



# Municipality of West Elgin

## Agenda

### Council Meeting

Date: September 25, 2025, 4:00 p.m.  
Location: Council Chambers  
160 Main Street  
West Lorne

Council Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at [www.westelgin.net](http://www.westelgin.net), when available (pending no technical difficulties).

Pages

1. Call to Order

2. Adoption of Agenda

Recommendation:

That West Elgin Council hereby adopts the Regular Council Agenda for September 25, 2025 as presented.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. J. Mascarin, Presentation of Municipal Conflict of Interest Report

8

Recommendation:

That West Elgin Council hereby receive the report dated September 19, 2025, from John Mascarin, Aird & Berlis LLP Re: Integrity Commission Report, Municipal Conflict of Interest Act, Application 2025-01.

5. Public Meeting, Two (2) Zoning Amendments Applications

Recommendation:

That West Elgin Council hereby proceed into a Public Meeting pursuant to the *Planning Act*.

## **5.1 Application D-14 8-2025**

25

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 8-2025 – Recommendation Report (Planning Report 2025-20).

That West Elgin Council approve the rezoning of 13904 Graham Road from General Agricultural (A1) to Agricultural (A2) and Restricted Agricultural Special Regulation 10 (A3-10), in accordance with the attached draft by-law, and

Further, that West Elgin Council consider an amendment to the Zoning By-law, as presented in the by-law portion of the September 25, 2025, Council Agenda.

### **5.1.1 Planners Report**

### **5.1.2 Applicant or Public Comment**

### **5.1.3 Council Comment**

## **5.2 Application D-14 9-2025**

36

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 9-2025 – Recommendation Report (Planning Report 2025-21).

That West Elgin Council approve the rezoning of 22525 Pioneer Line from General Agricultural (A1) to General Agricultural Special Regulation 11 (A1-11) Zone and Future Residential (FR), in accordance with the attached draft by-law; and

That West Elgin Council consider an amendment to the Zoning By-law, as present in the by-law portion of the September 25, 2025, Council Agenda.

### **5.2.1 Planners Report**

### **5.2.2 Applicant or Public Comment**

### **5.2.3 Council Comment**



### **5.3 Adjournment of Public Meeting (Planning Act)**

Recommendation:

That West Elgin Council hereby adjourn the Public Meeting, pursuant to the *Planning Act*.

## **6. Public Meeting, Consideration of Two (2) Municipal Drains**

Recommendation:

That West Elgin Council hereby proceed into a Public Meeting pursuant to the *Drainage Act*.

### **6.1 Engineers Report, dated September 3, 2025 Re: Fleuren Drain Extension**

47

Mr. J.M. Spriet to present Engineers Report.

Recommendation:

That the Council of the Municipality of West Elgin hereby receives the Engineers report as prepared and presented by Mr. JM Spriet, P. Eng.; and

That Council authorizes staff to initiate the tender process in accordance with the Drainage Act, as required, for the construction of the Municipal Drain known as Fleuren Drain Extension, to be considered by Council following the Court of Revision; and

That the Court of Revision be scheduled for Thursday, October 23, 2025, at 3:30pm; and

That Council consider the provisional By-Law 2025-54, as presented in the By-Law portion of the agenda for a first and second reading.

#### **6.1.1 Landowner or Public Comment**

#### **6.1.2 Council Comment**

### **6.2 Engineers Report, dated September 3, 2025 Re: Mills Drain**

60

Mr. J.M. Spriet to present report.

Recommendation:

That the Council of the Municipality of West Elgin hereby receives the Engineers report as prepared and presented by Mr. JM Spriet, P. Eng.; and

That Council authorizes staff to initiate the tender process in accordance with the Drainage Act, as required, for the construction of the Municipal Drain known as Mills Drain, to be considered by Council following the Court of Revision; and

That the Court of Revision be scheduled for Thursday, October 23, 2025, at 3:30pm; and

That Council consider the provisional By-Law 2025-55, as presented in the By-Law portion of the agenda for a first and second reading.

#### **6.2.1 Landowner or Public Comment**

#### **6.2.2 Council Comment**

### **6.3 Adjournment of the Public Meeting (Drainage Act)**

Recommendation:

That West Elgin Council hereby adjourn the Public Meeting, pursuant to the Drainage Act.

## **7. Delegations**

### **7.1 Jason DeCosta Re: Waterline Charge for New Residential Build**

71

## **8. Adoption of Minutes**

75

Recommendation:

That West Elgin Council hereby adopt the Minutes of September 11, 2025 as presented.

## **9. Business Arising from Minutes**

## **10. Staff Reports**

### **10.1 Chief Administrative Officer**

**10.1.1 West Lorne Community Complex and County of Elgin Library Renovations**

86

Recommendation:

That West Elgin Council hereby receives the report from Robin Greenall, CAO, and

That West Elgin Council directs staff to proceed with the recommendation to renovate the West Lorne Community Centre and to proceed with the tendering process for the project.

**11. Committee and Board Reports or Updates**

Council's opportunity to provide and committee and/or board updates.

**12. Notice of Motion**

None presented prior to Meeting.

**13. Council Inquires/Announcements**

Council opportunity for any informal announcements and/or inquiries.

**13.1 Deputy Mayor Tellier Re: Halloween at Ye Olde Jail**

Annual distribution of Halloween treats for trick-or-treaters on Halloween evening, at Ye Olde Jail, Queen Street, Rodney.

**14. Correspondence**

Recommendation:

That West Elgin Council hereby receive and file all correspondence, not otherwise dealt with.

**14.1 County of Elgin, Official Plan 2025**

94

**14.2 Hydro One Notice of Completion, Draft Environmental Study Report**

180

**15. Items Requiring Council Consideration**

**15.1 Councillor Statham Re: Washroom Access in Rodney**

Recommendation:

Whereas restroom facilities are not available for public use in the town of Rodney, West Elgin Council hereby direct staff to investigate the options available to provide public restroom access.

## 16. Upcoming Meetings

- **Tri-County Water Board** Tuesday, September 30, 7:00pm
- **Arena (BHCC) Board** Wednesday, October 8, 9:00am
- **Regular Council** Thursday, October 9, 4:00pm
- **Recreation Committee** Wednesday, October 15, 7:00pm
- **Four Counties Transit** Monday, October 20, 8:30am
- **Tri-County Water Board** Tuesday, October 21, 7:00pm
- **Court of Revision** Thursday, October 23, 3:30pm
- **Regular Council** Thursday, October 23, 4:00pm
- **Heritage Homes** Monday, October 27, 1:00pm
- **Arena (BHCC) Board** Wednesday, November 12, 9:00am
- **Court of Revision** Thursday, November 13, 3:30pm
- **Regular Council** Thursday, November 13, 4:00pm
- **Tri-County Water Board (Tentative Budget)** Tuesday, November 18, 7:00pm
- **Recreation Committee** Wednesday, November 19, 7:00pm
- **Volunteer Recognition Evening** Saturday, November 22
- **Heritage Homes** Monday, November 25, 1:00pm
- **Regular Council** Thursday, November 27, 4:00pm
- **Arena (BHCC) Board** Wednesday, December 10, 9:00am
- **Regular Council** Thursday, December 18, 4:00pm

## 17. By-Laws

### 17.1 By-law 2025-52, Zoning Amendment 13904 Graham Road

182

Recommendation:

That By-law 2025-52, being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 13904 Graham Road, be read a first, second and third and final time.

**17.2 By-law 2025-53, Zoning Amendment 22525 Pioneer Line 185**

Recommendation:

That By-law 2025-53, being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 22525 Pioneer Line, be read a first, second and third and final time.

**17.3 By-law 2025-54, Fleuren Drain Extension 188**

Recommendation:

That By-law 2025-54, Being a By-Law to provide for drainage works on the Fleuren Drain Extension in the Municipality of West Elgin, be read a first and second time.

**17.4 By-law 2025-55, Mills Drain 190**

Recommendation:

That By-law 2025-55, being a By-Law to provide for drainage works on the Mills Drain in the Municipality of West Elgin, be read a first and second time.

**18. Confirming By-Law 192**

Recommendation:

That By-law 2025-56 being a By-law to confirm the proceeding of the Regular Meeting of Council held on September 25, 2025, be read a first, second and third and final time.

**19. Adjournment**

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn at \_\_\_\_\_ to meet again at 4:00pm, on Thursday, October 9, 2025, or at the call of the Chair.



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**INTEGRITY COMMISSIONER REPORT  
*MUNICIPAL CONFLICT OF INTEREST ACT*  
APPLICATION 2025-01**

**THE CORPORATION OF THE MUNICIPALITY OF  
WEST ELGIN**

**Aird & Berlis LLP**

**John Mascarin**

September 19, 2025

## TABLE OF CONTENTS

<b>A.</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>B.</b>	<b>APPOINTMENT AND JURISDICTION .....</b>	<b>1</b>
<b>C.</b>	<b>PRELIMINARY MATTERS.....</b>	<b>2</b>
<b>D.</b>	<b>STATUTORY PROVISIONS AT ISSUE .....</b>	<b>2</b>
<b>E.</b>	<b>REVIEW OF MATERIALS.....</b>	<b>3</b>
<b>F.</b>	<b>BACKGROUND .....</b>	<b>3</b>
<b>G.</b>	<b>ANALYSIS .....</b>	<b>7</b>
<b>H.</b>	<b>FINDINGS .....</b>	<b>9</b>
<b>I.</b>	<b>CONCLUSIONS .....</b>	<b>13</b>

# INTEGRITY COMMISSIONER REPORT

## MUNICIPAL CONFLICT OF INTEREST APPLICATION 2025-01

### COUNCILLOR WILLIAM R. DENNING

#### A. INTRODUCTION

1. Aird & Berlis LLP is the appointed Integrity Commissioner for The Corporation of the Municipality of West Elgin (the “**Municipality**”).
2. An application made pursuant to subsection 223.4.1(2) of the *Municipal Act, 2001*<sup>1</sup> and was filed with the Clerk (the “**Application**”).
3. The Application arises from a meeting of Council held on August 14, 2025 (the “**Meeting**”) where it is alleged that Councillor William (Bill) R. Denning (the “**Councillor**”) contravened the *Municipal Conflict of Interest Act*<sup>2</sup> by participating in the discussion at the Meeting after declaring a non-pecuniary conflict of interest contrary to subsections 5(1)(b) and (c).
4. Subsection 223.4.1(2) of the *Municipal Act, 2001* permits an elector or a person demonstrably acting in the public interest to apply to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of section 5, 5.1, 5.2 or 5.3 of the *Municipal Conflict of Interest Act*.
5. Upon completion of an inquiry, the Integrity Commissioner may, if he or she considers it appropriate, apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether a member has contravened the statute and the possible imposition of penalties.
6. Subsubsection 223.4.1(17) *Municipal Act, 2001* provides that the Integrity Commissioner shall publish written reasons for the decision. This Report contains our decision regarding our inquiry into the Application and is issued pursuant to the said requirements of the *Municipal Act, 2001*.
7. The requirement of publication in subsection 223.4.1(17) is, in our view, satisfied by including this report in the agenda materials for an open meeting of Council.

#### B. APPOINTMENT AND JURISDICTION

8. Aird & Berlis LLP was appointed as Integrity Commissioner for the Municipality pursuant to subsection 223.3(1) of the *Municipal Act, 2001* effective October 6, 2022. Council assigned to us all of the functions set out in subsection 223.3(1) of the *Municipal Act, 2001*.
9. As Integrity Commissioner we have authority to consider the application of sections 5, 5.1, 5.2 and 5.3 of the *Municipal Conflict of Interest Act* to members of Council and the Municipality’s local boards and to receive applications filed pursuant to 223.4.1 of the *Municipal Act, 2001*.

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<sup>1</sup> *Municipal Act, 2001*, S.O. 2001, c. 25.

<sup>2</sup> *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50.



## **C. PRELIMINARY MATTERS**

### **(a) Standing to File Application**

10. Pursuant to subsection 223.4.1(2) of the *Municipal Act, 2001*, only an “elector” or a “person demonstrably acting in the public interest” may file an application to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of the *Municipal Conflict of Interest Act*. We have confirmed that the applicant is an “elector” in the Municipality (the “Applicant”).

### **(b) Time Limit to File Application**

11. Subsection 223.4.1(4) of the *Municipal Act, 2001* requires that an application to the Integrity Commissioner be made within six (6) weeks from the date an applicant becomes aware of the alleged contravention. This provision replicates the time limit set out in subsection 8(2) of the *Municipal Conflict of Interest Act*. The strict time limit is meant to protect elected officials and ensure that applications are brought forward on a timely basis.<sup>3</sup> The Application was filed within the six-week period from August 14, 2025, which is date of the alleged contraventions.

## **D. STATUTORY PROVISIONS AT ISSUE**

12. The Application contends that the Councillor contravened section 5 of the *Municipal Conflict of Interest Act*:

### **When present at meeting at which matter considered**

**5** (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

13. The Application notes that the Applicant attempted to but was unable to get access to the registry of written statements of disclosure required by section 6.1 of the *Municipal Conflict of Interest Act* to ascertain whether the Councillor had filed a written statement of disclosure in accordance with section 5.1:

### **Written statement re disclosure**

**5.1** At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be.

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<sup>3</sup> *Hervey v. Morris*, 2013 ONSC 956, 9 M.P.L.R. (5th) 96 (Ont. S.C.J.).

## **E. REVIEW OF MATERIALS**

14. In order to undertake our inquiry into the Application, we have reviewed the following:

- the Application;
- the agenda for the Meeting;
- the minutes of the Meeting;
- the video-recording of the Meeting;
- the Councillor's Response and Final Submissions;
- the Applicant's Reply; and
- additional information provided by the Councillor in response to questions from us.

15. We have also reviewed, considered and had recourse to such applicable jurisprudence and secondary source materials that we believe to be pertinent to the issues under consideration.

## **F. BACKGROUND**

### **(a) Councillor**

16. The Councillor was elected by acclamation as Ward 2 Councillor in the 2022 Municipal Election. This is his first term as a member of Council.

17. The Councillor is a Licensed Funeral Director<sup>4</sup> and is listed as Ceremonialist and Owner at Denning's Ltd. on LinkedIn.

### **(c) Trustees of Rodney Cemetery**

18. The Councillor has advised that he is currently, and was at the time of the Meeting, a director of the "Trustees of the Rodney Cemetery Company". He advised us that he holds the position of Secretary/Treasurer on behalf of this group of trustees.<sup>5</sup>

### **(d) Meeting**

19. [Item 8.2.1](#) on the agenda for the Meeting on August 14, 2025 was entitled "Rodney Cemetery Ownership and Future Operations & Management".

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<sup>4</sup> See [https://tmm.frontrunnerpro.com/runtime/184/our\\_staff.html](https://tmm.frontrunnerpro.com/runtime/184/our_staff.html)

<sup>5</sup> The trust entity is described in correspondence dated April 3, 2023 and forwarded to the Municipality by the Councillor as Secretary/Treasurer of the group of trustees. See page 151 of meeting agenda: <https://calendar.westelgin.net/Meetings/Detail/2023-04-13-0930-Council-Meeting/5e831183-59ac-4c6b-ad86-afe201082c1f>. The staff report at this meeting (at page 150) further describes the nature of a trust as "a legal entity with separate and distinct rights".

20. Following the start of the Meeting, the Mayor asked if any members had any disclosures of pecuniary interest and the nature thereof. The Councillor raised his hand and stated as follows:

Yes, Mr. Mayor, I have. Agenda Item 8.2.1 with regards to the Rodney Cemetery – not a pecuniary interest but perhaps a conflict of interest. I will remain silent and not be voting, but I will certainly be available for questions during that discussion.

21. A Staff Report was prepared by the Manager of Infrastructure & Development to provide Council with information related to a request by the Rodney Cemetery Company (“**RCC**”) that the Municipality “accept the ownership and operations of the Rodney Cemetery from the Rodney Cemetery Company” (the “**Staff Report**”). The Staff Report set out three recommendations, including, principally,

That West Elgin Council accepts responsibility and ownership of the Rodney cemetery

22. The Staff Report was briefly presented to Council by the Manager of Infrastructure & Development. The Mayor asked if there were any questions without a response. He then stated, “Bill is here to answer them if you got one”. Again, there were no questions but the Councillor nevertheless raised his hand and then proceeded to speak about the matter by providing details about available and previously purchased lots at the Rodney Cemetery before expansion would be required.

23. Following a question from the Deputy Mayor to staff, the motion to accept the recommendations in the Staff Report was put to a vote and was carried. The Councillor did not appear to vote on the motion.

**(e) Allegation**

24. The Applicant alleges that the Councillor breached section 5 of the *Municipal Conflict of Interest Act* because he had an indirect pecuniary interest arising from his membership on the Board of Trustees of RRC and that he:

- (i) failed to declare a pecuniary interest in the general nature thereof in contravention of clause 5(1)(a);
- (ii) participated in the discussion of the matter in breach of clause 5(1)(b); and
- (iii) attempted to influence the vote contrary to clause 5(1)(c).

25. The Application asserts that, at the Meeting, the Councillor:

- (i) failed to vacate his seat during the discussion of Item 8.2.1 after declaring a conflict of interest;
- (ii) made several hand and arm gestures with facial expressions; and
- (iii) made comments that appeared to sound like those that a proponent would make.

26. The Councillor's indirect pecuniary interest is alleged to arise by virtue of sub-clause 2(a)(iii) of the *Municipal Conflict of Interest Act* which provides as follows:

**Indirect pecuniary interest**

**2** For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

(a) the member or his or her nominee,

...

(iii) is a member of a body,

that has a pecuniary interest in the matter

27. The assertion in the Application is that the Councillor is "a member of a body" by virtue of being a Director on the Board of Trustees for RCC (its Secretary/Treasurer) and that RCC has a financial interest in the matter because it sought to transfer the responsibility and ownership of the Rodney Cemetery to the Municipality.

28. As noted above, the Applicant indicated that they sought to review the registry of written statements of disclosure to confirm whether or not the Councillor had filed his statement as required by section 5.1 of the *Municipal Conflict of Interest Act*, but was unable to access the registry when he attended at the Municipality's offices on August 25, 2025.

29. We had earlier made an inquiry with the Clerk on August 19, 2025 and had been advised that, as of that date, the Councillor had not signed nor submitted his written statement.

**(f) Councillor's Response**

30. The Councillor did not contest that he had failed to comply with the *Municipal Conflict of Interest Act* when he filed his Response on September 4, 2025. His Response sought to mitigate his contraventions by offering the following explanations:

- (i) he regretted that he "did not use the correct terminology during that meeting" and did not file a written statement with the Clerk, noting that the latter "omission was not intentional and resulted in not having the proper words prepared to prompt me during the meeting";
- (ii) there was no intention to influence Council's decision and that "any gestures or comments" that were made "were not intended to advocate for a particular outcome";
- (iii) he "did not intend to participate in the discussion or influence the outcome in any way"; and
- (iv) he merely sought "to assist Council in determining whether further staff research was warranted."

31. The Councillor also vowed to do better going forward. He indicated that he had re-read the statute and our written advice, that he would strive to be more cautious and deliberate in making declarations, and that he would commit to ensure future compliance.

**(f) Applicant's Reply**

32. The Applicant filed his Reply on September 8, 2025. The Reply contested the Councillor's assertions on several grounds, essentially finding that they were all weak and insufficient explanations for his non-compliance at the Meeting. The Applicant pointed to the fact that the Councillor had previously declared pecuniary interests with respect to Rodney Cemetery, had received training on the statute and had sought and been given written advice, all of which militated against his explanations that he was "not prepared" at the Meeting.

**(g) Councillor's Final Submissions**

33. In accordance with our standard practice and to accord the Councillor all due procedural fairness, we provided the Councillor with our Preliminary Report setting out our preliminary findings so that he would have a final opportunity to comment on our assessment and preliminary conclusions on the Application. The Preliminary Report was provided to the Councillor on September 11, 2025.

34. The Councillor provided his Final Submissions to us within the requested timeframe on September 17, 2025. The Councillor cited, for the first time, the exceptions in clauses 4(h) and (j) of the *Municipal Conflict of Interest Act* as relevant to his circumstances:

**Exception**

**Where ss. 5, 5.2 and 5.3 do not apply**

**4** Sections 5, 5.2 and 5.3 do not apply to a pecuniary interest in any matter that a member may have,

...

- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;

...

- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally;

35. The exceptions set out in section 4 of the statute apply when a member has a pecuniary interest. The Councillor cited both a specific exemption [clause 4(h)] and a general exception [clause 4(j)] as applicable, noting as follows:

That they reflect my role as "the local cemetery guy" who happens to sit on council and who, at the direction of fellow trustees, helped initiate the transition of the Rodney Cemetery. I did so in the way that respects both my unique knowledge of the cemetery and my position as a councillor—providing important information so that council could move forward with clarity on behalf of all ratepayers in West Elgin.

36. The Councillor further explained that his involvement was simply to ensure a seamless transition of the Rodney Cemetery to the Municipality:

The inevitable transition of the Rodney Cemetery into the care of the Municipality of West Elgin prompted me to ensure that it happens seamlessly, with no disruption to the essential services our community relies on. It was with this duty in mind—and with a clear and defensible understanding—that I spoke honestly in council, stating I had no pecuniary (financial) interest.

It's important to understand that this transition is not optional. When trustees determine they can no longer operate the cemetery, the municipality must assume responsibility. I was not trying to influence a decision, as the outcome is non-negotiable. My goal was simply to help make the process smooth

37. The Councillor's Final Submissions noted his longstanding service to the community, and stated that the last thing he wanted was for anyone to believe that his "efforts in council that day were anything other than a passionate miswording, born from a deep desire to see the little cemetery I've cared for half my life move through this transition gently and respectfully."

## **G. ANALYSIS**

### **(a) Process to Review and Consider the Applications**

38. The Municipality does not specify a particular inquiry or investigation process related to applications made pursuant to section 223.4.1 of the *Municipal Act, 2001*.

39. Subsection 223.4.1(7) of the *Municipal Act, 2001* provides that in considering an application that a member has contravened the *Municipal Conflict of Interest Act*, the Integrity Commissioner "may conduct such inquiry as he or she considers necessary."

40. As such, we provided formally written notice to the Councillor of the Application and the allegations set out therein, including a redacted copy of the Application itself to him on August 27, 2025. The notice did not disclose the identity of the Applicant. The notice provided the Councillor with an opportunity to provide a response to the allegations up until 5:00 p.m. on Monday September 8, 2025.

41. The Councillor contacted us by telephone that same day and indicated he had received the notice and would seek to respond by the due date.

### **(b) Pecuniary Interests**

42. Despite its central importance to the statute, the *Municipal Conflict of Interest Act* does not define the term "pecuniary interest". However, it is well-accepted that a "pecuniary interest" pertains to any financial interest (related to, or involves, money).<sup>6</sup>

43. The jurisprudence has interpreted "pecuniary interest" to include a financial, economic or monetary benefit that will be received or could potentially be received, either in cash or in an increase in the value of some asset, but can also entail the avoidance of a financial loss.

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<sup>6</sup> *Mondoux v. Tuchenhausen* (2011), 88 M.P.L.R. (4th) 234 at para. 31 (Ont. Div. Ct.); *Magder v. Ford* (2013), 7 M.P.L.R. (5th) 1 at para. 6 (Ont. Div. Ct.); *Cauchi v. Marai*, 2019 ONSC 497 at para. 33; *Ferri v. Ontario (Attorney General)*, 2015 ONCA 683 at para. 9.

44. In general, the courts have held that the *Municipal Conflict of Interest Act* is to be construed broadly and consistently with its purpose and demands “high standards of those elected to public office”.<sup>7</sup>

45. A member’s pecuniary interest can be direct, indirect to deemed. The subject matter at issue in the Application relates to an indirect pecuniary interest of the Councillor as a member of a “body” under section 2 of the *Municipal Conflict of Interest Act*.

46. While the term “body” is not defined in the *Municipal Conflict of Interest Act*, it has been interpreted broadly by the Ontario Court of Appeal in a manner that seeks “to ensure that all possible conflicts of interest are captured by it.”<sup>8</sup>

47. A group of trustees with the responsibility to operate and maintain the Rodney Cemetery, in our view, constitutes a “body” within the meaning of subs-clause 2(a)(iii) of the statute.

48. An indirect pecuniary interest has been described as follows in a leading text:

Section 2 of the Act attributes to every member, as an indirect pecuniary interest, the pecuniary interest in a matter held by every described corporation, body, partner, or employer with which the member has a relationship described in the section.<sup>9</sup>

49. In other words, if a member is associated with a “body” that has a pecuniary interest, the member is imputed to also have the pecuniary interest.

### **(c) Obligations of Members**

50. The statutory requirement in section 5 of the *Municipal Conflict of Interest Act* is clear that if a member is present at a meeting at which they have a pecuniary interest – direct or indirect – the member is required “to disclose the interest and the general nature thereof” prior to any consideration of the matter and then to recuse themselves from the decision-making process.

51. As noted in one of the leading decisions considering the *Municipal Conflict of Interest Act*:

The *MCIA* is important legislation. It seeks to uphold a fundamental promise of our governmental regime. Those who are elected and, as a result, take part in the decision making processes of government, should act, and be seen to act, in the public interest. This is not about acting dishonestly or for personal gain; it concerns transparency and the certainty that decisions are made by people who will not be influenced by any personal pecuniary interest in the matter at hand. It invokes the issue of whether we can be confident in the actions and decisions of those we elect to govern. The suggestion of a conflict runs to the core of the process of governmental decision making. It challenges the integrity of the process.<sup>10</sup>

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<sup>7</sup> *Re Moll and Fisher* (1979), 23 O.R. (2d) 609 (Div. Ct.) at 612.

<sup>8</sup> *Orangeville (Town) v. Dufferin (County)*, 2010 ONCA 83, 68 M.P.L.R. (4th) 25 at para. 23.

<sup>9</sup> M. Rick O’Connor and David White, *Ontario’s Municipal Conflict of Interest Act – A Handbook*, 2019 Ed. (Union: Municipal World Inc., 2019), at page 20.

<sup>10</sup> *Mondoux v. Tuchenhausen*, *supra* note 6 at para. 25.



**(c) Exceptions**

52. The exceptions set out in section 4 of the *Municipal Conflict of Interest Act* recognize that in certain instances a member may have a pecuniary interest but that it is recognized and permitted.

53. As noted above, the Councillor cited a specific exception in clause 4(h) as applicable. This exception permits a member's pecuniary if it arises "by reason only of the member being a member of a board, commission, or other body as an appointee of a council."

54. The Councillor also noted that the general exception for an interest in common with electors generally in clause 4(j) of the statute was applicable. This exception applies when the member has a pecuniary interest that is shared, in general, with other electors.

55. The Ontario Divisional Court has held that, "It is not the nature of the interest, but the breadth of those who share the interest which defines whether s. 4(j) of the *Municipal Conflict of Interest Act* applies."<sup>11</sup>

56. Moreover, the Ontario courts have determined that an interest in common with electors generally may exist only when there is a significant number of electors within the geographic area, class or order.<sup>12</sup>

**H. FINDINGS**

**(a) General**

57. We have carefully considered the Application and the submissions of the Councillor by way of the Response and the Applicant by way of Reply, together with other information gathered during our inquiry. We have made the following findings and determinations based on our assessment of the facts and the law based on the civil standard of a balance of probabilities.

**(b) Councillor having an Indirect Pecuniary Interest**

58. It is our finding that the Councillor had an indirect pecuniary interest in Item 8.2.1 of the Meeting pertaining to the transfer of the operation and maintenance of the Rodney Cemetery to the Municipality.

59. His indirect pecuniary interest arises under sub-clause 2(a)(iii) of the *Municipal Conflict of Interest Act* because he is director of the board of trustees of Rodney Cemetery. The Councillor failed to comply with his obligations under subsection 5(1) of the statute by virtue of his actions at the Meeting.

**(c) Exceptions Not Applicable**

60. We have determined that neither of the exceptions asserted by the Councillor under clauses 4(h) and (j) of the *Municipal Conflict of Interest Act* are applicable in this case.

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<sup>11</sup> *Tuchenhausen v. Mondoux*, 2011 ONSC 5398 at para. 43.

<sup>12</sup> *Biffis v. Sainsbury*, 2018 ONSC 3531 at para. 14 and *Re Ennismore (Township)* (1996), 31 M.P.L.R. (2d) 1 (Ont. Gen. Div.) at paras.15-19.



**(i) No Appointment by Council**

61. The specific exception under clause 4(h) applies where a member of council has been appointed by council to be a member of another body. That exception is not applicable in this case as the Councillor is on the board of trustees in his personal capacity and not as an appointee of Council.<sup>13</sup>

**(ii) Not an Interest in Common with Electors Generally**

62. The general exception under clause 4(i) applies where a member shares a community of interest with other electors. That exception is not applicable as the Councillor has a unique standing as a director on the board of trustees of the Rodney Cemetery that is an interest shared only with a few other individuals in the Municipality.

**(d) Factors Considered**

63. While the Councillor is a first-time member of Council, he ought to have been acutely aware of his statutory obligations for the following reasons:

**(i) Declaration of Office**

64. The Councillor swore an oath of office prior to taking his seat at Council that contains the solemn promise that he will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act*.

**(ii) Previous Declarations**

65. The Councillor had declared previous pecuniary interests on matters involving the Rodney Cemetery at two meetings of Council on April 13, 2023 and June 8, 2023 expressly noting the general nature being that he was “Secretary/Treasurer of Rodney Cemetery” and “Trustee for Rodney Cemetery”, respectively, thus indicating that he was aware of the indirect pecuniary interest obligations of the statute.

**(iii) Council Training**

66. The Committee of the Whole (comprising all members of Council) received a comprehensive education and training session from the Integrity Commissioner on the *Municipal Conflict of Interest Act* on January 30, 2023. Indirect pecuniary interests and memberships on other bodies were subject matters that were covered. The Councillor attended this meeting.

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<sup>13</sup> The Councillor’s purported reliance on this exception is surprising given that, prior to providing written advice to the Councillor at his request, we had specifically asked him whether he was appointed by Council to the board of trustees of the cemetery “because of a possible exception in s. 4 of the *Municipal Conflict of Interest Act*.” We were advised by the CAO that he was not appointed by the Council to the board of trustees.

In our written advice to the Councillor on April 2, 2025 we wrote that we “asked if you were appointed by council to the cemetery board (or membership), because there is a specific exception in s. 4 of the *Municipal Conflict of Interest Act* that applies when a member has been appointed to another entity by their council.” We then advised that since that was not the case in his circumstance, the exception would not apply.

We have also considered the fourth principle in s. 1.1 of the statute that speaks to the benefit the members bring when they have a broad range of knowledge and continue to be active in their own communities.

**(iv) Written Advice to Councillor**

67. On April 1, 2025, the Councillor requested written advice from us as Integrity Commissioner in accordance with subsection 223.3(2.1) of the *Municipal Act, 2001*. The Councillor disclosed that he was the Secretary/Treasurer of a group of trustees governing the Rodney Cemetery and that he was aware that Council would at some point be receiving a report and recommendation from staff on the matter of a potential transfer of responsibility respecting the cemetery. The Councillor asked:

My question is, as a councillor and as the cemetery trustee/sec/tres and rep, should I recuse myself from deliberations and/or discussion?

68. On April 2, 2025, we provided written advice to the Councillor which included an analysis and explanation of his indirect pecuniary interest under section 2 of the *Municipal Conflict of Interest Act* (and why the exception in clause 4(h) was not applicable). Our written advice included the following statements:

It is my opinion that you do have an indirect pecuniary interest in the matter of the transfer of responsibility for Rodney Cemetery to the municipality.

...

Based on the foregoing, it is my advice to you that you do have an indirect pecuniary interest in the transfer of the cemetery to the municipality and that you, therefore, must comply with your disclosure and recusal obligations under s. 5 of the *Municipal Conflict of Interest Act*.

**(e) Determinations**

69. In his Response, the Councillor acknowledged having previously declared pecuniary interests regarding the Rodney Cemetery and that he had sought our advice as Integrity Commissioner as recently on April 1, 2025 on the very matter that was before Council on August 14, 2025. He noted that “[t]his demonstrates my intent to comply with the Act and act transparently.” Also in his Response, the Councillor indicated that he used “imprecise language” and regretted not using “correct terminology.”

70. With respect, these are wholly inadequate excuses. As should be well known to all members, the obligations under the *Municipal Conflict of Interest Act* arise afresh each time there is a matter before Council in which a member has a pecuniary interest. A member must “comply with the Act and act transparently” in each instance.

71. The Councillor cannot rely on his past actions to exculpate his lack of compliance at the Meeting. Quite the contrary, we agree with the Applicant and view the Councillor’s previous declarations as an indication that he was cognizant of his statutory obligations (which he should have complied with at the Meeting).

72. Furthermore, the Councillor’s claim that his request for advice from the Integrity Commissioner on April 1, 2025 – on the exact subject matter that was considered by Council at the Meeting – somehow demonstrates his intent to comply with the statute when he neglected to follow the clear advice that was provided to him, simply makes no logical sense.

73. Similarly, the Councillor's attempts pass off his failure to declare his pecuniary interest and the nature thereof on Item 8.2.1 because he may have used "imprecise language" just rings hollow. The Councillor stated that he did not have a pecuniary interest "but perhaps a conflict of interest." It stretches credulity that the Councillor would not have been aware that he had a pecuniary interest given his prior declarations on the Rodney Cemetery or that he completely forgot about the written advice that he has specifically requested from and was provided by the Integrity Commissioner just a few months before the Meeting.

74. Moreover, the Councillor also indicated, "I will remain silent and not be voting, but I will certainly be available for questions during that discussion." However, when no members had any questions of the Councillor at the Meeting, he decided to still venture into the discussion and provide his comments.<sup>14</sup> We cannot view the Councillor's participation as anything other than an attempt to influence the vote of Council.

75. Although the determination is not for the Integrity Commissioner to make, we will state that in view of the factors set out above in Paragraphs 64-68, we do not consider that the Councillor's contraventions in this case to have been committed through inadvertence<sup>15</sup> or by reason of an error in judgment made in good faith.<sup>16</sup>

76. At law, the Councillor was not required to vacate his seat at the Meeting. There is no requirement that a member do so under the *Municipal Conflict of Interest Act*.<sup>17</sup>

77. The Application made reference to hand and arm gestures by the Councillor as signals to influence the vote at Council.<sup>18</sup> However, we did not discern that any bodily movements by the Councillor at the Meeting were, on their own, an attempt to influence the voting of the other councillors.

78. The wording of clause 5(1)(c) of the statute is very broad and refers to "an attempt in any way...to influence the voting."<sup>19</sup> It does not require that the Council actually be influenced but that a member be prohibited from making an attempt to influence the voting.

79. Notwithstanding his Response and statements to the contrary, we view the Councillor's statement at the Meeting as an attempt to influence the vote on Item 8.2.1 related to a request by RCC that Rodney Cemetery be transferred to the Municipality.

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<sup>14</sup> The Manager of Infrastructure & Development, as the author of the Staff Report, had already presented on the matter and had not been asked any questions by members of Council.

<sup>15</sup> *Adamiak v Callaghan*, 2014 ONSC 6656 at para. 67: "Inadvertence applies where the breach can be linked to an oversight of fact or law that was not recklessly committed or the result of wilfully blind conduct."

<sup>16</sup> *Magder v. Ford*, 2013 ONSC 263, 7 M.P.L.R. (4th) 1 (Div. Ct) at para. 89: "Wilful blindness to one's legal obligations cannot be a good faith error in judgment within the meaning of s. 10(2) [now s. 9(2)(c)]."

<sup>17</sup> Ontario is one of only two jurisdictions in Canada that does not require members who have a pecuniary interest to vacate the setting of the meeting. Subsection 5(2) of the *Municipal Conflict of Interest Act* requires members with pecuniary interests to "leave the meeting during which the matter is under consideration."

<sup>18</sup> Body language can constitute "an attempt to influence" under s. 5(1)(c) of the *Municipal Conflict of Interest Act*: *Amaral v. Kennedy*, 2010 ONSC 5776, 96 M.P.L.R. (4th) 49 (Div. Ct.) and 2012 ONCA 517.

<sup>19</sup> *Biffis v. Sainsbury*, 2018 ONSC 3531 at para. 22.

80. We would also be remiss if we did not note that the Final Submissions from the Councillor attempted to mischaracterize what was being considered by Council at the Meeting which was whether the Municipality would accept “responsibility and ownership of the Rodney cemetery.” In the Final Submissions that Councillor writes that:

The inevitable transition of the Rodney Cemetery into the care of the Municipality of West Elgin prompted me to ensure that it happens seamlessly, with no disruption to the essential services our community relies on.

...

It’s important to understand that this transition is not optional. When trustees determine they can no longer operate the cemetery, the municipality must assume responsibility. I was not trying to influence a decision, as the outcome is non-negotiable. My goal was simply to help make the process smooth. (emphasis added)

81. These are not correct statements. The very question put before Council was whether the Municipality would accept the transfer of the responsibility for Rodney Cemetery. The matter would not have been considered or voted upon by Council if, in the Councillor’s words, “this transition is not optional.” It was very much optional and Council did not have to assume responsibility.

82. Under the *Funeral, Burial and Cremation Services Act, 2002*,<sup>20</sup> the local municipality within whose geographic boundaries the land of a cemetery is located *may* be required to be responsible for the maintenance of a cemetery if an application is made to a judge of the Superior Court of Justice to declare the cemetery abandoned. There is a statutory process for such applications under section 101.1 of the statute – it does not just occur automatically.

## I. CONCLUSIONS

83. Subsection 223.4.1(15) of the *Municipal Act, 2001* provides that, upon completion of an inquiry, the Integrity Commissioner may, if the Integrity Commissioner considers it appropriate, apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination of whether the member or members have contravened section 5, 5.1, 5.2 or 5.3 of the statute:

### Completion

**223.4.1** (15) Upon completion of the inquiry, the Commissioner may, if he or she considers it appropriate, apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the member has contravened section 5, 5.1, 5.2 or 5.3 of that Act.

84. Unlike an investigation report related to an alleged contravention of a code of conduct where the Integrity Commissioner reports its opinion on the matter and Council may need to make a decision on the imposition of any penalties or remedial measures/corrective actions that may be recommended, the decision-making power under section 223.4.1 of the *Municipal Act, 2001* resides solely with the Integrity Commissioner. Council is advised of the Integrity Commissioner’s decision and it receives the report for information – Council is not asked, nor is it empowered, to make a decision on whether a matter will be brought before a judge.

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<sup>20</sup> *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33.

85. We have concluded that the Councillor blatantly contravened his duty of disclosure under clause 5(1)(a) of the *Municipal Conflict of Interest Act* and his recusal obligations by participating in the discussion and attempting to influence the vote on the question before Council, contrary to clauses 5(1)(b) and (c).

86. The Councillor's intervention and involvement in Council's consideration of Item 8.2.1 at the Meeting cannot be viewed as anything other than participation in the discussion and an attempt to influence the vote at Council on the question.

87. In our view, the Councillor ought to have declared a pecuniary interest and accordingly should have filed a written statement of his pecuniary interest under section 5.1.

88. In all respects, the Councillor has demonstrated a profound misunderstanding of his obligations under the *Municipal Conflict of Interest Act* which have been made obvious by his comportment at the Meeting as well as his Response and Final Submissions in this Application.

89. Notwithstanding the foregoing, we must bear in mind that if we decide to file an application to a judge of the Ontario Superior Court of Justice pursuant to subsection 223.4.1(15) of the *Municipal Act, 2001* under section 8 of the *Municipal Conflict of Interest Act* for a determination of whether the Councillor has contravened the statute and to impose one or more penalties, it:

- will impose a financial burden upon the taxpayers of the Municipality,
- will create a disruption to the Council and to the Councillor,
- will likely be time-consuming; and
- may not ultimately result in a sanctions that some will consider commensurate with the contravention.

90. We also note that – unlike most electors who file applications such as this one – the Applicant in this case did not implore us to proceed to Court or demand that the Councillor be removed from office. Instead, the Applicant requested that the Councillor issue a public statement acknowledging his contraventions, offer a sincere apology and commit to full compliance with his ethical obligations in the future.

91. Our only power as Integrity Commissioner under section 223.4.1 of the *Municipal Act, 2001* is to make a decision where to proceed to court for a judicial determination. It is with some reluctance that we have decided to exercise our discretion to not make an application to a judge under section 8 of the *Municipal Conflict of Interest Act* for all of the reasons noted above.

92. Council has no role in this determination. Council cannot direct us to make an application to the Court nor can it seek to impose a penalty or sanction.

93. In his Response the Councillor advised us several times that he will commit to complying fully with his obligations under the *Municipal Conflict of Interest Act* in the future and he apologized for his actions and the confusion and concern they have caused.

94. We respectfully suggest that the Councillor should make a public commitment to the Council and residents of the Municipality to henceforth do much better by way of compliance with his statutory ethical responsibilities.

95. As a reminder to the Councillor and to all members of Council, the following are the first three principles enunciated in the *Municipal Conflict of Interest Act*:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.

96. We do note that if the Applicant wishes to do so, he may make an application directly to a judge under subsection 8(3) of the *Municipal Conflict of Interest Act* within six (6) weeks of our advisement pursuant to subsection 223.4.1(16) of the *Municipal Act, 2001*.

97. As required by subsection 223.4.1(16) of the *Municipal Act, 2001*, we provided written notice to the Applicant and as well as to the Councillor that we will not be making an application to a judge.

98. We recommend that the Municipality make its registry of written statements under section 6.1 of the *Municipal Conflict of Interest Act* accessible on-line on its website.

99. We wish to thank both the Applicant and the Councillor for their courteous and prompt response to our questions and their compliance with our filing timelines. Our appreciation should also be extended to the CAO and Clerk who assisted us throughout our investigation as we researched certain matters.

100. We also recommend that a copy of our written reasons in this Report be posted by the Municipality on its website.

Respectfully submitted,

AIRD & BERLIS LLP



John Mascarini

JM/km

65680196.4





## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2025-09-10  
**Subject:** Zoning By-law Amendment Application D-14 8-2025 – Recommendation Report – 2025-20

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 8-2025 – Recommendation Report (Planning Report 2025-20).

That West Elgin Council approve the rezoning of 13904 Graham Road from General Agricultural (A1) to Agricultural (A2) and Restricted Agricultural Special Regulation 10 (A3-10), in accordance with the attached draft by-law, and

Further, that West Elgin Council consider an amendment to the Zoning By-law, as presented in the by-law portion of the September 25, 2025, Council Agenda

### **Purpose:**

The purpose of the Zoning By-law Amendment is to consider a condition of Consent Application E36-25, approved by the Elgin County Land Division Committee at the July 23, 2025 meeting, by rezoning the retained farmland parcel from General Agricultural (A1) Zone to Agricultural (A2) Zone, in order to prohibit any future dwellings, and by rezoning the severed surplus farm dwelling parcel from General Agricultural (A1) Zone to Restricted Agricultural Special Regulation 10 (A3-10) Zone, in order to recognize the new surplus farm dwelling lot being created. (Figure One)

### **Background:**

<b>Application</b>	D 14 8-2025 (condition of E36-25)
<b>Owner</b>	Dennis Zylstra
<b>Applicant/Purchaser</b>	David Buurma
<b>Legal Description</b>	Part Lot of 22, Concession 2 ED
<b>Civic Address</b>	13904 Graham Road
<b>Services</b>	Municipal water & private site septic system
<b>Severed Parcel</b>	0.424 ha (1.05 ac.) (Figure Two)

<b>Retained Farm Parcel</b>	39.64 ha (97.95 ac.)
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### **Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The provisionally approved severance may result in a minimal increase in assessment.



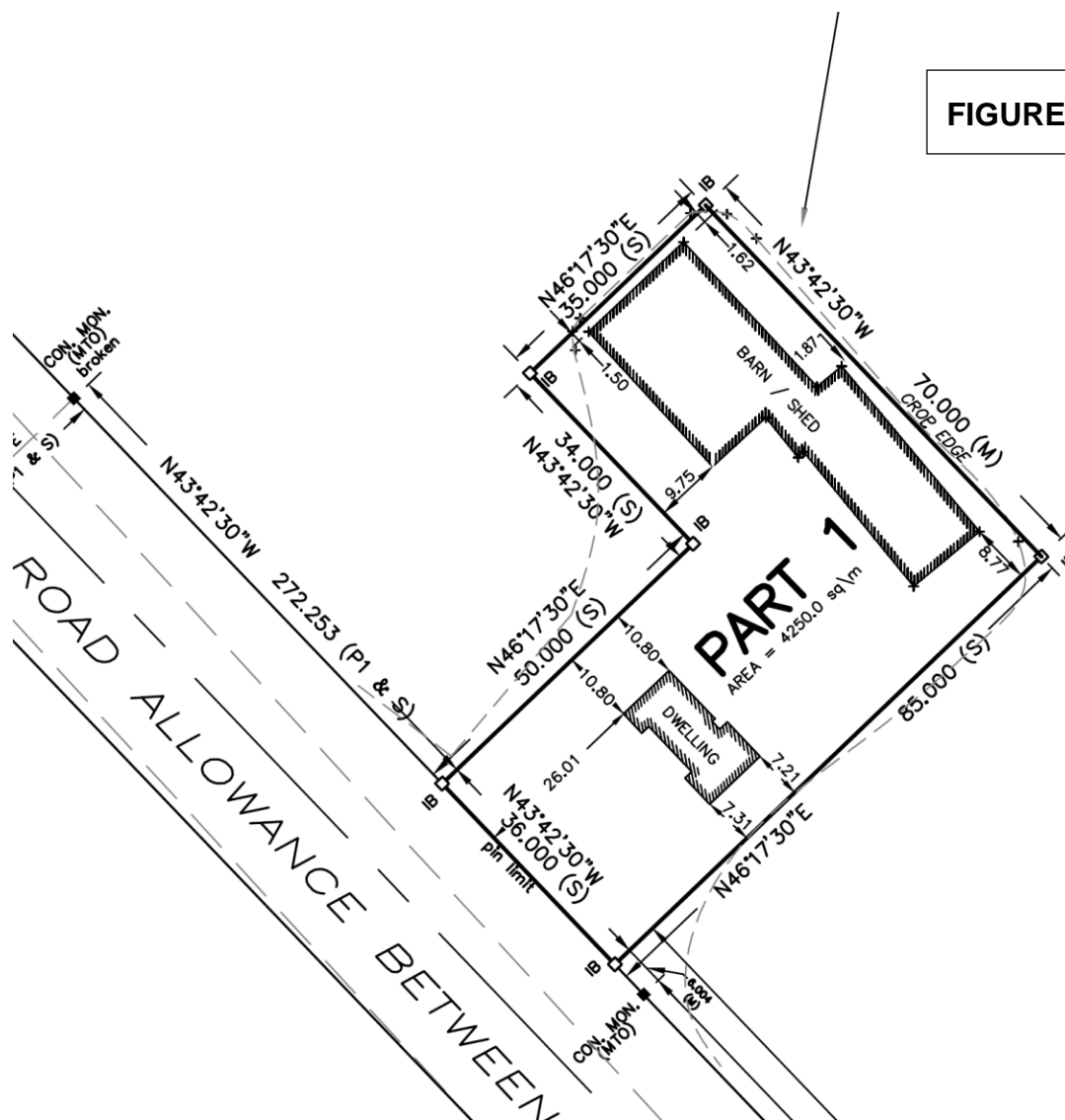
### **Policies/Legislation:**

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Planning Statement (PPS) and do not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.



**PPS (2024):**

The subject lands are within the Agricultural area (Section 4.3). The proposed retained parcel would be rezoned to prohibit a dwelling through the zoning bylaw amendment, in accordance with Section 4.3.3.1(c) of the PPS. The proposed new land uses comply with the minimum distance separation formulae, in accordance with Section 4.3.2.3 of the PPS.

**FIGURE TWO**

This proposed Zoning By-law Amendment is consistent with the PPS.

**CEOP (2025):**

The subject lands are designated Agricultural Area on Schedule 'A' County Structure Plan in the CEOP. Section 5.9 a) and b) of the CEOP permits the creation of new lots for an existing dwelling that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farmland created by the consent to sever.

Therefore, this proposed Zoning By-law Amendment conforms to the CEOP.

### **West Elgin Official Plan (2024):**

The subject lands are designated as Agricultural, as shown on General Land Use, Schedule '4' of the Official Plan. The agricultural land use policies, under Section 7.1.6 of the OP, permit a single detached dwelling accessory to agriculture use and existing single detached non-farm dwellings.

Section 7.1.7.2 policies of the OP, state that, the creation of a lot for the purposes of disposing of a dwelling considered surplus as a result of farm consolidation, being the acquisition of additional farm parcels to be operated as one farm operation, shall be considered in accordance with the following:

- a) the dwelling considered surplus has been in existence for at least 10 years;

Comment: The dwelling on the proposed lot was constructed more than 10 years ago.

- b) the dwelling is structurally sound and suitable, or potentially made suitable, for human occupancy;

Comment: The dwelling is in good repair.

- c) no new dwelling or additional dwelling unit is permitted in the future on the remnant parcel which shall be ensured through an amendment to the Zoning By-law.

Comment: The purpose of the proposed amendment is to prohibit future dwellings on the retained farm parcel.

- d) compliance with MDS I with respect to any livestock building, structure or manure storage facility on the remnant parcel;

Comment: There is a livestock facility approximately 622 m to the south of the proposed dwelling lot, however this does not impact on the proposed lot or the existing facility as setback requirements are based on distance to the dwelling versus that of the proposed lot lines. The former livestock buildings on the severed parcel are not presently capable of housing livestock. The manure storage that was on the property has been removed. This was confirmed during a site visit on September 3, 2025.

- e) the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services, and minimize the loss of productive farmland, and

Comment: The proposed lot is a sustainable size, does not include any actively farmed land and is consistent with other rural residential lots in the area. The overall footprint of the area around the house has decreased, returning some land to productive use.

- f) deteriorated, derelict, abandoned farm buildings (including farm buildings and structures with limited future use potential) are demolished and the lands rehabilitated.

Comment: The buildings remaining with the dwelling lot are in good repair and can continue to be used for storage purposes or limited livestock as outlined under the A3 Zone.

Therefore, this proposal conforms to the OP.

### **Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):**

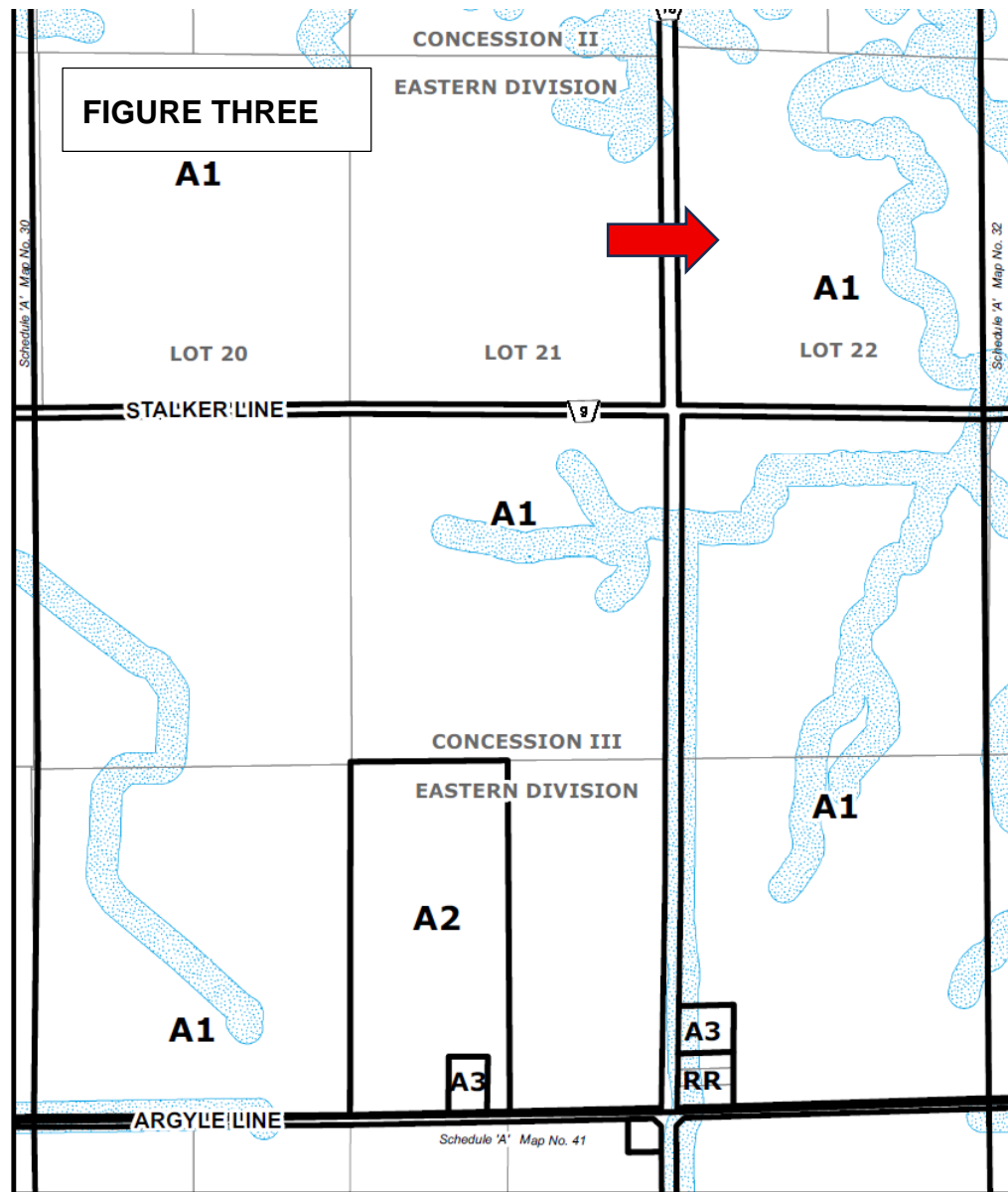
The subject lands are zoned General Agricultural (A1) on Schedule A, Map 31 of the ZBL, as depicted in Figure Three below.

The severed parcel will need to be rezoned to implement the proposed lot creation, by rezoning it to the Restricted Agricultural (A3) Zone, as a condition of approval. The Restricted Agricultural (A3) Zone has a minimum lot area of 4,000 sq. m and a minimum lot frontage of 30 m, respectively. As a result of the efforts to reduce the footprint of the lot and maintain the existing buildings site-specific special provisions will need to be included in the A3 zone to address the following:

- i) Increase the permit lot coverage from 20% to 30%;
- ii) Reduce the required southerly side yard setback for the dwelling from 7.5m to 6.5 m, and
- iii) Reduce the required accessory side yard setback for the existing buildings from 3 m to 1.5 m.

The proposed retained farm parcel would need to be rezoned to the Agricultural (A2) Zone, to prohibit any future dwellings. A draft of the zoning by-law amendment to be considered is appended to this report for reference purposes.

Therefore, the proposal for the surplus farm dwelling lot creation would be in compliance with the Zoning By-law, subject to the requested Zoning By-law Amendment.



**Municipality of WEST ELGIN: RURAL AREA**

**Schedule "A"**

SCALE 1:10,000

0 50 100 200 300 400 500 Metres

Municipality of West Elgin Zoning By-Law

**Map No. 31**

### **Circulation Of the Application:**

The application was circulated to the applicable commenting agencies and neighboring property owners within 120 meters of the subject lands on September 4, 2025, a minimum of 20 days prior to the public meeting as required by the Planning Act. In addition, the notice is posted on the Municipality website and a sign posted on the property.

**Municipal Department Comments:**

The zoning by-law amendment application was circulated to municipal staff for comment. Similar feedback was received in association with the consent application and was incorporated into the consent conditions.

**Agency Comments:**

The zoning by-law amendment application was circulated to the applicable agencies for comment. No comments were received from those agencies at the time of this report.

**Public Comments:**

At the time of writing, no comment from the public had been received.

**Summary/Conclusion:**

Therefore, it is Planning Staff's opinion that the proposed Zoning By-law Amendment is consistent with the PPS, conforms to the CEOP and conforms to the OP; and recommends that the request for Zoning By-law Amendment be approved, subject to no concerns being raised through any oral and written submissions being received since the writing of this report and at the public meeting.

Once a Council decision is made, Notice will be sent to those who have requested a copy and/or attended the public meeting or provided written comments.

There will be a 20-day appeal period after the Notice is sent out. Any appeals received by the Municipality of West Elgin will be forwarded to the Ontario Land Tribunal (OLT) for a hearing, in accordance with the Planning Act.

**Alignment with Strategic Priorities:**

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,



Robert Brown, H. Ba, MCIP, RPP  
Planner, Municipality of West Elgin

**Report Approval Details**

Document Title:	Zoning By-law Amendment Application D-14 8-2025 - Recommendation Report - 2025-20-Planning.docx
Attachments:	- By-law 2025-52 - ZBLA - D-14 8-2025 Zylstra.pdf
Final Approval Date:	Sep 22, 2025

This report and all of its attachments were approved and signed as outlined below:

Robin Greenall



# MUNICIPALITY OF **West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-52**

#### **Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 13904 Graham Road.**

**Whereas** the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That Schedule "A" Map No. 31 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Agricultural (A2) Zone** for those lands hatched on Schedule "A" attached, and from **Agricultural (A1) Zone** to **Restricted Agricultural Special Regulation 10, (A3-10) Zone** for those lands crossed-hatched on Schedule "A" attached hereto and forming part of this By-law, being Pt. Lot 22, Concession 2 ED, Municipality of West Elgin.
2. That By-law No. 2015-36, as amended, is hereby further amended by adding the following subsection as follows:

"7.3.10 a) Defined Area (Zylstra)

A3-10 as shown on Schedule "A" Map No. 31

- 7.3.10 b)     Minimum southerly side yard for a dwelling 6.5 m  
                 Maximum Lot Coverage 30%  
                 Minimum Side Yard for existing accessory buildings  
                 1.5 metres"

3. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Ontario Land Tribunal (OLT), shall be deemed to have come into force on the day it was passed.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of September 2025.

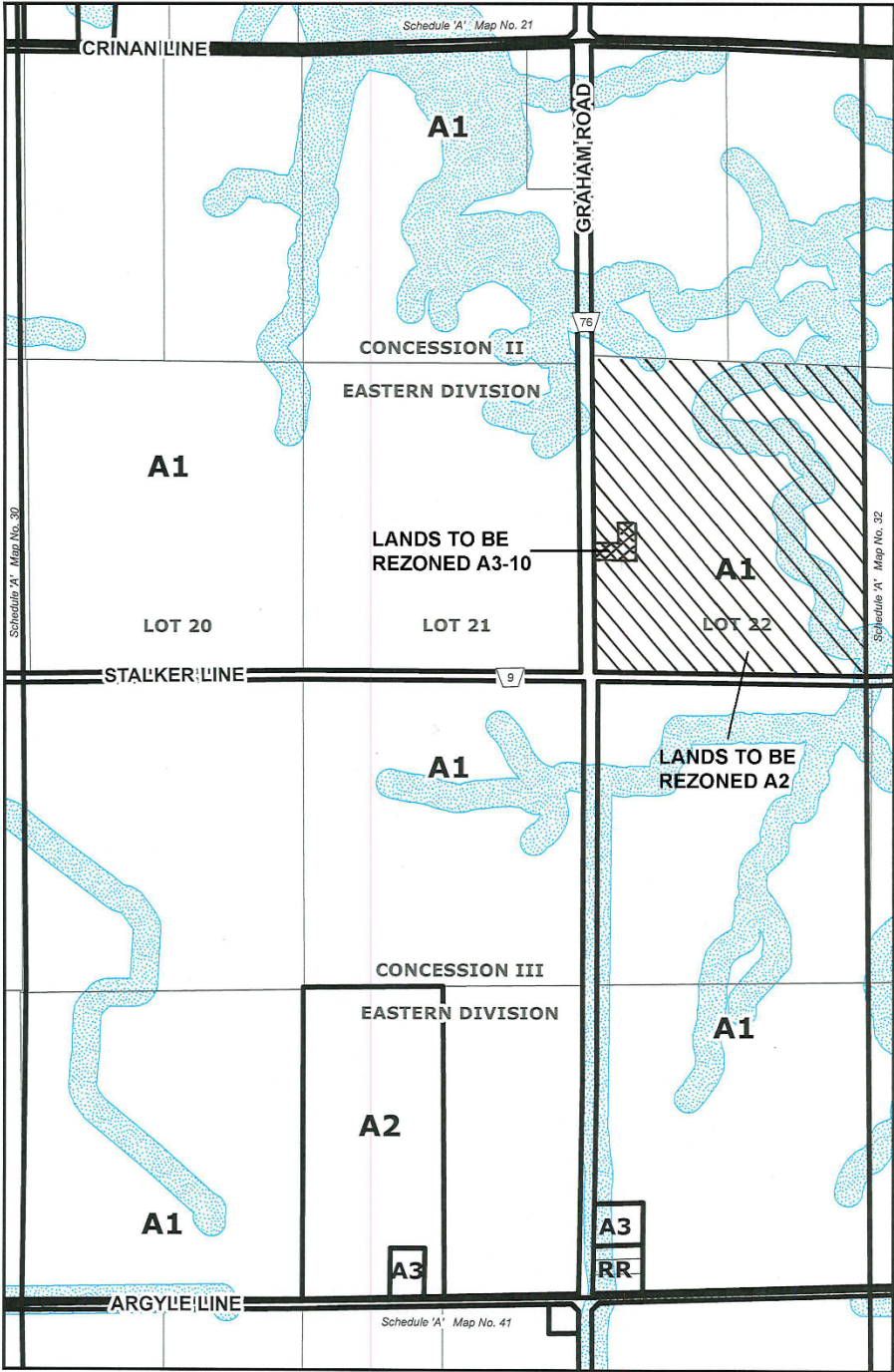
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Richard Leatham  
Mayor

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Terri Towstiuc  
Clerk



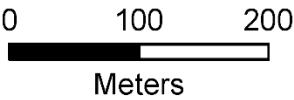


This is Schedule "A" to By-law No. 2025-52  
passed on the 25th day of September, 2025

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

MUNICIPALITY OF WEST ELGIN  
Comprehensive Zoning By-Law  
2015-36 SCHEDULE 'A' MAP 31





## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2025-09-17  
**Subject:** Zoning By-law Amendment Application D-14 9-2025 – Recommendation Report (Planning Report 2025-21)

---

### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 9-2025 – Recommendation Report (Planning Report 2025-21).

That West Elgin Council approve the rezoning of 22525 Pioneer Line from General Agricultural (A1) to General Agricultural Special Regulation 11 (A1-11) Zone and Future Residential (FR), in accordance with the attached draft by-law; and

That West Elgin Council consider an amendment to the Zoning By-law, as present in the by-law portion of the September 25, 2025, Council Agenda.

### **Purpose:**

The purpose of the Zoning By-law Amendment is to consider a condition of Consent Application E32-25, approved by the Elgin County Land Division Committee at the June 25, 2025 meeting, by rezoning the retained farmland parcel to a site-specific General Agricultural (A1) Zone to recognize the reduced lot frontage along Pioneer Line and to rezone the severed parcel from General Agricultural (A1) Zone to Future Residential (FR) Zone to implement the underlying Residential designation of the Official Plan. (Figure One)

### **Background:**

Below is background information, in a summary chart:

<b>Application</b>	D-14 9-2025
<b>Owners/Applicants</b>	Dave Kelly & Audrey Toth
<b>Legal Description</b>	Part of Lot 7, Concession 9
<b>Civic Address</b>	22525 Pioneer Line
<b>Services</b>	Municipal water & septic system
<b>Existing Land Area</b>	39.53 ha (97.68 ac.)

Below is an outline of the dimensions for the severed and retained parcels:



Future Residential Lands (RED)			Retained Farm Parcel (BLUE)		
Frontage (Furnival)	Depth (Pioneer)	Area	Frontage	Depth	Area
296 m (971.12 ft.)	323 m (1,059.7ft.)	9.56 ha (23.6 ac)	280 m (918.63 ft.)	irregular	29.97 ha (74.05 ac.)

**Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. Once approved for development of the residential lands would result in a significant increase in assessment based on residential use.

**Policies/Legislation:**

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Planning Statement (PPS) and do not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

**PPS (2024):**

Since the lands in question are within two different designations there would be consideration under two different policy areas of Provincial Planning Statement. This would include Section 2.3.1 General Policies for Settlement Areas which notes, *"Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas."*

Comment: The lands that were severed from the larger farm parcel were brought into the Rodney settlement area as part of the recent Official Plan review. The designation of the lands was not the result of additional lands being added to the settlement area but rather a review of existing lands in the settlement area that were reevaluated and either removed from the settlement area or designated to more appropriate land uses. The end result was no net increase in the overall size of the settlement area, in particular residential lands.

Section 2.4 Strategic Growth Areas would also be applicable to the proposed severance and notes, *"Planning authorities are encouraged to identify and focus growth and development in strategic growth areas."*

Comment: One of key reasons for the inclusion of the lands in the settlement was their strategic location at the edge of the Rodney settlement area and their location at the intersection of two County Roads. Growth to the east and west may present either physical barriers just as topography or man-made barriers such as former rail or hydro corridors.

Although there are natural heritage features in the form of a wooded area and valley lands on the retained portion of the lands, they are not included in the lands to be rezoned for residential. Proximity of those lands will result in the need for future review and consideration. All of the lands will remain in active agricultural use until such time as development is proposed on the residential portion. As such, the proposal is consistent with the PPS.



**CEOP (2025):**

The County of Elgin, as the approval authority for the lower-tier Official Plans, approved the West Elgin Official Plan in late 2024 including the various schedules. It would appear that the County schedules have not been updated to reflect those changes however the County does recognize that the lands that were severed from the subject property are designated Residential and within the Rodney settlement area. Portions of the proposed retained farmland contain a wooded area (natural heritage system) and are within the Natural System on Schedule “C” in the CEOP.

The rezoning of the subject lands does not raise any immediate concerns related to CEOP as the proposed Future Residential (FR) Zone simply recognizes the development potential of the lands and helps to implement the local Official Plan Residential land use designation. Further consideration will be given to the residential portion once development plans come forward.

As noted under the PPS section of this report any consideration of the wooded area or valley lands to the south of the severed portion will be addressed once development is proposed. In the interim the lands will be placed in a Future Residential zone limiting development to what currently exists, vacant farmland.

Therefore, this proposal conforms to the CEOP.

**WEOP (2024):**

The severed lands are within the Rodney Settlement area as shown on General Land Use Schedule ‘4’ and designated Residential, as shown on Schedule ‘4A’ of the West Elgin Official Plan. The entire retained portion of the parcel is designated Agricultural on Schedule 4 and includes woodlands on Schedule 2 Natural Heritage Features.

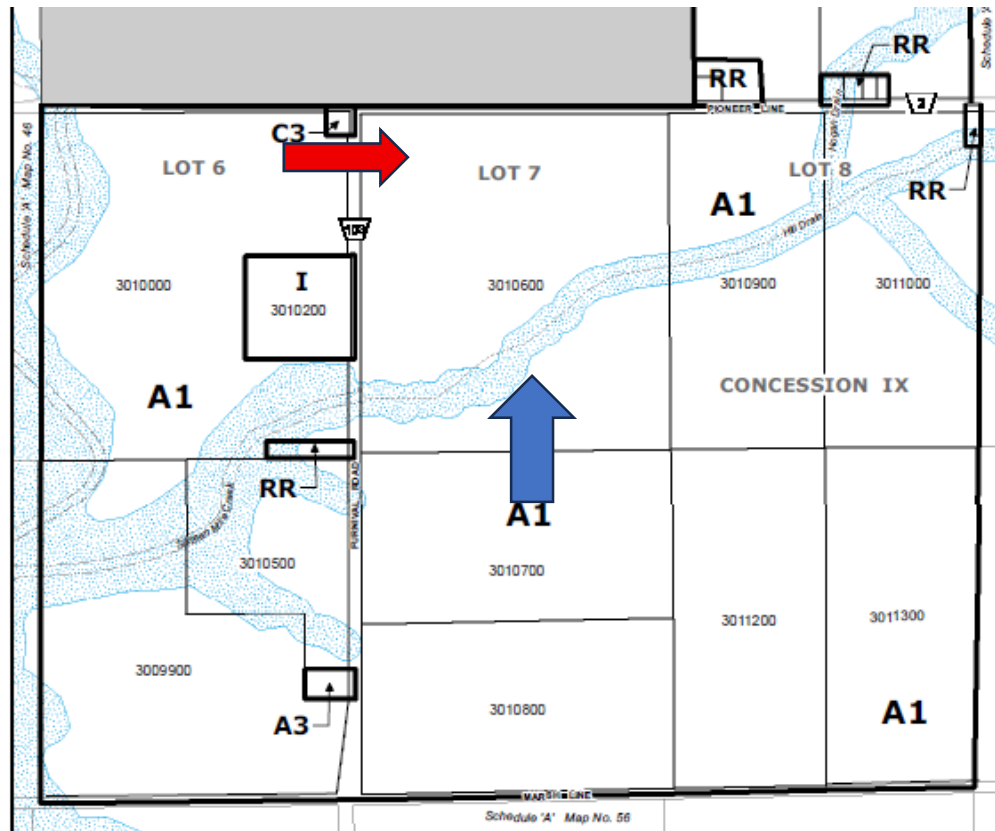
As noted under the PPS section of this report because the subject lands are located within two different Official Plan designations there are two different land use considerations. Residential for the severed parcel and agricultural for the retained lands. This split effectively creates individual parcels. The zoning assists in recognizing and implementing the policies related to each of the designations on the subject property.

**Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):**

The subject lands are zoned General Agricultural (A1) Zone on Schedule A, Map 47 of the ZBL, as depicted in Figure Two. The blue hatch pattern on the mapping represents LTVCA regulated area. The retained lands will remain in General Agricultural (A1) Zone and will meet the minimum lot area requirement of 20 ha (49.4 ac.) Since the frontage of the farm parcel will technically be Pioneer Line the frontage will be slightly less than the 300 m minimum. This is addressed through the amending by law. The severed parcel will be placed in the Future Residential (FR) classification. This zoning will permit the continued use of the land for agricultural purposes but will

not permit any type of development until such time as a comprehensive plan is reviewed and approved by the applicable approval authority.

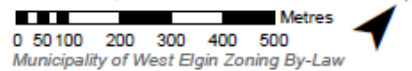
The proposed Zoning By-law Amendment is a condition of the provisionally approved consent application in order to maintain compliance with the Zoning By-law and recognize the future development of the residentially designated lands.



Municipality of WEST ELGIN: RURAL AREA

Schedule "A"

SCALE 1:10,000



Map No. 47

**Circulation Of the Application:**

The application was circulated to the applicable commenting agencies and neighboring property owners within 120 meters of the subject lands on September 4, 2025, a minimum of 20 days prior to the public meeting as required by the Planning Act. In addition, the notice is posted on the Municipality website and a sign posted on the property.

**Municipal Department Comments:**

The zoning by-law amendment application was circulated to municipal staff for comment. Similar feedback was received in association with the consent application and was incorporated into the consent conditions.

**Agency Comments:**

The zoning by-law amendment application was circulated to the Agencies for comment.

No comments were received from other agencies at the time of this report.

**Public Comments:**

At the time of writing, no comment from the public had been received.

**Summary/Conclusion:**

Therefore, it is Planning Staff's opinion that the proposed Zoning By-law Amendment is consistent with the PPS, conforms to the CEOP and conforms to the OP; and recommends that the request for Zoning By-law Amendment be approved, subject to no concerns being raised through any oral and written submissions being received since the writing of this report and at the public meeting.

Once a Council decision is made, Notice will be sent to those who have requested a copy and/or attended the public meeting or provided written comments.

There will be a 20-day appeal period after the Notice is sent out. Any appeals received by the Municipality of West Elgin will be forwarded to the Ontario Land Tribunal (OLT) for a hearing, in accordance with the Planning Act.

**Alignment with Strategic Priorities:**

<b>Infrastructure Improvement</b>	<b>Recreation</b>	<b>Economic Development</b>	<b>Community Engagement</b>
<input type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal flourish extending to the right.

Robert Brown, H. Ba, MCIP, RPP  
Planner, Municipality of West Elgin



**Report Approval Details**

Document Title:	Zoning By-law Amendment Application D-14 9-2025 - Recommendation Report - 2025-21-Planning.docx
Attachments:	- By-law 2025-53 - ZBLA - D14 9-2025 Kelly Toth.pdf
Final Approval Date:	Sep 22, 2025

This report and all of its attachments were approved and signed as outlined below:

Robin Greenall



MUNICIPALITY OF  
**West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-53**

**Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 22525 Pioneer Line.**

**Whereas** the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That Schedule "A" Map No. 47 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Agricultural Special Regulation 11 (A1-11) Zone** for those lands hatched on Schedule "A", and from **Agricultural (A1) Zone** to **Future Residential (FR) Zone** for those lands cross-hatched on Schedule "A" attached hereto and forming part of this By-law, being Pt. Lot 7, Concession 9, Municipality of West Elgin.
2. That By-law No. 2015-36, as amended, is hereby further amended by adding the following subsection as follows:

"5.3.1 a) Defined Area (Kelly - Toth)

A1-11 as shown on Schedule "A" Map No. 47

5.3.1 b) Minimum Lot Frontage

- i) As existed on the date of passing of this by-law"

3. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Ontario Land Tribunal (OLT), shall be deemed to have come into force on the day it was passed.

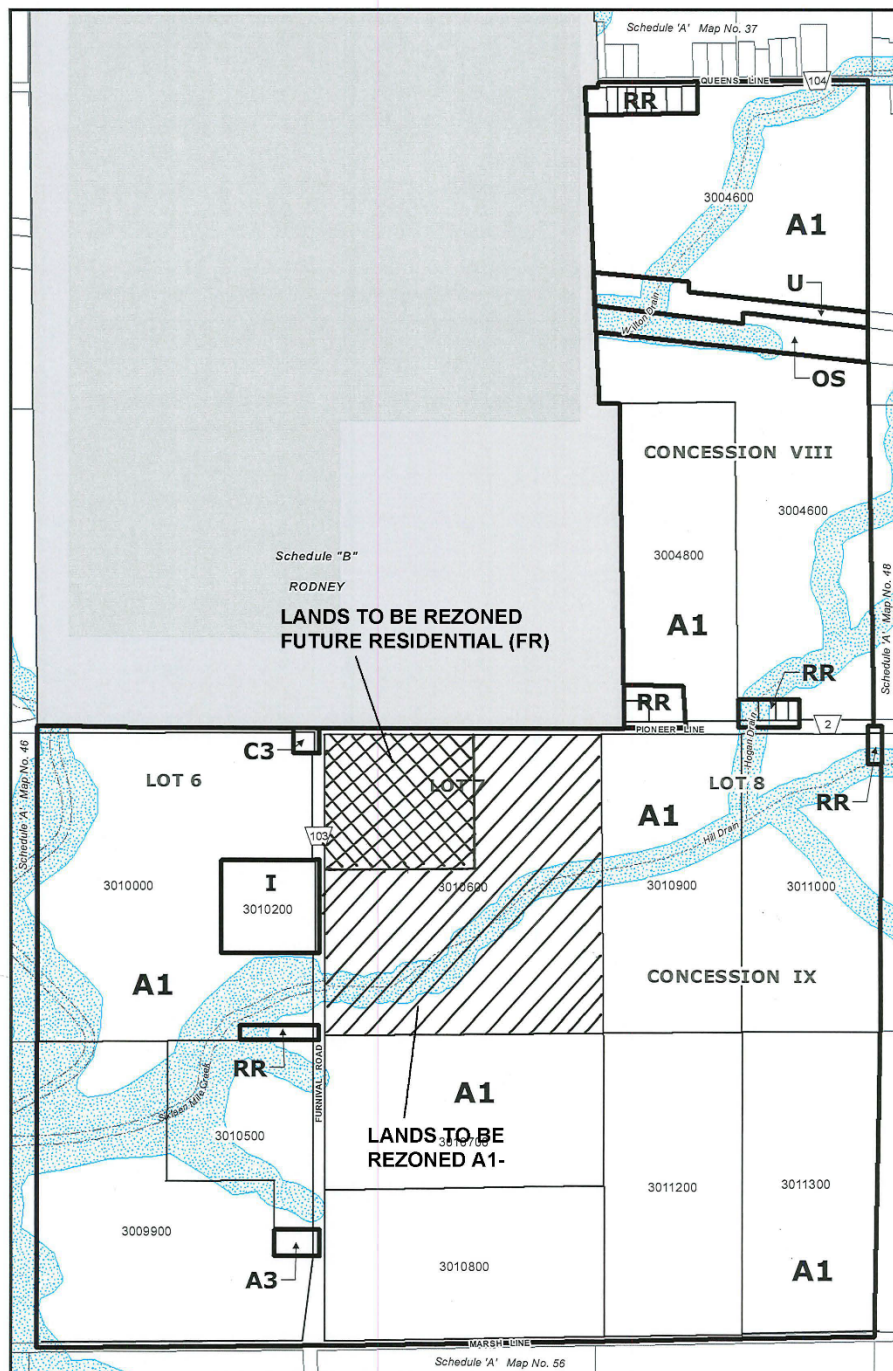
Read a first, second, and third time and finally passed this 25<sup>th</sup> day of September 2025.

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Richard Leatham  
Mayor

---

Terri Towstiuc  
Clerk



This is Schedule "A" to By-law No. 2025-53  
passed on the 25th day of September, 2025

**MAYOR**

**CLERK**

MUNICIPALITY OF WEST ELGIN  
Comprehensive Zoning By-Law  
2015-36 SCHEDULE 'A' MAP 47



A scale bar with markings at 0, 100, and 200 meters. The bar is divided into two equal segments, each representing 100 meters.



## **FLEUREN DRAIN EXTENSION**

**Municipality of West Elgin**



**SPRIET  
ASSOCIATES**  
ENGINEERS & ARCHITECTS  
155 York Street  
London, Ontario N6A 1A8  
Tel. (519) 672-4100  
Fax (519) 433-9351  
Email: [mail@spriet.on.ca](mailto:mail@spriet.on.ca)  
[www.spriet.on.ca](http://www.spriet.on.ca)

## **FLEUREN DRAIN EXTENSION**

### **Municipality of West Elgin**

To the Mayor and Council of  
the Municipality of West Elgin

Mayor and Council:

We are pleased to present our report on the construction of the Fleuren Municipal Drain Extension serving parts of Lots 24, Y, and X, Concessions 2 and 3 (geographic Aldoborough) in the Municipality of West Elgin.

### **AUTHORIZATION**

This report was prepared pursuant to Section 4 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a petition signed by the owners whose lands contain over 60 percent of the area requiring drainage.

### **DRAINAGE AREA**

The total watershed area as described above contains approximately 28.1 hectares. The area requiring drainage is described as Lot 24, Concession 3 for the Main Drain and Lot X, Concession 3 for the Branch Drain.

### **HISTORY**

The Fleuren Drain was originally constructed pursuant to a report submitted by J.M. Spriet, P.Eng., dated December 16, 2024, and consisted of the construction of the Main Drain from the McMillan Drain, south through the lands in Lot 24, Concession 2, to just within the Stalker Line road allowance. In total, 153 lineal meters of 375mm (15") diameter pipe was installed.

### **EXISTING DRAINAGE CONDITIONS**

A site meeting held with respect to the project and through later discussions the owners reported the following:

- that the landowner, R. & A. Tait (Roll No. 70-045), requested an extension of the recently installed drain to provide their lands with an outlet
- that the landowner, Brian McGill Farms Ltd. (Roll No. 70-041), requested a branch drain to service a portion of lands west of the Main Drain which do not have an adequate surface water outlet



## EXISTING DRAINAGE CONDITIONS (cont'd)

A field investigation and survey were completed. Upon reviewing our findings, we note the following:

- that the extension of the Main Drain can be accomplished by boring a new sub-surface pipe under Stalker Line
- that the lands requiring the extension of the Main Drain and Branch would both benefit from an outlet for surface water and sub-surface water

Preliminary design, cost estimates, and assessments were prepared, and an informal public meeting was held to review the findings and preliminary proposals. Further input and requests were provided by the affected owners at that time and at later dates. Based on the proposed design it was decided to proceed with the petition.

## DESIGN CONSIDERATIONS

The Drainage Coefficient method contained in "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Agribusiness (OMAFRA) is typically used to design municipal drains. The Drainage Coefficient defines a depth of water that can be removed in a 24-hour period and is expressed in millimetres per 24 hours. The coefficient used to design this drain with respect to capacity was 38.1mm per 24 hours.

We would like to point out that there have been no indications of any adverse soil conditions. It should be noted that no formal soil investigation has been made, with this information being provided by the owners.

The proposed design and report have been generally completed using the "GUIDE FOR ENGINEERS WORKING UNDER THE DRAINAGE ACT IN ONTARIO" OMAFRA Publication 852.

## RECOMMENDATIONS

We are therefore recommending the following:

- that the Main Drain be extended from the northerly ditch line of Stalker Line, south across the road allowance, to just within the lands of R. & A. Tait (Roll No. 70-045), for a total length of 23 lineal meters
- that a Branch Drain be constructed, commencing at the Main Drain and traveling west through the lands of R. & A. Tait (Roll No. 70-045) to its head just within the lands of Brian McGill Farms Ltd. (Roll No. 70-041), for a total length of 244 lineal meters
- that catchbasins be installed to alleviate surface water flows and ponding



## ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES

There are no significant wetlands or sensitive areas within the affected watershed area or along the route of the drains. The proposed construction of the Fleuren Drain Extension includes quarry stone outlet protection and surface inlets which greatly help reduce the overland surface flows and any subsequent erosion. A temporary flow check of silt fencing is to be installed in the ditch downstream of the tile outlet for the duration of the construction.

## SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 267 lineal meters of 200mm (8") to 375mm (15") diameter HDPE sewer pipe, including related appurtenances.

## SCHEDULES

Four schedules are attached hereto and form part of this report, being Schedule 'A' - Allowances, Schedule 'B' - Cost Estimate, Schedule 'C' - Assessment for Construction, and Schedule 'D' - Assessment for Maintenance.

Schedule 'A' - Allowances. In accordance with Sections 29 and 30 of the Drainage Act, allowances are provided for right-of-way and damages to lands and crops along the route of the drain as defined below.

Schedule 'B' - Cost Estimate. This schedule provides for a detailed cost estimate of the proposed work which is in the amount of \$59,000.00. This estimate includes engineering and administrative costs associated with this project.

Schedule 'C' - Assessment for Construction. This schedule outlines the distribution of the total estimated cost of construction over the roads and lands which are involved.

Schedule 'D' - Assessment for Maintenance. In accordance with Section 38 of the Drainage Act, this schedule outlines the distribution of future repair and/or maintenance costs for portions of, or the entire drainage works.

Drawing No. 1, Job No. 225182, and specifications form part of this report. They show and describe in detail the location and extent of the work to be done and the lands which are affected.

## ALLOWANCES

**DAMAGES:** Section 30 of the Drainage Act provides for the compensation to landowners along the drain for damages to lands and crops caused by the construction of the drain. The amount granted is based on \$3,613.00/ha. for closed drain installed with wheel machine. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

**RIGHT-OF-WAY** Section 29 of the Drainage Act provides for an allowance to the owners whose land must be used for the construction, repair, or future maintenance of a drainage works.





## ALLOWANCES (cont'd)

For tile drains where the owners will be able to continue to use the land, the allowance provides for the right to enter upon such lands and at various times for the purpose of inspecting such drain, removing obstructions, and making repairs. Also, the allowance provides for the restrictions imposed on those lands to protect the right-of-way from obstruction or derogation. The amounts granted for right-of-way on tile drains is based on a percentage of the value of the land designated for future maintenance. Therefore, the amount granted is based on \$6,670.00/ha. through cropped lands. This value is multiplied by the hectares derived from the width granted for future maintenance and the applicable lengths.

## ASSESSMENT DEFINITIONS

In accordance with the Drainage Act, lands that make use of a drainage works are liable for assessment for part of the cost of constructing and maintaining the system. These liabilities are known as benefit, outlet liability and special benefit liability as set out under Sections 22, 23, 24 and 26 of the Act.

**BENEFIT** as defined in the Drainage Act means the advantages to any lands, roads, buildings, or other structures from the construction, improvement, repair, or maintenance of a drainage works such as will result in a higher market value, increased crop production, improved appearance, better control of surface or sub-surface water, or any other advantages relating to the betterment of lands, roads, buildings, or other structures.

**OUTLET** liability is assessed to lands or roads that may make use of a drainage works as an outlet either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse.

In addition, a Public Utility or Road Authority shall be assessed for and pay all the increased cost to a drainage works due to the construction and operation of the Public Utility or Road Authority. This may be shown as either benefit or special assessment.

## ASSESSMENT

A modified "Todgham Method" was used to calculate the assessments shown on Schedule 'C'- Assessment for Construction. This entailed breaking down the costs of the drain into sections along its route.

The remainder is then separated into Benefit and Outlet costs. The Benefit cost is distributed to those properties receiving benefit as defined under "Assessment Definitions", with such properties usually being located along or close to the route of the drain. The Outlet Costs are distributed to all properties within the watershed area of that section on an adjusted basis. The areas are adjusted for location along that section, and relative run-off rates. Due to their different relative run-off rates forested lands have been assessed for outlet at lower rates than cleared lands. Also, roads have been assessed for outlet at higher rates than cleared farmlands.

The actual cost of the work involving this report, with the exception of Special Assessments, is to be assessed on a pro-rata basis against the lands and roads liable for assessment for benefit and outlet as shown in detail below and on Schedule 'C' - Assessment for Construction. The Special Assessments shall be levied as noted in the Section "Special Assessment".



## SPECIAL ASSESSMENT

In accordance with Section 26 of the Drainage Act, a Special Assessment has been made against the County of Elgin being the increased cost to the drainage work for boring a smooth wall steel pipe across their road allowance on the Main Drain due to the construction and operation of Stalker Line. The Special Assessment shall be made up of the actual cost of this work and both the final and estimated values of the Special Assessment are to be calculated as follows:

Drain	Cost of Work	Less Equivalent Drain Cost (Fixed)	Plus Administration Cost	Plus Interest & Net H.S.T.	Special Assessment
Main Drain 375mm dia.	\$20,300.00	\$2,000.00	\$4,900.00	\$580.00	\$23,780.00

If any additional work is required to the drainage works due to the existence of buried utilities such as gas pipelines, communications cables, etc., or if any of the utilities require relocation or repair then the extra costs incurred shall be borne by the utility involved in accordance with the provisions of Section 26 of the Drainage Act.

## GRANTS

In accordance with the provisions of Section 85 of the Drainage Act, a grant **may** be available for assessments against privately owned parcels of land which are used for agricultural purposes and eligible for the Farm Property Class Tax rate. Section 88 of the Drainage Act directs the Municipality to make application for this grant upon certification of completion of this drain. The Municipality will then deduct the grant from the assessments prior to collecting the final assessments.

## MAINTENANCE

Upon completion of construction, all owners are hereby made aware of Sections 80 and 82 of the Drainage Act which forbid the obstruction of or damage or injury to a municipal drain.

After completion the Fleuren Drain Extension shall be maintained by the Municipality of West Elgin at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Repairs or improvements to any road culvert or sub-surface road crossing required by the performance of this work and for future repair and/or replacement, shall be the responsibility of the applicable Road Authority, entirely at their cost.



JMS:bv

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED

*J. M. Spriet*  
J.M. Spriet, P.Eng.



**SPRIET ASSOCIATES**  
engineers & architects

## SCHEDULE 'A' - ALLOWANCES

## FLEUREN DRAIN EXTENSION

## Municipality of West Elgin

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 29 Right-of-Way	Section 30 Damages	TOTALS
MAIN DRAIN					
3	Pt. 24 & Y	70-045 (R. & A. Tait)	\$ 40.00	\$ 30.00	\$ 70.00
Total Allowances			\$ 40.00	\$ 30.00	\$ 70.00
TOTAL ALLOWANCES ON THE MAIN DRAIN					\$ 70.00
BRANCH A					
3	Pt. X	70-041 (Brian McGill Farms Ltd.)	\$ 40.00	\$ 30.00	\$ 70.00
3	Pt. 24 & Y	70-045 (R. & A. Tait)	1,580.00	1,280.00	2,860.00
Total Allowances			\$ 1,620.00	\$ 1,310.00	\$ 2,930.00
TOTAL ALLOWANCES ON BRANCH A					\$ 2,930.00
TOTAL ALLOWANCES ON THE FLEUREN DRAIN EXTENSION					\$ 3,000.00

**FLEUREN DRAIN EXTENSION****Municipality of West Elgin**

We have made an estimate of the cost of the proposed work which is outlined in detail as follows:

**MAIN DRAIN**

Installation of the following H.D.P.E. pipe including supply and installation of sand bedding	
7 meters of 375mm dia. H.D.P.E. pipe	\$ 400.00
Supply of the above listed pipe	\$ 500.00
17 meters of 406.4mm dia., 7.9mm thickness smooth wall steel pipe	
Supply	\$ 3,400.00
Installation under County Road 9 by boring	\$ 16,900.00
Strip, stockpile and releve topsoil from tile trench and adjacent working area (4m wide) specified on drawings (approx. 7m)	\$ 500.00
Supply and install one 600mm x 600mm ditch inlet catchbasins including grates, berms, ditching, and removal of existing basin,	\$ 2,750.00
Exposing and locating existing tile drains and utilities	\$ 500.00
Tile connections and contingencies	\$ 1,200.00
Allowances under Sections 29 & 30 of the Drainage Act	\$ 70.00

**BRANCH A**

Installation of the following H.D.P.E. pipe including supply and installation of sand bedding	
244 meters of 200mm dia. H.D.P.E. pipe	\$ 6,100.00
Supply of the above listed pipe	\$ 5,600.00
Strip, stockpile and releve topsoil from tile trench and adjacent working area (4m wide) specified on drawings (approx. 244m)	\$ 1,800.00
Supply and install one 600mm x 600mm ditch inlet catchbasins including grates, berms, ditching, and removal of existing basin,	\$ 2,750.00
Allowances under Sections 29 & 30 of the Drainage Act	\$ 2,930.00

**FLEUREN DRAIN EXTENSION**  
**Municipality of West Elgin**

**ADMINISTRATION**

Interest and Net Harmonized Sales Tax	\$ 2,150.00
Survey, Plan and Final Report	\$ 9,100.00
Expenses	\$ 720.00
Supervision and Final Inspection	\$ <u>1,630.00</u>
<b>TOTAL ESTIMATED COST</b>	<b>\$ <u>59,000.00</u></b>

## SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

## FLEUREN DRAIN EXTENSION

## Municipality of West Elgin

Job No. 225182

September 3, 2025

\* = Non-agricultural

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
<b>MAIN DRAIN</b>						
3	Pt. X	2.05	70-041 (Brian McGill Farms Ltd.)	\$	\$ 186.00	\$ 186.00
3	Pt. 24	1.26	70-044 (R. Jamieson)		228.00	228.00
3	Pt. 24 & Y	21.60	70-045 (R. & A. Tait)	3,860.00	3,731.00	7,591.00
TOTAL ASSESSMENT ON LANDS				\$ 3,860.00	\$ 4,145.00	\$ 8,005.00
County Road 9				0.45	County of Elgin	\$ 4,910.00 \$ 305.00 \$ 5,215.00
TOTAL ASSESSMENT ON ROADS				\$ 4,910.00	\$ 305.00	\$ 5,215.00
<b>SPECIAL ASSESSMENT</b> against the County Elgin for increased cost of installing 406.4mm dia. smooth steel wall steel pipe under County Road 9						
						\$ 23,780.00
<b>TOTAL ASSESSMENT ON THE MAIN DRAIN</b>						<b>\$ 37,000.00</b>
<b>BRANCH A</b>						
3	Pt. X	2.05	70-041 (Brian McGill Farms Ltd.)	\$ 2,240.00	\$ 11,537.00	\$ 13,777.00
3	Pt. 24 & Y	0.10	70-045 (R. & A. Tait)	7,660.00	563.00	8,223.00
TOTAL ASSESSMENT ON LANDS				\$ 9,900.00	\$ 12,100.00	\$ 22,000.00
<b>TOTAL ASSESSMENT ON THE BRANCH A</b>						<b>\$ 22,000.00</b>
<b>TOTAL ASSESSMENT ON THE FLEUREN DRAIN EXTENSION</b>						<b>\$ 59,000.00</b>

## SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

**FLEUREN DRAIN EXTENSION****Municipality of West Elgin**

Job No. 225182

September 3, 2025

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
<b>MAIN DRAIN</b>				
3	Pt. X	2.05	70-041 (Brian McGill Farms Ltd.)	2.1 %
3	Pt. 24	1.26	70-044 (R. Jamieson)	2.6
3	Pt. 24 & Y	21.60	70-045 (R. & A. Tait)	64.1
				=====
TOTAL ASSESSMENT ON LANDS				68.8 %
				=====
County Road 9		0.45	County of Elgin	31.2 %
				=====
TOTAL ASSESSMENT ON ROADS				31.2 %
				=====
<b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE MAIN DRAIN</b>				<b><u>100.0 %</u></b>
<b>BRANCH A</b>				
3	Pt. X	2.05	70-041 (Brian McGill Farms Ltd.)	74.2 %
3	Pt. 24 & Y	0.10	70-045 (R. & A. Tait)	25.8
				=====
TOTAL ASSESSMENT ON LANDS				100.0 %
				=====
<b>TOTAL ASSESSMENT FOR MAINTENANCE OF BRANCH A</b>				<b><u>100.0 %</u></b>

# SCHEDULE OF NET ASSESSMENT

## FLEUREN DRAIN EXTENSION

### Municipality of West Elgin

(FOR INFORMATION PURPOSES ONLY)

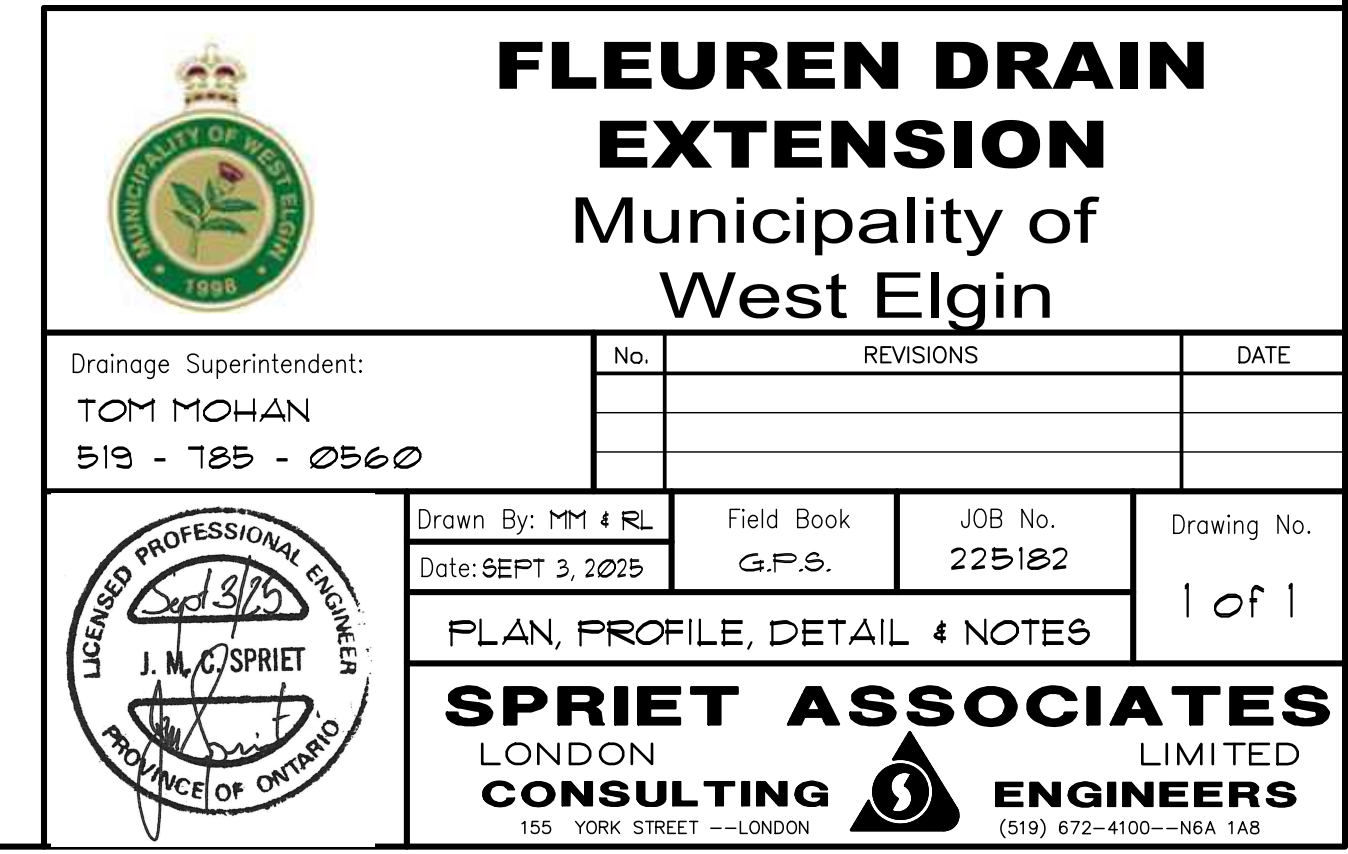
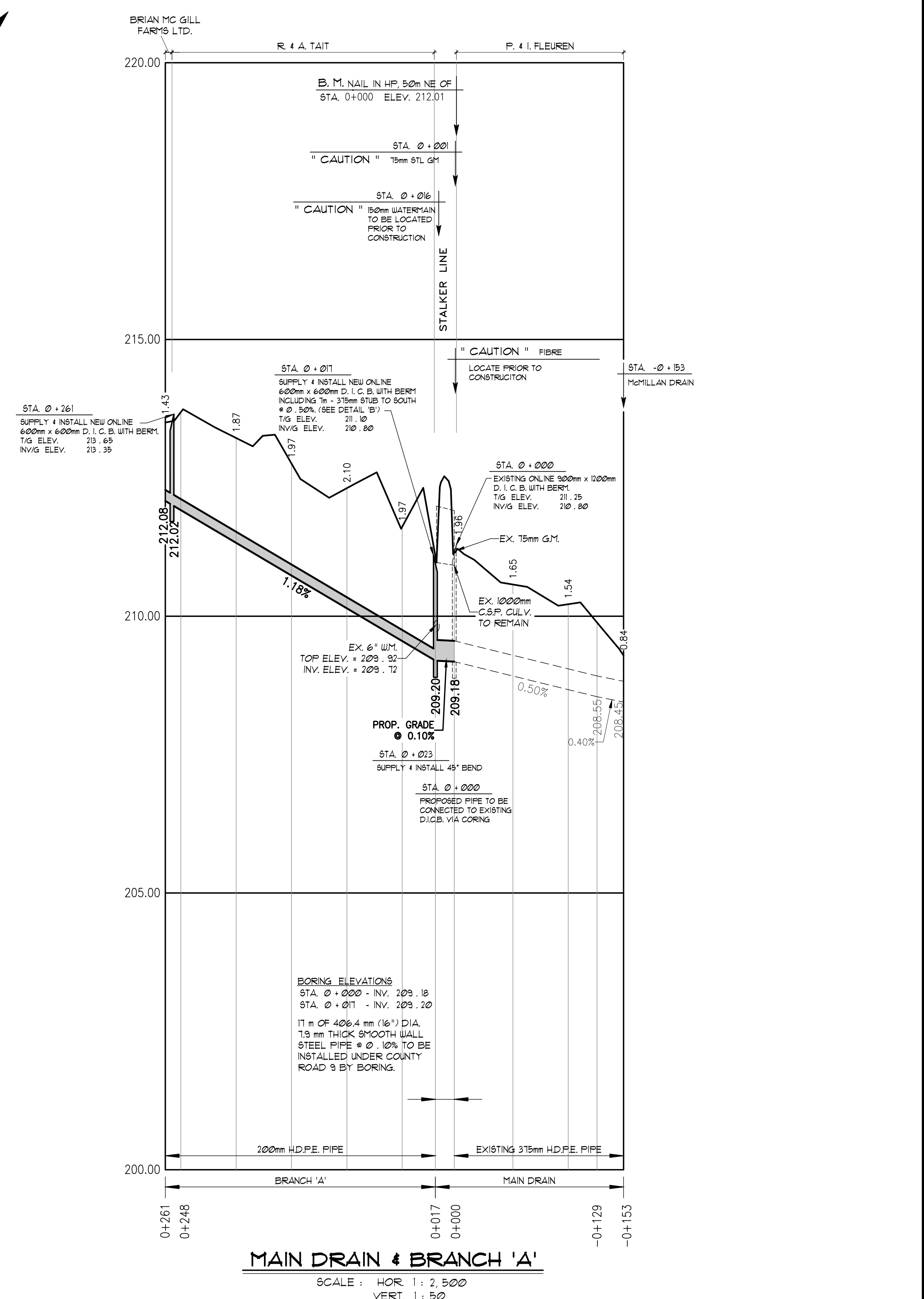
Job No. 225182

September 3, 2025

\* = Non-agricultural

ROLL NUMBER (OWNER)	TOTAL ASSESSMENT	GRANT	ALLOWANCES	APPROX. NET
70-041 (Brian McGill Farms Ltd.)	\$ 13,963.00	\$ 4,654.00	\$ 70.00	\$ 9,239.00
70-044 (R. Jamieson)	228.00	76.00		152.00
70-045 (R. & A. Tait)	15,814.00	5,271.00	2,930.00	7,613.00
* County Road 9	\$ 5,215.00	\$	\$	\$ 5,215.00
* **Special Assessment	23,780.00			23,780.00
<b>TOTALS</b>	<b>\$ 59,000.00</b>	<b>\$ 10,001.00</b>	<b>\$ 3,000.00</b>	<b>\$ 45,999.00</b>







**MILLS DRAIN**  
**Municipality of West Elgin**



**SPRIET**  
**ASSOCIATES**  
ENGINEERS & ARCHITECTS  
155 York Street  
London, Ontario N6A 1A8  
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[www.spriet.on.ca](http://www.spriet.on.ca)

Our Job No. 225183

September 3, 2025

London, Ontario  
September 3, 2025

## **MILLS DRAIN**

### **Municipality of West Elgin**

To the Mayor and Council of  
the Municipality of West Elgin

Mayor and Council:

We are pleased to present our report on the reconstruction of parts of the Mills Municipal Drain serving parts of Lots 11 to 13, Concession 9 in the Municipality of West Elgin. The total watershed area contains approximately 58 hectares.

### **AUTHORIZATION**

This report was prepared pursuant to Section 78 of the Drainage Act. Instructions were received from your Municipality with respect to a motion of Council. The work was initiated by a request signed by one of the affected landowners.

### **HISTORY**

The Mills Drain was last reconstructed pursuant to a report submitted by W. Crossen, P. Eng., dated July 10, 1987 and consisted of the reconstruction of the open drain from Pioneer Line, through Lot 12, Concession 9 to the west side of Kerr Road. In total, approximately 1,200 lineal meters was reconstructed.

### **EXISTING DRAINAGE CONDITIONS**

A site meeting held with respect to the project and through later discussions the owners reported the following:

- that the landowner, 100072899 Ontario Inc. (Roll No. 30-120), indicated that a portion of the drain, just south of Pioneer Line, bisects his land and he inquired as to the possibility of enclosing the open ditch to improve the farm efficiency and workability

A field investigation and survey were completed. Upon reviewing our findings we note the following:

- that, given the relatively small size of the upstream watershed, the open drain in the requested area could be filled in



## EXISTING DRAINAGE CONDITIONS (cont'd)

Preliminary design, cost estimates, and assessments were prepared and informal consultations were held to review the findings and preliminary proposals. Further input and requests were provided by the affected owners at that time and at later dates. Based on the proposed design it was decided to proceed with the request.

## DESIGN CONSIDERATIONS

The Drainage Coefficient method contained in "DRAINAGE GUIDE FOR ONTARIO", Publication 29 by the Ontario Ministry of Agriculture, Food, and Agribusiness (OMAFRA) is typically used to design municipal drains. The Drainage Coefficient defines a depth of water that can be removed in a 24-hour period and is expressed in millimetres per 24 hours. The coefficient used to design this drain with respect to capacity was 38mm per 24 hours.

We would like to point out that there have been indications of sandy soil conditions, but this region is known to have stones present. It should be noted that no formal soil investigation has been made, with this information being provided by the owners.

The proposed design and report have been generally completed using the "GUIDE FOR ENGINEERS WORKING UNDER THE DRAINAGE ACT IN ONTARIO" OMAFA Publication 852.

## RECOMMENDATIONS

We are therefore recommending the following:

- that a portion of the Mills Drain be constructed as a closed drain, commencing at the south property line of Pioneer Line and travel south through the lands of 100072899 Ontario Inc. (Roll No. 30-120) to the edge of the existing woodlot, for a total length of 263 lineal meters
- that the portion of the drain to be enclosed be backfilled in such a manner as to allow overland surface water from the upstream watershed to continue to flow along the route of the drain
- that the existing culvert at Sta. 0+230 be removed and officially abandoned from municipal status pursuant to Section 19 of the Drainage Act

Due to the indications of poor soil conditions our design includes the wrapping of tile joints with geotextile and a crushed stone bedding wrapped with geotextile.

## ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES

There are no significant wetlands or sensitive areas within the affected watershed area or along the route of the drains. The proposed construction of the Mills Drain includes quarry stone outlet protection and surface inlets which greatly help reduce the overland surface flows and any subsequent erosion. A temporary flow check of silt fencing is to be installed in the ditch downstream of the tile outlet for the duration of the construction.



## ENVIRONMENTAL CONSIDERATIONS AND MITIGATION MEASURES (cont'd)

We have reviewed the proposed work with the Department of Fisheries and Oceans (File No. 25-HCAA-01606) as well as with the L.T.V.C.A. and they indicated the project was within their parameters and would issue a permit when it was required.

## SUMMARY OF PROPOSED WORK

The proposed work consists of approximately 263 lineal meters of 525mm (21") diameter concrete field tile and H.D.P.E. sewer pipe, including related appurtenances.

## SCHEDULES

Four schedules are attached hereto and form part of this report, being Schedule 'A' - Allowances, Schedule 'B' - Cost Estimate, Schedule 'C' - Assessment for Construction, and Schedule 'D' - Assessment for Maintenance.

Schedule 'A' - Allowances. In accordance with Section 30 of the Drainage Act, allowances are provided for damages to lands and crops along the route of the drain as defined below.

Schedule 'B' - Cost Estimate. This schedule provides for a detailed cost estimate of the proposed work which is in the amount of \$70,000.00. This estimate includes engineering and administrative costs associated with this project.

Schedule 'C' - Assessment for Construction. This schedule outlines the distribution of the total estimated cost of construction over the roads and lands which are involved.

Schedule 'D' - Assessment for Maintenance. In accordance with Section 38 of the Drainage Act, this schedule outlines the distribution of future repair and/or maintenance costs for portions of, or the entire drainage works.

Drawing No. 1, Job No. 225183, and specifications form part of this report. They show and describe in detail the location and extent of the work to be done and the lands which are affected.

## ALLOWANCES

**DAMAGES:** Section 30 of the Drainage Act provides for the compensation to landowners along the drain for damages to lands and crops caused by the construction of the drain. The amount granted is based on \$3,613.00/ha. for closed drain installed with wheel machine. This base rate is multiplied by the hectares derived from the working widths shown on the plans and the applicable lengths.

Due to this being an existing open drain the right-of-way has been deemed to be sufficient for the closes drain and therefore transferred to it, no further right-of-way is being provided at this time.



## ASSESSMENT DEFINITIONS

In accordance with the Drainage Act, lands that make use of a drainage works are liable for assessment for part of the cost of constructing and maintaining the system. These liabilities are known as benefit, and outlet liability as set out under Sections 22, 23, 24 and 26 of the Act.

**BENEFIT** as defined in the Drainage Act means the advantages to any lands, roads, buildings or other structures from the construction, improvement, repair, or maintenance of a drainage works such as will result in a higher market value, increased crop production, improved appearance, better control of surface or sub-surface water, or any other advantages relating to the betterment of lands, roads, buildings, or other structures.

**OUTLET** liability is assessed to lands or roads that may make use of a drainage works as an outlet either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek, or watercourse.

In addition, a Public Utility or Road Authority shall be assessed for and pay all the increased cost to a drainage works due to the construction and operation of the Public Utility or Road Authority. This may be shown as either benefit or special assessment.

## ASSESSMENT

A modified "Todgham Method" was used to calculate the assessments shown on Schedule 'D'- Assessment for Maintenance. This entailed breaking down the costs of the drain into sections along its route.

The remainder is then separated into Benefit and Outlet costs. The Benefit cost is distributed to those properties receiving benefit as defined under "Assessment Definitions", with such properties usually being located along or close to the route of the drain. The Outlet Costs are distributed to all properties within the watershed area of that section on an adjusted basis. The areas are adjusted for location along that section, and relative run-off rates. Due to their different relative run-off rates forested lands have been assessed for outlet at lower rates than cleared lands. Also, roads and residential properties have been assessed for outlet at higher rates than cleared farmlands.

The actual cost of the work involving this report is to be assessed on a pro-rata basis against the lands and roads liable for assessment for benefit and outlet as shown in detail below on Schedule 'C' - Assessment for Construction. We assess the entire cost of this report to the sole benefitting landowner, 100072899 Ontario Inc. (Roll No. 30-120).

## GRANTS

The enclosure is not eligible for an agricultural grant.



## MAINTENANCE

Upon completion of construction, all owners are hereby made aware of Sections 80 and 82 of the Drainage Act which forbid the obstruction of or damage or injury to a municipal drain.

After completion the Mills Drain constructed under this report shall be maintained by the Municipality of West Elgin at the expense of all upstream lands and roads assessed in Schedule 'D' - Assessment for Maintenance and in the same relative proportions until such time as the assessment is changed under the Drainage Act.

Respectfully submitted,

SPRIET ASSOCIATES LONDON LIMITED



JMS:

J.M. Spriet, P.Eng.



## SCHEDULE 'A' - ALLOWANCES

**MILLS DRAIN****Municipality of West Elgin**

In accordance with Sections 29 and 30 of the Drainage Act, we determine the allowances payable to owners entitled thereto as follows:

CONCESSION	LOT	ROLL NUMBER (Owner)	Section 30 Damages	TOTALS
MAIN DRAIN				
9	Pt. 11 & 12	30-120 (100072899 Ontario Inc.)	\$ 1,430.00	\$ 1,430.00
			=====	
Total Allowances			\$ 1,430.00	\$ 1,430.00
			=====	
TOTAL ALLOWANCES ON THE MILLS DRAIN				\$ 1,430.00



**MILLS DRAIN****Municipality of West Elgin**

We have made an estimate of the cost of the proposed work which is outlined in detail as follows:

**MAIN DRAIN**

Removal and disposal of existing lane culvert, clearing and grubbing of existing ditch	\$	900.00
Backfilling of existing open ditch using on-site materials from ditch banks	\$	9,900.00
12 meters of 525mm dia., H.D.P.E. plastic sewer pipe including rodent gate, quarry stone rip-rap protection around pipe and end of ditch (Approximately 8m <sup>3</sup> quarry stone req'd)		
Supply	\$	1,300.00
Installation	\$	1,000.00
Installation of the following concrete tile, including supply and installation of geotextile around tile joins and supply and installation of bedding and backfill material		
251 meters of 525mm dia. concrete tile	\$	15,600.00
Supply of the above listed tile and pipe	\$	12,600.00
Supply & delivery of 19mm crushed stone (Approx. 80 tonnes req'd)	\$	3,600.00
Supply and install one 900mm x 1200mm side inlet catchbasin including grate and grading	\$	3,000.00
Strip, stockpile and relevel topsoil from tile trench and adjacent working area (4m wide) specified on drawings (approx. 263m)	\$	1,700.00
Exposing and locating existing tile drains and utilities	\$	1,300.00
Tile connections and contingencies	\$	2,500.00
Allowances under Sections 30 of the Drainage Act	\$	1,430.00

**ADMINISTRATION**

Interest and Net Harmonized Sales Tax	\$	1,700.00
Survey, Plan and Final Report	\$	8,900.00
Expenses	\$	870.00
Supervision and Final Inspection	\$	<u>3,700.00</u>
<b>TOTAL ESTIMATED COST</b>	<b>\$</b>	<b><u><u>70,000.00</u></u></b>

## SCHEDULE 'C' - ASSESSMENT FOR CONSTRUCTION

**MILLS DRAIN****Municipality of West Elgin**

Job No. 225183

September 3rd, 2025

\* = *Non-agricultural*

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	BENEFIT	OUTLET	TOTAL
------	-----	----------------------	------------------	---------	--------	-------

**MAIN DRAIN**

We assess the entire cost of this report to the landowner 100072899 Ontario Inc. (Roll No. 30-120).

**TOTAL ASSESSMENT ON THE MILLS DRAIN****\$ 70,000.00**

## SCHEDULE 'D' - ASSESSMENT FOR MAINTENANCE

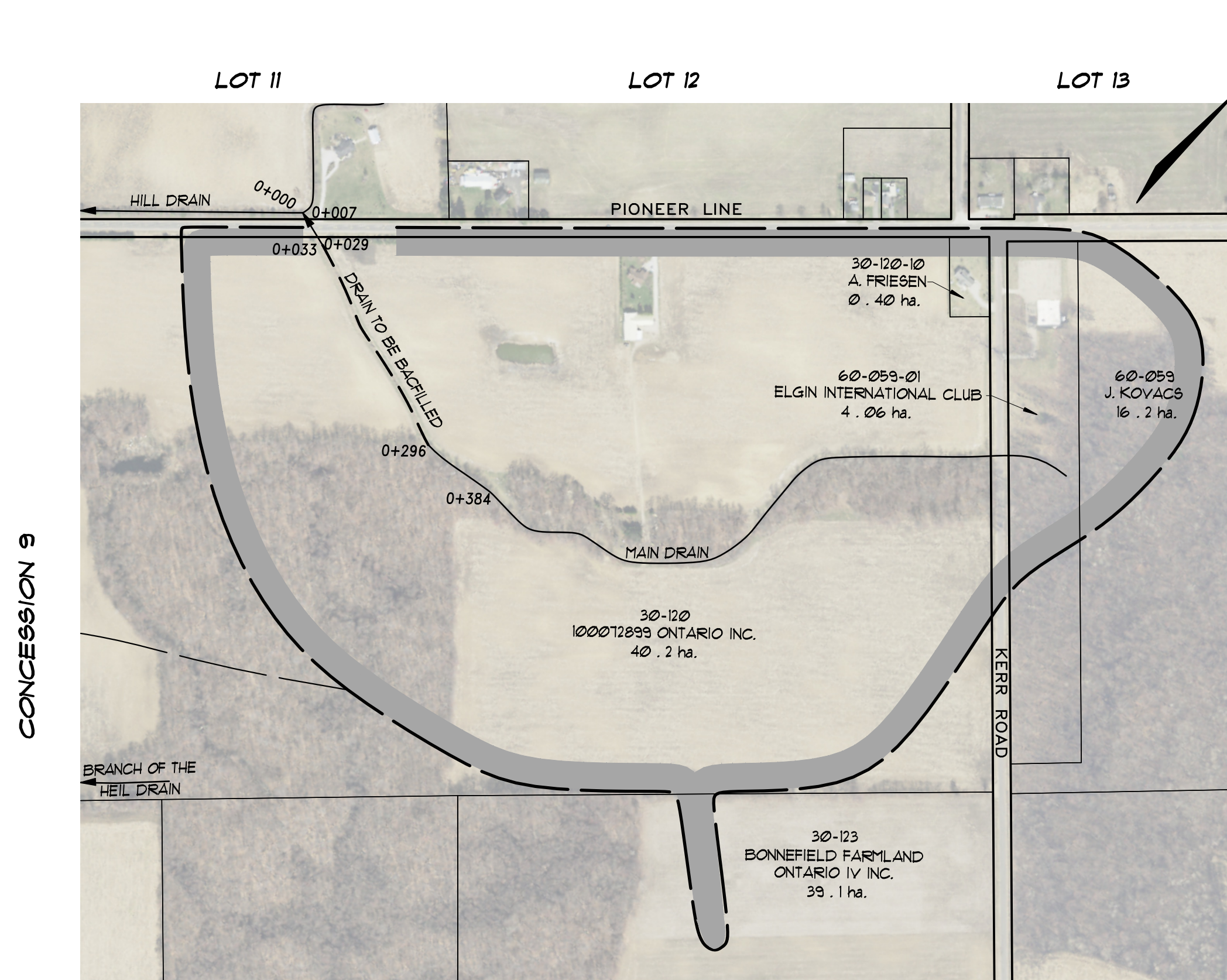
**MILLS DRAIN****Municipality of West Elgin**

Job No. 225183

September 3rd, 2025

CON.	LOT	HECTARES AFFECTED	ROLL No. (OWNER)	PERCENTAGE OF MAINTENANCE COST
<b>MAIN DRAIN</b>				
9	Pt. 11 & 12	50.60	30-120 (100072899 Ontario Inc.)	88.6 %
9	Pt. 12	0.40	30-120-10 (A. Friesen)	0.6
9	Pt. 12	0.25	30-123 (Bonfield Farmland Ontario IV Inc.)	0.4
9	Pt. 13	2.60	60-059 (J. Kovacs)	3.7
9	Pt. 13	2.20	60-059-01 (Elgin International Club)	3.1
				=====
TOTAL ASSESSMENT ON LANDS				96.4 %
				=====
Pioneer Line		0.15	Municipality of West Elgin	0.2 %
Kerr Road		0.83	Municipality of West Elgin	3.4
				=====
TOTAL ASSESSMENT ON ROADS				3.6 %
				=====
<b>TOTAL ASSESSMENT FOR MAINTENANCE OF THE MILLS DRAIN</b>				<b><u>100.0 %</u></b>

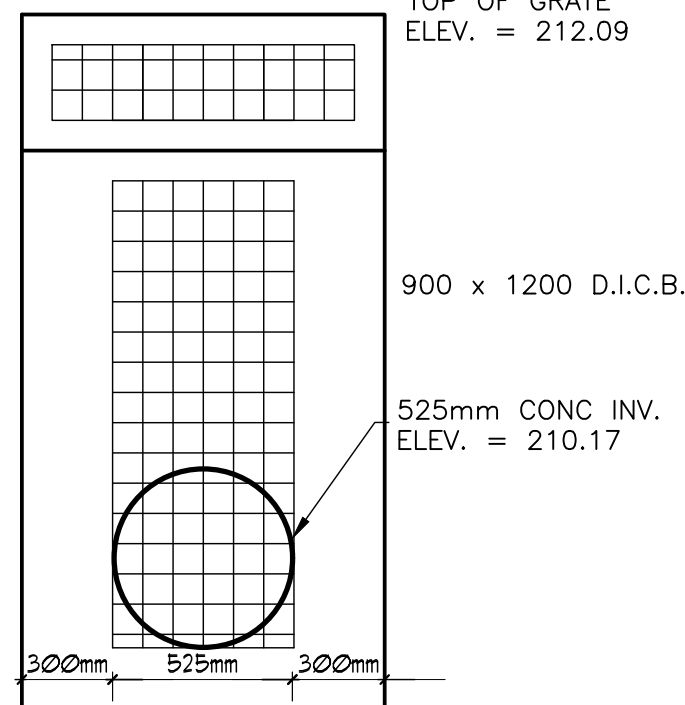




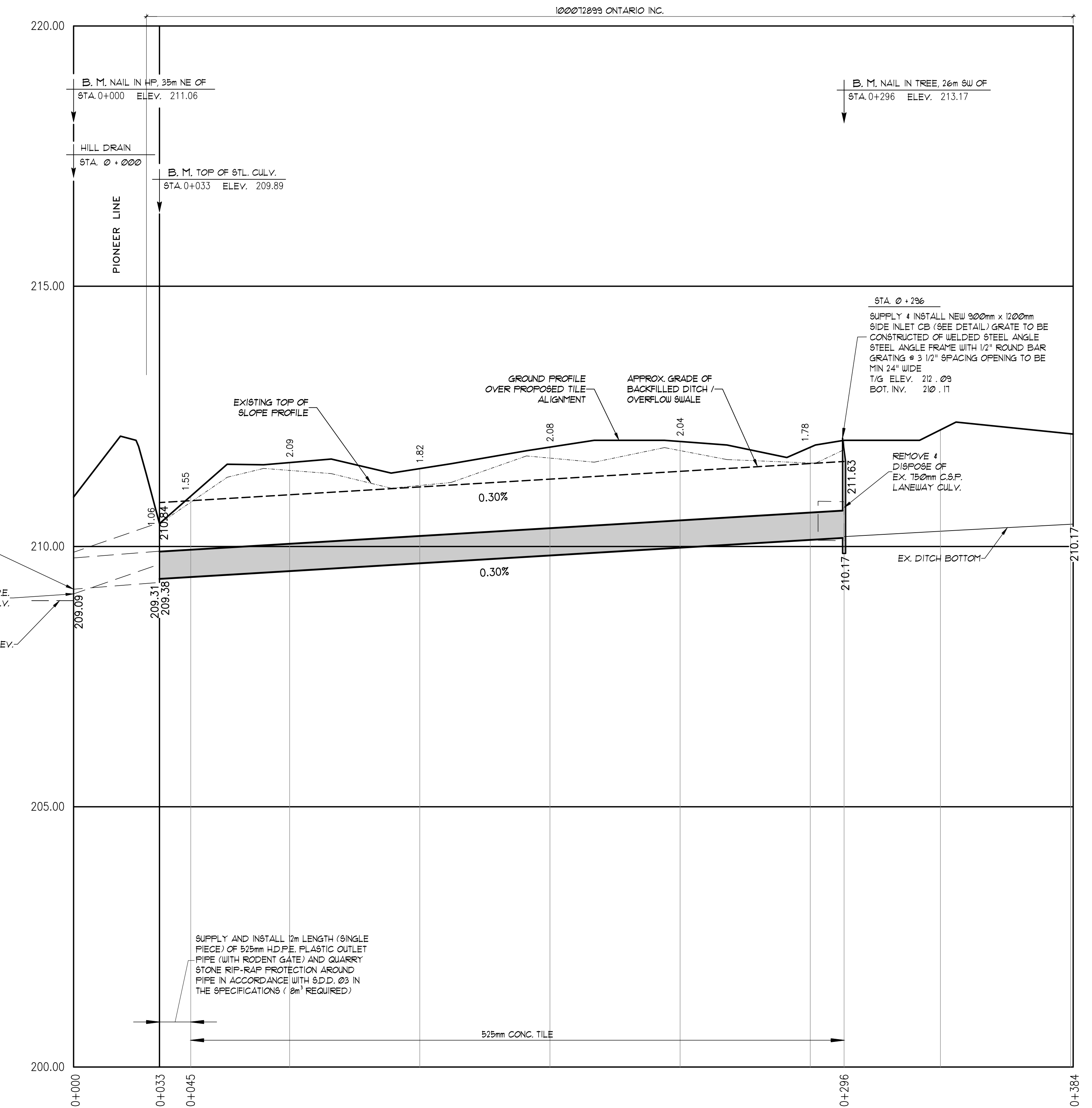
PLAN SCALE 1:5,000

### SIDE INLET CATCHBASIN

SCALE: N.T.S.  
STA. 0 + 296



EX. 600mm STL. ROAD CULV.  
D/S INV. ELEV. = 209.18  
EX. 150mm HDPE.  
ROAD CULV.  
EX. DITCH ELEV.



### MAIN DRAIN

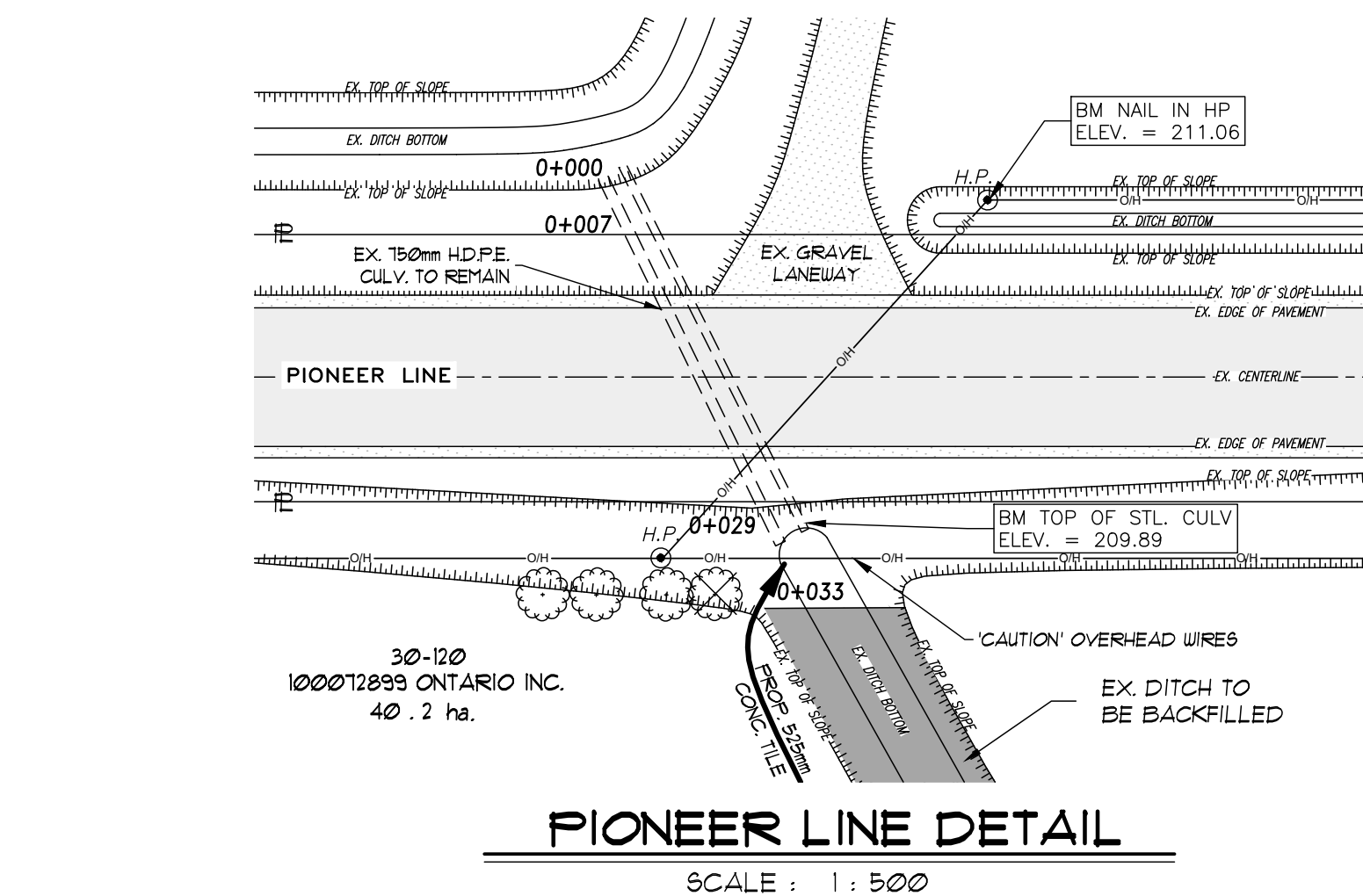
SCALE: HOR 1:1,000  
VERT. 1:50

### GENERAL NOTES

- OUR SPECIFICATIONS DATED JANUARY 2020 APPLY TO THIS PROJECT.
- THE WORKING WIDTH AVAILABLE TO THE CONTRACTOR TO CONSTRUCT THE NEW DRAINS SHALL CONSIST OF THOSE LANDS IMMEDIATELY ADJACENT TO THE DRAIN AND CONNECTIONS AND SHALL NOT EXCEED THE FOLLOWING AVERAGE WIDTHS:  
CLOSED PORTIONS - 20 meters  
THE WORKING WIDTH FOR PURPOSES OF FUTURE MAINTENANCE SHALL BE THE SAME AS ABOVE EXCEPT FOR CLOSED PORTIONS (NOT THROUGH BUSH) SHALL BE 20m.
- ALL OWNERS ALONG THE COURSE OF THE DRAIN SHALL MAKE AN ACCESS ROUTE FROM THE NEAREST ROAD TO THE DRAIN LOCATION AVAILABLE TO THE CONTRACTOR THE AVERAGE WIDTH OF THIS ROUTE SHALL NOT EXCEED 8 METERS. THE ACCESS ROUTE SHALL ALSO APPLY FOR FUTURE MAINTENANCE PURPOSES.
- a) ALL UTILITIES TO BE LOCATED AND EXPOSED PRIOR TO CONSTRUCTION SO THAT THE NEW TILE GRADES CAN BE CONFIRMED. IF THERE IS A CONFLICT IN ELEVATION BETWEEN THE PROPOSED DRAIN AND THE UTILITY, THE ENGINEER IS TO BE NOTIFIED IMMEDIATELY.  
b) CONTRACTOR TO NOTIFY ALL UTILITIES 12 HOURS PRIOR TO HIS SCHEDULED TIME FOR STARTING THE ABOVE WORK.  
c) THE COST FOR THIS WORK SHALL BE INCLUDED IN THE ITEM ON THE EXTENT OF WORK AND NO EXTRA PAYMENT SHALL BE MADE TO THE CONTRACTOR, EXCEPT IF ROAD RESTORATION IS REQUIRED.
- ALL TREES, SCRUB, BRUSH, ETC. TO BE CLEARED AND GRUBBED IN ACCORDANCE WITH "SECTION B.3 AND C.4" SPECIFICATIONS.
- RIP-RAP TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH "SECTION A.12" IN THE SPECIFICATIONS.
- CONTRACTOR TO ARRANGE A PRE-CONSTRUCTION MEETING WITH THE ENGINEER, DRAINAGE SUPERINTENDENT, AND THE AFFECTED OWNERS. ALL PARTIES SHALL RECEIVE 48 HOURS NOTICE TO THE MEETING.

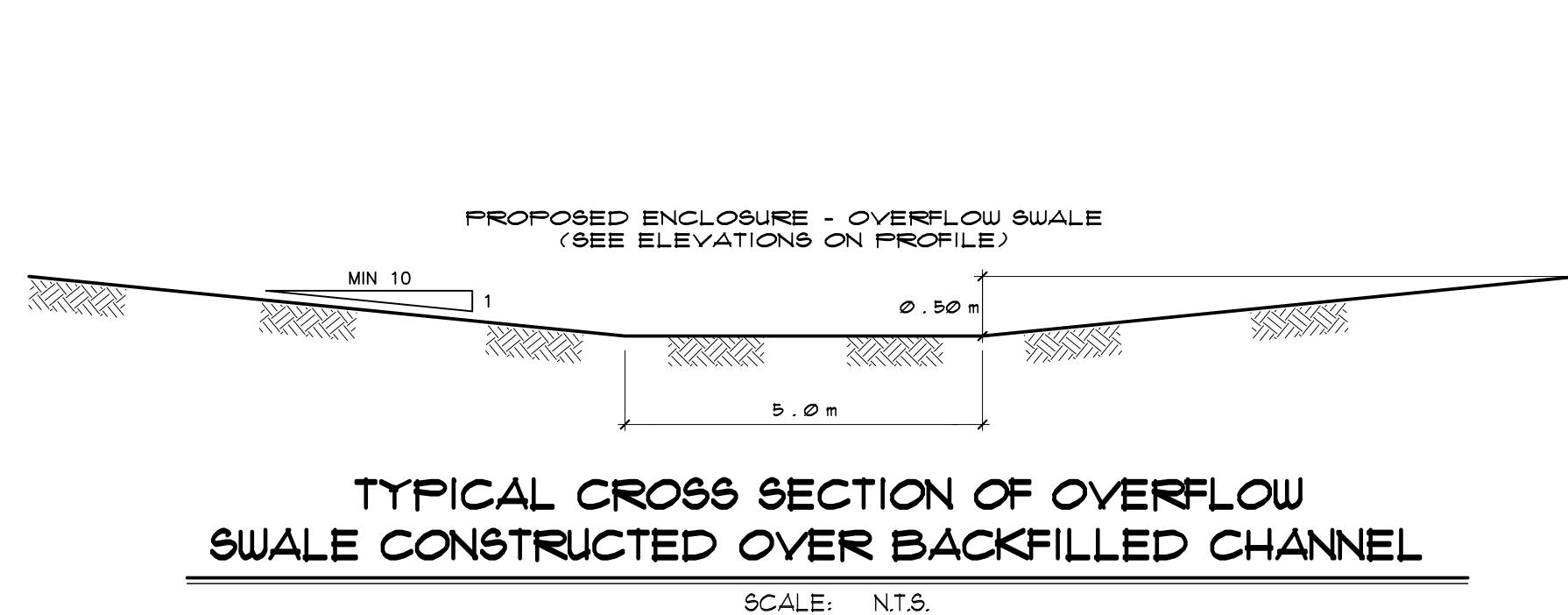
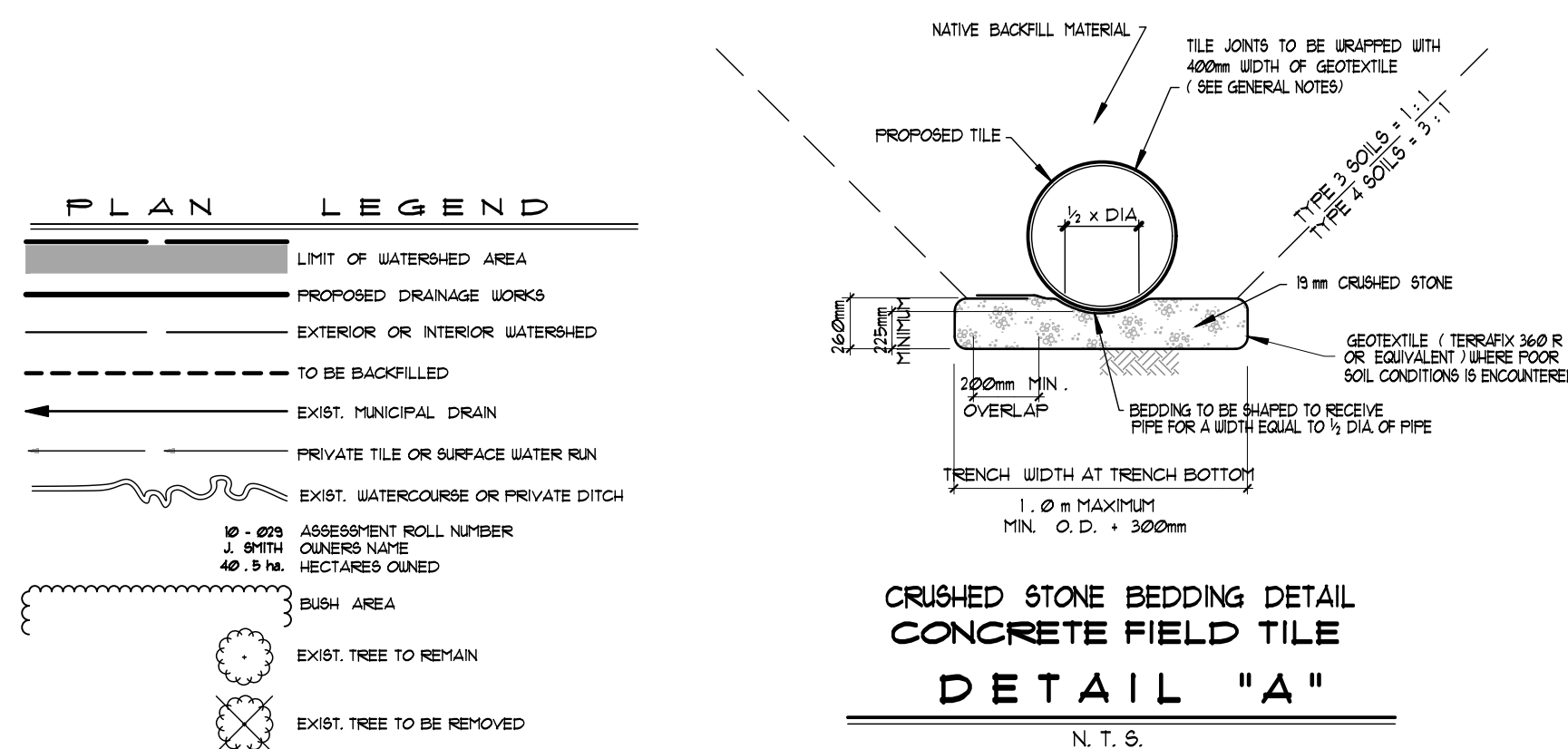
### CLOSED PORTIONS

- ALL CONCRETE AND PLASTIC TILE AND PIPE TO CONFORM TO "SECTION C.1" IN THE SPECIFICATIONS.  
a) SEWER PIPE TO BE CONCRETE, H.D.P.E. PLASTIC 320 KPA (BELL & SPIGOT WITH RUBBER GASKETS, CONFORMING TO C.S.A. 1026-09), P.V.C. ULTRA RIB OR P.V.C. SDR 35  
b) CONCRETE TILE SHALL BE HEAVY DUTY, UNLESS NOTED ON PROFILE.
- EXISTING TILE DRAINS TO BE EXPOSED IN AS MANY LOCATIONS AS ARE NECESSARY TO CONFIRM THEIR EXACT LOCATION AND ELEVATION PRIOR TO CONSTRUCTION. EXACT LOCATION OF NEW TILE DRAINS THEN TO BE CONFIRMED BY DRAINAGE SUPERINTENDENT OR ENGINEER.
- a) THE CONTRACTOR SHALL ENSURE THAT ALL TRIBUTARY DRAINS ARE CONNECTED DURING TIME OF CONSTRUCTION. ANY MISSED TILE CONNECTIONS THAT ARE FOUND DURING THE WARRANTY PERIOD OF THE CONTRACT SHALL BE COMPLETED BY THE CONTRACTOR AND SHALL BE PAID THE AMOUNT SET OUT ON PAGE 2 OF THE "FORM OF TENDER". NO ADDITIONAL PAYMENT FOR MOBILIZATION WILL BE ALLOWED. THE CONTRACTOR IS NOT RESPONSIBLE FOR COMPLETING MISSED TILE CONNECTIONS THAT ARE FOUND AFTER THE WARRANTY PERIOD FOR THE CONTRACT HAS EXPIRED.  
b) ALL TILE CONNECTIONS TO BE MADE WITH CORING MACHINE AND PLASTIC ADAPTOR OR PREFABRICATED FITTINGS.  
c) THE CONTRACTOR SHALL SUPPLY THE ENGINEER WITH A LIST SHOWING STATIONS OF ALL TILE CONNECTIONS UPON COMPLETION OF CONSTRUCTION.



### PIONEER LINE DETAIL

SCALE: 1:500



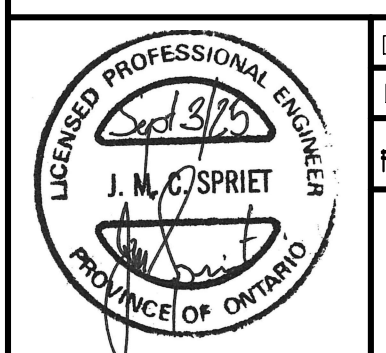
## MILLS DRAIN

### Municipality of West Elgin



Drainage Superintendent:  
**TOM MOHAN**  
519 - 785 - 0560

No.	REVISIONS	DATE



Drawn By: <b>RL</b>	Field Book: <b>G.F.S.</b>	JOB No.: <b>225183</b>	Drawing No.: <b>1 of 1</b>
Date: <b>SEPT. 3, 2025</b>	PLAN, PROFILE, DETAILS, & NOTES		
<b>SPRIET ASSOCIATES LIMITED</b> CONSULTING ENGINEERS 155 YORK STREET - LONDON (519) 672-4100 - N6A 1A8			



**From:**

Jason Dacosta  
9002 Graham Road  
West Elgin, ON N0L 2P0

September 5, 2025

**To:**

Mayor and Members of Council  
Municipality of West Elgin  
22413 Hoskins Line  
Rodney, ON N0L 2C0

**Re: Request for Reconsideration of Water Connection Fees under By-law 2024-75**

Dear Mayor and Members of Council,

I am writing to formally request that Council reconsider the \$15,000 water connection fee now being applied under By-law 2024-75. While I recognize the need for responsible long-term funding of our water system, I believe the current structure of this fee is both excessive and unfair, particularly when viewed against historical expectations, planning transparency, financial data, and broader public policy objectives.

---

**1. Transparency and Reliance on Published Information**

Until very recently, the publicly accessible documentation (including the municipal website and the 2024 Fees & Charges By-law 2023-107) clearly listed the water connection fee as **\$1,300**. The fee was then increased to \$5,000 in 2024 and again to \$15,000 still within 2024, yet neither the website nor the most visible fee schedules were updated to reflect these dramatic changes. Even the 2025 Fees & Charges By-law (2025-04) omits any reference to water connection fees. I only received the 2024-75 By-law (which states the \$15,000 fee) via a request to Mike Kalita. This By-law is still missing on the municipality's website. This leaves residents without clear notice of what they are expected to pay and creates a serious transparency gap.

At the time I planned and budgeted my project, the official information showed a \$1,300 fee (as it still does today). Both my builder and I used the available information to budget our project. On that basis, I proceeded with pouring the foundation and running the service line to the road. Then on Aug 21 I was contacted by Mike Kalita (Utilities Supervisor) who advised me of the \$15,000 fee. To impose a fee at this stage (after residents have relied on published materials) is manifestly unfair. Residents should be able to rely on their municipality's website and published By-laws when making life-altering financial decisions. In my case, the failure to update public-facing information directly caused my project to be budgeted incorrectly.

---

## 2. Disproportionate and Excessive Compared to Other Categories

Schedule A of By-law 2024-75 sets a fee of \$15,000 for existing rural lots, while subdivision lots are charged only \$5,000, and settlement area lots \$10,000. In other words, a single rural homeowner is being asked to pay **triple** what a new subdivision unit pays. This is inequitable, because the physical act of connecting one rural home does not create three times the burden on the system.

Further, in my specific case, the water main was routed under the middle of Graham Road. This planning choice now forces me to incur an additional cost (estimated at \$15,000 by my builder) to excavate & repair the road surface. The combined cost would be **\$30,000 just to access drinking water** (despite being only two properties away from the water treatment plant). This is disproportionate and punitive.

---

## 3. Lack of Connection Between Rationale and Fee Structure

Some of the municipality publications state the increased connection fees are due to the water system being “expensive and subject to stringent regulations”. While I understand that maintaining safe drinking water is costly and subject to provincial oversight, the way the municipality has chosen to recover these costs is not aligned with the actual drivers of expense.

The costs of operation, maintenance, and regulatory compliance are ongoing in nature. They are caused by the daily use of the system and therefore should be fairly recovered through **user rates** applied to all customers who benefit from the service. Instead, the municipality has placed a disproportionate burden on a small number of new connections through an inflated one-time fee.

The act of physically connecting a new home to the system does not create any measurable additional “wear and tear” on existing infrastructure. It does not shorten the lifespan of the treatment plant, pumps, or reservoirs. The incremental cost of adding one more household is minimal compared to the systemic costs of serving the broader population. Yet under By-law 2024-75, the municipality has turned the connection fee into a revenue tool to fund general capital reserves, untethered from actual incremental costs.

This approach is inconsistent with West Elgin’s own 2019 Water Financial Plan, which explicitly emphasized the use of user fees to sustain the system over the long term. That Plan projected stable reserves extending decades into the future, supported primarily through consumption-based charges. In other words, the municipality already had a model to fairly fund operations. Shifting the burden onto a few new residents through a \$15,000 connection fee is not only inequitable but also inconsistent with the municipality’s previously endorsed financial strategy.

---

## 4. Public Interest and Community Impact

Access to safe, affordable drinking water is not just a private concern, it is a matter of public health and community well-being. When connection fees are set at punitive levels, families will be discouraged from joining the municipal system and instead rely on private wells or less reliable

alternatives. This creates inequities in water quality, undermines public health protections, and reduces the municipality's ability to ensure consistent water standards for all residents.

Excessive one-time charges also act as a barrier to housing development and rural settlement. A \$15,000 fee (before even accounting for installation and road reconstruction) adds a major financial hurdle that can make building or expanding in West Elgin unattainable.

Furthermore, keeping residents off the system is counterproductive to long-term sustainability. Municipal water systems are strongest when more users are connected, sharing the fixed costs across a larger base. By deterring connections through excessive fees, West Elgin risks **reducing its user pool**, which in turn places upward pressure on water rates for everyone else.

Ultimately, affordable access to clean drinking water is a **public good**. Reasonable connection fees encourage compliance, foster growth, and spread costs fairly. Excessive fees, by contrast, undermine equity, drive reliance on private infrastructure, and weaken the long-term resilience of the system.

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## 5. Broader Housing Affordability and Policy Context

At every level of government in Canada, the need to build more homes has become a top priority. The federal government has launched the Housing Accelerator Fund, Ontario has passed multiple pieces of legislation such as Bill 23 (More Homes Built Faster Act) and Bill 109. Both levels of government consistently call on municipalities to **reduce red tape, streamline approvals, and lower fees** that act as barriers to new housing.

Against this backdrop, West Elgin's decision to increase rural water connection fees from \$1,300 to \$15,000 in less than a year is not only excessive but directly **contradicts the stated direction of other levels of government**. At a time when municipalities are being asked to be partners in solving the housing crisis, West Elgin has moved in the opposite direction by dramatically raising upfront costs.

Affordable access to core infrastructure like water is a cornerstone of sustainable development. If fees are set at punitive levels, it undermines the municipality's ability to support new housing opportunities, and risks leaving West Elgin out of alignment with broader provincial and federal priorities.

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## Requested Action

On the basis of these fairness and excessiveness concerns, I respectfully request that Council:

1. **Reduce the connection fee applied to my property at 9002 Graham Road** to a level aligned with the former \$1,300 rate, on the grounds that:
  - **Website and public By-laws still showed \$1,300** at the time I planned and budgeted this project. I relied on this official information when committing to a large build. Only at a point when I was unable to reverse my financial commitments was I advised of the

new \$15,000 fee. This created an unfair situation where outdated municipal communications caused me to under-budget.

- **The water main is routed under the middle of the road**, requiring me to dig up and fully reconstruct the roadway at my own cost (estimated ~\$15,000). This odd engineering decision was outside my control and expectations, yet it has drastically increased the price I must pay to access municipal drinking water. The combined \$30,000 cost (in addition to standard installation costs) is extreme, especially for a property located just two lots from the treatment plant.
  - **This represents undue hardship.** While I fully support paying fair costs to connect to the system, imposing both a \$15,000 connection fee and a \$15,000 excavation bill is disproportionate. The municipality's planning and communication choices directly created this hardship, and I am asking Council to acknowledge this by reducing my connection fee to a reasonable level consistent with the published \$1,300 figure.
2. **Undertake a review of the broader water connection fee structure** to ensure it is transparent, equitable, and consistent with both actual incremental costs and the housing affordability goals being promoted at the provincial and federal levels.
  3. **Ensure all future By-law changes are promptly reflected online and in fee schedules**, so residents and builders can make informed financial decisions without being misled by outdated information.

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I thank you for your time and consideration, and I respectfully request that Council give serious review to the concerns and requests outlined above. I am happy to provide additional information or discuss this further with staff or Council members at your convenience.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jason Dacosta', with a stylized flourish at the end.

Jason Dacosta, CPA, CGA





# Municipality of West Elgin

## Minutes

### Council Meeting

September 11, 2025, 4:00 p.m.

Council Chambers

160 Main Street

West Lorne

**Present:** Mayor Leatham  
Deputy Mayor Tellier  
Councillor Denning  
Councillor Statham  
Councillor Sousa

**Staff Present:** Jeff McArthur, Fire Chief  
Robert Brown, Planner  
Terri Towstiuc, Manager of Community Services/Clerk  
Robin Greenall, Chief Administrative Officer  
Dave Charron, Manager of Infrastructure & Development

**Also Present:** Sam Smith, Regional Hub Manager, Midwest Region, OCWA  
Joe Daly, Senior Operations Manager, OCWA

**Council Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at [www.westelgin.net](http://www.westelgin.net), when available (pending no technical difficulties).**

#### 1. Call to Order

Mayor Leatham called the meeting to order at 4:00 pm.

#### 2. Adoption of Agenda

**Resolution No. 2025- 254**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Sousa

That West Elgin Council hereby adopts the Regular Council Agenda for September 11, 2025, as presented.

**Carried**

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

No disclosures

**4. Public Meeting, Zoning Amendment D-14 6-2025**

**Resolution No. 2025- 255**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That West Elgin Council hereby proceed into a Public Meeting pursuant to the *Planning Act*.

**Carried**

**4.1 Planning Report**

**Resolution No. 2025- 256**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Sousa

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 6-2025 – Recommendation Report (Planning Report 2025-18).

That West Elgin Council approve the rezone of 23168 McDougall from General Agricultural (A1) to Agricultural (A2) and Restricted Agricultural (A3), in accordance with the attached draft by-law; and

That West Elgin Council consider an amendment to the Zoning By-law, as presented in the by-law portion of the September 11, 2025, Council Agenda.

**Carried**

**4.2 Applicant Comment**

None.

**4.3 Public Comment**

Email received from neighbouring resident, supporting the proposed application.

#### **4.4 Council Comment**

None.

#### **4.5 Adjournment**

##### **Resolution No. 2025- 257**

**Moved:** Councillor Sousa

**Seconded:** Councillor Denning

That West Elgin Council hereby adjourn the Public Meeting, pursuant to the *Planning Act*.

**Carried**

### **5. Delegations**

#### **5.1 Dawn Maziak, Chair & David James, Vice - Chair, West Elgin Community Health Centre Re: October 8th Joint Town Hall Meeting**

Dawn Maziak provided Council with a proposed presentation and agenda, regarding the upcoming Town Hall Meeting on October 8, to discuss the future of health care at the West Elgin Community Health Center. The event is in collaboration with the West Elgin Community Health Center, Municipality of West Elgin and the Municipality of Dutton Dunwich. The event will health, older adults, children & youth, food security, housing, mental health & addiction and transportation.

#### **5.2 Andrei Kovalevskii Re: Strengthening clarity, accessibility, and efficiency in internal processes**

Andrei Kovalevskii attended Council as a delegate, to discuss the procurement policy, speaking to the policy dated 2017, and provided suggested changes which would reduce the number of administrative approvals and placing approvals limits to Council.

Council declined to receive a secondary concern Mr. Kovalevskii attempted to present (Rodney Cemetery Transition), as this was not within the scope of the delegation submission.

Mr. Kovalevskii provided Council with sample motions, for consideration.

Council did not have any follow-up questions or comment.

### **6. Adoption of Minutes**

##### **Resolution No. 2025- 258**

**Moved:** Deputy Mayor Tellier  
**Seconded:** Councillor Statham

That West Elgin Council hereby adopt the Minutes of August 14, 2025 as presented.

**Carried**

**7. Business Arising from Minutes**

None.

**8. Staff Reports**

**8.1 Planning**

**8.1.1 Severance Application E50-25, Comment to Elgin County**

No questions from the public or council.

**Resolution No. 2025- 259**

**Moved:** Councillor Statham  
**Seconded:** Councillor Sousa

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding severance application File E50-25 – Comments to Elgin County (Planning Report 2025-17);

And that West Elgin Council hereby recommended approval to the Land Division Committee of the County of Elgin for severance application, File E50-25 subject to the Lower-Tier Municipality conditions in Appendix One of this report;

And further that West Elgin Council directs administration to provide this report as Municipal Comments to the County of Elgin.

**Carried**

**8.2 Fire**

**8.2.1 Monthly Fire Report for July & August 2025**

**Resolution No. 2025- 260**

**Moved:** Deputy Mayor Tellier  
**Seconded:** Councillor Statham

That West Elgin Council hereby receives the Monthly Fire report for July & August 2025, from Jeff McArthur, Fire Chief, for information purposes.

**Carried**

### **8.3 Municipal Drains**

#### **8.3.1 Drain Reapportionments (Severance Applications)**

##### **Resolution No. 2025- 261**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That West Elgin Council hereby receives the report from Terri Towstiuć, Manager of Community Services/Clerk Re” Drain Reapportionments, due to Severance of Land, pursuant to Section 65(2) of the *Drainage Act*, And

That Council hereby approve the following Drainage Reapportionment requests, as presented:

1. Wilton Drain #2, Application E63-24, E64-24 and E65-24
2. Axford Drain, Application E44-24
3. Wismer Drain No. 2 (Open Portion), Application E35-24
4. Morden Drain, Application E36-24
5. Mills Drain, Application E74-23
6. Wismer Drain, Application E41-23
7. Gov’t Drain No. 1 North, Application E37-23, Five (5) Separate Reports
8. McEachren Drain, Application E35-23
9. McCallum Branches of the McEachren Drain, Application E35-23
10. Lindenman Drain, Application E15-23
11. Lindenman Drain, Application E14-23
12. Morden Drain, Application E12-23
13. Drain No. 2, Application E1-23
14. No. 2 Drain, Johnston Culvert, Application E1-23
15. Hoy Drain, Application E103-22
16. Douglas Street Drain, Application E72-22

**Carried**

## **8.4 Wastewater**

### **8.4.1 Sam Smith, West Lorne Wastewater Treatment Plant, Second Quarter**

Sam Smith, Regional Hub Manager, provided an introduction to Joe Daly, who will be the Senior Operations Manager for West Elgin area. Mr. Daly will be providing all future reports and updates to Council.

#### **Resolution No. 2025- 262**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That West Elgin Council hereby receive the West Lorne Wastewater Treatment Plant Operations Report, Second Quarter 2025, from Ontario Clean Water Agency, Southwest Region, Sam Smith, Senior Operations Manager, for information purposes only.

**Carried**

### **8.4.2 Sam Smith, Rodney Wastewater Treatment Plant, Second Quarter**

#### **Resolution No. 2025- 263**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

That West Elgin Council hereby receive the Rodney Wastewater Treatment Plant Operations Report, Second Quarter 2025, from Ontario Clean Water Agency, Southwest Region, Sam Smith, Senior Operations Manager, for information purposes only.

**Carried**

## **8.5 Water**

### **8.5.1 Sam Smith, West Elgin Distribution System, Second Quarter**

Mr. Smith advised that there was an emergency repair required this week on Ridout Street, which required depressurizing of the water pipes. Operators went house-to-house, advising residents. The event would require significant flushing, and potential for water that appeared visibly dirty.

#### **Resolution No. 2025- 264**

**Moved:** Councillor Sousa

**Seconded:** Councillor Statham

That West Elgin Council hereby receive the West Elgin Distribution System Operations Report, Second Quarter 2025, from Ontario Clean Water Agency, Southwest Region, Sam Smith, Senior Operations Manager, for information purposes only.

**Carried**

## **8.6 Corporate Services & Finance**

***Break from 5:18 to 5:23pm, prior to item 8.6.1.***

### **8.6.1 Deferral of the Zero-Emission Vehicle Infrastructure Program**

**Resolution No. 2025- 265**

**Moved:** Councillor Statham

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby receives the Deferral of the Zero Emission Vehicle Infrastructure Program report from Robin Greenall, CAO and

That West Elgin Council defers the ZEVIP project until the 2026 budget deliberations.

**Carried**

## **9. Committee and Board Reports or Updates**

No updates provided.

## **10. Notice of Motion**

### **10.1 Councillor Statham Re: Public Restroom Access in Rodney**

**Notice only - to be read September 25, 2025**

*Whereas restroom facilities are not available for public use in the town of Rodney, West Elgin Council hereby direct staff to investigate the options available to provide public restroom access.*

## **11. Council Inquires/Announcements**

Deputy Mayor Tellier advised a letter was received from the wool shop in Rodney, regarding smoking at adjacent businesses, affecting the textiles in their store. A request was made to have this on the next Council meeting for discussion.

Councillor Sousa provided a reminder of the Rodney Fair, September 12-14, 2025.

Councillor Denning requested the Clerk provided the bench policy and program, as a request was received by a local business for a bench installation.

Mayor Leatham read a letter received by the Association of Municipal Clerks and Treasurers of Ontario (AMCTO), advising of the graduation of Clerk T. Towstiuć from the Municipal Administration Program (Dipl. M. A.), with honours.

## **12. Correspondence**

12.1 Ministry of Municipal Affairs & Housing Re: Proposed Updates to the Projection Methodology Guideline to Support Implementation of PPS, 2024

12.1.1 Watson & Associates, Summary of Update Projection Methodology

12.2 St. Thomas Municipal Accessibility Advisory Committee 2025  
AccessAbility Open House

12.3 Ontario Student Nutrition Program, Impact Report 2024-25

### **Resolution No. 2025- 266**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

That West Elgin Council hereby receive and file all correspondence, not otherwise dealt with.

**Carried**

## **13. Items Requiring Council Consideration**

None presented prior to meeting.

## **14. By-Laws**

### **14.1 By-law 2025-47, Committee and Board Appointment**

#### **Resolution No. 2025- 267**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Sousa

That By-law 2025-47, being a By-Law to appoint members to the various Boards, Committees and Authorities in the Municipality of West Elgin, and Repeal By-law 2024-82, be read a first, second and third and final time.

**Carried**



**14.2 By-law 2025-48, Committee of Adjustment Appointment**

**Resolution No. 2025- 268**

**Moved:** Councillor Statham

**Seconded:** Councillor Denning

That By-law 2025-48, being a By-Law to Constitute and Appoint a Committee of Adjustment for the Municipality of West Elgin, and Repeal By-law 2023-78, be read a first, second and third and final time.

**Carried**

**14.3 By-law 2025-49, Zoning Amendment**

**Resolution No. 2025- 269**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Denning

That By-law 2025-49, being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 23168 McDougall Line, be read a first, second, third and final time.

**Carried**

**14.4 By-law 2025-50, Agreement with Intelivote for Alternate Voting Methods 2026 Municipal Election**

**Resolution No. 2025- 270**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That By-law 2025-50, being a By-Law to Enter into an Agreement with Intelivote Systems Inc. for Voting by Telephone and Internet for the 2026 Municipal Elections, be read a first, second, and third and final time.

**Carried**

**14.5 By-law 2025-41, Dunborough Road Drain, Third Reading Only**

**Resolution No. 2025- 271**

**Moved:** Councillor Statham

**Seconded:** Councillor Sousa

That By-law 2025-41, being a By-Law to provide for drainage works on the Dunborough Road Drain in the Municipality of West Elgin, be read a third and final time.

**Carried**

**15. Closed Session**

**Resolution No. 2025- 272**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Sousa

That the Council of the Municipality of West Elgin hereby proceeds into Closed Session at 5:37pm, to discuss matters pursuant to the *Municipal Act*, Section 239:

- (2)(c) proposed disposition of land (Gray Line Road Allowance)
- (2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality (Port Glasgow Yacht Club)
- (2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality (Port Glasgow Trailer Park)
- (2)(d) labour relations or employee negotiations (CAO Contract)

**Carried**

**16. Report from Closed Session**

Report from Closed Session at 6:56pm.

*Motion #1 - No mover or seconder.*

**Resolution No. 2025- 273**

That West Elgin Council hereby received the report from Robert Brown, Planner regarding a request to purchase a portion of the existing Gray Line road allowance from Graham Road east to the easterly lot limit of 25473 Gray Line (Roll# 3434 000 050 19800).

Council direct administration to begin the formal process to declare the portion of Gray Line identified in Figure One of this report as surplus

**Loss**

**Resolution No. 2025- 274**

**Moved:** Councillor Statham

**Seconded:** Councillor Denning

That West Elgin Council provided administrative direction to staff, to proceed as necessary.

**Carried**

**17. Confirming By-Law**

**Resolution No. 2025- 275**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Sousa

That By-law 2024-51 being a By-law to confirm the proceeding of the Regular Meeting of Council held on September 11, 2025, be read a first, second and third and final time.

**Carried**

**18. Adjournment**

**Resolution No. 2025- 276**

**Moved:** Councillor Sousa

**Seconded:** Councillor Statham

That the Council of the Municipality of West Elgin hereby adjourn at 6:56pm to meet again at 4:00pm, on Thursday, September 25, 2025, or at the call of the Chair.

**Carried**

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Richard Leatham, Mayor

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Terri Towstiuc, Clerk



## Staff Report

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**Report To: Council Meeting**

**From: Robin Greenall, Chief Administrative Officer**

**Date: 2025-09-25**

**Subject: West Lorne Community Centre and Library Renovations**

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robin Greenall, CAO, and

That West Elgin Council directs staff to proceed with the recommendation to renovate the West Lorne Community Centre and to proceed with the tendering process for the project.

### **Purpose:**

The purpose of this report is to provide Council with cost estimates to renovate the Elgin County Library branch in West Lorne, the West Lorne Community Centre washrooms and council chambers.

### **Background:**

Council at its September 12, 2024, meeting received notice that the Elgin County Council approved to expand the West Lorne Library facility. Next step is for the West Elgin Council to approve design and costing for the project.

Council at its March 13, 2025, meeting approved staff to obtain architectural drawings and cost estimates for the:

- **Main Library Space:** The library renovations will consist of removal of the wall that separates the existing library from the old Employment Services Office. Elgin County Library Services provided West Elgin with preliminary drawings to detail their service needs. See attached design.
- **Washroom and Main Entrance:** washrooms in the central hallway will need renovations to meet 2025 AODA and building standards. Renovations to the main entrance/ hallway will relocate the library's main entrance and provide additional access to the kitchen from the library space.
- **Council Chambers:** Renovation of Council Chambers was not in the original scope of work; however, this is an opportunity to consider as renovations to main floor of the West Lorne Community Complex are occurring and to take advantage of available onsite trades and contracting services. Staff propose that Council consider relocating the wall that divides the kitchen and storage space from Council Chambers so that the kitchen/ storage space is reduced to half its size and Council Chambers is increased. This renovation will permit:
  - Better space allotment for both Council and staff seating, and placement of technical equipment.

- Better arrangement technical equipment – reduce cord tripping hazards...
- Better space allotment for community attendees.
- Increased security by removing the open passage and reducing sound transfer during closed meetings.
- Increase safety by creating accessible exit points.

## **Report**

The Municipality of West Elgin contracted Spriet Associates to complete preliminary drawings and upper limit cost estimates for the project. A cost proposal was estimated for each section of the building, dividing the renovations into three phases and each phase to be contracted as an independent project and tendered separately. The estimate cost for each phase

Main Library Renovations	\$159 465.00
AODA Washrooms	\$181 105.85
Council Chambers	<u>\$109 947.97</u>
TOTAL	\$450 518.82

Spriet Associates also projected completing the building renovation as one project the estimated cost would be **\$360 550.84**, an anticipated 20% reduction and savings of approximately \$90,000 when compared to completing the work in three separate phases.

## **Considerations**

Council approved funding of the project through the West Elgin building reserves as part of the 2025 budget deliberations.

The West Elgin Council can apply to the County of Elgin for a \$100,000 interest free loan to support the renovations of the West Lorne Library.

The Municipality of West Elgin currently leases the library space to the Elgin County Library system as per the library leasing contract, with the 2025 leasing rate at \$17.91 psf (adjusted annually). The proposed renovations will increase square footage of the library by approximately 1300 sq ft and provide an annual revenue increase of \$10,000.00 (minus annual maintenance costs).

Administration recommends that Council proceed with the renovations of the West Lorne Community Centre as one project to avoid continuous interruptions to services and to reduce the overall renovation costs.

## **Financial Implications:**

The financial implications for renovating the West Elgin Community Centre of \$360 550.84, funded through an interest free loan from the County of Elgin and the West Elgin Building Reserve.

**Alignment with Strategic Priorities:**

<b>Infrastructure Improvement</b>	<b>Recreation</b>	<b>Economic Development</b>	<b>Community Engagement</b>
<input checked="" type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input checked="" type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,

Robin Greenall  
Chief Administrative Officer

Project: 225091

Date: September 23, 2025

Re: Cost Estimate  
West Lorne Library – Interior Renovations

Attention: Dave Charron  
Manager of Infrastructure and Development  
Municipality of West Elgin



The following is our Class D budget estimate for the West Lorne Library Interior Renovations located at 160 Main Street, West Lorne, Ontario. The project is divided into three phases. The budget estimate for each phase are as follows:

**Phase 1 – Council Chambers Renovations**

Expand area of Council Chambers by removing kitchen and some storage. Update finishes.  
Floor Area - 1300 sq. ft.  
Reference attached Drawing A1

1. Demolition.		\$8 689.30
2. New Building Work		\$65 585.16
3. Allowances		
Hardware	\$2 250.00	
Mechanical / Electrical	\$22 317.44	
Contingency	\$11 158.72	
	Allowance total	<u>\$35 673.51</u>

**Total Estimated Cost – Phase 1 = \$109 947.97**

**Phase 2 – Washroom Renovations**

Renovate washroom area to provide increased accessibility, create gender neutral facilities.  
Floor Area – 300 sq. ft.  
Reference attached Drawing A2

1. Demolition.		\$12 678.64
2. New Building Work		\$104 980.57
3. Allowances		
Hardware	\$10 500.00	
Mechanical / Electrical	\$35 297.76	
Contingency	\$17 648.88	
	Allowance total	<u>\$63 446.64</u>

**Total Estimated Cost – Phase 2 = \$181 105.85**

Phase 3 – Library Renovations

Expand area of Library by removing existing office space. Update finishes in a portion of the space.  
Floor Area – new area would be 2568 sq. ft., only 1300 sq. ft. to be renovated.  
Reference attached Drawing A3

1. Demolition.		\$5 416.10
2. New Building Work		\$62 914.75
3. Allowances		
	Mechanical / Electrical	\$20 499.26
	Contingency	\$10 249.63
	Allowance total	<u>\$30 748.88</u>

Total Estimated Cost – Renovated area = \$99 079.73

To update finishes in existing library (120) (121) and the existing small staff room area

1. Demolition (remove flooring from .		\$1 176.00
2. New Flooring and Paint		\$51 333.00
3. Allowances - contingency	Contingency	\$7876.35
		<u>\$60 385.35</u>

Total Estimated Cost – Phase 3 = \$159 465.00

The total for the above 3 phases, combined, is \$450 518.82

Phasing will increase project costs. Combining all 3 phases into one project could potentially reduce the project cost by 20%, reducing the project total by \$90 103.76.  
Combined phases estimated project total \$360 415.06

- Cost does not include HST.
- Cost does not include permit or other regulatory fees.
- Cost does not include professional services fees.

Our estimate is an Opinion of Probable Cost only, and reflects current local market rates based on normal competitive conditions. Our estimate is intended to be comparable to a range of bids received from a number of competitive general contractors and sub trades.

Spriet Associates does not guarantee tenders or actual construction costs will not vary from this estimate. Adverse market conditions, proprietary and/or sole source specifications, single sourcing of materials and equipment, reduced competition among contractors, and tariffs may cause bids to vary from reasonable estimates based on normal competitive conditions.

The purpose of this budget is to provide a budget framework within which the project can be developed.

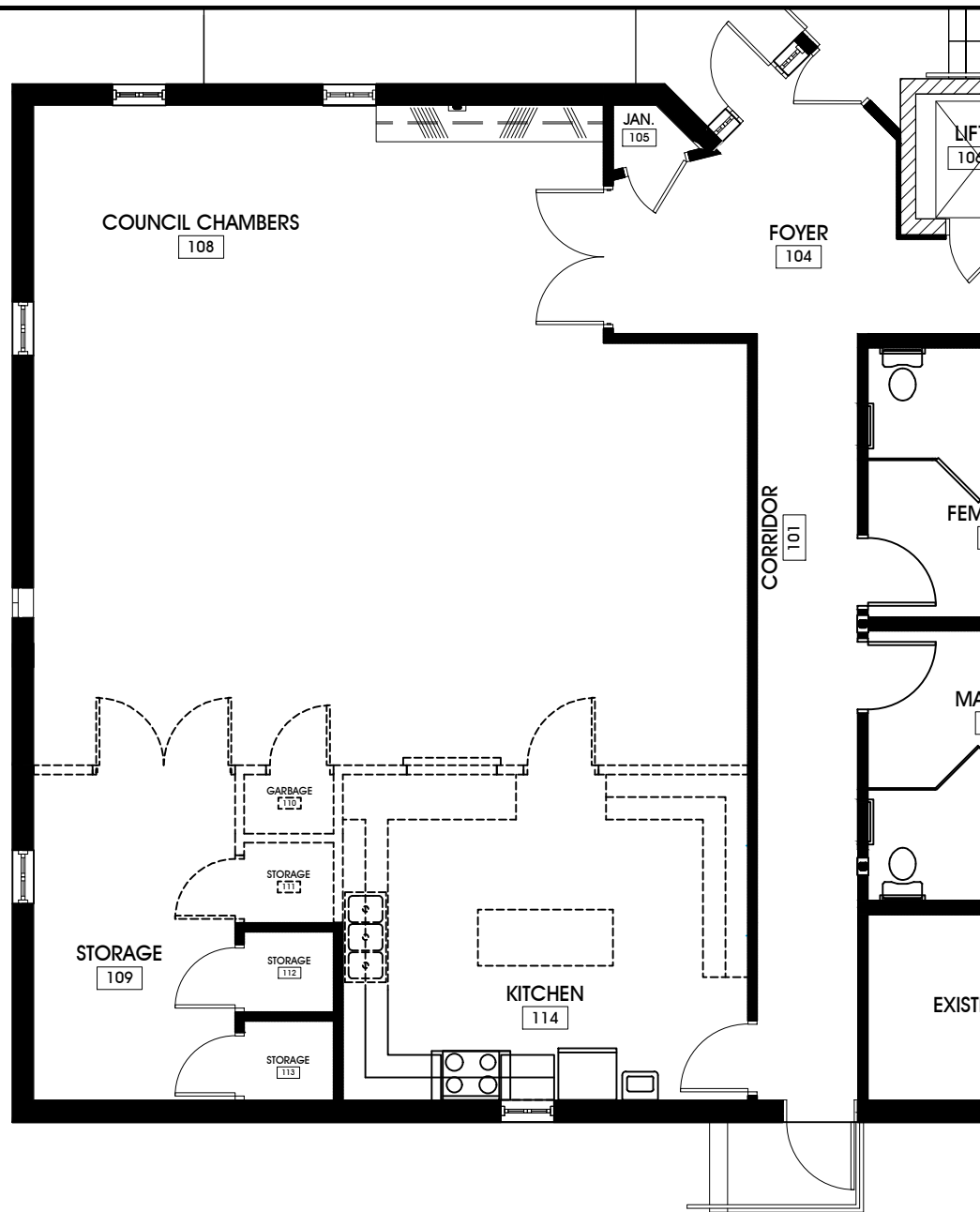
If you should have any questions, please contact the undersigned.

Yours truly,



Shanna McIlmurray, OAA  
SPRIET ASSOCIATES LONDON LIMITED



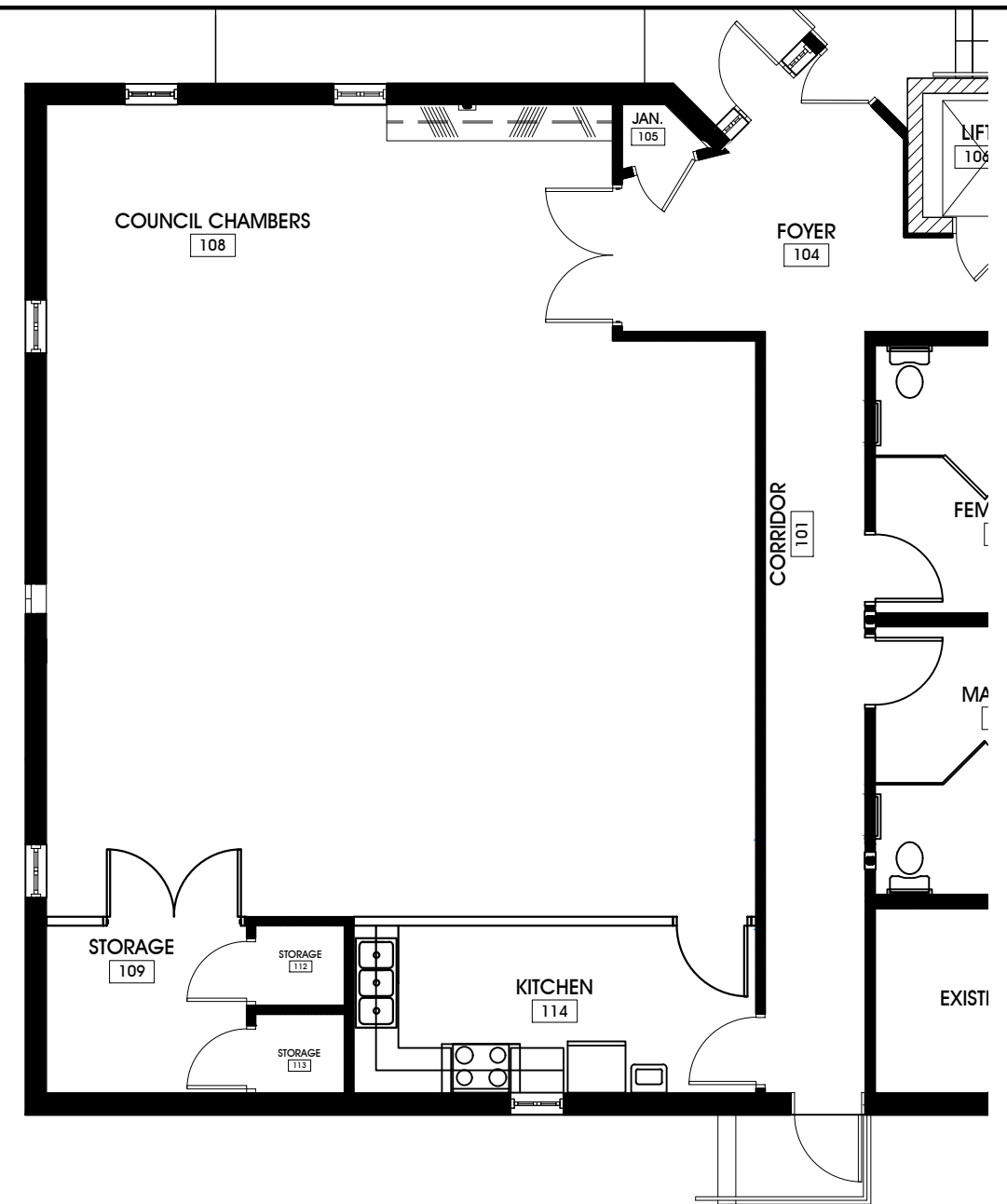


## DEMOLITION PLAN

SCALE: 1/8" = 1'-0"

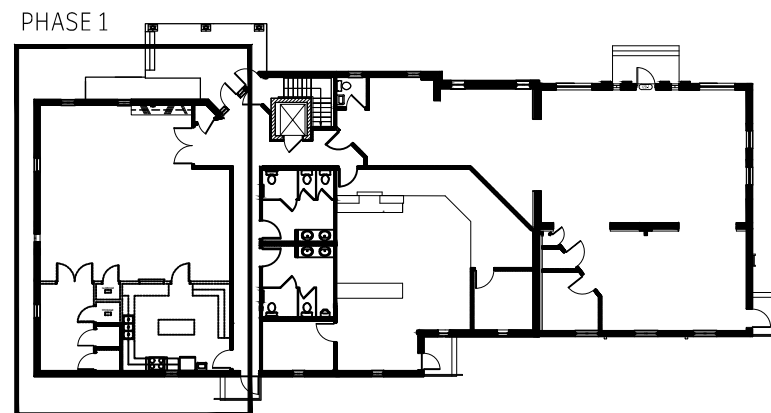
### PHASE 1 - SCOPE OF WORK

1. REMOVE WALLS, DOORS & FRAMES INDICATED BY DASHED LINES
2. REMOVE EXISTING KITCHEN
3. REMOVE EXISTING CARPET AND VCT
4. REMOVE EXISTING SUSPENDED CEILING
5. INSTALL NEW WALL W. DOUBLE DOORS
6. STORAGE ROOM (112), RELOCATE DOOR TO KITCHEN SIDE
7. REUSE EXISTING CABINETS TO CREATE NEW COFFEE BAR
8. PAINT WALLS, DOORS & FRAMES
9. INSTALL NEW SUSPENDED CEILING
10. MODIFY HVAC AND ELECTRICAL AS NEEDED
11. NEW CARPET TILE THROUGHOUT
12. EXISTING BLINDS TO REMAIN



## CONSTRUCTION PLAN

SCALE: 1/8" = 1'-0"



## KEY PLAN

SCALE: 1/32" = 1'-0"

### SPRIET ASSOCIATES

LIMITED architects  LONDON LTD. engineers

155 York Street  
London N6A 1A8  
Email: mail@spriet.on.ca

phone : (519) 672-4100  
fax : (519) 433-9351

91

### WEST LORNE LIBRARY INTERIOR RENOVATIONS - PHASE 1

160 MAIN STREET, WEST LORNE, ONTARIO

MAIN FLOOR PLAN  
COUNCIL CHAMBERS

date : AUG. 21, 2025

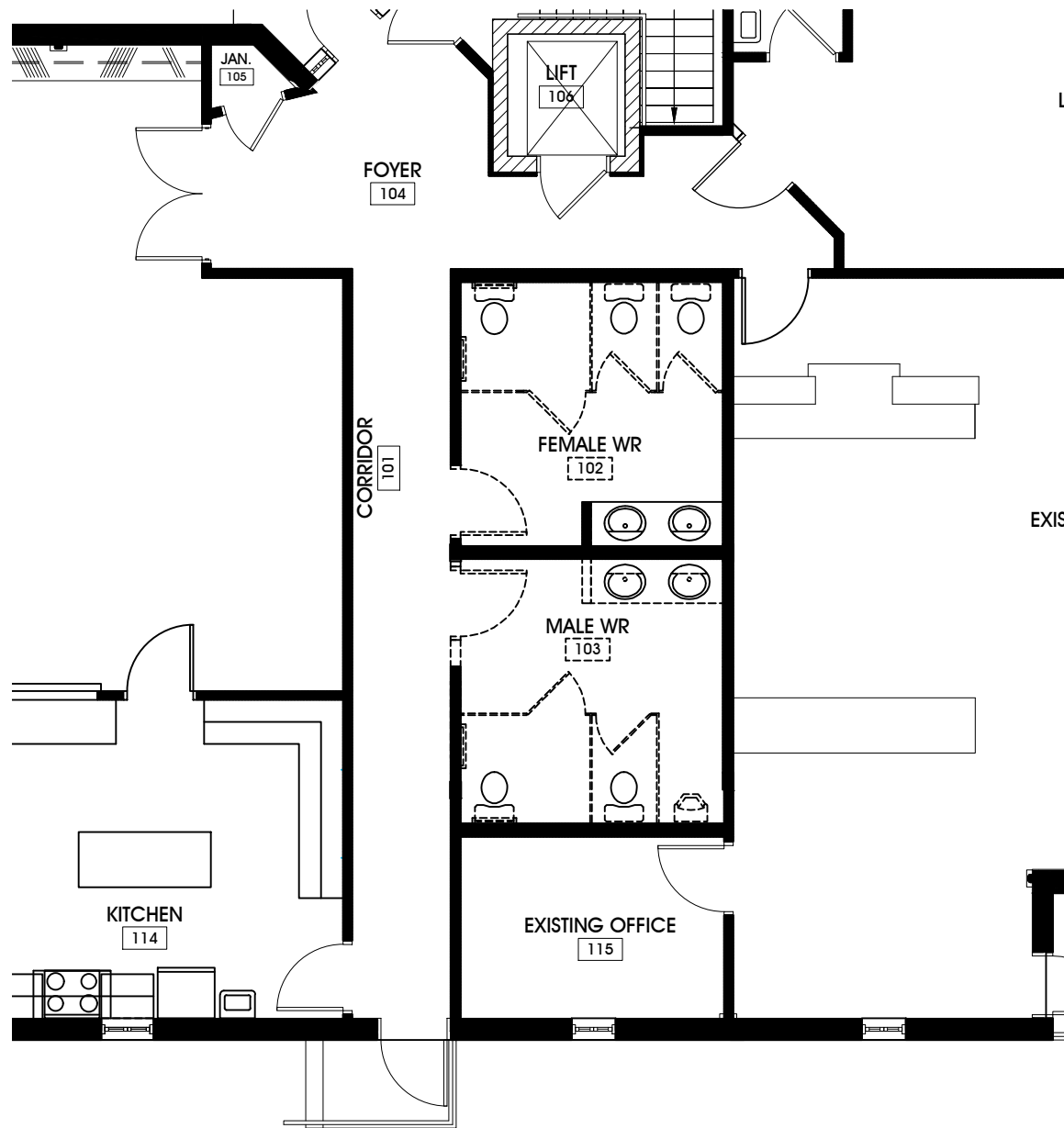
scale : AS NOTED

drawn by : MH

project no. : 225091

drawing no. :

A1

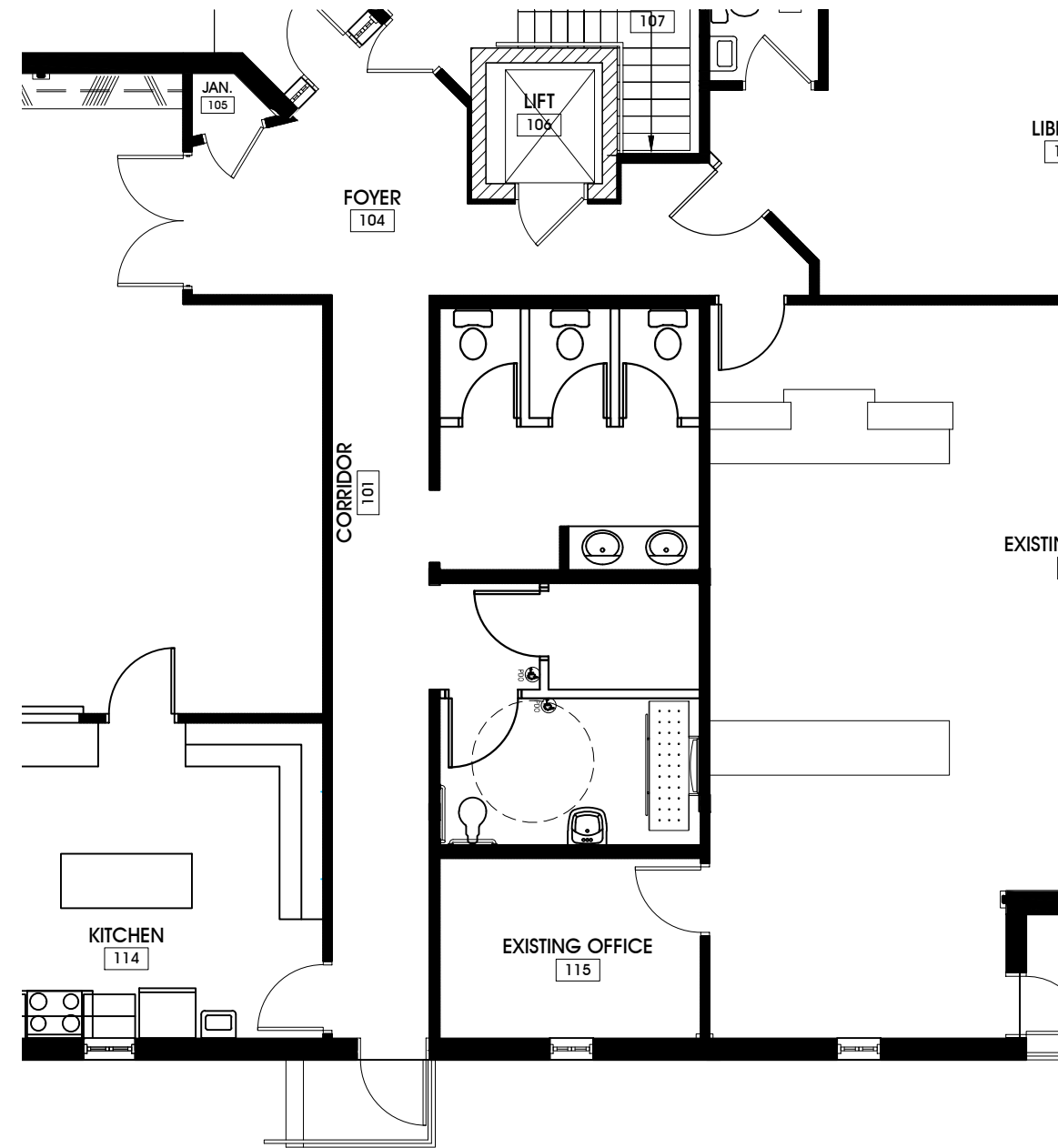


## DEMOLITION PLAN

SCALE: 1/8" = 1'-0"

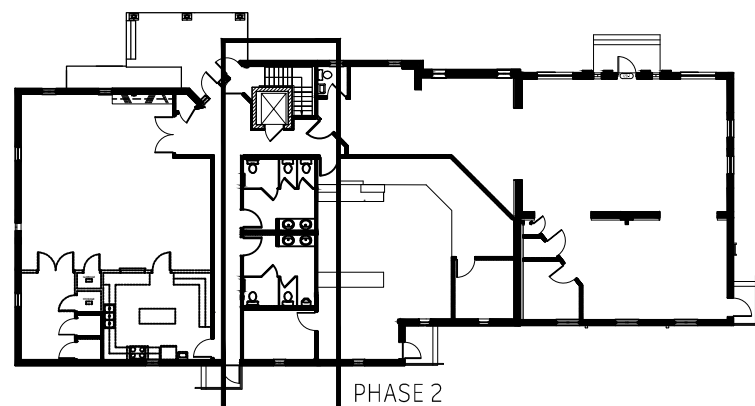
### PHASE 2 - SCOPE OF WORK

1. REMOVE WALLS, DOORS & FRAMES INDICATED BY DASHED LINES
2. REMOVE EXISTING PLUMBING FIXTURES & VANITIES
3. REMOVE EXISTING CERAMIC TILE & GYPSUM BOARD TO STUDS.
4. REMOVE EXISTING SUSPENDED CEILING
5. INSTALL NEW UNIVERSAL WASHROOM
6. INSTALL NEW WALLS & DOORS AT EACH TOILET ROOM
7. INSTALL NEW CERAMIC TILE
8. PAINT WALLS, DOORS & FRAMES
9. INSTALL NEW SUSPENDED CEILING
10. MODIFY HVAC AND ELECTRICAL AS NEEDED



## CONSTRUCTION PLAN

SCALE: 1/8" = 1'-0"



## KEY PLAN

SCALE: 1/32" = 1'-0"

### SPRIET ASSOCIATES

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92

### WEST LORNE LIBRARY INTERIOR RENOVATIONS - PHASE 2

160 MAIN STREET, WEST LORNE, ONTARIO

MAIN FLOOR PLAN  
WASHROOMS

date : AUG. 21, 2025

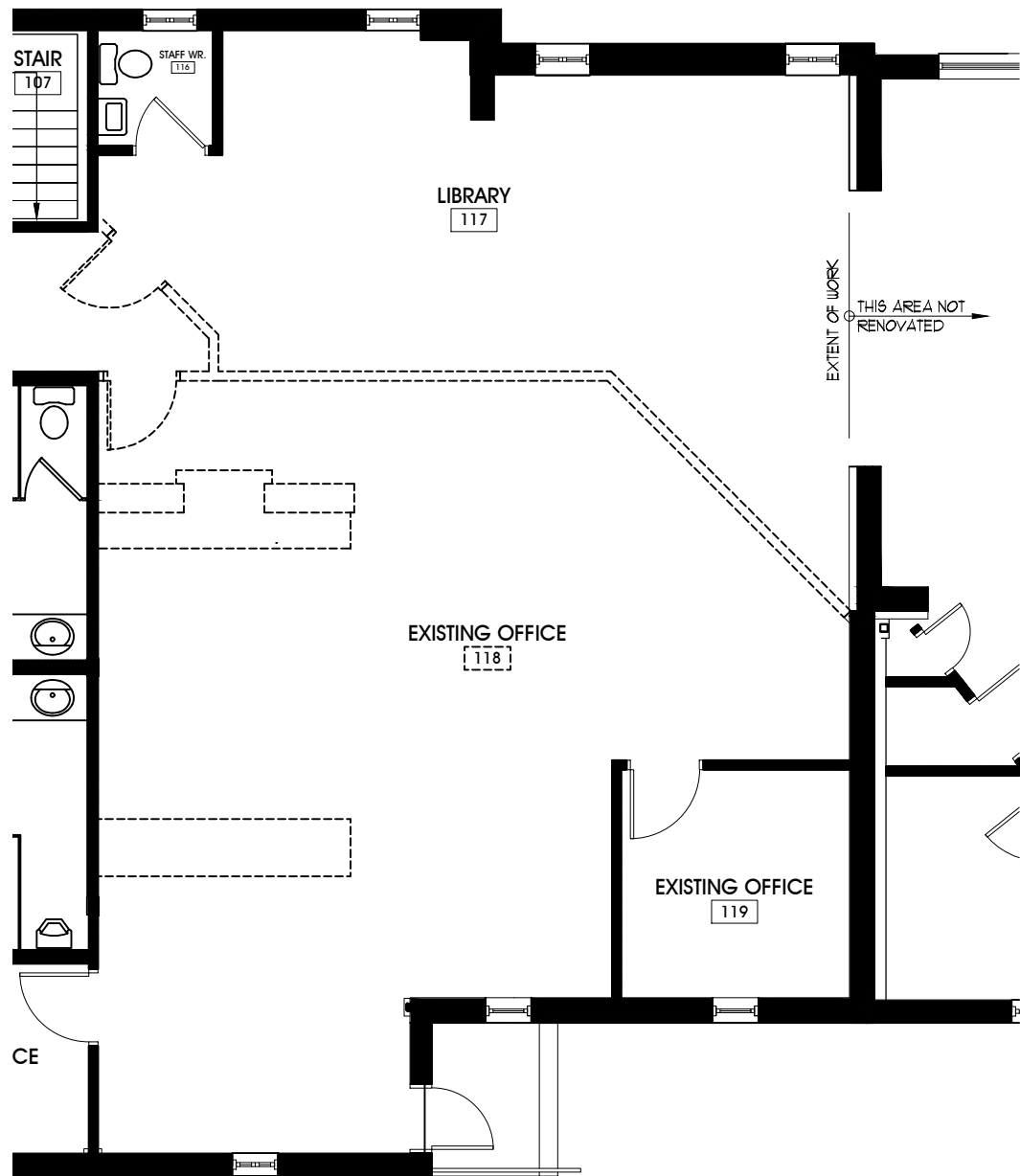
scale : AS NOTED

drawn by : MH

project no. : 225091

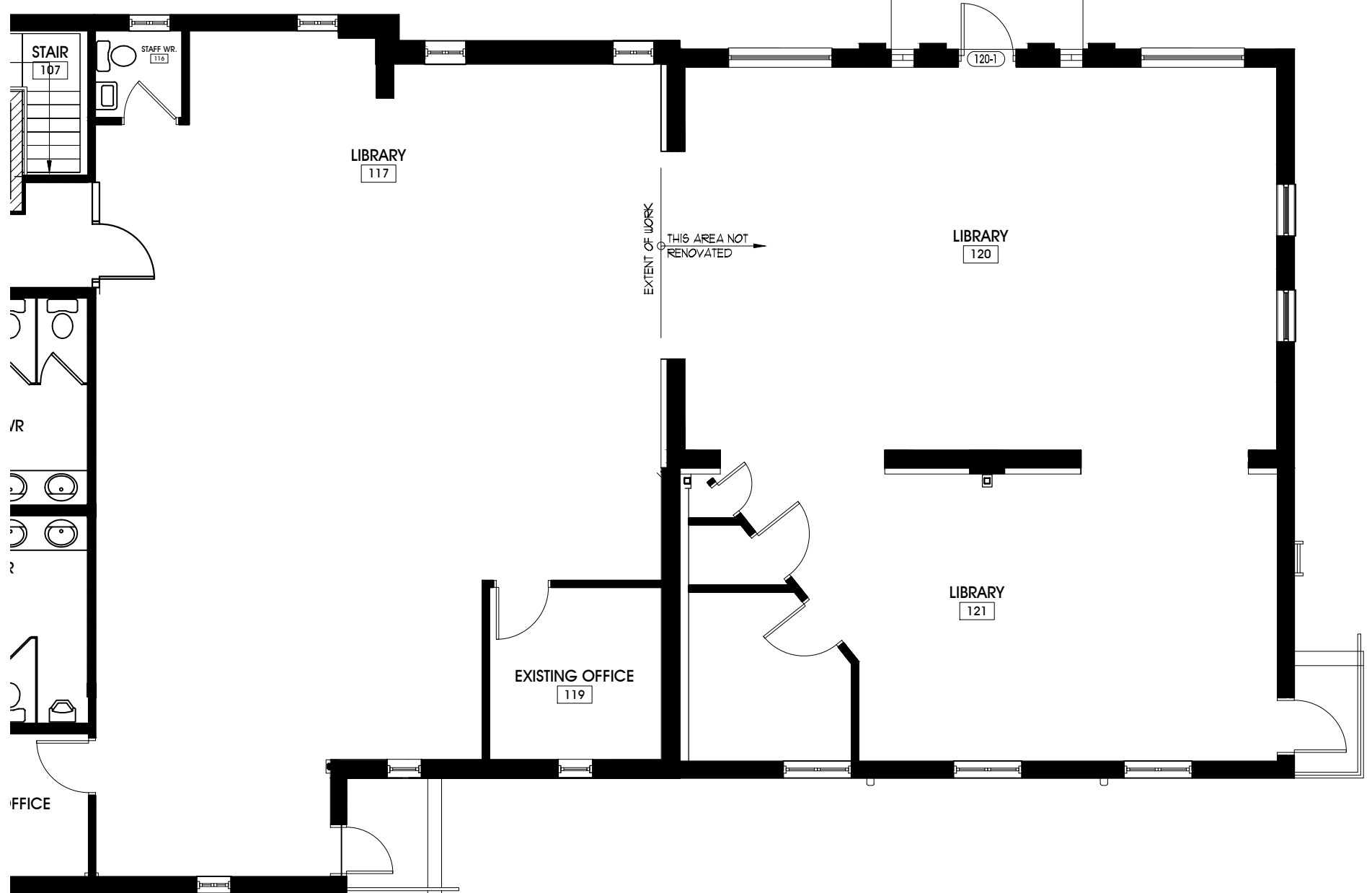
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## DEMOLITION PLAN

SCALE: 1/8" = 1'-0"



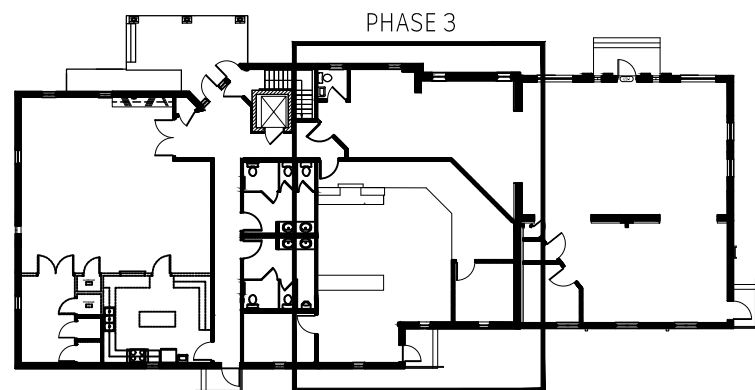
## CONSTRUCTION PLAN

SCALE: 1/8" = 1'-0"

### PHASE 3 - SCOPE OF WORK

1. REMOVE WALLS, DOORS & FRAMES INDICATED BY DASHED LINES
2. REMOVE EXISTING SUSPENDED CEILING
3. INSTALL NEW WALL & DOOR @ ELEVATOR LOBBY
4. PAINT WALLS, DOORS & FRAMES
5. INSTALL NEW SUSPENDED CEILING
6. MODIFY HVAC AND ELECTRICAL AS NEEDED

NOTE: AREA 117 ONLY TO BE RENOVATED.



## KEY PLAN

SCALE: 1/32" = 1'-0"

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93

### WEST LORNE LIBRARY INTERIOR RENOVATIONS - PHASE 3

160 MAIN STREET, WEST LORNE, ONTARIO

MAIN FLOOR PLAN  
LIBRARY

date : AUG. 21, 2025

scale : AS NOTED

drawn by : MH

project no. : 225091

drawing no. :

A3

# ELGIN COUNTY OFFICIAL PLAN

*September 2025*



### **Explanatory Note**

On May 14, 2024, County Council passed By-law No. 24-17 to adopt a new Official Plan for the County of Elgin (County Official Plan). The new County Official Plan replaces the County's previous Official Plan approved in 2013.

On September 24, 2024, County Council amended By-law No 24-17 to adopt a new Official Plan for the County of Elgin (County Official Plan), to include recent changes to the 2024 Provincial Planning Statement and the County's updated Population and Employment Study and Land Needs Assessment (2025), prepared by Hemson Consulting, that includes the Ministry of Finance population projections.

This document, consisting of the following text and schedules constitutes the consolidated version of the Official Plan of the County Elgin approved on (*September 4<sup>th</sup>, 2025*) by the Ministry of Municipal Affairs and Housing.

# TABLE OF CONTENTS

1.0	Introduction	1
2.0	Growth Management	5
3.0	Economic Development	11
4.0	Housing	18
5.0	The Rural Area	22
6.0	Settlement Areas	29
7.0	The Natural System	34
8.0	Transportation & Infrastructure Systems	40
9.0	Natural Resource Management Areas	53
10.0	Development Hazards	57
11.0	Cultural Heritage	63
12.0	Review of Development Applications	67
13.0	Implementation & Interpretation	73

Schedule 'A' – County Structure Plan

Schedule 'B' – Transportation & Infrastructure Systems

Schedule 'C' – The Natural System

Schedule 'D' – Development Hazards

Schedule 'E' – Natural Resource Management Areas



# 1.0 INTRODUCTION

An official plan is a municipality's statement of planning policy, and this document constitutes the Official Plan for the County of Elgin and applies to all lands within the corporate boundaries of the County of Elgin, save and except for the lands within the boundaries of the City of St. Thomas, which is a separate city governed and administered independently. The legislative authority and requirements for an official plan are found in Sections 16 and 17 of the Ontario Planning Act, and its regulations. Under subsection 17(13) of the Act, the County of Elgin is required to prepare and maintain this Plan. Specifically, the County Official Plan is intended to:

- a) Establish a county-wide planning framework for managing growth and land use, and addressing planning issues of county-wide importance and scope until 2054;
- b) Provide direction for the responsible management of the natural environment and natural resources, including the County's agricultural land base;
- c) Ensure that planning in the County occurs in an orderly and logical manner that supports the creation of healthy, liveable, and vibrant communities;
- d) Provide direction to local municipalities in the preparation of their own official plans, zoning by-laws, and other planning documents, as well as local infrastructure decisions; and
- e) Ensure a consistent approach to the review of all applications under the Planning Act at both the County and local levels.

**1.1 County Overview** – Elgin County is located in Southwestern Ontario along the shore of Lake Erie in the traditional territories of the Wyandot, Anishinaabe, Haudenosaunee, Attiwonderonk, and Mississauga Nations who have occupied these lands for thousands of years. While European explorers began surveying the region in the 17<sup>th</sup> century, permanent European settlement of what was to become Elgin County only began in earnest in the early 19<sup>th</sup> century after Treaty 2 (the McKee Purchase Treaty of 1790), and Treaty 3, (the Between the Lakes Purchase Treaty of 1792), were signed between the Crown and the Wyandot, Anishinaabe, and Mississauga Nations. This resulted in extensive clearing of the County for farming and the establishment of towns and villages for settlers. The arrival of the railway in the mid-19<sup>th</sup> century and Highway 401 in the mid-20<sup>th</sup> century saw the County's towns and villages grow extensively along with major manufacturing operations.

Geographically, the County consists of three distinct components. The first being the interface between the land and Lake Erie shoreline, which extends 85 kilometres along the County's southern border. This shoreline provides extraordinary views and vistas from the County's unique bluffs that rise 15 to 45 metres above the water. As such, much of the shoreline area remains undeveloped. Secondly, are the many rivers that flow into Lake Erie from the north, west, and east which, over time, have cut into the landscape to create extensive valley systems that are home to significant populations of wildlife and natural areas. These watercourses have also created opportunities for the development of the County's many ports along the shoreline. These communities have been instrumental in attracting tourism and recreational living to the County. The third defining element of the

County's geography is the extensive prime agricultural lands which cover most of the County and are considered to be some of the best agricultural lands in the country.

The County's economic base remains heavily focused on both agriculture and manufacturing, supplemented with continued growth of the tourism sector. The County is home to several large agricultural operations, as well as many smaller family-owned farms. It is also home to significant industrial operations, including food processing plants, manufacturing, and warehousing and logistics operations, while its natural beauty and quaint, historical towns and villages regularly attract visitors from across the broader region, particularly to established tourist destinations like Port Stanley, Sparta, and Port Burwell.

**“There is a particular pride in the County's agricultural traditions, and the small-town and rural lifestyles it offers.”**

The social composition of the County is becoming increasingly diverse and is characterized by a strong sense of community and history. There is a particular pride in the County's agricultural traditions, and the small-town and rural lifestyles it offers. In recent years, central areas of the County have seen significant population growth due to their proximity to the Cities of St. Thomas and London, and major transportation facilities and corridors including Highway 401, while peripheral areas of the County have experienced lower rates of population growth.



Like most regions of Ontario, declining birth rates mean that the County will become increasingly reliant on immigration in the future.

Overall, Elgin County is a vibrant and diverse place that is rich in history, culture, natural beauty, and economic opportunity. Its central location, excellent access to large markets, and inter-regional transportation infrastructure position it well for future growth.

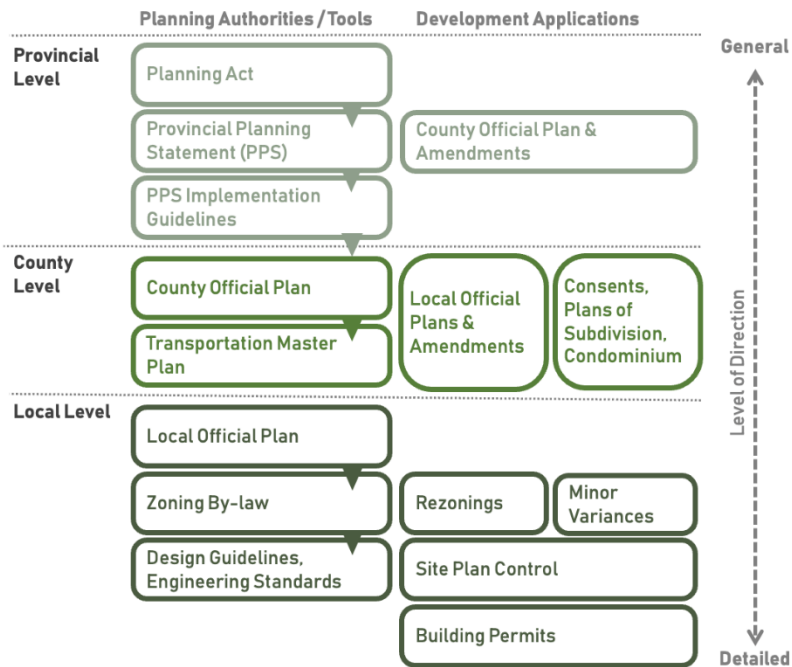
**1.2 This Plan and Ontario's Planning System** – This Plan is one component of a larger planning system in Ontario composed primarily of three levels:

- a) **Provincial Level** – The Province of Ontario establishes the planning system used throughout the entire province. This system is composed primarily of: the Planning Act, which establishes the legislative basis for planning in the province; the Provincial Planning Statement (or PPS), which establishes the policy basis for planning in Ontario; provincial plans including regional growth plans (where applicable); and various ministerial guidelines, implementation policies, and regulations that implement the policies found in the PPS and provincial plans. All planning decisions in Ontario must 'be consistent' with the direction of the PPS and must conform to the provisions of the Planning Act. The Province is the approval authority of the County Official Plan, and any amendments to it.
- b) **County Level** – The County of Elgin is mandated by the Province to maintain a county-wide official plan, and to act as approval authority for local official plans and official plan amendments, as well as all forms of land division. The County's planning system is composed

primarily of: the County Official Plan and the County's authority to permit land division (severances, plans of subdivision / condominium, etc.). All planning decisions made in the County of Elgin must conform to the County Official Plan, and all other applicable by-laws.

- c) **Local Level** – Local municipalities in the County are responsible for all other aspects of the planning system. Local planning frameworks in Elgin are primarily composed of: a local official plan that provides detailed / neighbourhood level planning policies; zoning by-laws to implement both the local and county official plans; and site plan control by-laws. In some cases, the local framework may also include: community improvement plans, secondary plans, development charge by-laws, and parkland dedication by-laws. All decisions made in Elgin must conform to the local official plan, local zoning by-law, and all other applicable local by-laws.

Prior to proceeding with any development application, a development proponent should ensure they familiarize themselves with Ontario's overall planning framework or retain a qualified professional in the field of urban and regional planning to assist with understanding and addressing the relevant components of the overall planning system.



**Figure 1: Ontario's Planning System**

**1.3 Focus of County Official Plan** – As a county official plan (sometimes referred to as an ‘upper-tier’ official plan), the primary focus of this document is on matters and issues of county-wide or regional importance and on matters that are cross-jurisdictional in nature such as: protection of the natural environment; the county’s agricultural system; intra-regional transportation; growth management; natural resource management; regional economic development; the review and evaluation of Planning Act applications for which the County is approval authority; and the protection of provincial interests as mandated by the Planning Act. Local official plans (sometimes referred to as a ‘lower-tier’ official plan) are intended to

complement the County Official Plan by addressing issues that are local in nature such as: detailed planning of urban areas; local infrastructure and servicing; local transportation; and urban design.

**1.4 Plan Structure** – This official plan is composed of three interrelated parts:

- a) **Strategic Directions** – These are high level policy directions that have been identified as being of importance to planning and development in the County. In some cases, the Province of Ontario has mandated the County to implement the Province’s own strategic directions (known in the Planning Act as ‘provincial interests’). Each strategic direction outlined in this Plan forms a chapter of the Plan and contains associated objectives to be achieved over the duration of its implementation. The strategic directions for this Plan address the following matters:
  - Growth Management
  - Economic Development
  - Housing
  - The Rural Area
  - Settlement Areas
  - The Natural System
  - Transportation & Infrastructure Systems
  - Natural Resource Management Areas
  - Natural & Human-made Hazards
  - Cultural Heritage
- b) **Policies & Designations** – To implement the Plan’s strategic directions and associated objectives, are a series of policies that are detailed in each chapter. In some cases there may also be a map (also called a ‘land use schedule’) associated with each chapter.

These maps designate lands throughout the County for various land uses and purposes. They also identify and designate features which impact, or are impacted by land uses, including: natural environmental features; major infrastructure facilities; hazardous lands and sites; and the transportation network. The beginning of each chapter will tell the reader if they also need to review an associated map.

- c) **Implementation Policies & Processes** – This part describes how this Plan is to be implemented, primarily through the development review process of Planning Act applications and the development and approval of local official plans. It also addresses how certain authorities granted to the County under the Planning Act are to be used, as well as how this Plan should be interpreted, reviewed, and updated.

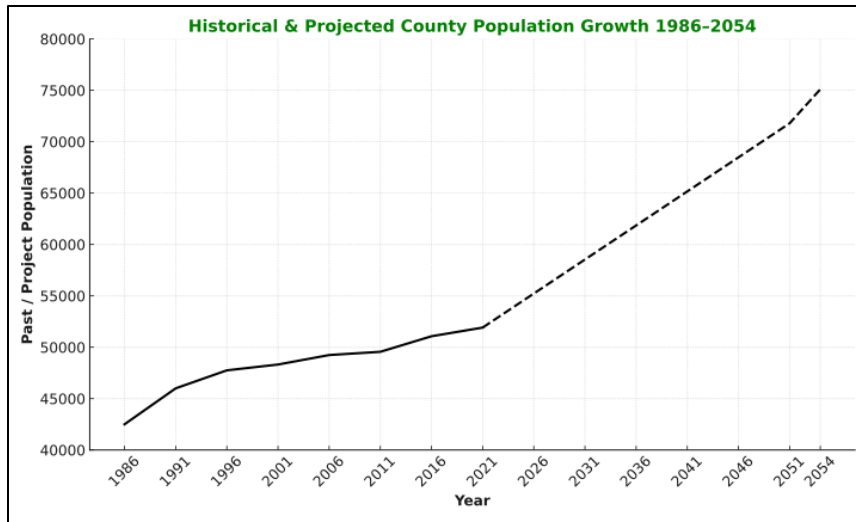
**1.5 How to Read this Plan** – Each chapter of this Plan is structured around the strategic directions and their associated objectives, followed by implementing policies and maps. After assessing each applicable designation, map, and policy, the reader should refer to the Plan's implementing policies and processes to understand how the Plan will be implemented and applications reviewed. This Plan is intended to be read in its entirety and the relevant parts are to be applied to each situation. In most cases, multiple components of this Plan will be relevant to a given situation, and as such, they will need to be considered jointly. There is no implied priority in the organisation of this Plan.

**1.6 Required Conformity** – As per the requirements of the Planning Act, County Council and the local councils shall not undertake any public work or pass any by-law that does not conform to the intent and policies of this Official Plan.

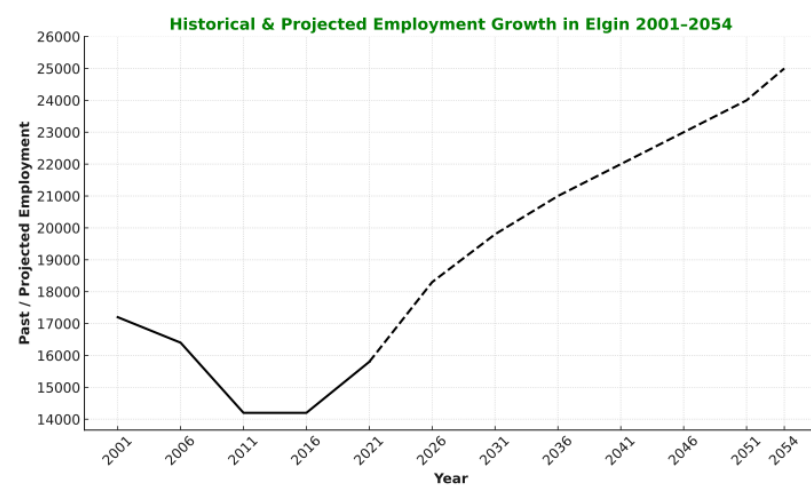
## 2.0 GROWTH MANAGEMENT

Growth management refers to the way in which Elgin County oversees long-term changes in population and economic activity to ensure the efficient use of land, resources, and public infrastructure investment. This is based on the recognition that the County's long-term prosperity, environmental health, and social well-being depends on wisely managing change and promoting efficient land use and development patterns. To that end, the following objectives have been identified as they relate to growth management:

- a) Conduct regular monitoring and updating of population and employment projections to ensure that the County has a sufficient land base to accommodate anticipated growth;
- b) Direct most new growth and development to settlement areas that can accommodate it with sufficient levels of servicing and infrastructure;
- c) In settlement areas, establish minimum density and intensification targets, and require appropriate justifications to support the expansions of urban boundaries to avoid urban sprawl and ensure the efficient use of public infrastructure; and,
- d) Restrict non-agricultural and non-resource extraction development outside of settlement areas to prevent the *ad hoc* fragmentation of the land, and urbanisation of the countryside.



**Figure 1:** Historical & Projected County Population Growth 1986-2054



**Figure 2:** Historical & Projected Employment Growth in Elgin 2001-2054

Local Municipality	Gross Developable Land Needs (ha)	Surplus or Deficit of Land Supply
Aylmer	73.1	-35.6
Bayham	33.9	89.0
Central Elgin	162.5	-19.9
Dutton Dunwich	21.4	46.7
Malahide	68.6	18.9
Southwold	34.7	74.1
West Elgin	20.1	80.8
<b>Elgin County</b>	<b>412.2</b>	<b>256.0</b>

**Table 1:** Residential Land Surplus / Deficit as of 2025 by Municipality

In addition to the other policies of this Plan, the following policies apply to growth management in the County:

**2.1 General Policy** – It is recognized by this Plan that growth management is a key strategy to ensuring the efficient use of land and infrastructure in the County and is foundational to the creation of complete liveable communities. It is also key to preserving the County's Natural System, agricultural land base, and protecting agricultural operations from the encroachment of conflicting land uses. To that end, it is the policy of this Plan to direct the majority of population growth to the County's Settlement Areas, particularly those Settlement Areas on full municipal services, with adequate levels of commercial, employment, and institutional uses needed to serve this growth.

## **“Growth Management is foundational to the creation of complete livable communities.”**

**2.2 County Structure Plan** – Schedule 'A' of this Plan constitutes the County Structure Plan and illustrates the urban boundaries of the County's settlement areas where population and employment growth are planned to be accommodated in the County until 2054. Due to historical planning approvals, the lands contained within these urban boundaries have the capacity to accommodate more population and employment growth than the County is projected to need by 2054, with the exception of the Town of Aylmer, and Municipality of Central Elgin where there is a deficit of lands.

**2.3 Managing Urban Land Supplies** – It is recognized that having significant over or under supplies of urban lands can negatively impact a local municipality's ability to accommodate growth, or efficiently service it, and can inadvertently encourage land speculation and other negative land development practices. To that end, the County will cooperatively work with local municipalities to assist in managing their land supplies with the goal of ensuring that all municipalities have a sufficient land supply located and serviced appropriately.

**2.4 Phasing of New Development in Designated Growth Areas** – Designated growth areas refers to lands within the County's settlement areas that are designated in an official plan for growth, but which have not yet been fully developed (e.g., undeveloped, or vacant lands designated for residential, employment, or commercial uses). As almost all local municipalities have a significant oversupply of residential and employment lands, and to ensure that growth management objectives of this Plan are achieved, local official plans shall be required to incorporate phasing policies for designated growth areas. These policies shall:

- a) Ensure that new development extends logically from existing built-up areas;
- b) Ensure the orderly progression of new development and the timely provision of the infrastructure and public service facilities required to accommodate it;
- c) Where there is fragmented land ownership, ensure the efficient use of land by requiring the consolidation of development parcels, or by requiring the development of a master plan or secondary plan;
- d) Identify a local council's priority areas for growth where priority areas exist; and,

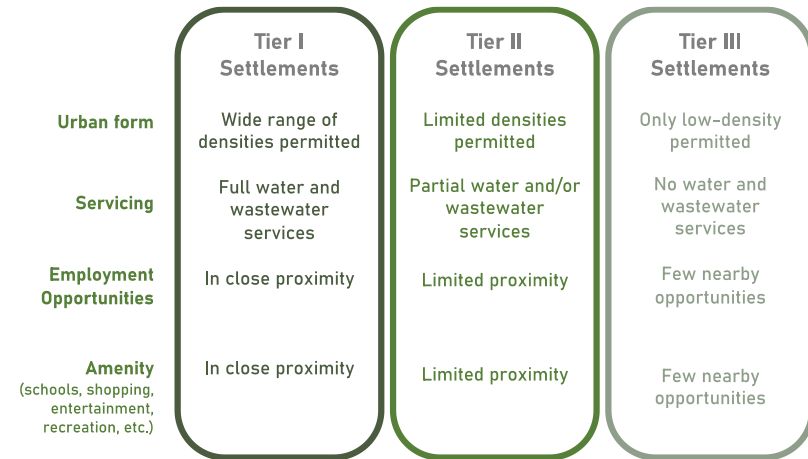
Address circumstances where cost-sharing, front-ending, or other financial contributions are required for the extension or upgrading of infrastructure and servicing

**2.5 Hierarchy of Settlement Areas** – Within the County Structure Plan, a hierarchy of settlement areas and their associated urban boundaries have been established based on the scale, function, and the level of services that exist. This hierarchy is comprised of three tiers of settlement areas, as detailed below:

- a) **Tier I Settlements** – generally have the largest populations in the County, full municipal services (municipal water and sewage services), and the highest levels of amenities and employment opportunities. The boundaries of these settlement areas are shown on the County Structure Plan. Given the level of infrastructure provided in these settlement areas and their ability to accommodate growth, this Plan directs most new growth to these settlements.
- b) **Tier II Settlements** – includes those settlement areas which are generally smaller in population than Tier I Settlements. Tier II Settlements have limited municipal services, amenity levels, and employment opportunities. Limited development is permitted in these settlement areas given the absence of full municipal services and the lower levels of amenity and employment.
- c) **Tier III Settlements** – are generally composed of the smallest communities in the County. They are predominately residential in function, and do not have any municipal services (i.e. services are provided by individual on-site water and sewage services).. Development in these settlements is limited to minor

infilling and rounding out of the existing built area given the absence of full municipal services and limited urban amenities and employment opportunities.

Every local official plan shall contain policies addressing the scale and phasing of new development in settlement areas based on servicing levels and general amenity available in each tier of settlement within the municipality.



**Figure 3: Settlement Area Tiers**

**2.6 Redesignation of the Rural Area** – To protect against the ad hoc urbanisation of the countryside, lands in the Rural Area designated as agricultural in a local official plan may only be redesignated for the purposes of expanding a settlement area boundary in accordance with provincial policy, the policies of this Plan, and the relevant local official plan.

**2.7 Settlement Area Expansions & Establishing New Settlement Areas** – The County’s long-term prosperity, environmental health and social well-being depends on wisely

managing change and promoting efficient land use and development patterns. To help ensure the efficient use of the County's existing urban land base, the establishment of new settlement areas is not permitted, and no expansions of Tier II or III settlement areas shall be permitted until full municipal services are available to service that settlement area. Proposals to expand a Tier I settlement area boundary shall not be considered on a piecemeal basis, but only through a comprehensive urban boundary review which:

- a) must demonstrate there is an insufficient supply of lands to accommodate 30-years' of urban growth through a review and analysis of the County's population and employment projections and land needs assessments;
- b) analyzes the existing land supply and demonstrates that any proposed expansion will not adversely impact or undermine achieving the County's intensification and redevelopment target;
- c) includes an options analysis reviewing alternative growth directions to determine how best to accommodate future development;
- d) confirms the financial viability of expanding infrastructure and public service facilities to any proposed urban expansion lands;
- e) confirms that there is sufficient reserve capacity available in the local municipality's sanitary sewage and drinking water systems, or will imminently be available, to be allocated to any proposed urban expansion lands, above what has already been allocated to existing designated lands;
- f) confirms that any proposed urban expansion lands do not include specialty crop areas, as defined by provincial policy;
- g) confirms that there are no reasonable alternatives which avoid prime agricultural lands being included in the proposed urban expansion lands;
- h) assesses potential impacts on agricultural operations and the agricultural system as a result of the expansion, and subsequently confirms that these impacts can be mitigated to the extent feasible;
- i) assesses potential impacts on the Natural System as a result of the expansion and demonstrates that there will be no negative impacts on the system's ecological features and functions;
- j) considers cross-jurisdictional issues including any servicing or access arrangements with adjacent municipalities; and,
- k) demonstrates that the proposed expansion lands will:
  - i) serve as a continuous and logical extension to the existing built-up area that does not 'leapfrog' over existing undeveloped tracts of land;
  - ii) provide for the integration of new development within the fabric of the existing built-up area from a community design, transportation, and open space perspective;
  - iii) be easily accessed by, and connected to, the existing transportation network; and,
  - iv) be located so that it can benefit from existing community facilities or alternatively, be serviced by new community facilities that are developed in a timely manner.

In undertaking the urban boundary review, the level of detail of the review should correspond with the complexity and scale of the proposed expansion.



## **2.8 Settlement Area Boundary Adjustments –**

Notwithstanding the requirements of Subsection 2.7, adjustments of a settlement area boundary outside a comprehensive review study may be permitted subject to demonstrating:

- a) there would be no net increase in land within the local municipality's settlement areas;
- b) the adjustment would support the ability to meet the County's intensification and redevelopment target;
- c) the lands subject to the adjustment do not comprise specialty crop areas;
- d) the proposed adjustment complies with the minimum distance separation formulae (see Subsection 5.7 for more information);
- e) impacts on agricultural operations which are adjacent or close to the proposed adjustment are mitigated to the extent feasible; and,
- f) the locational criteria established in Subsection 2.7 k) are met.

## **2.9 Settlement Area Expansions, When an Amendment is Required –**

An amendment to this Plan will be required for a settlement area expansion. Notwithstanding this, an amendment to this Plan may not be required for an

amendment to a local official plan that provides for a minor settlement area boundary adjustment that does not result in new uses being brought into or established in a settlement area.

## **2.10 Residential Intensification & Redevelopment –**

Intensification and redevelopment of existing residential areas is a key strategy to managing growth in the County and ensuring the efficient use of land and infrastructure. As such, the County will target 16% of all new residential development to be achieved through intensification and redevelopment. To achieve this the County will:

- a) Require all local official plans to develop policies advising how this target will be achieved in a way that respects the County's urban character;
- b) Encourage local municipalities to 'up-zone' or 'pre-zone' sites for residential intensification and redevelopment in their zoning by-laws;
- c) Examine opportunities to fund redevelopment and intensification projects through community improvement programming; and
- d) Report annually to County Council on the progress in meeting the intensification and redevelopment target.

## 3.0 ECONOMIC DEVELOPMENT

Economic development refers to the County's efforts to attract and retain business and industry in the County, provide high quality employment opportunities to residents, and expand the County's tax assessment base. Ensuring a healthy regional economy also means protecting important facilities and corridors that are critical to business and industry. To that end, the following objectives have been identified as they relate to economic development in the County:

- a) Identify and protect regionally significant employment areas, transportation corridors, and infrastructure facilities;
- b) Ensure that the County has an ample supply of industrial lands to accommodate all forms and scales of industrial uses;
- c) Encourage a strong and vibrant agricultural industry by protecting both agricultural operations and associated facilities and corridors needed for their operation;
- d) Reinforce the function of the County's main streets, downtowns, and waterfront areas as cultural, administrative, entertainment, retail, and social focal points; and,
- e) Preserve and enhance historic, unique, and scenic routes, buildings, and communities that are defining features of the County and important to attracting tourism.

In addition to the other policies of this Plan, the following policies apply to economic development in the County:

**3.1 General Policy** – It is the general policy of this Plan to support the retention, expansion, and establishment of new employment uses, agricultural operations and industry, and tourism, as key drivers of the County’s economy, subject of the policies of this Plan and the local official plan. To that end, the County will prioritize these uses by protecting them from conflicting land uses and coordinating and implementing economic development programming.

**3.2 Employment Land Supply** – The County shall ensure there is an adequate supply of designated and serviced employment lands in the County to accommodate 30 years’ of employment growth. To that end, the status of the County’s inventory of employment lands will be monitored and reported annually to County Council.

**3.3 Strategic Employment Areas** – It is recognized that industries such as manufacturing, processing, the trades, research and development, and distribution and logistics, will continue to be major drivers of economic growth in the County. It is also recognized that certain major employment areas in the County are of importance not just to the local municipality’s economy, but to the broader regional and/or the provincial economy. As such, it is imperative that these strategic employment areas be identified and protected from conversion and incompatible development. Strategic employment areas are employment areas that are:

- a) large in scale and designed to accommodate large industrial users and/or operations with significant employment requirements;

- b) located in close proximity to major transportation corridors or routes, including highways, railways, airports, and marine ports; and
- c) ideally serviced by both municipal water and sanitary sewer service.

Strategic employment areas are designated with a symbol on Schedule ‘A’ of this Plan. The actual extent of the strategic employment shall be delineated in each local official plan.

**3.4 Protecting Strategic Employment Areas** – As noted above, it is the intent of this Plan that strategic employment areas be protected from conversion and incompatible development. To that end, the County will not permit the conversion of lands in strategic employment areas to other uses except where it is demonstrated that:

- a) the proposed conversion is minor and located on the periphery of the employment area;
- b) there is an immediate need and identified user for the conversion;
- c) the proposed use will not adversely affect the overall viability of the employment area;
- d) existing or planned infrastructure and public service facilities are available to accommodate the proposed development; and,
- e) the local municipality has sufficient employment lands to accommodate projected employment growth over the planning horizon of this Plan.

An amendment to this Plan will be required to permit the conversion of a strategic employment area to a non-employment designation.

### **3.5 Uses Not Permitted in Strategic Employment Areas –**

The following uses are not considered appropriate in strategic employment areas and will not be permitted:

- a) residential uses, commercial uses, public service facilities, and other institutional uses;
- b) retail and office uses that are not associated with the primary employment use; and,
- c) other sensitive land uses that are not ancillary to uses permitted in the employment area.

Nothing in the above is intended to prohibit accessory office or retail uses that form part of a larger employment operation such as administrative offices, showrooms, or factory outlets.

### **3.6 Protecting Strategic Transportation Corridors &**

**Facilities –** Direct or immediate access to regional, provincial, and national/international transportation corridors and facilities is a major locational consideration for large industrial users. For the County these corridors and facilities are composed of a combination of:

- a) The county road system;
- b) The provincial highway system (including proposed highways);
- c) Multiple railways;
- d) Multiple marine ports; and
- e) The St. Thomas Municipal Airport.

Due to the importance of these corridors and facilities to the County's economy they will be protected from development that may negatively impact their functioning or the operation of industry. Development that could preclude or negatively affect the use of the corridor for the purposes for which it was identified and designed shall not be permitted.

### **3.7 Compatibility, Strategic Transportation Corridors & Facilities –**

New development proposed on lands adjacent to strategic transportation corridors and facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate, or minimize negative impacts on the corridor and transportation facilities. To that end, where new development is proposed adjacent to strategic transportation corridors and facilities, the County may require noise and vibration, traffic, or similar assessments to ensure potential impacts as assessed and mitigated.

### **3.8 High Quality Design in Strategic Employment Areas –**

As economic gateways to the County, the County encourages local municipalities to develop and implement high standards of urban design, architecture, and landscape architecture in strategic employment areas, reflective of their importance, to attract high quality employment opportunities.

### **3.9 Other Employment Lands & Areas –**

Other employment lands and areas are composed of individual parcels or smaller clusters of employment lands for small-scale industrial, manufacturing, and warehousing that can be located adjacent to, or co-located with, sensitive land uses without adverse effects. In these areas and lands limited commercial and retail uses that serve, or are directly related to, employment uses, as well as limited residential uses for 'live-work' arrangements may be permitted.

### **3.9 Protection of Other Employment Lands & Areas –**

It is the intent of this Plan to ensure that the County and local municipalities have an adequate supply of employment land

for a wide variety of employment uses. Recognizing the importance of all employment lands, proposals to convert lands within an employment designation that have not been identified as strategic to another type of land use will be generally discouraged and only permitted in accordance with provincial policy. An amendment to this Plan will not be required to implement a non-strategic employment area conversion.

**3.10 Compatibility, Employment Areas** – In accordance with provincial policy, on lands within 300 metres of any employment area (Strategic Employment Area or otherwise), development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas. To that end, where a sensitive land use is proposed within 300 metres of an employment area, the County shall require a land use compatibility study to be completed, in accordance with provincial guidelines, assessing potential impacts and required mitigation measures on the employment lands and uses. Where circumstances warrant, the County may also require noise and vibration, odour, traffic or similar assessments to ensure potential impacts as assessed and mitigated.

**3.10 Agricultural Operations & Land Base** – Being located amongst the rich agricultural soils of Southwestern Ontario, the County's agricultural sector has been foundational to the development of the County and its economy. The regional, provincial, and national importance of the County's agricultural operations to food security, and associated industries such as food processing, mean that protection of the County's agricultural land base and operations are of strategic

importance to the County. To that end, agricultural operations and the agricultural land base shall be protected over the long term.



**Figure 4: Conceptual Agricultural System** – The system's approach recognises the inter-connected nature of a thriving agricultural sector.

**3.11 Protecting the Agricultural System** – The agricultural system is comprised of inter-connected elements that collectively create a viable, thriving agricultural sector and includes agricultural lands, farming operations, agriculturally-related uses, agri-tourism operations, supporting infrastructure, as well as employment uses that are related to, or rely on, agriculture (such as food processing). Due to the

importance of the agricultural system to the County's economy, it will be protected from development that may negatively impact its operations and its individual components. New development shall be compatible with, support, and protect the County's agricultural system and its individual components and should be designed to avoid, mitigate, or minimize negative impacts on the system or specific elements and operations in the system.

### **3.12 Protecting Against the Conversion of Agricultural Land**

– The conversion of lands designated agricultural to other uses shall not be permitted, except for the expansion of a settlement area boundary in accordance with provincial policy and the policies of this Plan.

**3.13 Tourism** – Tourism is a significant contributor to the County's economy due in part to its proximity to Lake Erie and major population centres. As such, the growth of the tourism industry is a strategic priority for the County and tourism uses shall generally be supported subject to the policies of this Plan and the local official plan.

**3.14 Scenic Routes** – To enhance the scenic qualities of the County, and to encourage tourism and the establishment of tourism operations, scenic routes are identified on Schedule 'B' of this Plan to connect Lake Erie ports and other tourism destinations with the high volumes of travellers along Highway 401. It is the policy of this Plan that:

- a) when undertaking public works along County Roads, the County shall, in consultation with the relevant local municipality, consider enhancements to the right-of-way including landscaping and wayfinding signage to improve the scenic qualities of these routes; and

- b) the scenic nature of these routes be protected and/or enhanced by new development and include high quality site design, architecture, and landscape architecture that reflects the County's rural and urban character.

**“A key attraction to the County for visitors is its collection of quaint and picturesque downtowns, main streets, and waterfronts.”**

### **3.15 Supporting Downtowns, Main Streets, & Waterfronts**

– A key attraction to the County for visitors is its collection of quaint and picturesque downtowns, main streets, and waterfronts, many of which have a general historic value. As such, it is the policy of this Plan to:

- a) support ongoing efforts to revitalize, improve, and restore these areas with the aim of supporting local business and attracting tourism to the County, particularly through the development of urban design guidelines and/or master plans for these areas; and
- b) require market justification and/or market impact studies when new commercially designated areas are proposed that have the potential to negatively impact the role and function of downtowns, main streets, and waterfronts from a tourism or growth management perspective.

**3.16 Supporting Placemaking Initiatives** – Placemaking is an approach to planning, design, and the management of

public spaces that seeks to capitalize on a local community's physical assets and identity to create public spaces that encourages private sector investment, builds civic pride, and improves community well-being. Placemaking can include such initiatives as public art installations, development of programmed public spaces, and the improvement and beautification of infrastructure. While it is recognized that good placemaking is primarily community-driven and anticipated to occur at the local level, the County supports placemaking initiatives with the aim of attracting visitors to the County, stimulating local business, and creating a sense of civic pride within Elgin's local municipalities. To that end, the County will seek to identify opportunities to support local placemaking initiatives where there is an evident county-wide economic development or tourism benefit. Such initiatives may include: gateway signage and wayfinding, the creation of landmark public spaces, and public art installations.

**3.17 Attracting the Creative Economy** – The creative economy is composed of knowledge-based economic activities and includes sectors such as advertising, architecture, design, culinary arts, visual and performing arts, media, publishing, research & development, software, and computer gaming. Creative industries are among the most dynamic sectors in the world economy and attract a highly talented labour force. The County's proximity to major markets and economic centres has the potential to attract both businesses and talent who are seeking the lifestyle and quality of life advantages that Elgin's communities offer. To position the County has a destination of choice for businesses and individuals in the creative economy the County will:

- a) Protect and enhance the County's rural and urban character through the development process (see Subsections 5.3 and 6.4 for more information) ;
- b) Encourage the development of placemaking initiatives and events, festivals, and the promotion of the County's natural and cultural heritage; and,
- c) Encourage the creation of local policies and regulations, that seek to support and facilitate creative industries, business incubation, studio and workshop spaces, and the creation of creative hubs.

**3.18 Community Improvement Planning** – The community improvement powers under Section 28 of the Planning Act provide a wide range of powerful tools for local municipalities, including the ability to provide financial incentives that would be otherwise prohibited by the Municipal Act. While the County does not have the authority to create its own Community Improvement Plan (CIP), to support general physical improvement in the County and economic development, the County may consider funding or administering a CIP or multiple CIP with local municipalities that address the County's strategic economic development priorities including:

- a) Affordable housing development;
- b) Rural economic development;
- c) Downtown, main street, and waterfront revitalization;
- d) Cultural heritage tourism;
- e) Beautification on identified scenic routes;
- f) Placemaking initiatives;
- g) Attraction of creative industries; and
- h) Improvements to strategic employment areas.



Notwithstanding the above, County Council may identify additional community improvement strategic priorities not listed.



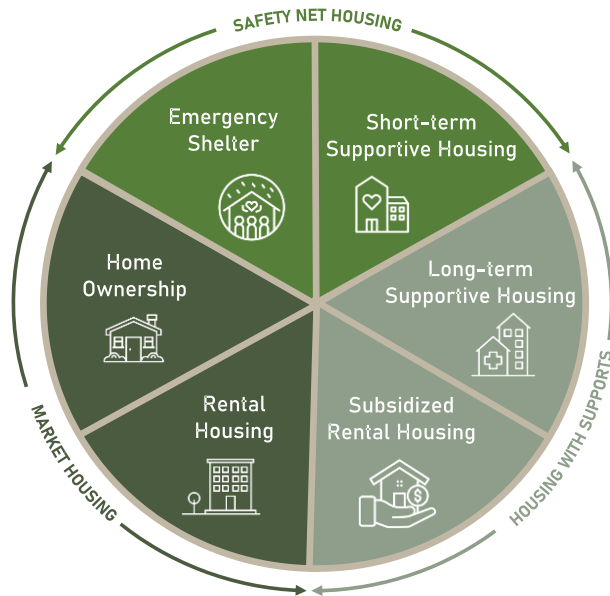
## 4.0 HOUSING

Housing is a fundamental human requirement that encompasses a wide range of forms from emergency shelters, transitional housing, assisted living, supportive housing, community housing, affordable housing, and market-rate housing. Ensuring an appropriate supply and wide range of housing types and tenures is key to the County's overall vitality and wellbeing, both socially and economically. To that end, the following objectives have been identified as they relate to housing and housing development in the County:

- a) Ensure a healthy supply of residentially designated lands, including redevelopment lands, for new housing opportunities;
- b) Ensure an adequate mix of housing types and tenures to address the current and future needs of households in the County;
- c) Ensure the development of housing that is affordable for most County households, including the protection of rental housing supply;
- d) Support and encourage the development of special needs and supportive housing types; and,
- e) Identify public real estate assets and funding opportunities from higher levels of government that could assist in the development of affordable housing.

In addition to the other policies of this Plan, the following policies apply to housing in the County:

**4.1 General Policy** – The County of Elgin recognizes the importance of housing to the social and physical health and well-being of residents, as well as the economic success of the County. To that end, the County will seek to ensure an appropriate and adequate supply of housing for residents regardless of their socio-economic condition, health, age, or ability.



**Figure 5: The “Housing Wheelhouse”** – The conceptual “Wheelhouse” model of housing provision recognizes that our housing stock must reflect the diverse needs of the County’s residents, and that residents may move around the wheelhouse throughout their lives depending on personal, health, and/or economic circumstances.

**4.2 Residential Land Supply** – The County shall ensure there is an adequate supply of residentially-designated land in

the County to accommodate a minimum of 15 years of residential growth (including redevelopment and intensification opportunities, and ‘greenfield’ land). Further, local municipalities shall be required to maintain, at all times, land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned and (where available) serviced. The status of the County’s inventory of residential lands will be monitored and reported annually to County Council.

**4.3 Requiring a Mix of Housing** – Providing for a range of housing typologies promotes affordability and ensures that the County maintains options for households at all stages of their lifecycle. In settlement areas where full municipal services are available, a range of housing typologies shall be provided. Where new residential development proposes single detached dwellings, they shall generally not comprise more than 70% of the dwelling mix. This requirement may be waived if:

- a) the proposed development constitutes infilling or intensification;
- b) the development is located on lands that are the subject of a local municipality’s secondary plan that identifies an alternative housing mix for the area;
- c) a local municipality’s official plan contains an alternative housing mix requirement; or,
- d) due to the scale of the development or servicing or engineering constraints, the provision of a mix of housing types is not feasible.

Where the feasibility of incorporating a mix of housing types is in question, it shall be incumbent on the applicant to demonstrate that the provision of a mix of housing types is not feasible.

**4.4 Additional Dwelling Units** – Additional dwelling units are smaller apartments contained within a dwelling or accessory building on the same property and are referred to by various names including secondary suites, accessory apartments, or ‘granny flats’. Local municipalities shall permit a minimum of two additional residential units as-of-right within residential zones in settlement areas where single detached, semi-detached, and/or rowhouse dwellings are permitted, subject to appropriate land use, size, and locational criteria, including servicing and access requirements.

## **“The County of Elgin recognizes the importance of housing to the social and physical health and well-being of residents, as well as the economic success of the County.”**

**4.5 Demolition or Conversion of Rental Housing** – Rental units are a key supply of affordable housing in the County and are an important to ensuring the County has a diverse supply of housing to meet the needs of its citizens. As such, the County strongly discourages their demolition or removal except where the demolition is required to address existing health and safety issues and will result in the reconstruction or replacement of the demolished units. The County shall not permit the conversion of rental units to ownership tenure through a plan of condominium, except where:

- a) it has been determined through a market impact study that the rental unit(s) are not required to satisfy housing need in the local municipality; or,
- b) the conversion to ownership housing would result in the creation of affordable housing.

**4.6 Affordable Housing Target** – Affordable housing is defined by provincial policy and its provision ensures that low- and moderate-income households can access both appropriately priced rental units and homeownership in the County. Based on the definitions under provincial policy, approximately 55% of the County’s households are considered to be low- or moderate- income households and as such, a cumulative total of 55% of new residential units developed across the County shall be targeted as affordable under provincial policy. To assist in reaching this target the County will:

- a) Require all local official plans to develop policies advising how the local municipality will work towards achieving this target;
- b) Advise all applicants with residential development proposals of affordability price thresholds, and require all applications for plans of subdivision or condominium to demonstrate how their proposal works towards achieving Council’s affordable housing target, and if the proposal does not include affordable housing, advising why it is not appropriate to incorporate it;
- c) Examine opportunities to fund affordable housing community improvement programming; and
- d) Report annually to County Council on progress in meeting the affordability target.

**4.7 Public Assets for Affordable Housing** – Prior to the disposal of surplus lands and facilities, the County shall review:

- a) Whether the land or facility would be suitable for affordable housing development; and,
- b) Whether a public or private body engaged in the provision of affordable housing has an interest in the land or facility.

Further, the County will consult with local municipalities, school boards, and federal and provincial agencies to identify surplus government lands and/or buildings that may be suitable for affordable housing development, including brown- and grey-field sites outside employment areas.

#### **4.8 Emergency Housing & Transitional Housing –**

Emergency housing offers short-term crisis support to those who are experiencing homelessness and includes homeless shelters and shelters for those escaping domestic violence and intimate partner violence. Transitional housing includes group homes and other forms of temporary housing that aims to bridge the gap from homelessness to permanent housing and is normally used as a form of supportive housing for treatment, and mental health. Local official plans shall contain policies permitting emergency shelters and transitional housing in, at a minimum, all residential and institutional designations in settlement areas and describing the criteria or circumstances for their approval.

**4.9 Community Housing –** Community housing (sometimes called social or subsidized housing), is housing that is offered at below market rates to occupants and includes purpose-built

low-income housing developments, subsidized units in market-rate buildings, or market-rate apartments paid for in part by provincial rent supplements. The County is supportive of efforts by community housing providers to develop more community housing across the County's settlement areas and will use best efforts to expedite approvals for proposed community housing developments subject to the other policies of this Plan.

**4.10 Location of Community Housing –** When proposed, community housing should be:

- a) located in settlement areas with full municipal services and adequate urban amenities for residents;
- b) near existing or planned transit (if available), including and active transportation facilities; and
- c) near public service facilities.

#### **4.11 Coordination with Higher Levels of Government –**

Coordination with provincial and federal governments and agencies, including the Canada Mortgage and Housing Corporation, will be undertaken to advocate for sustained provincial and federal funding that:

- a) promotes the development of residential intensification, brownfield redevelopment and affordable housing options, including community housing and purpose-built rental units; and
- b) supports energy efficiency and sustainable housing design for new and existing residential units.

## 5.0 THE RURAL AREA

The Rural Area is a foundational characteristic and defining feature of Elgin County, both spatially and culturally. With some of the best soils in Canada and an extensive network of farming operations, processing facilities, and supporting industry, Rural Area's agricultural industry is one of Elgin County's most important economic engines. The long-term viability and resiliency of the County's agricultural land base and operations also has provincial and national implications. To that end, the following objectives have been identified as they relate to the Rural Area in the County:

- a) Preserve the agricultural and rural character of the County;
- b) Identify and protect the County's agricultural land base and protect agricultural operations from conflicting land uses;
- c) Ensure that lots are sized appropriately for servicing and sufficiently large enough to protect rural character and maintain flexibility for the agricultural industry;
- d) Ensure a vibrant Rural Area by permitting appropriate and compatible on-farm diversified uses and agriculturally-related uses; and,
- e) Encourage the use of environmental best practices for development and redevelopment.

In addition to the other policies of this Plan, the following policies apply to the Rural Area as described herein and designated on Schedule 'A' of this Plan:

**5.1 Composition of the Rural Area** – The Rural Area is composed of all lands outside of designated settlement areas and is made up of:

- a) The Agricultural Area, which constitutes the County's prime agricultural area under provincial policy; and
- b) Existing areas of non-agriculturally designated lands in local official plans.

**5.2 Permitted Uses** – Within the County's Rural Area the primary use of land shall be for agriculture. Secondary uses within the County's Rural Area are limited to: agriculturally-related uses, limited residential uses, home-based businesses and industries, agri-tourism operations, temporary outdoor special events, and lands that have been previously designated for non-agricultural uses in a local official plan.

**5.3 Protecting & Enhancing Rural Character** – Elgin County's rural character is defined by land uses and development patterns where farmlands, natural landscapes, and open spaces dominate. These patterns of land use and development support farming operations, agrarian and rural lifestyles, and rural- and resource-based economic activities. They also influence architectural styles that often reflect traditional farm vernacular, nature, and/or landscapes, and are sited in ways that reinforce the pastoral nature of the Rural Area with expansive setbacks from neighbouring properties and roadways. The rural character in the County will be protected by:

- a) Directing urban uses, and uses that do not rely on a rural location to Settlement Areas;
- b) Protecting agricultural and resource-based uses from encroachments that may negatively impact their operations;
- c) Avoiding urban land use densities for non-agricultural and non-resource extraction development; and
- d) Encouraging the use of design concepts that reference or reflect the traditional architectural styles and/or the landscape of the Rural Area.

Development in Elgin County's Rural Area will protect and enhance this character and will prevent the urbanisation or suburbanisation of the countryside. Protection of rural character is not intended to require historic reproduction or to impede the efficiency of agricultural and resource-extraction operations, and to that end, innovative architectural styles and site layouts that protect the County's rural character, while facilitating efficient operations, are encouraged.

**5.4 Protecting & Enhancing Rural Character, Exceptions** – While the protection and enhancement of Elgin's rural character is a primary consideration when evaluating new development, it is recognized that some flexibility in implementing these policies is desirable to reflect the individual circumstances of development proposals, and differences in local character. To that end, the policies of Section 5.3 shall not apply:

- a) where a local municipality has defined rural character in a local official plan, secondary plan, or through the adoption of rural design guidelines; or
- b) to agricultural or resource-extraction uses, not subject to site plan control.

In the case of proposals for agricultural or resource-extraction uses not subject to site plan control, applicants shall be encouraged to demonstrate how their proposal will be sensitively integrated with the surrounding context.

**5.5 General Development Policies** – Development in the Rural Area shall first and foremost protect agricultural land, agricultural operations, resource extraction operations, and rural character. In addition to the other policies of this Plan, the following policies will direct development in the County’s Rural Area:

- a) Where permitted, non-agricultural development shall avoid removing lands under active cultivation or pasture;
- b) Lots shall be sized not just to accommodate required water and sewage service but to protect rural character through minimum lot areas and building setbacks. Specifically, when located in an agricultural designation in a local official plan, new lots will generally be a minimum of 40 ha or larger (for both the severed and retained parcels);
- c) Where development proposes to permit other uses in addition to agricultural uses, the proponent shall be required to demonstrate that there is a sufficient supply of drinking water available, prior to the granting of any approval.
- d) Where development proposes to permit other uses in addition to agricultural uses, the proponent shall be required to conduct a soils analysis to determine the appropriate type of on-site sewage system.

- e) Development shall front onto, and will be directly accessed, by a public road that is maintained year-round by a public authority;
- f) Development will conform to the access policies of the relevant road authority;
- g) New development is encouraged to be planned and designed to mitigate and adapt to the impacts of climate change through incorporating sustainable construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development. For large development proposals, applicants may be required to demonstrate how this will be achieved.

**5.6 Agricultural Uses** – Agricultural uses include the widest range of activities that involve the growing of crops and/or raising of animals of varying sizes and intensities, with or without buildings, and with or without a residence. Given the importance of agriculture to the County’s economic base, and its strategic provincial and national importance, it is the policy of this Plan that the widest possible permissions be given to agricultural operations across the County.

**5.7 Minimum Distance Separation (MDS) Formulae** – MDS formulae are provincial planning formulae used to determine appropriate setback distances between livestock barns, manure storages, or anaerobic digesters and surrounding land uses, to minimize land use conflicts and nuisance complaints related to odour. Where livestock operations exist or are proposed, demonstrating that an MDS setback can be achieved may be required before a planning approval may be given. Development in the Rural Area shall generally comply

with MDS Formulae I and II, and local municipalities shall be required to incorporate the Formulae into their zoning by-laws.

**5.8 Residential Uses** – For many people the Rural Area is, and will continue to be, a desirable place to live. However, the overpopulation of residential uses in the Rural Area can lead to the piecemeal urbanization of the countryside and the loss of rural character. It can also restrict the establishment and expansion of agricultural operations. As such, where a local official plan and zoning by-law permits residential uses in the Rural Area, only the following shall be permitted:

- a) one single detached dwelling per lot;
- b) two additional dwelling unit contained on the same lot as the single detached dwelling; and
- c) farm labour accommodations.

**5.9 New Residential Lots in Agricultural Area** – For the same reasons noted in the previous sub-section, no new residential building lots are permitted in an agricultural designation in a local official plan with the exception of a lot containing an existing dwelling that has become surplus to a farming operation because of a farm consolidation. Notwithstanding any other policies to the contrary, such a residence may be severed from the farm subject to:

- a) The lot containing the dwelling being limited in size to the area needed to accommodate the dwelling and on-site servicing only; and,
- b) All residential uses being prohibited on the remnant farm parcel by way of official plan amendment and / or zoning by-law amendment.

**5.10 Additional Dwelling Units** – In the Rural Area, additional dwelling units are composed of smaller apartments contained

within the primary dwelling or accessory building on the same property or a small-scale stand-alone dwelling. These dwellings are referred to by various names including secondary suites, coach houses, garden suites, or ‘granny flats’. Up to two additional dwelling units shall be permitted in any Rural Area designation in a local official plan where a single detached dwelling is permitted, subject to:

- a) compatibility with surrounding agricultural operations including compliance with Minimum Distance Separation Formulae;
- b) the provision of appropriate sewage and water services;
- c) having addressed any public health and safety concerns;
- d) being located within, attached, or in close proximity to the primary single detached dwelling or farm building cluster;
- e) avoiding the removal of land in agricultural production, but where avoidance is not possible, minimizing land taken out of agricultural production; and
- f) where two additional residential units are proposed, at least one of the additional residential units must be located within or attached to the primary single detached dwelling.

In no case shall an additional dwelling unit be considered a second principle dwelling on the property, nor shall the County support the severance of an additional dwelling unit from the lot containing the primary single detached dwelling.

**5.11 Farm Labour Accommodations** – Certain types of farming operations require outside farm labour to function. As



such, the establishment of accommodation for farm labour is permitted in the Rural Area provided it can be demonstrated:

- a) that the size and nature of the farm operation requires additional employment;
- b) that it is not practical or feasible to locate the accommodations within a settlement area;
- c) that the visual impacts on rural character are addressed through architecture, massing, and landscaping; and
- d) that adequate amenity space is incorporated into the development for the occupant(s).

To ensure orderly development and the protection of rural character, local municipalities are encouraged to apply site plan control to the development of farm labour accommodations.

**5.12 Agriculturally-related Uses** – Agriculturally-related uses are defined by provincial policy and are composed of farm-related commercial and industrial operations that support the County's agricultural sector, provide products and services directly to farming operations, and benefit from being near the farming operations they serve. These uses include warehousing and distribution associated with local farming operations, farm produce stands, grain dryers, agricultural research centres, wineries and cideries, abattoirs, flour mills, stock yards, farm equipment repair, agricultural auction establishments, and feed, seed, and fertilizer suppliers. These uses will be permitted across the Rural Area subject to the other policies of this Plan and the following:

- a) when located in an agricultural designation in a local official plan, the total area of the use should generally be less than 1 ha in size, including all buildings,

driveways, parking, and outdoor areas. Where a larger operation is proposed, the proponent will be required to demonstrate that there will be no negative impacts on farming operations or the rural character of the area;

- b) the use serves agricultural operations in the area;
- c) any buildings housing the agriculturally-related use are generally located within the existing farm-building cluster, if located on a farm property;
- d) there is no noise, lighting, dust, traffic, or odour from the business or industry that will have an adverse impact on adjacent properties or agricultural operations; and
- e) that rural character is maintained or enhanced through the development's architecture, massing, and landscaping.

## Development will protect and enhance rural character and will prevent the urbanisation or suburbanisation of the countryside.

**5.13 Home-based Businesses & Industries** – Home businesses and industries are classified as on-farm diversified uses under provincial policy and include a wide range of small-scale enterprises that can operate discretely out of a residence, or other building, by the resident of the property and include a range of professional services and the operations of tradespeople but do not include manufacturing, retail, or wholesale operations. Home-based businesses and

industries will be permitted across the Rural Area subject to the other policies of this Plan and the following:

- a) the operator of the home-based business or industry permanently resides on the property;
- b) the building housing the home-based business or industry is generally located within the existing farm-building cluster, if located on a farm property;
- c) the floor area of the business or industry complements the size of the property, on-site buildings, and neighbouring properties and buildings, does not physically dominate the property, and is clearly a secondary use of the property;
- d) there is no noise, lighting, dust, traffic, or odour from the business or industry that will have an adverse impact on adjacent properties or agricultural operations;
- e) all machinery and equipment, with the exception of motor vehicles, are located within enclosed buildings;
- f) any open storage areas are hidden from the road or screened from view; and
- g) the number of employees is limited.

**5.14 Core Agri-tourism Operations** – Agri-tourism operations are classified as on-farm diversified uses under provincial policy and include a wide-range of leisure-related uses or activities related to farming and agriculture. Uses that are directly related to a farming operation such as ‘pick-your-own’ produce establishments, tasting rooms for a winery or cidery, sugar-shacks, petting zoos, tourist ranches, and produce markets shall be permitted across the Rural Area subject to the following:

- a) when located in an agricultural designation in a local official plan, the total area of the agri-tourism operation

should generally be less than 1 ha in size, including all buildings, driveways, parking, and outdoor areas.

Where a larger operation is proposed, the proponent will be required to demonstrate that there will be no negative impacts on farming operations or the rural character of the area;

- b) the operation will not negatively impact surrounding agricultural operations and does not undermine the agricultural nature of the area;
- c) the building housing the agri-tourism operation is generally located within the existing farm-building cluster, if located on a farm property;
- d) there is no noise, lighting, dust, traffic, or odour from the business or industry that will have an adverse impact on adjacent properties or agricultural operations; and
- e) that rural character is maintained or enhanced through the development’s architecture, massing, and landscaping.

**5.15 Other Agri-tourism Operations** – In some cases, agri-tourism operations may not have a direct relationship to a farm operation or agriculture but may still be complementary to farming or rural character. These uses include farmers markets, antique markets, bed and breakfasts, and outfitters for hunting, fishing, and camping. They may also include spas, retreats, outdoor recreational uses, and special event venues whose programming is based around rural character and/or rural activities. These uses may be permitted on a case-by-case basis in the Rural Area subject to:

- a) The criteria established in Subsection 5.13;

- b) Completion of an agricultural impact assessment to evaluate potential impacts on agricultural operations and the agricultural system; and,
- c) At a minimum a zoning by-law amendment to ensure compatibility and appropriateness of the proposed use.

In undertaking any required agricultural impact assessment, the level of detail of the assessment should correspond with the scale and intensity of the proposed use.

**5.16 Temporary Outdoor Special Events** – Because of its expansive open spaces, the Rural Area lends itself to hosting large-scale temporary outdoor events such as fairs, festivals, concerts, ploughing matches, historical re-enactments, weddings, swap meets. Nothing in this Plan is intended to prohibit the hosting of one-time, seasonal, or annual events in the Rural Area so long as:

- a) there are appropriate agreements in place between the host and the local municipality to see the lands restored or improved after the close of the event; and,
- b) all requirements of the public health authority having jurisdiction are satisfied.

**5.17 Adaptative Reuse of Non-agricultural Uses** – Historical development in the County has resulted in many instances of non-agricultural uses scattered across the Rural Area. These uses include schools, churches, municipal garages, gas stations, general stores, motels, and road-side

diners. While some of these uses are still operational, some no longer serve their original function, or have been abandoned altogether. This Plan recognizes the value and utility these legacy developments have in supporting intended or alternative uses, and in reducing embodied carbon emissions from new construction. As such, the County will generally support the adaptative reuse of these buildings subject to the other policies of this Plan, and the policies of the local official plan, and may permit limited expansion of these developments that support their adaptative reuse. Specific consideration shall be given to evaluating the impacts on rural character and agricultural operations when reviewing development applications for adaptative reuse of non-agricultural uses.

**5.18 Existing Designated Areas of Non-agricultural Uses** – Almost all local official plans in the County contain non-agricultural and non-resource extraction land use designations in the Rural Area, that are often the result of historic planning approvals. While these designations are not identified on the schedules of this Plan, there is nothing in this Plan that is intended to prohibit their existence, and a local municipality may continue to recognize these uses in their own official plan and zoning by-law. Notwithstanding anything in this section to the contrary, existing non-agricultural designations in a local official plan shall be deemed as conforming designations by this Plan. Development proposals within these areas shall be evaluated based on the policies of this Section and the other relevant policies of this Plan.

## 6.0 SETTLEMENT AREAS

Settlement areas are composed of the County's towns, villages, and hamlets. These areas are centres for residential, commercial, industrial, and institutional development and provide important economic and social functions for the County's residents and businesses. To that end, the following objectives have been identified as they relate to settlement areas in the County:

- a) Protect the unique small-town character of the County's settlement areas;
- b) Facilitate the creation of compact, complete, and pedestrian-friendly communities that provide equitable access to a range of local economic and social opportunities, centred around a vibrant main street or commercial core;
- c) Ensure that development and redevelopment utilizes land efficiently, as servicing will permit;
- d) Ensure that development is appropriately located, safely accessed, and adequately serviced; and,
- e) Encourage the use of environmental best practices for development and redevelopment.

In addition to the other policies of this Plan, the following policies apply to the Settlement Areas as described herein and designated on Schedule 'A' of this Plan:

**6.1 Composition of Settlement Areas** – Settlement Areas are composed of all lands designated as such in this Plan and are made up of the County's towns, villages, and hamlets.

**6.2 General Policy** – It is the general policy of this Plan to support the creation of compact and complete communities that provide equitable access to a range of local economic and social opportunities centred around a vibrant main street or commercial core. It is recognized however that achieving this objective is largely anticipated to occur at the local level through the development of detailed policies in local official plans, the preparation of local zoning by-laws, implementation of site plan control, and through community improvement planning. To that end, the County's primary focus with respect to development within settlement areas shall be the protection of county and provincial interests as established in this Plan and through provincial policy. Otherwise, the County will generally defer to the vision, goals, and objectives of a local official plan with respect to the detailed organization and composition of individual settlement areas when appropriate.

**6.3 Permitted Uses** – Within the County's Settlement Areas the primary use of land shall be for the widest possible range of urban uses. Secondary uses within the County's Settlement Areas include existing or interim Rural Area uses, and existing or interim Natural Resource uses. To that end, it will be at the discretion of local municipalities to establish the scope of land uses permitted in settlement areas within their local official

plans and zoning by-laws, subject to the other policies of this Plan.

**6.4 Protecting Urban Character** – Elgin County's urban character is defined by small, human scale communities centred on a crossroads, main street, or small commercial core composed of concentrations of pedestrian-friendly (often older) built form, with a variety of retail, employment, residential, and civic uses. The land use patterns of Elgin's settlement areas have created largely walkable communities that encourage social interaction, the patronage of local businesses, and community-centric lifestyles. Development in Elgin County's Settlement Areas will protect and enhance this character and will prevent the suburbanization of the County's urban areas. To that end, urban character will be protected and/or enhanced by:

- a) Enhancing the pedestrian-friendly nature of the settlement area;
- b) Reinforcing and enhancing the sense of community through connectivity and integration with existing built areas, and the provision of community spaces and facilities;
- c) Using massing, scale, architectural, and/or urban design elements to reinforce the character of the settlement;
- d) Respecting the role and primacy of the settlement area's main street or commercial core and encouraging the development and/or retention of local retail and commercial amenities; and
- e) Using design concepts that reference or reflect the history and/or historic character of the settlement area.

Protection and enhancement of urban character is not intended to require historic reproduction or to limit intensification or higher density development, rather innovative architectural styles and urban forms that protect and enhance the County's urban character and assist in sensitively integrating higher density development are encouraged. It shall be incumbent on an applicant to demonstrate how their proposal protects and enhances urban character, and to that end, an urban design brief may be required for certain proposals. It shall be at the discretion of the relevant approval authority to determine the need for an urban design brief and compliance with this policy.

## **“Elgin County’s urban character is defined by small, human scale communities.”**

### **6.5 Protecting & Enhancing Urban Character, Exceptions**

– While the protection and enhancement of Elgin’s urban character is a primary consideration when evaluating new development, it is recognized that some flexibility in implementing these policies is desirable to reflect the individual circumstances of development proposals, and differences in local character. To that end, the policies of Section 6.4 shall not apply:

- a) where a local municipality has defined a settlement area or neighbourhood’s character in a local official plan, secondary plan, or through the adoption of urban design guidelines; or
- b) to industrial / employment uses.

In the case of proposals for industrial / employment uses, applicants shall be encouraged to demonstrate how their proposal will be sensitively integrated with adjacent non-industrial / employment uses where applicable.

### **6.6 Settlement Areas Adjacent to Municipal Boundaries –**

Notwithstanding Subsection 6.4, there are certain settlement areas in the County that were developed as a result of their proximity to an adjacent municipality’s urban area, namely:

- a) the Central Elgin communities of Lynhurst, Norman Lyndale, and Eastwood abutting the City of St. Thomas
- b) non-agriculturally designated lands in Malahide abutting the Town of Aylmer; and,
- c) the Southwold community of North Port Stanley abutting the community of Port Stanley in Central Elgin.

These settlement areas exist because of their adjacency to a larger settlement area, and as such, they function differently than other settlement areas in the County. To that end, their character, design, and composition should support the urban structure, function, and planned development pattern of the adjacent municipality’s settlement area. The applicant of a proposed development within these settlement areas shall be required to demonstrate that their proposal is coordinated and integrated with development and/or infrastructure provision in the adjacent municipality.

**6.7 Settlement Areas in Local Official Plans –** It is the intent of this Plan to provide general policies related to the use, layout, and design of the County’s settlement areas. To that end, local official plans shall contain policies that further detail the types of uses, layout, and design to reflect both local context, character, and needs of each local community.

**6.8 Development in Tier I Settlement Areas** – In addition to the protection of urban character, in cases where new development is proposed within a Tier I Settlement Area, it shall be demonstrated that the new development will:

- a) comprehensively develop the land in question, serve as a logical extension to the existing built-up area, be compact, and minimize the consumption of land and infrastructure;
- b) confirm that there is sufficient reserve capacity in both the municipal water and sanitary sewage systems to accommodate the development, and be connected to those systems, except in cases of minor infilling in existing developed areas where other servicing options may be considered;
- c) where feasible, retain and integrate, mature trees into the development through the preparation of tree preservation plan and/or landscape plan, regardless of whether the trees form part of the designated Natural System;
- d) achieve a minimum net density of 20 units/net hectare where residential development is proposed however, should the County or a local municipality be satisfied that this is not appropriate in certain circumstances due to geography, topography, or other similar factors, this requirement may be waived;
- e) front onto, and be directly accessed, by a public road that is maintained year-round by a public authority;
- f) conform to the access policies of the relevant road authority; and,
- g) make any required improvements to public roads, including any required road dedications, needed to facilitate safe ingress and egress and to meet the

standards and requirements of the appropriate road authority.

**6.9 Development in Tier II Settlement Areas** – In addition to the protection of urban character, in cases where new development is proposed within a Tier II Settlement Area it shall be demonstrated that new development will:

- a) comprehensively develop the land in question, serve as a logical extension to the existing built-up area and minimize the consumption of land to the extent possible;
- b) confirm that there is sufficient reserve capacity in the municipal water and sanitary sewage systems, to accommodate the development, if a connection to either system is proposed;
- c) be sized appropriately to accommodate either an on-site drinking water system or sanitary sewage system, as the case may be, if proposed;
- d) where feasible, retain and integrate, mature trees into the development through the preparation of tree preservation plan and/or landscape plan, regardless of whether the trees form part of the designated Natural System;
- e) front onto, and be directly accessed, by a public road that is maintained year-round by a public authority;
- f) conform to the access policies of the relevant road authority; and,
- g) make any required improvements to public roads, including any required road dedications, needed to facilitate safe ingress and egress and to meet the standards and requirements of the appropriate road authority.

**6.10 Development in Tier III Settlement Areas** – In addition to the protection of urban character, in cases where new development is proposed within a Tier III Settlement Area, it shall be demonstrated that the new development will:

- a) comprehensively develop the land in question, serve as a logical extension to the existing built-up area and minimize the consumption of land to the extent possible;
- b) be sized appropriately to accommodate both an on-site drinking water system and sanitary sewage system as the case may be;
- c) where feasible, retain and integrate, mature trees into the development through the preparation of tree preservation plan and/or landscape plan, regardless of whether the trees form part of the designated Natural System;
- d) front onto, and will be directly accessed, by a public road that is maintained year-round by a public authority;

- e) conform to the access policies of the relevant road authority; and,
- f) make any required improvements to public roads, including any required road dedications, needed to facilitate safe ingress and egress and to meet the standards and requirements of the appropriate road authority.

**6.11 Addressing Climate Change** – New development in all Settlement Areas is encouraged to be planned and designed to mitigate and adapt to the impacts of climate change through incorporating sustainable construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development. For large development proposals, applicants may be required to demonstrate how this will be achieved.



## 7.0 THE NATURAL SYSTEM

The Natural System is composed of the County's natural environment, including: wetlands, woodlands, species and fish habitat, and water. The ecological features and functions of the County's Natural System supports overall environmental health and resiliency and underpins the overall sustainability of the County. To that end, the following objectives have been identified as they relate to the County's Natural System:

- a) Identify, protect, restore, and enhance, where possible, the Natural System including its ecological features and functions;
- b) Require development proposals within, or adjacent to, the Natural System to demonstrate that there will be no negative impact on the Natural System, in some cases prohibiting development outright;
- c) Minimize negative changes to the quality, quantity, and hydrological / hydrogeological functions of watercourses, lakes, aquifers, and wetlands; and
- d) Recognize that watersheds are the ecologically meaningful scale for planning and use it as the foundation for considering cumulative impacts of development.

In addition to the policies of this Plan, the following policies apply to the Natural System in the County as described herein and as may be designated on Schedule 'C' of this Plan:

**7.1 Composition of the Natural System –** The Natural System is composed of:

- a) Significant Wetlands;
- b) Significant Coastal Wetlands;
- c) Significant Woodlands;
- d) Significant Valleylands;
- e) Areas of Natural and Scientific Interest (ANSI);
- f) Significant Wildlife habitat;
- g) Fish habitat;
- h) Habitat of threatened or endangered species;
- i) Surface water; and,
- j) Ground water.

**7.2 General Policy –** The County of Elgin recognizes the importance of the Natural System to the overall health of the County and the negative social, environmental, and economic impacts that environmental degradation can have, particularly when coupled with the impacts of climate change. As such the County will prioritize the protection, enhancement, and rehabilitation of the Natural System.

**7.3 Identification of the Natural System –** It is recognized that the mapping of the Natural System in this Plan is approximate, and the policies of this section apply to all Natural System components regardless of whether they are identified on the schedules of this Plan. Changes to the limit or the significance classification of individual components of the Natural System may be considered through the findings of a sub-watershed study or environmental impact statement

completed to the satisfaction of the County or local municipality. If a change to the limit or classification of a component of the Natural System has been demonstrated to be appropriate the revised limit or classification shall prevail, and no amendment to this Plan shall be required.

**7.4 Watershed Planning –** It is recognized the watershed is the ecologically meaningful scale for integrated and long-term planning and is a foundation for considering cumulative impacts of development. The basis for conducting planning at the watershed scale is through the preparation of a sub-watershed study, a technical report which provides comprehensive analysis of how surface water, groundwater, terrestrial, and aquatic ecosystems function in a sub-watershed, and recommends how land use can take place in a manner that protects and enhances the environmental health of the sub-watershed. To that end, the County may undertake a programme of preparing or updating sub-watershed studies for all sub-watersheds in the County to develop a more detailed understanding and approach to planning within each sub-watershed. Where these studies exist, they shall form the basis for planning in the Natural System. Further, where an environmental impact statement is prepared in support of a development application it shall consider the sub-watershed implications of the proposed development.

**7.5 Significance & the Natural System –** Designating certain components of the Natural System as 'significant' affords these features greater protection under provincial policy. In the absence of a sub-watershed study or environmental impact statement, all lands identified as being part of the County's Natural System on Schedule 'C' are assumed to be significant under provincial policy until their

significance is confirmed through either a sub-watershed study or environmental impact statement. If the significance of a part of the Natural System is called into question, it is the sole responsibility of the development proponent to demonstrate otherwise. For development applications for which the County is approval authority, the ultimate determination of significance will rest with the County. For development applications for which a local municipality is approval authority, the ultimate determination of significance will rest with the local municipality.

**7.6 Permitted Uses** – Areas designated Natural System are to be maintained in their natural and undisturbed state and development and site alteration shall only be permitted subject to the other policies of this Plan. Notwithstanding the above the following uses shall be permitted in the Natural System:

- a) Forestry uses;
- b) Conservation uses;
- c) Passive recreational uses (such as recreational trails);
- d) Animal sanctuaries;
- e) Angling and hunting operations;
- f) Environmental research and education uses; and
- g) Agricultural uses, without buildings or structures.

Other uses may be permitted on a site-by-site basis, subject to policies below and the other policies and land use designations of this Plan.

#### **7.7 Development In & Adjacent to Wetlands –**

Development and site alteration in significant wetlands and coastal wetlands is prohibited and is regulated by conservation authorities under the Conservation Authorities Act, with specific regard to interference with their hydrogeological

function. Development proposed within 120 metres of a significant wetland or coastal wetland shall only be permitted subject to demonstrating, through an environmental impact statement, that there will be no negative impacts on the wetland's ecological features and functions, and a demonstration that the regulatory/permitting requirements of the conservation authority having jurisdiction can be met.

#### **7.8 Development In & Adjacent to Other Natural System**

**Features** – Development and site alteration in significant woodlands, significant valleylands, ANSI, and significant wildlife habitat, shall be prohibited unless it can be demonstrated that:

- a) There is an appropriate rationale demonstrating why development should be located within the feature; or
- b) There is no feasible way to avoid development within the feature; and
- c) The proposed development will have no negative impacts on the site's ecological features and functions.

Development proposed within 120 metres of a noted Natural System feature shall only be permitted subject to demonstrating, through an environmental impact statement, that there will be no negative impacts on the Natural System's ecological features and functions.

#### **7.9 Destruction & Alteration of the Natural System –**

Destruction and/or alteration of the Natural System through the development process is generally prohibited and only permitted in accordance with:

- a) a Planning Act approval;
- b) a permit issued under the County's Tree Conservation By-law;

- c) a permit issued under the Conservation Authorities Act; or
- d) another relevant provincial or federal approval.

Where destruction of a component of the Natural System will occur as a result of an approval or permit issued by a planning authority, or has occurred without a required permission, development proponents will be required, through the conditions of a Planning Act approval, to restore the feature or provide compensatory restoration of equal or greater ecological value within the same sub-watershed.

**7.10 Development in Fish Habitat & the Habitat of Threatened or Endangered Species** – Development and site alteration within fish habitat or the habitat of threatened or endangered species will only be permitted in accordance with provincial and/or federal requirements. No planning approvals will be granted in either habitat until the County or a local municipality:

- a) has reasonable confirmation that development can proceed in accordance with provincial and/or federal requirements; and
- b) that any required development and mitigation measures can be adequately conditioned as part of an approval (i.e. through either the conditions of a decision, legal agreement, etc.).

Where the habitat of threatened or endangered species is suspected or known, applicants shall be required to conduct a species at risk (SAR) assessment prior to any development approvals being granted and any required mitigation measures or other recommendations shall be carried out as a condition of any development approval.

**7.11 Agricultural Uses in the Natural System** – While agricultural uses in the Natural System are permitted, the incorporation of best practices as they relate to agriculture in natural systems is strongly encouraged where a planning approval is required to permit the use.

**“The County will prioritize the protection, enhancement, and rehabilitation of the Natural System.”**

**7.12 Development & Surface Water Features** – Surface water features refer to water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics. While not necessarily mapped in this Plan, surface water features in the County are considered environmentally significant as they provide important drainage functions, species habitat, and have a direct impact on the overall environmental health of the County. As such, it is the intent of this Plan to protect all sensitive surface water features from incompatible development. To that end:

- a) Development and site alteration shall be restricted on or near sensitive surface water features as recommended in any relevant sub-watershed study, environmental impact statement, or as detailed in the relevant source water protection plan (see Subsection 8.25 for further information), such that these features

and their related hydrologic functions including water quality and quantity will be protected, improved, or restored; and

- b) Mitigative measures and/or alternative development approaches may be required to protect, improve, or restore sensitive surface water features, and their hydrologic functions including water quality and quantity and shall be implemented through the development approvals process.

**7.13 Development & Ground Water Features** – Ground water features refer to water-related features below the earth's surface, including recharge/discharge areas, water tables, aquifers, and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations. Ground water features in the County are considered environmentally significant, and will be protected, as they provide drinking water, important drainage functions, and have a direct impact on the overall environmental health of the County. Additionally certain groundwater features are considered sensitive, such as highly vulnerable aquifers and significant groundwater recharge areas as illustrated on Schedule 'C'. These features shall be protected from incompatible development, and to that end:

- a) Development and site alteration shall be restricted in or near sensitive ground water features as recommended in any relevant sub-watershed study, hydrogeological assessment, or as detailed in the relevant source water protection plan (see Subsection 8.25 for further information), such that these features and their related hydrologic functions will be protected, improved, or restored;

- b) Development that proposes to use ground water as a drinking water source may be required to demonstrate, through a hydrogeological assessment and cumulative groundwater impact assessment, prior to any approval, that there will be no negative impacts to ground water quality and quantity for other uses that draw their drinking water from the same ground water source;
- c) Development that proposes to use on-site septic systems for sewage treatment may be required to demonstrate, through a geotechnical assessment, prior to any approval, that the proposed system(s) will not negatively impact ground water quality for other uses that draw their drinking water from the same ground water source; and,
- d) Mitigative measures and/or alternative development approaches may be required to protect, improve, or restore sensitive ground water features, and their hydrologic functions and shall be implemented through the development approvals process.

The need for a hydrogeological study, cumulative groundwater impact assessment, geotechnical report, or any other report or plan required to demonstrate suitability of development will be determined by the relevant approval authority in consultation with the Province.

**7.14 Natural System Policies & Local Official Plan** – This Plan represents the minimum standards for the identification and protection of the Natural System. A local municipality may include additional criteria or higher standards related to the identification and protection of the system. In such cases, the County will defer to the standards and policies that afford the greatest protection to the Natural System.

**7.15 Increasing Forest Coverage** – The County recognizes the critical role that woodlands play in maintaining ecological balance, mitigating the impacts climate change, and sustaining biodiversity within the County’s watersheds. As such, it is policy of this Plan to target an increase in forest coverage in the County to 30% of its land base by 2044. The County will work towards achieving this target by:

- a) Requiring all local official plans to develop policies advising how the local municipality will work towards achieving this target;
- b) Requiring development proponents to demonstrate how their development proposal will assist in achieving this goal where there is an existing woodland on-site;
- c) Encouraging development proponents to incorporate naturalized woodlands into development proposals where on-site woodlands have been previously cleared;
- d) Working with local municipalities, Indigenous nations, public/private organizations and intuitions, and industry to encourage and supporting tree planting on public and private lands; and,
- e) Monitoring and reporting to County Council annually on progress towards achieving this goal.

**7.16 Expanding the County’s Protected Land Base** – The County recognizes that there are many mechanisms available to protect, enhance, and/or restore the Natural System across

the County. To that end, the County will support the establishment of land trusts, conservation areas, and the use of mechanisms such as conservation and stewardship easements that protect or expand protections for the Natural System.

**7.17 Land Division & the Natural System** – It is recognized that the protection and management of the Natural System is more effectively accomplished when natural features and areas are managed and/or owned contiguously. Despite this, historical land division in the County, dating back to the original township surveys, has often had little regard for the protection and management of the Natural System. As such, applications for all forms of land division shall demonstrate regard for the effective management and stewardship of the Natural System and will minimize subdivision of the Natural System to the furthest extent feasible, balancing the need for the orderly and efficient development of land. Applications for land division to facilitate the protection of the Natural System by a public body, conservation organization, or land trust will be permitted and generally supported, subject to the other policies of this Plan.

**7.18 Monitoring Health of the Natural System** – To ensure that the County’s Natural System is protected and enhanced over the lifecycle of this Plan, the County will develop metrics to monitor the overall health of the Natural System, to be reported annually to County Council.

## 8.0 TRANSPORTATION & INFRASTRUCTURE SYSTEMS

The County's transportation system is composed of trails, local and county roads, provincial highways, railways, marine ports, and an airport. These corridors and facilities are critical to the County's economy, public health and safety, and the day-to-day needs of residents and visitors. Infrastructure systems primarily relate to water, wastewater, and stormwater management systems, but also include waste management, and power generation facilities. These systems comprise the backbone of both urban and rural development in the County. To that end, the following objectives have been identified as they relate to the County's transportation and infrastructure systems:

- a) Establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, public transit, cycling, and walking;
- b) Ensure that the construction of all infrastructure, or expansions to existing infrastructure, occurs in a manner that is compatible with adjacent land uses and with a minimum of social and environmental impact;
- c) Encourage the development of public facilities in appropriate locations at the right time to meet the needs of present and future residents; and,
- d) Ensure the safe and effective operation of the County's transportation and infrastructure systems, by respecting the standards, requirements, and guidelines of the authorities that operate and/or regulate these systems.



In addition to the other policies of this Plan, the following policies apply to transportation and infrastructure systems as described herein and as may be designated on Schedule 'B' of this Plan:

**8.1 Composition of the Transportation & Infrastructure System** – The Transportation and Infrastructure System is composed of:

- a) Provincial Highways;
- b) County Roads;
- c) Local Roads;
- d) Pedestrian and Cycling Trails;
- e) Municipal Drinking Water Systems;
- f) Municipal Sanitary Sewage Systems;
- g) Stormwater Management & Drainage Systems;
- h) Sourcewater Protection Areas;
- i) St. Thomas Municipal Airport;
- j) Railways;
- k) Marine Ports;
- l) Waste Management Operations;
- m) Telecommunications Facilities;
- n) Energy Generation Facilities; and,
- o) Linear Infrastructure Corridors (e.g. pipelines, electricity transmission corridors, etc.).

**8.2 Transportation & Infrastructure Permitted** – Public service facilities, transportation infrastructure, and all other forms of infrastructure are permitted in all land use designations, with the general exception of areas designated as hazardous or Natural System, and subject to any regulatory requirements such as the provisions of the Endangered Species Act, etc.

**8.3 Right-of-Way Widths** – New roads and re-constructed roads under the County's jurisdiction shall be developed to comply with the classification, function and general design standards and requirements outlined in Tables 2 and 3 of this Plan and land dedications for roads and/or road widening purposes shall be dedicated to the County at no expense. Where ranges of a standard are provided, it shall be at the sole discretion of the County to determine the appropriate standard. Deviations from these standards and requirements may be considered when:

- a) the location of an identified cultural heritage resource limits design options; and / or
- b) the presence of a natural system feature or mature trees limits design options.

The right-of-way width for any public road may allow for the placement of travel lanes, turning lanes, utilities, infrastructure, high occupancy vehicle lanes, sidewalks, paths, bicycle lanes, medians, streetscaping and landscaped boulevards, where appropriate.

**8.4 Right-of-Way Widths, Daylighting Triangles** – In addition to the road right-of-way widths set out in Tables 2 and 3, the County may, without the need for an amendment to this Plan, require the dedication of lands to be used for 'daylight triangles', to provide sufficient sight distances and turning lanes to provide safe and appropriate access where major traffic generators intersect. Where additional land is required for intersection improvements, such land shall be dedicated to the County at no expense.

**8.5 Right-of-Way Widths, Exceptions** – Notwithstanding Subsection 8.3, the County recognizes that the reconstruction

of roads to approved minimum standards in some existing developed areas may not be appropriate from a community design perspective or may not be economically or physically feasible. Any attempt to reconstruct such roads to minimize deficiencies shall only be undertaken after a study to determine a right-of-way which will result in a streetscape which minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated traffic volumes. No amendment to the Plan shall be required to implement such a modification to the right-of-way.

**8.6 Dedication for Road Widening** – As a condition of a development approval, land for road widenings shall be conveyed at no expense to the County in accordance with the provisions of the Planning Act. As a general principle, required road widenings will be taken equally from both sides of the right-of-way. Unequal road widenings may be considered by the County where the area is affected by a topographic feature which is difficult to overcome or costly to develop for road purposes.

**8.7 County Road Environmental Assessments** – It is the policy of this Plan that an Environmental Assessment (EA) for any county road widening or extension project shall address whether there are other transportation alternatives, and how the project would implement the transportation goals, objectives, and policies of this Plan.

**8.8 Road Design Standards** – The ‘Elgin County Transportation Master Plan’, as amended, will serve as the basis for the construction and design of county roads, including policies limiting direct access to county roads where access is available by a local road. County Council may

consider alternative design standards to provide for the more efficient use of land in newly developing areas of the County. Changes to standards and design criteria for such roads and facilities may be permitted without an amendment to this Plan.

**8.9 Development Adjacent to a County Road** – The primary role of the County Road Network is to accommodate high volumes of traffic (including truck traffic) at reasonably high rates of speed in a safe, efficient, and convenient manner. Notwithstanding this, the County Road Network also functions as a primary gateway to and from the County, and as the main street and gateway to the county’s settlement areas. To that end, the following shall apply to the design of development abutting a county road:

- a) Development shall respect the role and function of the county road that it is located on from a use, access, visibility, and design perspective (including both engineering and site design);
- b) Development shall be setback a sufficient distance based on local context, ultimate planned build-out of the road, and rates of speed;
- c) Potential negative impacts from the County Road Network such as noise and lighting on sensitive land uses shall be mitigated through site and building design;
- d) Development should be sited in ways that creates a welcoming and visually appealing experience for both pedestrians and drivers through the use of landscaping, window streets, or other similar approaches, while complementing and respecting the road’s primary function;
- e) Development should generally avoid rear-lotting or backing onto county roads; and,

- f) Surface parking lots should be sited and designed to reduce the visual dominance of paved areas along county roads.

## The County's transportation and infrastructure systems comprise the backbone of both urban and rural development in the County.

**8.10 Public Transportation** – This Plan recognizes the importance of local and regional public transportation in reducing carbon emissions and ensuring equitable access to transportation for residents, visitors, and workers and as a general policy, the County will support the exploration, establishment, and / or expansion of the feasibility of public transportation in the County. This includes the establishment or expansion of conventional public transportation services (local and regional), as well as on-demand microtransit, car /

bike share programmes, and other innovative forms of public transportation service delivery.

**8.11 Road Closure** – County Council may stop-up and close existing county roads and/or road related facilities, subject to the provisions of the Municipal Act, without the need to amend this Plan.

**8.12 Traffic Calming** – The County may investigate traffic calming measures to be implemented in certain locations within the County and/or as a requirement of a development approval to promote pedestrian safety and mitigate negative effects of automobile traffic. Traffic calming features may be permitted subject to an evaluation by the County of functional, operational, servicing, and financial issues associated with their use and will be installed at the sole discretion of County Council.

**8.13 Private Roads** – Private roads are lanes, driveways, roads, or rights-of-way maintained by private individuals or bodies. It is the policy of this Plan to limit new development on private roads. The creation of a new lot for any purpose on a private road outside of a plan of condominium is not permitted, unless specifically permitted in a local official plan.

**Table 2 – Road Characteristics by Functional Road Classification: Rural Roads**

Characteristic	Rural Major Arterial	Rural Minor Arterial	Rural Collector	Rural Local
<b>Strategic Value/Connectivity</b>				
<b>Service Function</b>	Traffic movement primary consideration	Traffic movement major consideration	Traffic movement and land access of equal importance	Traffic movement secondary consideration
<b>Desirable Connections</b>	Provincial highways, arterials, collectors	Provincial highways, arterials, collectors	Provincial arterial roads, arterials, collectors, locals	Collectors, locals

<b>Access</b>	Private driveways discouraged	Private driveways permitted, subject to design controls	Private driveways permitted, subject to design controls	Private driveways permitted
<b>Road Segment Characteristics</b>				
<b>Right-of-Way Width</b>	36.5 m	30-36.5 m	20-30 m	20 m
<b>Typical Lane Width</b>	3.5-3.7 m	3.5-3.7 m	3.5-3.7 m	3-3.7 m
<b>No. Through Lanes</b>	2-4	2	2	2
<b>Parking Restrictions</b>	Few restrictions	Few restrictions	Few restrictions	Few restrictions
<b>Other Road Users</b>				
<b>Typical Cycling Facilities, where Provided</b>	Buffered paved shoulders or separate path	Buffered paved shoulders or separate path	Paved shoulders or separate path	Shared operating space
<b>Pedestrian Facilities, where Provided</b>	None (low pedestrian volumes)	None (low pedestrian volumes)	None (low pedestrian volumes)	None (low pedestrian volumes)
<b>Transit Services</b>	Permitted	Permitted	Permitted	Generally avoided

**Table 3 – Road Characteristics by Functional Road Classification: Urban Roads**

Characteristic	Urban Major Arterial	Urban Minor Arterial	Urban Collector	Urban Local
<b>Strategic Value/Connectivity</b>				
<b>Service Function</b>	Traffic movement primary consideration	Traffic movement major consideration	Traffic movement and land access of equal importance	Traffic movement secondary to land access
<b>Desirable Connections</b>	Provincial highways, arterials, collectors	Provincial highways, arterials, collectors	Provincial arterial roads, arterials, collectors, locals	Locals, collectors
<b>Access</b>	Private driveways discouraged	Private driveways generally discouraged	Private driveways permitted, subject to design controls	Private driveways permitted
<b>Road Segment Characteristics</b>				
<b>Right-of-Way Width</b>	20 (retrofit) - 36.5 m	20 (retrofit only) - 36.5 m	20-30 m	20 m
<b>Typical Lane Width</b>	3.5-3.7 m	3.3-3.7 m	3.3-3.7 m	3-3.5 m
<b>No. Through Lanes</b>	2-4	2	2	2
<b>Parking Restrictions</b>	Prohibited (or peak period restrictions)	Peak period restrictions	Few restrictions except peak period	No restrictions or restrictions on one side only
<b>Other Road Users</b>				
<b>Typical Cycling Facilities, where Provided</b>	Physically separated bikeway	Designated operating space, e.g. bike lanes	Designated operating space, e.g. bike lanes	Shared or designated operating space

<b>Pedestrian Facilities, Where Provided by Local Municipality</b>	Sidewalks separated from traffic lanes	Sidewalks separated from traffic lanes	Sidewalks on one or both sides	Sidewalks on one or both sides
<b>Transit Services</b>	Permitted	Permitted	Permitted	Generally avoided

**8.14 Provincial Highways** – In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within Ministry of Transportation’s (MTO) Permit Control Area under the Public Transportation and Highway Improvement Act are subject to MTO approval. Any new or existing areas in the County identified for future development that are located adjacent to, or in the vicinity of, a provincial highway or interchange / intersection within MTO’s Permit Control Area will be subject to MTO policies, standards, and requirements. Direct access to a provincial highway is normally discouraged or prohibited and is only permitted at the sole discretion of the MTO. While provincial highways are delineated in this Plan, the reader should refer to the MTO’s Corridor Management Office to determine the extent of the MTO’s permit control area and to assess any restrictions, or requirements for development within the permit control area.

**8.15 Pedestrian & Cycling Routes & Facilities** – Local municipalities are encouraged to develop interconnected systems of cycling and walking routes providing access to major activity and employment areas and to future public transit. To plan for, and encourage walking and cycling, local municipalities are encouraged to:

- a) consider the provision of safe and convenient cycling and walking routes in the review of all development applications;

- b) require the provision of sidewalks in settlement areas, where appropriate;
- c) coordinate the installation of sidewalks on both sides of county roads within settlement areas;
- d) investigate and provide for cycling lanes wherever possible in the construction or reconstruction of roads and bridges;
- e) encourage and support measures which will provide for barrier-free design of pedestrian facilities;
- f) ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;
- g) ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes; and,
- h) ensure that all pedestrian and cycling routes are designed to be safe.

**8.16 Water & Sewage Servicing Hierarchy** – Provincial policy establishes a hierarchy of water and wastewater servicing, and new development in the County shall be evaluated based on this hierarchy as detailed below in order of preference:

- a) **Full municipal services** – development connected to both a municipal water service and municipal sewage service;
- b) **Communal services** – development connected to a private communal water system and private communal sewage system;

- c) **Individual services** – development connected to a private individual on-site water system and private individual on-site sewage disposal system;
- d) **Partial services** – development connected to a municipal water service and private sewage system, or connected to a municipal sewage service and private water system.

**8.17 Servicing in Settlement Areas & the Rural Area** – In accordance with the provincial water and wastewater servicing hierarchy established in Subsection 8.16, new development in the County will be serviced as follows:

- a) **In Tier I settlement areas** – all new development shall proceed on the basis of full municipal services, except in cases of minor infilling of existing developed areas where private or partial servicing may be considered.
- b) **In Tier II and Tier III settlement areas** – all new development shall proceed on the basis of the servicing hierarchy established in Subsection 8.16.
- c) **In the Rural Area** – development is anticipated to proceed on the basis of private communal or private individual on-site servicing.

**8.18 Justifying Proposed Servicing** – Where development in any settlement area is not proposed to be connected to full municipal services, a servicing options study or brief containing a servicing options analysis based on the hierarchy of servicing established in Subsection 8.16 is generally required. The study or brief shall examine all forms of servicing and recommend a preferred servicing option that is suitable for the long-term provision of the service or services, and complies with the other policies of this Plan, particularly the policies of Subsections 7.13 and 8.25. In undertaking any

required servicing options study or brief, the level of detail should correspond with the scale and intensity of the proposed use. It shall be at the general discretion of the local municipality, in consultation with the County, to determine the need for the study or brief, its scope, and the preferred servicing option based on the policies of this Plan and the local official plan.

**8.19 Full Municipal Services, Confirmation of Servicing Capacity** – For new development proposed to be connected to municipal water and/or sanitary sewage services, no lot creation by the County shall be granted until the local municipality has confirmed that there is sufficient uncommitted reserve capacity in the system to accommodate the proposed development. In cases where development is proposed in response to the planned/proposed establishment or expansion of municipal servicing, lot creation on a conditional basis, may be considered when:

- a) an Environmental Assessment Act approval has been given for the facilities; and,
- b) the County has confirmation from the local municipality that the facilities will be completed, or near completion, prior to the commencement of construction of the development.

It is recognized that in certain circumstances the construction of municipal servicing may be dependent on development being approved concurrently, in which case, the County must have reasonable assurances in place that the proposed development will be fully coordinated with the installation of servicing, and that sufficient protections are in place to prevent premature development or occupancy of the proposed development.



**8.20 Communal Servicing, Municipal Responsibility** – For new development proposed to be connected to communal sewage services, where municipal ownership of the communal service or services is not proposed, the applicant and the local municipality will be required, in accordance with the requirements of the Province, to enter into a municipal responsibility agreement whereby the local municipality accepts ownership of the communal service in the event of default by the private owner.

**8.21 Private Servicing, Confirmation of Suitability** – For new development proposed to be connected to private water and/or sanitary sewage services, confirmation that on-site conditions are suitable for the long-term provision of such services, with no negative impacts, is generally required. In undertaking any assessment or analysis of on-site conditions, the level of detail should correspond with the scale and intensity of the proposed use. It shall be at the general discretion of the local municipality, in consultation with the County, to determine the need for any analysis and its scope based on the policies of this Plan and the local official plan.”

**8.22 Partial Servicing, When & Where Permitted** – In accordance with provincial policy, partial services are only permitted:

- a) where they are necessary to address failed individual on-site water and sewage services in existing development;
- b) within settlement areas to allow for infilling and minor rounding out of existing development, provided that site conditions are suitable for the long-term provision of such services with no negative impacts; or

- c) within a Tier II or Tier III Settlement Area where new development will be serviced by individual on-site water services in combination with municipal sewage services or private communal sewage services

### **8.23 Stormwater Management & Drainage Systems –**

Stormwater management and drainage systems includes a local municipality’s network of storm sewers, drainage swales, municipal drains, retention ponds, and erosion control measures. These components work together to mitigate flood risks, protect water quality, enhance resilience, and are important components to the creation of sustainable and resilient development. Stormwater management and drainage systems in the County shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible, and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of climate change through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property, and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces;
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative



impacts of stormwater from development on a watershed scale.

Local municipalities are encouraged to incorporate policies in their official plans that promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

**8.24 Servicing Policies in Local Official Plans** – Local official plans will be required to develop detailed policies with respect to servicing of development in both the Rural Area and Settlement Areas including policies that address, at a minimum:

- a) overall municipal goals and objectives related to servicing for both Settlement Areas and the Rural Area;
- b) the long-term planning of water, wastewater, and stormwater management systems including expansions and phasing of municipal and/or private systems; and
- c) the establishment of monitoring programmes for municipal and/or private systems including the monitoring of reserve capacity in municipal systems and monitoring of impacts on groundwater.

**8.25 Source Water Protection** – The Clean Water Act mandates the creation and maintenance of regional source water protection plans. These plans are administered by conservation authorities and are intended to ensure the protection of municipal drinking water sources, whether they originate from groundwater or from Lake Erie, through a multipronged approach including education and training, public awareness, and the regulation and permitting of development.

While source water protection areas are delineated on Schedule 'B' of this Plan, the reader should refer to the applicable source water protection plan, the local municipality's official plan, and local zoning by-law to assess any restrictions, or requirements for development. In no case shall the County grant any approval in contravention of an applicable source water protection plan, or implementing policies or regulations contained within a local official plan or zoning by-law.

**8.26 Source Water Protection, Local Official Plans** – To ensure that the directives of the applicable source water protection plan are appropriately implemented all local official plans shall identify any source water protection intake areas and incorporate any policies mandated by the relevant source water protection plan, to provide sufficient direction ensuring that land uses or developments associated with threat activities will be prohibited or managed.

**8.27 St. Thomas Municipal Airport & Land Use Compatibility** – The St. Thomas Municipal Airport is a public airport located within the Municipality of Central Elgin and identified on Schedule 'B' of this Plan, along with the Airport's associated Noise Exposure Forecast / Noise Exposure Projection (NEF/NEP) contours, which are established by Transport Canada. The Airport is planned to be a fully equipped, certified airport facility that accommodates charter passenger and air cargo facilities and services, business charter services, flight training, recreational flying and aviation related industrial/commercial business facilities. Airports must be appropriately designed, buffered and/or separated to prevent adverse effects from noise, odour, and other contaminants. To protect the St. Thomas Municipal Airport

from incompatible development, the following policies shall apply:

- a) New residential development and other sensitive land uses will not be permitted in areas above 30 NEF;
- b) Redevelopment of existing residential uses and other sensitive land uses may be considered above 30 NEF/NEP, if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;
- c) New development in areas below 30 NEF/NEP, but near the St. Thomas Municipal Airport lands, may be required to address the noise and vibration and/or land use compatibility. This may include a review and update of the NEF/NEP contours in accordance with the standards prescribed by Transport Canada; and,
- d) New development permitted within the airport lands and other areas above the 30 NEF/NEP may be subject to a noise analysis to identify noise reduction features and other mitigation measures in accordance with the policies and guidelines of Transport Canada Aviation.

**8.28 Marine Ports** – The County will continue to promote and support the viability of the many ports along Lake Erie as important economic resources and locations for tourism and recreation. This Plan recognizes the potential of the various ports as gateways to the County and important components of a broader transportation system. The County encourages the pursuit of appropriate opportunities for the expansion of port facilities and the establishment of supporting commercial and industrial uses and marine transportation infrastructure, subject to the other policies of this Plan.

**8.29 Railway Operations & Land Use Compatibility** – The railways that traverse the County are recognized as important economic and transportation corridors and land use controls will be used to protect these corridors. Where the County is approval authority, the County will consult with railway authorities when sensitive land uses are proposed in proximity to active rail corridors. To protect these corridors from incompatible uses, and to ensure new development is designed in a manner that protects safety and mitigates potential nuisance from rail operations. Development proposed within the County shall be generally required to conform to the national guidelines for new development in proximity to railway operations. Alternative approaches / guidance may be considered in certain circumstances dependant on:

- a) The use(s) being proposed;
- b) Completion of relevant studies and analyses that demonstrate alternative approaches are appropriate; and,
- c) Implementation of appropriate alternative safety measures.

All of which shall be to the satisfaction of the County, in consultation with the local municipality and relevant railway operator.

**8.30 Railway Setbacks & Influence Areas** – Minimum recommended building setbacks for new sensitive land uses in proximity to railway operations, based on national guidelines, shall be incorporated in local zoning by-laws to ensure that the entirety of the County's railway rights-of-way are protected for potential rail expansion. Where sensitive land uses are proposed within 75 metres of an active railway the County will

require a vibration study to be completed. Additionally, noise studies shall be required for development within:

- a) 1,000 metres of a freight rail yard;
- b) 500 metres of a principal main railway line;
- c) 250 metres of a secondary main railway line;
- d) 150 metres of a principal branch line; and
- e) 100 metres of a secondary branch line or spur line.

Such studies shall be prepared to the satisfaction of the County, in consultation with the appropriate railway operator, and recommended measures from said studies shall be implemented through development approvals.

**8.31 Individual Railway Operator Requirements** – It is recognized that there are multiple railway operators with facilities and operations in Elgin County, each with their own respective requirements. To that end, it is the general policy of the County to generally defer to, and implement, the requirements of each rail authority with respect to matters such as:

- a) the construction and maintenance of safety berms and fencing and other mitigation measures; and
- b) requirements for notices on title, warning clauses, and/or environmental easements.

In some cases, a railway operator may request grade separation between the rail corridor and a local or county road, or provincial highway as a condition of a development approval for which the County is approval authority. The need for grade separation as a condition of approval shall be determined by the relevant road authority in consultation with the County, local municipality, the relevant railway operator, and Transport Canada as the case may be.

**8.32 Linear Infrastructure Corridors** – Linear infrastructure corridors include major above or below grade corridors for the provision, generation, transmission, distribution and storage of electricity, fuel, or accommodation of communication facilities / infrastructure. Such corridors may be associated with gas, oil, or electric power, as well as broadcast, telecast, fiberoptic, or optical wireless mediums essential to the energy and telecommunication needs of the County, Province, and Country. To that end, new or existing corridors shall be protected from incompatible development by consulting with the relevant corridor authority during the development review process and incorporating appropriate setbacks and development standards into development proposals.

**8.33 Telecommunications Facilities** – Where companies subject to federal or provincial control propose new utility installations, it is the policy of this Plan to encourage where feasible and appropriate:

- a) the screening of antennas and towers from view from roads or scenic vistas through landscaping, fencing or other architectural screening;
- b) the use of innovative design measures such as the integration of such uses with existing buildings and/or streetscape features such as gateways, lamp posts and signs;
- c) the co-location clustering of different utilities to minimize impacts;
- d) the use of existing infrastructure where possible such as water towers or utility poles; and,
- e) the siting of utilities away from sensitive land uses.

**8.34 Alternative & Renewable Energy Systems** – As a source of clean and independent energy, alternative and renewable energy systems can significantly reduce carbon emissions and improve the resiliency of the County’s energy supply. As such, the County encourages the use of wind, water, biomass, methane, solar, and geothermal energy. New or expanded alternative or renewable energy systems should be designed and constructed to minimize impacts on adjacent land uses to prevent adverse impacts from odours, noise and other contaminants and minimize risk to public health and safety. Sites for large-scale alternative or renewable energy systems should have sufficient area to provide appropriate setbacks from sensitive residential and institutional land uses to provide safety and/or minimize other potential impacts in accordance with all applicable legislation.

**8.35 Waste Management Operations** – Waste management operations include, landfills, transfer stations, composting facilities, recycling facilities, septage haulage and disposal sites, and waste materials haulage and disposal. These facilities may only be operated, expanded, or closed in accordance with the policies of this Plan, the applicable local official plan, and provincial requirements. New or expanding waste management operations may be permitted, subject to the policies of the applicable local official plan, and the following:

- a) the proposed operation shall be located in either the Rural Area, excluding agriculturally-designated lands in a local official plan, or in an employment designation;
- b) any required approval under the Environmental Protection Act and Environmental Assessment Act shall be received prior to any local or county approval being given;

- c) the proposal shall be supported by appropriate environmental studies in accordance with provincial guidelines and requirements, to ensure negative impacts on surrounding lands are mitigated and/or eliminated to the satisfaction of the County and the local municipality;
- d) New operations shall be located where they are compatible with adjacent land uses (existing and designated);
- e) Site development shall provide for progressive rehabilitation and reuse of the site;
- f) New or expanding waste disposal sites, shall generally be located a minimum of 500 metres from a settlement area boundary, and any sensitive land uses, as per provincial guidelines;
- g) Where a sensitive land use is proposed within 500 metres of an existing waste disposal site, land use compatibility shall be evaluated as per provincial guidelines.

Notwithstanding the above, small scale recycling facilities, composting facilities, or transfer stations do not require an amendment to this Plan to establish, subject to conformity with the applicable local official plan and zoning by-law.

**8.36 Waste Disposal Sites & Local Official Plans** – In order to implement these policies, local municipal official plans shall contain policies requiring zoning by-laws to restrict the development of new uses or new/ enlarged buildings or structures on lands within the 500-metre assessment area in accordance with this Plan, through the use of a holding symbol or other zoning mechanism. The lifting of a Holding symbol permitting the development of any new use or new or enlarged

buildings or structures within the assessment area shall not occur until Council is satisfied that all of the studies required by the Municipality and County have been completed.

## 9.0 NATURAL RESOURCE MANAGEMENT AREAS

Natural resources management means the responsible extraction of mineral, petroleum, mineral aggregate, and salt resources in the County. These resources exist in varying degrees across the County and are important to the County and Province's economic prosperity. Natural resource extraction operations also have many complex locational and operational requirements that necessitate careful consideration and planning, both at the beginning and end of their lifecycle. To that end, the following objectives have been identified as they relate to the County's Natural Resource Management Areas:

- a) Identify and protect, where possible, natural resource deposits, areas where potential deposits exist, and extraction operations throughout the County;
- b) Encourage sustainable extraction practices and incorporate responsible rehabilitation of natural resource extraction operations into county planning approvals where possible; and,
- c) Ensure that extractive activities are carried out in a manner that minimizes environmental and social impacts.

In addition to the policies of the subject land use designation, the following policies apply to Natural Resource Management Areas in the County as described herein and as may be designated on Schedule 'E' of this Plan:

### **9.1 Composition of the Natural Resource Management**

**Area** – The Natural Resource Management Area is composed of:

- a) Areas of potential aggregate resource;
- b) Areas of potential mineral resource;
- c) Areas of potential petroleum resource; and,
- d) Natural resource extraction operations.

**9.2 General Policy** – It is the general policy of this Plan to ensure that known natural resource deposits, and extraction operations are identified and protected in the long term, and to direct incompatible development away from known deposits and extraction operations. Local municipalities will be required to develop more detailed policies and regulations regarding natural resources and extraction operations in their official plans and zoning by-laws to further address the protection of these uses, and natural resource extraction development and the rehabilitation of former extraction operations.

**9.3 Permitted Uses** – In areas designated as an area of aggregate resource; area of mineral resource; and / or area of petroleum resource, the primary use of land shall be for natural resource extraction operations, and those uses permitted in the land use designations identified in Schedule 'A', of this Plan. Notwithstanding the above, uses which would preclude or hinder the establishment, expansion, or continued use of mineral aggregate operations or access to mineral aggregate resources shall not be permitted. The following

uses shall be permitted as accessory uses for natural resource extraction operations:

- a) Accessory office uses;
- b) Aggregate processing operations; and
- c) Recycling of aggregate.

**9.4 Identification of Natural Resources** – It is recognized that the mapping of potential natural resource areas in this Plan is approximate and known resources deposits are not mapped. The policies of this section apply to all natural resource areas and deposits, regardless of whether they are identified in this Plan.

**9.5 Development & Known Resource Deposits** – Non-resource extraction development in, or within 300 metres, of known aggregate, mineral, and petroleum deposits, which would preclude or hinder the establishment of new operations or access to these resources shall only be permitted if:

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

**9.6 Extraction Operations** – The development of new extraction operations is subject to the policies of the applicable local official plan and may require an amendment to permit the use. Petroleum exploration and production under the Oil, Gas and Salt Resources Act is not permitted in Settlement Areas.

**9.7 Extraction Operations in the Agricultural Area** – On lands designated Agricultural in this Plan, natural resource extraction is permitted as an interim use provided rehabilitation



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

- a) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and,
- c) other alternatives, including resources in areas of Canada Land Inventory Class 4 to 7 soils and resources on prime agricultural lands where rehabilitation is feasible, have been considered by the applicant and found unsuitable; and,
- d) agricultural rehabilitation in remaining areas will be maximized.

**9.8 Development & Extraction Operations** – Extraction operations shall be protected from incompatible development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact. Existing extraction operations shall be permitted to continue without the need for an amendment to this Plan or a local official plan or zoning by-law. Non-resource extraction development proposed within 300 metres of an existing mineral or aggregate extraction operation shall demonstrate through an aggregate impact assessment that:

- a) the proposed development will not preclude or hinder the existing extraction operation or the establishment of new operations;
- b) impacts such as noise, dust, vibration can be mitigated through design; and,

- c) where residential and other sensitive land uses are proposed adjacent to an extraction operation, the applicant shall demonstrate that the quality and quantity of groundwater is, and will be, suitable for the proposed development considering the current and fully approved capacity and extent of the adjacent extraction operation.

Development proposed adjacent to existing petroleum extraction operations (wells) shall be set back 75 metres or as required under the Oil, Gas and Salt Resources Act.

**9.9 Rehabilitation of Extraction Operations** – Where a natural resource extraction operation has ceased, rehabilitation to accommodate subsequent land uses shall be required to promote land use compatibility, recognize the interim nature of the extraction operation, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration. Progressive rehabilitation should be undertaken wherever feasible and comprehensive rehabilitation planning is encouraged where there is a concentration of natural resource extraction operations. To that end, a rehabilitation plan shall be required in advance of any municipal planning approvals for new or expanding extraction operations.

**9.10 Wayside Pits and Quarries** – In accordance with provincial policy, wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need amendment, rezoning, or development permit under the Planning Act in all areas,

except those areas of existing development or particular environmental sensitivity which have been determined by the County or local municipality to be incompatible with extraction

and associated activities. Further, it is the policy of the County to require restoration of the site when such facilities are no longer required.”

## 10.0 DEVELOPMENT HAZARDS

Natural and human-made hazards have the potential to impact public health and safety and create risks to private property and public infrastructure. Hazards can include floodplains, shoreline erosion, unstable slopes and soils, contaminated sites, former natural resource extraction operations, and former landfills. To that end, the following objectives have been identified as they relate to development hazards in the County:

- a) Direct development to areas outside hazardous lands regulated by conservation authorities;
- b) Prohibit development on, or adjacent to, contaminated sites, former landfills, and abandoned petroleum wells except in accordance with provincial guidelines and regulations;
- c) Respect the guidelines and regulations of conservation authorities and the Province as it related to both natural and human-made hazards; and,
- d) Consider and prepare for increase the risk associated with natural hazards due to climate change.

In addition to the policies of the subject land use designation, the following policies apply to development hazards in the County as described herein and as may be designated on Schedule 'D' of this Plan:

**10.1 Composition of Development Hazards** – Development hazards are composed of:

- a) Hazardous lands, including floodplains, dynamic beach hazards, and erosion hazards;
- b) Hazardous sites;
- c) Former waste disposal sites;
- d) Contaminated and potentially contaminated sites;
- e) Oil, Gas, and Salt Hazards;
- f) Wildland Fire Hazards;
- g) Former Natural Resource Extraction Operations; and,
- h) Abandoned petroleum wells.

**10.2 General Policy** – Hazardous lands are lands that could be unsafe for development due to naturally occurring processes. Along the shoreline of Lake Erie, this means the land, including land covered by water and the furthest landward limit of the flooding hazard, erosion hazard, or dynamic beach hazard limits. Along river, stream, or small inland lake systems, this means the land, including land covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. Hazardous sites also includes lands that could be unsafe for development due to naturally occurring hazards such as unstable soils including sensitive marine clays (leda) or organic soils, or unstable bedrock (karst topography). As such, it is the general policy of this Plan that development and site alteration be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

**10.3 Role of Conservation Authorities** – It is the policy of this Plan to recognize and respect the role that conservation authorities play, through their legislative mandate and authority in regulating development and alteration activities within natural hazards. This is often referred to as a 'regulation area or limit', being the area subject to the Prohibited Activities, Exemptions and Permits Regulation under the Conservation Authorities Act. As such, it is the policy of the County to generally defer to, and implement, the requirements of the conservation authority having jurisdiction with respect to development and alteration activities in hazardous lands and sites.

**10.4 Identification of Hazardous Lands & Sites** – It is recognized that the mapping of hazardous lands and sites in this Plan is approximate. The policies of this section apply to all hazardous lands and sites regardless of whether they are identified in this Plan. Changes to the limit of hazardous lands and sites may be considered through the findings of a geotechnical report, hydrogeological report, or slope stability study completed to the satisfaction of the County and the conservation authority having jurisdiction. If a change to the limit of hazardous lands and sites has been demonstrated to be appropriate, the revised limit shall prevail, and no amendment to this Plan shall be required.

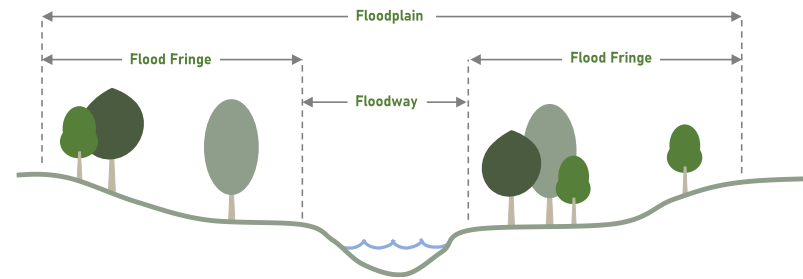
**10.5 Permitted Uses** – In areas designated as hazardous lands on Schedule 'D' of this Plan, hazardous sites, former waste disposal site, or identified as a contaminated or potentially contaminated site, the use of land shall be those uses permitted in the land use designations identified in Schedule 'A', of this Plan, subject to the policies of this section.

**10.6 Hazardous Lands & Sites** – Development in hazardous lands and sites shall generally not be permitted and only considered where the following are demonstrated and achieved:

- a) a justification is provided as to why it is not possible to locate the development outside of the hazard;
- b) development and site alteration is carried out in accordance with erosion and floodproofing standards, protection works standards, and access standards of the conservation authority having jurisdiction;
- c) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;
- d) new hazards are not created, and existing hazards are not aggravated; and
- e) no adverse environmental impacts will result.

Notwithstanding the above, institutional uses; essential emergency services; and / or uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall be prohibited from locating in hazardous lands and sites.

**10.7 Floodplains** – It is the intent of this Plan that no development or site alteration be permitted within the floodplain of a river or stream system to minimize and eliminate any risks to life and property resulting from flooding, in accordance with relevant conservation authority regulations except within a flood fringe where a two-zone floodplain management concept has been approved or where authorization has been obtained from the relevant conservation authority. Buildings and structures are not permitted within the floodplain, except where authorization has been obtained from the appropriate conservation authority. In no case shall development be permitted in a floodway.



**Figure 6: Composition of Floodplain**

**10.8 Dynamic Beach Hazards** – Dynamic beach hazards are composed of inherently unstable accumulations of shoreline sediments along Lake Erie, as identified by provincial standards. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance. No development or site alteration shall be permitted in a dynamic beach hazard.

**10.9 Erosion Hazards** – Erosion hazards are areas of land that are subject to land regression or retreat from a combination of geologic, seismic, hydrologic, or humanmade factors, and as such they pose a potential threat to safety, property, and infrastructure. To that end, development shall be directed to an area outside of the erosion hazard limit of a riverine valley slope. The use of stabilization works to adjust the erosion hazard limit or development setbacks for the purposes of increasing the potential development envelope or permitting new development and/or site alterations within the limit shall not be permitted.

**10.10 Determining the Erosion Hazard Limit** – The erosion hazard limit will be determined by the conservation authority having jurisdiction on a site-by-site basis in consultation with

the County and the relevant local municipality. Provincial guidelines related to natural hazards will be used as a basis for determining the limit.

**10.11 Lake Erie Shoreline Erosion Hazard Limit** – The high bluff reaches of the shoreline of Lake Erie in the County experience severe rates of erosion. Notwithstanding Subsection 10.10, the Lake Erie erosion hazard limit shall be determined by the conservation authority having jurisdiction on a site-by-site basis in consultation with the County and the relevant local municipality using considerations that include the 100-year erosion rate (the average annual rate of recession extended over a 100-year time span), an allowance for slope stability, and an erosion/erosion access allowance. New development shall not be permitted within the Lake Erie shoreline erosion hazard limit. Replacement and/or relocation of existing buildings or structures located within the Lake Erie shoreline erosion hazard may be permitted subject to the approval of the relevant conservation authority.

**10.12 Hazardous Lands & Climate Change** – Severe weather associated with climate change is anticipated to cause increased instances of flooding, erosion, and stormwater runoff as it adversely impacts precipitation levels. As such, the County, local municipalities, and conservation authorities must adapt to protect safety, property, and infrastructure from increased risks of flooding and erosion. To that end, the County, in consultation with the relevant conservation authority, will:

- a) Encourage the use of vulnerability or risk assessments, when appropriate, to consider potential increased erosion rates, water levels, and extreme weather events and their potential impact on development;
- b) Encourage the incorporation of adaption strategies for new development that account for changing erosion patterns, flooding, and related climate impacts;
- c) Encourage the protection and restoration of natural buffers such as riparian vegetation which can mitigate erosion hazards and enhance resilience;
- d) Ensure that when infrastructure must be located on hazardous lands, it is designed to withstand increased erosion, flooding, and extreme weather events; and
- e) Participate in monitoring programmes and the development of climate change adaptation strategies with conservation authorities.

**10.13 Development Subject to a Planning Act Approval** – Where development is subject to a Planning Act approval, it may be exempted from the regulatory process of a conservation authority under provincial legislation. If this is the case, the County shall be satisfied that all planning, development, and site alteration considerations regarding any proposed development or site alteration of hazardous lands and sites shall be incorporated into the conditions of approval or through a development agreement, in consultation with the conservation authority having jurisdiction prior to the granting of any approval for which the County is approval authority.

**10.14 Development & Former Waste Disposal Sites** – Former (closed) waste disposal sites are shown with a symbol on Schedule 'D'. The development of new uses or new/enlarged buildings or structures within 500 metres from the fill area of the former waste disposal site may be permitted, provided an assessment in accordance with provincial guidelines, is completed to determine:

- a) whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the former waste disposal site; and,

- b) the impact of leachate migration from the landfill site on the proposed use.

To implement these policies, local municipal zoning by-laws shall restrict the development of new uses on lands within the 500-metre assessment area in accordance with this Plan, which may include the use of a holding symbol. Any amendment to permit the development of any new use within the assessment area shall not occur until the appropriate council is satisfied that all studies required by the local municipality and County have been completed.

#### **10.15 Development & Contaminated or Potentially Contaminated Sites**

– Contaminated or potentially contaminated sites are composed of any site where future use is affected by real or perceived environmental contamination from a current or previous use of the site for commercial, industrial, or institutional use. These sites are often called ‘brownfields’ and are not mapped in this Plan. If the site of a proposed development is, in the opinion of the County, a local municipality, or other authority known or suspected to be a contaminated site, prior to permitting development on the site, the proponent shall complete the following to the satisfaction of the County and or local municipality:

- a) Environmental Site Assessment (ESA) in accordance with provincial guidelines; and,
- b) site restoration in accordance with a remedial plan, where the need for remediation is identified.

Where an ESA has determined that contamination exists, no development shall be permitted until such time as the completion of any required decommissioning and/or remediation of the site, and a Record of Site Condition (RSC) has been prepared and filed by a qualified person confirming

that site soil conditions meet provincial criteria for the proposed use.

#### **10.16 Oil, Gas, and Salt Hazards & Former Natural Resource Extraction Operations**

– Development on, abutting, or adjacent to lands affected by an oil, gas, or salt hazard or a former natural resource extraction operation may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. The County shall encourage, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.

#### **10.17 Wildland Fire Hazards**

– Wildland fire hazards refers to areas, assessed as being associated with the risk of high to extreme wildland fire by the Province. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of wildland fire hazards and may only be permitted where the risk is mitigated in accordance with wildland fire assessment and mitigation standards. Where development is proposed within a wildland fire hazard, applicants may be required to undertake a site review to assess, to the extent possible, the level of wildland fire hazard and associated risk on and in the vicinity of the subject lands. Applicants pursuing development in lands with hazardous forest types may be required to identify measures that need to be taken to mitigate the risk in accordance with standards.

#### **10.18 Abandoned Petroleum Wells**

– Associated with the County’s petroleum reservoirs and past extraction operations,



there are numerous abandoned petroleum wells located throughout Elgin County, particularly in the western portions of the County. Where these wells are known to exist, they shall be identified in a local official plan. Further, as a condition of development, the County will require that improperly plugged (abandoned) wells that are known or discovered during development will be properly plugged, capped, or otherwise

made safe in accordance with provincial requirements. Building locations should be examined for the presence of possible well sites using established standards and procedures, and areas where wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.

# 11.0 CULTURAL HERITAGE

Cultural heritage is a broad concept that includes built cultural heritage, such as buildings, structures, and monuments, as well as cultural heritage landscapes and districts such as parks, historic trading or transportation routes, main streets, residential neighbourhoods, and archaeological sites. Cultural heritage helps to tell our collective histories and stories, builds civic pride, and is a key component of developing unique communities that people desire to visit and live in. It is also an important component of reconciliation with Indigenous communities. To that end, the following objectives have been identified as they relate to cultural heritage in the County:

- a) Encourage the identification of cultural heritage resources and protect, conserve, and enhance them;
- b) Ensure that all new development occur in a manner that respects the County's rich cultural heritage;
- c) Support the identification of archaeological resources and areas of archaeological potential; and,
- d) Ensure that Indigenous communities have access to their own cultural heritage resources.

In addition to the other policies of this Plan, the following policies apply to cultural heritage in the County:

#### **11.1 Composition of the Cultural Heritage Resources –**

Cultural heritage resources are composed of:

- a) built heritage resources;
- b) cultural heritage landscapes; and,
- c) archaeological resources.

**11.2 General Policy –** It is the intent of this Plan that the County's built heritage resources, cultural heritage landscapes, and archaeological resources be identified, conserved, and enhanced, and that all new development occur in a manner that respects the County's rich cultural heritage. This is largely anticipated to occur at the local level through the development of detailed policies in local official plans, and through the municipal heritage designation process under the Ontario Heritage Act. Given the potential cross-jurisdictional nature of archeological sites and resources and the County's role in land division, the County's primary focus with respect to cultural heritage shall be the identification and protection of archaeological resources.

#### **11.3 Cultural Heritage Resources & Local Official Plans –**

As noted above, while it is the intent of this Plan to require the conservation and protection of cultural heritage resources, it is recognized that this role largely rests with local municipalities. To that end, local official plans shall include policies to protect and conserve cultural heritage resources, including requirements for technical cultural heritage studies (e.g. conservation plan, heritage impact assessment, and/or archaeological assessment) to be conducted by a qualified professional when development or site alteration has the potential to affect a protected heritage resource, a resource with potential cultural heritage value or interest, or for

development proposed adjacent to a protected heritage resource or a resource with potential cultural heritage value or interest.

#### **11.4 Supporting Local Cultural Heritage Conservation –**

As cultural heritage conservation is largely anticipated to occur at the local level, it is the policy of the County to support local efforts to conserve cultural heritage resources through the designation process under the Ontario Heritage Act, and the use of authorities under the Planning Act such as zoning to conserve cultural heritage resources.

**“The County shall engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources.”**

#### **11.5 Development in Areas of Archaeological Potential –**

Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only when the archaeological resources have been assessed, documented, and conserved. Archaeological assessments must be carried out by licenced archaeologists, prior to the permitting of development and any alterations to known archaeological sites will only be performed by licensed archaeologists.

**11.6 Marine Archeological Resources** – If there is potential for the presence of partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft or other artifacts items of cultural heritage value or interest, a marine archaeological assessment shall be conducted by a licenced archaeologist pursuant to the Ontario Heritage Act.

**11.7 Determining Areas of Archaeological Potential** – In the absence of comprehensive mapping, to determine if a site is part of an area of archaeological potential, a development proponent shall conduct and submit an evaluation using the Province’s Criteria for Evaluating Archaeological Potential and/or Criteria for Evaluating Marine Archaeological Potential for review and concurrence by the County prior to making application for development. Where one or more provincial criteria have been met the applicant shall be required to engage a licensed archaeologist to prepare an archaeological assessment prior to any ground disturbing activities.

**11.8 Preparation of Archaeological Assessments** – Where an archaeological assessment is required, development and site alteration shall not proceed until the assessment or assessments have been entered into the Ontario Public Register of Archaeological Reports, and where these reports conclude that:

- a) the assessment of the area is complete; and,
- b) all archaeological sites identified by the assessment are either of no further cultural heritage value or interest, or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.

**11.9 Cemeteries & Burial Sites** – Where development has the potential to impact a known or suspected cemetery or burial site, the relevant approval authority shall require an archaeological assessment by a licenced archaeologist. Provisions under both the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply. Development shall be guided by this legislation and in accordance with any directives from the Province.

**11.10 Engaging with Indigenous Communities** – The County shall engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources. To that end the County will establish, together with Indigenous communities, protocols for sharing archaeological information received through the completion of an archaeological assessment or heritage impact assessment.

**11.11 Indigenous Community Interests** – Where a completed archaeological assessment identifies sites and archaeological resources of Indigenous interest, they shall be provided to the community of closest cultural affiliation to the site and/or resources, subject to any legislative requirements. To that end, the County shall:

- a) direct proponents to the appropriate Indigenous community and facilitate communication with the relevant community;
- b) require proponents to engage with Indigenous communities at the earliest opportunity and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources;
- c) require documentation that the proponent has provided a copy of any completed archaeological assessment report to those communities with the closest cultural

affiliation to the identified archaeological resources and in whose traditional territories the archaeological resources were found; and

- d) notify, in advance, of on-site archaeological assessment work completed as part of County public works projects, Indigenous communities with the closest cultural affiliation to the project area and/or archaeological resources and in whose traditional territories the archaeological resources were located.

**11.12 Unexpected Archaeological Discoveries** – The County shall develop emergency protocols to address the unexpected discovery of archaeological resources during the development process and include standard clauses addressing emergency protocols in all draft plan approvals for which the County is approval authority.

**11.13 Role of Local Municipalities** – Local municipalities are encouraged to support conservation of archaeological resources by reviewing public works projects, regardless of whether they are subject to the Environmental Assessment Act, to determine impacts upon potential archaeological resources conducting an archeological assessment if the lands

are located within an area of archaeological potential, or where an archaeological site has been previously registered on the property.

**11.14 Archaeological Management Plan** – To develop a consistent and comprehensive approach to the identification and management of archaeological resources, the County may prepare and maintain a county-wide archaeological management plan to:

- a) Reduce the risk of unforeseen discoveries during development (such as disturbing a burial site);
- b) Increase public awareness of archaeological resources;
- c) Advise current and prospective property owners where archaeological investigations will be required in order to develop or redevelop a site;
- d) Give the public greater insight into their collective histories and the opportunity to appreciate its heritage more fully; and
- e) Allow for the identification and interpretation of greater numbers of cultural heritage resources, which may offer opportunities for increased tourism.

## 12.0 REVIEW OF DEVELOPMENT APPLICATIONS

Under the Planning Act, Elgin County is the approval authority for all forms of land division within County limits including plans of subdivision, condominium, and land severances (also called ‘consents’). The County is also approval authority for all local official plans and amendments to local official plans. The authority to approve all other Planning Act applications is held by the County’s local municipalities, and in that respect, the County acts as commenting body. To that end, the following objectives have been identified as they relate to the review of development applications in the County:

- a) Foster efficient and timely development approvals without compromising the integrity of the planning process and development review;
- b) Develop clear and consistent processes and criteria for the review of Planning Act applications for which the County is approval authority;
- c) Ensure that applications are accompanied by sufficient, high-quality information, prepared by qualified professionals, where appropriate, to assist county staff and County Council in making informed recommendations and decisions; and,
- d) Ensure that the public and Indigenous communities are appropriately consulted on decisions that impact them.

The following policies apply to the processing and review of Planning Act applications in the County:

**12.1 General Policy** – The County of Elgin recognizes the important role that Planning Act applications play in facilitating development, while protecting the public interest. To that end, the County will seek to ensure the implementation of efficient planning processes that provide timely decisions to applicants while protecting the public interest and meeting the objectives of this Plan by:

- a) investigating and implementing measures to eliminate duplication, consolidate responses, and reduce unnecessary time delays;
- b) enforcing reasonable timelines for feedback, input, and comment by outside agencies and the public;
- c) encourage and/or mandate development proponents to pre-consult with county and municipality staff prior to submitting Planning Act applications; and,
- d) monitoring approval processes and setting time-frame targets for processing applications.

**12.2 Land Division Applications** – All applications for land division shall be evaluated based on the following general criteria:

- a) Compliance with the requirements of the Planning Act, and any other applicable piece of legislation;
- b) Demonstrated consistency with the Provincial Planning Statement, as amended;
- c) Demonstrated conformity with the policies and land use designations of this Plan and of the applicable local official plan;
- d) Demonstrated conformity with a local zoning by-law, or a demonstration that conformity will be achieved, prior to final approval;

- e) The ability of the application to address and satisfy the comments and input received by commenting agencies and bodies;
- f) Demonstration that any input from the public has been reviewed and considered; and
- g) Demonstration that the application is in the public interest.

**12.3 Plan of Subdivision vs Consent** – Land division in fee simple normally proceeds by way of either plan of subdivision or severance (also known as a ‘consent’). Under the provisions of the Planning Act, all land division must proceed by way of plan of subdivision, unless it is determined that a plan of subdivision is not necessary for the orderly and efficient development of the land. To that end, lot creation by plan of subdivision is generally required if:

- a) the extension of existing infrastructure (i.e. servicing or roads) or the development of new infrastructure is required;
- b) the area that is proposed to be developed is not considered to be infilling;
- c) more than five lots including the retained lands are being created; and/or
- d) the owner is retaining sufficient lands for the development of additional lots in accordance with the land use designation in the local official plan.

**12.4 Technical Consents, No New Lot Created** – In some cases the division of land is required to address a technical matter such as the adjustment of a lot boundary, the creation of an easement, to register a lease of over 21-years, or to register or discharge a mortgage on a part of a parcel of land. In these cases, the consent does not result in the creation of a new lot. Applications for a consent for a technical reason may be granted subject to the County being satisfied that the



consent will not negatively affect the planned use and function of the subject properties.

## **“The County will seek to ensure the implementation of efficient planning processes that provide timely decisions to applicants while protecting the public interest.”**

**12.5 Technical Consents, New Lot Created** – In some cases the division of land is required to address situations where two or more lots have merged on title. Such new lots may be permitted, provided the County is satisfied that:

- a) the merging of the lots was unintentional and was not merged as a requirement of a previous planning approval;
- b) the new lot is generally of the same shape and size as the lot which once existed as a separate conveyable lot;
- c) the new lot can be appropriately serviced;
- d) the new lot fronts on, and will be directly accessed, by a public road that is maintained year-round by a public authority;
- e) the new lot will conform to the access policies of the relevant road authority; and
- f) there is no public interest served by maintaining the property as a single conveyable parcel.

**12.6 Exempted Plans of Condominium** – Under the Condominium Act, an application for approval of a

condominium follows the same planning approval process as a plan of subdivision. Notwithstanding this, the Condominium Act permits the County to ‘exempt’ applications from going through the draft plan approval process and proceed directly to final approval. The County will consider applications for eligibility under the exempted condominium process subject to the following:

- a) The proposed condominium has obtained site plan approval undergone a review/approval by the local municipality;
- b) The Plan conforms to the County and the relevant local official plan;
- c) The Plan conforms to, and complies with, the Zoning By-law;
- d) A development agreement has been entered into between the local municipality and the applicant, and it is registered against title to the lands;
- e) There are no outstanding municipal or agency matters that are required to be addressed before final approval is given;
- f) All matters under the Planning Act have been addressed; and,
- g) There are no provincial, municipal, County or agency concerns requiring conditions of draft approval.

**12.7 Exemption from Part Lot Control** – The part lot control provisions of the Planning Act have the effect of preventing the division of land in a registered plan, other than that allowed for in the approved plan of subdivision (without further approvals). Notwithstanding this, the Act permits the County to provide site-specific exemptions to this prohibition. An exemption from part lot control is appropriate when several land transactions are involved, but the resulting changes will not affect the nature or character of the proposed subdivision. As such, the

County will consider exempting the following types of applications from part-lot control:

- a) the creation of lots for dwellings with common walls (e.g. semi-detached, rowhouses, etc.) within an approved plan of subdivision;
- b) minor lot realignments within a plan of subdivision;
- c) technical severances, such as additions to lots, easements, or land dedications within a plan of subdivision; and,
- d) the creation of lots within blocks in a plan of subdivision that were clearly indicated and intended to be further subdivided at the time the application was considered by a local council.

The creation of additional lots in a plan of subdivision through part lot control exemption, due to changes to market conditions may be considered, provided that a local council and the County is satisfied the resulting changes will not affect the nature or character of the proposed subdivision, and the changes do not require further technical review of the plan of subdivision.

**12.8 Local Official Plans & Amendments** – All local official plans and applications for official plan amendments shall be evaluated based on the following general criteria:

- a) Compliance with the requirements of the Planning Act, and any other applicable piece of legislation;
- b) Demonstrated consistency with the Provincial Planning Statement, as amended;
- c) Demonstrated conformity with the policies and land use designations of this Plan;
- d) Demonstrated conformity with the overall intent, goals, and objectives of local official plan;

- e) The ability of the application to address and satisfy the comments and input received by commenting agencies and bodies;
- f) Demonstration that input from the public has been reviewed and considered; and
- g) Demonstration that the plan or amendment is in the public interest.

**12.9 Applicant Pre-consultation** – It is the policy of the County to encourage pre-consultation for all Planning Act applications for which the County is approval authority. Prior to the submission of an application under the Planning Act for which the County is approval authority, applicants are encouraged to meet jointly with the County, the local municipality, and relevant agencies to:

- a) determine what studies, plans, and materials are required to support an application in accordance with this section of the Plan; and,
- b) Provide preliminary comments and feedback to the applicant regarding their proposal.

**12.10 Complete Application Requirements** – To ensure that both local and County Councils can make an informed decision on any Planning Act application, and to ensure that the public understands the implications of an application, studies, reports, and/or plans are required to be submitted as part of what is referred to under the Planning Act as a ‘complete application’. In addition to the application requirements of the Act, and the supporting studies, reports, or plans that may be detailed as required within this Plan, the following may be required to support any application for which the County is approval authority:

- a) Aggregate Resource Assessment;
- b) Aggregate Impact Assessment;
- c) Agricultural Impact Assessment;

- d) Archaeological Assessment;
- e) Concept or Demonstration Plan;
- f) Cumulative Groundwater Impact Assessment;
- g) Draft Plan of Subdivision or Condominium;
- h) Energy & Emissions Strategy;
- i) Environmental Impact Study;
- j) Environmental Site Assessment;
- k) Financial Impact Assessment;
- l) Functional Servicing Report;
- m) Geotechnical Assessment;
- n) Heritage Impact Assessment;
- o) Heritage Conservation Plan;
- p) Hydrogeological Assessment;
- q) Land Use Compatibility Assessment;
- r) Market Impact Study;
- s) Market Justification Study;
- t) Master Servicing Study;
- u) Noise & Vibration Study;
- v) Odour Assessment;
- w) Planning Rationale;
- x) Parking Assessment;
- y) Reference Plan or Real Property Survey;
- z) Rehabilitation Plan (natural resource extraction);
- aa) Servicing Options Study;
- bb) Species at Risk Assessment;
- cc) Stormwater Management Plan;
- dd) Sub Watershed Study;
- ee) Sustainability Strategy;
- ff) Topographic Survey;
- gg) Traffic Impact Assessment;
- hh) Urban Boundary Review Study;

It is at the sole discretion of the County to determine what studies, reports, or plans are required to form a complete application for which the County is approval authority.

**12.11 Qualified Professionals** – All studies, reports, and plans required by the County shall be carried out by qualified professionals retained by, and at the sole expense of, the applicant. To that end, a qualified professional means an individual who has a provincially recognized degree, certification, licence, registration, or other requirements that apply to the areas in which the individual is providing their professional opinion or services. The County shall determine, at its sole discretion, who constitutes a qualified professional.

**12.12 Review of Studies, Reports, and Plans** – The acceptance of a complete application by the County does not constitute concurrence with the contents of the application. To that end, the County may require independent peer reviews of studies, reports, and plans by an appropriate public agency or by a professional consultant retained by the County at the proponent's sole expense. Alternatively, studies may be carried out by a qualified professional retained by the County at the expense of the proponent.

**12.13 Public Participation & Consultation** – It is a policy of this Plan that public participation should be an integral component of any planning process. On this basis, before making any planning decision, County Council shall be satisfied that:

- a) adequate public notice has been given in accordance with the Planning Act;
- b) enough information to enable the public to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
- c) all public and agency comments have been reviewed and analysed; and,

- d) their decision will appropriately balance the overall public interest against the private interests expressed in the application.

Proponents shall be encouraged to pre-consult with neighbouring landowners and residents to obtain their views before a formal application is submitted.

**12.14 Indigenous Consultation** – The County will explore opportunities for collaboration on common objectives and build relationships with Indigenous communities to advance reconciliation and other joint interests. To that end, the County will:

- a) create, in collaboration area Indigenous communities and local municipalities, an engagement protocol to be

- applied when engaging and coordinating with Indigenous communities on planning matters;
- b) have regard for the consultation protocols of Indigenous communities that have traditional territory in the County when engaging on planning matters or public works projects; and
- c) engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources, planning for sustainability and climate change, and the Natural System.

# 13.0 IMPLEMENTATION & ADMINISTRATION

This section of the Plan contains policies pertaining to the administration and implementation this Plan. Specifically, this section addresses how the Plan is to be interpreted, reviewed, updated, and monitored. To that end, the following objectives have been identified as they relate to the implementation and administration of this Official Plan:

- a) Clarify how the policies and land use designations of this Plan, as well as references to the legislation, policies, regulations, and guidelines of other authorities and levels of government are to be interpreted;
- b) Identify a framework for the regular review and updating of this Plan to ensure it continues to respond to the needs of the County and issues of importance to County Council; and,
- c) Identify a framework for monitoring progress on achieving the goals and objectives of this Plan and the implementation of its policies.

The following policies apply to the implementation and administration of this Plan:

**13.1 Minimum Policies & Standards** – Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan, provided such policies are consistent with the general intent of this Plan.

**13.2 County Official Plan Amendments** – It is the intent of this Plan to serve as the basis for managing change in the County until 2044. Any amendment proposed to this Plan shall conform to the Plan’s overall intent as set out in the objectives of this Plan. The Plan may be altered to correct errors in the text or schedules without an amendment, provided the alterations do not change the effect of the objectives and policies of the Plan. Following the adoption of this Plan, County Council shall determine the need to revise the Official Plan in whole or in part in consultation with prescribed public bodies and hold a special meeting of Council that is open to the public, at intervals of not more than every five years. In considering the need for revisions, the County shall also consider Section 26 of the Planning Act which requires that the Official Plan:

- a) conforms to any provincial plans;
- b) has regard to the matters of provincial interest listed in the Planning Act; and,
- c) is consistent with policy statements issued under the Act.

**13.3 Local Official Plans & Amendments** – Local official plans shall conform to this Plan. However, it is recognized, that some time may pass between the adoption of this Plan and the conformance exercise of a local official plan or a statutory review. In the event of a conflict between the

provisions of a local official plan and the provisions of this Plan in the interim period, the provisions of this Plan shall prevail.

**13.4 Local Zoning By-laws** – When this Plan or any part thereof takes effect, every local zoning by-law shall be updated by the local municipalities to conform with this Plan. Any amendments to zoning by-laws should occur after the local official plan has been amended to conform to this Plan. Notwithstanding the above, this Plan is not intended to prevent the continuation, expansion, or enlargement of legally existing uses which do not conform to the designations and provisions of this Plan. At their sole discretion, the council of a local municipality may zone to permit the continuation, expansion, or enlargement of legally existing uses, or variations to similar uses, provided that such uses:

- a) have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan; and
- b) are subject to any conditions that may be contained in a local official plan.

**13.5 Planning Advisory Committee** – The Planning Act mandates that the County of Elgin establish a planning advisory committee. To that end, the mandate of the committee shall be to provide County Council with advice regarding key planning matters in the County. Members will provide input on issues that impact the long-term vision for development the County. This mandate will be fulfilled by considering and providing input on matters such as:

- a) Proposed new or revised plans, legislation and initiatives from provincial ministries, federal departments, and other agencies that affect planning issues in the County;
- b) Updates and amendments to the County Official Plan;
- c) Monitoring the implementation of this Plan; and

- d) Other studies warranting additional consideration, as referred by County Council.

**13.6 Monitoring Plan Implementation** – The purpose of monitoring is to evaluate the effectiveness and relevance of the Plan in meeting the County’s goals and objectives. The County will develop indicators to assist with regular monitoring of this Plan and undertake annual reporting to Council on implementation. At minimum annual monitoring to County Council will include details on:

- a) Ensuring an overall 25-year supply of urban lands across the County;
- b) Progress towards meeting the Plan’s residential infilling and intensification target;
- c) Ensuring the minimum supply of residentially-designated lands, and supply of vacant, zoned, and serviced residential lands;
- d) Progress towards meeting the Plan’s affordable housing target;
- e) Ensuring a 25-year employment lands supply;
- f) Metrics to ensure that the County’s Natural System is protected and enhanced including progress towards meeting the Plan’s forest coverage target;
- g) Investments leveraged by any community improvement funding committed to by County Council;
- h) Targets and performance for processing applications; and,
- i) Any other metrics that County Council has identified as being relevant to the monitoring of this Plan.

To assist with monitoring and plan review, the County, in cooperation with local municipalities, will maintain an information system to allow for appropriate analysis of the changes in the social, economic, environmental, and technological conditions in the County.

**13.7 Interpretation, General** – This Plan is the County of Elgin’s statement of land use policy. As a statement of policy, some general flexibility in interpretation may be required from time-to-time to address site-specific or unforeseen circumstances. Where flexibility is warranted it may be considered at the sole discretion of County Council provided that the intent of the policies and objectives of this Plan are maintained.

**13.8 Interpretation, Defined Terms** – Where a word or term in is not defined or described in the body of this Plan, the reader shall refer to the Planning Act, Provincial Planning Statement, or the appropriate county or provincial implementation guideline for its definition. Where there is no definition found, the common definition of the word or term shall be used.

**13.9 Interpretation, Land Use Designations** – The boundaries between land uses designated on the schedules to this Plan are considered approximate except where they meet with roads, railway lines, rivers, transmission lines, lot lines or another clearly defined physical feature. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

**13.10 Interpretation, Settlement Area Boundaries** – The boundaries of the settlement areas identified on the schedules of this Plan are intended to be representative of the boundaries as delineated in local official plans. As such, local official plans should be consulted for the most accurate delineation of a boundary. Where a settlement area boundary has been revised in a local official plan, Schedule ‘A’ of the County Official Plan shall be updated by way of amendment except:



- a) where the settlement area boundary in a local official plan has been determined to be a conceptual boundary, in which case, it may be refined without amendment to this Plan so long as the total existing area of the settlement is not increased as a result of the revision; or
- b) where a revised settlement area boundary has been approved by the County as a result of the adoption of a new official plan by a local municipality, or a statutory update of a local official plan.

In such cases, the County shall update Schedule 'A' through a housekeeping exercise either independently, or as part of a statutory update to this Plan. Until such time as the County Plan has been updated, the revised boundary as illustrated in the local official plan shall be deemed to conform to this Plan.

**13.11 Interpretation, Expanding Servicing to Tier II & III Settlement Areas** – Where full or partial municipal services are established in, or expanded to, a Tier II or III Settlement Area the following shall apply:

- a) Where full services are provided to a Tier II Settlement Area, the subject settlement area shall be interpreted as being a Tier I Settlement Area for the purposes of this Plan; and,
- b) Where full or partial services are provided to a Tier III Settlement Area, the subject settlement area shall be interpreted as being a Tier I or II Settlement Area, as the case may be, for the purposes of this Plan.

In such cases, no amendment to this Plan shall be required and the County shall update Schedule 'A' through a housekeeping exercise either independently, or as part of a statutory update to this Plan.

**13.12 Interpretation, Natural System Boundaries**– It is recognized that the boundaries of the Natural System, are approximate or may not reflect the current boundary of the system or feature due to the dynamic nature of the system or feature. Interpreting the limits of Natural System shall be in accordance with Subsection 7.3 of this Plan.

**13.13 Interpretation, Hazardous Sites & Lands** – Like the Natural System, the limits of hazardous sites and lands are approximate or may not reflect the current boundary of the site or lands due to the dynamic nature of these hazards. Interpretation of the limits of hazardous lands and sites shall be in accordance with Subsection 10.4 of this Plan.

**13.14 Interpretation, Features Not Mapped** – In some cases, some features noted in this Plan may not be mapped due to lack of complete data, such as natural system features, aggregate resource areas, and contaminated / potentially contaminated sites. Additionally, a feature may not be mapped due to sensitivity of a feature such as the habitat of threatened or endangered species. The policies of this Plan apply to the relevant features regardless of whether they are mapped on the schedules of this Plan and no official plan amendment shall be required to identify these features.

**13.15 Interpretation, Road Locations** – The location of the roads as illustrated on the schedules of this Plan shall be considered as approximate. Amendments to this Plan will not be required to make minor adjustments or deviations to the locations of roads provided that the general intent of the Plan is maintained.

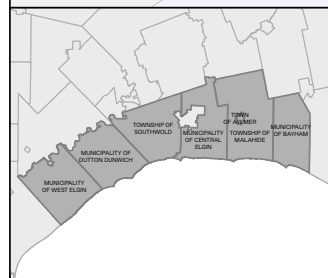
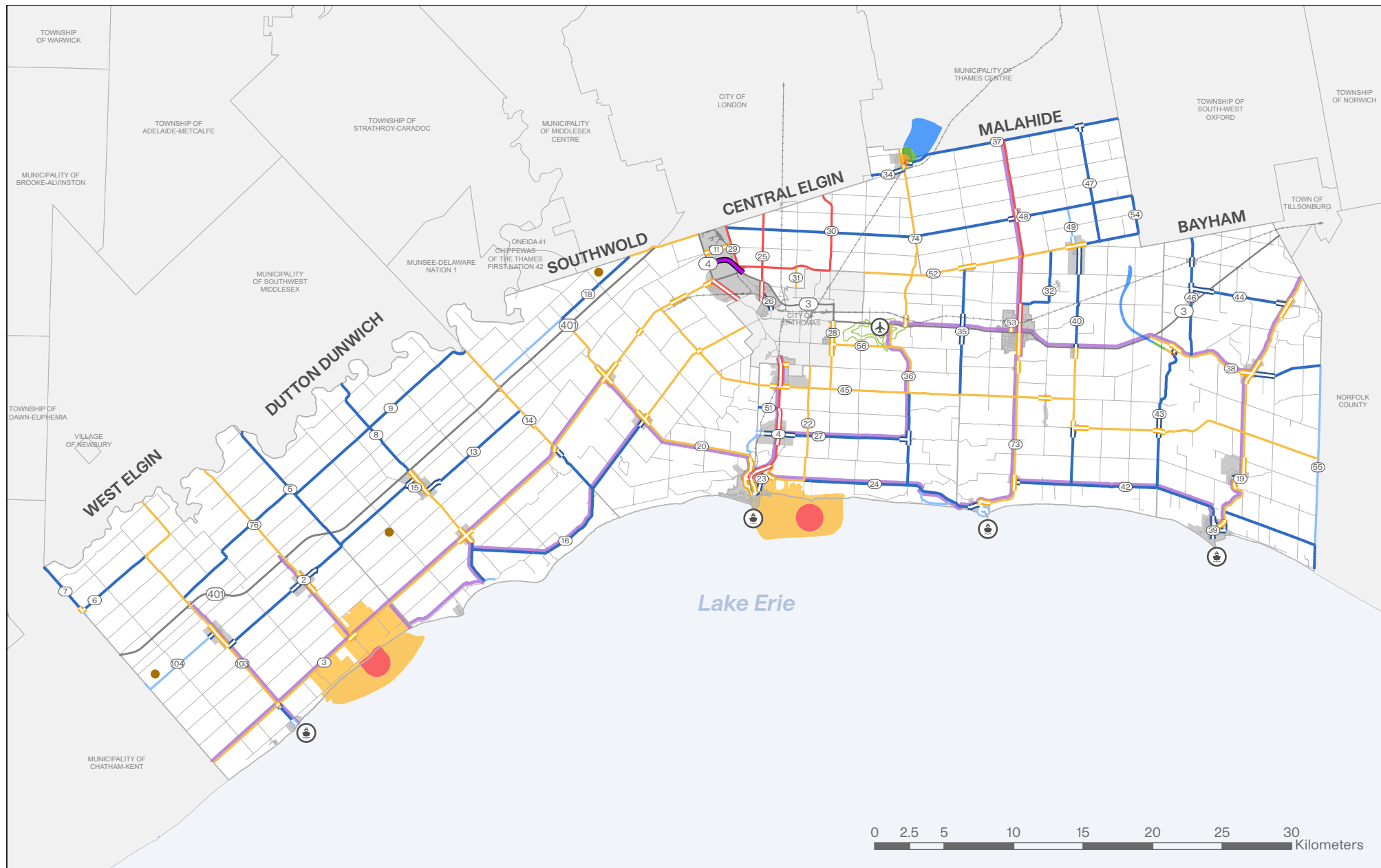
**13.16 References to Legislation, Policies, & Guidelines** – Where this Plan makes reference to any act, regulation, policy, or guideline of any planning authority, such reference shall be

deemed to include any subsequent amendments or successor document.

**13.17 Accessory Uses** – Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

**13.18 Discrepancies in the Plan** – If there is a discrepancy between policies of any section of this Plan or a local official plan, the more stringent policy, standard, or criteria shall prevail. Alternatively, the matter may be referred to County Council for clarification.

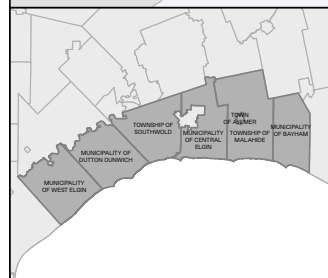
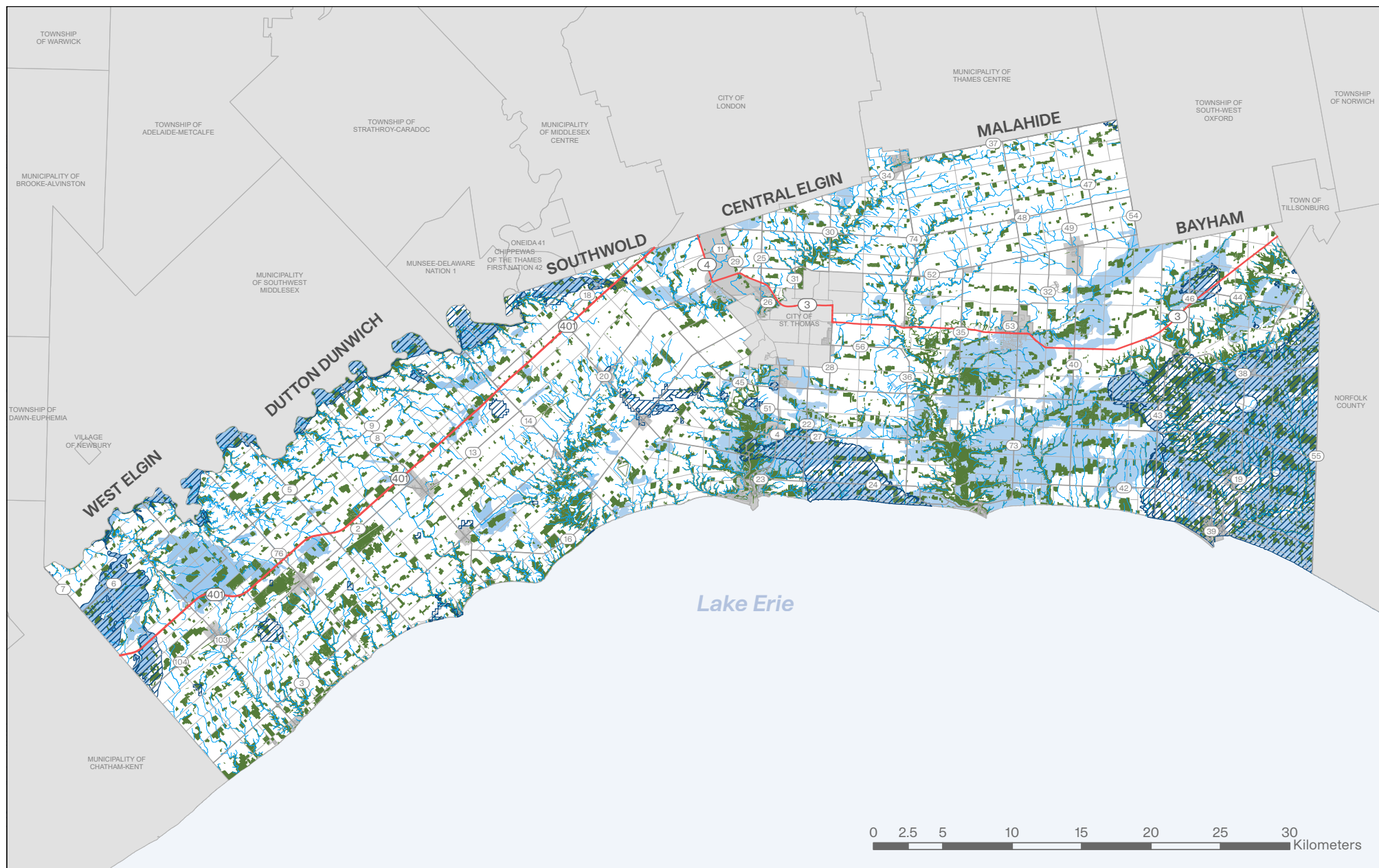




### Schedule 'B' – Transportation & Infrastructure Systems

- |                         |                                  |                      |                       |
|-------------------------|----------------------------------|----------------------|-----------------------|
| Sourcewater             | Active Rail Line                 | Rural Collector      | Provincial Roads      |
| Protection Intake Areas | Proposed Transportation Corridor | Rural Local          | Local Roads           |
| Airport                 | Urban Collector                  | Rural Major Arterial | Settlement Boundaries |
| Marine Ports            | Urban Local                      | Rural Minor Arterial |                       |
| Active Landfills        | Urban Minor Arterial             | NEF / NEP Contours   |                       |
|                         | Urban Major Arterial             | Scenic Routes        |                       |



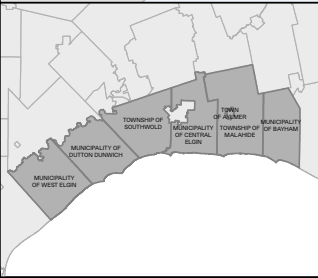
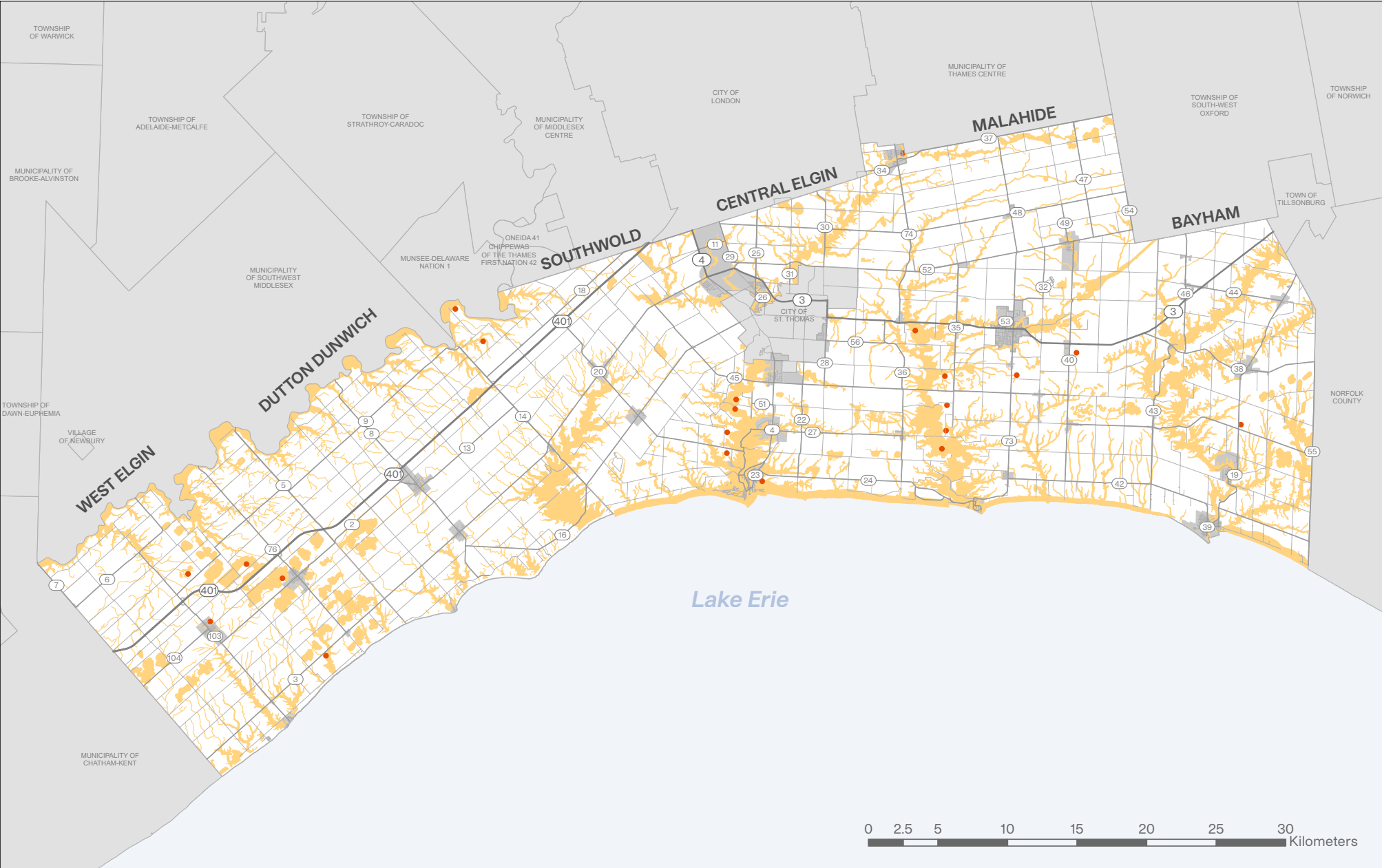


### Schedule 'C' – The Natural System

- Natural Heritage System
- Significant Groundwater Recharge Area
- Watercourse
- Highly Vulnerable Aquifer
- Provincial Highway
- County Roads
- Local Roads



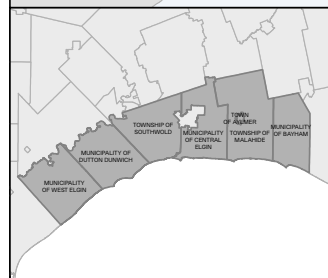
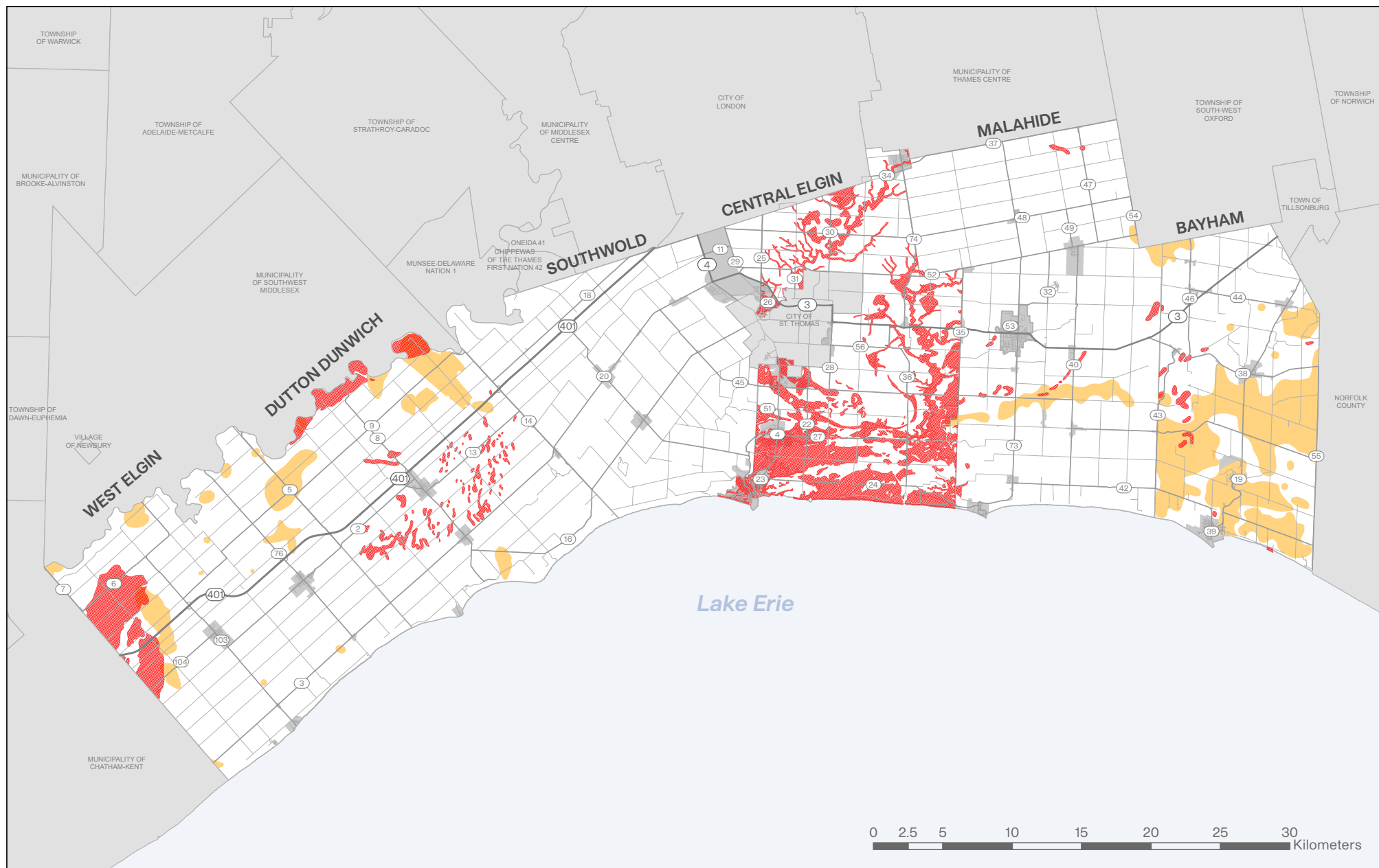




**Schedule 'D' – Development Hazards**

- Former Landfill Sites
  - Conservation
  - Authority Regulation Limits
- Provincial Roads
  - County Roads
  - Local Roads





### Schedule 'E' – Natural Resource Management Areas

- Areas of Aggregate Resource
- Areas of Petroleum Resource
- Provincial Roads
- County Roads
- Local Roads





# Notice of completion of draft Environmental Study Report

## Longwood to Lakeshore Transmission Line project

September 2025

Hydro One has completed the draft Environmental Study Report (ESR) for the Longwood to Lakeshore Transmission Line project. Now, you're invited to provide feedback.

The proposed project involves building two single-circuit, 500 kilovolt (kV) transmission lines between Longwood Transformer Station (TS) in the Municipality of Strathroy-Caradoc and Lakeshore TS in the Municipality of Lakeshore. In addition to the line work, the proposed project also includes an expansion of Lakeshore TS, on property owned by Hydro One, as well as upgrades and the eventual expansion of Longwood TS to connect the new lines.

Energy demand in the region is anticipated to quadruple by 2035. Once built, the new transmission line will help meet electricity needs and support future growth in southwest Ontario. The in-service date for the first line is planned for 2030 and is expected to add approximately 550 megawatts (MW) of power to the region's electricity network. The in-service date for the second line will be determined by the Independent Electricity System Operator.

As part of the Class Environmental Assessment (EA) for the project, Hydro One has evaluated route alternatives, selected a preferred route, assessed the potential environmental effects of the project, and identified mitigation measures to address these effects. We'll continue to work with landowners as design and construction planning for the project continues. For more information on the project and the Class EA process, please visit [HydroOne.com/Longwood-to-Lakeshore](https://HydroOne.com/Longwood-to-Lakeshore). For a map of the proposed line, please see the next page.

### Next steps and providing your input

**The draft ESR is available for a public comment period from September 15, 2025 to October 15, 2025.** The report summarizes the Class EA process, which was conducted in accordance with the approved Class EA for Transmission Facilities (2024) under Ontario's *Environmental Assessment Act*.

Please provide any comments by 4:30 p.m. on **October 15, 2025** addressed to:

Sara Barss, Senior Environmental Specialist, Hydro One Networks Inc.,  
483 Bay St., North Tower, 14th Floor  
Toronto, ON M5G 2P5



Comments can also be submitted to 1.877.345.6799  
or [Community.Relations@HydroOne.com](mailto:Community.Relations@HydroOne.com).

Hydro One welcomes your feedback. We'll review and address all concerns brought to our attention before finalizing and submitting the ESR to the Ministry of Environment, Conservation and Parks (MECP). The project will then be considered acceptable to proceed as outlined in the ESR. We'll continue to work with community members as design and construction planning continue.

A request may be made to the MECP for an order requiring a higher level of study (i.e. a Comprehensive EA) or that conditions be imposed (e.g. require further studies) before the project can proceed. However, this request can only be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Indigenous and treaty rights. The MECP will not consider requests on other grounds. Requests should include the requester's contact information and specify what kind of order is being requested (request for conditions or Comprehensive EA); how an order may prevent, mitigate or remedy potential adverse impacts on Indigenous and treaty rights; and any information in support of the statements in the request.

### We're here to help

If you would like any further information or have any questions, please contact Community Relations at:

 1.877.345.6799  [Community.Relations@HydroOne.com](mailto:Community.Relations@HydroOne.com)



#### Where to find the draft ESR:

The draft ESR and Highlights documents can be viewed electronically on Hydro One's website at [HydroOne.com/Longwood-to-Lakeshore](https://HydroOne.com/Longwood-to-Lakeshore).



Printed copies are available at the following locations:

**Essex County Library – Toldo Branch (Atlas Tube Recreation Centre)**  
447 Renaud Line Road  
Belle River, ON

**Chatham-Kent Public Library – Chatham Branch**  
120 Queen Street  
Chatham, ON

**Chatham-Kent Public Library – Bothwell Branch**  
320 Main Street  
Bothwell, ON

**Glencoe Library**  
123 McKellar Street  
Glencoe, ON

**Chatham-Kent Public Library – Tilbury Branch**  
2 Queen Street  
Tilbury, ON

#### The request should be sent in writing or by email to:

**Minister, Ministry of the Environment, Conservation and Parks**  
777 Bay Street, 5th Floor,  
Toronto ON M7A 2J3  
[Minister.mecp@ontario.ca](mailto:Minister.mecp@ontario.ca)

**Director, Environmental Assessment Branch**  
Ministry of the Environment, Conservation and Parks  
135 St. Clair Avenue West,  
1st Floor, Toronto ON M4V 1P5  
[EABDirector@ontario.ca](mailto:EABDirector@ontario.ca)

Requests should also be copied to Hydro One at the address provided on the front page. Please visit the Ministry's website for more information on requests for orders under Section 16 of the *Environmental Assessment Act* at: [ontario.ca/page/class-environmental-assessments-section-16-order](https://ontario.ca/page/class-environmental-assessments-section-16-order).

If no Section 16 Order requests are submitted during the comment period, Hydro One may, under the *Environmental Assessment Act*, proceed with the project.

# Longwood to Lakeshore project

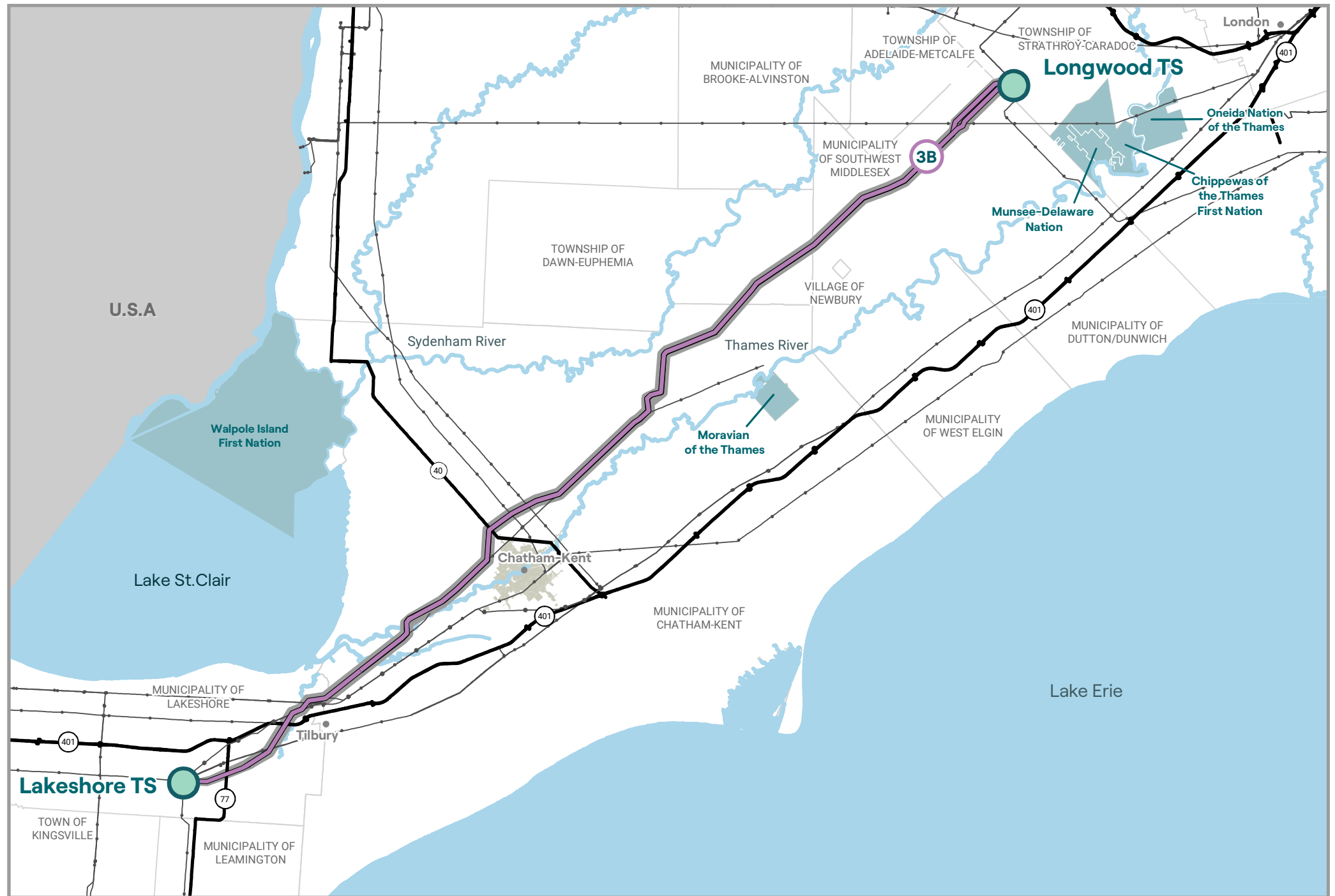
## Map Legend

- Transformer Station (TS)
- Preferred Route 3B
- Local Study Area (500 m buffer on either side of the route alternatives)
- Existing Transmission Line
- Highway
- Municipal Boundary
- Waterbody
- First Nation
- Built Up Area

Note: The illustrated route represents two transmission lines with parallel alignments, except near Longwood TS where the two lines have slightly different alignments exiting the station.

Please visit our online interactive map for a more detailed view:  
**HydroOne.com/Longwood-to-Lakeshore**

0 5 10 km





# MUNICIPALITY OF **West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-52**

#### **Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 13904 Graham Road.**

**Whereas** the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That Schedule "A" Map No. 31 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Agricultural (A2) Zone** for those lands hatched on Schedule "A" attached, and from **Agricultural (A1) Zone** to **Restricted Agricultural Special Regulation 10, (A3-10) Zone** for those lands crossed-hatched on Schedule "A" attached hereto and forming part of this By-law, being Pt. Lot 22, Concession 2 ED, Municipality of West Elgin.
2. That By-law No. 2015-36, as amended, is hereby further amended by adding the following subsection as follows:

"7.3.10 a) Defined Area (Zylstra)

A3-10 as shown on Schedule "A" Map No. 31

- 7.3.10 b)     Minimum southerly side yard for a dwelling 6.5 m  
                 Maximum Lot Coverage 30%  
                 Minimum Side Yard for existing accessory buildings  
                 1.5 metres"

3. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Ontario Land Tribunal (OLT), shall be deemed to have come into force on the day it was passed.

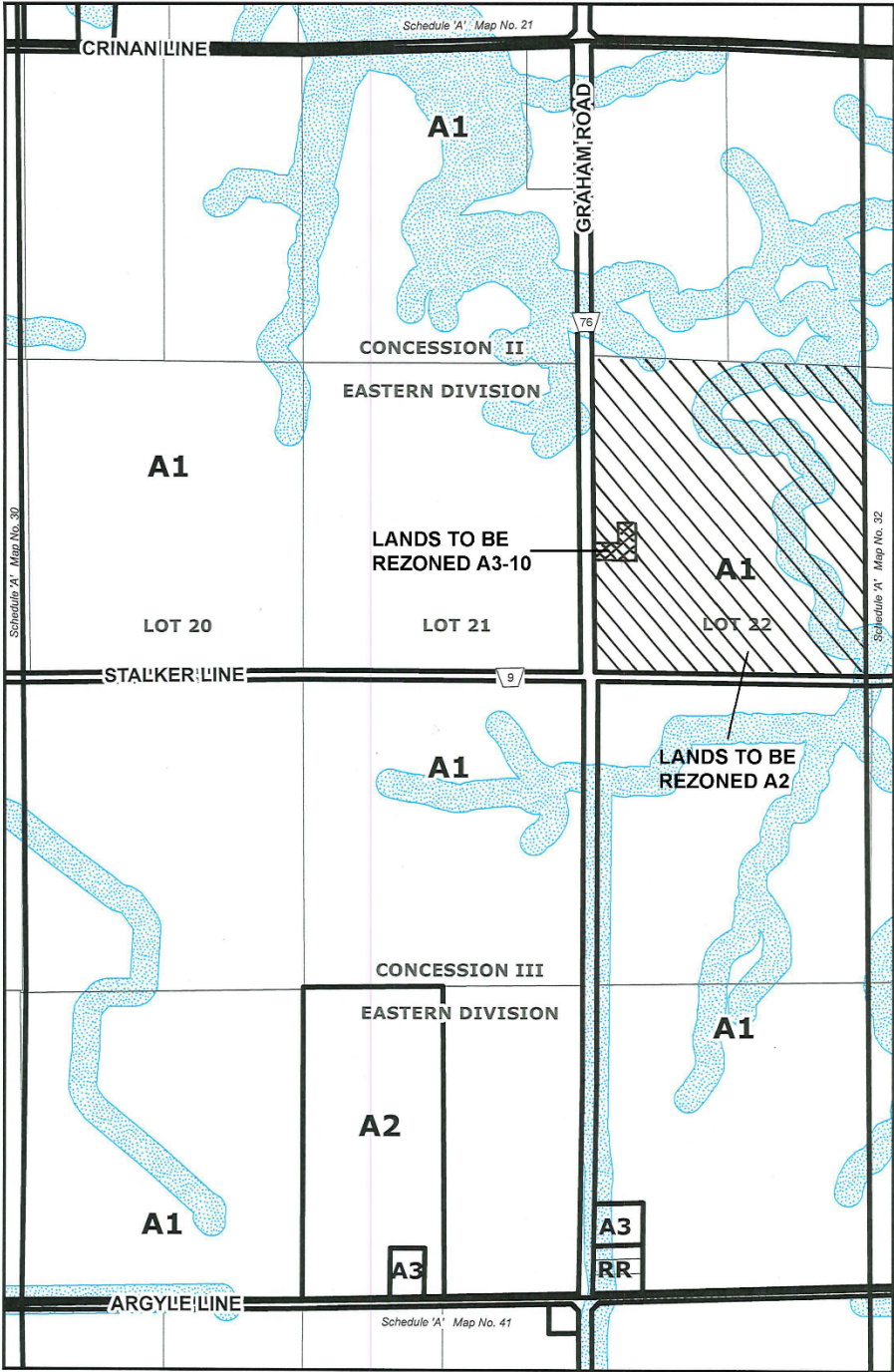
Read a first, second, and third time and finally passed this 25<sup>th</sup> day of September 2025.

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Richard Leatham  
Mayor

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Terri Towstiuc  
Clerk

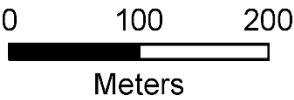


This is Schedule "A" to By-law No. 2025-52  
passed on the 25th day of September, 2025

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

MUNICIPALITY OF WEST ELGIN  
Comprehensive Zoning By-Law  
2015-36 SCHEDULE 'A' MAP 31







MUNICIPALITY OF  
**West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-53**

**Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 22525 Pioneer Line.**

**Whereas** the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That Schedule "A" Map No. 47 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Agricultural Special Regulation 11 (A1-11) Zone** for those lands hatched on Schedule "A", and from **Agricultural (A1) Zone** to **Future Residential (FR) Zone** for those lands cross-hatched on Schedule "A" attached hereto and forming part of this By-law, being Pt. Lot 7, Concession 9, Municipality of West Elgin.
2. That By-law No. 2015-36, as amended, is hereby further amended by adding the following subsection as follows:

"5.3.1 a) Defined Area (Kelly - Toth)

A1-11 as shown on Schedule "A" Map No. 47

5.3.1 b) Minimum Lot Frontage

- i) As existed on the date of passing of this by-law"

3. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Ontario Land Tribunal (OLT), shall be deemed to have come into force on the day it was passed.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of September 2025.

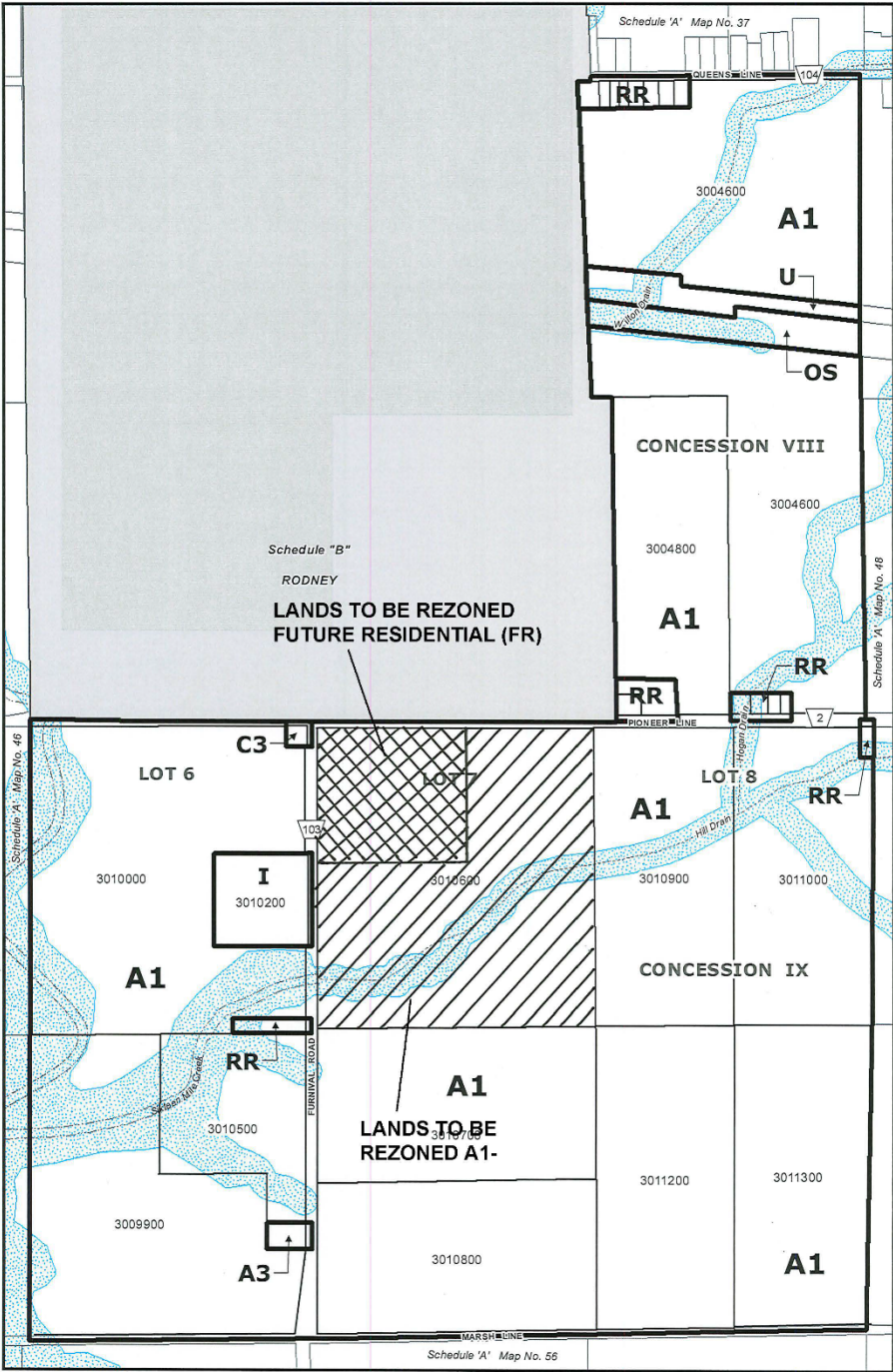
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Richard Leatham  
Mayor

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Terri Towstiuc  
Clerk



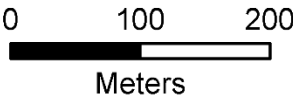


This is Schedule "A" to By-law No. 2025-53  
passed on the 25th day of September, 2025

MAYOR

CLERK

MUNICIPALITY OF WEST ELGIN  
Comprehensive Zoning By-Law  
2015-36 SCHEDULE 'A' MAP 47





MUNICIPALITY OF  
**West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-54**

#### **Being a By-Law to provide for drainage works on the Fleuren Drain Extension in the Municipality of West Elgin.**

**Whereas** the Council of the Municipality of West Elgin has procured a report under Section 4 of the *Drainage Act, R.S.O. 1990*, as amended, for the improvement of the Dunborough Road Drain; and

**Whereas** the report dated September 3, 2025, has been authored by J.M. Spriet of Spriet Associates Engineers and Architects and the attached report forms part of this By-Law; and

**Whereas** the estimated total cost of the drainage work is \$59,000.00; and

**Whereas** \$59,000.00 is the estimated amount being assessed to the Municipality of West Elgin; and

**Whereas** the Council of The Corporation of the Municipality of West Elgin is of the opinion that the drainage of the area is desirable;

**Now therefore** be it resolved that the Council of The Corporation of the Municipality of West Elgin pursuant to the *Drainage Act, R.S.O. 1990*, as amended, enacts as follows:

1. That the report dated September 3, 2025 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Municipality of West Elgin may borrow on the credit of the Corporation the amount of \$59,000.00, being the amount necessary for the improvement of the drainage works. This project may be debentured.
3. The Corporation may issue debenture(s) for the amount borrowed less the total amount of:
  - a) grants received under Section 85 of the *Drainage Act*;
  - b) monies paid as allowances;
  - c) commuted payments made in respect of lands and roads assessed with the municipality;

- d) money paid under subsection 61(3) of the *Drainage Act*; and
  - e) money assessed in and payable by another municipality.
4. Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of the sale of such debenture(s).
  5. A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) and shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this By-Law.
  6. For paying the amount being assessed upon the lands and road belonging to or controlled by the Municipality of West Elgin, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of West Elgin in each year for 5 years after the passing of this By-Law to be collected in the same manner and at the time as other taxes collected
  7. All assessments of \$5,000.00 or less are payable in the first year in which assessments are imposed.
  8. That this By-Law comes into force and effect upon the final reading thereof.

Read a first and second time and provisionally adopted this 25<sup>th</sup> day of September, 2025

Provisionally adopted this 25<sup>th</sup> day of September, 2025.

\_\_\_\_\_  
Richard Leatham, Mayor

\_\_\_\_\_  
Terri Towstiuc, Clerk

Read for a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Richard Leatham, Mayor

\_\_\_\_\_  
Terri Towstiuc, Clerk



MUNICIPALITY OF  
**West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2025-55**

#### **Being a By-Law to provide for drainage works on the Mills Drain in the Municipality of West Elgin.**

**Whereas** the Council of the Municipality of West Elgin has procured a report under Section 4 of the *Drainage Act, R.S.O. 1990*, as amended, for the improvement of the Dunborough Road Drain; and

**Whereas** the report dated September 3, 2025, has been authored by J.M. Spriet of Spriet Associates Engineers and Architects and the attached report forms part of this By-Law; and

**Whereas** the estimated total cost of the drainage work is \$70,000.00; and

**Whereas** \$59,000.00 is the estimated amount being assessed to the Municipality of West Elgin; and

**Whereas** the Council of The Corporation of the Municipality of West Elgin is of the opinion that the drainage of the area is desirable;

**Now therefore** be it resolved that the Council of The Corporation of the Municipality of West Elgin pursuant to the *Drainage Act, R.S.O. 1990*, as amended, enacts as follows:

1. That the report dated September 3, 2025 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Municipality of West Elgin may borrow on the credit of the Corporation the amount of \$70,000.00, being the amount necessary for the improvement of the drainage works. This project may be debentured.
3. The Corporation may issue debenture(s) for the amount borrowed less the total amount of:
  - a) grants received under Section 85 of the *Drainage Act*;
  - b) monies paid as allowances;
  - c) commuted payments made in respect of lands and roads assessed with the municipality;

- d) money paid under subsection 61(3) of the *Drainage Act*; and
  - e) money assessed in and payable by another municipality.
4. Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of the sale of such debenture(s).
  5. A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) and shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this By-Law.
  6. For paying the amount being assessed upon the lands and road belonging to or controlled by the Municipality of West Elgin, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Municipality of West Elgin in each year for 5 years after the passing of this By-Law to be collected in the same manner and at the time as other taxes collected
  7. All assessments of \$5,000.00 or less are payable in the first year in which assessments are imposed.
  8. That this By-Law comes into force and effect upon the final reading thereof.

Read a first and second time and provisionally adopted this 25<sup>th</sup> day of September, 2025

Provisionally adopted this 25<sup>th</sup> day of September, 2025.

\_\_\_\_\_  
Richard Leatham, Mayor

\_\_\_\_\_  
Terri Towstiuc, Clerk

Read for a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Richard Leatham, Mayor

\_\_\_\_\_  
Terri Towstiuc, Clerk



# MUNICIPALITY OF **West Elgin**

## **The Corporation of The Municipality of West Elgin**

### **By-Law No. 2025-56**

**Being a By-Law to confirm the proceedings of the Regular Meeting of  
Council held on September 25, 2025.**

**Whereas** Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be exercised by council; and

**Whereas** Section 5(3) of the Municipal Act, the powers of Council shall be exercised by by-law; and

**Whereas** it is deemed expedient that proceedings of Council of the Corporation of the Municipality of West Elgin as herein set forth be confirmed and adopted by by-law.

**Now therefore** the Council of the Municipality of West Elgin enacts as follows:

1. That the actions of the Regular meeting of Council held on September 25, 2025, in respect of each recommendation, motion and resolution and other action taken by the Council at this meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. The Mayor and proper officials of the Corporation of the Municipality of West Elgin are hereby authorized and directed to do all things necessary to give effect to the action of the Council referred to in the preceding section hereof.
3. The Mayor and Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix the Seal of the Corporation of the Municipality of West Elgin.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of September 2025.

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Richard Leatham, Mayor

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Terri Towstiuc, Clerk