

OFFICIAL PLAN
For the
MITCHELL WARD
MUNICIPALITY OF WEST PERTH



Prepared by
Perth County Planning and Development Office

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1.0 INTRODUCTION

The Mitchell Ward, formerly the Town of Mitchell, was formally established on January 1, 1998 as a part of the re-structuring of the municipalities in the County of Perth. The Mitchell Ward along with the Fullarton Ward, Hibbert Ward, and Logan Ward now comprise the Municipality of West Perth.

The Mitchell Ward area has been involved in the land use planning process for many years, dating back to the Town of Mitchell's first Official Plan and Zoning By-law in the 1960s. These basic planning documents have been reviewed and updated a number of times in order to keep current with changes in the Mitchell area and to keep current with Provincial planning policies and regulations.

The following document is the Official Plan for the Mitchell Ward of the Municipality of West Perth. It has been prepared for the Municipality of West Perth, reviewed and considered by the West Perth Planning Advisory Committee and the West Perth Council, and adopted by the West Perth Council. In accordance with the provisions of Section 17 of the *Planning Act, R.S.O. 1990*, this Official Plan has been forwarded to the County of Perth for review following its adoption by West Perth Council and has been approved by County Council.

This Official Plan applies only to the lands and area that are within the Mitchell Ward of the Municipality of West Perth. It does not apply to any of the lands in the abutting Fullarton and Logan Wards that are considered to be within the Mitchell servicing area and that are future growth areas for the Mitchell settlement area.

This Official Plan is a lower-tier municipal Official Plan and it provides detailed policies for the Mitchell Ward lands. It contains goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Mitchell Ward. It establishes various land use designations and sets forth detailed policies for each of these designations.

In accordance with the provisions of Section 27 of the *Planning Act, R.S.O. 1990*, a lower-tier municipal Official Plan must conform to the upper-tier municipal Official Plan, in this case the County of Perth Official Plan. The County of Perth Official Plan designates the Mitchell Ward area as a "Serviced Urban Area" and sets forth a number of policies that apply to same (see Section 6 of the County Official Plan). The policies of the Mitchell Ward Official Plan have been prepared so as to conform to the applicable County Official Plan policies.

The planning period for the Mitchell Official Plan is intended to be 20 years. The Official Plan will be reviewed from time-to-time by the Municipality with amendments/modifications made when appropriate.

2.0 CHARACTERISTICS OF THE MITCHELL WARD

The policies set out in this Official Plan are, to a large extent, based on the policies of the previous Mitchell Ward Official Plan. Updating of the language of the Plan has occurred and revisions have been made to reflect current day views on various land use and policy issues as well as the policies of the Provincial Policy Statement (2005).

2.1 Population

The 2001 population of the Mitchell Ward as published by Statistics Canada was 4,022. While Statistics Canada did not publish a population figure for the Mitchell Ward in 2006 (Statistics Canada published a population figure for the whole of the Municipality of West Perth rather than individual Wards in 2006), the 2006 population of the Mitchell Ward has been estimated to be 4,023 using census tract information available from Statistics Canada.

Over the 1966-2006 period, the average annual rate of population growth for the Mitchell Ward was 1.33%. Over the 1986-2006 period, the average annual rate of population growth was 1.49%. Using these growth figures as a basis for projecting future growth, the population of the Mitchell Ward area over the 2006-2031 period would grow to 5,598 using the lower of the two figures and to 5,837 using the higher of the two figures.

2.2 General Characteristics

The existing development within the Mitchell Ward began with the original settlement of the Mitchell settlement area in the 1880s. In its early years, the Town served primarily as a service and trade centre for the residents of the surrounding rural and resource-oriented areas. The very first building within the present Mitchell Ward area was erected in approximately 1837.

Today, the Mitchell Ward area is a part of the Municipality of West Perth, which is one of the four local municipalities forming part of the County of Perth. The Mitchell Ward boundaries coincide with the boundaries of the former Town of Mitchell as it existed prior to the municipal restructuring of the County of Perth in 1998.

Today, the Mitchell Ward serves as a residential area, a trade centre, and an employment area. The residential component consists primarily of single-detached dwelling areas with some multiple type residential development in various areas of the Ward. The trade component consists of numerous business uses (retail, service, and office) that provide goods and services to the Mitchell Ward and surrounding area residents. The employment area component consists of numerous industrial operations and business uses which provide employment opportunities for West Perth and surround area residents.

In addition, the Mitchell Ward serves as a government, cultural, and recreational centre for the residents of the Mitchell Ward, the Municipality of West Perth, and

surrounding areas. Situated in the Mitchell Ward are the West Perth Municipal Offices, the West Perth Operations Centre, schools, churches, community centre, and various recreational facilities, including an arena, baseball diamonds, soccer fields, tennis courts, parks and walking trails.

The Mitchell Ward is the only settlement area in the Municipality of West Perth with municipal water and municipal sewage services. It is designated as a Serviced Urban Area "Settlement Area" in the County of Perth Official Plan and as such it should be the primary location for new non-farm related development in the Municipality of West Perth.

3.0 APPROACH

This Official Plan is intended to establish a set of policies that will be used to guide the future growth and development of the Mitchell Ward area. The preparation of this Plan was undertaken in order to replace the existing Mitchell Official Plan with revised and updated policies and provisions that reflect current views on land use planning for the Mitchell Ward area. Additionally, the updating of the existing Mitchell Official Plan was necessary in order to take into consideration the policies of the Provincial Policy Statement (2005), which provides a policy direction on matters of provincial interest related to land use planning and development.

In accordance with the Provincial Policy Statement (2005), the planning period for the Mitchell Ward Official Plan is 20 years. The Official Plan will be reviewed and monitored on an ongoing basis to assess the effectiveness of the policy in achieving the desired goals and objectives and to address the need for policy revisions resulting from changing conditions (e.g. local conditions, County Official Plan policies, Provincial Policy Statement policies). West Perth Council will conduct meetings in order to assess the need to review the Mitchell Ward Official Plan and to provide the opportunity for public comment on same in accordance with the provisions of the *Planning Act, R.S.O. 1990*.

Specific purposes of this Official Plan are as follows:

- (a) to provide a formal statement of the Municipality of West Perth's intentions with respect to the growth and development of the Mitchell Ward to the year 2028 and beyond;
- (b) to establish a policy framework, consisting of goals, objectives and policies, for maintaining and enhancing the long term physical, economic, natural heritage, community, and social characteristics of the Mitchell Ward;
- (c) to develop and implement a land use planning program that maximizes compatibility between different lands uses and strives to minimize potential conflicts between different lands uses;
- (d) to create a planning environment that reflects local initiatives and circumstances and which addresses the needs and aspirations of the community;
- (e) to provide guidance for the West Perth Council, the Planning Advisory Committee, the Committee of Adjustment, the County of Perth Land Division Committee, municipal staff, and others that are involved in the review and decision making processes regarding matters such as the implementing Zoning By-law, the division of land (e.g. plans of subdivision, consents), minor variances, and development proposals;

- (f) to provide the basis for a consistent approach to the review and evaluation of development applications throughout the Mitchell Ward;
- (g) to maintain a business environment which assists existing businesses, attracts new businesses, and which promotes entrepreneurial activity in the Mitchell Ward and its broader servicing area;
- (h) to ensure the land use planning occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding;
- (i) to promote an increased awareness of the policies that will be used to guide growth and development in the Mitchell Ward and to assist in informing the public, development sector, public agencies, and other levels of government of the Municipality of West Perth's intentions for the future growth and development of the Mitchell Ward;
- (j) to provide a guide for decisions in respect to matters such as public works and community services; and
- (k) to provide a policy framework that will protect, preserve, and encourage the enhancement and improvement of the natural resource base in the Mitchell Ward.

4.0 LAND USE DESIGNATIONS AND LAND USE PLAN

4.1 Land Use Designations

This Official Plan establishes several land use designations and sets forth specific goals, objectives, and policies applicable to each of the designations. Each land use designation is defined based on its primary use with provisions for any additional uses that are considered complimentary to the primary use.

The land use designations established by this Plan are as follows:

- Residential (Section 5)
- Central Commercial (Section 6)
- Secondary Commercial (Section 7)
- Highway Commercial (Section 8)
- Industrial (Section 9)
- Major Institutional/Recreational (Section 10)
- Natural Resource/Environment (Section 11)
- Flood Plain (Section 12)
- Agriculture (Section 13)

4.2 Land Use Plan

This Official Plan contains a Land Use Plan or map, referred to as Schedule “A” (Mitchell Land Use Plan), which identifies and delineates the location of each of the land use designations established by the Plan and as noted in Section 4.1 above.

The attached Schedule “A” (Mitchell Land Use Plan) is deemed to form a part of this Official Plan and it is intended that development in the Mitchell Ward of the Municipality of West Perth occur in accordance with the land use designations as shown on Schedule “A” (Mitchell Land Use Plan) and their related text policies.

5.0 LAND USE POLICIES

This section of the Mitchell Ward Official Plan provides land use policies pertaining to the “Residential” land use designation in the Mitchell Ward, as shown on Schedule “A” (Mitchell Land Use Plan), a copy of which forms part of this Plan.

It is the intend of this Plan that the land base in the Mitchell Ward be developed in accordance with the following policies and the land use designation as shown on Schedule “A” (Mitchell Land Use Plan).

5.1 RESIDENTIAL

5.1.1 Background

The Mitchell Ward has developed as the residential, commercial, and industrial focal point for the surrounding area. The Ward has always had a strong inter-relationship with the surrounding agricultural areas which is evidenced by the number of retired members of the farm community who chose to reside in the Mitchell Ward. The residential areas of the Ward have also developed in response to the need for housing of employees involved with the industries forming the industrial base of the Ward.

Residential land use in Mitchell Ward consists primarily of single-detached dwellings but there are also a number of semi-detached and duplex units, townhouses, and other forms of multiple family accommodations in existence. Residential development has occurred primarily north of the railway tracks and most extensively in the northeast and southeast sectors of the Ward. The most recent residential development has occurred in the north east and with the installation of new servicing, development of the southwest is expected over the next several years.

Historically, development of the residential areas has occurred in a fairly compact manner because of the barriers created by the railway, the watercourses, and the effect of the grid pattern of development established by the original survey of the Mitchell Ward.

5.1.2 Definition

The “Residential” designation of land shall mean that the primary use of land in the areas so designated will be for a variety of residential dwelling types. The types of dwellings permitted shall include, but are not necessarily limited to, single-detached dwellings, semi-detached dwellings, duplex or triplex dwellings, townhouses, and apartments.

Other uses permitted in this designation include institutional uses defined as schools, churches and cemeteries, nursing homes, day care centres, senior citizen housing, group homes, neighbourhood parks, storm water management facilities, home occupations, bed and breakfast establishments, and

neighbourhood commercial uses.

The lands designated as “Residential”, to which the following goal, objectives, and policies apply, are shown on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

5.1.3 **Principal Goal**

The principal goal is to promote and encourage the provision of new housing development and the rehabilitation of the existing housing stock to meet the current and future needs of the residents of West Perth and promote the efficient use of the infrastructure and public services facilities while fostering a stable, mature residential environment which provides for compatible associated uses.

5.1.4 **Objectives**

The following have been adopted as the objectives for the “Residential” land use designation:

- (a) to encourage and promote the efficient use of the infrastructure and public services facilities while providing for a wide range of housing types which meets the needs of the West Perth citizenry and responds to the market demands of the community;
- (b) to continue to provide an attractive, safe, healthy, and enjoyable living environment for the residents of West Perth which minimizes the potential for land use conflicts by preventing the indiscriminate mixing of non-compatible uses;
- (c) to encourage and promote housing for senior citizens, those with special needs, and low income households that are unable to find adequate housing through the private market;
- (d) to ensure that residential development occurs in a fashion which is consistent with the resources of the municipality;
- (e) to provide an alternative residential environment for the members of the surrounding farm community;
- (f) to preserve and enhance the character of the residential environment in the Mitchell Ward by ensuring that new residential development is harmonious with existing areas of older development;
- (g) to encourage and promote a wide range of housing types, styles, tenures, and choices which respond to the varying needs of the West Perth community;
- (h) to maintain and improve the existing housing stock and character of residential areas;

- (i) to encourage and promote additional housing through intensification and redevelopment;
- (j) to maintain at least a 10 year supply of land that is designated and available for residential uses and land with servicing capacity to provide a 3 year supply of residential units zoned to facilitate residential intensification and redevelopment, and in draft and registered plans; and
- (k) to establish and implement minimum targets for the provision of housing which is affordable to low and moderate income households.

5.1.5 Policies

In order to achieve the foregoing goals and objectives, the following policies are adopted:

5.1.5.1 Residential Servicing Requirements

It is the intent of this Plan that all development within the “Residential” designation take place on full municipal servicing. The servicing policies contained in Section 18.1, entitled “Water, Sewage System, and Storm Sewers” shall also be satisfied.

Council may require proponents of row/townhouse, apartment senior citizen housing, nursing home, or rest home developments to demonstrate, through relevant engineering reports, that there is adequate capacity or allocation within the municipal infrastructure and public service facilities to accommodate the projected population of the development. If the required capacity is not available, the proposal shall be considered premature.

Adequate off-street parking areas shall be provided. The number of parking spaces required shall be set out in the implementing Zoning By-law.

5.1.5.2 Residential Density

Gross densities in the “Residential” designation shall generally be in these ranges:

10-25 units per hectare	single-detached dwellings
20-35 units per hectare	semi-detached, duplex dwellings
30-50 units per hectare	townhouse dwellings
40-75 units per hectare	low rise apartments

Council may moderately increase or decrease these densities dependent upon specific site circumstances, provision of on-site amenities, and capabilities of municipal servicing systems to accommodate any increase. Where opportunities exist, Council will favour those developments with a mixture of lower and higher densities of development over those consisting of only low densities of development.

The dwelling types listed for each density classification shall not be considered

exclusively limited to those dwelling types as Council may moderately modify these when considering specific residential development proposals.

5.1.5.3 Single-Detached, Semi-Detached, Duplex Dwellings

In evaluating proposals involving single-detached, semi-detached, and duplex dwellings, Council shall apply the following specific policies:

- (a) development of this nature shall occur through the process of infilling or by plan of subdivision, brownfield development, or green field development where such development would generally be compatible in lot size, shape, design, (i.e. area, frontage, and depth), and built form (i.e. setbacks, massing, scale, and height) and character with existing adjacent and surrounding uses (i.e. building type, building form, spatial separation lot size, shape, design, and character);
- (b) adequate buffering, landscaping, or screening may be required to maintain the character and quality of the existing residential development in order to ensure that semi-detached or duplex dwelling development does not fragment or change the character of established residential neighbourhoods; and
- (c) a grouping or clustering of semi-detached and duplex dwellings shall be encouraged when this type of development is part of a development proposal.

5.1.5.4 Townhouse and Low Rise Apartment Dwellings

In evaluating proposals involving townhouse and low rise apartment dwellings, as well as other multiple dwelling developments such as triplexes, Council shall apply the following specific policies:

- (a) such development should be situated in close proximity to community and neighbourhood recreation and open space areas and have ready access to commercial facilities;
- (b) such development shall generally have access to an arterial or collector road so that traffic movement through any adjoining lower density residential area is minimal. Points of access onto municipal roadways should not create traffic hazards or conditions which require public expenditure for intersection improvements;
- (c) such development shall make provision for sufficient buffering in the form of vegetative plantings or distance separations in order to minimize the land use conflicts with adjacent land uses and to screen the development from the travelling public;
- (d) the buildings and structures for this type of development shall generally be compatible in form and character with the surrounding area in terms of lot size, shape, design, (i.e. area, frontage, and depth), and built form (i.e. setbacks, massing, scale, and height) and character with existing

adjacent and surrounding uses (i.e. building type, building form, spatial separation lot size, shape, design, and character) and at the same time not adversely affect the character of surrounding land uses and the Mitchell Ward as a whole. As a general rule, a low building profile shall be maintained with no buildings exceeding 4 stories in building height;

- (e) when in receipt of an application for this type of development, Council shall establish, through relevant engineering reports, that there is adequate capacity or allocation within the municipal services system to accommodate the projected population of the development. If the required capacity is not available, the proposal shall be considered premature;
- (f) a zoning category shall be established in the implementing Zoning By-law to reflect existing multiple family development. An amendment to the Zoning By-law shall be required in order to establish a new townhouse and low rise apartment dwelling use;
- (g) adequate off-street parking areas shall be provided. The number of parking spaces required shall be set out in the implementing Zoning By-law; and
- (h) a site plan shall be required for all multiple family residential development involving more than 2 dwelling units, except conversions of existing dwellings to multiple residential use. The site plan shall indicate proposed building area, building elevations, parking and landscaping areas, points of access to abutting streets, elevation plans indicating the lot grades before and after construction, and a surface drainage plan. The applicant shall be required to enter into a site plan agreement under the authority of Section 41 of the *Planning Act, R.S.O. 1990*, as amended.

5.1.5.5 Intensification and Redevelopment

Additional housing units in the built-up areas of the Mitchell Ward will also occur through intensification and redevelopment. The Municipality will encourage private development and support those projects that promote intensification and redevelopment, including the conversion of existing dwellings to multiple residential uses and accessory dwelling or secondary suites, in order to achieve a goal that 15 per cent of all new housing units will occur by way of intensification and redevelopment.

5.1.5.5.1 Conversion of Dwellings to Multiple Residential Use

In evaluating proposals involving the conversion of existing dwellings to multiple residential use, Council shall apply the following specific policies:

5.1.5.5.1.1 Secondary Dwelling Units (OPA No. 26)

Within the "Residential" designation of this Official Plan, Secondary Dwelling Units are permitted as a means of providing affordable housing and improving

efficiencies in the use of municipal infrastructure and public services.

Secondary Dwelling Units are self-contained residential units with kitchen and bathroom facilities that are accessory to another dwelling (the primary dwelling) and have independent entrance directly to the outside or through a common vestibule. Secondary Dwelling Units are located within the primary dwelling or within a separate structure that is accessory to a dwelling.

The Municipality's Zoning By-law, as amended, shall contain regulations to permit Secondary Dwelling Units and shall govern such matters as dwelling unit size for both the primary dwelling and the Secondary Dwelling Unit, alterations to the exterior of the primary dwelling, and parking.

A Secondary Dwelling Unit may be permitted within any detached, semi-detached, or row/townhouse dwelling; or within any building or structure accessory to such a dwelling that is more than 5 years in age and on the same lot as the dwelling.

New Secondary Dwelling Units must satisfy the following criteria:

- (a) A maximum of one Secondary Dwelling Unit is permitted per primary dwelling unit. Where another supplementary dwelling (e.g. a garden suite, a mobile home, etc.) exists, an additional Secondary Dwelling Unit is not permitted;
- (b) Additions to accessory buildings for the purpose of accommodating Secondary Dwelling Units are not permitted unless approved through a Zoning By-law Amendment or Minor Variance to the Municipal Zoning By-law;
- (c) Secondary Dwelling Units must be in keeping with the character of the surrounding neighbourhood;
- (d) Secondary Dwelling Units shall be provided with water and sewage services to the satisfaction of the Municipality and/or the applicable approval authority;
- (e) The primary dwelling must be structurally suitable for the establishment of a Secondary Dwelling Unit and satisfy the building and fire requirements of the Ontario Building Code and all other relevant municipal and Provincial standards;
- (f) Secondary Dwelling Units are not permitted where a dwelling is only permitted as an accessory use to the main use of the property;
- (g) Secondary Dwelling Units are not permitted within existing dwellings located within hazardous lands such as flooding hazard lands, erosions hazard lands, or hazardous sites;

- (h) Secondary Dwelling Units are not permitted on lots which do not meet the minimum lot area requirement of the Zoning By-law;
- (i) Home occupations are generally not permitted within Secondary Dwelling Units. In situations where the nature of the Secondary Dwelling Unit will accommodate a Home Occupation and where a Home Occupation is not located within the primary dwelling, an amendment to the Zoning By-law or Minor Variance to permit a Home Occupation within the Secondary Dwelling Unit may be considered; and,
- (j) Secondary Dwelling Units are not permitted within a mobile home.

5.1.5.5.1.2 Conversion of Existing Dwellings to Multiple Residential Use

The following specific policies shall be applied when proposals involving the conversion of existing dwellings to multiple residential use (3 or more units) are evaluated:

- (a) dwellings having more than 240 habitable square metres shall be permitted to convert to not more than four separate apartment units for residential purposes and only those dwellings generally having more than 170 habitable square metres shall be permitted to convert to two units for semi-detached and duplex dwelling purposes subject to their inclusion by amendment in the implementing Zoning By-law;
- (b) where a dwelling is of sufficient size, external alterations or additions will be permitted provided that such alterations do not change the character of the building or the neighbourhood save those changes required for fire and safety purposes;
- (c) dwellings subject to conversion should be situated in close proximity to community and neighbourhood recreation and open space areas and have ready access to commercial facilities;
- (d) provision shall be made in the case of converted dwellings for sufficient buffering in the form of vegetal plantings in order to minimize any potential land use conflicts with adjacent land uses;
- (e) adequate off-street parking areas shall be provided. The number of parking spaces required shall be set out in the implementing Zoning By-law; and
- (f) a site plan shall be required for all conversions involving the creation of more than one (1) new dwelling (e.g. conversion of one single detached dwelling to three dwelling units or more). A site plan agreement pursuant to the provisions of Section 41 of the *Planning Act, R.S.O. 1990* may be required for such conversions.

5.1.5.6 Quality of Residential Environment

Within residential areas, Council may pass by-laws to enhance the quality of the residential environment. The by-laws may include but are not restricted to:

- (a) the designation of particular architectural and/or historic buildings for heritage conservation under Part IV of the *Ontario Heritage Act R.S.O. 1990* or enter into Heritage Easements to protect property in perpetuity;
- (b) the control of the removal of trees from public property under Section 135 of the *Municipal Act, 2001*;
- (c) regulation of a constant line of building setbacks from the street line, consistent with existing buildings;
- (d) regulation of the height of new buildings consistent with the prevailing height of buildings in the surrounding area; and
- (e) sign control or closing of streets to discourage their use as routes for heavy volumes of through traffic.

5.1.5.7 Residential Development Pattern

New residential development within the Mitchell Ward shall meet the following criteria:

- (a) be considered as infilling or be located adjacent to existing built-up areas;
- (b) be located in areas which will minimize the cost of providing municipal services;
- (c) be of an acceptable scale in relation to existing development;
- (d) generally be directed to locations where access is available from local or collector roads as opposed to direct access from arterial roads; and
- (e) be appropriately landscaped and screened in order to maintain or enhance the visual amenities of the development when abutting rail lines, existing commercial/industrial uses, or differing types of existing residential uses.

5.1.5.8 Mobile Homes

Mobile homes and trailers shall not be permitted as dwellings in the “Residential” land use designation, except in accordance with the policies of Section 5.1.6 as contained herein.

5.1.5.9 Senior Citizen Housing, Nursing Homes, and Rest Homes

Residential development for senior citizen housing, nursing homes, and rest homes will be permitted within the “Residential” land use designation as shown on Schedule “A” (Mitchell Land Use Plan).

The appropriate public agencies shall be encouraged to provide adequate senior citizen housing and public and private bodies shall be encouraged to provide nursing home and rest home facilities.

When considering proposals for such development, Council shall apply the following criteria:

- (a) encouragement shall be given to locating such facilities in areas which are in proximity to the core area where residents are within walking distance of the full range of facilities and services located within the core area;
- (b) such buildings shall be designed in such a manner as to complement and harmonize with the character of the surrounding area;
- (c) provision shall be made for adequate road access and adequate off-street parking areas. The number of spaces required shall be set out in the implementing Zoning By-law;
- (d) provision shall be made for adequate landscaping, buffering, and screening in order to ensure that the amenities of the surrounding area are protected;
- (e) when in receipt of an application for this type of development, Council shall establish, through relevant engineering reports, that there is adequate capacity or allocation within the municipal services system to accommodate the projected population of the development. If the required capacity is not available, the proposal shall be considered premature;
- (f) all development of this type shall be required to satisfy the requirements outlined in Section 18 of this Plan;
- (g) a site plan shall be required for all new senior citizen housing, nursing homes, and rest homes and the conditions of such a site plan agreement shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*, as amended; and
- (h) senior citizen housing, nursing homes, and rest homes shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the Zoning By-law shall be necessary in order to establish new senior citizen housing, nursing homes, and rest homes.

5.1.5.10 Group Homes

Group homes shall be permitted within the "Residential" land use designation.

For the purposes of this section, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten persons

(excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of its residents. The home must be licensed and/or approved for funding under Provincial statutes and in compliance with municipal by-laws.

Site regulations in regard to group homes may be contained in the implementing Zoning By-law.

5.1.5.11 Institutional Uses

Institutional uses such as schools, churches, cemeteries, and public buildings and facilities may be permitted within the “Residential” land use designation. Such uses are intended to serve the needs of the local community.

In those cases where the institutional use is major in nature and serves the entire municipality, it is the intention of this Plan to place such uses in a separate land use designation.

In evaluating proposals for the various institutional uses, Council shall apply the following criteria:

- (a) adequate off-street parking areas shall be provided. The number of parking spaces required shall be set out in the implementing Zoning By-law;
- (b) access shall be available from a public roadway. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (c) where a proposed institutional use will abut residential dwellings, adequate provision shall be made for landscaping, buffering, and/or screening;
- (d) institutional uses shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the Zoning By-law shall be necessary in order to establish a new institutional use; and
- (e) a site plan shall be required for all new institutional uses involving the establishment of new buildings or large parking areas and the conditions of a site plan agreement shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*, as amended.

5.1.5.12 Neighbourhood Commercial Uses

Neighbourhood commercial uses shall be permitted within the “Residential” land use designation; however, such uses shall be limited to those uses which supply convenience goods and personal services for neighbourhood residents.

In evaluating proposals for neighbourhood commercial uses, Council shall apply the following criteria:

- (a) Council shall assess the need for the use in a neighbourhood;
- (b) buildings and structures shall be designed and constructed in harmony with surrounding residential uses and measures shall be required to avoid the disruption of the normal enjoyment of a residential neighbourhood as a result of excessive light, odour, noise, traffic congestion, signs, and the assembly of people;
- (c) adequate off-street parking areas and loading and unloading facilities shall be provided;
- (d) access to neighbourhood commercial uses shall be available from a public roadway. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (e) where the commercial use will abut a lot with a residential dwelling, adequate buffering shall be provided and such buffering may take the form of fencing or landscaping. Where buffering measures may not be adequate, special setback requirements or other measures may be imposed. Council may consult with the Ministry of the Environment regarding the type of measures necessary to protect the residential areas;
- (f) not more than one accessory residential unit will be permitted above or to the rear of a neighbourhood commercial use;
- (g) no open storage will be permitted for neighbourhood commercial uses;
- (h) the floor area of any neighbourhood commercial use shall not exceed 200 square metres;
- (i) the location of neighbourhood commercial uses shall be such that they do not create excessive amounts of vehicular traffic which affect nearby residential streets;
- (j) neighbourhood commercial uses shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the Zoning By-law shall be necessary in order to establish a new neighbourhood commercial use; and
- (k) a site plan agreement shall be required for all new and/or expanded neighbourhood commercial uses and the conditions of the site plan agreement shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*.

5.1.5.13 Parkland Areas

Neighbourhood parks and playground areas shall be permitted in the "Residential" land use designation. Such uses should be located and

designed in such a way as to harmonize with and enhance the surrounding residential uses.

In evaluating proposals for parkland areas, Council shall apply the following criteria:

- (a) generally, larger parks are preferred to a number of small parkettes;
- (b) hazard areas near the rail road tracks and high traffic volume roads should be avoided in favour of a centralized location which may complement the open spaces found in storm water management areas;
- (c) development of a park(s) with frontage along a road be preferred to park developed to the rear of residential development; and
- (d) linkages to the municipal trail system is encouraged.

5.1.5.14 Monitoring of Residential Development

It is the intent of this Plan that all development within the “Residential” designation take place on full municipal servicing. Council shall monitor and, if necessary, regulate the number of new residential lots or units being created or constructed in order to attain an acceptable rate of occupancy in existing or approved development prior to the creation or approval of additional residential lots or units.

5.1.5.15 Zoning By-law

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The Zoning By-law shall contain regulations on matters such as permitted uses, permitted buildings and structures, minimum lot sizes, necessary setbacks, and off-street parking requirements.

The Zoning By-law will zone initially only those lands which have been developed for a permitted use existing at the date of adoption of the By-law. Development of the areas designated as “Residential” but not used for a use permitted in the “Residential” land use designation at the date of adoption of the Zoning By-law will be placed in a development or holding zone in the By-law and will require, therefore, amendments to the By-law prior to being developed.

5.1.5.16 Home Occupations

Home occupations that comprise a secondary use carried on entirely within a dwelling unit by the resident(s) may be permitted in residential areas. The implementing Zoning By-law may contain regulations to limit the type of permitted home occupation and may establish standards for the scale of use, building extensions, parking, and exterior advertising in order to protect the residential amenity.

5.1.5.17 Bed and Breakfast Establishments

Bed and breakfast establishments carried on entirely within a single detached dwelling in the “Residential” designation may be permitted. Such bed and breakfast establishments must clearly be secondary to the main use of the dwelling as a private residence and it must not change the character of the dwelling as a private residence. Bed and breakfast establishments must satisfy the specific zoning requirements as set out in the implementing Zoning By-law and meet all other applicable requirements (e.g. Building Code, Fire Code, Perth District Health Unit requirements).

5.1.5.18 Garden Suites

Garden suite development consists of a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and is used for the temporary housing of individuals associated with the host dwelling. Council may permit the establishment of garden suites in all residential areas subject to the following:

- (a) the host lot needs to be sufficiently large enough to accommodate the garden suite uses. Provisions for on-site amenity areas, parking, and buffering of abutting property shall be considered factors to determine the appropriateness of the use;
- (b) the use must be serviced with full municipal services, including water and sanitary services;
- (c) Council shall require a temporary use By-law be adopted to permit the use. Such By-law may be for any period of time as determined by Council but initially not exceed ten years. Any subsequent temporary use By-law may be for any period of time as determined by Council but shall not exceed three years; and
- (d) the owner of the subject property and the occupant(s) of the garden suite shall enter into an Occupancy Agreement and a Site Plan Agreement with the Municipality.

5.1.5.19 Brownfield Redevelopment

Applications to re-develop existing or previously used commercial, community use, or industrial lands for residential uses shall include a Record of Site Condition in accordance with the *Environment Protection Act, R.S.O. 1990* regarding the present and past uses of the property sufficient to identify the likelihood of contamination. Where this preliminary information indicates the likelihood of contamination, further investigation will be required to determine the extent of contamination and any measures necessary to clean up the site in accordance with Ministry of Environment requirements. The proponent’s professional engineer shall affirm that the necessary remedial/clean-up measures have been fully carried out and that the site is suitable for the proposed use prior to Council permitting any such redevelopment.

5.1.5.20 Staging of Development

The following policies apply to the lands designated for development beyond the existing built-up area of the Mitchell Ward:

- (a) the staging of development within the Mitchell Ward shall be regulated in order to facilitate an orderly and efficient land use pattern;
- (b) as far as possible, new development shall be located close to the existing built up areas and moving outwardly to the Mitchell Ward's boundary lines. Generally, strip development shall be avoided and a compact "cluster" development within the Ward is encouraged;
- (c) the land proposed for development shall have frontage on an opened and maintained municipal road in accordance with the policies of this Plan;
- (d) new development will not interfere with any existing development nor restrict the future development of remnant or adjacent lands (i.e. landlocking); and
- (e) to minimize the high cost of servicing, the staging of development is contingent upon the sewage capacity of the Municipality.

5.1.5.21 Provincial Housing Policy Statement

In accordance with the Provincial Policy Statement, it is the intent of Council that the following policies apply with respect to the provision of housing in the Mitchell Ward:

- (a) Council shall designate sufficient land within the "Residential" designation to meet the housing needs of the community for up to 20 years. Council will encourage residential development and redevelopment by designating sufficient land to provide the marketplace with sufficient alternatives to accommodate growth for a minimum of 10 years and Council will make available sufficient servicing to provide at least a 3 year supply of residential units;
- (b) that the handling of residential applications be streamlined through the preparation of a guideline document to outline procedures to deal with the processing of residential applications and to set out suggested time frames within which residential applications will be dealt with;
- (c) that a range of housing types be throughout the areas designated "Residential" in the Mitchell Ward. New residential proposals should incorporate a range of housing types and residential intensification within existing residential use areas should be encouraged, wherever possible;

- (d) that at least 20 percent of all housing units to be provided will be within the affordability range established by the Province; and
- (e) to monitor the provision of housing and the adequate capacity of the water and sewage systems in the Mitchell Ward on an ongoing basis to ensure that the residential housing needs of the Municipality are and will continue to be met and to ensure that residential development proposals meet the general policies of the Provincial Policy Statement.

5.1.6 RESIDENTIAL - MOBILE HOME PARK

This section of the of Mitchell Ward Official Plan provides land use policies pertaining to the “Residential-Mobile Home Park” land use designation in the Mitchell Ward, as shown on Schedule “A” (Mitchell Land Use Plan).

5.1.6.1 Background

Although there are no mobile home parks in the Mitchell Ward at present, there is one particular site that has been the subject of a proposal for a mobile home park. The policy in this section of the Plan is intended to regulate the development of any mobile home park in the Ward.

5.1.6.2 Definition

The “Residential - Mobile Home Park” designation of land shall mean that the use of land shall be for mobile home parks, comprised of mobile homes and modular homes.

5.1.6.3 Principal Goal

The principal goal is to provide and maintain a residential environment of high standards for the residents of a mobile home park.

5.1.6.4 Objectives

The following objectives are adopted for the “Residential - Mobile Home Park” designation:

- (a) to ensure that the standards of development provided are to the satisfaction of the Municipality;
- (b) to ensure that basic amenities and services for the residents of mobile home parks are provided;
- (c) to ensure that any new development of mobile home parks is consistent with the desires and capabilities of the Municipality to absorb growth; and
- (d) to ensure that the various requirements will be met prior to the commencement of the actual development.

5.1.6.5 Policies

In order to achieve the foregoing goal and objectives, the following policies are

adopted:

5.1.6.5.1 Designated Areas

This Plan designates one parcel of land for mobile home park development. This particular parcel of land has been the subject of a proposal for a mobile home park. The development of a mobile home park on any parcel of land other than that designated by this Plan will require an amendment to this Plan and the implementing Zoning By-law.

5.1.6.5.2 Park Ownership

Mobile home parks shall be owned and managed as a single unit by a mobile home park owner. Sites within mobile home parks shall be rented or leased only.

5.1.6.5.3 Occupancy

Mobile home parks will be used only for permanent occupancy by mobile home residents. Mobile homes will be considered as a form of permanent residential development in accordance with Section 46 of the *Planning Act, R.S.O 1990*.

5.1.6.5.4 Maintenance

Ownership and responsibility for the maintenance of servicing systems, internal roads, communal areas, and buildings as well as general park

management, including snow clearance, garbage collection, landscaping, etc., shall rest with the owner of the mobile home park.

5.1.6.5.5 Mobile Home Park Size

The minimum size for a mobile home park shall be 2 hectares, but no such park shall exceed 12 hectares in size.

5.1.6.5.6 Lot Size and Density

The minimum size for individual mobile home sites within a mobile home park shall be 360 square metres. The maximum density of development shall not exceed 20 units per gross hectare.

Mobile home floor areas will be regulated by the implementing Zoning By-law.

5.1.6.5.7 Access

Mobile home parks shall be permitted access to any public road provided that such access does not create traffic hazards. A minimum of two access points to open public roads shall be provided for each mobile home park.

Individual mobile homes within a mobile home park shall have a frontage on internal roads built to a width and standard approved by the Municipality. In addition, the Municipality may require that service roads be provided from public roads and within the park itself.

- 5.1.6.5.8 Design**
The internal design of a mobile home park should, wherever possible, have curvilinear and/or cul-de-sac roadways and clustered lot arrangements. Unless impractical as a result of site shape or natural features, roadways should change direction at a distance not greater than approximately 150 metres.
- 5.1.6.5.9 Open Space**
Adequate open space for recreational activities shall be provided. A minimum of 5 percent of the gross area of a mobile home park shall be provided in a consolidated form for recreational purposes.
- 5.1.6.5.10 Water Systems and Sanitary Sewage Systems**
Mobile home parks must be serviced by water and sanitary sewage systems. It is the intent of this Plan that a mobile home park must be serviced by the Municipality's municipal water supply and municipal sanitary sewage systems.
- 5.1.6.5.11 Landscaping**
Suitable landscaping throughout the park and adequate landscape buffering around the park to screen the mobile home park from neighbouring uses shall be required. Those areas used for landscape buffering shall not be considered as part of the 5 per cent land area required for recreational purposes.
- 5.1.6.5.12 Off-street Parking**
Adequate off-street parking for residents and visitors shall be provided.
- 5.1.6.5.13 Standards**
All mobile homes and the servicing and operation of mobile home parks shall be in accordance with current standards and specifications being developed or developed by:
- (a) the Canadian Standards Association;
 - (b) the Canada Mortgage and Housing Corporation;
 - (c) the Canadian code for Residential Construction;
 - (d) the Canadian Mobile Home Association; and
 - (e) the Ontario Building Code.
- 5.1.6.5.14 Site Plan**
Site plans shall be required for all mobile home park developments. A site plan of a proposed mobile home park must be submitted to Council as part of the process of evaluating mobile home park proposals. The site plan shall provide information concerning the following matters:

- (a) the true shape, topography, contours, soil and drainage characteristics, dimensions, area, and location of the property to be developed as well as the extent of adjacent property held for future mobile home park development;
- (b) the existing use of all land and the location and use of all buildings and structures lying within a distance of 30 metres from the land that is to be developed for the mobile home park;
- (c) the location, height, dimensions, and use of all buildings and structures existing or proposed to be erected on the property;
- (d) all entrances and exits;
- (e) progressive and ultimate development of individual mobile home lots, ancillary facilities, and internal roads; and
- (f) drainage provisions. The method and final grades by which the mobile home park shall be adequately drained, certified by a qualified engineer.

5.1.6.5.15 Development Agreement

It shall be the policy of this Plan that an applicant who wishes to establish a mobile home park must enter into a development agreement with the Municipality. This agreement shall be entered into prior to Council's enactment of an amendment to the implementing Zoning By-law. Such an agreement should include:

- (a) arrangements for the provision of adequate buffer planting for the purposes of screening the proposed development from surrounding land uses;
- (b) suitable arrangements for the installation and maintenance of services;
- (c) suitable arrangements for the control of drainage of the property; and
- (d) suitable arrangements for the control of the specific use to be made of the property and the location of all facets of the development by means of a site plan.

5.1.7 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land in the "Residential" designation as shown on Schedule "A" (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

5.1.7.1 Servicing Requirement

All consents involved with new and/or expansion of existing development shall be approved only if the subject land is serviced or readily capable of being serviced by municipal water and sewage services. Where service extension is required for the new and/expanded development, such service extension shall be required as a condition of severance approval.

5.1.7.2 Lot Enlargement

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted “Residential” use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

5.1.7.3 General Principles

The following general principles shall apply to consent applications involving land in the “Residential” designation:

- (a) regard shall be had for the preservation and protection of existing natural heritage features (e.g. woodlots, treed areas); and
- (b) regard shall be had for the protection of drainage systems.

5.1.8 Implementation

The policies of the “Residential” land use designation will be implemented as follows:

- (a) through the provisions of the Municipality’s Zoning By-law;
- (b) through the policies of the section of this Plan entitled “Policy for the Division of Land”;
- (c) through control and supervision by the Municipality over new developments in accordance with the powers provided by the policies throughout this Plan;
- (d) through the issuance of building permits by the Chief Building Official of the Municipality; and
- (e) in the case of Mobile Home Parks, through the Municipality entering into development agreements and Site Plan Agreements.

5.1.9 Exceptions**5.1.9.1**

In addition to the uses permitted above, an existing commercial use described as an animal hospital and veterinary clinic shall be permitted within the “Residential” designation on the property described as that part of Lot 13, Concession 1 in the Ward of Mitchell (formerly in the Township of Logan), as shown on Schedule “A”.

5.1.9.2 (OPA No. 23)

- (a) Notwithstanding the policies of this Plan to the contrary, all new residential development on property described as the north part of Lot 13, Concession 1, as shown with a triangle symbol on Schedule "A", in the Ward of Mitchell (formally in the Township of Logan) shall be setback a distance of 77 metres (253 feet) from a livestock operation conducted in an existing cattle barn located in the south-easterly portion of Lot 13, Concession 2 in the Ward of Logan;
- (b) Notwithstanding the policies of Section 18.1.2 and 18.1.4, the replacement of the existing dwelling (existing June 1, 2015) shall be permitted on private sanitary services (a septic tank and weeping tile system) until such time as municipal sanitary sewers are available to service the subject property. Any dwelling and any other buildings on the subject property requiring sanitary services shall connect to the municipal sanitary service within one (1) year of the municipal sanitary sewers becoming available;
- (c) The installation of private sanitary services (a septic tank and weeping tile system) shall meet all applicable requirements of the appropriate agency having jurisdiction of these issues;
- (d) An Amendment to the Municipality's Zoning By-law shall be required. Such Amendment will regulate the location of the replacement of the existing dwelling (existing June 1, 2015) to an area toward the north-west portion of the subject property and to provide appropriate regulations for the permitted uses;
- (e) Road access shall be from Frances Street and such access shall be to the satisfaction of the Municipality.

5.1.9.3

- (a) In addition to uses permitted in Section 5.1.2 above, an additional use described as a restaurant eating establishment, including a takeout service and accessory uses located on a parcel of land with an area of approximately 0.8 hectares and described as part of Lot 13, Concession 1 (formerly in the Township of Logan) in the Mitchell Ward (formerly the Town of Mitchell) in the Municipality of West Perth, shall be permitted subject to the following:
 - (i) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. All improvements deemed necessary by the Municipality, for example, the installation of a left-hand turning lane for east bound traffic, right hand- deceleration lane for west bound traffic, barrier curbing, electrical service relocation, sidewalks, road widening shall be completed at the proponents expense;

- (ii) Adequate buffering shall be provided along the westerly and easterly boundaries of the subject land where residential uses abut the subject land. Such buffering may take the form of fencing and landscaping and/or landscaping in the form of a planting strip;
- (iii) The buildings and structures for the permitted uses shall be designed and constructed in harmony with surrounding residential uses and measures shall be required to avoid the disruption of the normal enjoyment of a residential neighbourhood as a result of excessive light, noise, traffic congestion, signs, and the assembly of people;
- (iv) A site plan agreement in accordance with Section 41 of the *Planning Act R.S.O. 1990* will be required; and
- (v) Notwithstanding the policies above, no commercial development, uses, buildings or structures shall be permitted on the land located within the "Flood Plain Setback Area" located between the Theil Drain and the "Flood Plain Setback Limit" as shown on Schedule "A".

6.0 CENTRAL COMMERCIAL LAND USE POLICIES

6.1 Background

The central commercial area of the Mitchell Ward tends to be concentrated in that area bounded by Montreal Street to the north, the Thames River to the west, St. David Street to the east, and Quebec Street to the south. The majority of commercial uses are situated along both sides of Ontario Street (Highway 8) between St. George Street on the west and St. David Street on the east.

In 1981, Council, in co-operation with the former Mitchell and District Planning Board, conducted a Commercial Needs Study which had as its overall goal an investigation of the present and future retail and commercial sectors of the Ward. The study had three objectives to attain this goal:

- (a) to determine the viability of the downtown and its ability (if any) to accommodate additional retail development whether that development has been proposed or is pending;
- (b) to compile a data base regarding the commercial uses in the Ward which will assist in the preparation of policy for the revised Official Plan; and
- (c) to examine the need for additional areas to be designated in the Official Plan for Highway Commercial development and to put forward recommendations as to which areas (if any) should be designated.

The study was completed in September, 1981 and showed that the Ward has a trade area extending 19 to 21 kilometres from its boundaries. For this reason, commercial establishments in the Ward provide a variety of goods and services not only to the Ward's residents but also to residents in the surrounding Townships.

The study also concluded that the limited additional supportable major food space by and large prohibits the development of any new large food facility in the downtown or outside area now or in the immediate future, without impacting deleteriously on the existing stores. Expansion in two or three years of one or both of the existing supermarkets was, however, considered a possibility.

Another conclusion stated that, at present, the department store type merchandise retail alignment is for all intents and purposes in balance with the effective trade area demand. A negligible amount of additional space is currently supportable.

6.2 **Definition**

The “Central Commercial” designation of land shall mean that the primary use of land shall be for all forms of retail and service commercial facilities, business and professional offices, hotels, eating establishments, and places of entertainment.

In addition, public utilities, institutional uses such as churches, medical clinics, public administration buildings, and schools are permitted. Public and private clubs, recreational facilities, parkettes, and residential uses accessory or incidental to the commercial use provided they are located above the ground floor grade level may also be permitted where they will not interfere with or detract from the primary commercial function of the area.

The lands designated as “Central Commercial”, to which the following goal, objectives, and policies apply, are shown on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

6.3 **Principal Goal**

The principal goal of the “Central Commercial” designation is to promote a level and range of commercial facilities which serve the needs of West Perth residents while ensuring that future development complements existing commercial development.

6.4 **Objectives**

The following have been adopted as the objectives of the “Central Commercial” land use designation:

- (a) to promote the continued development of a compact, attractive, and well defined core area;
- (b) to assess additional commercial development in the core area on the basis of its impact on existing development;
- (c) to allow for the growth of the Commercial sector in balance with the need to encourage a continuation of the dominant position of the Central Commercial area in the overall hierarchy of commercial function in the Ward;
- (d) to establish policies and performance standards to guide and maintain a desirable level of commercial development;
- (e) to minimize the potential for land use conflicts between uses by ensuring that commercial uses are compatible with adjacent land uses;

- (f) to preserve and enhance the pleasant character of the existing commercial development within the core area and encourages the maintenance and improvement of the Central Commercial streetscape;
- (g) to encourage gradual core area improvements as opposed to rapid major redevelopment;
- (h) to integrate the distinct natural environment associated with the Thames River with “Central Commercial” development;
- (i) to promote the “Central Commercial” designation as a focus for community festivals, celebrations, and gatherings;
- (j) to provide opportunities to increase the supply of parking spaces; and
- (k) to provide for the widest range a range of commercial goods and services within the market capabilities of the area which are needed on a regular basis by residents of the Mitchell Ward and its surrounding market area.

6.5 Policies

In order to achieve the foregoing goal and objectives, the following policies have been adopted:

6.5.1 Location

New commercial establishments, excepting those activities that require large amounts of land such as automobile sales and service centres and building supply outlets, shall be encouraged to locate within the “Central Commercial” land use designation as shown on Schedule “A” (Mitchell Land Use Plan). Generally, new commercial development within the “Central Commercial” area should occur as an extension of the existing built-up commercial area.

6.5.2 Development of Vacant Lands

Council shall strongly encourage the commercial development of vacant lands in the “Central Commercial” core area and balance this development with the availability of parking.

6.5.3 Primary Commercial Area

It is the intent of this Plan that the downtown area shall continue to be the dominant commercial, trade and commerce area servicing Mitchell Ward and its trade area.

6.5.4 Off-Street Parking

Council shall investigate, in co-operation with downtown merchants, the feasibility of providing suitable off-street parking areas. In order to serve the needs of the present core area, parking should be provided within a short walking distance of Ontario Street, preferably directly contiguous to the existing commercial uses. The parking areas should, where feasible, serve the dual purpose of providing employee and customer parking as well as loading facilities to the commercial uses.

6.5.5 Pedestrian Access

The development of the “Central Commercial” designation should continue to be as compact as possible and development should occur in such a manner as to facilitate and serve pedestrian access.

6.5.6 Landscaping and Buffering

Adequate landscaping and buffering shall be provided between “Central Commercial” uses and adjacent residential areas. Such landscaping and buffering may include fences, berms, grass strips, and/or tree and shrub planting.

All areas for external sales, service, storage, display of goods, or materials, garbage or trash storage and collection shall be adequately screened from adjacent residential uses.

6.5.7 Open Storage

Generally, open storage (display of goods and materials offered for sale excepted) shall not be permitted in the “Central Commercial” designation.

6.5.8 Site Plan

Council shall require a site plan for any new commercial development within the “Central Commercial” land use designation and the conditions of any required site plan shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*, as amended.

6.5.9 Servicing Requirements

All types of development within the “Central Commercial” land use designation shall be required to satisfy the applicable servicing requirements of Section 18 of this Plan.

6.5.10 Institutional and Public Utility Uses

Institutional and public utility uses are permitted within the Central Commercial designation. Where there development involves the erection of buildings, such buildings shall be designed in such a manner as to complement and harmonize with the existing core area uses.

6.5.11 **Redevelopment and Improvement**

Council shall actively participate in the improvement, refurbishment, and redevelopment of its “Central Commercial” core area in a comprehensive manner through the co-ordination of individual development schemes, the provision of integrated solutions to pedestrian and vehicular traffic circulation problems and the investigation of possible strategies and programmes for urban redevelopment and revitalization.

Private initiatives in support of development in the “Central Commercial” core area shall also be encouraged by Council, provided that the proposals are in conformity with the policies of this Plan.

In order to achieve the general goal of refurbishment, rehabilitation, conservation, and redevelopment of the “Central Commercial” core area, Council may consider the following measures:

- (a) actively support the concentration of new commercial development within the core area;
- (b) require that refurbishment, rehabilitation, and/or conservation developments or redevelopment schemes for the “Central Commercial” core area emphasize the provision of sufficient light and air space, the creation of public open space areas, and a high standard of design which has unity, coherence, and aesthetic appeal;
- (c) co-ordinate and finance, in conjunction with the local businessmen, a continuing programme of civic beautification;
- (d) participate in the provision of public parking in the “Central Commercial” core area as the need arises; and
- (e) provision of leadership in the implementation of various improvement schemes, including the establishment of a Business Improvement Area by by-law under the *Municipal Act, 2001*.

Council may require a market study for any new development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Central Commercial” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Central Commercial” designation, such development or redevelopment may not be permitted.

6.5.12 Residential Uses

Residential uses may be permitted above commercial establishments provided that they are designed as an integral part of the core area, provided such residential uses are and continue as secondary uses to the principal commercial uses, and they are compatible to the operational characteristics of the commercial uses respecting noise, odours, traffic and hours of operation.

6.5.13 Residential to Commercial Conversion

The “Central Commercial” designation includes a number of existing residential uses. Where a proposal has been received for the conversion of a dwelling to a commercial use, prior to rezoning, Council shall be assured that:

- (a) the building is structurally sound and suitable for the increased use associated with a commercial operation;
- (b) there is sufficient parking available for the use proposed either on the site or through municipal parking; and
- (c) the proposed use would be compatible with adjacent development, and potential effects on existing character of the surrounding uses.

6.5.14 Zoning By-law

The implementing Zoning By-law shall zone lands in accordance with the policies of this Plan. The By-law shall contain suitable provisions for setbacks from property lines, off-street parking, loading, landscaping, buffering, and other matters to protect adjacent land uses.

6.5.15 Consent/Severance Policies

The following specific policies shall apply to consent application which involve land in the “Central Commercial” designation as shown on Schedule “A” (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

6.5.15.1 Servicing Requirement

All consents involved with new and/or expansion of existing development shall be approved only if the subject land is serviced or readily capable of being serviced by municipal water and sewage services. Where service extension is required for the new and/or expanded development, such service extension shall be required as a condition of consent approval.

6.5.15.2 Abutting Residential Uses

Where land involved in a consent application abuts an existing residential use lot, consideration shall be given to appropriate conditions of consent approval to deal with buffering and screening issues.

6.5.15.3 Lot Enlargement

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted "Central Commercial" use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

6.6 Implementation

The policies of the "Central Commercial" land use designation will be implemented as follows:

- (a) through the provisions of the Municipality's Zoning By-law;
- (b) through the policies of the section of this Plan entitled "Policy for the Division of Land";
- (c) through municipal control and supervision over new development in accordance with the powers provided in the policies throughout this Plan; and
- (d) through municipal encouragement of and involvement in the continued development of the core area of the community.

6.7 Exceptions

- 6.7.1 (a) Notwithstanding the provisions of Section 6.2 of the Mitchell Ward Official Plan to the contrary, the only permitted uses on the land described as Part of Lots 56 and 57, Registered Plan No. 339 in the Mitchell Ward shall be a business or professional office and a residential dwelling unit in the existing building. The following criteria shall apply to the permitted uses on this parcel of land:
 - (i) adequate off-street parking areas shall be provided;
 - (ii) access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
 - (iii) adequate buffering shall be provided along the northerly and westerly lot lines of the subject land where residential uses abut the subject land. Such buffering may take the form of

- (iv) fencing and landscaping and/or landscaping in the form of a planting strip; and
- (v) a site plan agreement in accordance with Section 41 of the *Planning Act, R.S.O. 1990*, will be required for the permitted uses on the subject land.

6.7.2 (a) The permitted uses on the land designated as “Central Commercial” and described as part of Lot 34, Registered Plan No. 339 the Mitchell Ward shall consist of “Central Commercial” type uses, excepting uses specifically described as eating establishments, hotels, taverns, animal hospitals, commercial schools, custom workshops, private clubs, and taxi establishments.

(b) A site plan agreement in accordance with Section 41 of the *Planning Act, R.S.O. 1990*, will be required for the permitted uses in Clause (a) above.

6.7.3 (a) The permitted uses on the land designated as “Central Commercial” and described as Lot 336, Registered Plan No. 339 in the Mitchell Ward shall consist of “Central Commercial” type uses, excepting uses specifically described as eating establishments, hotels, taverns, animal hospitals, commercial schools, custom workshops, private clubs, and taxi establishments.

(b) Notwithstanding the policies in Clause (a) above, a bed and breakfast establishment and a tea room shall be permitted uses.

(c) A site plan agreement in accordance with Section 41 of the *Planning Act, R.S.O. 1990*, will be required for the permitted uses in Clause (a) above.

6.7.4 (a) Notwithstanding the policies of Section 6.5.1 of the Mitchell Ward Plan to the contrary, an existing automobile sales and service establishment shall be permitted on Lots 5, 6, 22, and part of Lot 23, Registered Plan No. 339 in the Mitchell Ward (formerly the Town of Mitchell). All other policies of the “Central Commercial” land use designation shall apply.

(b) A site plan agreement in accordance with Section 41 of the *Planning Act R.S.O. 1990* will be required.

6.7.5 (a) Notwithstanding the policies of Section 6.2 and Section 6.5.1 of the Mitchell Ward Official Plan to the contrary, the an additional use described as an automobile washing establishment shall be

permitted on the land described as Lot 40 and part of Lot 57, Registered Plan No. 339 in the Mitchell Ward (formerly the Town of Mitchell) in the Municipality of West Perth. All other polices of the "Central Commercial" land use designation shall apply.

- (b) A site plan agreement in accordance with Section 41 of the *Planning Act, R.S.O. 1990* will be required.

7.0 SECONDARY COMMERCIAL AREA

7.1 Background

In 1990 the Town of Mitchell Council authorized the preparation of a study to consider the expansion of the Town's commercial core area. The need for the study was prompted by Council's desire to see a larger land base provided for new commercial development in Mitchell and in response to recent proposals for commercial development in areas immediately abutting the designated "Central Commercial" area.

The study was prepared by the County of Perth Planning and Development Office in 1990 and it was presented to Council for consideration in late 1990. The study reviewed the projected commercial needs for Mitchell and how those needs were being met, reviewed the constraints to further commercial development in and around the core area, reviewed the existing and potential commercial capacity in the core area, and provided recommendations concerning the need for expansion of the core area.

Following its review and consideration of the above-noted study, Council concluded that there was a need to provide for additional commercial development areas adjacent to the existing "Central Commercial" area and identified a specific area for that purpose. Council further directed that an amendment to the Official Plan be prepared and considered for the provision of a new commercial area adjacent to the existing "Central Commercial" designation.

7.2 Definition

The "Secondary Commercial Area" designation of land shall mean that the primary use of land shall be for a narrow range of small scale commercial type uses. Existing residential uses shall be recognized as permitted and the enlargement and/or replacement of same also shall be permitted.

The lands designated as "Secondary Commercial Area", to which the following goal, objectives, and policies apply, are shown on Schedule "A" (Mitchell Land Use Plan) to this Official Plan.

7.3 Principal Goal

The principal goal of the "Secondary Commercial Area" designation is to assist in serving the commercial needs of the Mitchell Ward by providing additional locations for a narrow range of small scale commercial type uses.

7.4 Objectives

The following have been adopted as the objectives of "Secondary Commercial Area" land use designation:

- (a) to continue to promote the development of a compact, attractive, and well defined core area for commercial use;
- (b) to regulate the types of commercial uses permitted in the “Secondary Commercial Area” to those which are small scale and which are a nature so as to be generally compatible with the existing residential within and adjacent to the “Secondary Commercial Area” designation;
- (c) to encourage the permitted commercial uses to occur in an orderly fashion;
- (d) to encourage a scale of development which is in keeping with the scale of existing building and structures within the “Secondary Commercial Area” designation; and
- (e) to permit the continuation of residential uses in the “Secondary Commercial Area” designation until such time that the conversion of same to commercial uses permitted by this designation occurs.

7.5 Policies

In order to achieve the foregoing goal and objectives, the following policies shall apply:

7.5.1 Permitted Commercial Uses

The types of commercial uses permitted shall be small scale commercial type uses which are considered to be generally compatible with residential uses within and adjacent to the “Secondary Commercial Area” designation. For the purpose of this Plan, such uses shall be regulate to business or professional offices; personal service establishments; retail stores (maximum floor area of 112 square metres); eating establishments, other than fast food or take-out restaurants; studios; and a parking lot accessory to a permitted commercial use.

7.5.2 New Commercial Development

The development of permitted commercial uses in the “Secondary Commercial Area” should be in an orderly fashion through the conversion of residential uses to permitted commercial uses.

7.5.3 Building Form and Design

The building form and design used for new commercial uses in the “Secondary Commercial Area” should be both consistent and compatible with the scale and type of building structures present in the subject area. The existing architecture of buildings in the “Secondary Commercial Area” shall be maintained, by promoting the redevelopment of the property in

context of the property and the abutting area where appropriate and/or possible. Wherever possible, consideration is to be given to maintaining existing building structures and accommodating new commercial development through conversion of use within these building structures and through minor additions to same.

7.5.4 Servicing Requirements

All new development within the “Secondary Commercial Area” shall be required to meet the applicable servicing requirements of Section 18 of this Plan.

7.5.5 Off-Street Parking, Loading and Unloading Facilities

All existing and new commercial development within the “Secondary Commercial Area” designation shall provide adequate off-street parking, loading and unloading facilities. Parking, loading and unloading facilities are to be located and designed so as to have minimal impact on abutting or adjacent residential areas.

7.5.6 Landscaping and Buffering

Adequate landscaping shall be provided between new commercial uses in the “Secondary Commercial Area” and abutting residential uses. Such landscaping and buffering may include fences, berms, grass strips, and/or trees and shrubs.

7.5.7 Site Plan Control

Council shall require a site plan agreement for all new commercial development within the “Secondary Commercial Area” designation and the conditions of such site plan agreement shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*.

7.5.8 Residential Uses

Existing residential uses shall be permitted within the “Secondary Commercial Area” designation until such time that the conversion of such residential uses to commercial use is appropriate. The physical enlargement of existing dwellings and the replacement of existing dwellings shall also be permitted. Where conversion to commercial use either has occurred or is proposed, any residential component of the commercial use shall be permitted above commercial establishments provided that such residential uses are and continue as secondary uses to the principal commercial uses, and they are compatible to the operational characteristics of the commercial uses respecting noise, odours, traffic and hours of operation.

7.5.9**Zoning**

Only existing commercial uses within the “Secondary Commercial Area” shall be zoned for commercial use. The establishment of new commercial uses within the “Secondary Commercial Area” designation shall require an amendment to the Municipality’s implementing Zoning By-law.

7.5.10**Consent/Severance Policies**

The following specific policies shall apply to consent application which involve land in the “Secondary Commercial” designation as shown on Schedule “A” (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

7.5.10.1**Servicing Requirement**

All consents involved with new and/or expansion of existing development shall be approved only if the subject land is serviced or readily capable of being serviced by municipal water and sewage services. Where service extension is required for the new and/or expanded development, such service extension shall be required as a condition of consent approval

7.5.10.2**Abutting Residential Uses**

Where land involved in a consent application abuts an existing residential use lot, consideration shall be given to appropriate conditions of consent approval to deal with buffering and screening issues.

7.5.10.3**Lot Enlargement**

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted “Secondary Commercial” use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

7.6**Implementation**

The policies of the “Secondary Commercial Area” designation will be implemented as follows:

- (a) through municipal control and supervision over new development in accordance with the applicable policies contained in this Plan;
- (b) through the provisions of the Municipality’s implementing Zoning By-law and through the Zoning By-law amendment process; and
- (c) through the policies of the section of this Plan entitled “Policy for the Division of Land”.

7.7 Exceptions

Amended By Modification No. 7

- (a) Notwithstanding the provisions of Section 7.5.1 of the Mitchell Ward Official Plan to the contrary, a commercial development described as an automobile gas bar, an automobile washing establishment, convenience stores with an accessory apartment dwellings shall also be permitted on the land described as Lot 340 and part of Lot 341, Registered Plan No. 339 in the Ward of Mitchell in the Municipality of West Perth as shown in hatching on Schedule "A1" to Amendment No. 1 to the Ward of Mitchell Official Plan. The following criteria shall apply to the permitted uses on this parcel of land:
- (i) the buildings and structures for the permitted uses shall be designed and constructed in harmony with surrounding residential uses and measures shall be required to avoid the disruption of the normal enjoyment of a residential neighbourhood as a result of excessive light, noise, traffic congestion, signs, and the assembly of people;
 - (ii) adequate off-street parking areas and loading and unloading facilities shall be provided;
 - (iii) access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
 - (iv) adequate buffering shall be provided along the northerly and easterly boundaries of the subject land where residential uses abut the subject land. Such buffering may take the form of fencing and landscaping and/or landscaping in the form of a planting strip;
 - (v) the floor area of the convenience store permitted on the subject land shall not exceed 600 square metres;
 - (vi) an amendment to the Zoning By-law shall be required in order to permit the uses permitted by Amendment No. 1 to the Official Plan on the subject land and to provide appropriate regulations for the permitted uses;
 - (vii) a site plan agreement in accordance with Section 41 of the Planning Act, 1990, shall be required for the permitted uses on the subject land;

- (viii) a deeming by-law in accordance with Section 50(4) of the Planning Act, 1990, shall be required to merge the subject land into one parcel prior to the establishment of an automobile washing establishment on the subject land.

Amended by OPA No. 25 (2019)

- (b) Notwithstanding the provisions of Section 7.5.8 of the Mitchell Ward Official Plan to the contrary, the use of the property for residential purposes is permitted on the lands described as Part of Lots 34 and 17, Plan 339 in the Mitchell Ward of the Municipality of West Perth, as shown in hatching on Schedule "A-25" to Amendment No. 25 to the Ward of Mitchell Official Plan.

8.0 HIGHWAY COMMERCIAL

8.1 Background

Those commercial uses requiring larger land areas than available in the commercial core and which are dependent on the travelling public have tended to locate towards the edge of the Ward on St. George Street, Huron Road, and Ontario Street.

There has been some development pressure for Highway Commercial uses on the east side of the Mitchell Ward and beyond the Ward boundary. Through a comparison of the various traffic counts it is apparent that Highway No. 8, east of Mitchell, experiences the greatest volume of traffic, outpacing each of the other three entrances to Mitchell by more than 50 percent. These traffic counts indicate that the east side of Mitchell, along Highway No. 8, offers the greatest opportunity for Highway Commercial type development.

To address these development pressures, the County has created an “Urban Fringe” designation for the development of Highway Commercial type uses, east of the Ward boundary and policies of the County Official Plan apply to this area

8.2 Definition

The “Highway Commercial” designation of land shall mean that the primary use of land shall be for those commercial establishments and uses oriented to serving the travelling public such as restaurants, drive-in food outlets, automobile service stations, public garages, and motels, retail or wholesale outlets requiring large enclosed or open storage areas such as building supply outlets, automobile sales and service dealerships, or farm machinery sales and service dealerships, and other retail or service businesses, including large scale business of professional offices, which exhibit most, if not all, of the characteristics outlined below:

- (a) they do not cater to the casual, pedestrian shopping trade but rather to persons coming to the premises for a specific business purpose and therefore should not generally be situated in pedestrian oriented commercial areas;
- (b) they depend on exposure to public view or require a location which is readily accessible to vehicular traffic from a broad market area and should therefore be located on heavily travelled major routes; and
- (c) their physical requirements in terms of size and shape of site and building are such that they are not usually suitable for incorporation into central commercial areas.

This designation shall not permit shopping centres, malls, or plazas which would have the effect of reducing or usurping the vitality of the commercial core.

The lands designated “Highway Commercial”, to which the following goal, objectives, and polices apply, are shown on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

8.3 Principal Goal

The principal goal of the “Highway Commercial” designation is to provide a suitable location for those uses requiring large areas of land and locations along heavily travelled roadways which complement the role and function of the central commercial area and to ensure that such uses are developed in a manner which is compatible with the surrounding land use.

8.4 Objectives

The objectives of the “Highway Commercial” land use designation shall be as follows:

- (a) to encourage highway commercial uses to locate in groups in designated areas outside the core area and provide a range of commercial opportunities to meet local and non resident demand and to attract new ventures;
- (b) to promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “Highway Commercial” designation as a commercial employment area;
- (c) to ensure that highway commercial uses minimize the number of required access points as a method of vehicular and pedestrian traffic safety;
- (d) to encourage suitable building design and appropriate use of landscaping and buffering in order to minimize the potential for land use conflicts between highway commercial uses and adjacent uses, particularly residential uses;
- (e) to establish policies and performance standards to guide and maintain a desirable level and standard of highway commercial uses; and
- (f) To encourage the conversion of non-highway commercial type uses in “Highway Commercial/Service” areas to highway commercial type uses.

8.5 **Policies**

In order to achieve the foregoing goal and objectives, the following policies have been adopted:

8.5.1 **Location**

The location of permitted highway commercial uses shall be limited to those locations designated as “Highway Commercial” on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

8.5.1.1 “Highway Commercial” uses that cater to the travelling public, particularly automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards shall be permitted.

Other uses that have extensive land requirements and are not appropriate for the central commercial area such as large plate retail uses, large scale business and professional offices, and factory outlets may also be permitted.

8.5.1.2 Council may require a market study for any new “Highway Commercial” development or redevelopment where the gross leasable floor area is greater than 1,000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the central commercial area. Where Council is of the opinion that said development or redevelopment will have negative impacts on the central commercial area designation, such development or redevelopment may not be permitted.

8.5.2 **Access**

Entrance and exit points shall be limited in number, where possible and appropriate, and shall be designed in such a manner as to minimize the danger to highway traffic and pedestrian traffic. Access points must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network. Where appropriate, shared access along with proper shared parking facilities shall be encouraged.

8.5.3 **Site Plan**

Council shall require a site plan for all new highway commercial development within the “Highway Commercial” designation and the conditions of any required site plan agreement shall be met under the authority of Section 41 of the *Planning Act, R.S.O. 1990*, as amended.

8.5.4 Off-Street Parking and Grouping of Uses

Council shall encourage the clustering or grouping of highway commercial uses in order to make the best use of the available designated land areas and provide for the sharing of parking access and other facilities. Highway commercial uses shall be required to provide adequate off-street parking and loading and unloading facilities as set forth in the implementing Zoning By-law.

8.5.5 Landscaping and Buffering

Adequate landscaping and buffering shall be provided between highway commercial uses and adjacent residential areas. Such landscaping and buffering may include fences, berms, grass strips, and/or trees and shrubs.

A continuous strip of land intended for landscaping purposes shall be provided between highway pavement and any highway commercial site except for a limited number of vehicle entrances and exits.

8.5.6 Servicing Requirements

Development of all kinds within the “Highway Commercial” land use designation shall be required to satisfy the applicable servicing requirements of Section 18 of this Plan. Proposals for development, which in the view of Council, would result in an undue financial burden on the Ward, especially with respect to the provision of public utilities or other necessary public services, shall not be permitted.

An exception to this shall apply in the “Highway Commercial” area in the west part of the Mitchell Ward, where smaller highway commercial uses shall be permitted without the need for municipal sewage services.

8.5.7 Zoning By-law

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain suitable provisions for setbacks from property lines, off-street parking, loading, landscaping, buffering, and other matters to protect adjacent land uses.

8.5.8 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land in the “Highway Commercial” designation as shown on Schedule “A” (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

8.5.8.1 Servicing Requirement

All consents involved with new and/or expansion of existing development

shall be approved only if the subject land is serviced or readily capable of being serviced by municipal water and sewage services. Where service extension is required for the new and/or expanded development, such service extension shall be required as a condition of consent approval.

An exception to this shall apply in the “Highway Commercial” area in the west part of the Mitchell Ward, where smaller highway commercial uses shall be permitted without the need for municipal sewage services.

8.5.8.2 Abutting Residential Uses

Where land involved in a consent application abuts an existing residential use lot, consideration shall be given to appropriate conditions of consent approval to deal with buffering and screening issues.

8.5.8.3 Lot Enlargement

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted “Highway Commercial” use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

8.6 Implementation

The policies of the “Highway Commercial” land use designation will be implemented as follows:

- (a) through the provisions of the Municipality’s Zoning By-law;
- (b) through the policies of the section of this Plan entitled “Policy for the Division of Land”;
- (c) through the implementation of the Municipality’s Site Plan Control procedures; and
- (d) through municipal control and supervision over new development in accordance with the powers provided in the policies throughout this Plan.

8.7 Exceptions

- 8.7.1**
- (a) In addition to the uses permitted by Section 8.2 of the Official Plan, a use described as an indoor storage/warehouse use shall be permitted on a parcel of land described as part of Lot 18, Concession1 formerly in the Township of Logan, more specifically described as Part 1, Reference Plan No. 44R-3210 having an area of approximately 5,500 square metres;
 - (b) Notwithstanding the servicing requirements of Section 8.5.6 and

18.1 of the Official Plan, the indoor storage/warehouse use referred to in Clause (a) above shall be permitted without the provision of full municipal services. The requirements of the applicable regulatory authority shall apply in respect to any sewage disposal services required for the indoor storage/warehouse use; and

- (c) The development of an indoor storage/warehouse use on the subject land shall be subject to the policies of Section 8.5, excepting the servicing requirements contained in Section 8.5.6 as noted above.

8.7.2

- (a) In addition to uses permitted in Section 8.2 above, a use described as a business and professional office use and ancillary uses shall be permitted on a parcel of land with an area of approximately 3,400 square metres and described as part of Park Lot 5, Registered Plan No. 339 in the Mitchell Ward (formerly the Town of Mitchell) in the Municipality of West Perth, subject to the following:
 - (i) adequate buffering shall be provided along the easterly boundary of the subject land where residential uses abut the subject land. Such buffering may take the form of fencing and landscaping and/or landscaping in the form of a planting strip;
 - (ii) the buildings and structures for the permitted use shall be designed and constructed in harmony with surrounding residential uses and measures shall be required to avoid the disruption of the normal enjoyment of a residential neighbourhood as a result of excessive light, noise, traffic congestion, signs, and the assembly of people; and
 - (iii) a site plan agreement in accordance with Section 41 of the *Planning Act, R.S.O. 1990* will be required.

9.0 INDUSTRIAL

9.1 Background

The industrial base of a community is important for ensuring economic growth and for creating employment opportunities which help to sustain population growth. Tax revenue which is generated by industry provides municipal income for use in municipal operating expenditures and provision of services. Land use planning for industrial development is, therefore, a major element in achieving the overall economic development goals and objectives of the municipality.

Over the last few decades, industrial development in the Mitchell Ward has been focused primarily in three areas – an area in the core near the confluence of the Thames River and Whirl Creek, an area in the south and south-east part of Mitchell, and an area in the north-west part of the Mitchell Ward. More recently, additional industrial growth lands have been designated in an area the adjacent Fullarton Ward abutting the south-east part of the Mitchell Ward.

The types of industrial uses in the Mitchell Ward vary and consist of a broad range of uses, including manufacturing, processing, fabrication, trucking, storage, warehousing, and construction related activities.

The areas that are designated “Industrial” in this Plan along with the applicable policies are considered to be an important part of West Perth’s strategy for economic development and growth in the Mitchell serviced settlement area.

9.2 Definition/Permitted Uses

The “Industrial” designation shall mean that the primary use of land in areas so designated shall be for uses involving assembly, fabricating, manufacturing, packing, processing, repair activities, storage and warehousing, transportation and cartage industries, wholesaling, and technological service industries, communication and utility industries, and construction industries,

In addition, other uses permitted in the “Industrial” land use designation include public utilities and works yards, fitness and gymnastics facilities, laboratories and research facilities, equipment rentals, and office, retail, and wholesale outlets as a part of a permitted industrial use.

The lands designated as “industrial”, to which the following goals, objectives, and polices apply, are shown on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

9.3 Goals and Objectives

The following goals and objectives are established for the “Industrial” designation:

- (a) to ensure that sufficient land is designated for industrial purposes to

accommodate the industrial growth needs of West Perth for the Mitchell Ward area;

- (b) to encourage the diversification of West Perth's industrial base;
- (c) to encourage industrial development which will not make excessive demands on the water supply and sanitary sewage systems serving the Mitchell Ward area;
- (d) to ensure that areas are available which are highly suited to meeting the modern day requirements of industry;
- (e) to minimize the potential adverse effects of industrial areas on neighbouring non-industrial uses;
- (f) to protect existing industrial development areas and future industrial development areas from intrusion by those non-industrial uses which are incompatible with an industrial use area;
- (g) to promote and create attractive industrial environments through esthetic and functional site design measures;
- (h) to maintain an adequate industrial land reserve in order to provide for the expansion of existing industries, to facilitate industrial relocations and to provide for new industrial growth; and
- (i) to expand the employment opportunities available to the residents of the Mitchell Ward and the Municipality of West Perth.

9.4 Policies

In order to achieve the foregoing goals and objectives, the following policies are adopted:

9.4.1 Location

Industrial development shall be located in areas designated "Industrial" as shown on Schedule "A" (Mitchell Land Use Plan).

9.4.2 Servicing Requirement

All new development in the "Industrial" designation shall be serviced by municipal water and sanitary sewage services.

An exception to this shall apply in the "Industrial" area in the north-west part of the Mitchell Ward, where smaller industrial uses and/or storage/warehousing uses shall be permitted without the need for municipal sewage services.

9.4.3 New Industrial Development

New industrial development in the “Industrial” designation shall generally occur through new development on vacant land, redevelopment of existing industrial use lands, and conversion of existing non-industrial use lands. Wherever possible, new development should be located in proximity to existing industrial development or in groups/clusters of industrial development so as to make the best use of available land area, provide for the use of shared access and parking facilities, and to make best use of servicing infrastructure.

9.4.4 Dry Industries

Council will encourage the development of industries of a “dry” nature. A “dry” industry can generally be defined as one which does not need significant amounts of water in its operations and does not impose a disproportionate load on the sewage treatment facilities by generating excessive wastes.

In an effort to ensure that proper operation of its sewage treatment system and sewage treatment processes, the Municipality of West Perth has enacted By-law No. 110-2002, which is a by-law regulating, among other things, the discharge of waters and wastes into the public sewer system. This by-law may require the pre-treatment of sewage wastes in the case of certain types of industries.

9.4.5 Access

Access shall be available from a public road of reasonable construction and year round maintenance. Access points must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network.

Entrance and exit points shall be limited in number, where possible and appropriate, and designed in such a manner as to minimize the danger to road traffic and pedestrian traffic. Shared access points shall be encouraged, wherever possible.

9.4.6 Off-Street Parking

Adequate off-street parking shall be provided for all new and/or expanding industrial development. The implementing Zoning By-law shall establish minimum off-street parking requirements.

9.4.7 Off-Street Loading/Unloading Facilities

Adequate off-street loading/unloading facilities shall be provided for all new and/or expanding industrial development, where required. The implementing Zoning By-law shall establish minimum loading/unloading standards.

9.4.8 Landscaping and Buffering

Adequate landscaping and buffering shall be provided between new and/or expanding industrial uses and adjacent land uses. Such landscaping and

buffering may include fences, berms, grass strips, and/or trees and shrubs. Increased setbacks from neighbouring non-industrial uses may be implemented as a part of a landscaping/buffering requirement.

It is a requirement of this Plan that adequate landscaping be incorporated into all new industrial development. This includes, but is not limited to, on-site landscaping adjacent to public roads abutting the site and vegetative landscaping integrated on-site with building and parking areas.

9.4.9 Outdoor Storage

Outdoor storage is a necessary part of some industrial uses. Where outdoor storage is to occur, such outdoor storage shall be kept in a neat/tidy manner and shall be fenced or screened from adjacent residential uses, sensitive land uses, and from public roads adjacent to the site.

9.4.10 Outdoor Display

A limited amount of outdoor display of goods and merchandise associated with an industrial use is permitted provided such outdoor display is kept in a neat/tidy manner and provided that it is fenced or screened from adjacent residential uses and sensitive land uses.

9.4.11 Drainage

On-site drainage from buildings, parking areas, loading/unloading areas, outdoor storage areas and outdoor display areas will be adequately controlled and must be established to the satisfaction of the Municipality.

9.4.12 Land Use Compatibility

Where a designated "Industrial" area is near existing or future residential development areas or other sensitive lands uses (e.g. hospital, school, nursing home) and where a new and/or expanded industrial use proposal has been submitted to the Municipality, consideration shall be given to land use compatibility issues (e.g. noise, dust, odour) that may affect such existing or future residential development areas or other sensitive land uses. In these situations, the new and/or expanded industrial use development must take into account adequate measures to mitigate the applicable land use compatibility issues. Such measures may include, but are not limited to, distance separation, buffering and screening (fencing, landscaping), building and site design, and mechanical equipment design.

When assessing land use compatibility issues, the Municipality shall give consideration to the Ministry of the Environment's guidelines for separation distances between industrial uses and sensitive land uses (e.g. Guideline D-6). The Municipality may require that the industrial use proponent submit specific studies dealing with compatibility issues such as noise, dust, and odour for consideration by the Municipality as a part of its review and assessment of the industrial use proposal. Should the Municipality deem it necessary for a

peer review of any submitted study, the costs to the Municipality for such peer review shall be the responsibility of and borne by the industrial use proponent.

All applicable approvals, permissions, and Certificates of Approval that are required by other levels of government (e.g. Provincial Ministry of the Environment) for a new and/or expanding industry must be obtained.

Where new industrial development areas are being established in proximity to existing or future residential development areas, the Municipality shall give consideration to establishing specific zoning to assist in addressing potential compatibility issues. For example, the zoning for the lands closest to the existing or future residential development areas could permit intervening uses (e.g. green space uses, use restrictions such as stormwater management facilities and parking facilities) and/or lighter or lower intensity industrial uses (i.e. warehousing uses, storage related uses, service related industrial) while the zoning of lands further from the existing or future residential development areas could permit heavier or greater intensity industrial uses (e.g. manufacturing, fabricating, processing).

In order to protect existing and future industrial use areas, development of uses which are not compatible with industrial uses shall not be permitted in "Industrial" areas.

In order to protect the existing and future industrial uses in areas designated "Industrial" by this Official Plan from adverse impacts from new development on lands abutting and/or adjacent to designated "Industrial" areas, consideration will be given to compatibility impacts associated with new development on the lands abutting and/or adjacent to designated "Industrial" areas. Where deemed necessary and appropriate, the Municipality may require that the proponent of the new development on the abutting and/or adjacent lands to submit specific studies dealing with compatibility issues associated with impact on the neighbouring industrial use(s) for consideration by the Municipality as a part of its review and assessment of the new development. Should the Municipality deem it necessary for a peer review of any submitted study, the costs to the Municipality for such peer review shall be the responsibility of and borne by the proponent of the new use.

9.4.13 Industrial Use Relocation

This Plan encourages existing industries that are presently located outside of the "Industrial" designation to relocate in areas designated "Industrial". The conversion of such existing industrial sites to uses that are more in harmony and consistent with the character of their surrounding areas should be encouraged.

9.4.14 Accessory Uses

Office uses, retail outlets, and wholesale outlets directly associated with an industrial use are permitted as a part of that industrial use provided they are

located within the main industrial building(s).

Residential uses shall not be permitted in the ‘Industrial’ designation.

9.4.15 Natural Heritage Features

Existing natural heritage features, such as woodlots, treed areas, and open watercourses, shall be protected and preserved when dealing with new development in the “Industrial” designation.

9.4.16 Site Plan

A site plan agreement pursuant to the provisions of Section 41 of the *Planning Act, R.S.O. 1990* shall be required for all new industrial and/or expanding industrial development in the “Industrial” designation.

9.4.17 Zoning By-law

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain regulations on matters such as permitted uses, permitted buildings and structures, setback requirements, off-street parking, loading/unloading facilities, outdoor storage, and outdoor display.

9.4.18 Portable Asphalt Plants and Portable Concrete Plants

Portable asphalt plants and portable concrete plants, used by a public road authority or its agent, are permitted in the “Industrial” designation without the need to amend this Plan or the local municipality's implementing Zoning By-law. Such portable plants are subject to the following criteria:

- (a) a certificate of approval for each plant must be obtained from the Ministry of the Environment;
- (b) each plant shall comply with minimum separation distances established by the Ministry of the Environment; and
- (c) each plant shall be removed from the site upon completion of the public project and the land returned to the original condition.

9.5 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land in the “Industrial” designation as shown on Schedule “A” (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and

policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

9.5.1 Servicing Requirement

All consents involved with new and/or expansion of existing development shall be approved only if the subject land is serviced or readily capable of being serviced by municipal water and sewage services. Where service extension is

required for the new and/expanded development, such service extension shall be required as a condition of severance approval. An exception to this policy shall be applied in the specific circumstances noted in Section 9.4.2 of this Plan.

9.5.2 Adjacent Residential Uses

Where land involved in a consent application is adjacent to an existing residential use lot, consideration shall be given to appropriate conditions of consent approval to deal with buffering and screening issues.

9.5.3 Lot Enlargement

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted "Industrial" use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

9.5.4 Grouping of Industrial Uses

Wherever possible, the lands involved in consent applications for new industrial development should be located in proximity to existing industrial development or in groups/clusters of industrial development so as to make the best use of available land area, provide for the use of shared access and parking facilities, and to make best use of servicing infrastructure.

9.6.5 General Principles

The following general principles shall apply to consent applications involving land in the "Industrial" designation:

- (a) regard shall be had for the preservation and protection of existing natural heritage features (e.g. woodlots, treed areas); and
- (b) regard shall be had for the protection of drainage systems.

10.0 MAJOR INSTITUTIONAL/RECREATIONAL

10.1 Background

Within the Mitchell Ward there are a number of uses and facilities that provide for public use or public service to significant parts of the Mitchell Ward, the entire Mitchell Ward, and/or to areas beyond the Mitchell Ward. While some of these uses/facilities are owned by the Municipality, others are owned by other public bodies or private interests.

These uses/facilities include uses/facilities such as government administrative uses (e.g. West Perth Municipal Offices), educational facilities (e.g. schools and associated lands, library), emergency service facilities (e.g. firehall), public service facilities and lands that are geared to serving the communities recreational and open space needs (e.g. parks, arena, swimming pool, baseball diamonds, soccer fields, etc.), other public service facilities/lands (e.g. landfills, stormwater management facilities), and other uses such as golf courses.

Given that these uses/facilities are significant in their importance to the Mitchell Ward and surrounding community, it is appropriate to place such uses/facilities in a separate and distinct land use designation in this Official Plan.

10.2 Definition/Permitted Uses

The “Major Institutional/Recreational” designation shall mean that the primary use of land in areas so designated shall be for public service and institutional uses and facilities that serve the Mitchell Ward community and/or the broader West Perth and surrounding area.

Areas designated “Major Institutional/Recreational” include government administrative uses (e.g. West Perth Municipal Offices), educational facilities (e.g. schools, library), emergency service facilities (e.g. fire hall), public service facilities and lands that are geared to serving the community’s recreational and open space needs (e.g. parks, arena, swimming pool, baseball diamonds, soccer fields, etc.), other public service facilities/lands (e.g. landfills, stormwater management facilities), and other uses such as golf courses.

The lands designated “Major Institutional/Recreational”, to which the following goals, objectives, and polices apply, are shown as “Major Institutional/Recreational” on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

10.3 Goals and Objectives

The following goals and objectives are established for the “Major Institutional/Recreational” designation:

- (a) to recognize, designate, and provide land use policy for significant public service uses and facilities that are located in the Mitchell Ward;

- (b) to facilitate the provision and maintenance of a level of public services and facilities that are required to meet the needs of the Mitchell Ward and surrounding community;
- (c) to ensure that public service uses and facilities are located and designed in such a way as to be compatible with and, where possible, enhance surrounding lands uses; and
- (d) to recognize, designate, and provide land use policy for uses and facilities that serve the recreational needs of Mitchell Ward residents and West Perth residents.

10.4 Policies

10.4.1 Designated Uses

Only major institutional uses existing at the date of adoption of this Official Plan have been designated as “Major Institutional/Recreational”. It is not the intent of this Plan to designate vacant land for future major institutional uses at this time.

Not all institutional uses that may be considered as being significant or major have been designated as “Major Institutional/Recreational” uses as some of these uses are recognized as permitted uses in other land uses designations established by the Plan (e.g. churches in the “Residential” designation).

10.4.2 New Major Institutional Uses

New major institutional uses may be permitted by either an amendment to this Official Plan or in accordance with specific policies set forth in this Plan. When considering a proposal for the establishment of a new major institutional use, consideration shall be given to the following criteria:

- (a) there is sufficient need/justification for the proposed use;
- (b) the nature/type of the proposed use is generally compatible with adjacent uses;
- (c) the proposed use will have no significant detrimental impact on traffic flow on the surrounding road network; and
- (d) the proposed use will have no detrimental impact on the natural environment features.

10.4.3 Expansion/Enlargement of Existing Major Institutional Uses

The expansion or enlargement of an existing major institutional use shall be permitted where such expansion/enlargement is within an area designated “Major Institutional/Recreational” or where specific policies of this Plan permit the expansion of the existing use. When considering a proposal for the establishment of a new major institutional use, consideration shall be given to

the following criteria:

- (a) there is sufficient need/justification for the proposed expansion/enlargement;
- (b) the nature of the proposed expansion/enlargement is generally compatible with adjacent uses;
- (c) the proposed expansion/enlargement will have no significant detrimental impact on traffic flow on the surrounding road network; and
- (d) the proposed expansion/enlargement will have no detrimental impact on the natural environment features.

10.4.4 Servicing Requirement

All new major institutional/recreational use development shall be serviced by municipal water and sanitary sewage services. Exceptions to this may be applied in the case of certain types of recreational uses (e.g. ball diamonds, soccer fields, tennis courts, etc.) and in the case of uses such as parks, open space areas, and stormwater management facilities.

10.4.5 Off-Street Parking

New major institutional/recreational use development and the expansion/enlargement of existing major institutional/recreational uses shall be required to provide adequate off-street parking facilities. The implementing Zoning By-law shall contain provisions regarding parking spaces, including minimum number required.

10.4.6 Landscaping, Buffering, and Screening

New major institutional/recreational use development and the expansion/enlargement of existing major institutional/recreational uses shall be required to provide adequate landscaping, buffering, and screening in order to minimize potential detrimental impacts on neighbouring uses.

10.4.7 Outdoor Storage

Any outdoor storage that may be required for a major institutional/recreational use shall be kept in a neat/tidy manner and shall be adequately screened from neighbouring uses.

10.4.8 Site Plan

A Site Plan Agreement pursuant to the provision of Section 41 of the *Planning Act, R.S.O. 1990* shall be required for all new and/or expanded/enlarged major institutional /recreational use development. Exceptions to this may be applied in the case of certain types of recreational uses (e.g. ball diamonds, soccer fields, tennis courts, etc.) and in the case of uses such as parks, open space areas, and stormwater management facilities.

10.4.9 Zoning By-law

Major institutional/recreational uses shall be placed in an appropriate zone classification in the Municipality's implementing Zoning By-law. The Zoning By-law shall contain regulations on matters such as permitted uses, permitted buildings and structures, setback requirements, and off-street parking.

Added By Modification No. 1**10.4.10 Existing Landfill Site**

An existing domestic landfill site is located on part of Lot 19, Concession 1 (formerly in the Township of Logan) and is shown on Schedule "A" (Mitchell Land Use Plan) to this Official Plan. This existing domestic landfill site is used exclusively for landfill and solid waste disposal related facilities. Any expansion or enlargement of this site and any redevelopment or change in use of this site shall only be considered by Council after consultation with the appropriate ministries and governmental authorities.

10.5 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land in the "Major Institutional/Recreational" designation as shown on Schedule "A" (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

10.5.1 Servicing Requirement

All consents involved with new and/or expansion of existing development shall be approved only if the subject land is serviced by municipal water and sewage services. An exception to this may be applied in the case of certain types of recreational uses (e.g. ball diamonds, soccer fields, tennis courts, etc.) and in the case of uses such as parks, open space areas, and stormwater management facilities.

10.5.2 Adjacent Residential Uses

Where land involved in a consent application is adjacent to an existing residential use lot, consideration shall be given to appropriate conditions of consent approval to deal with buffering and screening issues.

10.5.3 Lot Enlargement

Consents for the purpose of enlarging existing lots shall be permitted provided that the proposed enlargement is for a permitted major institutional/recreational use, there is a demonstrated need for the enlargement, and an undersized lot is not created.

11.0 NATURAL RESOURCE/ENVIRONMENT

11.1 Background

Land use activities and land clearing practices that occurred years ago throughout the County have resulted in a situation where the amount of remaining natural resource/environment areas are quite small, with very little natural resource/environment area remaining in settlement areas such as the Mitchell Ward.

While the remaining natural resource/environment areas in the County consist of wetland areas, woodlands, some water course and valley land areas, and environmentally sensitive areas, the remaining natural resource/environment area in the Mitchell Ward consist of some woodland/forest area and fish habitat areas (i.e. watercourses). While these areas are relatively small, they are worthy of protection and enhancement in order that they may benefit and be enjoyed by current and future residents of the Mitchell Ward and surrounding areas. The Municipality of West Perth recognizes the important role and functions that the remaining natural resource/environment areas have and through this Official Plan is taking steps to ensure their continued existence.

It is the intent of this Plan, through the "Natural Resources/Environment" designation, to provide policy directed towards the preservation and protection of the remaining natural resource/environment areas and to provide a policy framework which encourages the enhancement and improvement of these areas.

While the policies of this Official Plan apply only to the lands and area that are within the Mitchell Ward, it is recognized that the specific features identified through the "Natural Resources/Environment" designation constitute part of and contribute to a much broader natural resource/environment or natural heritage system. Accordingly, in considering natural resource/environment issues, a broader area approach should be taken.

11.2 Definition/Permitted Uses

The "Natural Resource/Environment" designation as established by this Plan includes the following features:

- (a) Significant woodland/forest areas;
- (b) Natural watercourses and associated fish habitat;
- (c) Significant habitat of threatened and endangered species; and
- (d) Significant wildlife habitat.

It is the intent of this designation that existing natural resource and environment features and their attributes be protected, preserved, and enhanced for the benefit of present and future generations of Mitchell and West Perth residents. As a general rule, uses such as conservation and

wildlife areas are permitted uses. Passive recreation uses, where appropriate and where there is no negative impact on the natural resource and environment feature, may be permitted.

Amended By Modification No. 2

The location and extent of "Natural Resource/Environment" features as shown on Schedule "A" (Mitchell Land Use Plan) to this Official Plan, to which the following goals, objectives, and policies apply, are based on information obtained from 2006 aerial photography and other sources prior to the adoption of this Official Plan. Where additional "Natural Resource/Environment" features become known, it is intended that this Official Plan be amended as appropriate to incorporate such features into this Plan.

11.3 Goals and Objectives

The following goals and objectives are established for the "Natural Resource/Environment" designation:

- (a) to identify the remaining natural resource/environment features in the Mitchell Ward;
- (b) to ensure the long-term protection, preservation, conservation, and enhancement of the identified "Natural Resource/Environment" areas and the linkages/connections between the various identified areas;
- (c) to encourage the re-establishment or naturalization of "Natural Resource/Environment" areas and to enhance the overall natural resource/environment or natural heritage system in the Mitchell Ward and surrounding area;
- (d) to promote the wise stewardship and management of "Natural Resource/Environment" areas; and
- (e) to protect water resources, the Municipality will encourage rehabilitation through storm water management and stewardship initiatives.

11.4 Specific Feature Policies

11.4.1 Significant Woodland/Forest Areas

While there are no designated significant woodland/forest areas identified on the Schedule "A" (Mitchell Land Use Plan) to this Plan at present, policies for significant woodland/forest areas are being included in this Plan should they be identified and or established in the future in order that they may be protected, preserved, and enhanced for the benefit of current and future residents of Mitchell and the surrounding area.

Specific policies for woodlands are as follows:

- (a) with the exception of the specific activities noted in Clause (b) below, development and site alteration shall not be permitted in significant woodland/forest areas;
- (b) notwithstanding the policy of Clause (a) above, passive recreational uses such as walking, hiking, biking, and cross country skiing are considered as appropriate activities in significant woodland/forest areas if located on a designated trail that has been or is being established in accordance with appropriate input from the Municipality. Such activities are to be carried out in an environmentally friendly manner so as to preserve the overall significant woodland/forest area function;
- (c) the Municipality's implementing Zoning By-law shall zone significant woodland/forest areas in a manner so as to preclude development and site alteration excepting that permitted by Clauses (a) and (b) above; and
- (d) development and site alteration may be permitted within 30 metres of a designated significant woodland/forest area provided that it is demonstrated that there is no negative impact on the significant woodland/forest area. The Municipality may require that the proponent of such development carry out an environmental impact study in order to determine and assess the potential impact on the designated woodland/forest area.

11.4.2 Natural Watercourses and Fish Habitat

The "Natural Resource/Environment" designation includes natural watercourses that are within the Mitchell Ward and which are shown on Schedule "A" (Mitchell Land Use Plan) to this Official Plan.

The "Natural Resource/Environment" designation also includes any fish habitat areas in with natural watercourses in the Mitchell Ward as identified by the Ministry of Natural Resources. Specific policies for fish habitat area are as follows:

- (a) development and site alteration shall not adversely affect any fish habitat. Generally, development or site alteration are most likely to create adverse impacts within 30 metres of the water body. Development will not be permitted within 15 metres of a watercourse. Where development is proposed within 30 metres of a water body, it must be demonstrated that there is no negative impact on fish habitat;
- (b) notwithstanding the policy of Clause (a) above, the clean out of municipal drains shall be permitted in accordance with applicable regulations;

- (c) although storm water management and drainage measures are often located some distance from a watercourse, these measures can impact the water quality and quantity of the watercourse and affect the fish habitat. When evaluating storm water management and drainage activities, consideration shall be given to impacts upon fish habitat;
- (d) it is a policy of this Plan to encourage the re-establishment of naturally vegetated buffer strips along watercourses and water body areas; and
- (e) notwithstanding Clauses (a) and (c), the development proponent/land owner must ensure that their activities will not harm, alter, disrupt or destroy fish habitat as defined in the *Federal Fisheries Act*. The advice of the Department of Fisheries and Oceans or their delegate should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat, the Municipality may require the proponent to submit an environmental impact study for review and approval by the Department of Fisheries and Oceans or their delegate.

Amended By Modification No. 3

11.4.3 Significant Habitat for Endangered or Threatened Species

The “Natural Resource/Environment” designation recognizes and acknowledges that there may be significant habitats for endangered or threatened species in the Mitchell Ward. This shall include the habitat of species as approved by the Ministry of Natural Resources and identified on the Species at Risk in Ontario List (SARO).

It is not the intent of this Official Plan to specifically designate these sites, but rather to provide a commitment to work with the Ministry of Natural Resources and other agencies, as appropriate, to prepare an acceptable implementation framework and administrative procedure for the protection of the habitats of these species. The implementation framework and administrative procedure should establish a suitable review mechanism whereby development proposals in the vicinity of the sites can be assessed with respect to their impact on the site and species and address any necessary mitigation measures.

- (a) development and site alteration shall not be permitted within the habitat area;
- (b) development and site alteration may be permitted on adjacent lands provided that such development will not negatively affect natural features or the ecological function of the habitat area. In order to allow for the assessment of impacts, the adjacent land area should be 50 metres in width and if the development may impact the ecological function of the habitat area, an environmental impact assessment may

be required in order to assess the impact of the development and site alteration; and

- (c) notwithstanding the policy of Clause (a) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming operations are permitted on adjacent lands without an environmental impact study, subject to all applicable legislations and regulations.

11.4.4 Significant Wildlife Habitats

The "Natural Resources/Environment" designation is intended to include other significant wildlife habitat. Where lands providing significant wildlife habitat are identified through appropriate studies, such areas shall be appropriately recognized on Schedule "A" (Mitchell Land Use Plan). Specific policies for significant wildlife habitats are as follows:

- (a) development and site alteration within the habitat area or on adjacent lands that are within 30 metres of these areas may be permitted provided that such development will not negatively affect the natural features or ecological function of the habitat area. An environmental impact study may be required in order to assess the impact of the development and site alteration; and
- (b) notwithstanding the policy of Clause (a) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming operations are permitted on adjacent lands without an environmental impact study, subject to all applicable legislations and regulations.

11.5 General Policies

11.5.1 Purpose

The "Natural Resource/Environment" designation contains those lands which perform important ecological functions and/or which protect biological diversity and life supporting systems that would be lost or degraded if such areas were developed or altered. The primary purpose of this designation is to preserve, protect, and enhance important environmental areas and features while protecting them from land use impacts that would reduce their size and physical form, impair their ecological functions, or degrade their quality. The establishment of new "Natural Resource/Environment" areas is encouraged.

11.5.2 Private Ownership

Where areas designated "Natural Resource/Environment" are held in private ownership, nothing in this Plan implies an intention on the part of the Municipality to acquire such lands nor to make such areas available for public use.

11.5.3 Natural Connections

In order to protect those lands which perform important ecological functions and/or to protect bio diversity and life supporting systems, and to enhance important environmental areas and features, those areas which form natural connections and linkages between these areas should be identified and protected. As information concerning the natural connections and linkages becomes available, the Municipality will take appropriate steps to identify and address such natural connections and linkages in this Plan.

11.5.4 Environmental Impact Studies

Several of the policies for the "Natural Resource/Environment" designation indicate that an environmental impact study may be required in order to assess the impact of development and/or site alteration. In determining when such studies are required, it is the intent of the Municipality to consult with the appropriate agencies (e.g. MNR, Conservation Authority, etc.) concerning the need for and the scope of such study. Where such studies are required, they should be submitted as a part of the development application process in order that they can be considered early in the Municipality's development review process.

11.6 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land within the "Natural Resource/Environment" designation as shown on Schedule "A" (Mitchell Land Use Plan). They are intended to implement the foregoing goals and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

11.6.1 New Lot Creation

As a general rule, the severing of lands in the "Natural Resource/Environment" designation for the purpose of creating new lots shall not be permitted. An exception to this general rule may be applied where a conservation oriented group is proposing to sever an area for the purpose of conserving, preserving, enhancing, and/or improving the natural resource/environment area. Such applications will be carefully reviewed and conditions, as appropriate, will be imposed to ensure conformity to the goals, objectives and policies of this Plan over the long term.

11.6.2 Lot Boundary Adjustments/Corrections

Consents involving lot boundary adjustments/corrections may be permitted provided that such adjustment/corrections are minor in nature and provided they have no significant impact on the natural resource/environment feature. Consideration will be given to the provisions of Section 50(3) and (5) of the *Planning Act, R.S.O. 1990* and the provisions of the Municipality's implementing Zoning By-law when dealing with such applications.

11.6.3 Easements and Rights-of-Way

Consents to create easements and/or rights-of-way may be permitted provided that no new lots are created, that the need is substantiated and acceptable to the consent granting authority, and provided that there is no significant impact on the natural resource/environment feature.

12.0 **FLOOD PLAIN**

12.1 **Background**

There are areas within the Mitchell Ward which, because of their topographical characteristics, are considered to be hazardous in nature. These areas are the valley lands and the slopes associated with the Thames River and Whirl Creek. The Thames River flows in a southerly direction through the Mitchell Ward while Whirl Creek flows easterly from the Fullarton Ward east of Mitchell until it joins the Thames River south-west of the Mitchell Ward's core area. Parts of these valley areas have experienced flooding in the past. These valley lands and slopes do result in limitations on development due to hazards associated with flooding and slope stability.

Historically, both the Thames River and Whirl Creek have played significant roles in the settlement and development of Mitchell. In the early stages of its development, much of the commerce and industry in Mitchell located either beside or in proximity to these rivers, where the river waters could be used for power, water supply, and transportation. The result is that part of the Mitchell core area is located in and beside the valley lands associated with these rivers.

The Thames River and Whirl Creek are within the Upper Thames River watershed and are within the jurisdiction of the Upper Thames River Conservation Authority (UTRCA). The former Town of Mitchell and the UTRCA have worked together in the past to deal with flood and building related matters and the Municipality of West Perth has continued to work with the UTRCA in respect to these matters. Through the use of a two-zone approach to planning for flood plain areas, some development and re-development has been permitted to occur in parts of the flood plain area subject to regulations and specific development standards (e.g. flood-proofing) imposed by the UTRCA and the Municipality.

As was the case with previous Official Plans for the Mitchell area, it is the intent of this Official Plan to permit limited development to occur within the floodplain areas associated with the Thames River and Whirl Creek. This Official Plan will continue to make use of the two-zone approach to planning for flood plain areas, through which limited development will be permitted within flood prone areas. The Municipality will continue to work with the UTRCA in order to ensure that protection from flooding is appropriately addressed and that development proposals involving lands in flood plain areas are reviewed and appropriately addressed.

12.2 **Definition/Permitted Uses**

The "Flood Plain" designation as established by this Plan shall apply to those lands and watercourse areas that are within the floodway portion of the flood plain as identified and mapped by the Upper Thames River Conservation Authority (UTRCA). The "Flood Plain" overlay area shall apply to those lands that are within the flood fringe portion of the flood plain as identified by the UTRCA.

The regulatory flood plain for the Mitchell area is based on the Regulatory Flood Standard associated with the Hurricane Hazel storm event. A two-zone flood plain management concept which is consistent with the provincial policy on flood plain management is being used in this Official Plan. For the purpose of this Plan, the following definitions apply:

Two-Zone Concept - means the approach whereby certain areas of the flood plain (flood fringe) are considered to be less hazardous than others (e.g. floodway) such that development potentially could safely occur.

Floodway - means that portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage and where new development is not permitted. In the two-zone concept, the floodway is the inner portion of the flood plain, representing that area required for the safe passing of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. In the two-zone concept, the outer portion of the flood plain is called the flood fringe.

Flood Fringe - means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. The flood fringe is the area where development and site alteration may be permitted, subject to appropriate flood proofing to the flooding hazard elevation.

The permitted uses of land in the **floodway** portion of the flood plain shall be open space, forestry, conservation uses, agriculture (i.e. cropland), and outdoor recreation uses.

The **flood fringe** portion of the flood plain will function as an "overlay constraint" area and the permitted uses of land in the **flood fringe** shall be those uses permitted in accordance with the applicable policies of the underlying land use designations established by this Plan.

12.3

Land Use Designation and Mapping

The policies for the "Flood Plain" designation shall apply to:

- (a) identified "floodway" areas. These areas are shown and designated as "Flood Plain" on Schedule "A" (Mitchell Land Use Plan) to this Official Plan; and
- (b) identified "flood fringe" areas. The outer limits of the flood fringe area is identified on the Schedule "A" (Mitchell Land Use Plan) to this Official Plan and the flood fringe area policies will function as an "overlay constraint" associated with the underlying land use designation (e.g. "Residential", "Central Commercial", etc.).

The "floodway" areas designated as "Flood Plain" on Schedule "A" and the "flood fringe" areas shown as an "overlay constraint" on Schedule "A" (Mitchell

Land Use Plan) are based on information provided to the Municipality by the Upper Thames River Conservation Authority. The UTRCA's information is based on flood plain studies undertaken by it and/or agents.

12.4

Goals and Objectives

The following goals and objectives are established for the "Flood Plain" designation:

- (a) to provide a suitable flood plain/land use management framework in order to permit limited development in flood plain areas in the Mitchell Ward;
- (b) to prevent the needless destruction of property from flooding, to prevent the loss of life, to minimize property damage, and minimize social disruption by providing a reasonable level or degree of flood protection for the flood plain areas in the Mitchell Ward;
- (c) to permit, in accordance with recognized Provincial policy, controlled development and re-development within the flood plain areas that have been identified for the Thames River and Whirl Creek;
- (d) to encourage and promote a coordinated approach to the use of flood plain lands in the Mitchell Ward and when dealing with proposals for development involving lands in and adjacent to the identified flood plain areas; and
- (e) to preserve, conserve, and enhance the natural environment associated with identified flood plain areas.

12.5

Policies

In order to achieve the foregoing goals and objectives, the following policies shall apply:

12.5.1

Boundaries

The boundaries or limits of the flood plain area, consisting of both the floodway area which is designated as "Flood Plain" on the attached Schedule "A" (Mitchell Land Use Plan) and the flood fringe area as shown on the attached Schedule "A" (Mitchell Land Use Plan), are based on detailed flood line information made available through specific flood line studies conducted by the Upper Thames River Conservation Authority.

Due to the scale of map used for Schedule "A" (Mitchell Land Use Plan), minor inaccuracies in the plotting of the boundaries for the "Flood Plain" designation may occur. Where such inaccuracies have occurred, it is policy of this Plan that the location of the flood line levels of the regulatory flood plain as shown on the flood line maps prepared by the Upper Thames River Conservation Authority shall prevail and further that the "Flood Plain" boundaries be considered as adjusted accordingly. Detailed maps showing the extent of flood line mapping for the Mitchell Ward area are available for review at the Municipality of West

Perth offices and the UTRCA offices.

12.5.2 Two-Zone Floodway/Flood Fringe Concept

The two-zone floodway/flood fringe concept shall apply to the flood plain areas (i.e. floodway and flood fringe areas) as shown on the attached Schedule "A" (Mitchell Land Use Plan). The two-zone floodway/flood fringe concept is based on the following policies:

- (a) the permitted uses in the **floodway** portion of the flood plain shall be open space, forestry, conservation uses, agriculture (i.e. cropland), and outdoor recreation uses;
- (b) the permitted uses in the **flood fringe** portion of the flood plain shall be those uses permitted in accordance with the applicable policies of the underlying land use designations established by this Plan. For example, where the underlying designation is "Central Commercial", the permitted uses for the "Central Commercial" designation as set out in Section 6.4 of this Plan shall apply;
- (c) in the **floodway**, new construction and the placement of fill is not permitted except where the construction or fill is associated with flood or erosion control work or necessary municipal services. Where construction and/or filling are permitted, the design and construction must be approved by the Upper Thames River Conservation Authority prior to the work commencing;
- (d) in the **flood fringe**, construction and the placement of fill will be permitted in accordance with the policies for the underlying land use designation and subject to prior approval of the Upper Thames River Conservation Authority. An amendment to this Official Plan is not required for permitted construction and filling activity in a **flood fringe** area; and
- (e) where construction is permitted in the **flood fringe**, the flood proofing policies as set out in Section 12.5.3 shall apply.

12.5.3 Flood Proofing Policies

- (a) All new construction, including both habitable and non-habitable structures, in the flood plain areas must be flood proofed to the Regulatory Flood level under existing conduit conditions. The method and type of flood proofing will vary depending upon the proposed use of the structure.
- (b) Human Habitation Uses
 - (i) the main floor must be above the Regulatory Flood level elevation;
 - (ii) all building openings to living space shall be above the Regulatory Flood level elevation;
 - (iii) foundations, walls, and floor systems located below the Regulatory

Flood level elevation shall be designed and constructed to withstand the hydrostatic pressures associated with a Regional Flood event. Construction materials used of a type that is not subject to deterioration by water or shall be of a wetting/drying cycle;

- (iv) the construction of full basements in areas subject to more than one metre of flooding will not be permitted unless the site can be raised by filling so that the basement floor will be subject to less than one metre of flooding;
 - (v) all mechanical, electrical, and heating equipment shall be located above or protected to the Regulatory Flood level elevation; and
 - (vi) sump pump outlets must be equipped with an anti-back flow device if such outlets are located below the Regulatory Flood level elevation.
- (c) Commercial Development
- (i) all window openings shall be above the Regulatory Flood level elevation;
 - (ii) doorways and floor levels may be located below the Regulatory Flood level elevation provided that flood proofing measures are incorporated into doorways;
 - (iii) foundations, walls, and floor systems located below the Regulatory Flood level elevation shall be designed and constructed to withstand the hydrostatic pressures associated with a Regional Flood event. Construction materials used shall be of a type that is not subject to deterioration by water or the wetting/drying cycle;
 - (iv) all mechanical, electrical, and heating equipment shall be located above or protected to the Regulatory Flood level elevation;
 - (v) where commercial development includes a residential use component, the policies of clause (b) above shall apply; and
 - (vi) sump pump outlets must be equipped with an anti-back flow device if such outlets are located below the Regulatory Flood level elevation.
- (d) Other Development
- The policies of Clause (c) above shall apply to all other types of development as permitted by the underlying land use designation.

12.5.4 Accessory Structures

Where accessory structures such as storage buildings, garages, and sheds are

permitted, they shall be anchored so as to prevent movement during a Regional Storm event.

The storage of materials which would constitute a pollution threat or which could be damaged during a flood event shall be located above the Regional Flood level elevation or stored in a manner that enables them to be moved prior to a flood emergency.

12.5.5 Conversion

The conversion of one use to another type of use (e.g. commercial to residential) shall be permitted provided that the policies that are applicable to the proposed use are satisfied.

12.5.6 Dry Access

As a general policy, uses involving human habitation shall not be permitted to locate in flood plain areas unless dry access can be provided for evacuation purposes during a Regional Flood event.

12.5.7 Flood and Erosion Control Works

Wherever any flood and/or erosion control works are undertaken which result in changes to the boundaries of the areas designated/identified flood plain and/or the floodway and flood fringe components, such changes will be incorporated into this Plan through the Official Plan Amendment process except where such changes are considered to be "minor adjustments" as permitted under Section 20.2 of this Plan.

12.5.8 Setbacks

Where the nature of the hazard and physical characteristics of the site warrant it, setbacks for buildings and structures from areas designated/identified flood plain areas shall be imposed. The extent of such setbacks shall be determined in consultation with the Upper Thames River Conservation Authority and will be implemented through the Municipality's implementing Zoning By-law, where appropriate.

12.5.9 Land Dedication for Park or Other Public Recreation Purposes

Where new development is proposed on a site, part or all of which is designated/identified as a flood plain area by this Plan, and the owner/developer is required to convey land for park or other public recreation purposes to the Municipality as part of the development approval process, it is a policy of this Plan that lands which are designated/identified as flood plain area shall not necessarily be acceptable as part of the land dedication requirement.

12.5.10 Agricultural Uses

Permitted agricultural uses in the flood plain areas designated/identified by this Plan shall be limited to the growing of crops. Appropriate management practices should be employed and appropriate measures undertaken to minimize problems such as erosion.

12.5.11 Woodlots and Forest Areas

The clearing of woodlots and forest areas in areas designated/identified as flood plain area shall not be permitted with the exception of any clearing that may be permitted in accordance with the County of Perth Forest Conservation By-law.

12.5.12 Re-establishment of Vegetation Cover

It is a policy of this Plan that the Municipality encourages the re-establishment of vegetation cover and buffer areas along the watercourses that are within designated/identified flood plain areas.

12.5.13 Zoning By-law

The floodway and flood fringe components of the flood plain areas designated and identified on Schedule "A" (Mitchell Land Use Plan) shall also be identified as flood plain areas/overlays in the Municipality's implementing Zoning By-law. The Zoning By-law will contain provisions consistent with the flood plain area policies as set forth in this Plan.

12.6 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land within the flood plain areas designated and identified on Schedule "A" (Mitchell Land Use Plan). They are intended to implement the foregoing goals and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

12.6.1 New Lot Creation

Except as provided for in Section 12.6.2 below, consents for the purpose of creating new lots for development within the designated/identified flood plain areas shall be prohibited.

12.6.2 Public Purposes

Consents for the purpose of creating lots for public use such as municipal parks and open space areas or for flood or erosion control may be permitted. When reviewing such applications, input is to be obtained from the Upper Thames River Conservation Authority prior to the consent granting authority making its decision.

12.6.3 Lot Enlargements

Consents for the purpose of enlarging lots in abutting land use designations may be permitted provided that the following criteria are satisfied:

- (a) a need for the lot enlargement must be clearly identified and such need must prove satisfactory to the consent granting authority;
- (b) the area being severed for lot enlargement purposes should be minimal in size and related to the demonstrated and accepted need; and
- (c) the area being severed must be united to the abutting lot to create one lot for Planning Act purposes.

12.6.4 Lot Boundary Adjustments/Corrections

Consents involving lot boundary adjustments/corrections may be permitted provided that such adjustments/corrections are minor in nature. Consideration shall be given to the provisions of Sections 50(3) and (5) of the *Planning Act, R.S.O. 1990* and to the provisions of the local municipality's implementing Zoning By-law when dealing with such applications.

12.6.5 Easements and Rights-of-Way

Consents to create easements and/or rights-of-way may be permitted provided that no new lots are created and that the need is substantiated and acceptable to the consent granting authority.

13.0 AGRICULTURE

13.1 Background

There are lands in the south-westerly, north-westerly, and north-easterly parts of the Mitchell Ward that are currently used for agricultural use purposes and which have not yet been designated for future urban uses. These lands are designated as “Settlement Areas – Serviced Urban Areas” in the County of Perth Official Plan and it is intended that they may be used for urban uses at some future time.

The existing agricultural uses in these areas consist of the growing of crops and the keeping of a few animals (e.g. horses). Factors such as the location of these lands, their limited size, their proximity to surrounding existing development, and future growth and development of the Mitchell Ward result in these lands having a very limited potential for long term agricultural use and no potential for livestock based agriculture.

13.2 Definition

The “Agriculture” designation of land means the permitted uses of land shall be for a limited range of agricultural uses, being the growing of crops, and other uses such as recreation and forestry uses.

The lands designated “Agriculture” to which the following goals, objectives, and policies apply, are shown on Schedule “A” (Mitchell Land Use Plan) to this Official Plan.

13.3 Goals and Objectives

The following goals and objectives are established for the “Agriculture” designation:

- (a) to permit the continuance of the existing agricultural operations until the land on which they are situated are required for the development of urban-oriented uses; and
- (b) to provide an area free of non-compatible agricultural uses in order that such areas may be used for the development of urban-oriented uses when the need arises.

13.4 Policies

In order to achieve the foregoing goals and objectives, the following polices shall apply:

13.4.1 Agricultural Uses

The only type of agricultural uses permitted within the “Agriculture” designation shall be the growing of crops. New livestock and poultry operations shall not be permitted. Livestock and poultry operations

existing on the date of adoption of this Plan shall be recognized as non-conforming uses. The expansion or enlargement of non-conforming livestock or poultry operations should not be permitted.

13.4.2 Other Permitted Uses

Other uses such as recreational uses and forestry uses shall be permitted provided that any building activity associated with such uses is limited and provided that they are compatible with and complimentary to future urban-oriented uses. The Municipality's implementing Zoning By-law shall regulate the types of specific uses permitted.

13.4.3 Future Development

This Plan designates various lands within the Mitchell Ward as "Agriculture" and it permits a limited range of agricultural uses to occur on these lands. While these lands are designated as "Agriculture", they are within the "Settlement Area" of the Mitchell Ward as set out in the County of Perth Official Plan and as such are intended to be used for urban type growth at some future time.

When the time arises that these "Agriculture" designated lands are required for the development of urban-oriented uses, an amendment(s) to this Plan shall be required in order to place the lands in the appropriate land use designation. Until that time, agricultural uses as permitted by the policies of this Plan can continue on these lands. In considering proposals for amendments to the Plan to redesignate these lands, Council shall give consideration to matters such as the type of development proposed, the need for the proposed development, servicing requirements, and the policies of the Provincial Policy Statement concerning settlement area expansion. In addressing the issue of consistency to the Provincial Policy Statement, a comprehensive review shall be required before lands currently designated "Agriculture" are redesignated to other land use designations.

13.4.4 Zoning By-law

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain regulations on matters such as permitted uses, buildings and structures, and site requirements.

13.5 Consent/Severance Policies

The following specific policies shall apply to consent applications which involve land in the "Agriculture" designation as shown on Schedule "A" (Mitchell Land Use Plan). They are intended to implement the foregoing goals, objectives, and policies and are to be applied in addition to the general consent/severance policies set forth in Section 17.3 of this Plan.

13.5.1 New Lot Creation

As a general rule, the creation of new lots shall not be permitted. An exception to this may be applied in the case of the severance of land for a permitted recreation or forestry use that is considered to be compatible with and complimentary to future urban-oriented uses.

13.6.2 Lot Enlargements

The severance of land for the purpose of enlarging existing lots in the “Agriculture” designation or lots in abutting urban use designations (e.g. “Residential”, “Highway Commercial”) may be permitted provided that such will not preclude or reduce future options for urban-oriented development.

14.0 CULTURAL HERITAGE RESOURCES

14.1 Introduction

The cultural heritage resources of the Mitchell Ward primarily includes buildings and structures (or the remains thereof) erected by the many generations of our forefathers. The Thames River and tributary valleys may also be a potential resource for more diverse examples of our cultural heritage, including archaeological sites, burial sites, and cemeteries. Our cultural heritage resources provide an important means of defining and confirming our identity, while contributing to our understanding of our collective history.

14.2 Goals and Objectives

- (a) to promote the conservation of cultural heritage resources (e.g. historic buildings, structures, and sites) and to prevent their demolition and/or defacement in the future in order to maintain and enhance their heritage value and benefits to the community;
- (b) to compile and maintain a ward-wide inventory of cultural heritage resources, including: heritage resources designated under the *Ontario Heritage Act, R.S.O. 1990*; archaeological and historical resources recognized or designated in Provincial and Federal inventories; and sites or areas of architectural, cultural, social, political, economic, or historical significance to the community;
- (c) to encourage the protection of heritage resources in their surrounding context and to minimize the extent to which they are affected by development;
- (d) to expand the list of cultural heritage resources that are considered worthy of preservation;
- (e) to encourage development and redevelopment in a manner that is generally in keeping with the cultural heritage of the Mitchell Ward; and
- (f) to encourage and foster public awareness, participation and involvement in the conservation and appreciation of cultural heritage resources (e.g. Heritage Committee, heritage trails, interpretive plaques, public archives, educational programs).

14.3 Land Use Designation and Mapping

The “Cultural Heritage Resources” policies shall apply throughout the Mitchell Ward, where applicable. The locations of any known cultural heritage resource sites are shown on Schedule "B" (Road Plan) to this Official Plan. These areas are site specific in nature.

14.4 **Policies**

In order to achieve the forgoing goals and objectives, the following policies shall apply:

14.4.1 **Ontario Heritage Act, R.S.O. 1990**

The *Ontario Heritage Act, R.S.O. 1990* is an important tool for the preservation of the Mitchell Ward's cultural heritage. Where merited, Council may consider the following:

- (a) designating buildings, structures, and sites considered to be of historical importance, when appropriate, under Part IV of the *Ontario Heritage Act, R.S.O. 1990*;
- (b) designating a portion or portions of the Ward as Heritage Conservation Districts under Part V of the *Ontario Heritage Act, R.S.O. 1990*;
- (c) preparing a Heritage Conservation District Plan for the District or Districts which will include design guidelines for both existing buildings and new construction; and
- (d) entering into Heritage Easements to protect property in perpetuity.

Council will develop and maintain an inventory of heritage resources, including: heritage resources designated under the *Ontario Heritage Act, R.S.O. 1990*; sites or areas having historical, cultural or architectural merit; archaeological and historical resources identified in provincial and federal inventories. The formation of Local Heritage Committees is encouraged for these purposes.

The following buildings, sites and/or parts thereof have been designated as being of historical importance:

- (i) the Hicks House on Ontario Road;
- (ii) the dwelling at 38 Waterloo Street;
- (iii) the dwelling at 90 St. Andrew Street; and
- (iv) the dwelling at 98 Huron Road.

14.4.2 **Cultural Heritage Resources**

Council will provide leadership in the protection, improvement and management of cultural heritage resources by using municipally-owned heritage properties as examples of the proper stewardship of such resources and encourage private land holders to redevelop or adaptively reuse designated heritage buildings to uses compatible with the historical or architectural character of the building.

14.4.3 **Incentive Programs**

Council may promote the repair, refurbishment and maintenance of the existing structures through the administration of funding programs that may become available for the preservation and enhancement of cultural heritage.

14.4.4 **Development**

14.4.4.1 **Designated Buildings or Sites**

Where built heritage resources and cultural heritage landscapes have been identified by Council, they shall be conserved.

Prior to Council's approval of any development or redevelopment applications involving a cultural heritage site, Council may require a Heritage Impact Assessment where a proposal to alter, demolish or erect a structure on a property recognized or designated under the *Ontario Heritage Act, R.S.O. 1990* or by the Federal Department of Canadian Heritage is made.

If a Heritage Impact Assessment permits any cultural heritage resource to be demolished or significantly altered, Council may require, and it shall be the responsibility of the developer, to prepare documentation for archival purposes including such things as a history, photographic record, measured drawings and other available documentation of the heritage resource prior to demolition or alteration.

On lands adjacent to cultural heritage resources, development and site alterations may be permitted where it is demonstrated that the proposed development will not negatively impact the adjacent cultural heritage resource. Council may require a Heritage Impact Assessment to assess the impact that development and site alterations may have on any adjacent to cultural heritage resources.

14.4.4.2 **Archaeological Resources**

Prior to the approval of any development or redevelopment applications, Council will determine the potential presence of archaeological resources, based on archaeological potential maps, provincial screening criteria, geographic and historic features. If it is determined that there may be potential for archaeological resources, Council shall require an archaeological assessment of the lands to be developed.

Where the archaeological assessment identifies a significant archaeological resource, Council will not permit development on the lands containing the significant archaeological resource until the land or site has been conserved by removal and documentation by a licensed archaeologist, prior to any site alterations or construction.

Where the archaeological assessment concludes that significant archaeological resources must be preserved, only development and site alterations which maintain the heritage integrity of the site may be permitted.

The provisions of the *Cemeteries Act, R.S.O. 1990* and its regulations must be followed when human burial places are encountered during any excavation activity. Such lands shall be evaluated for archaeological and/or historical significance under the *Ontario Heritage Act, R.S.O. 1990*.

14.4.5 Alterations and Demolition

All alterations to, or demolitions of, buildings, structures and sites designated "Cultural Heritage Resources", or designated under the *Ontario Heritage Act, R.S.O. 1990* or by the Federal Department of Canadian Heritage, must receive approval of the West Perth Council.

Prior to such permission being given, Council may require a Heritage Impact Assessment. Such assessment will outline the context of the proposal, any potential impacts the proposal may have on the heritage resource, and any mitigation measures required to avoid or lessen negative impact on the heritage resource;

Council will attempt to protect the cultural heritage resource in their context by promoting the redevelopment of designated historical properties with uses compatible with the historical or architectural character of the structures(s) or natural features on the properties. Where this is not feasible, Council will attempt to protect important aspects of the cultural heritage resources, or where protection is not feasible, will encourage the re-creation of the cultural heritage resources.

Development or site alteration on adjacent lands to a protected heritage property, designated under Part IV or V of the *Ontario Heritage Act, R.S.O. 1990*, may be permitted where the proposed development or alteration has been evaluated, and through the preparation of an Heritage Impact Assessment that the heritage attributes of the designated property will be conserved.

14.4.6 Land Acquisition

Council may consider the acquisition of any designated heritage resource, where deemed necessary, in the public interest, and where financially feasible.

15.0 ECONOMIC DEVELOPMENT

Economic development is an important part of the growth and development strategies of the Municipality of West Perth, particularly in the Mitchell Ward and its servicing area. The economic prosperity of the Mitchell Ward urban area, its residents, and its business community are essential components of the overall economic health of the area and contribute towards making the Mitchell Ward and the broader West Perth and County of Perth areas an attractive and desirable place to live and work. This Official Plan recognizes and acknowledges the importance of having an overall economic development strategy in place and the need for a concerted effort on the part of all economic development parties/participants to implement and achieve the goals and objectives of the overall economic development strategy.

The economic development strategy for the Municipality of West Perth is set out, in part, in the “County of Perth Economic Development Strategic Plan” document prepared for the County and its member municipalities by Brown & Associates in 2003. It, along with other economic related studies such as the “Economic Base Analysis For Perth County” by Mathew Fischer & Assoc. Ltd., 2004, help to establish an overall economic vision for the Municipality of West Perth, the County, and other member municipalities in the County and sets out goals, objectives, and an implementation plan aimed at fulfilling the vision.

Through the policies of the Mitchell Ward Official Plan, the Council of the Municipality of West Perth supports and encourages the following economic development goals and objectives:

- (a) the development, attraction, and retention of small business investment in the Mitchell Ward, focusing on the commercial and industrial areas throughout the Mitchell Ward;
- (b) the attraction, retention, and expansion of commercial and industrial business investment in the Mitchell Ward, the Municipality of West Perth, and surrounding communities;
- (c) the creation and retention of full-time employment opportunities within the Mitchell Ward, the Municipality of West Perth, and surrounding communities, with specific focus on the development of opportunities for youth;
- (d) the broadening and diversification of municipal tax assessment to improve financial viability of the Municipality of West Perth through the increase of industrial, commercial, and small business assessment in the Mitchell Ward and throughout the Municipality of West Perth;
- (e) the facilitation of a positive business development culture in local government, the business associations, Mitchell Ward residents, and surrounding communities;

- (f) the timely and efficient provision of and development of the necessary physical infrastructure to support residential, commercial, and industrial development;
- (g) municipal involvement in facilitating industrial development through a variety of economic development initiatives;
- (h) the facilitation of residential development in the Mitchell Ward and its servicing area, including increasing the inventory of residential units for first-time homeowners, expanding opportunities for continuum of care housing units, and providing for a mixture of housing types to address the full range of housing need;
- (i) the provision of an adequate supply of land **designated** for residential, commercial, and industrial purposes in the Mitchell Ward and its servicing area in order to accommodate projected future growth and development needs;
- (j) the continual monitoring of the capacity and capability of West Perth's key servicing infrastructure (i.e. municipal water supply, municipal sewage treatment, roads) in order to properly plan for and be ready for future development opportunities;
- (k) co-operation and co-ordination with the various economic development parties/partners throughout the County and the broader geographic area in order to achieve both the broader economic development strategy and the specific economic goals and objectives; and
- (l) promotion of tourism initiatives and programs for the Mitchell Ward, the Municipality of West Perth, and surrounding communities.

16.0 **HEALTHY COMMUNITIES**

This Official Plan encourages actions/initiative that support a healthy community in the Mitchell Ward of the Municipality of West Perth and healthy living by the residents of the Mitchell Ward. While the ability of an Official Plan document to achieve a healthy community and healthy living in the Mitchell Ward is limited, this Official Plan supports and encourages actions/initiative such as:

- (a) the development of a compact development form in the Mitchell Ward and its fringe growth areas in order to encourage and facilitate active transportation (i.e. walking, cycling, etc.);
- (b) the siting of new public buildings, where possible, in locations that encourage and support active transportation;
- (c) subdivision designs that include suitable open space area and incorporate walkways and space for active living;
- (d) the linking of neighbouring residential and commercial areas with open space, where appropriate;
- (e) the development of recreational facilities, open space areas, and trail systems that support the recreation and healthy lifestyle needs of Mitchell Ward residents; and
- (f) encouraging the use of and sustaining existing trails and parks/open spaces in the Mitchell Ward.

17.0 POLICY FOR THE DIVISION OF LAND

17.1 Introduction

This section of the Mitchell Ward Official Plan provides policies that are to be applied when dealing with proposals to divide or create land through the plan of subdivision process and through the consent or severance process. It is the intent of this Plan that these policies be adhered to by the applicable approval authorities and by the Municipality in making its recommendations on specific applications/proposals.

It is a policy of this Plan that all lots created for new development in the County be created through one of two processes that are legislated through the *Planning Act, R.S.O. 1990*. The first is the plan of subdivision approval process as established in Section 51 of the *Planning Act, R.S.O. 1990* while the second is the consent or severance approval process as established in Section 53 of the *Planning Act, R.S.O. 1990*.

17.2 Plans of Subdivision

17.2.1 General

Policies for the division or creation of lots through the plan of subdivision process are contained in Section 51 of the *Planning Act, R.S.O. 1990*. In accordance with the provisions of Section 51(5) of the *Planning Act, R.S.O. 1990*, the County of Perth is the approval authority for plans of subdivision involving lands within the Mitchell Ward.

Under Section 51(16) of the *Planning Act*, an owner of land or the owner's authorized agent may apply to the County for approval of a plan of subdivision. An application for plan of subdivision approval must provide all of the information that is identified in Section 51(17) of the *Planning Act, R.S.O. 1990* and any other information that may be required by the approval authority pursuant to Section 51(18) of the *Planning Act, R.S.O. 1990*. When considering a plan of subdivision, the County may consult with municipal, Provincial, or Federal officials and with such other officials, bodies, or persons which the County considers may have an interest in the approval of the plan of subdivision. Section 51(24) of the *Planning Act, R.S.O. 1990* sets forth various matters that must be regarded when dealing with a plan of subdivision. Under Section 51(31) of the *Planning Act, R.S.O. 1990*, the approval authority may approve or refuse to approve a draft plan of subdivision. In giving its approval, the approval authority may impose whatever conditions it considers are reasonable (Section 51(25)). Where draft plan approval has been given, the approval authority may give final approval to the plan of subdivision once it is satisfied that the Plan is in conformity with the approved draft Plan and the conditions have been or will be fulfilled (Section 51(58)).

17.2.2 Policies

When reviewing a proposal for a draft plan of subdivision, Council, its Planning Advisory Committee, and all other agencies, committees, and boards that are involved in the review/approval process are to have regard for the following policies:

- (a) all information that is required under the *Planning Act, R.S.O. 1990* must be submitted with the application and made available for review purposes;
- (b) proposed plans of subdivision will be reviewed to ensure that the proposed development is not premature. Consideration shall be given to matters such as expected population growth, the number of lots proposed, the number of undeveloped lots and draft approved lots, and the availability and capacity of required servicing for the area in which the development is proposed;
- (c) development through the plan of subdivision process should be orderly and contiguous to existing development;
- (d) proposed plans of subdivision are to be carefully examined to ensure that they do not "land-lock" any adjacent undeveloped lands which have future development potential. Where "land-locked" areas will result from a subdivision proposal, such proposal shall not be approved;
- (e) proposed plans of subdivision are to be reviewed to ensure that the proposed development is consistent with applicable Provincial policy as set forth in the Provincial Policy Statement and that the proposed development is in conformity with the County Official Plan and the Mitchell Ward Official Plan. Subdivision proposal which do not meet these criteria shall not be approved;
- (f) plan of subdivision proposals should be consistent and compatible with land uses in the immediate vicinity;
- (g) where a proposed plan of subdivision is for residential purposes and involves a large parcel of land, consideration shall be given to incorporating a mixture of housing types into the development;
- (h) where a proposed plan of subdivision involves a large number of lots, consideration shall be given to staging or phasing of the development. Consideration shall also be given to multiple access roadways to ensure that adequate vehicle access is provided, including emergency vehicle access;
- (i) all lots within a proposed plan of subdivision must have frontage on a public road which either exists at present or will be developed as a part of

the subdivision proposal. Such roads must be constructed to a standard acceptable to the Municipality and must be maintained on a year-round basis. As a general rule, all lots within a subdivision proposal should have access to internal roads which intersect collector or arterial roads. Direct access from individual lots to major roads should be discouraged;

- (j) proposed plans of subdivision are to be reviewed to ensure that:
 - (i) they will not have any adverse effects on public facilities, utilities, and services; and
 - (ii) natural heritage features are considered and that potential impacts on such features are appropriately studied and addressed;
- (k) proposed plans of subdivision are to be located and designed to accommodate the contour of the land. All unique natural assets, including watercourses and drainage patterns, forested lands and topographic features, should be preserved and development integrated into plan of subdivision proposals wherever possible;
- (l) sewage capacity and water supply capacity are to be given due consideration and proposed plan of subdivisions should not be approved where insufficient sewage and/or water supply capacities exist;
- (m) proposed plans of subdivision are to be reviewed to ensure that the plans have an acceptable parkland/open space component. The Municipality may require that parkland/open space be provided as a part of the subdivision proposal and/or that cash-in-lieu of parkland dedication be acquired. Where parkland dedication is being considered, the land which is to be conveyed to the Municipality must be suitable for parkland purposes and acceptable to the Municipality. Under no circumstances shall the Municipality be obligated to accept parkland which is being offered by an applicant for a proposed plan of subdivision;
- (n) proposed plans of subdivision shall be subject to a subdivision agreement entered into between the Municipality and the owner/developer of the plan of subdivision. The subdivision agreement shall address various matters pertaining to the plan of subdivision and, without limiting the generality of the foregoing, will set forth the level of services that are to be provided and shall require some form of monetary security to cover the cost or the services as a safeguard that the services will be provided. The subdivision agreement will be required as a condition of approval of a draft plan and must be signed prior to final approval of the plan and registered on title at the appropriate time; and
- (o) before recommending to the approval authority that a proposed plan of subdivision be approved, the Municipality shall be satisfied that adequate services such as schools, fire protection, water supply, sewage disposal,

storm water drainage and/or management facilities, hydro, solid waste disposal, roads, and road maintenance either are or can be provided and further that the provision of these services will not adversely affect the financial position of the Municipality.

17.3 CONSENTS/SEVERANCES

17.3.1 General

Provisions for the creation of lots through the consent process, commonly referred to as land severances, are contained in Sections 50 and 53 of the *Planning Act, R.S.O. 1990*. Pursuant to the provisions of the *Planning Act, R.S.O. 1990*, the County of Perth is responsible for the review and approval of consent applications involving lands within the Mitchell Ward.

Under Section 53(1) of the *Planning Act, R.S.O. 1990*, an owner of land or the owner's authorized agent may apply for a consent to sever land. The applicant for a consent shall provide the approval authority with the prescribed information or material (Section 53(2)). When considering a consent application, the approval authority shall consult with the persons or public bodies prescribed (Section 53(10)). Section 53(12) sets forth the matters that must be regarded in reviewing and deciding upon a consent application. In granting provisional approval, the approval authority may impose whatever conditions as it considers are reasonable (Section 53(12)). The types of consent policies contained in this Plan are categorized in one of two categories. The first category is the general consent policies which are to be applied in the case of all consent applications. The second category is specific policies which are to be applied to consent applications involving lands in specific land use designations. It is a policy of this Plan that the general policies and the specific policies for the appropriate land use designation be applied in the case of each application for consent.

17.3.2 Consent Policies

The following policies shall apply to all consent applications. It is intended that they be applied in conjunction with the appropriate consent policies for the specific land use designations as set forth in this Plan.

17.3.2.1 Lot Creation

Lot creation through the consent process should only be considered when the parcel size is such that lot creation through the consent process is appropriate, where the proposal does not require the extension of any major municipal service (e.g. road), where the proposal does not leave residual land that can only be developed by the plan of subdivision process, and where access to abutting lands within the designated settlement area is not negatively impacted. Where it is evident that lot creation through the consent process is not appropriate and that development should occur through the plan of subdivision process, the consent application will not be approved.

17.3.2.2 Application

All consent applications must be submitted to the County of Perth Land Division Committee on the proper application form as prescribed by the Land Division Committee. All required information must be included with the application and only those applications which are complete shall be reviewed and considered by the Committee. All applications shall be accompanied with a sketch(s) prepared in accordance with the Committee's requirements.

17.3.2.3 Land Use Plan

It is a fundamental requirement of this Plan that all consent applications be in conformity with the land use policies and consent policies for the applicable land use designation(s) as identified on Schedule "A" (Mitchell Land Use Plan) if an application is to be approved. Those applications that do not meet this fundamental requirement shall not be approved by the Land Division Committee.

17.3.2.4 Size Requirements

The lot frontage, depth, and size of any lot created by consent (severed and/or retained parcel) must be appropriate for the use of the lot and consistent, where possible, with adjacent lots. All lots created by consent should meet the applicable minimum lot area and lot frontage requirements as set forth in the Municipality's implementing Zoning By-law.

17.3.2.5 Public Road Access

All lots involved in the consent application must front on and have access to an existing public road which is maintained on a year-round basis and which is of a reasonable standard of construction in the opinion of the authority having jurisdiction over the public road.

Consents will not be granted where access to a proposed lot will create a condition hazardous to the movement of traffic along the public road and which access is to be gained due to limited site lines, long curves and grades, proximity to an intersection, or other situations hazardous to traffic movement.

Where a consent application involves the creation of a new access point, all requirements of the agency having jurisdiction over such road must be satisfied.

Any required permits or approvals must be obtained or being capable of being obtained prior to finalization of consent approval.

17.3.2.6 Sewage and Water Services

Consents should be granted only in those situations where the lots being created can be adequately and appropriately served by the Municipality's sewage collection/treatments system and water supply system.

17.3.2.7 Soil and Drainage Conditions

The soil and drainage conditions of any lot involved in a consent application must be suitable for the proposed use, any construction that is proposed, and for the proper siting of all buildings and structures that are proposed. Consents shall not be permitted where an application will create potential adverse impacts

on ground and surface water quality and quantity, adjacent properties and roadways. For some types of development (e.g. commercial, industrial, institutional), storm water management information may be required in order to properly assess the consent proposal. Where such information is required, it shall be the responsibility of the applicant to provide whatever studies and/or reports as may be required by the Municipality and/or the County.

17.3.2.8 Natural Hazards

Natural hazards such as flood plains and steep slopes shall be considered when reviewing consent applications to ensure that the new lot does not aggravate existing natural hazards or increase risk to life and property from natural processes.

17.3.2.9 Land Use Compatibility

Compatibility with neighbouring land uses shall be considered during the review of all consent applications. Where unnecessary conflicts with and/or constraints on neighbouring land uses will result from a consent proposal, that consent proposal shall either be refused or subject to conditions of approval that are intended to mitigate the land use incompatibility.

17.3.2.10 Lot Enlargements

The specific consent/severance policies for several of the land use designations established by this Official Plan make allowance for consents involving lot enlargements. Where an application for lot enlargement is to be approved, conditions shall be imposed requiring that the enlargement area be deeded in the same name as the abutting property being enlarged, that Section 50(3) and/or (5) of the *Planning Act, R.S.O. 1990* apply to all subsequent conveyances involving the enlarged property, and that any mortgages that may be required take into account the lot as enlarged.

17.3.2.11 Lot Boundary Adjustments/Corrections

Consents involving lot boundary adjustments/corrections may be permitted provided that such adjustments/corrections are minor in nature. Consideration will be given to the lot enlargement matters noted in Section 17.3.2.10 and the provisions of the Municipality's implementing Zoning By-law when dealing with applications involving lot boundary adjustments/corrections.

17.3.2.12 Easements and Rights-of-Way

Consents to create easements and/or rights-of-way may be permitted provided that no new lots are created and that the need is substantiated and acceptable to the consent granting authority.

17.3.2.13 Zoning By-law

An application for consent must be in conformity with the provisions of the Municipality's implementing Zoning By-law if it is to be approved. Where an amendment or minor variance to the Zoning By-law is required in order to establish Zoning By-law conformity and where such amendment or minor

variance would be in conformity with the policies of the applicable Official Plan document, it shall be permissible under the policies of this Plan for the consent granting authority to approve the consent application conditional upon the approval of a Zoning By-law Amendment or minor variance and the subsequent of coming into force of such amendment or variance.

17.3.2.14 Conditions of Consent

When reviewing and considering an application for consent, the Municipality and the consent granting authority will give consideration to the following as possible conditions of consent approval:

- (a) that any tax arrears for the subject land be paid in full;
- (b) that land not exceeding 5 percent of the land being severed be conveyed to the Municipality for park purposes or alternatively, the Municipality may require a monetary payment in lieu of conveying land for park purposes to a municipality;
- (c) that the applicant and/or the proposed purchaser enter into an agreement with the Municipality requiring that the owner and/or proposed purchaser plant a sufficient number of trees to replace any trees that will be removed as a result of the consent proposal. The advice of the County of Perth Tree Inspector may be sought when determining the need for tree replacement;
- (d) that any road widening that may be required along the roads abutting a lot that is subject to a consent application be dedicated to the road authority having jurisdiction over the road;
- (e) that any fencing that may be required as a result of a consent application be established;
- (f) where a consent application involves the removal/demolition of existing buildings or where a consent application involves dilapidated buildings, that such buildings be removed and the subject building area be rehabilitated as appropriate;
- (g) that buildings/structures which are central to the position that an application conforms to the Official Plan, that such buildings/structures be substantially constructed and/or completed; and
- (h) that a survey plan be obtained.

17.3.3 Consent Policies for Specific Land Use Designations

The specific consent/severance policies as contained in the various land use designation sections of this Official Plan shall apply in respect to consent applications involving such land. These specific consent/severance policies

shall apply in addition to the general consent policies contained in Section 17.3.2 and must be satisfied if an application is to be approved.

18.0 COMMUNITY FACILITIES, RESOURCES, AND SERVICES

18.1 WATER, SEWAGE SYSTEM, AND STORM SEWERS

18.1.1 Water - Supply and Storage

The principal means of water supply in the Mitchell Ward is a municipal water supply system. Virtually all of the residential, commercial, industrial, recreational, and institutional development which require water are serviced by the Mitchell Ward's water system. In addition, some of the development in the fringe area immediately north and south of the Mitchell Ward is serviced by the Mitchell Ward's water system.

From the water distribution standpoint, the Municipality has completed a study of the water supply system in the Mitchell Ward in 2001. This study indicates that a new Well was needed as well as improvements and upgrades to the reservoir to increase the contact time of the water. The new Well went into service in 2007 and a full increased the combined supply capacity to approximately 12,000 m³/day.

Water supply for the Mitchell Ward is provided by the Municipality of West Perth. SGS of London Ontario samples and maintains the Wells under a contract with the Municipality of West Perth.

As noted above, Municipality officials advise that the combined water supply capacity of all four (4) of the Mitchell Ward's Wells is 12,000 m³/day. According to calculations provided by West Perth Power, the Mitchell Ward's current water consumption is approximately 3,000 m³/day. Thus, the Mitchell Ward water supply system is operating at approximately 25.0 per cent of its maximum capacity.

Based on information from the Municipality, there appears to be more than sufficient water supply capacity to serve the growth related needs of the Mitchell Ward for the foreseeable future.

18.1.2 Sewage System

Sewage disposal in the Mitchell Ward is accomplished by means of a municipal sewage system and individual septic tank and weeping tile systems. The Mitchell Ward's sewage system also serves some of the institutional development in the fringe area immediately north of the Mitchell Ward in the Logan Ward.

The majority of existing development and anticipated future development will be serviced by the municipal sewage system. An exception to the preceding policy may be considered by Council in the case of new, dry industrial uses or dry highway commercial uses located within the

"Industrial" and "Highway Commercial" designated areas on either side of

Huron Road, west of Wimpole Street.

Sewage treatment facilities for the Mitchell Ward are managed and operated by Azurix North America under a five year contract with the Municipality of West Perth. The Mitchell Ward's municipal sewage system consists of the collection system, pumping stations, and a sewage treatment plant. The plant includes the following process elements: comminution; aerated grit removal; complete mix extended aeration; jet aeration in concrete tanks; facultative lagoon retention; effluent filtration; ultra violet disinfection; chemically-assisted phosphorus removal; and continuous effluent discharge. The sewage treatment plant is located south of the Mitchell Ward on part of Lot 24, Concession 2 in the Fullarton Ward.

Calculations provided by Municipality officials indicate that the sewage treatment system has a capacity of handling 5,800 m³/day. The most recent compliance report (2005) indicates that the annualized average daily flow for 2005 was estimated to be 3,644 m³/day, which represents approximately 63% of the design capacity for the treatment facility.

The plant has an uncommitted reserve capacity of approximately 2,000 m³/day. This calculation is based on information from the Municipality's consulting engineer Henderson, Paddon & Associates and was prepared in accordance with Ministry of the Environment specifications.

According to Municipality officials, a typical household will generate 0.45 cubic metres per day of sewage waste while a typical commercial or light industrial type use will generate 1.0 cubic metres of sewage waste per day. Based on these figures, the Mitchell Ward's municipal sewage system has sufficient capacity for development over the medium term. The Mitchell Ward's municipal sewage system is monitored on an ongoing basis in order to track the available uncommitted reserve capacity and to assist in determining when sewage treatment upgrades will be required.

18.1.3 Storm Sewers

Much of the Mitchell Ward area and the existing development within the Mitchell Ward area are serviced by a storm water collection system(s). In considering and dealing with new development in newer developing areas of the Mitchell Ward, the Municipality has and intends to continue looking at the issue of storm water management on a broader area based approach as opposed to an individual development based approach. A cooperative approach among developers in providing storm water management facilities has been encouraged by the Municipality and has become a part of the Municipality's approach to the provision of storm water services for new development areas in the Mitchell Ward.

18.1.4 General Policies for Servicing

Council shall have regard to the following when assessing the size and density of proposals for development:

- (a) the level of servicing available within the particular area of the Mitchell Ward which is subject to the proposed development;
- (b) the need to ensure that the development of land is based on a logical, orderly extension of services, while at the same time preventing scattered development in large undeveloped areas;
- (c) the financial and environmental implications associated with the servicing of development, especially if the development will necessitate the upgrading of one or more components of the servicing system; and
- (d) the implications on the overall capacity of municipal service systems, especially where the development may negatively affect the adequacy of servicing for the existing areas, or major portions thereof.

It shall be a general policy of this Plan that development in conformity with the provisions of this Plan shall be permitted only where adequate municipal water, storm, and sanitary services are available. All new development will be connected to full municipal water and sewage services.

An exception to the preceding policy may be considered by Council in the case of new, dry industrial uses and the specific area referred to in Section 18.1.2. An exception would be applied only in these situations if the proponent satisfies Council that sewer services are not necessary. In such cases, sewage disposal shall be by means of septic tank and weeping tile systems.

Septic tank and weeping tile systems may be used only if the soils are suitable for the operation of such systems and provided such systems have no adverse effects on the surrounding areas. The installation of septic tank and weeping tile systems shall require the approval of the Municipality.

Water services and sanitary sewer services for the Mitchell Ward currently extend outside of the Mitchell Ward limits into the fringe areas immediately north, east and south of the Mitchell Ward. It is a policy of the Plan that further extensions of the Mitchell Ward water services and sanitary sewer services beyond the Mitchell Ward boundaries provided that same is in accordance with applicable County Official Plan policies and applicable provincial regulations and requirements concerning such services.

Council will take the steps and actions it deems appropriate and necessary to establish and monitor the status of its municipal water, sanitary sewage, and storm sewer systems and infrastructure in an effort to ensure that sufficient and adequate capacity is available to accommodate growth and development in the Mitchell Ward and surrounding servicing area for both

the short and longer term periods. It is the intention of Council to initiate studies of its municipal servicing systems, as appropriate and necessary, and to initiate any required upgrades of its serving systems to accommodate growth over the planning period established by this Plan and to be prepared for continued growth beyond this period.

18.2 SOLID WASTE DISPOSAL

The Municipality contracts out the collection of garbage to a private collection company and the service is provided to the entire Mitchell Ward. Mitchell Ward has one landfill site in the northwest corner of the Mitchell Ward and another site in the Fullarton Ward. The site within the Mitchell Ward is used for residential and commercial wastes, while the one in Fullarton Ward is used for industrial wastes. These arrangements for solid waste disposal and collection are expected to be satisfactory for the life of this Plan.

18.2.1 Establishment of Solid Waste Disposal Sites

The Mitchell Ward may need to investigate the possibility of establishing an additional landfill or other type or types of waste disposal site some time in the future. Similarly, Council may have to evaluate a proposal by a private or public agency to establish these types of facilities in the Mitchell Ward.

The Ministry of the Environment's *Guidelines for the Establishment, Operation, Management, Maintenance, and Closure of Landfilling Sites in Ontario* should be used when assessing proposals involving the establishment of landfill sites.

An amendment to this Plan will be required in order to establish a municipal, public, or privately-owned waste disposal site. An amendment to the implementing Zoning By-law will also be required for the establishment of either public or private waste disposal sites.

In addition to the above policy considerations, municipal solid waste disposal sites are subject to the *Environmental Assessment Act, R.S.O. 1990* which requires the proponent to prepare supporting studies documenting environmental impacts. Prior to establishing a municipal waste disposal site, the proponent must also obtain a Certificate of Approval under the *Environmental Protection Act, R.S.O. 1990*.

Amended By Modification No. 4

18.2.2 Methane Gas Migration Buffer

Council recognizes that there may be a need for a methane gas migration buffer around operating and closed landfill sites. Where development is proposed within 500 metres of an operating or closed land fill site which lacks methane gas attenuation measures, Council may require the proponent to demonstrate that no impacts will result from the landfill activities or associated activities and appropriate buffering and monitoring may be required.

18.3 EDUCATION

18.3.1 Background

The education facilities in the Mitchell Ward are administered by the Avon Maitland District School Board and the Huron-Perth Catholic District School Board. The schools that serve the area include the Mitchell Public School in Mitchell Ward, the Mitchell and District Secondary School in Logan Ward, and St. Patrick's Roman Catholic Separate School in Dublin.

Enrollments in elementary schools are expected to stabilize from their continued but moderate decline and perhaps begin to increase gradually. Any enrollment increases will be moderate, however, and there is no likelihood of the figures exceeding permanent accommodation available in the present elementary schools.

At the secondary school level, enrollments will display a downward trend for a few more years before stabilizing in the latter half of the decade.

For the separate school in Dublin, declining enrollment is also predicted for the near future. This school is close to capacity but with a decline in student numbers and the use of portable classrooms, accommodation is not expected to be a serious problem.

18.3.2 Policies

It shall be the policy of this Plan to encourage the two Boards of Education to continue to implement specific policies encouraging the use of school facilities for community functions and activities. The various indoor and outdoor school facilities have the potential of becoming a primary focus for community-wide activities if the recreation committees and/or community service organizations in the Mitchell Ward provide the necessary initiative, organization, support, and funding to make this possible.

Council shall give careful consideration to school enrollment and capacity figures when reviewing development proposals which will generate school age children either immediately or in the near future. The location of the existing schools and the future need for additional school facilities will be one of the factors examined by Council when evaluating development proposals.

The criteria which will be applied as part of this evaluation will include student safety, bus routes, traffic patterns, availability of services, and compatibility of uses.

18.4 COMMUNITY FACILITIES AND SERVICES

18.4.1 Background

The Mitchell Ward is well served in terms of protective, social, and recreational services. Work has been completed on the refurbishing of the

municipal building used for the Municipal offices and administrative centre. This will help to provide better facilities for use by community organizations.

18.4.2 Policies

It is the policy of this Plan that Council will support the provision of community services and programmes associated with public safety, recreation, and leisure time activities in accordance with its financial capability. The Municipality will undertake only those projects which are consistent with the needs of the community the size of West Perth, especially in relation to cost.

Council will also evaluate development proposals to determine their effect on the need for improved or additional community services and facilities.

18.5 TRANSPORTATION POLICY

18.5.1 Introduction

This part of the Plan should be read in conjunction with Schedule "B" (Road Plan) which indicates the general classification and jurisdictional division of the road system in the Mitchell Ward.

The present road pattern is designed to facilitate the efficient movement of both people and goods to and from the Mitchell Ward. The overall road pattern within the Mitchell Ward is internally consistent. Any new roads should be consistent with the surrounding road network.

18.5.1.2 Classification

The existing roads within the Mitchell Ward are classified on Schedule "B" (Road Plan) according to their ultimate function and it is intended that this classification be adopted as part of this Plan. The two components of the classification are connecting links/arterial roads and Mitchell Ward roads. Where additional land is required for widenings and extensions, such land shall be obtained, wherever possible, in the course of the division of land and/or the negotiations and agreements associated with development in the Mitchell Ward. The classifications and policies are as follows:

(a) Arterial Roads

Arterial roads are generally intended and designed to carry large volumes of traffic from one area to another and/or through a settlement area such as the Mitchell Ward. Ontario Road, Huron

Road, St. George Street, Blanshard Street, Frank Street East, and Wellington Street are classified as arterial roads.

Ontario Road, Huron Road, St. George Street, and Blanshard Street are also considered as connecting links as they connect Line 34/Highway 8 east and west of Mitchell and Road 164/Highway 23 south and north of Mitchell through Mitchell.

(b) Local Roads

Local roads are generally intended and designed to provide access to abutting properties and to carry lesser volumes of traffic than Provincial Highways and/or arterial roads. Most of the roads in the Mitchell Ward are considered to be local roads.

18.5.1.3 Intersection Improvements

It is intended that, as traffic conditions warrant and Municipal finances permit, improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes, and channelization construction will be undertaken at those intersections requiring such improvements.

18.5.1.4 Bridge Improvements

It is intended that, as traffic and safety conditions warrant, improvements shall be made to any bridges requiring upgrading and these improvements will be designed to serve the ultimate proposed road allowance.

18.5.1.5 Road Improvements

At the present time, the existing road system in the Mitchell Ward is adequate for the needs of Mitchell residents. It is important, however, that normal standards of road maintenance are continued as well as a reasonable programme of reconstruction.

Certain roads in the Mitchell Ward will require upgrading or reconstructing within the planning period. The phasing of these improvements will depend largely on traffic volumes and budget constraints. Council has prepared a Roads Needs Study to assist it in determining needed road improvements in the Mitchell Ward and to establish a priority basis for carrying out improvements. Such plan is to be reviewed from time to time in order to keep same up to date.

18.5.1.6 General Policies - Roads

The following road policies will be adhered to in the Mitchell Ward:

- (a) the provision of new roads will occur as a result of new plans of subdivision and severance applications. New local roads usually have a minimum right-of-way width of 20 metres but, where appropriate, Council may consider roads with right-of-ways of less than 20 metres;
- (b) all development must front on a public road which is constructed to standards established by the Ministry of Transportation and/or the Municipality;
- (c) provision shall be made in the implementing Zoning By-law for adequate setbacks for all new development having regard for the

width and function of the abutting road;

- (d) where additional land is required for road widenings, extensions, or right-of-ways, such land may be obtained by the appropriate agencies in the course of approving plans of subdivision, development or redevelopment applications, and consents for land severances;
- (e) the location of access driveways should not create a traffic hazard because of concealment by a curve, grade, or other visual obstruction. Access driveways should be limited in number and designed so as to minimize the dangers to vehicle and pedestrian traffic in the vicinity; and
- (f) where proposals for access and/or signalization are made for lands/areas within the “Central Commercial”, “Highway Commercial”, and/or “Industrial” land use designations may have an impact on Provincial Highways beyond the connecting links that are referred to in Section 18.5.1.2(a), the Municipality shall consult with the Ministry of Transportation in respect to the potential impact on the Provincial Highways.

18.5.2 Rail Transportation

There is one railway line running through the Mitchell Ward. The railway line is owned and operated by the Goderich-Exeter Railway Company as a short haul route. It connects with the main line owned and operated by the Canadian National Railway in Stratford. Council supports the provision of rail services to the Municipality and supports and encourages the retention of same in the future.

The location of the existing rail line is such that it is near existing and future development areas. In the area east of the Thames River, the land use designation abutting the railway line is “Industrial” and this designation makes provision for a variety of industrial uses. In the area west of the Thames River, the land use designations are “Residential”, “Residential - Mobile Home Park”, and “Agriculture.”

The “Residential” designation makes provision for a variety of residential uses; the “Residential - Mobile Home Park” designation makes provision for mobile and modular homes; while the “Agriculture” designation is treated somewhat as a holding category in that these lands will be re-designated to other uses (e.g. “Residential”) as the need arises.

While Council is supportive of rail services to the Mitchell Ward, it also recognizes that development of the lands adjacent to the railway right-of-way will continue to occur. Development adjacent to the railway line is permitted under this Plan provided that such development is either

compatible with the railway line uses (e.g. industrial use) or where the development is considered to be incompatible (residential uses), adequate separation, noise vibration, and safety measures are implemented to reduce the potential for incompatibility between the railway use and the adjacent development.

Where official plan and zoning by-law amendments, plan of subdivision and site plan control applications for areas adjacent to the railway are being considered by Council, Council will consult with the Railway Company and the Ministry of Environment for the purpose of identifying the extent of measures required to reduce or mitigate the potential for land use incompatibility.

The type of measures to be implemented may include, but are not necessarily limited to increased building setbacks, the construction of earth berms and/or fences, the establishment of buffering and/or planting areas, limitations in location and/or use of buildings, vibration mitigation, noise attenuation, building construction requirements, and implementation of warning clauses registered on land titles, the agreement for sales or leases. The extent of measures required will be determined through consultation with the Railway Company and the Ministry of Environment and incorporated, as appropriate, through various planning applications referred to above.

18.5.3 Air Transportation

Facilities for air transportation such as airfields and landing strips will not be permitted within the Mitchell Ward.

18.6 MAJOR UTILITIES

The facilities of most utilities can have a major impact on the land surrounding these facilities and for this reason, this Plan establishes policies applicable to the various proponents of these facilities as follows:

18.6.1 Electric Power Facilities

All existing electric power facilities and the development of new electric power facilities shall, as such relate to Ontario Hydro, be subject to the provision of Section 62 of the *Planning Act, R.S.O. 1990*.

The development of electric power facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electrical power. As such, it is the policy of this Plan that electric power facilities be permitted in all land use designations without a Plan amendment provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Furthermore, Ontario Hydro/West Perth Power shall consult with the municipality on the location of any new electric power facility.

18.6.2 Servicing Strategy

The Municipality has a servicing strategy for each of the principal servicing

components (e.g. road, sanitary sewer, water) and it is intended that new development be in accordance with such strategy(s). The Municipality intends to review its servicing strategy(s) on an ongoing basis and make adjustments/revisions as necessary.

18.6.3 Trunk Pipelines

Trunk pipelines for water, hydrocarbons, and other fluids or gases shall also be permitted in any land use designation as long as such development satisfies the provisions of the *Environmental Assessment Act, R.S.O. 1990*, and/or any other relevant Provincial or Federal statutes.

18.6.4 Guidelines for Review Process

In evaluating and establishing its position on proposed electric power facilities or municipal or private sewage treatment facilities, Council shall apply the following guidelines:

- (a) electric power facilities and municipal sewage treatment lagoons shall be located in such a way as to minimize their impact on the ecology and environment of the affected areas;
- (b) the proponent will ensure that construction is carried out in a manner that minimizes the impact on the surrounding land;
- (c) the proponent will attempt to minimize the impact on the natural environment and especially forested areas;
- (d) the proponent will strive to ensure that all structures, easements, right-of-ways, and other works are designed as far as possible to harmonize with the character of the area in which they are located;
- (e) where practical, more than one utility will be located within a common right-of-way; and
- (f) municipal and private sewage treatment works shall be located so as to provide a buffer between open plant structures and adjoining odour sensitive land uses consistent with distances recommended by the Ministry of Environment.

Council has a Utility Coordinating Plan involving the various agencies/bodies that provide services throughout the Municipality (e.g. Bell Telephone, Union Gas, Cable T.V., West Perth Power and the Municipality) and such Utility Co-ordinating Plan provides a framework within which services are efficiently and effectively provided.

19.0 **IMPLEMENTATION**

19.1 **General Policies**

- (a) the policies of this Plan shall be implemented by the Municipality of West Perth, the County of Perth (e.g.. subdivisions, condominiums), the County of Perth Land Division Committee (e.g. consents), and the West Perth Committee of Adjustment through the powers conferred upon them by the *Planning Act, R.S.O. 1990*, the *Municipal Act, 2001*, the *Building Code Act, 1992*, and any other applicable statutes of the Province of Ontario;
- (b) upon approval of this Official Plan pursuant to the provisions of the *Planning Act, R.S.O. 1990*, the policies and provisions of this Plan are deemed to be in compliance with the policies of the Provincial Policy Statement (2005);
- (c) the decisions of West Perth Council, the County of Perth, the County of Perth Land Division Committee, and the West Perth Committee of Adjustment in respect to planning matters must be consistent with and in conformity to the relevant policies of this Plan;
- (d) pursuant to Section 24(1) of the *Planning Act, R.S.O. 1990*, no public work shall be undertaken by the Municipality of West Perth or the County of Perth that does not conform to the intent and policies of this Plan;
- (e) the Municipality of West Perth Council may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan subject to the provisions of the *Planning Act, R.S.O. 1990*, the *Municipal Act, 2001*, and any other applicable statutes of the Province of Ontario;
- (f) all forms of development agreements regarding subdivisions, consents, condominiums, variances and site plans are required to conform to the policies of this Official Plan;
- (g) in addition to all the applicable municipal requirements, all proposed development located in the vicinity of a Provincial Highway within the Ministry of Transportation's permit control area under the *Public Transportation and Highway Improvement Act, R.S.O. 1990* will also be subject to MTO approval; and
- (h) where a proposed development results in the conversion of significant employment lands (i.e. a proposal that has a significant effect on the supply of employment lands in the Municipality) to other types of uses, the conversion of such lands shall only be considered and permitted after a comprehensive review has been done and where such comprehensive review demonstrates that the land is not required for employment purposes over the long term and that there is a need for the conversion. Further, it is a policy of this Plan that this comprehensive review requirement not apply to the conversion of smaller or isolated parcels of

employment lands.

19.2 Division of Land by Plan of Subdivision

The policies of Section 17.2 of this Plan shall apply in respect to the division of land through the plan of subdivision process.

The County of Perth has been delegated the approval authority for all plans of subdivisions within local municipalities in Perth County.

19.3 Division of Land by Consent

The general consent policies of Section 17.3 of this Plan and the applicable consent policies of the specific land use designations as contained in this Plan shall apply in respect to the division of land through the consent process.

The County of Perth is the approval authority for all consent applications within local municipalities in Perth County. Pursuant to the *Planning Act, R.S.O. 1990*, the consent approval authority may be delegated to a Committee of County Council or a County Land Division Committee. County Council has delegated approval authority to the County of Perth Land Division Committee.

19.4 Site Plan Control

19.4.1 Objective and Purpose

The objective and/or purposes of using site plan control are to ensure a high standard of development and to ensure a high standard of compatibility between adjacent land uses within the Mitchell Ward of the Municipality of West Perth. The provision, maintenance, and regulation of various on-site features as identified in the provisions of Section 41 of the *Planning Act, R.S.O. 1990* are seen as one means of achieving these objectives and/or purposes.

19.4.2 Application

It is the intent of this Plan that site plan control apply to all development within the Mitchell Ward, excepting the specific types of development as exempted by this section. Pursuant to the provisions of Section 41(2) of the *Planning Act, R.S.O. 1990*, all of the lands within the Mitchell Ward, as shown on Schedule "B" (Mitchell Road Plan) to this Plan, are hereby identified as a proposed site plan control policy area.

Notwithstanding the foregoing, the Municipality of West Perth Council may exempt the following types of development from the site plan control requirement:

- (a) single-detached dwellings;
- (b) agricultural buildings and structures; and
- (c) use of land for the purpose of extracting aggregate resources.

For the purposes of these site plan control policies, development shall be

defined as the construction, erection or placement of one or more buildings or structures on land where the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing of a commercial parking lot or of sites for the location of three or more trailers as defined in the *Municipal Act, 2001* or of sites for the location of three or more mobile homes as defined in Subsection 46(1) of the *Planning Act, R.S.O. 1990* or of sites for the construction, erection or location of three or more land lease community homes as defined in Subsection 46(1) of the *Planning Act, R.S.O. 1990*.

19.4.3 Approval of Site Plans

Where a local municipal Council has passed a site plan control by-law, plans showing all buildings and structures to be erected and all facilities and works to be provided in conjunction with the development will be required consistent with the provisions of the *Planning Act, R.S.O. 1990*. Drawings showing plan, elevation and cross-section views may be required for all buildings to be erected including all buildings to be used for residential purposes regardless of the number of units contained therein within a designated site plan control area.

19.4.4 Site Plan Detail

In accordance with the provisions of Section 41(7) of the *Planning Act, R.S.O. 1990*, a local municipality may require the owner of land to provide to the satisfaction of and at no expense to the municipality any or all of the following:

- (a) widenings of highway that abut the land;
- (b) access to and from the land;
- (c) off-street vehicular loading and parking facilities;
- (d) pedestrian access;
- (e) lighting facilities;
- (f) landscaping and other facilities for the protection of adjoining lands;
- (g) facilities and enclosures for the storage of garbage and other waste material;
- (h) required municipal easements; and
- (i) grading of lands and disposal of storm water.

19.4.5 Site Plan Control Agreements

Where required by a local municipal Council, the owner shall enter into a Site Plan Control Agreement(s) with the municipality dealing with and ensuring the provision of any or all of the facilities referred to in Section 19.4.4 above. Where such agreements are required, it is a policy of this Plan that such agreements be

registered against the title of the subject land and further that the local municipalities are entitled to enforce the provisions thereof against the owner and all subsequent owners of the subject land.

19.4.6 Highway Widening

Concerning the provisions of Section 19.4.4(a) above pertaining to the widening of highways, the following policies shall apply:

- (a) West Perth Council shall have the authority to require road widening along any road allowance that does not have a standard right-of-way width of 20 metres; and
- (b) where road widening is required, it is a policy of this Plan that the amount of land to be obtained for widening shall be taken in equal amounts from both sides of the roadway, measured from the existing roadway centre lines, except where geological, topographical, utility lines or other conditions or obstructions dictate otherwise. However, in such cases, no more than half of the required widening will be taken by dedication from any one side through site plan control.

19.5 Maintenance and Occupancy Standards

Since the improvement and maintenance of all properties is essential for a healthy community environment, programs that will aid in the prevention of property neglect and aid in property maintenance will be encouraged throughout the Municipality.

Under the provisions of Section 15.1 of the *Building Code Act, 1992*, the Council of a municipality may pass a By-law:

- (a) for prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of property that does not conform with these standards;
- (b) for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse left in graded or leveled conditions; and
- (c) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to a By-law passed under Section 15.1 of the *Building Code Act, 1992*.

19.6 Community Improvement

19.6.1 Introduction

Community improvement may generally be described as including all those activities, both private and public, which work towards maintaining, rehabilitating, and redeveloping the existing physical environment to accommodate the

economic and social priorities of the community. Having recognized the need to maintain quality services, facilities, and an attractive physical environment in order to induce private investment, it is the intent of this Plan to establish certain policies to guide and direct community improvement.

19.6.2 Principal Goal

The principal goal for community improvement in the Mitchell Ward shall be to foster a continuing process of comprehensive renewal in the form of redevelopment, rehabilitation, and maintenance as a means of ensuring the economic and social vitality of the principal settlement area in West Perth.

19.6.3 Objectives

By establishing the above goal, the Municipality of West Perth wishes to reconfirm a sense of pride among the citizens of the municipality and as a direct or indirect benefit of that pride, encourage private sector investment throughout the municipality. The following objectives are intended to assist in achieving the principal goal:

- (a) to promote a program of continued community improvement on a comprehensive scale, where economically feasible;
- (b) to assist in establishing a framework for guiding the expenditure of funds on future community improvement endeavours without unduly burdening financial capabilities of the municipality;
- (c) to encourage local municipal and County, where appropriate, participation in cost sharing programs for community improvement which are sponsored by the Provincial and/or Federal Governments;
- (d) to strive towards an adequate distribution of both hard and soft services throughout the municipality;
- (e) to encourage the improvement of municipal services and facilities, where necessary, to a suitable standard to serve present and future needs of the community;
- (f) to assist in creating a climate which is favourable for private investment in community improvement;
- (g) to encourage the maintenance, rehabilitation, and/or renovation of existing residential, commercial, industrial, and institutional buildings; and
- (h) to support industrial development by encouraging the provision of adequate services and facilities.

19.6.4 Community Improvement Criteria

To facilitate the selection of community improvement areas, the following general criteria are established:

- (a) an inventory and analysis of deficiencies in the availability and/or condition of:
 - (i) roads in terms of their designated function;
 - (ii) sidewalks, curbs, gutters, and catch basins;
 - (iii) streetlighting (age, effectiveness and energy efficiency);
 - (iv) storm sewer systems and their ability to comply with present standards and future requirements; and
 - (v) buildings and structures associated with the provision of municipal services.
- (b) an evaluation of the provision and/or quality of recreational services, including community parks and playgrounds, community centres, and other community recreational facilities;
- (c) an appraisal of the availability, accessibility, and aesthetic appearance of parking facilities;
- (d) an evaluation of the provision and quality of soft and/or community services (e.g. community centres, libraries);
- (e) an assessment of areas containing older building stock where poor maintenance or decay is evident and rehabilitation is needed; and
- (f) a review of existing land uses in regard to the compatibility of neighbouring properties (e.g. residential/commercial, residential/industrial, commercial/industrial land use conflicts).

It is intended that the above criteria be implemented at the local municipal level with assistance, where appropriate, from the County. The inventories, evaluations, and appraisals should be maintained/carried out on an ongoing basis in order that they are up-to-date and to permit both the local municipalities and the County with the necessary information to address changing conditions/needs in the various communities throughout the County.

19.6.5 Delineation of Community Improvement Areas

All of the lands within the Mitchell Ward, as shown on Schedule "B" (Mitchell Road Plan) to this Plan, are hereby designated as a Community Improvement Policy Area.

19.6.6 Implementation

In order to achieve the principal goal and the objectives set forth in the preceding sections, the Council of the Municipality of West Perth shall employ a number of implementation methods and procedures. These may include, but

are not necessarily limited to, the following:

- (a) exercise the appropriate provisions of the *Planning Act, R.S.O. 1990*, pertaining to community improvement;
- (b) designate community improvement project areas by By-law, as appropriate;
- (c) prepare and adopt community improvement plans for the designated community improvement project areas, as necessary;
- (d) acquire and hold lands in community improvement areas, where appropriate;
- (e) clear, grade, or otherwise prepare land for community improvement;
- (f) apply to the appropriate Provincial and/or Federal Agencies for funding assistance to assist in the improvement and rehabilitation efforts;
- (g) encourage the review and enforcement of Property Maintenance and Occupancy Standards By-laws in those local municipalities where they presently exist and the preparation of Property Maintenance and Occupancy Standards By-laws in those local municipalities where they do not presently exist;
- (h) co-operation between the Municipality of West Perth, the County, community improvement groups, and community services clubs in dealing with the establishment, operation, maintenance of community facilities;
- (i) encourage the integration of community improvement objectives into municipal programs, where appropriate;
- (j) encourage rehabilitation of private properties and buildings by providing owners with information on Government sponsored programs and associated funding mechanisms; and
- (k) encourage the restoration and rehabilitation of historical structures through establishment of heritage preservation policies, where appropriate. Local municipal Councils may establish local heritage committees pursuant to the *Ontario Heritage Act, R.S.O. 1990* to assist and advise Councils on all matters related to cultural heritage resource conservation in the municipality.

19.7

Other Municipal By-laws

It is a policy of this Plan to encourage Council to review existing By-laws and/or prepare new By-laws that are consistent with the policies of this Plan. Such By-laws may regulate matters such as automobile wrecking yards, building administration, fill placement or alteration of grade, gravel pits, manure pits,

signs, solid waste disposal areas, trailers, and tree maintenance and preservation.

19.8 Zoning By-law

The Zoning By-law is the primary means of implementing the policies of this Plan. Generally, the Zoning By-law defines the uses permitted in specific locations within a municipality and sets forth specific zoning standards or regulations related to the permitted uses.

19.8.1 Official Plan Conformity

It is a policy of this Plan that all municipal Zoning By-laws conform to the policies of this Plan, as well as the County of Perth Official Plan. Following adoption of this Plan and its subsequent approval by the County, the West Perth Zoning By-law No. 100-1998 should be brought into conformity with the policies of this Plan. This will be done through either the Zoning By-law Amendment process or through a comprehensive update of the existing Zoning By-law.

19.8.2 Conforming Uses

Uses of land which legally existed at the date of adoption of this Plan and which are in conformity with the policies for the applicable land use designation as established by this Plan shall be considered to be conforming uses under this Plan. Such existing uses shall be placed in an appropriate zone in the local municipality's implementing Zoning By-law, which zone shall make provision for such uses and establish suitable zone regulations and provisions for such uses.

19.8.3 Non-Conforming Uses

Uses of land which legally existed at the date of adoption of this Plan and which are not in conformity with the policies for the applicable land use designation as established by this Plan shall be considered to be existing non-conforming uses under this Plan. The following policies shall apply to existing non-conforming uses:

- (a) as a general rule, existing non-conforming land uses should, in the long term, cease or relocate in order that the subject land can be converted or redeveloped to a use that is in conformity with this Plan;
- (b) as a general rule, existing non-conforming uses should be zoned as non-conforming uses in the municipality's Zoning By-law. Notwithstanding this, Council may recognize a use permitted by zoning existing prior to the adoption of this Plan or a long-standing non-conforming use as a permitted use in its updated Zoning By-law provided that Council is satisfied with respect to the following:
 - (i) the use, or existing zoning, does not involve hazardous activities or substances or generate traffic that threatens the safety of the surrounding area;
 - (ii) the use, or existing zoning, does not contribute to air, water or land pollution problems; or

- (iii) the use, or existing zoning, can or has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area.

19.8.4 **Extension, Enlargement or Change in Use of Existing Non-Conforming Uses**

The extension, enlargement, or change in use of non-conforming uses, buildings, and/or structures that do not conform to this Plan and the municipal Zoning By-law may be considered pursuant to the provisions of Section 34(10) or Section 45(2) of the *Planning Act, R.S.O. 1990*, without the need for an amendment to this Official Plan. The former section involves a By-law passed by Council while the latter section involves permission from the municipality's Committee of Adjustment. Prior to making a decision in respect to an application for the extension, enlargement, or change in use of a non-conforming use, Council or its Committee of Adjustment, as the case may be, shall be satisfied that the following criteria, in addition to those set out in the applicable sections of the *Planning Act, R.S.O. 1990*, are met:

- (a) the use is a legal non-conforming use and has been continuous from the day the local municipality's Zoning By-law was passed;
- (b) the extension, enlargement or change in the non-conforming use should be in keeping with the general intent of the Official Plan and should not aggravate those aspects of the use that do not conform to the Official Plan and local municipal Zoning By-law;
- (c) that the extension, enlargement or change in use is necessary to avoid undue hardship to the applicant;
- (d) that the extension, enlargement or change in use will be in appropriate proportion to the size of the existing non-conforming use;
- (e) the characteristics of the existing non-conforming use and the extension, enlargement, or change in use shall be examined with respect to noise, vibration, fumes, dust, odours, lighting, and traffic. No extension, enlargement, or change in non-conforming use shall be permitted if the above nuisance factors are created or increased so as to add to the extent of incompatibility of the non-conforming use with uses in the surrounding area;
- (f) that the extension, enlargement, or change in non-conforming use will not interfere with desirable development in adjacent areas which is in conformity with the Official Plan and local municipal Zoning By-law;
- (g) services such as water, sewage disposal, and storm water drainage that may be necessary to serve the use in its expanded, enlarged, or changed

form must be adequate; and

- (h) that provisions for off-street parking and loading facilities are adequate.

Pursuant to Section 45 of the *Planning Act, R.S.O. 1990*, the Committee of Adjustment may impose conditions as it deems appropriate to the approval of an application for the extension, enlargement, or change in a legal non-conforming use.

Notwithstanding that the opportunity to make application for the extension, enlargement, or change in a legal non-conforming use does exist, neither Council nor the Committee of Adjustment shall, under any circumstances, be obligated to approve such applications.

19.9 Holding Provisions

This section of the Official Plan contains policy for the use of holding provisions in the Zoning By-law. It has been included in order to provide West Perth Council with the authority to use the holding provisions of Section 36 of the *Planning Act, R.S.O. 1990* when preparing a Zoning By-law to implement this Plan.

19.9.1 Objectives

The following have been established as the objectives for using holding provisions in a Zoning By-law:

- (a) to assist in the phasing of development and/or redevelopment;
- (b) to co-ordinate development and/or redevelopment with the provision of water, sanitary sewage, storm sewer, and other services;
- (c) to control development and/or redevelopment which may necessitate special design requirements; and
- (d) to forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied.

19.9.2 Policy for the Use and Removal of Holding Provisions

To achieve the foregoing objectives, the following policies shall be applied:

19.9.2.1 Locational Criteria

To aid in the selection of sites or areas that may be subject to holding provisions, the following locational criteria are identified:

- (a) those lands in a built-up area which are undeveloped;
- (b) those lands which are unserved;
- (c) those lands which do not have adequate access or frontage onto a public roadway;

- (d) those lands which are adjacent to a hazardous, noxious, temporary, or otherwise undesirable use or activity; and
- (e) those lands which are near or fronting onto public roads which are subject to hazardous conditions or inadequate to handle current traffic volumes.

19.9.2.2 Removal of Holding Provisions

Removal of the holding provisions shall be accommodated by an amending By-law and shall be in accordance with the provisions of Section 36 of the *Planning Act, R.S.O. 1990* and related regulations made under the Act.

Removal of the holding provisions shall occur only after Council has been satisfied that all prescribed conditions or criteria have been satisfied.

19.9.3 Implementation

It is intended that holding provisions shall be implemented by means of the Municipality's implementing Zoning By-law. Land or lands shall be zoned for its/their intended use and the holding symbol (H) shall be added as a suffix, separated from the principal zone by a hyphen.

The Zoning By-law shall specify the uses of land permitted and any regulations applying to the land during the time in which the holding provisions are in place. Conditions or criteria that are to be satisfied before the holding provisions can be removed shall be clearly stated in the Zoning By-law.

In all cases, the provisions of Section 36 of the *Planning Act, R.S.O. 1990* and related regulations made under the Act shall be followed when imposing and/or removing holding provisions in a Zoning By-law.

19.10 Temporary Use By-laws

This section of the Plan contains policy to guide Council in its use of Temporary Use By-laws pursuant to the authority of Section 39 of the *Planning Act, R.S.O. 1990*.

The Temporary Use By-law is a By-law passed by Council for the purpose of allowing a use that is otherwise prohibited by the Municipality's Zoning By-law. A Temporary Use By-law must define the land or lands to which it applies and it shall prescribe the period of time during which it is in effect, which period of time shall not exceed three years from the day of passing of the By-law, except in the case of a "Garden Suite" where a Temporary Use By-law may apply for a period not exceeding ten years. Council may extend the period of time during which a temporary use is permitted by passing further By-laws, each of which shall not be in effect for more than three years.

In enacting a Temporary Use By-law, Council shall have regard to the following:

- (a) conformity to this Plan. Temporary Use By-laws shall not be passed for

the purpose of permitting uses that are not in conformity with this Plan;

- (b) compatibility of the proposed use with the surrounding land uses;
- (c) adequacy of any services that may be required for the proposed use;
- (d) access of parking requirements; and
- (e) traffic impacts.

19.11 Interim Control By-laws

Interim Control By-laws may be passed by Council in accordance with the provisions of Section 38 of the *Planning Act, R.S.O. 1990*, for the purpose of controlling the use of land, buildings and structures within specifically identified areas for a specific period of time (i.e. not exceeding one year in length with provision for extending the time period for a total time period of not more than two years).

Prior to passing an Interim Control By-law, it is first necessary for a local municipal Council to pass a resolution directing that a review or study be undertaken in respect to land use planning policies in the municipality or in any area or areas thereof. It is intended that any Interim Control By-law be passed in order to adequately control development in a designated area or areas while the review or study is being completed. Where an Interim Control By-law ceases to be in effect, Council may not for a period of three years pass a further Interim Control By-law that applies to any lands to which the original Interim Control By-law applied.

19.12 By-laws for Increased Height and Density

Pursuant to the provisions of Section 37 of the *Planning Act, R.S.O. 1990*, Council may include in its Zoning By-law regulations to permit increases in the height and density of a permitted development in return for the provision of such facilities, services or matters as are set out in the By-law. This practice is commonly referred to as bonus zoning and it is considered as an appropriate means of assisting in implementing Official Plan policy.

19.12.1 Objective and Purpose

The objective or purpose of bonus zoning is to encourage social amenities and design features resulting in a public benefit which cannot be obtained through the normal development process. The facilities, services or matters that would be provided in consideration of height or density bonus should be reasonable, in terms of the cost/benefit implications for both the local municipality and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. In all cases, the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses or exceeds the capacity of available municipal services.

19.12.2 Application of Bonus Zoning

Council may pass By-laws providing for bonusing to achieve the following objectives:

- (a) to support the provision of the development of affordable housing as provided for in this Plan;
- (b) to encourage aesthetically attractive development through the provision of enhanced landscaped open space and architectural review relating to building design materials and colours;
- (c) to support the provision of and improve access to, public open space which is supplementary to any parkland dedication requirements;
- (d) to support the provision of daycare facilities;
- (e) to support the preservation of structures and/or districts identified as architecturally and/or historically significant by the municipality;
- (f) to support innovative and environmentally sensitive development which incorporates and protects environmental features, promotes energy conservation, encourages construction techniques to reduce waste and promote water conservation; and
- (g) to support the provision of amenities accessible and beneficial to the public.

19.12.3 Implementation

The Municipality's implementing Zoning By-law may contain bonus zoning provisions for all forms of development. Where bonus zoning provisions are provided, the provisions will describe the facilities, services, or matters that qualify for the density bonus provisions and the extent of the height and density increases that may be available.

Where an owner decides to provide facilities, services or matters in return for an increase in the height or density of development, the local municipality may require that the owner enter into one or more agreements with the Municipality concerning the provision of facilities, services or matters. Pursuant to the provisions of Section 37(4) of the *Planning Act, R.S.O. 1990*, such agreement(s) may be registered against the land to which it applies and the Municipality is entitled to enforce the provisions thereof against the owner and all subsequent owners of the land.

19.13 Committees of Adjustment

Pursuant to the provisions of Section 44 of the *Planning Act, R.S.O. 1990*, Council may establish a Committee of Adjustment to deal with the specific application types addressed in Section 45 of the *Planning Act, R.S.O. 1990*. These include:

- (a) applications for minor variance from the provisions of the Zoning By-law or any other By-law that implements the Official Plan;
- (b) applications to allow the extension or enlargement of a legal non-conforming use;
- (c) applications to allow a change in the use of buildings or land from a legal non-conforming use to a similar or more compatible non-conforming use; and
- (d) applications to allow uses that conform with the uses permitted in a By-law, where the uses permitted in the By-law are defined in general terms.

19.13.1 Review Criteria

A Committee of Adjustment, when considering an application for minor variance to the municipal Zoning By-law, or any other By-law implementing the Official Plan, shall take into account the provisions of the *Planning Act, R.S.O. 1990* and the following criteria:

- (a) that the general intent and purpose of the Official Plan are maintained;
- (b) that the general intent and purpose of the Municipality's Zoning By-law are maintained;
- (c) that the extent of the variance requested is "minor" in nature; and
- (d) that the variance requested is desirable for the appropriate development or use of the subject land, building, or structure.

In addition to the above, the Committee may give consideration to the following:

- (e) whether constraints and/or restrictions to meeting the requirements of the Zoning By-law due to physical or inherent conditions of the site are involved;
- (f) whether alternative designs of the proposal which would be in conformity with the relevant By-law are clearly not feasible or appropriate for the site;
- (g) whether the concerns of the effect on adjacent owners, residents, and community in general have been considered;
- (h) whether the approval of the minor variance would create an undesirable precedent;
- (i) that compliance with the standards of the relevant By-law would be unreasonable or impossible and would propose an undue hardship on the applicant; and
- (j) whether the proposal will have an impact on existing water supply and/or

sewage disposal services.

19.13.2 Conditions

In accordance with the provisions of Section 45 of the *Planning Act, R.S.O. 1990*, a Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application for minor variance.

19.14 Building Inspection and Administration

Building administration and inspection is carried out by the municipality's Chief Building Official who is responsible for building inspection and administration/enforcement of the municipality's building permit system.

Council has passed a Building By-law pursuant to the *Building Code Act, 1992*. This By-law sets forth criteria and regulations concerning the municipality's building permit system. Such By-laws are intended to assist the local municipal Council in ensuring the health and safety of the municipal residents and the general public.

In accordance with the provisions of Section 6 of the *Building Code Act, 1992*, it is a policy of this Plan that building permits will not be issued where the proposed construction does not conform to the policies of this Plan and the provisions of the Municipality's implementing Zoning By-law.

19.15 Review of Official Plan

Council, following the adoption of this Plan, shall from time to time, and not less frequently than every five years, hold a special meeting for the purpose of determining the need for revisions to the Plan. Such special meetings shall be open to the public and suitable advertisement of the meetings shall be given in advance of the meetings.

In addition, this Plan shall be subject to continued review by the Municipality and whenever it is found necessary, due to economic, social, or environmental developments or considerations, may be amended in order to make necessary changes. The provisions of the *Planning Act, R.S.O. 1990* shall apply in respect to the consideration of such amendments.

19.16 Contaminated Sites

This Plan encourages the redevelopment and reuse of lands that may, because of past use activity, be contaminated. Where new development or redevelopment is proposed on land that is either known to be contaminated or that is suspected of being contaminated, the new development or redevelopment proposal shall be accompanied by a preliminary assessment/analysis of the present and past uses of the lands and surrounding lands sufficient to determine the likelihood of site contamination. The submission of Records of Site Condition documentation may be required by the Municipality. Where such preliminary assessment/analysis indicates the likelihood of contamination, further detailed study will be required to determine the nature and extent of contamination along with any measures necessary to clean up the site in accordance with Ministry of Environment requirements. It is

a policy of this Plan that a contaminated site be cleaned-up to the extent required by applicable regulations before it can be used for new development or redeveloped.

19.17 **Accessibility Issues**

In accordance with the *Accessibility for Ontarians with Disabilities Act, S.O. 2001* (AODA), this Plan supports initiatives aimed at providing accessibility to persons with disabilities. The Municipality is encouraged to take into consideration accessibility issues when dealing with new development, including both private sector and public sector development. Development applications such as plans of subdivisions/condominiums and site plan agreements should be carefully reviewed during the review/approval processes for same to ensure that appropriate provisions are made for accessibility by persons with disabilities.

19.18 **General Park Policy**

Pursuant to the provisions of Section 42 of the *Planning Act, R.S.O. 1990*, it is the intention of the Municipality of West Perth to acquire parkland in the case of land proposed for development or redevelopment for residential purposes (i.e. up to 5%) and in the case of land proposed for development or redevelopment for industrial purposes (i.e. up to 2%).

As an alternative to acquiring parkland, the Municipality may choose to acquire cash-in-lieu of parkland in accordance with the provisions of Section 42(6) of the *Planning Act, R.S.O. 1990*.

Should the size and scale of a proposed development or redevelopment for residential purposes warrant it, the Municipality may acquire parkland in accordance with the specific provisions of Section 42(3) of the *Planning Act, R.S.O. 1990*.

Lands conveyed to the Municipality for parkland purposes shall be suitable for development as a public recreational area. Lands subject to physical limitations such as flooding, steep slopes, erosion, or other similar limitations will not necessarily be accepted for park purposes. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality. Where an open watercourse is involved, adequate open space shall be provided for the maintenance thereof. Lands conveyed to the Municipality located in a manner which affords appropriate access to the surrounding community.

20.0 INTERPRETATION

20.1 Schedules

The schedules attached to this Plan (Schedules "A" and "B"), shall constitute part of the Mitchell Ward Official Plan. Where future amendments to this Plan include additional schedules incorporating changes to Schedule "A" (Mitchell Land Use Plan) or any of the other schedules (Schedule "B"), such additional schedules shall be deemed to form part of this Plan.

20.2 Land Use Designation and Boundaries

The boundaries of the land use designations established by this Plan and as shown on Schedule "A" (Mitchell Land Use Plan) are intended to be approximate and shall be considered as absolute only in the following situations:

- (a) Where they coincide with roads, rivers, lot lines shown in an implementing Zoning By-law, or other clearly defined physical feature; and
- (b) Where the land use designations are shown on an inset map forming part of Schedule "A" (i.e. Schedule "A-1", "A-2") and are coincident with lot lines as shown on such schedules.

Where the land use designation boundaries are considered as approximate, amendments to this Plan will not be required in order to make minor adjustments to the boundaries provided that the general intent and purpose of the Plan is maintained. Such minor adjustments shall be determined by Council and will not need to be incorporated into the land use schedules.

Where the land use boundaries are considered as absolute, the location of the boundaries are not open to interpretation and an amendment to this Plan will be required in order to deviate from or change these boundaries.

It is also intended that the location of features, etc. as shown on Schedule "B" (Road Plan), are considered to be approximate only and not absolute.

20.3 Accessory Uses

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

20.4 References to Statues

Where any Act or portion of any Act is referred to in this Plan, such references shall be interpreted as referring to the stated Act or portion of the Act and any subsequent changes to or renumbering of these sections of such Act.

20.5 References to Ministries and Review Agencies

Throughout this Plan, references are made to various Provincial Ministries and agencies in regard to the review of and/or input on various types of planning issues and development proposals. While such references are considered to be

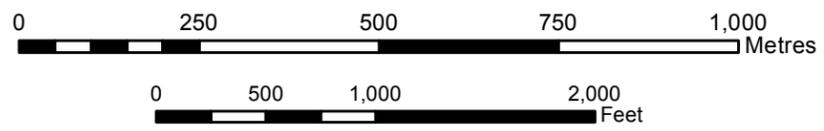
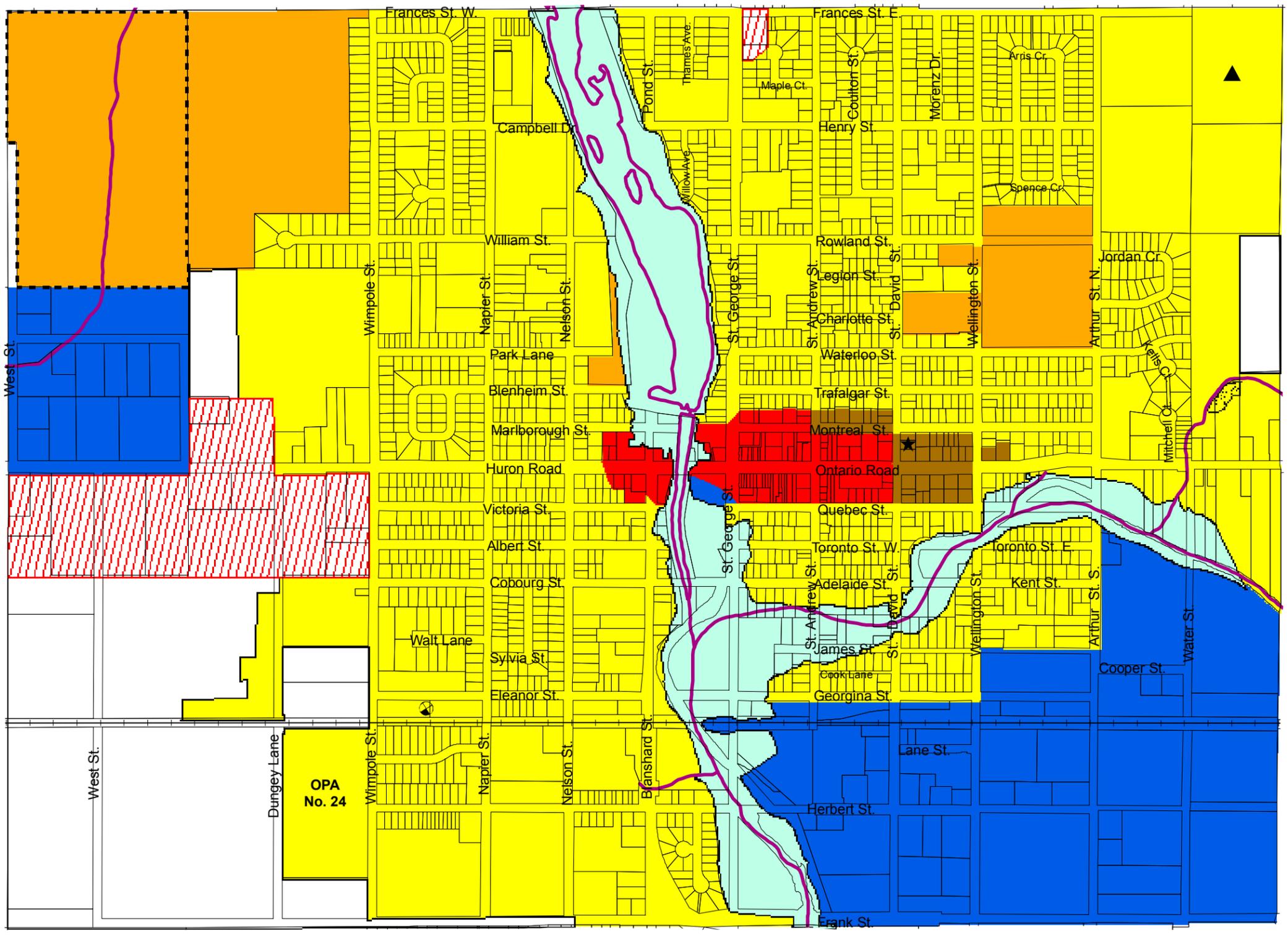
current at the date of adoption of this Plan, it is acknowledged that changes may occur as a result of ongoing changes in the planning and application review processes in the Province of Ontario. No amendment to this Plan is required in order to acknowledge such changes; however, it is the intent of the Municipality of West Perth to update these Ministry and agency references at the time that general reviews and updates of the Mitchell Ward Official Plan are undertaken.

SCHEDULE "A" LAND USE PLAN Municipality of West Perth Mitchell Ward

MODIFICATION
NO. : 5

- Residential
- Mobile Home Park
- Industrial
- Central Commercial
- Highway Commercial
- Secondary Commercial
- Major Institutional / Recreational
- Existing Landfill Site
- Flood Plain
- Natural Resources/Environment
- Watercourses (approximate location)
- Agriculture
- ⊕ Former Landfill Site
- 30 metre Buffer

- Area Subject to Special Provisions Found in Section 5.1.9.2
- Subject to Section 7.7(b) as per OPA No. 25



SCHEDULE "B" ROAD PLAN Municipality of West Perth Mitchell Ward

MODIFICATION
NO. 6

Legend

-  Arterial Roads
(includes Connecting Links)
-  Local Roads
-  Cultural Heritage Resources
-  Ward Boundary
-  Community Improvement Area
-  Site Plan Control Policy Area

