2) Settlement Industrial Special Policy 2

Notwithstanding the policies of Section 4.5.3 of this Plan, the lands designated 'Settlement Industrial' on the west side of Nissouri Road north comprising part of the east half of the south half of lot 14, Concession II (West Nissouri) may be used for the purposes of a dwelling of the owner/operator along with an industrial use. A consent to sever lands for the purposes of separating the dwelling from the said industrial use shall not be permitted.

#### 4.5.4 "RURAL INDUSTRIAL" POLICIES

The following policies shall apply to those lands designated "Rural Industrial" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include: manufacturing, fabrication, assembling and processing of materials, goods or products; warehousing; wholesaling; outside storage of bulk goods; repair, servicing and maintenance operations; truck terminals; laboratories; crematoriums; ~~production of marijuana for medical purposes~~; offices; recreational facilities; public uses; and accessory retail uses located within an industrial use. Each land use shall be established in the implementing Zoning By-law under an appropriate zone. All uses of "Rural Industrial" lands must be "dry" in nature.
- (2) It is not expected that the "Rural Industrial" designation will be expanded during the planning period. Any proposal to expand the designation shall require the undertaking of a comprehensive review in accordance with Section 4.1.3(1) of this Plan, an amendment to the Plan and must not: detract or adversely affect present and/or future agricultural operations; interfere with the viability of farm units; or detract from the character of the agricultural community. Furthermore, the amendment shall address: the need for additional land to be designated to accommodate the proposed use; reasonable alternative locations that avoid agricultural areas; and reasonable alternative locations with lower priority agricultural lands. All other policies of this Plan must also be met.
- (3) Due to their location, full municipal serviced are not envisioned for "Rural Industrial" areas. All industrial development shall be "dry" in nature and, therefore, partial and private services may be permitted. Where partial municipal services are proposed, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial

municipal services. Where private services are proposed, regard shall be had to the suitability of the soil conditions and surface and groundwater conditions to provide for an adequate potable water supply and to adequately support sub-surface sewage treatment to the standards of the approving agency having jurisdiction. If full municipal services are ultimately provided, industrial uses that are not "dry" in nature may be considered without amendments to this Plan.

- (4) Industrial developments must make efficient use of land resources. Proposals that are inefficient or wasteful of such land resources will be discouraged.
- (5) Lot creation may proceed by consent in accordance with Section 2.27 of this Plan.
- (6) All new development and redevelopment on lands designated "Rural Industrial" must comply with all Provincial standards with respect to the emission of sounds and vibrations, permissible concentrations of air contaminants such as dust, smoke, fumes, odours and other particulates, water quality control and waste control, including the quality of discharge and run-off.
- (7) Crematoriums and facilities for the production of marijuana-for-medical-purposes cannabis shall be sufficiently setback from residential and other deemed to be sensitive land uses as may be prescribed in the Zoning By-law.
- (8) Prior to approving major industrial development or redevelopment, the Municipality may require the submission of a Planning Impact Analysis if the Municipality determines that such impacts are uncertain and/or potentially significant.
- (9) All development shall be subject to Site Plan Control.
- (10) Vehicular access shall be available or made available from a public road of reasonable construction and year-round maintenance, subject to the approval of the authority having jurisdiction. Direct access to the development or the industrial subdivision from an arterial road is required. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to traffic intersections or railway crossings, or the traffic flow characteristics of the road.
- (11) Only those lands already developed for industrial purposes, as well as potential infilling opportunities, shall be zoned industrial in the Zoning By-law. Undeveloped land designated "Rural Industrial" may be restricted in its development by the Zoning By-law until such time as the appropriate conditions exist to permit development.
- (12) Industrial uses that are proposed to be developed adjacent to existing industrial uses will be encouraged to integrate the design and dimensions of structures, parking areas and access points with those of the adjacent uses.
- (13) The conversion of lands designated Rural Industrial to non-industrial or non-employment uses may be allowed through a comprehensive review, only where it



is demonstrated that the lands is not required for industrial or employment purposes over the long term and that there is a need for the conversion.

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#### 4.5.5 SPECIAL INDUSTRIAL POLICIES

(1) **Rural Industrial Special Policy 1**

Notwithstanding the policies of Section 4.5.4 of this Plan, the lands designated "Rural Industrial" and known as the Silver Moon Innovation Park may be used for the purposes of an integrated industrial-residential park subject to the following criteria:

- (a) Development of the subject lands shall take place in a manner whereby industrial uses dominate and take precedence over residential uses.
- (b) The floor area of the main building used for residential purposes shall be less than the floor area of the building used exclusively for industrial purposes or uses accessory thereto.
- (c) While a wide range of industrial uses, including offices and certain related sales will be permitted, provisions will be contained in the Zoning By-law and as restricted covenants in property deeds to minimize conflicts between industrial uses and residential uses, and performance standards for industrial uses shall be incorporated into the Zoning By-law.

(2) **Rural Industrial Special Policy 2**

The lands designated "Rural Industrial-Special Policy 2" and shown as on Schedule A of this Official Plan shall require the undertaking of a secondary plan in accordance with Section 7.19 of this Plan and prior to the development of those lands. In the interim, only existing uses shall be permitted.

#### 4.6 **"INSTITUTIONAL" DESIGNATION**

##### 4.6.1 OVERVIEW

The "Institutional" designation shall be for buildings and uses which exist for the benefit of the residents of Municipality and which are operated by the Municipality or another public organization for this purpose. This designation will be required for all built institutional uses that are considered traffic generators and serve a community larger than the neighbourhood, such as secondary schools, hospitals, ~~detention centres~~, fire halls, police stations, and government centres. Institutional uses of a smaller scale, such as ~~churches~~places of worship, libraries, nursing homes, elementary schools, etc. are not required to have an "Institutional" designation as they are permitted in ~~the~~ all designations within Hamlet and Urban Settlement Areas in accordance with the policies of Section 4.1.3(10) of this Plan. Parks, arenas, community centres and other public recreation facilities are encouraged to locate within the "Parks and Open Space" designation.

##### 4.6.2 GOALS

- (1) To meet the Municipality's existing and future social service, health care, government service, and educational needs by designating land for community



facilities, primarily within Urban Settlement Areas, and establishing locational criteria for the siting of such uses.

- (2) To encourage institutional uses that are beneficial to the health and viability of urban areas, such as libraries, civic offices and post offices, to locate with Core Areas and to discourage their relocation outside of the Core Areas.
- (3) To minimize the potential effects of institutional land uses on adjacent neighbourhoods by establishing appropriate standards for development.
- (4) To encourage the co-location of new community uses such as schools, libraries, and community centres.

#### 4.6.3 POLICIES

The following policies shall apply to those lands designated "Institutional" on Schedules ~~"A" and "B-1"~~ of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include: public, separate, and private secondary educational facilities and schools; civic and institutional uses such as fire halls, police stations, hospitals, government offices and similar uses; municipal and private utility works such as water towers, sewage treatment facilities, telephone and gas utility operating facilities, and similar uses. Small scale institutional uses, such as ~~churches~~places of worship, libraries, nursing homes, elementary schools, etc., are permitted in all land use designations within Hamlet and Urban Settlement Areas in accordance with the policies of Section 4.1.3(10) of this Plan.
- (2) Proposals to develop large scale community facilities which serve residents throughout the Municipality or, by reason of their size, scale, or range of activities and functions, attract large numbers of people on a regular basis shall be evaluated according to the following criteria:
  - (a) frontage on an arterial or collector road;
  - (b) compatibility with adjacent land uses, regard for the scale of surrounding buildings, and adequate buffering through such means as separation, landscaping, barriers, fencing, plantings, berms, and screening;
  - (c) the potential effect of traffic on the road system and surrounding uses;
  - ~~(d)~~ (d) the availability of adequate water and sewage disposal services;
  - ~~(d) the ability to demonstrate opportunities for active transportation connectivity to reduce car dependency;~~
  - (e) the ability to provide adequate off-street parking facilities for both staff and patrons; and

- (f) the potential impact on the natural heritage features and hazards.
- (3) It is anticipated that as the populations of Dorchester and Thorndale increase, there may be a need for new school sites. The establishment of new secondary school sites will require an amendment to this Plan as well as a community consultation process. New secondary school sites will generally be situated on collector roads, however, they may be permitted on local roads provided that vehicular traffic will not flow through low density residential areas.
- (4) No Official Plan amendment will be required for the conversion of lands in any land use if the dedication is for a public recreation facility.
- (5) Where land designated "Institutional" is under private ownership, it is not intended that this land will remain so designated indefinitely, nor will this Plan be construed to imply that these areas are free and open to the general public or that they will be purchased by the Municipality or any other public agency.
- (6) All development, with the exception of Municipal or County development, shall be subject to Site Plan Control.
- (7) Institutional uses may be included in separate zoning classifications in the implementing Zoning By-law.

## **4.7 "RECREATIONAL" DESIGNATION**

### **4.7.1 OVERVIEW**

The "Recreational" designation shall be for leisure and tourism-related land uses that are operated by the private sector as a commercial venture. The predominant use of land shall be for commercial recreational facilities such as golf courses, private parks, campgrounds, outdoor or indoor sports activities, tourist attractions, and accessory uses. The "Recreational" designation recognizes only existing recreational and tourism uses and designations.

It is recognized that the private sector fills an important niche in the recreation and tourism markets. It is not the intention of the Municipality, however, to allow the private sector to provide all necessary recreational opportunities, rather it is the Municipality's objective to promote leisure and tourism activities and land uses that complement and enhance the opportunities provided by public facilities, areas and services.

### **4.7.2 GOALS**

- (1) To bolster the economy of the area by developing the Municipality's recreation and tourism potential.
- (2) To promote the involvement of the private sector in the delivery of recreation, leisure and tourism opportunities and land uses.



- (3) To encourage a wide range and balance of active and passive recreational activities within the Municipality ~~that meet the changing recreational needs that promotes the health and vitality~~ of all area residents.
- (4) To encourage recreational development in areas that possess high recreation capabilities and that do not unduly impact agricultural areas and resources.
- (5) To ~~ensure-encourage that~~ the design of recreation facilities ~~are in harmony with nature that are sustainable and promote energy efficiency~~.
- (6) To promote existing tourism uses within the Municipality and encourage the establishment of additional tourism opportunities, including agriculturally and ecologically-related opportunities, within Settlement Areas and Agricultural areas.

#### 4.7.3 POLICIES

The following policies shall apply to those lands designated "Recreational" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include commercial recreational facilities including: golf courses; private parks; campgrounds; outdoor or indoor sports activities; amusement parks and other tourist and recreation attractions; residences and offices associated with the recreational uses; and accessory uses such as restaurants, snack bars, parking areas and auxiliary buildings.
- (2) Large scale land uses that serve residents throughout the Municipality or beyond or, by reason of their size, scale, or range of activities and functions, attract large numbers of people on a seasonal or regular basis, are to be provided with adequate setbacks from adjacent properties.
- (3) All uses shall have frontage on a public road of reasonable construction and maintenance that has relatively easy access to the Provincial Highway system or a County Road.
- (4) New recreational designations shall require an amendment to this Plan and ~~consideration shall be given to locations that are not designated Agricultural, shall be located on non-prime agricultural lands~~. New developments, redevelopments or expansions shall ensure that potential adverse effects on the natural environment are properly mitigated and may require the completion of an Environmental Impact Study as outlined in Section 3.2.3.1 of this Plan.
- (5) Development proposals will ensure adequate systems for water supply and sewage treatment and disposal. Where private services are proposed, regard shall be had to the suitability of the soil conditions and surface and groundwater conditions to provide for an adequate potable water supply and to adequately support sub-surface sewage treatment to the standards of the approving agency having jurisdiction.

- (6) Development proposals may be required to prepare a comprehensive stormwater management plan for all phases of construction and the completed development to the satisfaction of the Municipality, the Ministry of Environment and the Ministry of Natural Resources and/or the appropriate Conservation Authority. The stormwater management plan shall be in accordance with the best management practices prescribed in Provincially sanctioned guidelines and interim guidelines.
- (7) All development shall be subject to Site Plan Control. In areas abutting residential properties public consultation regarding the site plan shall be required. The agreement shall address, but not be limited to, the following:
  - (a) the location, height and siting of buildings (including accessory residences and structures), landscaping, parking, location of services, access, grading and methods of protecting and enhancing the shoreline, etc.;
  - (b) the location of water, sanitary sewage, and stormwater works and solid waste storage facilities;
  - (c) the location and standards of access (ingress/egress) facilities as well as roads, walkways and parking areas;
  - (d) grading, erosion and sedimentation control;
  - (e) landscaping, planting, buffering and fencing;
  - (f) the protection and enhancement of natural areas, including woodlands and shorelines; and
  - (g) road maintenance, snow clearance, garbage collection and general maintenance of the traffic island.
- (8) Where land designated "Recreational" is under private ownership, it is not intended that this land will remain so designated indefinitely, nor will this Plan be construed to imply that these areas are free and open to the general public or that they will be purchased by the Municipality or any other public agency.
- (9) All existing recreational uses at the date of the adoption of this Plan shall be allowed to expand provided they are able to conform to the policies of the "Recreational" designation and to the zoning requirements.

#### **4.8 "PARKS AND OPEN SPACE" DESIGNATION**

##### **4.8.1 OVERVIEW**

The "Parks and Open Space" designation shall be used primarily for publicly-owned recreational uses and open space lands including, but not limited to parks, fairgrounds, arenas, community centres, playing fields, and conservation lands that are not covered



under the "green-space" system. Public ownership, however, does not necessarily imply that the lands are, or will remain, fully accessible to the public.

#### 4.8.2 GOALS

- (1) To provide a range and balance of public parks and recreation opportunities that ~~promotes the health and vitality meet the changing needs~~ of area residents.
- (2) To support the development and maintenance of recreation and conservation areas and the acquisition, beautification and maintenance of public parks, facilities and open space.
- (3) To encourage an overall parkland supply of one hectare for every three hundred dwellings, all the while ensuring that the acquisition and maintenance of public parks and open spaces remains within the financial resources of the Municipality.
- (4) To preserve and enhance open space areas for the benefit of existing and future residents of the Municipality.

#### 4.8.3 POLICIES

The following policies shall apply to those lands designated "Parks and Open Space" on Schedules "A" and "B" of this Plan:

- (1) Permitted uses shall be in accordance with the policies outlined in this Section and shall include major public and open space areas and parks; public fairgrounds; community centres, arenas, and playing fields; conservation lands that are not covered under the "green-space" system; and other similar public uses. Lots containing a combination of public park uses and recreation facilities may also be permitted. Neighbourhood and small-scale parks do not require a "Parks and Open Space" designation as they are permitted in the "Residential" and "Hamlet" designations.
- (2) Parks shall be acquired through land dedication or cash-in-lieu, as provided for in the *Planning Act* and the policies of this Plan, and by means of funds through the Five-Year Capital Budget. Locations on low capability agricultural lands will be preferred.
- (3) Should a developer, as part of a multiple unit development, provide recreational facilities such as swimming pools, tennis courts, etc., beyond the required dedication of one hectare for every three hundred dwellings, the Council may consider increasing the density permitted on the site without an amendment to the Official Plan.
- (4) Council will cooperate with the Conservation Authorities to ensure the preservation, maintenance, and proper protection of the Thames River and all other major water corridors.
- (5) In addition, Council, in cooperation with the Conservation Authorities or other appropriate government agency shall continue to develop the Thames River

within the Municipality for public use in the form of passive scenic parks and/or tourism developments.

- (6) Lands designated "Parks and Open Space" are in some instances subject to flooding, erosion, slumping and other physical hazards. The Natural Heritage System "green-space" policies of this Plan and the regulations of the Zoning By-law shall apply to the erection of buildings and structures in these areas.
- (7) No Official Plan amendment will be required for the conversion of lands in any land use if the dedication is for a public park.
- (8) Where land designated "Parks and Open Space" is under private ownership, it is not intended that this land will remain so designated indefinitely, nor will this Plan be construed to imply that these areas are free and open to the general public or that they will be purchased by the Municipality or any other public agency.
- (9) All development, with the exception of Municipal or County development, shall be subject to Site Plan Control.
- (10) Uses may be included in separate zoning classifications in the implementing Zoning By-law.



## **SECTION 5. TRANSPORTATION POLICIES**

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### **5.1 GENERAL**

The road network indicated on Schedule "C" is based on the inter-relationship of land use and transportation. The primary objective shall be to provide optimum conditions for the movement of people and goods from one portion of the Municipality to another as well as facilitating the traffic movement through the Municipality including active forms of transportation. Every attempt should be made to ensure that the Municipal road pattern is in harmony with the Road System as well as those of adjoining municipalities and linkages to the Provincial Road System. As detailed transportation studies are completed, this Plan will be amended to reflect appropriate recommended changes.

### **5.2 CLASSIFICATION**

Each road within the Municipality is not designed nor intended to serve the same function. The roads within the Municipality have been classified according to the anticipated ultimate function that each road would fulfil. Where additional land is required for widenings, extensions, or intersection improvements, such land shall be obtained wherever possible in the course of approving plans of subdivision, development applications, or by conditions attached to individual consents.

### **5.3 PROVINCIAL HIGHWAYS**

There are two Provincial highways located within the Municipality - Highway No. 7 and Highway No. 401. New entrances or the upgrading of entrances onto a Provincial Highway shall be subject to the approval of the Ministry of Transportation. All outdoor storage and loading areas that are associated with commercial and industrial land uses located adjacent to Provincial roads-highways shall be visually screened or appropriately located in such a way as to not detract the travelling public. In addition to all applicable municipal requirements, all development adjacent to provincial highways is also subject to the requirements and permits of the Ministry of Transportation.

### **5.4 ARTERIAL ROADS**

Arterial roads are existing roads of 2 to 4 traffic lanes that are under the authority of the County. The function of the arterial roads is to facilitate the inter-municipal and intra-municipal movement of high volumes of traffic to and from major traffic generating sectors in the Municipality. At the same time, the County recognizes the important role active transportation has in promoting opportunities for physical activity and offering cost effective travelling alternative for its residents and visitors alike.

The following County Road minimum rights-of-way widths shall apply:

- a) Arterial roads 36-metre right-ofway width
- b) Collector roads 30-metre right-ofway width
- c) Arterial roads constructed to an urban standard within Settlement Areas 30-metre right-ofway width
- d) Collector roads constructed to an urban standard within Settlement Areas 26-metre right-ofway width

Urban standard shall, in this case, be defined as a road constructed to include curbs, gutters and an underground stormwater collection system.

Where road right-of-way widths are less than those described above, the County may require, as a condition of consent, the dedication of lands for road widening purposes from both the lands to be conveyed and the lands to be retained, and as a condition of a plan of subdivision.

~~Due to existing development, desired right-of-way widths may not always be achievable. Wherever possible, arterial road right-of-way widths shall be 36 metres, although, in urban areas with existing development fronting on a County road, the minimum right-of-way width shall be 20 metres. Generally, the minimum setback for buildings and structures to be erected on lots adjacent to an arterial road shall be 38 metres from the centreline, however, for Urban and Hamlet Settlement Areas, the setback requirement shall be stipulated in the implementing Zoning By-law. Open storage shall not be permitted within the front yard of any development on an arterial road.~~

Any new development proposed adjacent to a County road will require the approval of the County of Middlesex. The number of access points from abutting properties shall be restricted in number. The location of access driveways should not create a traffic hazard due to concealment by a curve, grade or other visual obstructions. New agricultural, industrial, commercial, institutional, and multi-unit residential uses may have access to arterial roads within Settlement Areas and specific land use designations, but in each instance an attempt shall be made to group developments in order to reduce the number of access points which could hinder the movement of traffic.

Development that would inhibit traffic movement along the County road system will generally be discouraged. Mitigating measures that attenuate noise and vibration factors shall also be utilized. ~~Reverse fronting (back lotting)~~The use of "windows streets" or side lotting may be considered in cases where high volume arterial roads impact negatively on adjacent land uses. Strip or linear development shall also be discouraged and the number of access points shall be reduced wherever possible.

~~It is not the intent of this Plan that arterial roads existing in built-up areas will necessarily be widened, or that direct access will be eliminated or restricted, except where redevelopment is taking place.~~

## **5.5 — COLLECTOR ROADS**



~~Collector roads are existing and proposed roads are under the authority of the County of Middlesex. Collector roads are designed to collect and carry medium volumes of local traffic to arterial roads or to distribute traffic to the local roads as well as provide access to abutting properties. Collector roads have a minimum of two traffic lanes and a right-of-way width of 30 metres, although, in urban areas with existing development fronting on a County road, the minimum right-of-way width shall be 20 metres. Generally, the minimum setback for buildings and structures to be erected on lots adjacent to a collector road shall be 33 metres from the centreline, however, for Urban and Hamlet Settlement Areas, the setback requirement shall be stipulated in the implementing Zoning By-law. Open storage shall not be permitted within the front yard of any development on a collector road.~~

~~Collector roads shall have similar restrictions as arterial roads with regard to access points, mitigating measures, reverse frontage, controlled access, and land uses. Any new development proposed adjacent to a County road will require the approval of the County of Middlesex.~~

#### **5.65.5 LOCAL ROADS**

Local roads are existing and proposed roads ~~are~~ under the authority of the Municipality of Thames Centre. Local roads have two traffic lanes and generally include a right-of-way width of 20 metres, which are designed primarily to provide access to abutting properties. They should be designed so as to discourage the movement of through traffic and function as distributors of traffic to the collector roads.

~~The construction of service road(s) parallel to and north of Highway 401 in the Dorchester and Putnam areas is encouraged. The purpose of the service road(s) would be to serve the adjacent industrial development, as required.~~

#### **5.75.6 PRIVATE ROADS**

There are very few private roads in the Municipality that service development. It is the intent that ~~traditional low density residential development take place on public roads and that~~ only in condominium developments will private roads be considered.

#### **5.85.7 INTERSECTION IMPROVEMENTS**

It is the goal of this Plan that, as traffic conditions warrant, improvements in the form of jog eliminations, regulation of turn movements, proper signage, installation of traffic signals, marking of traffic lanes and channelization construction as well as incorporating opportunities for active transportation modes, will be undertaken at intersections, as required.

#### **5.95.8 TRUCK HAUL ROUTES**

To ensure that trucks utilize roads that are suitably constructed or improved for these purposes, "Truck Haul Routes" have been designated and are shown on Schedule "C".

The routes include Provincial Highways No. 401 and No. 7, County Roads 2, 16, 25, 28, 30, and 73, limited portions of County Roads 27, 29, 32, 49 and 74, as well as limited portions of certain local roads within the Municipality. The Municipality may exercise its legislative authority to ensure that trucks (other than those serving the farm community and rural residents) using roads within the Municipality are restricted to those with origins and/or destinations within the Municipality. In evaluating applications for changes in use, trucks will be expected to access the nearest designated "Truck Haul Route" by the shortest distance possible in a manner that minimizes the impact on local roads that are either unsuited for truck traffic as a result of their standard of construction or as a result of existing truck traffic volumes.

#### **5.105.9 OFF-STREET PARKING**

This Plan proposes that sufficient off-street parking facilities be established as are required to serve the needs of the Core Areas. Whether an off-street parking program is developed entirely by the Municipality, by private enterprise, or jointly by the Municipality and private enterprise, reasonable parking facilities should be established, consistent with demand, and in accordance with the following general principles:

- (1) The parking facilities within the Core Areas should be a combination of short-term parking for shopping and business purposes and long-term for those employed in the area.
- (2) The area behind the stores and businesses of the Core Areas of Dorchester should be developed in such a manner as to provide landscaped off-street parking areas for customers.
- (3) The cash-in-lieu of parking policy and by-law, as provided for under Section 40 of the *Planning Act, R.S.O. 1990 Chap.P. 13*, may be implemented and the funds used to provide public parking facilities within the Core Areas in accordance with the policies of Section 4.4 of this Plan.

#### **5.115.10 WALKING TRAILS AND CYCLING PATHS**

By decreasing car dependency and promoting a healthier lifestyle, Walking-walking and cycling are recognized as active transportation modes that serve not only as popular recreational activities but also a means of purposeful transportation that is affordable and accessible for most of the population and promotes the reduction of greenhouse gas emissions. The development, connection, and enhancement of trails and pathways for walking and cycling shall be encouraged as part of the development approval process, ongoing capital works, and community-sponsored initiatives. Design criteria, and proposed routes and improvements to existing routes may be identified and/or established from time to time within a trails and cycling master plan, which shall be incorporated into this Plan through an amendment thereto to reflect recommended changes. The Municipality shall encourage the provision of supporting amenities such as bicycle parking, staging areas, benches and signage. Opportunities will be considered to reduce parking standards in exchange for enhanced pedestrian and cycling facilities.





## **SECTION 6. STRATEGIC POLICIES**

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### **6.1 POLICIES FOR COMMUNITY IMPROVEMENT**

#### **6.1.1 DESIGNATION OF COMMUNITY IMPROVEMENT AREAS**

In any established area of the Municipality where there is evidence that physical and/or socio-economic change may occur if no public action is taken, Council, in conjunction with the citizens, shall determine whether it is in the best interest of the area and the Municipality as a whole to encourage such change by directing a program of orderly transformation or to encourage the conservation of the area.

Where the effects of physical and/or socio-economic change are already in evidence, Council shall determine in a similar manner whether or not this change is in the best interest of the area and the Municipality as a whole and, therefore, whether or not to encourage the rehabilitation and conservation of the area or its orderly transformation.

Council shall therefore, from time to time, generally outline certain areas in which programs of conservation, rehabilitation, or transformation will be carried out. In each such area, one of three elements – conservation, rehabilitation, or transformation – may dominate the program, but either one or both of the other elements may also be utilized. This program shall be applied to all types of uses, buildings, or structures in any given area. In identified Community Improvement Areas, the Municipality may also develop an implementing Community Improvement Plan (CIP) to assist with prioritizing and itemizing community improvement projects. Furthermore, Council may establish urban design guidelines

#### **6.1.2 CONSERVATION, REHABILITATION, AND REDEVELOPMENT**

In areas of conservation and rehabilitation, Council shall institute a program to ensure the conservation and rehabilitation of existing buildings, both through direction and encouragement and by regulatory measures, in order to discourage redevelopment. Council shall recognize, however, the justifiable redevelopment of selected buildings and uses within these areas as an integral part of such a program. Particular attention shall be directed initially to those buildings and uses thought to have the most deleterious effects on the surrounding area.

#### **6.1.3 GOALS AND OBJECTIVES**

The principal goals for Community Improvement Areas shall be:

- (1) To protect and enhance the quality of the area which the residents value highly.
- (2) To eliminate the deficiencies in municipal services and recreational facilities wherever it is economically and physically possible.
- (3) To assist the community in improving the overall appearance of residential and commercial structures and to act as a catalyst for individual improvement by



acquiring properties that are beyond rehabilitation and removing their blighting influences from the area.

(4) To urge and assist owners of commercial and residential property to rehabilitate premises where necessary in order to eliminate deterioration and improve community pride in ownership or occupancy.

(4)(5) To encourage energy efficient building standards for new and existing development, if feasible, in order to minimize energy consumption including the reduction of greenhouse gas emissions.

The specific objectives of a Community Improvement Area shall be:

- (1) To provide for the maximum feasible amount of rehabilitation of existing housing and commercial premises by making use of any government programs for financial assistance.
- (2) To establish an active program for informing the property owners of various available forms of housing and commercial rehabilitation assistance.
- (3) To enforce, if necessary, any controls which will contribute to the visual attractiveness of the community and the health and safety of the occupants.
- (4) To improve the sanitary and flooding situation of the Settlement Areas.
- (5) To improve the water distribution system by installing new watermains on selected streets within the community improvement program area on a phased program.
- (6) To improve the safety and visual appearance of the community by installing new sidewalks, improved street lighting, power lines, curbs and gutters, and the resurfacing of selected streets within the area on a phased program.
- (7) To improve the visual appearance of the community by encouraging the relocating of non-conforming land uses and incompatible land uses.
- (8) To encourage the residents and ratepayers to participate in the implementation of community improvement plans and other programs aimed at improving the community either by service clubs or individual actions or concerns.

#### **6.1.4 CRITERIA FOR SELECTING COMMUNITY IMPROVEMENT AREAS**

In determining whether or not a portion of the Municipality will qualify for a Community Improvement Area, the following criteria would have to be met:

- (1) There is a deficiency or deterioration<sup>9</sup> in one or more of the following municipal services:

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<sup>9</sup> The Engineering Standards for the Municipality of Thames Centre shall be used as a guide in determining the degree of deterioration and the priorities for improvement.

- (a) Sewers and watermains;
  - (b) Roads and streets;
  - (c) Curbs and sidewalks; and/or
  - (d) Street lighting and utilities.
- (2) There is a deterioration or deficiency in one or more of the following recreational and social facilities:
  - (a) Public indoor/outdoor recreational facilities;
  - (b) Public open space; and/or
  - (c) Public social facilities, such as community centres, libraries, clinics, cultural facilities.
- (3) That at least 25 percent of the housing stock is in need of rehabilitation, whether interior or exterior;
- (4) That the area is potentially stable in terms of land use and densities, whether they be residential or commercial, and that there are no indications of major redevelopment plans other than those in the form of improvements;
- (5) That the area is composed of predominantly low and moderate income households in relationship to average provincial household income or to the rest of the community;
- (6) For residential Community Improvement Areas, the area will be at least 50 percent residential, and for commercial Community Improvement Areas, the area will be at least 50 percent commercial and appropriately zoned; and
- (7) For commercial areas, the area will be in whole or part defined as the Core Areas shown on Schedules "A" and "B". The area will exhibit symptoms of physical, functional and/or economic decline in the form of, for example, buildings in need of rehabilitation, decrease in retail sales, high vacancy rates, or declining tax base.

### **6.1.5 IMPLEMENTATION**

Implementation of the Community Improvements will occur through implementation of the Property Standards By-law; the application of Heritage designations; the acquisition of lands through municipal expenditures; the sale of public lands for commercial redevelopment; the application for various government programs, grants and loans; and the encouragement of local incentive under private enterprise.

## **6.2 POLICIES FOR HERITAGE CONSERVATION**

### **6.2.1 GENERAL**

Thames Centre possesses some older structures that warrant preservation and restoration. It shall be an objective of this Plan to coordinate the preservation, restoration,



and utilization of the historical attributes of the Municipality with comprehensive planning needs in order to benefit the community and posterity.

For the purpose of this Official Plan and any subsequent implementing documents, the term "heritage" shall include buildings, structures, archaeological sites and landscapes of architectural, historical, natural, cultural and scenic interest of significance.

### **6.2.2 OBJECTIVES**

In order to achieve the desired goal outlined above, the following objectives have been identified.

- (1) To protect, preserve and restore the original architectural detail, wherever feasible, on those significant buildings having architectural and historical merit within the context of the Municipality.
- (2) To protect, preserve and restore the original architectural detail, wherever feasible, on those buildings contributing towards heritage value of the Municipality.
- (3) To encourage the construction of new buildings to be of a design compatible with existing structures and to restrict unsympathetic alteration to buildings that would, by doing so, detract from the character of the Heritage Area.
- (4) To conserve and rehabilitate existing buildings and generally establish an area of stability through the removal of blighting influences, such as incompatible land uses, deteriorated structures and improvements to the streetscape.
- (5) To prevent the demolition, destruction, or inappropriate alteration or use of heritage resources.
- (6) To develop and encourage creative, appropriate, and economic uses of heritage.
- (7) To seek Legislative powers to enable Council to exercise controls necessary to ensure the preservation of the architectural and historical values of the Municipality.
- (8) To consider social and community needs in the preservation, restoration, and utilization of heritage resources.
- (9) To encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of heritage resources, including policy formulation.
- (10) To encourage and develop private and public financial resources and techniques in the preservation, restoration, and utilization of heritage resources.
- (11) To undertake research into the Municipality's heritage and to identify methods for its preservation, enhancement, and utilization.
- (12) To coordinate heritage policies and programs with the comprehensive planning programs of the Municipality.

- (13) To provide for the periodic review and update of heritage policies and programs.
- (14) To foster civic beauty, strengthen the local economy and to promote the use of heritage for the education, pleasure, and welfare of the residents of the Municipality and of visitors to the Municipality.



### **6.2.3 CRITERIA AND GUIDELINES**

A set of criteria has been established for the selection of sites, structures, buildings, areas, and environments of heritage significance. The basis for selection is tied to the historical and architectural development of the Municipality.

#### **6.2.3.1 Criteria for Heritage Districts – Background**

Whole areas of the Municipality may require special attention if portions of the Municipality's heritage properties are not individually significant, rather the unique character of the buildings and street patterns as a whole are what makes the area(s) significant. In these instances, a heritage conservation designation may be considered. Series of similar properties group logically to form such areas and contain a unity in their shared character and components. In addition, heritage areas, through their consistency and manageable size, provide reasonable units for effective planning and protection.

A detailed Heritage Conservation District Plan shall be prepared for all areas that are to be designated as Heritage Conservation Districts. This plan shall contain the location, historical, or architectural significance of the area in the development of the community, and justification for the designation of the district.

The area should provide an example of the historical or architectural heritage of the community. The geographical extent of such an area in some cases will not be easily defined and for this reason, the following criteria should be considered by Council and the Local Architectural Conservation Advisory Committee (LACAC) when measuring the historical or architectural heritage of a proposed district.

- (1) A significant number of buildings should reflect an aspect of the historical heritage of a community by nature of its historical location and significance of setting.
- (2) A significant number of buildings should exhibit an architectural style of construction that is significant historically or architecturally to the community, Province, or Country.
- (3) The area may contain other notable physical, environmental, and aesthetic characteristics which in themselves do not constitute sufficient grounds for the designation of a district, but which lend support when evaluating the criteria for designation.
- (4) The district may be in an area surrounding several individually designated buildings, sites, and structures, or a more extensive area such as a neighbourhood or several blocks.
- (5) The boundaries should be clearly differing factors such as changes in land use, building, or environmental character, topography, or traffic corridors.

### **6.2.3.2 Criteria for Individual Buildings - Background**

Council and the LACAC shall consider the following criteria when evaluating individual buildings for designation under the *Ontario Heritage Act*. The buildings so designated should interpret the Municipality's heritage through architectural merit and/or historical association.

- (1) Has the building been associated with the life of an historic personage or has it played a role in an important historic event?
- (2) Does the building embody the distinguishing characteristics or an architectural type recognized for its style or period of construction, or is it a notable example of workmanship by an early master builder, designer, or significant architect? It is not imperative that antiquity alone be the basis for selection, however, it should be an important consideration if other more significant examples have disappeared.
- (3) Does the building or building type have special significance in that it forms an integral component of a particular neighbourhood character within the community?
- (4) The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.
- (5) In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.
- (6) Intangible elements such as feeling, association, and aesthetics shall be considered as important as the physical appearance of the building or structure.
- (7) Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other detail including windows, doors, lights, signs, and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings.

### **6.2.4 HERITAGE CONSERVATION POLICIES**

- (1) It shall be the policy of Council to encourage the preservation of buildings and sites having historical, architectural and/or archaeological value. Council recognizes that there are archaeological resources of past Aboriginal and pioneer era settlement within the Municipality and important archaeological evidence of historic activities, which would be of value in future conservation of the built environment. Council will, therefore, ensure that development lands containing archaeological sites or areas of archaeological potential will be first assessed, and any significant resources documented be conserved through preservation or documentation and excavation.
- (2) Council shall identify and maintain a list of possible heritage buildings and sites. This list will be the basis for the preservation, restoration, and utilization of heritage resources.



When archaeological sites of significance have been identified and are determined to be significant enough to warrant preservation from future alterations, Council will advise the Ministry of Culture to determine if acquisition by the Province is warranted.

- (3) Council will designate and regulate heritage resources under appropriate legislation, including the *Ontario Heritage Act*, the *Planning Act*, and the *Municipal Act*, whenever deemed feasible.
- (4) Council shall exercise its legislative authority to control the demolition and alteration of heritage resources. Where Council has through by-laws designated individual buildings or districts under the *Ontario Heritage Act*, or established an area of Demolition Control under Section 33 of the *Planning Act*, R.S.O. 1990 Chap.P.13, no person shall demolish the whole or any part of a designated property or property in a designated area, without first receiving a permit issued by Council.
- (5) Council will establish criteria and guidelines to determine and regulate heritage resources.
- (6) Council, with the advice and assistance of LACAC, will regulate and guide alterations and additions of heritage resources.
- (7) Council will regulate traffic matters that may affect heritage resources.
- (8) Council will regulate, as appropriate, the character, use and development of the environs surrounding heritage to benefit heritage resources.
- (9) Council will amend its property standards, as appropriate, to meet the needs of heritage resources.
- (10) If necessary, Council will acquire, restore, and appropriately manage or dispose of heritage resources on a selective basis.
- (11) It shall be the policy of Council to seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.
- (12) Council will support applications for funds through various senior governmental programs to assist individual property owners with building improvements.
- (13) Council will investigate and evaluate, as appropriate, methods to achieve its heritage objectives.
- (14) Council will consider social and community needs in the preservation, improvement, and utilization of heritage resources.
- (15) Council will undertake heritage plans and programs in accordance with a system of priorities. In particular, the following will be regarded as priority guidelines for Municipal programs:

- (a) The protection of heritage areas.
  - (b) The stimulation of preservation, restoration, rehabilitation, and utilization of heritage resources by the public.
  - (c) Selective restoration and rehabilitation of heritage resources by the Municipality.
- (16) Council will restore, rehabilitate, enhance, and maintain Municipal-owned heritage resources in fulfillment of the heritage objectives and policies. As feasible, relevant by-laws, programs, and public works undertaken by the Municipality will conform to and further the heritage objectives and policies.
  - (17) Council will foster the provisions of information and public awareness concerning heritage resources.
  - (18) Realizing that a great deal of cooperation and involvement on the part of the public and business community will be required to implement a heritage program of this magnitude, Council will, wherever feasible, encourage the private and public sectors to promote heritage preservation for the benefit of all citizens of the community and posterity.
  - (19) Council shall coordinate its heritage plans and programs with heritage plans and programs of the senior levels of government in an effort to avoid duplication of effort and to reinforce mutual objectives.
  - (20) Council will develop and establish heritage plans and programs in co-ordination with Municipal planning needs and requirements.
  - (21) Council will consult with and involve local residents in heritage planning and programs.
  - (22) Council will continually review and update its heritage policies, plans and programs, and will conduct a comprehensive review every five years.
  - (23) The construction of new buildings on vacant lots in the heritage areas shall be encouraged.
  - (24) Council will investigate, and wherever desirable, take advantage for heritage purposes of special assistance programs offered by the senior levels of government.
  - (25) Council will undertake whatever additional research is required on Municipal-wide, neighbourhood, and specific heritage matters and may adopt specific policies on these matters from time to time upon completion of this research.
  - (26) Council will actively encourage senior levels of government to enact legislation and undertake programs to preserve heritage which will further the achievement of the Municipality's objectives on heritage.

## 6.2.5 IMPLEMENTATION



### **(1) Provincial Legislation**

The Municipality will, whenever desirable, use the provisions of the *Ontario Heritage Act* and the *Municipal Act*, as amended from time to time and including the provisions of Bill 127, to implement the heritage policies of this Official Plan. The LACAC established pursuant to the Legislation shall advise and assist Council on all matters specified in the *Ontario Heritage Act*.

### **(2) Zoning**

Special heritage zones will be established within the Zoning By-law, to further the achievement of applicable objectives in this Official Plan. In particular, the establishment of heritage zones will enable the Municipality to regulate matters such as the use of land, and the height, bulk, density, setback, and exterior design of buildings which are essential to the maintenance of the overall character of unique heritage areas.

Furthermore, heritage zoning regulations will stabilize development which, in turn, will encourage other investment, rehabilitation, and conversion of certain uses to uses which are more compatible with the stated objectives of this Plan. The establishment of heritage zones will endeavour to preserve existing heritage buildings or sites, and discourage their demolition.

### **(3) Site Plan Control**

A Site Plan Control By-law shall be enacted to require an owner of property within a heritage area as a condition of development or redevelopment to enter into an agreement with the Municipality. This agreement establishes conditions that shall be met by the property owner with regard to site development or redevelopment, and any other matters (permitted by the *Planning Act*) which the Municipality deems necessary to achieve certain objectives of this Plan.

### **(4) Property Standards By-Law**

This By-law will be amended, as appropriate, to provide special provisions for heritage resources.

### **(5) Committee of Adjustment**

Applications for severances and minor variances to the Zoning By-law's heritage zones, will be carefully considered by the Committee of Adjustment and will only be approved where they are desirable to achieve the heritage objectives and policies of this Plan.

### **(6) Public Acquisition of Land**

The Municipality will, wherever desirable and economically feasible, purchase or otherwise acquire an interest in land to effect the implementation of the heritage policies of this Plan.

### **(7) Sign By-Law**

The Municipality shall enact a Sign By-law to regulate signs in heritage zones. This legislation will allow the Municipality to control the visual impact of advertising and sign design and/or placement within the Heritage Area. Where a Sign By-law is in effect, the approval of the Committee of Adjustment is required before a variance to the Sign By-law may occur.

### **6.3 ECONOMIC DEVELOPMENT**

It is the intent of this Plan to develop the Municipality to its fullest economic potential, while maintaining the quality of life existing residents have come to expect. This Plan hopes to promote the economic wellbeing of local residents and to provide employment opportunities. It is also the intent of the Plan to achieve greater diversification in the Municipality's overall economic base, while continuing to encourage and promote the development of the traditional agricultural, industrial and commercial base of the Municipality. In addition, economic development through tourism will also be promoted and encouraged in the Municipality.

The general policies to be considered in the economic development of the Municipality are as follows:

- (1) The Municipality shall encourage the expansion and diversification of the Municipality's economic base in order to maximize the number and types of employment opportunities and to stabilize the impact of cyclical and long-term economic trends in various agricultural, industrial, service and commercial sectors upon the Municipality and its residents.
- (2) The Municipality recognizes the importance of tourism to growth in the local economy and in employment, and will encourage the strengthening, and promote the further development, of tourism and recreation opportunities in the Municipality by preserving heritage through maintaining historic sites, maintaining public access to the Thames River and other waterfront opportunities, the enhancement of the natural environment and wetland ecosystem of the area, and through the promotion of the Municipality.
- (3) The Municipality may undertake and adopt an economic development strategy for the Municipality in order to give focus and direction to its economic development efforts. This economic development strategy shall serve as a basis for the promotion of economic development in the Municipality and may be undertaken in cooperation with neighbouring municipalities and in particular the County of Middlesex.
- (4) The Municipality may participate in any programs offered by other levels of government to improve employment opportunities and promote economic development.
- (5) The Municipality may cooperate with other levels of government to develop a strategy and program to acquire and develop land for economic development purposes.

- (6) The Municipality may cooperate to develop an incubator mall, which may utilize existing vacant or underutilized buildings, to nurture new business ventures.
- (7) The Municipality shall consider, upon request, participating in data collection and providing support services for public agencies engaged in tourism.
- (8) The Municipality shall consider participating through financial or other support in Municipality-wide cultural, heritage, convention and recreation activities that support tourism.
- (9) Within areas under an industrial designation, the Municipality shall promote efficient, economical use of the land resources. The use of large lots by small industries will be discouraged unless there is a need for future expansion.
- (10) As part of its on-going planning process, the Municipality will consider the short and long-term, direct and indirect, economic impacts of various types of development.
- (11) In pursuing economic development, the Municipality will, at all times, ensure that the costs associated with development are within the Municipality's financial capabilities, and that there are no undue social or environmental costs.
- (12) The Municipality shall promote, and may participate in partnership with private development and/or the local Conservation Authority, in the development of tourism opportunities along the Thames River.



## **SECTION 7. IMPLEMENTATION AND INTERPRETATION**

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### **7.1 GENERAL**

This Official Plan shall be implemented by means of the powers conferred upon Municipal Council by the *Planning Act*, the *Municipal Act*, the *Ontario Heritage Act*, and such other statutes as may be applicable. In particular, this Plan shall be implemented by Zoning By-laws, ~~a Property Standards By-law (if applicable)~~, legislation pursuant to the *Municipal Act*, subdivision and part-lot control by-laws, the construction of public works, and a capital works program.

References to specific sections within Provincial and Federal Statutes are made within this Plan. These references, if amended, deleted or renumbered within the Statutes, shall not create the need to amend this Plan. The reference shall be interpreted to incorporate the relevant changes to the Statutes.

Where a Provincial ministry name changes, such changes may also occur to the Official Plan without an amendment to the Official Plan.

### **7.2 ZONING BY-LAW**

It is intended that the Council of the Municipality shall bring a comprehensive Zoning By-law into effect in accordance with the provisions of the *Planning Act*. Such by-law shall zone land in accordance with the proposals contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures. No application may be approved or by-law passed that does not conform to this Plan, save and except a by-law pursuant to Section 24 of the *Planning Act*, R.S.O. 1990 Chap.P.13. Lands designated on Schedules "A" and "B" may be zoned to a "Holding" or "Agricultural" Zone in the Zoning By-law pending their appropriate timing for their respective uses in accordance with the designations as shown on the Land Use Plan and policies related thereto, when Council is satisfied that the resulting development is desirable and appropriate.

### **7.3 NON-CONFORMING USES**

A 'non-conforming use' as referred to in the Plan means an existing use of land that is not permitted in the land use designation in which it is located. While it may be desirable that such uses cease to exist in the long run and be replaced by use that are permitted, such a scenario may not be practical or feasible and may bring undue and unnecessary hardship to the owner and to the Municipality. Where such a use has existed in harmony with neighbouring uses for a considerable period of time and is not causing undue adverse impacts on neighbouring uses and is not jeopardizing the public interest, the use may be recognized and zoned as a conforming use in the Zoning By-law and be permitted a reasonable ability to expand and to change to another use in accordance with the following:

- i) The use does not constitute a danger, nuisance, blight or conflict with respect to neighbouring uses by virtue of its operation or the traffic which it generates;
- ii) Any expansion or enlargement of the use is only permitted if such expansion or enlargement would not be detrimental to neighbouring uses;
- iii) Any change of use is as, or more, compatible with neighbouring uses;
- iv) Where a building or structure associated with any such use is located on lands subject to natural hazards, any reconstruction, extension or enlargement of the building or structure shall comply with the relevant policies of this Plan.

A "non-conforming use" within the context of a Zoning By-law is an existing use that is not permitted in the zone within which it is located. The *Planning Act* allows Council and/or the Committee of Adjustment to approve of extensions and enlargements to such non-conforming uses.

As a general guide to assist in the administration of this Plan and the Zoning By-law, as the case requires, where a non-conforming use ceases to exist for a continuous period of two years, it shall be deemed to have lost its status as a non-conforming use.

#### **7.4 APPLICATIONS FOR ENLARGEMENTS OR EXTENSIONS OF NON-CONFORMING USES**

In dealing with applications for the enlargement or extension of a non-conforming use, Council or the Committee of Adjustment, as the case may be, shall first determine that unnecessary hardship would result if the application was not approved, then, the following procedures will be followed:

##### **7.4.1 POSSIBLE ACQUISITION**

Municipal Council shall determine the feasibility of acquiring the property concerned at the time of application or possibly at some future date and of holding, selling, leasing, or redeveloping the property, in accordance with the provisions of the *Planning Act*. Special attention will be given to the chances for the re-establishment of the use under consideration in a different location where it would be able to perform and produce under improved conditions, in accordance with the policies of this Official Plan.

##### **7.4.2 AMENDING BY-LAW OR COMMITTEE OF ADJUSTMENT**

If acquisition or relocation at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, the Council of the Municipality may consider the passing of a Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990 Chap.P.13 and such by-law may then be passed without necessity to amend this Plan providing it complies with the policies of this Plan, in particular as set out in the following subsection. The individual may also apply to the Committee of Adjustment for a minor variance from the provisions of the by-law, in respect of the land, building or structure or use thereof as long as the variance is desirable for the appropriate development or use of the land, building or structure and provided that in the opinion of the Committee of

Adjustment, the general intent and purpose of the by-law and this Official Plan are being maintained. The guidelines set out below should also be considered.



### 7.4.3 CONSIDERATIONS

Prior to making any decision on the application, the Council will investigate such application on the various aspects of the matter. The Council, before passing such a by-law, shall be satisfied that each of the following requirements which are relevant to the specific application for the extension or enlargement of the use are, or will be, fulfilled in order to safeguard the wider interests of the general public. The Committee of Adjustment in reaching its decision on an application under Section 45 of the *Planning Act, R.S.O. 1990 Chap.P.13*, should also be satisfied that the following relevant requirements have been met:

- (1) That the proposed extension or enlargement of the established use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the implementing Zoning By-law applying to the area.
- (2) That the proposed extension or enlargement shall be minor in nature.
- (3) That an application which would affect the boundary areas of different land use designations on the Land Use Plan will only be processed under these policies, if it can be considered as a "minor adjustment" permitted under the flexibility clause of Section 7.16 of this Plan without the need for an amendment. Any major variances will require an amendment to the Official Plan.
- (4) The characteristics of the existing use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting, and traffic-generating capacity. No amendment to the implementing By-law shall be made if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area. If there is any doubt in this regard, Council or the Committee of Adjustment shall consult with the Ontario Ministry of Environment prior to making a decision on the compatibility of any proposed extension or enlargement.
- (5) That the neighbouring uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances, and where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be also extended to the established use in order to improve its compatibility with the surrounding area.
- (6) That traffic and parking conditions of the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and improvement of sight conditions, especially in proximity to intersections.
- (7) That adequate provisions have been, or will be, made for off-street parking and loading facilities.

- (8) That applicable municipal services such as water supply and roads, etc. are adequate or can be made adequate.

## **7.5 PROPERTY STANDARDS BY-LAW**

Municipal Council may pass a by-law to establish minimum property standards to conserve, sustain and protect existing and future development of the Municipality. The Property Standards By-law, applicable to all properties, shall contain requirements with respect to:

- (1) garbage disposal;
- (2) pest prevention;
- (3) structural maintenance of buildings;
- (4) safety of buildings;
- (5) cleanliness of buildings;
- (6) services to buildings - plumbing, heating, and electricity;
- (7) maintenance of yards, lands, parking, storage, loading and unloading areas, including the removal of rubbish, debris, weeds, abandoned or used vehicles, trailers, boats, barges, mechanical equipment or material;
- (8) maintaining fences, swimming pools, accessory buildings, and signs; and
- (9) occupancy standards.

If a Property Standards By-law is passed, the Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the Property Standards By-law. The Municipality shall appoint a property standards committee, in accordance with the Section 31 of the *Planning Act, R.S.O. 1990 Chap.P.13*, for the purpose of hearing appeals against orders of the Property Standards Officer.

The measures to be used generally in achieving the property maintenance program would include an education and public relations program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.

Complementary to the enforcement of standards on private properties, the Municipality will undertake to keep in a fit and well-mannered condition all municipally owned properties and structures, and to provide or maintain in good repair.

## 7.6 SITE PLAN CONTROL

The following policies shall apply to all Site Plan Control applications.

- (1) ~~As provided in the Planning Act, R.S.O. 1990 Chap.P.13, the Councils of the two former Townships have, by by-law, designated areas where Site Plan Control will be in effect.~~ The entire Municipality, with the exception of land used or proposed for single and two unit residential uses, free-hold street townhouse units, sand and gravel pits, and farm buildings and structures, is proposed designated as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. ~~Non-agricultural land uses permitted within areas designated Agricultural, Wetlands, and/or part of the "greens-space" system within the Municipality are considered to be in the proposed Site Plan Control Area.~~
- (2) For the approval of developments proposed in the Site Plan Control Area, ~~Council the Municipality~~ may require plans showing the location of buildings, structures and facilities to be developed, the provision and maintenance of facilities related to vehicular access, landscaping, buffering, parking and loading areas, grading and drainage, external lighting and other site features in order to ensure that such plans meet the objectives stated below. ~~Council The Municipality~~ may require drawings showing plan, elevation and cross-section views for each building to be erected.

For this subsection, "development" means:

- (a) The construction, erection or placing of one or more buildings or structures;
- (b) An addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
- (c) The laying out and establishment of a:
  - (i) commercial parking lot;
  - (ii) site for the location of three or more trailers; or
  - (iii) site for the location of three or more mobile homes; or
- ~~(d) The construction, erection or location of three or more land lease community homes.~~
- ~~(e) The laying out and establishment of outdoor recreation uses unless accessory to a residential use.~~
- ~~(d)(f) The laying out and establishment of outdoor patios associated with restaurants or taverns.~~
- (3) The overall objective of Site Plan Control is to improve the efficiency of land use and servicing, to protect adjacent land use and to encourage a more attractive form of development by:



- (a) Improving the treatment of site plan details to maintain a consistent municipal standard in the proposed Site Plan Control Area;
  - (b) Ensuring the safety and efficiency of vehicular and pedestrian access;
  - (c) Minimizing land use incompatibility between new and existing development;
  - (d) Providing functional and attractive on-site facilities such as landscaping and lighting;
  - (e) Controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection;
  - (f) Securing easements to provide for public utilities and site drainage; and
  - (g) Ensuring that the development proposed is built and maintained as approved by Council.
- (4) In order to achieve these objectives, Site Plan Control will address such matters as the location of buildings and structures, proposed road widenings, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage facilities, private and common outdoor areas, easements over and grading of the lands, provision of the disposal of storm, surface and waste water from the site and such matters as may be appropriate in each case.
- (5) For the approval of developments proposed in the Site Plan Control Area, Council-the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with and ensuring the provision and/or maintenance of any or all of the facilities, works or matters mentioned in Section 7.6(4) of this Plan.
- (6) Site Plan Control may be used by the Municipality to secure property for proposed road widenings without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. In cases that existing uses or topographical features do not allow for equal widenings of both sides of a roadway, a side being measured from the centreline of the road outwards, then only one-half of the total widening shall be taken under Site Plan Control and the remainder shall be obtained by other means.
- (7) The Municipality shall prepare and adopt site plan guidelines to assist development proponents in preparing their plans for submission and approval by the Municipality. The Municipality shall also prepare and adopt urban design guidelines to promote quality built form.
- (8) In applying site plan control, the Municipality may exercise its authority related to exterior design including the design, shape and coordination of architectural features such as balconies, cornices, banding, building materials, colour,

dormers, frieze, parapet, windows, and any other design feature that affects the appearance or exterior facade of a proposed building or building addition.

The Municipality may also require the provision of sustainable design elements on an adjoining street or highway under the Municipality's jurisdiction, including without limitation, trees, shrubs, hedges, plantings, paving materials and other ground cover, sidewalks, trails and pathways, street furniture and curb ramps to further its efforts to implement the policies of this Plan and improve streetscapes in the Urban Settlement Areas of Dorchester and Thorndale.

## 7.7 **INTERIM CONTROL BY-LAW**

Interim Control By-laws may be used by the Municipality to restrict development in areas subject to certain studies such as servicing feasibility studies, parkland feasibility studies, etc.

- (1) In accordance with Section 38 of the *Planning Act, R.S.O. 1990 Chap.P.13*, where the Council has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the Municipality, or any defined area or areas, the Council may pass an Interim Control By-law. The By-law may specify a time period (less than one year) prohibiting the use of land, buildings or structures for, or except for such purposes as set out in the By-law.
- (2) Once the time period of the By-law has expired, the period of time during which the Interim Control By-law may remain in effect may be extended to a maximum of two years from the date of initial passing of the By-law. If the Council has not passed a By-law under Section 34 subsequent to the completion or review of the study within the period of time specified in the Interim Control By-law, the provisions of any by-law passed under Section 34 that applied to the subject lands immediately prior to the coming into force of the Interim Control By-law again come into force. Where an Interim Control By-law ceases to be in effect, the Council may not, for a period of three years, pass a further Interim Control By-law that applies to any lands to which the original Interim Control By-law applied.

## 7.8 **BONUSING**

~~Council may pass a by-law in accordance with Section 37 of the *Planning Act, R.S.O. 1990 Chap.P.13*, to authorize increases in height and density of development in return for the provisions of certain facilities, services or other matters outlined in the by-law. Such a by-law shall identify areas or Zone categories where the bonus provisions would apply, and shall specify the amount by which the height or density of the development would be permitted to increase.~~

~~Council will give consideration to proposals to increase the height and/or density for a specific site, but such proposals may not necessarily be granted. When considering such proposals, Council shall have due regard to the compatibility and scale of the proposed development in relation to the existing land uses, and to the cumulative impact resulting from granting bonuses in the general area.~~



~~The facilities, services, or other matters that are required in the by-law may include, but shall not be limited to, the provisions of affordable housing units to meet established housing targets, day care centres/facilities, parkland beyond the legislated requirements, hard servicing facilities (sanitary and storm sewers and watermains) above and beyond those required to service the development, increased buffering or landscaping, the use or re-use of vacant land and/or buildings (particularly in the commercial Core Areas), the preservation of heritage buildings and/or cultural heritage landscapes, the provisions of community or recreational facilities, open space, and the redevelopment of blighting land use.~~

~~Generally, the use of this Section shall only be considered in conjunction with medium and/or high density residential developments, and/or mixed-use commercial/residential projects in areas where full municipal services are available.~~

#### **7.97.8 HOLDING BY-LAW**

A Holding By-law, as provided for under Section 36 of the *Planning Act*, R.S.O. 1990 Chap.P. 13, may be applied by the Municipality where it is necessary and desirable to zone lands for development in advance of the fulfillment of specific requirements or conditions, or where the details of the development have not yet been fully resolved. These details or circumstances include, but are not limited to: the completion of future subdivision of lands; the provision of adequate services or road works; the establishment of land use compatibility; the entering into of an agreement between the developer/owner and the Municipality; or the completion of Environmental Impact Study or environmental remediation.

~~Not all lands will necessarily be zoned immediately in the implementing Zoning By-law to permit the uses as designated on Schedules "A" and "B" of this Plan. Lands may be zoned only to conform to and wherever possible, to implement policies of this Plan and where municipal services, roads and community facilities are or will be available as required.~~

The Council may, by the use of the symbol "h" as a prefix or a suffix to any use designation in a Zoning-By-law, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the Zoning By-law. This procedure will enable the holding of lands designated for specific land uses in this Plan until such time as the land is required for that use for phasing purposes or until necessary concept plans or subdivision design have been prepared. Removal of the holding symbol shall be conditional upon the developer of the land satisfying the Municipality that its specific requirements have been met.

~~Although notice will be given by By-law, there may be no objection or referral to the Ontario Municipal Board. However, should Council refuse to pass an amending by-law to remove the holding symbol, if it is felt the development is premature due to demand or failure to meet a requirement of this Plan, the applicant may appeal the decision to the Ontario Municipal Board in the prescribed manner. While the holding symbol is in place, the following interim uses shall be permitted: agriculture, conservation, wildlife and forest management and the existing uses.~~

## **7.107.9 TEMPORARY USE BY-LAWS**

The Council may, in a by-law passed under Section 39 of the *Planning Act, R.S.O. 1990 Chap.P.13*, authorize the temporary use of lands, buildings or structures for any purpose set out therein that is otherwise prohibited by this Plan and/or by the Zoning By-law. Council shall satisfy itself that the proposed use is temporary, will not create detrimental effects on the surrounding area, is compatible with surrounding land uses, is adequately serviced, will not create any undue traffic or parking impacts, and conforms to the general intent of this Official Plan. Any temporary use permitted shall comply with the general development standards contained in Section 2 of this Plan.

A by-law authorizing a temporary use shall define the area to which the temporary use by-law applies and the period for which it shall be in effect, not to exceed three years from the date of passing of the by-law for all temporary uses except "garden suites" or "granny flats". Garden suites, as defined by the *Planning Act, R.S.O. 1990 Chap.P.13*, may have by-laws passed to be in effect for up to ~~ten~~ twenty years from the date of passage. For uses other than garden suites the three-year time period may, by by-law, be extended for further periods of not more than three years each. The temporary use shall not become a legal non-conforming use at the date of expiry of the by-law. The type of uses envisaged by Council as using a temporary use by-law include, but are not limited to, parking lots, fairs, plowing matches, temporary use of a mobile home as a dwelling unit, or the existence of two homes on one lot while one of the homes is under construction.

## **7.11 DEVELOPMENT PERMITS**

~~If and when Provincial legislation is changed to allow for a Development Permit System, the Municipality of Thames Centre shall consider utilizing development permits to facilitate and regulate development.~~

## **7.127.10 LEGISLATION PURSUANT TO THE MUNICIPAL ACT**

It is intended that the Municipality shall review existing legislation pursuant to the *Municipal Act* governing such uses as automobile salvage/recycling yards and signs and, where necessary, amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled.

## **7.137.11 ENACTMENT OF MISCELLANEOUS BY-LAWS**

Council will review legislation pertaining to or affecting the use or redevelopment of land and, where necessary, amend existing by-laws or pass new by-laws to ensure that such matters are properly regulated and controlled. Examples of such by-laws include sign control and "deeming" by-laws which effectively de-register old plans of subdivision, the development of which could contradict the objectives and policies of this Plan.



#### **7.147.12 CONSTRUCTION OF PUBLIC WORKS**

The construction of public works within the Municipality shall be carried out in accordance with the policies of this Plan.

#### **7.157.13 CAPITAL WORKS PROGRAM**

It is intended that this Plan will enable the Municipality to prepare and adopt successive five-year capital works programs based upon the policies of this Plan.

#### **7.167.14 CREATION OF COMMITTEES**

In order to assist Council in dealing with various community planning issues, advisory committees may be created.

- (1) To assist in the program for preservation of the Municipality's heritage, Council shall under Section 28 of the *Ontario Heritage Act*, establish a "Local Architectural Conservation Advisory Committee (LACAC)". It is recommended that members of this Committee be selected from local organizations, historical groups, architectural societies, and other appropriate bodies where they exist. This will provide a combination of diverse skills and interests to complement the general heritage preservation goals and objectives. The Committee's primary purpose will be to advise and assist Council on all specified matters relating to the *Ontario Heritage Act*. The Committee shall be responsible for other special heritage concerns of the Municipality.
- (2) To assist in the program of identifying and preserving the natural environment, Council may establish an "Environmental Advisory Committee". It is recommended that members of this Committee be selected by Council from a balanced representation of the local public at large, the local hunting and fishing community, naturalists, large land owners, and persons with an interest in the preservation and enhancement of areas of the natural heritage landscape. The Committee will assist Council with technical expertise, advice and the identification of issues related to the environment. Council will ensure the effective function of this advisory committee by adopting terms of reference for their mandate and operation, appointing one or more members of Council to the Committee and providing support services through staff.

#### **7.177.15 LAND USE BOUNDARIES**

The boundaries of the land use designations on the Land Use Schedules are approximate and shall be considered as absolute only where bounded by roads, railways, rivers, or similar geographical barriers. Amendments to the Plan are not required in order to make minor adjustments to the land use boundaries provided the intent of the Plan is preserved.



#### **7.187.16** LAND AREAS, POPULATION ESTIMATES, ETC.

It is intended that all figures and quantities shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.

#### **7.197.17** GENERAL REVIEW OF PLAN

This Plan will be reviewed from time to time in light of changing conditions and that Council, not less frequently than every five years, hold a special meeting, open to the public and in accordance with the *Planning Act*, to determine the need for any amendments or revisions to the Plan.

A comprehensive review of the Plan shall be undertaken towards the end of the planning period unless circumstances warrant an earlier review.

#### **7.207.18** AMENDMENTS TO THE OFFICIAL PLAN

The Municipality shall be responsible for the preliminary review of all proposed Official Plan and Zoning By-law amendments, plans of subdivisions and all other planning related activities in the Municipality. The Municipality shall give consideration to all applications to amend its Official Plan.

An amendment to this Plan is required to permit the establishment of uses other than those provided for and to change the boundaries of any Settlement Area. In considering an amendment to this Plan, Council shall have due regard to the following items (in order of priority):

- (1) The Provincial Policy Statement, as amended from time to time;
- (2) the desirability and appropriateness of changing the Official Plan to accommodate the proposed use in light of the basic objectives and intent of the Official Plan;
- (3) the goals and policies of this Plan;
- (4) conformity with County policy;
- (5) the need for the proposed use, including justification for the amount of land proposed for a change in designation based on existing undeveloped lands available for development;
- (6) whether the subject lands are within 120 metres of lands designated "Natural Area" and the results of an Environmental Impact Study as outlined in Section 3.2.3.1 of this Plan;
- (7) the effect on the economy and financial position of the Municipality;

- (8) the compatibility of the proposed use with existing uses or potential uses in adjoining areas and the effect of such use on the surrounding area including the natural environment;
- (9) the location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services as required, including the ability to provide logical extensions to existing services;
- (10) the physical suitability of the land for the proposed use;
- (11) the effect on the provision of affordable housing in the Municipality; and
- (12) whether the subject lands contain natural features or natural hazard lands that should be subject to an Environmental Impact Study as outlined in Section 3.2.3.1 of this Plan.

Council may also initiate amendments to the Official Plan if:

- (1) Council has determined that the assumptions and conditions on which the Plan's policies were based have changed to the extent that the policies are no longer appropriate; or
- (2) as a result of more detailed studies such as servicing strategies, transportation plans, environmental studies, or area plans, the policies and/or designations require refinement and/or change.

Pursuant to the *Planning Act*, in cases where the Municipality is not the approval authority or delegated approval authority, the Municipality shall forward all Official Plan amendments adopted by Municipal Council to the proper authority, no later than 15 days after Municipal Council adoption, for approval.

## **7.19 SECONDARY PLANS**

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



A Secondary Plan shall be implemented as an Amendment to this Plan. In the event of a conflict between the Secondary Plan and any other section of the Official Plan, the policies of the secondary plan shall apply.

As a minimum, Secondary Plans shall address the following requirements by providing:

a) A statement of objectives and goals specific to the Secondary Plan Area;

b) A land use plan for the Secondary Plan Area;

c) Policies related to land use designations, parks and open spaces, transportation, infrastructure, servicing related to water, wastewater and stormwater and urban design;

#### **7.20.17.19.1 EXCEPTIONS**

The following items are excepted and may be changed or deviated from, to the extent stated, without an amendment. When minor deviations to the Plan are made, however, these deviations shall be incorporated in the next amendment in order to illustrate the most current version of the Plan.

- (1) Boundaries between designated land uses may be adjusted where such boundaries are not affected by roads, railways or other similar barriers, so long as the intent and purpose of the Official Plan is maintained and the adjustments are of a minor nature.
- (2) In undeveloped areas, school sites, parks and neighbourhood commercial areas may be incorporated into subdivision designs in a manner most suitable to topography and layout, so long as they conform to the details and intent shown in the Land Use Schedules of this Plan.
- (3) In the text and when shown on the Land Use Schedules, locations relating to parks, roads, services and other public works are not intended to be exact or rigid but to be close approximations. It is intended that reasonable latitude will be available to Council in the interpretation and application of this information when actually establishing or approving the size and exact location of such facilities, so long as the intent and purpose of the Official Plan are maintained.

#### **7.247.20 PUBLIC NOTICE OF AMENDMENTS**

Council shall actively seek the views and participation of the public prior to making any decisions regarding amendments to this Official Plan or the Zoning By-law for the Municipality.

In each case involving such planning matters, at least one public meeting will be called and the public will be encouraged to offer their opinions and suggestions. Notice of said public meetings shall be provided in accordance with Sections 17(15(c)) and 34(12) of the *Planning Act, R.S.O. 1990 Chap.P.13*.



Calling and holding public meetings on planning matters shall be the responsibility of the Council or, in cases where Council has delegated the responsibility, to a formal Committee of Council.

In order to provide ample opportunity to the general public to review and discuss proposed Official Plan and or Zoning By-law amendments and to prepare their comments, at least 14 days advance notice of the public meeting shall be given for site specific Zoning By-law amendments and 20 days for site specific Official Plan amendments. The clerk of the Municipality shall give notice of the public meeting in the following manner:

- (1) By personal service or prepaid first class mail, to every owner of land,
  - (a) in the area to which the proposed amendment would apply; and
  - (b) within 120 metres of the area to which the proposed amendment would apply.

As shown on the last revised assessment roll of the Municipality, at the address shown on the roll, but, where the clerk of the Municipality has received written notice of a change of ownership of land, notice shall be given only to the new owner at the address set out in the written notice.

- (2) Notice of a public meeting for the purpose of informing the public in respect of a site specific Official Plan amendment or site specific Zoning By-law amendment shall be given by personal service or prepaid first class mail to every person and agency that has given the clerk of the Municipality a written request for such notice in respect of the proposed official plan or plan amendment.

A written request to be notified given shall show the person's or agency's address.

The notice of public meeting shall contain the following information:

- (1) date, time, and place of meeting;
- (2) a key plan showing the location of the subject site; and
- (3) a description of the proposal, or a description of the matters which may be addressed in an amendment to the Official Plan or Zoning By-law in the event that the application is approved.

In addition to the notice of public meeting, the applicant in the case of a site specific amendment to the Official Plan or Zoning By-law shall be required to post a notice on the property to the satisfaction of the Municipality, clearly visible to the general public, which would briefly describe the development proposal. The notice shall be in place at least twenty (20) days in advance of the public meeting.

Notwithstanding the notice period prescribed in this Section, a 20-day notice period as set out in Section 17(17) and 34(13) of the *Planning Act, R.S.O. 1990 Chap.P.13*, shall apply in instances of a general Official Plan or Zoning By-law amendment, Official Plan or By-

law amendment where there is no public notice sign placed on the subject property, or where Council considers a development proposal to be of a scale which may impact significantly on neighbouring properties.

The provisions of this subsection shall be implemented by the clerk of the Municipality giving notice in the manner prescribed in this amendment.

#### **7.227.21 DELEGATED AUTHORITY**

Where reference is made to approvals from a Provincial Ministry or Conservation Authority, and the responsibility is subsequently assigned to a different Ministry, the County of Middlesex, or a delegated agent, the Plan shall be interpreted to read "or its delegated agent".

#### **7.237.22 PRE-CONSULTATION AND COMPLETE APPLICATIONS**

Prior to the submission of a formal application to amend the Official Plan or to amend the Zoning By-law, or for the purpose of being granted a Consent, the applicant or authorized agent shall attend, if considered necessary, a pre-application meeting convened by the Director of ~~Community Services and Development~~Planning and Development Services or his designate. The purpose of the pre-application meeting is to ensure the submission of a 'complete application' along with all the supporting studies and reports necessary by the Municipality to ensure the appropriate information and technical basis is submitted to the Municipality in accordance with Section 22(5), Section 34(10.2) and Section 53(3) of the *Planning Act*, as the case may be, to enable the Municipality to properly evaluate and reach a decision on the application within the time prescribed by the *Planning Act*; to ensure the relevant requirements of the Official Plan are addressed and to ensure the approval authority and interested public agencies as the case may be and the public will have a full and complete understanding of the proposal and its potential impacts.

#### **7.23.1 SUPPORTING STUDIES**

Without limiting the generality of the forgoing, the required studies may include any or all of the following:

- Topographic Survey
- Servicing Report
- Hydrogeological Report
- Land Use Compatibility
- Geotechnical Report
- Environmental Impact Study (E.I.S.)
- Traffic Analysis and Impact Study
- Conceptual Stormwater Management Plan
- Tree Survey and Preservation Plan
- Archeological Assessment
- Natural Heritage Assessment
- Natural Hazards
- Noise Analysis

- Vibration Analysis
- Odours, Dust and Nuisance Impacts
- Cultural Heritage Impact Analysis
- Built Heritage Impacts
- Record of Site Conditions (RSC)
- Planning Justification
- Other (to be specified)

### 7.23.2 PREPARATION

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

### 7.23.3 PEER REVIEW

If upon completion and subsequent review of a study or report submitted in support of an application referred to in Section 7.23.1 there remains unresolved matters between the findings and/or recommendations of the study and the position/opinion of the Municipality and/or as a result of agency review, the Municipality may, at the applicant's expense, retain the services of its own professionally qualified and independent person or consultant to conduct a peer review of such study to provide an independent opinion on such matters.

## 7.24.23 CORRECTIONS

Changes in punctuation, numbering, format or language or other corrections of a clerical, editorial, grammatical, or typographical nature that would not affect the intent or meaning of the document in any way, may be made without an amendment to this Plan.

### 7.24.1 LIST OF CORRECTIONS

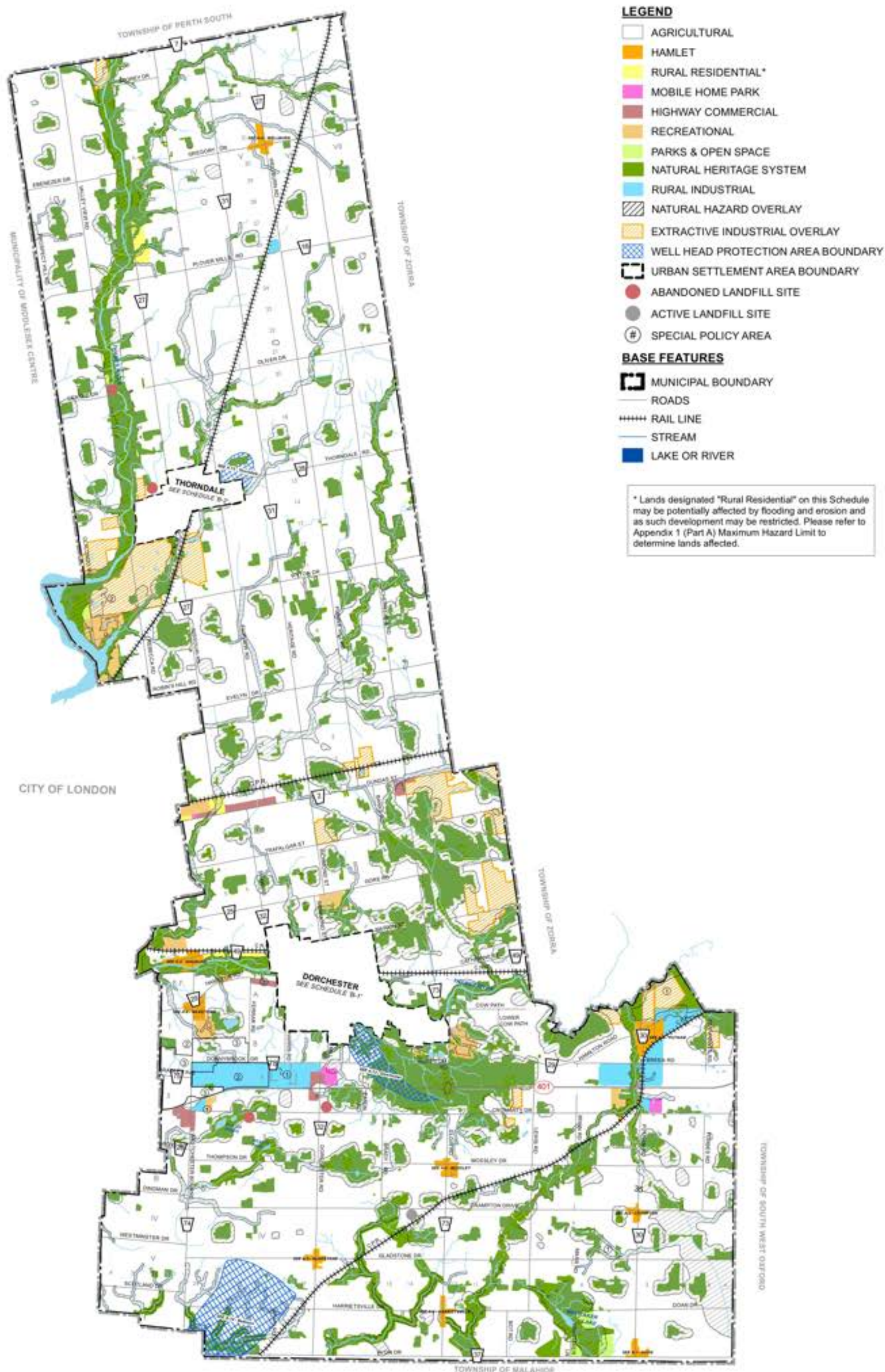
[ Following the policy direction provided by Section 7.24, the following corrections of a clerical, editorial, grammatical or typographical nature have been made to this Plan without an amendment thereto:

- 1) Through OPA 12, Section 1.1.1 of the Plan was amended and although Schedule 'C' – Transportation Plan, Schedule 'B-1' Urban Settlement Area of Dorchester, Land Use Plan, and Schedule 'B-2' Urban Settlement Area of Thorndale were, respectively, changed to Schedules 'B', 'C' and 'D', there were no references in the implementing OPA to amend all text references accordingly. To address this error, the foregoing Schedules will continue to be known as Schedules 'C', 'B-1' and 'B-2'. The second paragraph of Section 1.1 has been revised by deleting "D" and replacing it with "C".
- 2) Also through OPA 12, Section 4.5.3.1 of the Plan was amended to Settlement Industrial Policy 1 lands were described as being situated in the Thorndale Industrial Area and located "southwest of Waubuno Creek" being a typographical error. To address this issue, those words were deleted. OPA 12 makes no reference to amending Schedule



'B-2', Urban Settlement Area of Thorndale, to identify such lands as Settlement Industrial Policy 1. To address this error, Schedule 'B-2' has been revised accordingly.

- 3) Prior to OPA 12, the lands situated on the west side of Nissouri Road north comprising part of the east half of the south half of lot 14, Concession II (West Nissouri) were designated 'Rural Industrial Special Policy 4'. Through OPA 12, these lands were redesignated to 'Settlement Industrial' and included within Urban Settlement Area of Thorndale. Inadvertently, Special Policy 4 was deleted from the mapping schedule. Through the redesignation of the lands to 'Settlement Industrial', the special policy is to apply renumbered to Special Policy 2 within the 'Settlement Industrial' designation. To address this oversight, Schedule 'B-2' Urban Settlement Area of Thorndale and Section 4.5.3.1 have been revised accordingly.]





'Settlement Area Boundaries' - Schedules 'A-1' to 'A-4'





# 'Settlement Area Boundaries' - Schedules 'A-5' to 'A-8'







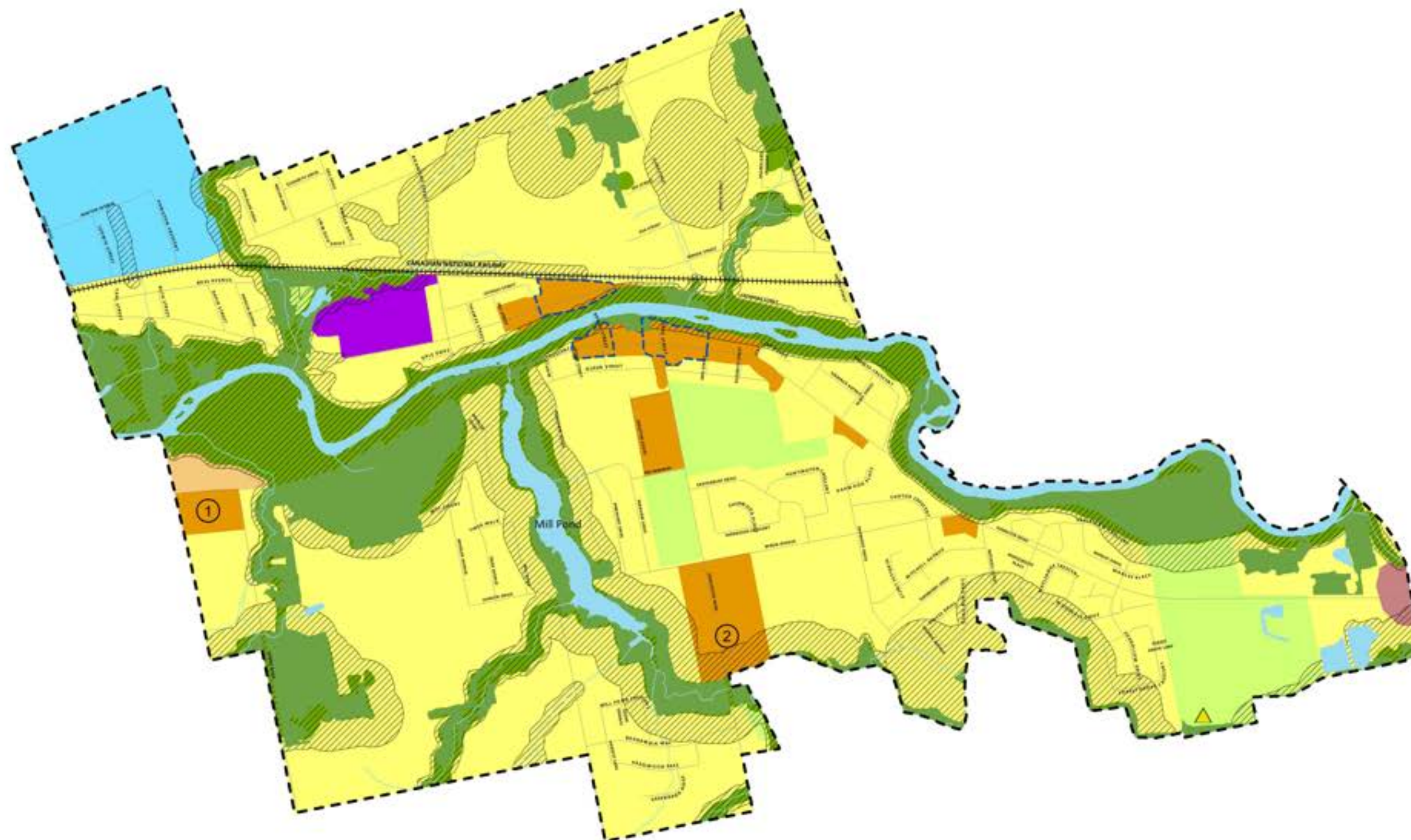
Waubuno



# 'Settlement Area Boundaries' - Schedules 'A-10' to 'A-11'







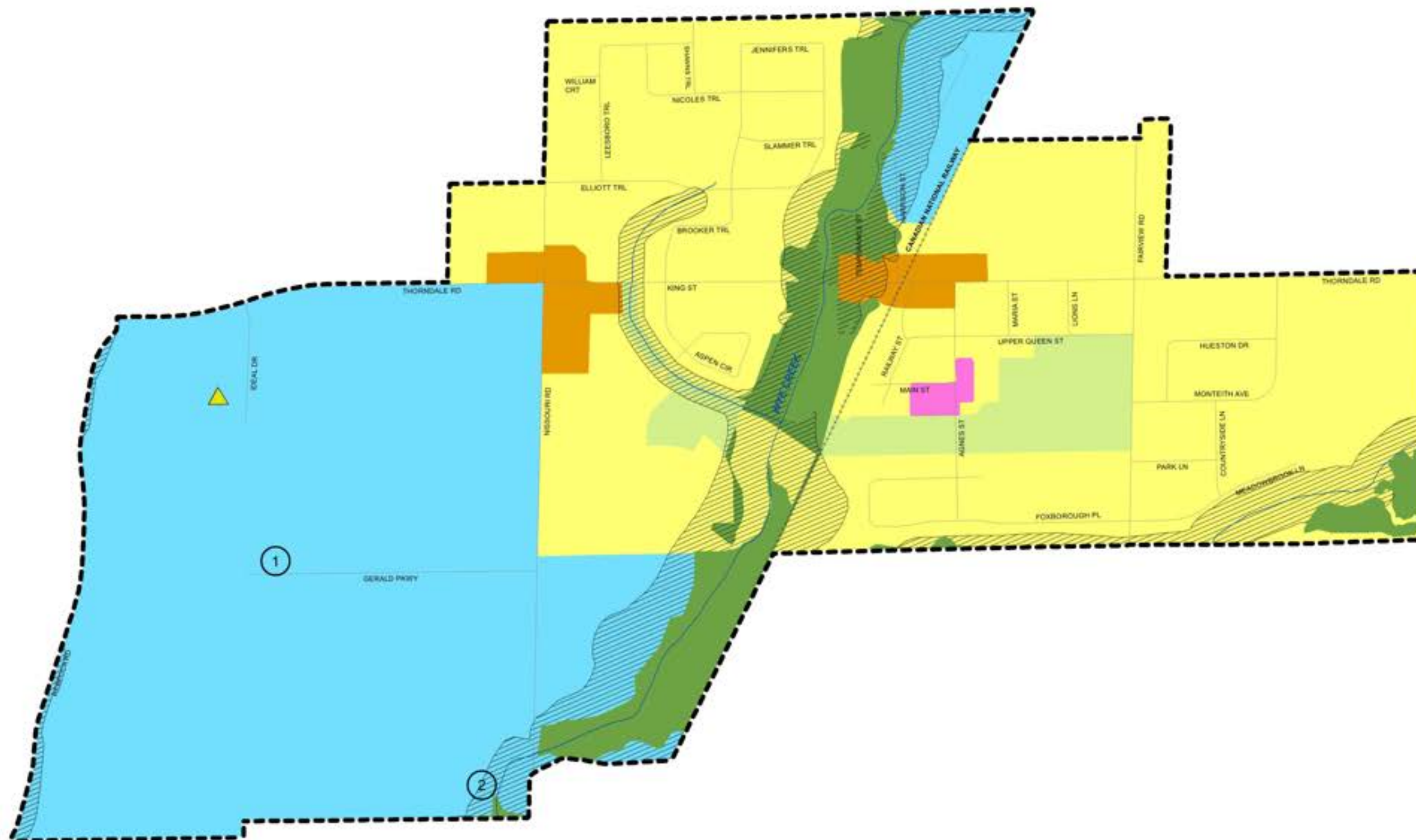
- LEGEND**
- RESIDENTIAL
  - NEIGHBOURHOOD COMMERCIAL
  - GENERAL COMMERCIAL
  - HIGHWAY COMMERCIAL
  - SETTLEMENT INDUSTRIAL
  - INSTITUTIONAL
  - RECREATIONAL
  - PARKS & OPEN SPACE
  - NATURAL HAZARD OVERLAY
  - NATURAL HERITAGE SYSTEM
  - CORE AREAS
  - URBAN SETTLEMENT AREA BOUNDARY
  - SEWAGE TREATMENT FACILITY
  - SPECIAL POLICY AREA
- BASE FEATURES**
- ROADS
  - RAIL LINE
  - STREAM
  - LAKE OR RIVER



**SCHEDULE 'B-1'**  
**LAND USE PLAN - DORCHESTER SETTLEMENT AREA**  
 MUNICIPALITY OF THAMES CENTRE  
 OFFICIAL PLAN







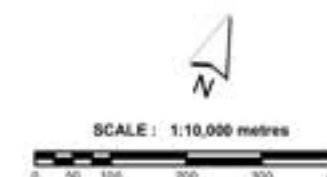
- LEGEND**
- RESIDENTIAL
  - MOBILE HOME PARK
  - GENERAL COMMERCIAL
  - SETTLEMENT INDUSTRIAL
  - NATURAL HERITAGE SYSTEM
  - NATURAL HAZARD OVERLAY
  - URBAN SETTLEMENT AREA BOUNDARY
  - SPECIAL POLICY AREA
  - SEWAGE TREATMENT FACILITY

- BASE FEATURES**
- ROADS
  - RAIL LINE
  - STREAM
  - LAKE OR RIVER

All lands adjacent to streams shown on this Schedule may be potentially affected by flooding and erosion. Please refer to Appendix 1 (Part A) Maximum Hazard Limit to determine the lands affected. Development may be restricted in these areas.

Data Source: County of Middlesex

**SCHEDULE 'B-2'**  
**LAND USE PLAN - THORNDALE SETTLEMENT AREA**  
 MUNICIPALITY OF THAMES CENTRE  
 OFFICIAL PLAN





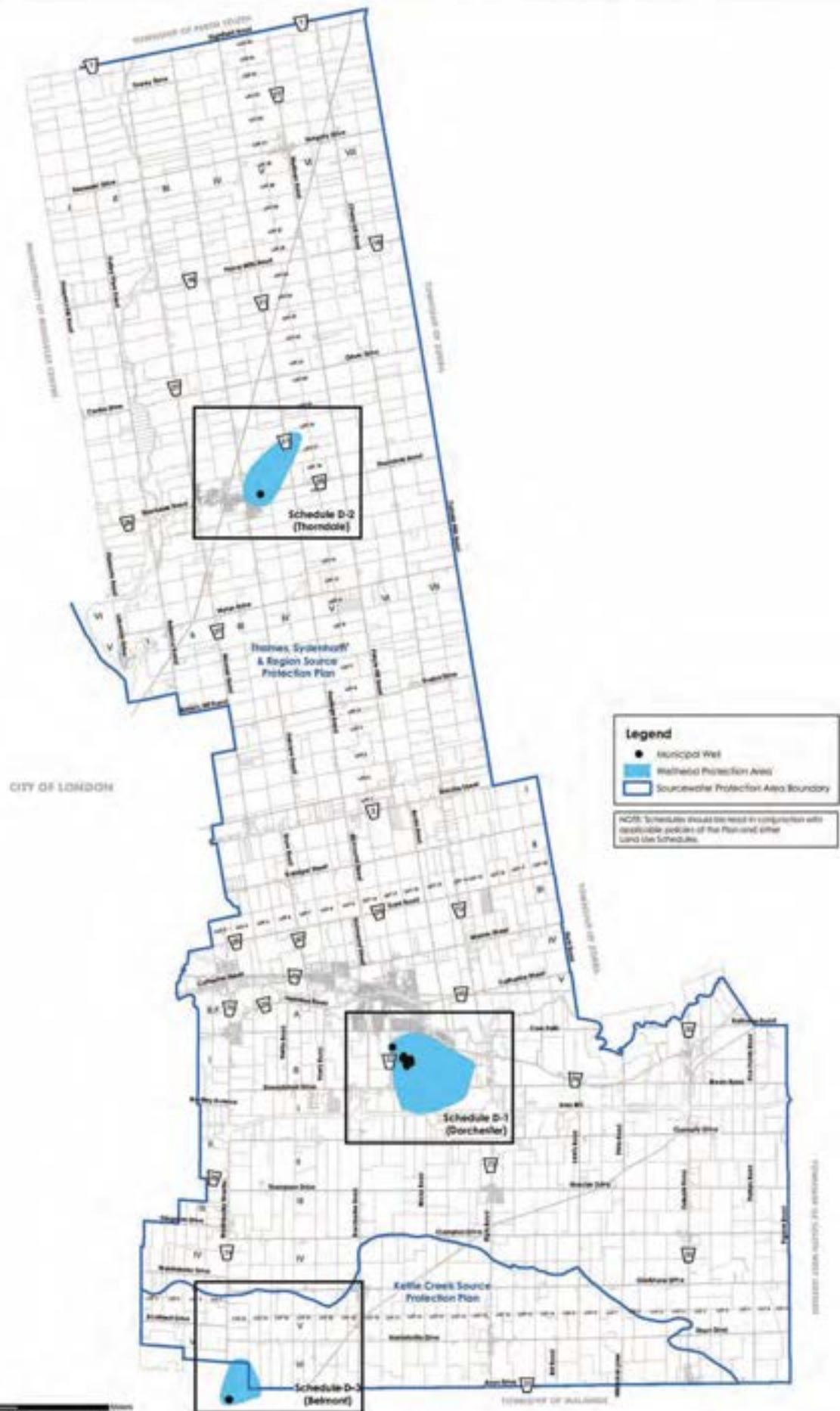
**SCHEDULE 'C'**  
**TRANSPORTATION PLAN**  
 MUNICIPALITY OF THAMES CENTRE  
 OFFICIAL PLAN





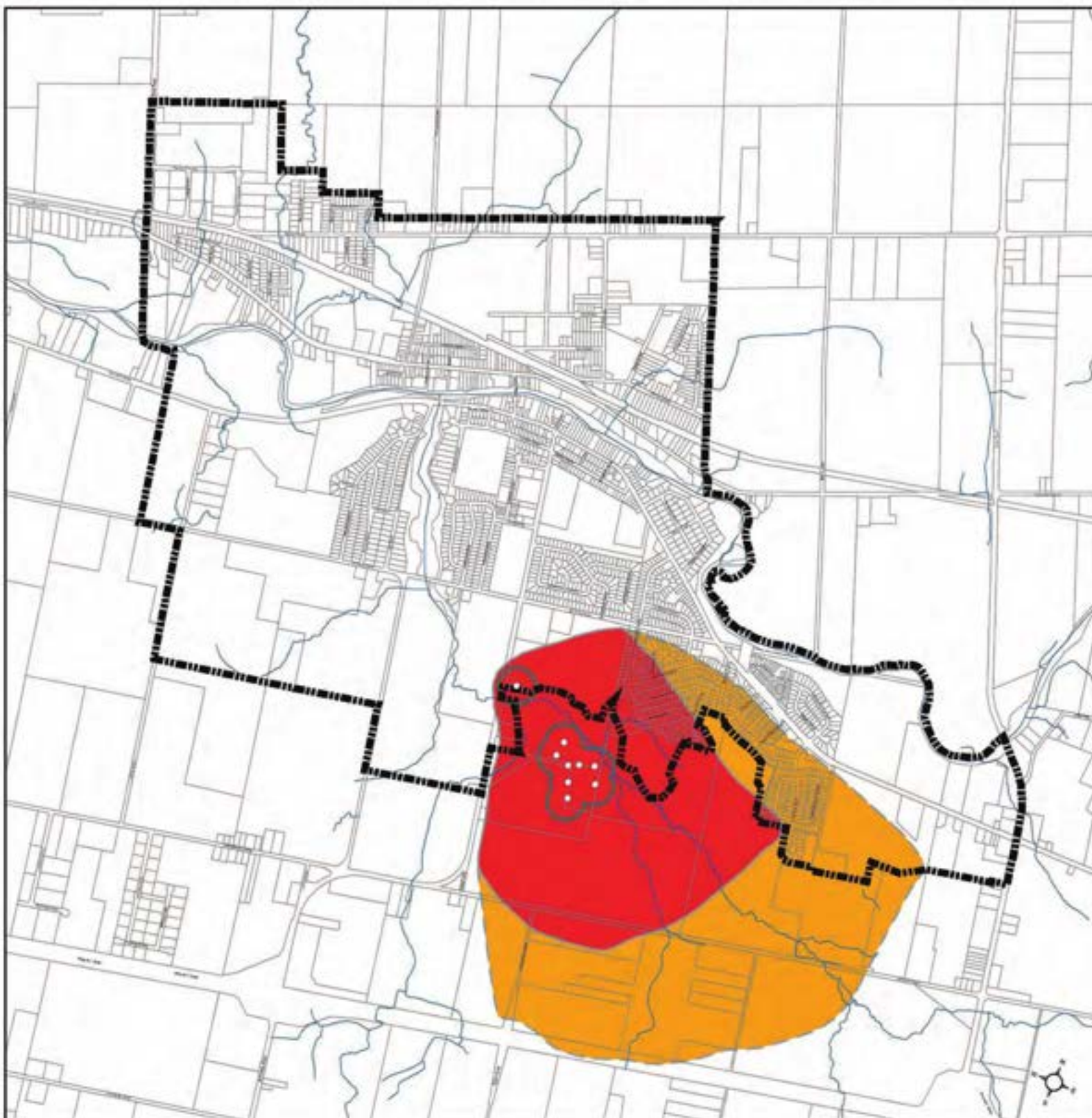
# Schedule D: Sourcewater Protection Areas

## MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN



# Schedule D-1: Dorchester WHPA

## MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN



### LEGEND

Settlement Boundary      Municipal Well

#### WELLHEAD PROTECTION AREA

WHPA A      WHPA B      WHPA C

#### SIGNIFICANT POLICY ZONES VULNERABILITY SCORE

10      8      6 or less

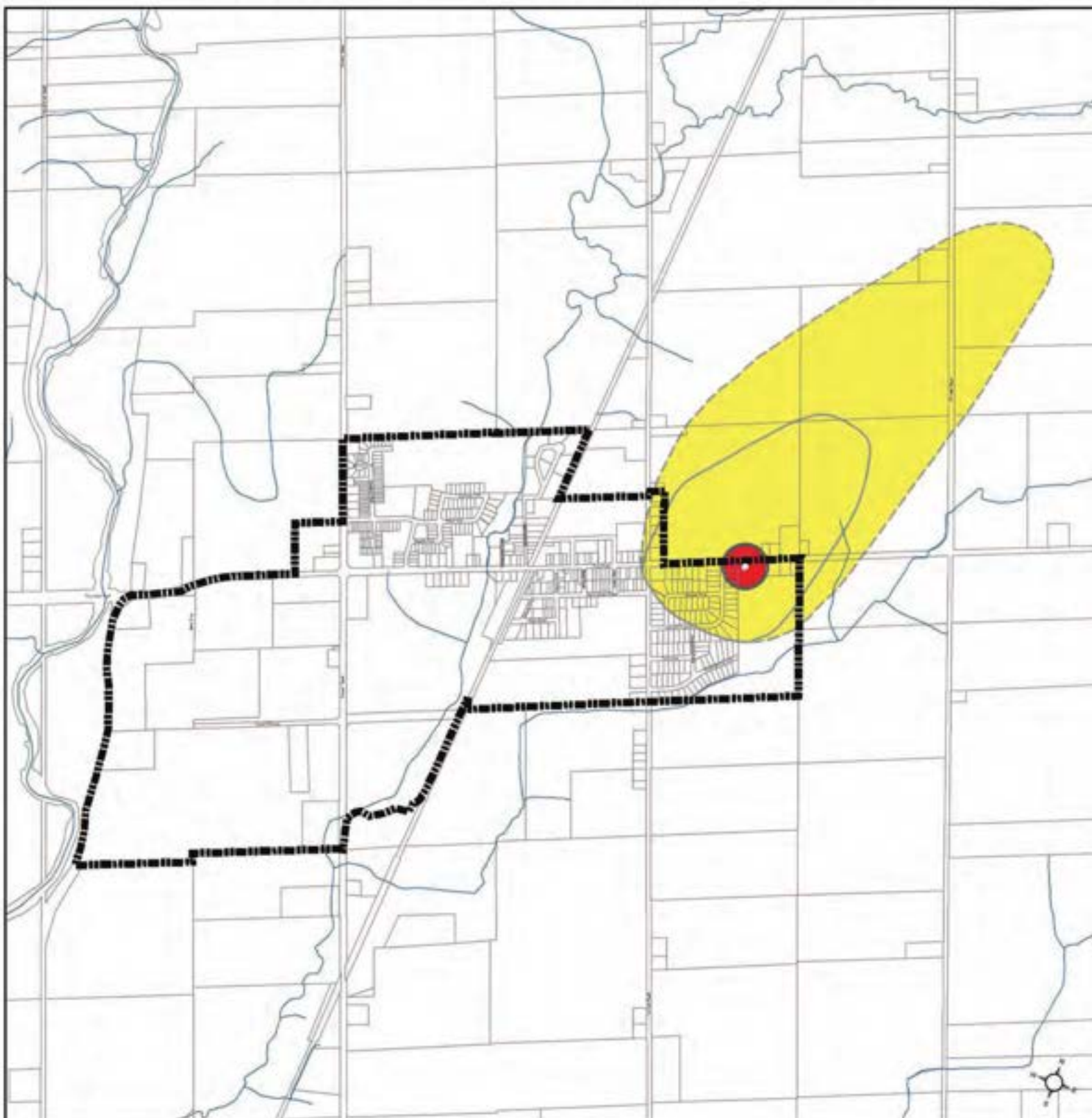


0 250 500 1,000 1,500 2,000 Meters



# Schedule D-2: Thorndale WHPA

## MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN



### LEGEND

Settlement Boundary     Municipal Well

#### WELLHEAD PROTECTION AREA

WHPA A     WHPA B     WHPA C

#### SIGNIFICANT POLICY ZONES VULNERABILITY SCORE

10     8     6 or less



0 250 500 1,000 1,500 2,000 Meters

# Schedule D-3: Belmont WHPA

## MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN



### LEGEND

—•— Municipal Boundary    ○ Municipal Well

#### WELLHEAD PROTECTION AREA

□ WHPA A    □ WHPA B    □ WHPA C

#### SIGNIFICANT POLICY ZONES VULNERABILITY SCORE

■ 10    ■ 8    ■ 6 or less





## **APPENDICES**

**Appendix 1**  
Natural Heritage Features  
(Parts A and B)

**Appendix 2**  
Soil Capability for Agriculture

**Appendix 3**  
Aggregate Resources

**Appendix 4**  
Glossary

OMB DECISION No. 2002  
TO AGRICULTURAL



OFFICE CONSOLIDATION - JANUARY 2008



The information contained in this document is for informational purposes only. It does not constitute a contract or any other legal document. The information is provided as a service to the public and is subject to change without notice. The information is not to be used for any other purpose.

## APPENDIX 1 (PART A)

### NATURAL HERITAGE FEATURES

MUNICIPALITY OF THAMES CENTRE

OFFICIAL PLAN





## APPENDIX 1 – Natural Heritage Features (Part B)

Natural Heritage Areas – The Municipality of Thames Centre				
Site #*	Site	Size Hectares	Status	Location and Description
1	Fanshawe Wetland Complex & Conservation Area	29.5	Provincially Significant Wetland and Conservation Area	Pt Lots 8, 9 & 10, Conc I W. Nissouri – Wetlands associated with Fanshawe Lake and reaches of Wye Creek near where it enters the lake. A provincially significant wetland complex made up of six individual wetlands composed of two wetland types (90% marsh and 10% swamp).
2	WN18D Wetland	6.28	Wetland complex	Pt Lots 27 & 28, Conc I, W. Nissouri. A small wetland complex made up of two individual swamp wetlands
3	St. Ives River Valley & Flood Plain	80.0	Regionally Significant Life Science ANSI	Pt Lots 26 to 30, Conc II & III W. Nissouri – North Thames River valley between Cherry Grove and Plover Mills. The area consists of a spillway along the river with undrained till plains on either side. Gregory Creek and the Thames River have both cut deep valleys with deeply sloping sides. The topographic diversity results in numerous vegetation communities
4	Thorndale River Valley	160.0	Life Science Site	Pt Lots 16 to 20, Conc I & II, W. Nissouri. A spillway feature associated with the Thames River valley. Topography varies with proximity to the Thames River and supports a diversity of vegetation communities.
5	Wyton Station Woods	64.0	Life Science Site	Pt Lots 8 & 9, Conc II, W. Nissouri. A maple/beech woodlot on a large flat sand plain with some small undulations.
6	Airport Wetland	4.5	Wetland complex	Pt Lot 2, Conc II, W. Nissouri. A locally significant wetland complex made up of six individual swamp areas.
7	WN10D Wetland	4.28	Wetland	Pt Lots 27 & 28, Conc VI, W. Nissouri. A hardwood swamp
8	Cobble Hills	70.8	Regionally Significant ANSI and International Biological Program site	Pt Lots 12, 13 & 14, Conc VII, W. Nissouri. This site straddles the Thames Centre - County of Oxford municipal boundary – the majority of the site being in the County. A good example of kame hills with a diversity of forest communities.
9	WN2D Wetland	6.5	Wetland	Pt Lots 2 & 3, Conc. VII, W. Nissouri. A deciduous swamp.
10	North Dorchester Swamp	275.0	Provincially Significant Wetland Complex & life science site	Pt Lots 12 to 18, Conc I to IV, N. Dorchester. A provincially significant wetland that is 98.6% swamp, 0.6% fen, 0.5% bog and 0.3% marsh. Included are: <ul style="list-style-type: none"> <li>• Winter cover for wildlife – a deer wintering area</li> <li>• Headwater areas for Caddy Creek – cold-water fish habitat</li> <li>• Several drumlins</li> <li>• Thamesford Woodlot life science site</li> </ul>
11	Dingman Creek Complex	118.1	Provincially Significant Wetland Complex, Regionally Significant ANSI, headwater area for Dingman watershed	Pt Lots 21 to 24, Conc I, II & III, N. Dorchester. A provincially significant wetland complex, made up of seven individual wetlands including three wetland types: 80% swamp, 19% marsh and 1% bog. This area includes Foster Ponds (Dingman Ponds) & Beattie Pond - a group of small kettle lakes set within a gently undulating inter-moraine till plain.

Site #*	Site	Size Hectares	Status	Location and Description
12	Dorchester Mill Pond / Nd32e Wetland	14.6	Life science site and wetland	Located on west edge of Dorchester. Includes: <ul style="list-style-type: none"> <li>• Open sandy woods, perhaps and old savannah remnant with at least 8 prairie indicator species</li> <li>• A swamp area</li> <li>• A pond area and municipal park area</li> </ul>
13	Mud Lakes	83.0	Provincially Significant Life Science ANSI & life science site	Pt Lots 16 to 18, Conc II & III, N. Dorchester. The site is a small depression in the till plain between the Ingersoll and Westminster moraines. Features include: <ul style="list-style-type: none"> <li>• Upland forest communities</li> <li>• Wet forest communities</li> <li>• A large graminoid Sphagnum bog fringed with marsh</li> <li>• Open water area with submergent and emergent aquatic vegetation</li> <li>• Contributes headwater functions to the Dingman watershed</li> </ul>
14	Dorchester Swamp	622	Provincially Significant Wetland, Provincially Significant Life Science ANSI, Carolinian Canada Site, International Biological Program Site	Pt Lots 9 to 18, Conc B, II & I. Southwestern Ontario's largest deciduous peaty swamp – the area is divided into four quadrants by Highway 401 and Elgin Road (formerly Highway 73). It is an extensive flat wooded peaty swamp – dominant forest type is silver maple-yellow birch-black ash-elm-basswood. Regionally rare plants include purple-fringed orchid, yellow lady's-slipper and snowy orchid. The swamp is an important water recharge area. Dorchester's municipal water wells are found near the northwest edge of this area.
15	Hearn's Wetland	5.25	Provincially Significant Wetland	Pt Lots 14 to 16, Conc III & IV, N. Dorchester. A wetland complex with two wetland types represented: 78% swamp and 22% marsh.
16	MN5 - Wetland	2.49	Wetland	Pt Lots 11 & 12, Conc V, N. Dorchester. Wetland complex made up of three deciduous swamps.
17	Lake Whittaker Complex - Wetland	46.5	Provincially Significant Wetland & Conservation Area	Pt Lots 5 to 8, Conc V & VI, N. Dorchester. A wetland complex including five individual wetland areas – about 86% is swamp and 14% marsh.
18	Five Points Wetland Complex	160.8	Provincially Significant Wetland & life science site	Pt Lots A & B, Conc B, N. Dorchester. This site extends into the Twp of South West Oxford and is an important water recharge area. Several of the Town of Ingersoll's wells are located north and east of this site. It is a wetland complex – 92% swamp and 8% marsh.
19	Putnam Tract Wetland	78.3	Provincially Significant Wetland & Conservation Area	Pt Lots 5 to 8, Conc B, N. Dorchester. A mixed-wood swamp area, a portion of which is the Ivey Tract, which is owned and managed by the UTRCA.

\* see Appendix 1 (Part A) for the location of each site

Sources:

Hanna, R. Life Science Areas of Natural and Scientific Interest in Site District 7-6. Ministry of Natural Resources. 1984.

Hilts, S.G. & F.S. Cook. Significant Natural Areas of Middlesex County. McIlwraith Field Naturalists & School of Rural Planning (University of Guelph). 1982.

Ministry of Natural Resources. Natural Heritage Information Centre.







OFFICE CONSOLIDATION - JANUARY 2009



"The Corporation has adopted this map as an official map of the City of London and is hereby published for the use of the public."

### APPENDIX 3 AGGREGATE RESOURCES MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN





## **APPENDIX 4 - Glossary**

**Accessory Building or Structure** - A detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation.

**Accessory Use** - The use of any land, building or structure that is subordinate to and exclusively devoted to the principal use located on the same lot.

**Active Transportation** - any human-powered mode of transportation, including purposeful and recreational travel. Infrastructure for active transportation includes, but is not necessarily limited to, sidewalks, off-road trails, pathways, bike lanes, paved shoulders and supporting amenities.

**Activity** - means one or a series of related processes that occurs within a geographical area and may be related to a particular land use.

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

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

**Affordable Housing** - Housing with a market price or rent that is affordable to households of low and moderate income, which are households within the lowest 60 percent of the income distribution for the Housing Region, as determined by the Ministry of Municipal Affairs and Housing. Affordable in this context means annual housing costs (i.e. gross rent or mortgage principal and interest payment amortized over 25 years and assuming a 25 percent down payment, and taxes) do not exceed 30 percent of the gross annual household income.

**Agriculture-Related Uses-** Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Agricultural Uses** - Means the growing of crops, including nursery, biomass and horticultural crops; raising of livestock and other animals for food ~~or fur~~ or fibre, including poultry and fish (aquaculture); apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Amenity Area** - An interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.

**ANSIs (areas of natural and scientific interest)** - Areas containing natural landscapes or features that have been identified as having life science or earth science values related to

protection, scientific study or education, and that are representative segments of Ontario's and Thames Centre's biodiversity. In Thames Centre, there are two classes of ANSIs: provincially significant and regionally significant. All planning applications for proposals adjacent to or extending into ANSIs must be supported by an EIS prepared in accordance with Table 1.

**Archaeological Resources** - The remains of any building, structure, activity, place or cultural feature or object which, because of the passage of time, is on or below the surface of the land or water, and is of significance to the understanding of the history of a place or people.

**Assessment Report** - means a scientific-based document that forms the basis of the Source Protection Plan, by identifying vulnerable areas, assessing vulnerability, identifying source water quality issues, identifying threats to the drinking water, and assessing the risk due to threats.

**Assisted Housing** - Housing that is available to low and moderate-income households for rent or purchase where part of the housing cost is subsidized through a government program.

**Conservation** - The wise management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to man and the environment.

**Development** - (1) The construction, erection, or placing of a building or structure; (2) the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability or the change in use of any building, structure, or premises; and/or (3) activities such as site grading, excavation, removal of top soil or peat and the placing or dumping of fill.

**Development Application** - Formal request to the Municipality for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, minor variance approval or plan of subdivision.

**Development Control Areas** - Lands, which because of their physical characteristics in combination with their location, sustain a risk for the occupants of loss of life, property damage, and social disruption, if developed.

**Drinking water threat** – means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat.

**Dry Industry** - Industry that does not require large volumes of water, or does not generate large volumes of effluent, in its operation either throughout the year or at specific times of the year.

**Dwelling Unit** - A room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided for the exclusive use of that household.

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



**ESAs (environmentally sensitive areas)** - Areas of natural vegetation that have been identified as having life science or earth science features that make important contributions to plant, wildlife and/or fish habitats. ESAs also function as important natural corridors and/or natural habitat areas in association with wetlands, ANSIs, woodlots/woodlands, watercourses and ravines/valleys. All planning applications for proposals adjacent to or extending into ESAs must be supported by an EIS prepared in accordance with Table 1.

**Existing Use** - The use of any land, building or structure legally existing on the day of adoption of the appropriate local Plan and the day of approval of the respective Plan.

**Farm Consolidation** – the acquisition of additional farm parcels to be operated as one farm operation. The farm operation shall consist of at least two farms that may be located in different municipalities and may not be necessarily registered in the same ownership provided it can be demonstrated the farms constitute a single operation.

**Farm Unit** - The composite of all parcels operated as a farm, the principal farm residence, any accessory residences, woodlots, barns or other structures necessary to support agricultural and ancillary uses.

**Fill Line** - A line intended to generally identify hazard lands such as steep slopes, areas susceptible to flooding and areas of unstable or organic soils. Wetlands are also included in fill line areas. Fill lines are defined using the approved fill line mapping criteria established by the Conservation Authority having jurisdiction. Lands contained within registered fill lines are subject to the fill regulations of the Conservation Authority.

**Fish Habitat** - The spawning ground and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Fish means indigenous fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles. Wherever areas of natural vegetation are found near to, abutting or straddling a water body, those areas will need careful ecological analysis, according to standards provided in Table 1, to determine the extent of fish habitat within them.

**Flood Fringe** – Where a two-zone approach is used, the flood fringe is the portion of the flood plain that is outside of the floodway. Flood depths and velocities are generally less hazardous in this area and development may be permitted subject to certain requirements.

**Floodway** – The hazardous portion of the flood plain where water flows during the Regulatory Flood Event are expected to be deeper and faster moving. The floodway is generally defined as the land below the 100 Year Flood Limit but it may be more accurately determined by the assessment of depth and velocity of water under flood conditions. In cases where the one-zone approach is used, the entire flood plain is considered to be floodway.

**Garden Suite/Granny Flat** - A self-contained, portable dwelling unit located in the rear or side yard of an existing residential property, designed primarily to provide temporary residential accommodation for aged or disabled persons.

**Greenfield** - An area currently shown within a Settlement Area as "Agricultural" but is intended for non-farm development in accordance with the applicable policies of this Plan, or parcels of land greater than 2 hectares within a Settlement Area or within a development designation, including Hamlet, all Industrial and all Commercial designations.

**Groundwater** - Sub-surface water, or water stored in the pores, cracks and crevices in the ground below the water table.

**Heritage Resources** - A feature of the landscape which by itself, or together with its associated environment, is unique or representative of past human activities or events. Such feature may include a site or area of archaeological or historical value and it may include a building or structure of architectural and/or historical importance.

**Highly Vulnerable Aquifer** – means an aquifer on which external sources have or are likely to have a significant adverse effect, and includes the land above the aquifer.

**Home Occupation** - A commercial or industrial use which is carried out on the same lot as a residential or farm use but which is not the main use of the property. The home occupation shall be located, in the case of a residential property, in the house and, in the case of a farm, may include buildings other than the house.

**Infill** – The creation of additional new land uses within certain residential, commercial or industrial designations through development or redevelopment on vacant lots located between and on the same side of the road as existing developments of the same type.

**Infrastructure** - The collection of public capital facilities including highways, municipal water and wastewater systems, stormwater systems, schools, libraries, community and recreation centres and any other public projects involving substantial capital investment. It includes not only the provision of new facilities but also the maintenance and rehabilitation of existing ones.

**Intensification** - The development of a property or site at a higher density than previously existed. It includes (1) redevelopment or development within existing communities where demolition of the previous structures is to take place or has taken place; (2) infill development, development or redevelopment on vacant lots or underdeveloped lots within a built-up area; (3) conversion, or the change of use of an existing structure or land use; and (4) creation of apartments other accommodation in houses.

**Livestock Operation** – a farm operation which is governed by the provisions of the *Nutrient Management Act*.

**Lot** - A parcel or tract of land that is recognized as a separate parcel of land under the provisions of the *Planning Act*.

**Natural Corridors** - Areas of naturalized or naturalizing vegetation, including treed areas, grasslands and meadows, but not including areas of agricultural uses. They are important for the natural ecological connections they provide among Thames Centre's natural heritage features and areas. Natural corridors may be smaller woodlands found along streams, watercourses or municipal drains, or along fencerows and property boundaries. Development or new land use applications near or within natural corridors must be supported by an EIS prepared in accordance with Table 1.

**Natural Environment** - The land, air or water or any combination or part thereof.



**Natural Hazard Areas** - Flood and erosion prone lands (see Section 3.2.7). Flood or fill line mapping has not been developed for watercourses, with the exception of the branches of the Thames River and major tributaries to them. Where the conservation authorities have mapped these along the branches of the Thames River and its major tributaries, they are generally delineated by the "maximum hazard limit" shown on Appendix 1, Natural Heritage Features. The delineation of hazard lands associated with watercourses for which mapping is not available is based upon the greatest extent of either the top of bank plus 30 metres of setback, or the limit of natural riparian vegetation found along these watercourses, whichever is the greater.

**Natural Heritage System-** means a system made up of natural heritage features and areas and ecological linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The County's natural heritage system is based on the approach outlined in the Middlesex Natural Heritage Systems Study (2014).

**Non-Farm Development** - A residential, commercial, recreational, institutional, or industrial land use either permitted within an Agricultural designation but not an agricultural operation, or as permitted within a Settlement Area, or a site specific land use designation.

**On-Farm Diversified Uses-** means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses may include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

**Peat** – Partially decayed vegetable matter found in marshy areas or bogs. Peat is often referred to as muck or organic soils, although not all organic soils are peat soils.

**Portable Asphalt Plant** - A facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but is designed to be dismantled and moved to another location as required.

**Preserve** - To maintain the quality or condition of a resource in its current form, and to slow down the deterioration of the resource.

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

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



**Regulatory Flood** - The flood standard of the respective Conservation Authority that is used to define floodplain limits for regulatory purposes. The flood standard employed by the Upper Thames River Conservation Authority is based on the Observed 1937 Flood and it is approximately a 1:250 Year Flood Event. The flood standard employed by the Kettle Creek Conservation Authority is a Hurricane Hazel Storm and it is approximately a 1:250 Flood Event.

**Rehabilitate** - To treat land, after extraction, so that the use or condition of the land is restored to its former use or condition, or is changed to another use or condition in accordance with applicable legislation. With respect to degraded natural environments, means a combination of appropriate and acceptable structural and non-structural works which are intended to reduce damages, plus an allowance to address slope and unstable slope related conditions.

**Resource Based Recreational Activities** - Those recreational uses where the prime reason for location in Agricultural designation by their very nature, require certain natural attributes for their location including the availability of large lots or land areas. Uses permitted may include passive and active recreational facilities and associated commercial and residential uses.

**Risk Management Official** – means the risk management official appointed under Part IV of the Clean Water Act, 2006.

**Rural Residential Cluster** - four, or more, adjacent rural lots, generally one hectare or less in size, sharing a common contiguous boundary. Lots located directly across a road from one another shall be considered as having a common boundary.

~~**Secondary Uses** – Those uses that are secondary to the principal use of the property, including home occupations and uses that produce value added agricultural products from the farm operation on the property.~~

**Section 59 Notice** - refers to the requirements under Section 59 of the Clean Water Act, which requires issuance of a notice from the Municipality's Risk Management Official before permitting an activity that is considered a restricted land use as identified in the Source Protection Plan.

**Septic System** - shall mean a private sewage disposal system that stores and/or treats liquid or waterborne waste of industrial, commercial or domestic origin onsite and shall include but not be limited to grey water systems, cesspools, leaching bed systems and associated treatment units and holding tanks and shall not include sewage treatment plants.

**Significant drinking water threat** – means a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk.

**Significant Groundwater Recharge Area** – means an area within which it is desirable to regulate or monitor drinking water threats that may affect the recharge of an aquifer.

**Significant Portions of the Habitat of Endangered and Threatened Species** - Areas where these species live and find adequate amounts of food, water, shelter and space needed to sustain their populations. In general, the known locations of these habitat areas are found in association with Thames Centre's natural heritage areas. Whenever new land uses or development applications that may affect a natural heritage area are being reviewed, Council must consult with



the Ministry of Natural Resources to confirm whether endangered or threatened species habitat may be a factor needing evaluation through an EIS in accordance with Table 1.

**Significant Valley Lands** - Includes the valleys of both the north and south branches of the Thames River. All of the Municipality's valley lands contain fish habitat.

**Significant Woodlots / Woodlands** - Treed areas 4 hectares or larger in area, or that are abutting or straddling a water body of any size (including municipal drains). Woodland patches that meet one or more landscape criteria in the Middlesex Natural Heritage Study (2002) are also considered to be significant woodlots/woodlands. The retention of significant woodlots/woodlands will encourage the maintenance and enhancement of natural corridors between and among Thames Centre's natural heritage features and areas. All planning applications for proposals adjacent to or extending into woodlots/woodlands must be supported by an EIS prepared in accordance with Table 1.

**Site Plan Control** - A process which requires the preparation of detailed site specific development plans, and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, grading and external non-design features. Site Plan Control can only be used to establish on-site physical conditions such as setbacks and layout.

**Small Scale** - When used in the context of commercial and/or industrial land uses, shall mean those commercial or industrial uses which exceed the provisions of a Home/Rural Occupation, but do not exceed the following:

- employ no more than the equivalent of five (5) full time employees in addition to the owner;
- occupies a structure not exceeding 250 square metres in area;
- is recognized through an appropriate Zoning By-law amendment by the Municipality; and
- outdoor storage and display is limited to an area not greater than 750 square metres.

**Soil Classification** - When reference is made to Soil Classification, the CLI classification system is implied.

**Source Protection Plan** – means a drinking water source protection plan prepared under the Clean Water Act, 2006. A Source Protection Plan contains policies to reduce the threats (identified in the Assessment Report) to drinking water sources.

**Specialty Crop Areas** – Areas where specialty crops, such as tender fruits, grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soils predominate usually resulting from: soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

**Streetscape** - The visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

**Surface Water Intake Protection Zone** – means an area that is related to a surface water

intake and within which it is desirable to regulate or monitor drinking water threats. (Ontario Regulation 287/07 under the Clean Water Act, 2006)

**Surplus Dwelling** - a dwelling deemed surplus to a farm operation as a result of farm consolidation.

**Utility** - A water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

**Vulnerable Area** – means a significant groundwater recharge area, a highly vulnerable area, a wellhead protection area, surface water intake protection zone, or a wellhead protection area.

**Wayside Pit or Wayside Quarry** - A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wellhead Protection Area** – means an area that is related to a wellhead and within which it is desirable to regulate to monitor drinking water threats.

**Wetlands** – Lands that are permanently or seasonally covered by shallow water, as well as lands where the water table is at or close to the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. Lands being used for agricultural purposes that are periodically soaked or wet are not considered to be “wetlands”. Wetlands provide important habitat for plants, fish and wildlife. They also function as headwater areas and provide water storage to offset peak flows associated with storm events. In Thames Centre, wetlands have been classified as either provincially significant or regionally significant and all may contain fish habitat. No new land uses, site alteration or development, nor expansion in intensity of activity or area of existing development, is permitted within provincially significant wetlands. In general, site alteration or development within regionally significant wetlands is discouraged because of possible impacts upon related components of Thames Centre's green space system. An EIS according to standards provided in Table 1 is required for planning applications adjacent to all wetlands and for planning applications that may extend into regionally significant wetlands.

**Wildlife Habitat** - Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. In Thames Centre, all natural heritage areas and valley lands have wildlife habitat functions.



**100 Year Erosion Limit** – Areas of potentially unstable slopes that are determined based on the combined influence of a toe erosion allowance, a stable slope allowance and an erosion protection allowance (6 metres). The following diagram schematically illustrates the 100 Year Erosion Limit.

