

CORPORATION OF THE TOWN OF AYLMER
OFFICIAL PLAN

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- “B” NATURAL FEATURES**
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SECTION 1 INTRODUCTION

1.1 PURPOSE AND SCOPE OF OFFICIAL PLAN

The Official Plan is the principal land use policy document of the Town of Aylmer. This document including the attached Schedules “A”, “B” and “C” constitute the Official Plan for the Corporation of the Town of Aylmer. This Official Plan was adopted on November 8, 1999 and approved by the Province of Ontario on March 23, 2000, and updated in 2006 and 2020.

This Official Plan provides guidance for the physical development of the Town through the establishment of land use designations and development policies while having regard to relevant social, economic, and environmental issues for the planning period of 2011 to 2031, though policies will be reassessed every five years in accordance with the Planning Act.

In more specific terms, the purpose of this Official Plan is to:

- provide a policy framework which encourages growth and prosperity in Aylmer while preserving and enhancing the Town’s unique small town character;
- provide policies which will enhance Aylmer’s position as a market centre for East Elgin;
- provide sufficient land to meet housing, commercial and employment needs (current and future) to the extent that is possible, given the existing shortage of vacant residential, commercial and employment land within the municipal boundary;
- encourage and establish targets for the provision of affordable housing which provides current and future residents with choices in terms of housing type, tenure, density, cost and location;
- minimize uncertainty regarding future development within the Town of Aylmer and provide policies which will minimize land use conflict;
- encourage appropriate infill development and intensification of land and buildings in existing built up areas which is complementary to existing development;
- provide policies that ensure a logical and orderly pattern of development in accordance with the servicing capabilities of the Town and with due regard to the cumulative effects of development on the natural environment and surrounding land uses;

- interpret and apply the intent of Provincial legislation, regulations and policies to the Town of Aylmer;
- ensure that all future development occurs at a pace which is within the financial capability of the Town; and
- guide Council, various committees, staff and other regulatory agencies in carrying out the goals, objectives and policies of this Plan.

1.2 LEGISLATIVE AUTHORITY

In accordance with Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality. An Official Plan is defined in the Planning Act as a document, approved by the Minister, containing objectives and policies established primarily to provide guidance for the physical development of a municipality while having regard to relevant social, economic and environmental matters. Section 24 of the Act further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.

1.3 PLANNING HORIZON

The Plan will provide guidance for the development and planning of land uses in the Town of Aylmer for a period extending to the year 2031.

The Plan anticipates that the population of the Town of Aylmer will grow from approximately 7,230 people in 2011 to 7,293 people by the year 2031.

It is intended that this Plan be reviewed from time to time to determine if new technical, physical, social, or economic conditions have changed sufficiently to warrant amendments to the policies and/or land use designations contained within this Plan. It is also intended that in accordance with Section 26(1) of the Planning Act, at least every five years, a special public meeting be called by Council to invite public opinion on the appropriateness of policies and designations contained within the Plan.

1.4 APPROVAL AUTHORITY

The County of Elgin is the approval authority for this Official Plan. In keeping with the statutory requirement of the Planning Act, the Town will forward all applications to amend the Official Plan to the County of Elgin for review and comment.

1.5 OTHER STATUTORY APPROVALS

In situations where statutory approvals may be required under provincial legislation (ie. Ontario Water Resources Act, Environmental Protection Act, Environmental Assessment

Act, Canadian Environmental Assessment Act, Ontario Energy Board Act, Conservation Authorities Act, Ontario Heritage Act, Safe Drinking Water Act, etc.) other than the Planning Act, the proponent is encouraged to consult directly with the responsible authority to determine any necessary requirements and/or conditions.

1.6 ORGANIZATION AND STRUCTURE OF THE PLAN

The following text and schedules of Section 1 to 8 constitute the Official Plan of the Town of Aylmer.

Section 1, Introduction, presents the purpose and scope, legislative authority, planning horizon, the municipal plan review/one window approach and the organization and structure of the Official Plan.

Section 2, the Municipal Development Strategy, establishes the planning principles, community goals and the strategic direction upon which all specific policies of the Plan are based. Section 2.1, Basis of Plan also contains a summary of the topic specific issues that have been addressed in order to establish the policy direction of the new Official Plan.

Section 3, Functional Policies, presents policies that apply regardless of designation, unless otherwise indicated. The functional policy areas primarily include transportation and infrastructure.

Section 4, Land Use Policies, contains policies which provide detailed guidance for physical development within the Town of Aylmer. Policies are presented for residential, commercial, employment, institutional, open space, and development control areas.

Section 5, Development Policies, establishes policies affecting the use and development of lands in the Town of Aylmer and details the specific implementation tools which will be used (e.g. Zoning By-Law).

Section 6, Implementation, presents policies relating to general review, amendment and Implementation of the Plan.

Section 7, Interpretation, describes how the Official Plan is to be interpreted and the procedure for amendments.

Section 8, Definitions, provides a description of certain terms/words contained in the Official Plan to assist in the interpretation of policies.

SECTION 2 MUNICIPAL DEVELOPMENT STRATEGY

2.1 STRATEGIC DIRECTION OF PLAN (MISSION STATEMENT)

Aylmer will be a vibrant market centre for East Elgin. To ensure and enhance our small town atmosphere we will:

- Ensure the quality of life and safety of families and neighbourhoods;
- Encourage and facilitate enterprise in business;
- Preserve our heritage and the natural environment;
- Strive for economic diversity;
- Respect cultural diversity;
- Ensure planned, orderly growth;
- Make the Town attractive; and
- Promote spirit of community participation.
- Prepare for the local impacts of a changing climate

2.2 BASIS OF PLAN

2.2.1 PLANNING HISTORY AND CONTEXT

The Town of Aylmer adopted its first Official Plan in 1985. In 1994, the Town undertook much of the background work for a new Official Plan including an in-depth analysis of the retail sector. Work on the Official Plan document, however, did not proceed beyond the Technical Report, until a new Official Plan was prepared and adopted by Council in 1999 and approved by the Ministry of Municipal Affairs and Housing in 2000.

In 2006 the Town initiated an update to the Official Plan as well as the preparation of the Town's first Community Improvement Plan. The Official Plan update process identified several changes to the Official Plan. These changes have been incorporated by Official Plan Amendment No. 6 adopted by Council of the Town of Aylmer on August 28, 2006.

In 2019, the Town initiated a 5-year review of the Plan to ensure that the policies contained within the Plan conform to the updated versions of the Planning Act, Provincial Policy Statement, and Official Plan of the County of Elgin.

2.2.2 PLANNING POLICY FRAMEWORK

Planning at the Official Plan level is undertaken within a framework established by the Province of Ontario, specifically the Planning Act, and the Provincial Policy Statement, 2020 (PPS). In cases where there is an upper-tier municipality, such as the County of Elgin, Provincial policy is implemented at the County-level first, through the County of Elgin Official Plan, and then implemented locally through the lower-tier Official Plan, such as the Town of Aylmer Official Plan.

Local land use policy is required to be consistent with the policies of the Province as administered through the Provincial Policy Statement, and other provincial initiatives, such as Bill 73 (The Smart Growth for Our Communities Act, 2015), which has recently resulted in significant amendments to the Planning Act. Therefore, it is the intent of the Official Plan Review to ensure that the Official Plan implements the most up to date Provincial and County policy and legislation, and sets out the appropriate framework for land use planning in the Town of Aylmer.

2.2.3 ACCOMMODATING FUTURE GROWTH

In accordance with the Planning Act, upper-tier municipalities are required to identify growth forecasts and allocations to the lower tier municipalities. As per the PPS, 2020 municipalities are required to plan to accommodate growth over a 25-year planning horizon and are not permitted to designate land for urban uses beyond a 25-year planning horizon (to 2031 in the case of the County of Elgin Official Plan). Section 1.2.4 of the PPS, 2020 outlines the County's responsibility for establishing population, housing, and employment projections on a County-wide basis, and allocating these forecasts to the lower-tier municipalities, to which the Aylmer Official Plan must conform to.

The current projection of Aylmer's population shows a change from previous projections (for the 2011 Development Charges Background Study), which indicated a slightly decreasing population to a steady, yet modest population increase over the projection period (to the year 2036).

The population is projected to reach 7,293 in 2031. Over the projection period (2011 to 2031), the total population is projected to experience a modest increase of 158 people. Additionally, the housing projection estimates that household size will continue to decline fall from 2.45 in 2011 to 2.11 in 2031

The ability of Aylmer to meet residential dwelling demand is largely contingent on the development of three key parcels, namely, Parcel 1, 4, and 3 (Cottonwood). It is estimated that a total of 554 residential units in Aylmer will be built from 2014 to 2034 to accommodate for a projected demand of 549 units.

With regards to commercial land needs, very little undeveloped land exists for commercial purposes anywhere within the Town of Aylmer. To accommodate and attract future commercial growth and development which cannot otherwise be attracted to the commercial core through redevelopment, expansion northwards of the former Imperial Tobacco plant along the west side of Imperial Road to Glencolin Drive would be the most desirable direction from the perspective of land use, traffic volumes, accessibility and visibility.

The 2016 Town of Aylmer Residential Land Needs Assessment concluded that the employment land needs are sufficient for the short and medium terms. However, these lands should be monitored on an annual basis to ensure the Town is well-positioned to accommodate employment growth in the long-term.

Alternative directions for expansion of the settlement area of Aylmer to accommodate growth and development vary depending on the land use being considered and efficiency of providing municipal services (i.e. water supply and sanitary sewage). With respect to future residential growth and development, expansion from a land use perspective, could readily take place in a westerly, southerly or easterly direction with the most preferred direction likely to be ultimately determined by the feasibility of extending municipal services and criteria on settlement expansions within the Provincial Policy Statement..

2.2.4 SETTLEMENT AREA EXPANSIONS

It is anticipated that sufficient land has been designated to accommodate growth and development over the planning horizon, therefore, Settlement Area expansions are not contemplated within the planning horizon. A Primary Settlement Area expansion, that would result in an addition to the aggregate amount of land is not contemplated within the planning horizon, in accordance with the County of Elgin Official Plan. A Primary Settlement Area expansion that would result in an addition to the aggregate amount of land, may only be considered through a comprehensive review of the County of Elgin Official Plan.

2.2.5 AFFORDABLE HOUSING

In 2018, a housing strategy was undertaken for the St. Thomas/Elgin County Area, including the Town of Aylmer, to provide a better understanding of housing needs in the region and recommend strategies related to the provision of affordable housing.

The study indicates that Aylmer has one of the highest concentrations of lower income households in the region, with one third of Aylmer's households having incomes less than \$30,000. The study also indicates that, while there is a good supply of affordable housing and Aylmer is the second highest supplier of rental housing in the St. Thomas/Elgin County Area, there is very little housing that is

affordable to households with incomes of \$20,000 or less. Lastly, the study notes that despite having a lower need compared to St. Thomas, there is growing demand for affordable and rental market housing in Aylmer and the rest of Elgin County. The need for this type of housing is being driven in large part by the aging population which is looking to downsize from their current dwellings and wishing to remain in their community. There is also demand from households who moved away from Elgin County and are seeking to return in their retirement years. These statistics reinforce the need to ensure that there is an adequate supply of affordable housing and to ensure effective Official Plan policies are in place to encourage and support the provision of affordable housing. There is also a need to ensure that the Town's development standards do not impede affordable housing provision. The Official Plan update incorporates affordable housing policies based on the recommendations of the St. Thomas and Elgin County Housing Strategy and to address the requirements of the Provincial Policy Statement regarding the establishment and implementation of minimum targets for the provision of affordable housing.

2.2.6 COMMERCIAL HIERARCHY

In 1999, the Official Plan introduced a commercial hierarchy comprised of six (6) distinct land use designations, including Core Commercial, Support Commercial, Highway Commercial, Residential Office Commercial, Neighbourhood Commercial and Business Park Commercial.

The Core Area designation, defined as the historical downtown area along Talbot Street from Raglan Street to Queen Street, was placed at the top of the hierarchy in terms of its primary commercial role and function, while the other designations provided for a range of commercial uses which due to their size or nature have required locations outside the core. This Official Plan update will continue to foster the traditional Core Area as the central focus of commercial and civic land use in Aylmer.

The Support Commercial designation was introduced to recognize the automotive, retail/office plazas and fast food commercial uses that evolved adjacent to the core during the “second wave” of commercial development in Aylmer. Similarly, the Highway Commercial designation was introduced to recognize highway-type commercial uses such as automotive uses, motels, restaurants and recreational uses located along Talbot Street (Highway 3) east of Albert Street. While there are some differences in how these areas have evolved, the existing and permitted uses are similar and the policies that apply to these areas should be the same. As such, there is a need to harmonize and consolidate these designations and policies to create uniform criteria for development in these areas.

The Office Residential Commercial designation was introduced to provide flexibility to the use of existing residences located adjacent to the Core Area along Talbot Street, John Street and Sydenham Street. Some adjustment to the policies applicable to this area is needed through this Official Plan update in order to clarify the uses permitted and related restrictions intended to preserve the residential character of the area while maintaining sufficient flexibility to allow for compatible commercial uses.

The Neighbourhood Commercial designation was introduced to provide a separate land use designation for convenience-type commercial uses proposed in residential neighbourhoods. The intention was to require an Official Plan Amendment to acquire the designation based on the philosophy that neighbourhood commercial development can have significant impacts on the aesthetics of residential neighbourhoods. This Official Plan update supports this philosophy, and in the interest of protecting the character of Aylmer's residential neighbourhoods and fostering the Core Area as the commercial focus of the community, an Official Plan amendment will continue to be required for new proposals for convenience-type commercial uses in residential areas.

The final component of the commercial hierarchy is the Business Park Commercial designation which was introduced to provide for larger format retail uses. Application of this designation to lands along John Street North has led to the creation of a new commercial gateway to the Town while supporting the continued primary commercial role of the core area. Since 1999, the lands designated as Business Park Commercial have been fully developed with the introduction of over 6,500 square metres (70,000 square feet) of new retail floor space, 1,700 square metres (18,540 square feet) of office space, and a storage facility. Additional lands will need to be designated for commercial development in order to address the future commercial/retail needs of the community.

Given the shortage of lands within Aylmer's current municipal boundary, the Town will need to pursue expansions to its municipal boundary to allow for the designation of additional lands for commercial development by future amendment to this Plan.

2.2.7 EMPLOYMENT LAND BASE

Based on the 2016 Town of Aylmer Residential Land Needs Assessment, there are approximately 35.4 ha (87.5 ac) of undeveloped employment designated land within the Town. 23.1 ha (57.1 ac) of this land is comprised of an agricultural parcel west of Elm Street, which is assumed to remain undeveloped (particularly in the short to medium term).

While it is only through a comprehensive review that the conversion of non-employment lands to employment uses may be considered, there are no

undeveloped lands designated in the Official Plan for non-employment purposes (e.g. residential, commercial) that are potentially suitable or desirable for being converted to employment purposes.

Although a shortage of industrial land is recognized to exist, no specific land requirement has been quantified to date. An identification of the current supply of undeveloped land available for commercial purposes, a market analysis and an assessment of the impact of current and emerging trends in retailing on Aylmer would be required to provide a quantified measure of land needs for commercial purposes.

2.2.8 ECONOMIC DEVELOPMENT

The Town of Aylmer has a vibrant commercial core and a healthy employment base. To keep pace with changing commercial and employment needs as well as tourism/service opportunities, the updated Official Plan needs to ensure appropriate, flexible, yet secure policies are in place for this changing economic environment, and also that sufficient opportunities are available for housing, business, employment and recreation.

2.2.9 RECREATION MASTER PLAN

In 2004 the Town of Aylmer completed a Recreation and Leisure Time Master Plan that provides a strategy for the provision of parks and recreation facilities and services to the year 2016. Reference to the Master Plan as the guiding document for parks and leisure facility provision and service delivery in Aylmer should be made in this Official Plan.

2.2.10 NATURAL ENVIRONMENT AND HAZARD AREAS

The Catfish Creek Conservation Authority (CCCA) and Ministry of Natural Resources and Forestry (MNRF) provide mapping of natural environment features such as woodlots as well as natural hazards such as flood prone areas and CCCA regulated areas. If additional natural heritage features or hazards are identified in the future, appropriate updates to the Official Plan will be needed to reflect this new information and afford the appropriate protection.

2.2.11 ALTERNATIVE AND RENEWABLE ENERGY

New or expanded alternative or renewable energy systems should be designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse effects 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 impact in accordance with the Green Energy Act.

It is recognized that such facilities are subject to the approval or permits of various ministries and approval bodies such as the Ministry of Environment, Conservation and Parks, Ministry of Transportation, Ministry of Natural Resources and Forestry, and Conservation Authorities. This Official Plan update provides policies to support and promote sustainability and energy conservation in Aylmer as a means of implementing this provincial policy direction.

SECTION 3 FUNCTIONAL POLICIES

3.1 LAND USE POLICIES - ALL LAND USES

3.1.1 GENERAL

The general land use policies of this Plan have been established in order that future development in the Town of Aylmer occurs in a controlled, orderly and systematic basis. New development or redevelopment in the Town should follow the guidelines outlined below.

3.1.2 SITE SUITABILITY

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

- (1) Development shall be located in areas of the Town with existing, future or planned service capacity for hydro, natural gas and municipal water.
- (2) Development with access to sanitary sewer service shall be required to connect and demonstrate adequate unreserved capacity in the service area. Development in close proximity to sanitary sewer service shall be encouraged to connect, where feasible, and where unreserved capacity is available.
- (3) Development shall demonstrate appropriate, safe access to the local and County road network capable of supporting the type and volume of vehicular traffic generated by the proposed development.
- (4) Development shall provide on-site storm water quantity and quality management and demonstrate no negative impact to approved drainage outlet(s).
- (5) Development shall be encouraged to incorporate best management practices and the utilization of low impact storm water management systems.
- (6) Development with limited lot frontage shall be required to demonstrate to the satisfaction of the Town how the subject site can be accessed without impact to abutting sensitive land uses. Minimum lot frontage requirements are more specifically outlined in the implementing Zoning By-law.

- (7) Development located to the rear of existing sensitive land uses shall be required to demonstrate a higher standard of separation and buffering through the site plan approval process.
- (8) Development shall be designed and oriented as to maximize buffering between it and sensitive lands uses to minimize or mitigate adverse impacts.

3.1.3 COSTS OF SERVICING DEVELOPMENT

(1) Location of Development

In order to minimize the cost of services provided by all public agencies, no new development in the Town of Aylmer will be permitted in any location where it would contribute to a demand for public services which are not economically feasible to provide, improve, or maintain. Instead, development should be permitted only in locations where demands on public services will be minimized, where it can most effectively utilize existing services, or where new services can be economically provided and maintained.

(2) Development Charges

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

3.1.4 WATER SUPPLY AND SEWAGE DISPOSAL

(1) Public Piped System

Urban development or redevelopment in the Town of Aylmer shall be developed on the basis of public piped water and sanitary sewer systems. In certain cases, this will entail extensions and/or improvements to the existing public piped systems in order to service areas of new urban development.

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

Wherever feasible, the use of existing sewer and water infrastructure will be optimized before consideration is given to developing new infrastructure.

The areas currently on private individual on-site sewer and water systems will be connected to public sanitary sewers and water supply when the services become available.

(2) Servicing Strategy/Full Municipal Services

New proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site. The availability of uncommitted reserve servicing shall be based on Provincial policies and guidelines. The determination of sufficient reserve sewage system capacity shall include treatment capacity for any hauled sewage from existing private systems.

When the capacity of the water and sewage facilities have been fully allocated and prior to the facilities reaching their hydraulic capacity, the Town shall demonstrate a commitment to the expansion of the facilities in accordance with the municipal servicing strategy/plan, before additional approvals are given to further development proposals. Limitations in the capacity and operating performance of the water and sewage facilities will be recognized as a constraint to the approval and timing of new development proposals. In allocating reserve water and sewage treatment capacity to development, the Town will give priority to proposals for intensification and redevelopment in areas where existing public piped water and sewer systems are available.

Although the Town of Aylmer has enough supply for infilling existing development, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development per the Provincial Policy Statement.

(3) Water Conservation Policy

It is a policy of this Plan to encourage efficient water use and water conservation. In order to reduce water demand, the Town may implement by-laws limiting the frequency and/or timing of outdoor water use. The Town may also implement strategies for water conservation in order to extend the capacity of existing water supply and wastewater treatment systems and delay requirements for capital upgrades to increase the capacity of these systems. The strategy may include conservation

programs and other educational and regulatory initiatives to reduce water usage.

Developers will be encouraged to use drought-resistant grasses and provide an adequate soil base layer for new lawns and landscaped areas to reduce outdoor watering requirements. Developers and builders will also be encouraged to use low consumption, water-efficient facilities and appliances in buildings wherever feasible.

3.1.5 WATER RESOURCES

Surface water resources, including streams, lakes, ponds and wetlands are intended to be protected through their inclusion within the Natural Heritage System. Groundwater sources occur throughout the Town and are an essential resource for residents and businesses. It is the intent of this Plan that all development shall be subject to the following policies to ensure that water quality and quantity are not adversely affected. Specifically, it is the Town's intent that the development of public and private uses will not significantly alter groundwater recharge or discharge, impair groundwater or surface water quality, or negatively impact municipal groundwater supply. The Town recognizes a relationship between groundwater and surface water in terms of recharge and discharge functions. The policies of this Plan are intended to address both ground water and surface water protection.

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

- (1) Ensure land use decisions advance water conservation efforts and support the efficient use of water resources;
- (2) Promote efficient and sustainable use of water resources that maintain and enhance water quantity and quality through the retention of vegetation or through re-naturalization;
- (3) Encourage agricultural practices that protect water resources;
- (4) Promote sustainable stormwater management practices that protect, or where feasible, enhance water quality and water quantity control;
- (5) Identify water resource systems consisting of groundwater features, hydrologic functions, natural heritage features and areas, and surface water features, which are necessary for the ecological and hydrological integrity of the watershed;
- (6) Maintain linkages and related functions among groundwater features, hydrologic functions, natural heritage features and area, and surface water features;

- (7) Protect or enhance the function of sensitive groundwater recharge areas, discharge areas, aquifers and headwaters;
- (8) Work cooperatively with Conservation Authorities and Provincial Ministries regarding land management issues within the watersheds of the Town;
- (9) Ensure that land use planning contributes to the protection, maintenance, and enhancement of water and related resources and aquatic systems on an integrated watershed management basis;
- (10) Ensure that development meets Provincial water quality objectives;
- (11) Ensure levels of wastewater treatment that are appropriate for the size, location and scale of development anticipated;
- (12) Protect wetlands and areas that make significant contributions to groundwater recharge;
- (13) Ensure the base flow needed to protect streams, fisheries and wetlands are maintained;
- (14) Support sustainable stormwater management practices that protect, or where feasible, enhance water quantity and quality control;
- (15) Implement necessary restrictions on development and site alteration to protect municipal drinking water supplies, vulnerable areas, and sensitive surface and groundwater features; and
- (16) Improve or restore sensitive surface and groundwater features through low impact development approaches and restrictions on development and site alteration, where necessary.

3.1.6 SOLID WASTE MANAGEMENT

This Plan encourages the joint planning and use of solid waste management sites by the local municipalities within the area, in conjunction with the County of Elgin and the Province.

The Town shall encourage recycling programs that will have the effect of reducing, reusing and recycling waste.

3.1.7 STORMWATER MANAGEMENT POLICY

(1) Stormwater Management Studies

Prior to development being allowed to proceed, and if required by the policies of this Plan, the Catfish Creek Conservation Authority and/or the Province, the developer shall undertake a stormwater management study to determine the effect of increased run-off due to development of the site, and to identify stormwater management measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm. This Plan requires the preparation of a stormwater management study for any new development consisting of more than five residential lots or for commercial or employment developments with large amounts of impervious area. The study shall identify practices that will minimize stormwater volumes and contaminant loads and determine the appropriate stormwater facilities for the development to achieve these objectives. The developer shall install the stormwater management measures identified in the study as part of the development of the site, to the satisfaction of the Town and the Conservation Authority.

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

3.1.8 EMPLOYMENT LAND SUPPLY

It is an objective of this Plan to encourage businesses and industries to locate within the community to provide employment opportunities, increase the assessment base and promote the retention of disposable spending dollars within Elgin County and Aylmer in particular. In order to achieve this objective the Town may participate in the development of additional or expanded business/industrial park sites and/or the provision of services to privately owned employment lands so as to ensure an adequate supply of available serviced employment lands to address the employment needs of the local and regional community.

3.1.9 SCHOOL FACILITIES

(1) Accommodation

The school authorities which have jurisdiction in the municipality will generally determine their own requirements for new or modified educational facilities. Whenever the school authorities formulate long

range accommodation plans and proposals, such plans may be discussed and reviewed with the Planning Committee and Council and, where appropriate, incorporated into this Official Plan by way of an amendment.

(2) Requirements Affecting Development

Before the approval of any development which is likely to generate additional pupils in the Town of Aylmer, the school authorities shall advise and confirm to the municipality that the necessary school accommodation and bussing can be provided.

(3) Surplus Facilities

The Town will plan for the future reuse and redevelopment of surplus educational facilities where they are no longer required for educational purposes and where the Town sees opportunity for their redevelopment. The potential redevelopment of these sites for non-institutional uses should ensure compatibility with the surrounding area and provide opportunities to improve the health and vitality of the Town.

3.1.10 UTILITIES AND PUBLIC SAFETY

(1) Requirements for Development

Before any development is approved, the municipality shall be satisfied that necessary utilities, fire protection and police protection will be provided. Approval to a development proposal will be given only in locations where such services are economically feasible to maintain and does not create an undue financial burden on the existing community.

(2) Lands for Easements

Where land is required for utility easements or emergency access, such land shall be obtained by the relevant agency, in the course of approving plans of subdivision, development or redevelopment applications and consents for land severances.

3.1.11 PARKLAND DEDICATION

(1) Land Conveyances

Whenever development or redevelopment of lands is proposed for residential purposes in the Town of Aylmer, the municipality shall, as a condition of approval, require that up to five percent (5%) of such lands for development at 14 units per gross hectare or less, or one hectare (1 ha) for every 300 dwelling units for development at densities greater than 14

units per gross hectare, be conveyed to the municipality for parks purposes. Commercial and employment development shall, as a condition of approval, require that up to two percent (2%) of such land be conveyed to the municipality for parkland. All lands to be so conveyed shall require approval by the municipality. Lands exhibiting environmental constraints may not be acceptable.

(2) Alternative Conveyances

The municipality may require the developer to convey cash-in-lieu of parklands. The cash value of such lands shall be determined by an appraisal authorized by the municipality. The value of the lands shall be determined as of the day before the day of the issuance of the building permit as outlined in the Planning Act. For plans of subdivision, the value of the land is determined as of the day before the day the Draft Plan of Subdivision is approved, or as specified in the Planning Act as amended from time to time. Funds collected under the alternative conveyance regulations shall be used for parkland upkeep, parkland development, recreational facilities, acquisition of natural habitat areas and for the protection of natural habitat areas.

(3) Public Parkland Standards

The provision of public parks and related amenities and facilities will be guided by this Plan and the Town of Aylmer Recreation and Leisure Time Master Plan. The Town will strive to maintain an adequate provision of parkland. The Town encourages the development of parkland within all new plans of subdivision and the Town will consider the appropriate amount on a case by case basis.

3.1.12 BUFFERING

The proposed development and redevelopment of all land in the Town must be generally compatible with adjacent land uses. Residential areas and sensitive land uses shall be protected from land uses that emit noise, vibration and/or odour, and certain elements of the transportation system through the policies of the Plan and the use of zoning and site plan control.

Developers may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the Town and which meet the Ministry of Environment, Conservation and Parks' recommended criteria and/or guidelines.

The Town may use site plan control to require buffering between uses of land where there may be conflicts such that one use may detract from the enjoyment

and functioning of the adjoining use. Such buffering will be considered in light of provincial guidelines, and may include landscaping, screening and the separation of uses by requiring extra distance between them. Added conditions such as increased yard requirement, planting strips, fencing, and/or berms, deflective lighting, restrictions of use of certain portions of the land, etc. may be imposed to offset aspects of incompatibility between any two land uses.

3.1.13 HERITAGE CONSERVATION

(1) Natural Heritage

It is the policy of this Plan to encourage the protection, conservation and maintenance of the natural heritage landscape in Aylmer for the long term. This Plan uses the Parks and Open Space designation on Schedule “A” (Land Use Plan and the Development Control Area) and the Development Regulated Area and Significant Woodlots overlays on Schedule “B” (Natural Features) to afford protection to natural heritage features, as well as employs policies prohibiting development and site alteration on lands within or abutting these features unless it can be demonstrated through the preparation of environmental impact studies that there will be no negative impacts on the natural features and their ecological functions.

(2) Archaeological, Cultural and Built Heritage

It is the policy of this Plan to identify, conserve and enhance the Town’s cultural heritage resources, including archaeological resources, cultural heritage landscapes and built heritage resources. All new development or redevelopment permitted by the policies and designations of this Plan shall occur in a manner that conserves significant built heritage resources and significant cultural heritage landscapes. It shall be the policy of the Town to use all relevant legislation and programs whenever possible to encourage the preservation and enhancement of heritage features and to develop a greater awareness of the value of heritage conservation in the community. When appropriate and necessary the Town will use the provisions of the Ontario Heritage Act to conserve, protect and enhance the Town’s heritage.

Development on lands containing significant archaeological resources shall avoid the destruction or alteration of these resources. Where such avoidance is not possible, the development proponent shall conserve significant archaeological resources through the removal and documentation in advance of any land disturbances, and in accordance with the archaeological licensing provisions of the Ontario Heritage Act. Archaeological site locations and areas of archaeological potential will be

determined by the Town based on registered site data and potential screening criteria provided to the Town by the Province.

3.1.14 ENERGY CONSERVATION

The Town shall promote energy conservation by encouraging developers to implement designs which attempt to minimize energy use. Such techniques as innovative building designs, efficient road patterns, lot layouts and landscaping, all of which can reduce future energy requirements, shall be encouraged. The Town shall also encourage involvement in various energy conservation programs and the use of alternative energy systems and renewable sources of energy where appropriate.

3.1.15 ELECTRIC POWER FACILITIES

In accordance with the Planning Act, R.S.O. 1990, c. P.13, as amended, any use of lands, buildings or structures by *Hydro One, Ontario Power Generation Incorporated* or their successors that is subject to and approved under the Environmental Assessment Act shall be exempt from the policies of this Plan and the provisions of the Town's Zoning By-Law. However, any use of lands, buildings or structures by *Hydro One, Ontario Power Generation Incorporated* or their successors that are not subject to approval under the Environmental Assessment Act such as executive, administrative and retail uses, shall comply with the policies of this Plan and the provisions of the Zoning By-Law.

3.1.16 ALTERNATIVE OR RENEWABLE ENERGY FACILITIES

New or expanded alternative or renewable energy systems, including wind energy facilities, should be designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse effects 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 potential risks in accordance with the Green Energy Act.

The Town will provide input to the Province when applications for alternative and renewable energy systems, such as wind energy generation and solar energy facilities, are being contemplated in the Town. The Town will develop a protocol for the review and comment on applications made under the Green Energy Act.

The Town will encourage coordination in planning for the provision of energy transmission corridors. It is recognized that such facilities are subject to the approval or permits of various ministries and approval bodies, such as the

Ministry of Environment, Conservation and Parks, Ministry of Transportation, Ministry of Natural Resources and Forestry, and Conservation Authorities.

The Town will promote opportunities to partner with infrastructure providers to increase access to electrical vehicle charging stations.

3.1.17 OTHER UTILITY FACILITIES

All existing facilities and the development of any new facilities associated with a public or private utility, telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company shall be permitted in any land use designation without an amendment to this Plan. The utility or company involved shall consult with the Town regarding the location of any and all new facilities and buildings.

3.1.18 INSTITUTIONAL USES

In addition to the utilities referred to in Subsections 3.1.15 and 3.1.17, institutional uses that serve the local community, such as elementary schools, places of worship, community halls and/or a hall associated with either a school or a place of worship if less than 500 square metres in floor area, cemeteries, municipal buildings, public utilities, neighbourhood parks and recreation facilities, and branch libraries, shall be permitted in all land use designations, except as otherwise provided by the policies of this Plan applicable to the Natural Heritage and Development Control Area designation overlays. Both the development of new and the expansion of existing institutional uses shall be subject to the policies of Section 4.5 of this Plan and the following policies:

- (1) The institutional uses shall be appropriately zoned in the Town's Zoning By-Law;
- (2) Adequate precautions shall be taken to ensure that the institutional uses have no adverse effects on adjacent land uses;
- (3) Adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create an attractive appearance and ensure compatibility with surrounding land uses;
- (4) Suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services.

Secondary and post-secondary schools, nursing homes, hospitals, arenas, community halls greater than 500 square metres, correctional facilities and other major institutional uses will require an “Institutional” designation on Schedule “A” – Land Use Plan.

3.1.19 MOBILE HOMES/MODULAR HOMES

Mobile homes shall not be permitted as a dwelling unit in the Town. Mobile homes for other purposes may be permitted by the adoption of temporary use by-laws or in a land use designation specifically permitting mobile homes. Modular homes are permitted as single detached dwellings in appropriate Residential designations.

3.1.20 BROWNFIELDS REDEVELOPMENT POLICIES

Section 28 of the Planning Act, allows municipalities to create Community Improvement Areas and designate community improvement project areas for any environmental, social or community economic development reason, including building age or structural condition, overcrowding, poor planning, unsuitability of buildings, or intent to encourage affordable housing. The Town can provide grants and loans to owners of brownfields to assist in the cost of any clean up. There may be sites within the community that could benefit from this planning tool. More detailed policies on how this Official Plan addresses Community Improvement Areas are found in Section 5.3.

3.1.21 DECOMMISSIONING

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses, such as gasoline stations and automotive repair garages, have a similar potential. Where a change in land use is proposed and a previous or existing use has the potential to have caused environmental contamination, the site shall be decommissioned and/or cleaned up to the satisfaction of the Ministry of Environment, Conservation and Parks. The decommissioning/clean up shall be undertaken in accordance with the Ministry's Guideline for Decommissioning and Cleanup of Sites in Ontario. A Record of Site Condition may be required prior to any planning approvals in accordance with Regulation 153/04 of the Environmental Protection Act.

3.1.22 ACTIVE AND CLOSED WASTE DISPOSAL SITES

Any significant development, or change of use, on or within 500 metres of the perimeter of an active or closed waste disposal site will be subject to consultation with the Ministry of Environment, Conservation and Parks before any development is to occur. A study may be required to be undertaken by a qualified professional that evaluates the presence and impact of environmental contaminants including but not necessarily limited to methane gas and leachate. The study will address the feasibility of mitigation measures if required. If it is

found that a potential adverse effect or potential risk to health and safety does exist, development may be restricted and/or refused. Where significant development, or change of use is proposed on a waste site itself, no development will be permitted to occur until approval from the Province and/or its delegate for the proposed use is obtained in accordance with Section 46 of Ontario's Environmental Protection Act.

3.2 TRANSPORTATION POLICIES

3.2.1 GENERAL

The road network indicated on Schedule "C" is based on the inter-relationship of land use and transportation. The primary objective shall be to provide optimum conditions for the movement of people and goods from one portion of the Town of Aylmer to another, as well as to facilitate the movement of traffic through the Town. Every attempt should be made to ensure that the Town's road pattern is in harmony with the County and Provincial Road Systems.

3.2.2 CLASSIFICATION

Roads within the Town of Aylmer are designed or intended to serve different functions. The roads within the Town have been classified according to the anticipated ultimate function that each road would serve. Where additional land is required for widenings, extensions, or intersection improvements, such land shall be obtained wherever possible in the course of approving plans of subdivision, development applications, or by conditions attached to individual consents.

3.2.3 ARTERIAL ROADS

Arterial roads are existing roads of 2 to 4 traffic lanes. Due to existing development, desired right-of-way widths may not always be achievable. Wherever possible, the right-of-way widths for Talbot Street and John Street shall be 26 metres. The number of access points from abutting properties should be restricted.

The function of the arterial roads is to facilitate the inter-municipal and through municipal movement of high volumes of traffic to and from major traffic generating sectors of the Town.

New employment, commercial, institutional, and multiple unit residential uses may have access to arterial roads, but in each instance an attempt shall be made to group developments in order to reduce the number of access points which could hinder the movement of traffic. Strip or linear development shall be

discouraged. Where such conditions exist, the number of access points shall be reduced wherever possible.

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

3.2.4 COLLECTOR ROADS

Collector roads are existing and proposed roads with a minimum of two traffic lanes and a right-of-way width of 20 to 26 metres, which are designed to collect and carry medium volumes of local traffic to arterial roads or to distribute traffic to the local roads, as well as provide access to abutting properties.

3.2.5 LOCAL ROADS

Local roads are existing and proposed roads with two traffic lanes and a right-of-way width of 20 metres which are designed primarily to provide access to abutting properties. They should be designed so as to discourage the movement of through traffic and should function as local distributors of traffic to the local roads, as well as to provide access to abutting properties. At the discretion of Council, right-of-way widths less than 20 metres may be considered for local roads on the merits of an improved streetscape, better utility of the land base, impacts to the social and physical environments, and life-cycle costs. However, nothing in this section shall obligate the Town to grant, open or improve road allowances that do not meet the minimum right-of-way widths of this Plan.

3.2.6 PRIVATE ROADS

For the purpose of this Plan, Private Roads are lanes, driveways roads or right-of-ways that are not owned or maintained by the Province, the County, or the Town that service two or more properties in separate ownership. The following will be the Policy of the Town:

- (1) Development on Private Roads and the creation of new Private Roads will only occur as roads internal to plans of condominiums.
- (2) New Private Roads, as part of a condominium, must directly connect to a public road which is maintained year-round.
- (3) New or extended Private Roads will be prohibited.
- (4) Direct access to existing Private Roads from existing abutting properties without road frontage or access may be permitted provided the access point is in a location where there are adequate sight lines considering the topography and the geometric design of the Town.

- (5) Private Roads may be assumed by the Town once they have been upgraded to an accepted municipal standard. However, the Town is not obligated to assume any road even if it has been brought up to an accepted municipal standard. The Town will not be responsible for upgrading Private Roads.

3.2.7 PROVINCIAL HIGHWAY 3/PROPOSED BY-PASS

Provincial Highway No. 3 currently forms the main east-west arterial road (Talbot Street) as a “connecting link”. A right-of-way has been established along the Town’s northern boundary to accommodate a proposed bypass. The Highway No. 3 by-pass will have a significant influence on future land use patterns and policies. Direct access to Highway 3 will be limited. Access to properties along Highway 3 (outside of the connecting link) will be restricted to local roads where applicable. No new direct access to Highway 3 will be permitted. Permits must be obtained from the Ministry of Transportation (MTO) for all developments located within the permit control area as defined in Section 34 and 38 of the Public Transportation and Highway Improvement Act. For development proposed within this area, the MTO may request traffic impact studies along with storm water management reports and the submission of proposed development plans for review and approval in order to determine the impact of any new development on a provincial highway.

3.2.8 INTERSECTION IMPROVEMENTS

It is the intent of this Plan that, as traffic conditions warrant, improvements in the form of jog eliminations, regulation of turn movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization construction will be undertaken at the intersections as required.

3.2.9 OFF-STREET PARKING

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

- (1) The parking facilities within the Core Commercial Area should be a combination of short-term parking for shopping and business purposes and long-term for those employed in the area.
- (2) The area behind the stores and businesses which line Talbot Street should be developed in such a manner as to provide landscaped off-street parking areas for customers.

- (3) The cash-in-lieu of parking policy and by-law, as provided for in the Planning Act R.S.O. 1990, c.P.13, may be implemented and the funds used to provide public parking facilities within the Core Commercial Area in accordance with the policies of Subsection 5.2. It should be noted that the Core Commercial Area is exempt from all parking requirements.
- (4) Council shall attempt to create a new Town parking lot to assist in overcoming the existing parking deficiencies.

3.2.10 TRANSPORTATION STANDARDS AND GUIDELINES

Design standards for location, layout, surfacing, lighting and landscaping of driveways, off-street parking areas and loading areas will be established in the implementing Zoning By-law and through site plan control. In addition, the Town may adopt a Design Guidelines Manual from time to time to address more detailed transportation-related issues such as preferred access locations, sight distance requirements, maximum number of and spacing between driveways, corner clearance, grades, angle of intersection, emergency routes, lighting, signage and other standards. Where such a guideline is adopted by Council, applications for development may be evaluated on the basis of compliance with these guidelines.

3.2.11 TRAILS AND WALKWAYS

The needs of pedestrians and cyclists will be considered in the review and evaluation of all development applications to promote alternative modes of transportation and to foster public health and recreational opportunities. New development and redevelopment should be planned to facilitate the creation of a linked pedestrian and cycling networks connecting residential areas to employment and commercial areas, as well as to public parks, schools and other community facilities throughout the Town of Aylmer. As a minimum, a sidewalk shall be provided on one side of the road for all new development proposals involving the creation of new public roadways.

In undertaking municipal road construction and improvements, the Town of Aylmer will consider opportunities for the provision of sidewalks, bike lanes, on-road trail routes and similar pedestrian or cycling facilities.

3.2.12 BARRIER-FREE ACCESS

All appropriate design standards should be followed including the Ontario Building Code as well as The Integrated Accessibility Standards Regulation Design of Public Spaces Standard. It shall be a policy of this Plan that, in reviewing development applications and when the Town is undertaking public works, serious consideration be given to the creation of a barrier free

environment. Encouragement will also be given to design standards that create a safe pedestrian environment.

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

The Town will explore ways to eliminate barriers to wheelchairs and mobility aids on public lands and in buildings. The Town will encourage developers to provide barrier free developments.

The Town's zoning by-law will establish standards for the provision of parking spaces for individuals living with physical disabilities where the magnitude of the development warrants the provision. The Town will have regard for the requirements of the Accessibility for Ontarians with Disabilities Act and:

- (1) Prepare a Joint Accessibility Plan every year covering the identification, removal and prevention of barriers to persons with disabilities in by-laws and policies, programs, practices and services;
- (2) The Town will include barrier-free practices in by-laws and policies;
- (3) The Town may establish a Joint Accessibility Advisory Committee, the majority of members being persons with disabilities, to address accessibility issues for the Town and seek the advice of the Elgin County Joint Accessibility Advisory Committee on the accessibility of all existing and new municipal facilities, and if appropriate, on the accessibility of development proposed in Site Plan Approval applications; and
- (4) The Town will encourage new residential development to incorporate universal design and accessibility features to support aging in place.

SECTION 4 LAND USE POLICIES

4.1 GENERAL

The intent of this Official Plan is to develop policies and to define, through Schedule “A” - Land Use Plan and Schedule “B” – Natural Features, the nature and extent of future growth and to determine the use of land in an orderly, attractive, economically viable and sustainable manner. The objectives of the Land Use Policies portion of the Official Plan are to:

- designate major land use areas to ensure the proper functioning of each use, and desirable spatial distribution based on sound planning principles and analysis;
- designate significant natural heritage features for long term preservation and identify hazard areas where development restrictions are required to protect public health and safety and the quality of the natural environment;
- establish a land use pattern and policies for development to ensure that services and utilities are efficiently utilized and the use of existing infrastructure is optimized wherever possible;
- ensure that sufficient opportunities are provided for housing, commerce, employment, institutional and recreational uses through intensification and redevelopment and in designated growth areas; and
- ensure that the core commercial area is strengthened as the focal point of community life and commerce.

The municipal boundary of the Town of Aylmer is also the Settlement Area for the municipality. The Settlement Area shall not be expanded except as a result of a comprehensive review in accordance with the Provincial Policy Statement.

4.2 RESIDENTIAL USES

4.2.1 OBJECTIVES

- (1) To ensure that new development occurs in a manner in keeping with the capacity of the Town’s municipal water, sewer and community facilities and the financial capability of the Town.
- (2) To support the provision of a choice of housing types including location, size, cost, tenure, and design so that a broad range of housing opportunities are available within the community.

- (3) To foster the provision of affordable housing and special needs housing.
- (4) To encourage the provision of an adequate supply of draft approved and/or registered lots and blocks on new plans of subdivision and/or registered lots which have been created in accordance with the policies of this Plan.
- (5) To encourage infill residential development and intensification of vacant or underutilized parcels of land in residential areas where such development will be compatible with existing uses and where it will contribute to the more efficient use of sewer and water services and community facilities.
- (6) To encourage the provision of an adequate supply of new building lots to meet the anticipated demand for additional housing units over the next 10 years as the capacity of the Town's services and land base permit.
- (7) To promote the maintenance and rehabilitation of the existing housing stock.
- (8) To support the development, in appropriate locations, of residential facilities that meet the housing needs of persons requiring specialized care.
- (9) To encourage residential development that is conducive to the conservation of water and energy and that retain, to the extent feasible, desirable natural features.
- (10) To support the development of multi-unit, medium density residential uses in locations where development is compatible with surrounding land uses, and where there is safe and convenient access to shopping, public open space, recreation facilities and other urban amenities.

4.2.2 GENERAL POLICIES

(1) Housing Mix

The Town shall encourage the development of a range of housing types and tenures to assist in meeting the affordability and density targets of this Plan and to accommodate all age groups and special needs requirements.

The housing mix has been and will continue to be predominantly single detached dwellings.

The 2016 housing composition in Aylmer consisted of 67.2% single detached dwellings, 5.4% semi-detached, 3.2% duplex, 6.6% townhouse dwellings, 16.4% apartment dwellings and 1.6% other.

(2) Housing Supply

It is an objective of this Plan to maintain, at all times, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans. The Town shall review, on an annual basis, the supply of these serviced residential lands against the objective to maintain a minimum continuous three-year supply, as well as the housing mix, affordability and density targets of this Plan.

It is also an objective of this Plan to maintain, at all times, the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.

(3) Residential Intensification

It is an objective of this Plan to accommodate a minimum of 15% of new housing units through intensification and redevelopment of existing vacant and underutilized lands in areas of existing residential development. Potential residential intensification and redevelopment areas are included in the Low, Medium and High Density Residential designations on Schedule “A” – Land Use Plan and will be appropriately zoned in the implementing Zoning By-law to assist in achieving this objective.

While an objective of this Plan is to promote intensification and redevelopment of vacant and underutilized lands in existing residential areas, the indiscriminate mixing of different housing types in established low density residential areas shall not be permitted in the interest of protecting the stability and character of existing neighbourhoods. Redevelopment proposals will, to the satisfaction of Council, ensure that the residential character of the area will be maintained or enhanced and not present a burden to existing facilities and services.

(4) Vacant Residentially Designated Areas

In vacant areas proposed for residential development, housing shall be provided to achieve the housing mix, density and affordability targets of this Plan while ensuring that the overall density restrictions are not exceeded and that conflicts do not occur between housing types. The planning of new residential areas shall make provisions for a range of housing type, size, price and tenure in order to provide accommodation for households of differing socio-economic characteristics.

Internal road networks should be designed to ensure good access to the major road network while discouraging through traffic.

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

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

Consideration shall also be given to landscaping, planting and facilities that will promote water conservation.

In general, Council shall maintain a flexible attitude towards carefully designed experimental housing. Energy efficient construction of housing shall be encouraged in the Municipality, provided it meets the requirements of the Ontario Building Code.

New plans of subdivision within the Residential designation shall be designed so that continuous interior access roads will connect to adjacent subdivisions. For larger blocks of lands located adjacent to arterial roads, direct access to the arterial road may be limited.

Undeveloped lands that are designated Residential may be placed in a holding zone in the implementing Zoning By-Law. The holding symbol will be removed when appropriate sanitary sewage, water and other necessary arrangements are made to the satisfaction of the Town and a plan of subdivision or condominium is approved where required. Existing uses shall be permitted in the interim.

(5) Residential Development on Lots with less than the Minimum Frontage and/or Area

Residential development on existing lots with less than the minimum frontage and/or area as specified in the Zoning By-Law, will generally be permitted, unless otherwise provided for in this Plan, if Council is satisfied that the proposed development is compatible with existing surrounding development in terms of site coverage, housing size, and character, as well

as lot size and building setback, subject only to the consent of the Committee of Adjustment for a minor variance.

(6) Conservation and Rehabilitation of Existing Housing Stock

The conservation and rehabilitation of existing housing stock shall be encouraged in order to maintain the supply of older housing and to preserve the physical, social, and economic character of stable residential areas.

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

The Town shall encourage the improvement and conversion of vacant upper level floor space in core area buildings to residential apartment units in order to improve the use of the buildings, enhance the viability of the core area and create opportunities for affordable housing provision.

(7) Secondary Dwelling Units

Secondary dwelling units are separate and self-contained dwelling units with kitchen and bathroom facilities that are created within a single detached, semi-detached or townhouse dwelling or dwelling unit. Notwithstanding any other policy in this plan to the contrary, the policies regarding the establishment of secondary residential units are as follows:

- (a) A maximum of one secondary dwelling unit (for a maximum of two units per lot) is permitted per lot within a single detached, semi-detached or townhouse dwelling or as part of a building accessory to a main residential unit. The main dwelling must be owner-occupied.
- (b) A secondary dwelling unit will be permitted in an existing or new dwelling where a permanent single detached, semi-detached or townhouse residential use is permitted as a main use under the zoning by-law. For greater clarity, a secondary dwelling unit will not be permitted in a seasonal dwelling unit or an accessory dwelling unit.
- (c) The secondary dwelling unit is incidental to the main permitted residential use and shall not change the general appearance of the dwelling or negatively impact the character of the neighbourhood.
- (d) A secondary dwelling unit will be permitted as-of-right in the zoning by-law where full servicing is present.

- (e) Where a secondary dwelling unit is proposed in an accessory building, site plan control may be applied to ensure the following:
 - (i) Sufficient amenity area;
 - (ii) Reasonable and safe access to a public highway;
 - (iii) The adequacy of municipal and utility services serving the accessory building, and the ability to connect to such services; and/or
 - (iv) The measure necessary to protect the privacy of neighbouring residents are taken.
- (f) New development, such as draft plans of subdivision shall consider the accommodation of new secondary dwelling units in the design of the subdivision.
- (g) A secondary dwelling unit will not be permitted where:
 - (i) A lot has a garden suite or any other form of ancillary residential accommodation; and/or
 - (ii) A lot is subject to the mitigation or avoidance of hazards, such as flooding or erosion.
- (h) The Town may prepare a guide to assist landowners in the navigation of the secondary dwelling unit development processes.

(8) Housing Affordability

The Town supports the provision of housing affordability for low and moderate-income households, and will work to implement the strategies of the St. Thomas-Elgin Affordable and Social Housing Strategy to support opportunities to increase the supply of affordable housing within the Town. The Town will support the provision of housing which is attainable for younger families and an aging population.

Housing affordability includes: “in the case of ownership housing, the least expensive of:

- (a) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
- (b) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.”

In the case of rental housing, housing affordability is “the least expensive of:

- (a) gross annual household income for low and moderate-income households;
or
- (b) a unit for which the rent is at or below the average market rent of a unit in the regional market area.”

The Town will support the provision of housing affordability in accordance with the Town’s Affordable Housing Strategy and the following policies:

- (a) The provision of housing that is affordable and accessible to low and moderate-income households will be a priority. The Town will seek to achieve a minimum of 20% of all new annual residential development be considered affordable, which may include ownership housing or rental housing.
- (b) The Town will actively discourage the demolition or conversion of affordable rental housing stock to freehold if such conversion results in a reduction in the amount of affordable rental housing available to an unacceptable level.
- (c) The Town will consider opportunities for permitting additional units in existing dwellings, through the accommodation of second dwelling units, in accordance with the policies of Section 4.2.2 (7), to assist the Town in achieving their affordable housing target.
- (d) The Town will encourage the provision of housing affordability through:
 - (i) supporting increased residential densities in appropriate locations along arterial and collector roads and a full range of housing types, adequate land supply, redevelopment and residential intensification, where appropriate;
 - (ii) supporting assisted housing, special needs housing and alternative housing forms including second dwelling units where full services are available and temporary garden suites on partial or private services;
 - (iii) the timely provision of infrastructure in the Settlement Areas;
 - (iv) working with various agencies, builders, and providers to determine the availability of incentives and how they may apply;
 - (v) supporting the reduction of housing costs by streamlining the development approvals process and waiving municipal planning application and building fees and charges, in full or in part, to encourage affordable housing;
 - (vi) providing full or partial property tax exemptions for affordable housing units which remain affordable for a minimum period of 20 years;

- (vii) negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;
 - (viii) requiring all new applications for medium and high density residential development to address, as part of a planning justification report, the provision of affordable housing and how it is conforming to the target identified in Section 4.2.2 (8) of this Plan;
 - (ix) considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form; and
 - (x) encouraging the County to create an Affordable Housing Advisory Committee with representatives from other municipalities and agencies, and residents to facilitate partnerships for the provision of affordable housing.
- (e) The Town may adopt a Municipal Housing Facilities By-law to develop affordable housing as a “community facility” under the Municipal Act. In an effort to facilitate housing affordability the Town may:
- (i) enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing;
 - (ii) use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing; and
 - (iii) enter into public/private partnerships for the provision of new affordable housing.
- (f) The Town will encourage that housing affordability be considered when opportunities for redevelopment become available. This includes the redevelopment of existing single-use and underutilized areas with full municipal services, especially where the land is in close proximity to human services. Special attention will be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses.
- (g) The Town will first consider surplus municipal land for affordable housing and may evaluate the feasibility of providing municipally owned land at a reduced cost for the construction of affordable housing. Furthermore, the Town will work with other levels of government to make surplus land available to providers of affordable housing at little or no cost.
- (h) The Town will encourage the development of low income housing geared towards seniors, which may include lower maintenance housing types such as condominiums and townhouses.

- (i) The Town will encourage housing affordability in a variety of building forms to meet the housing needs of a socially and economically diverse population in support of a broad range of employment opportunities.
- (j) The Town will support the development of new barrier free housing which is affordable to accommodate a diverse range of housing needs.
- (k) The Town may designate certain areas or the Town as a whole, as a Community Improvement Area to facilitate the use of grants or loans to support the development of affordable housing.

(9) Special Needs Housing

Special needs housing is defined as any housing, including dedicated facilities, in whole or in part, that is used by people who have special needs beyond economic needs, including but not limited to, needs such as mobility requirements or support facilities required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with physical, sensory, or mental health disabilities, as well as housing for the elderly.

The Town will endeavour to improve access to housing for those people with special needs including assisted housing, seniors housing, as well as various forms of supportive housing including group homes and emergency/transitional housing subject to the policies of this Plan:

- (a) The Town will work with other agencies and local groups to assess the extent of the need of these forms of housing.
- (b) The Town will support community agencies interested in pursuing additional funding from the Provincial government to address identified needs for special needs housing.
- (c) The Town will support the distribution of special needs housing provided by community groups.
- (d) Semi-supervised living will be permitted within the Settlement Areas, in land use designations where single detached, duplex, semi-detached, triplex, townhouse and apartment dwelling units are permitted, and in accordance with the Town's Zoning By-law. Semi-supervised living will be compatible with adjacent uses. Existing facilities that do not comply with the requirements will be allowed to continue but will not be permitted to expand without a minor variance or zoning by-law amendment. Semi-supervised living with any correctional purpose will be treated as an institutional, and not as a residential use by this Plan and the Zoning By-law.

Applications for new semi-supervised living shall be accompanied by sufficient information to:

- (i) define the program and demonstrate the need for the service within the municipality;
- (ii) demonstrate a knowledge of the community and its resources to ensure that the needs of the semi-supervised living residents can be met within a climate of community acceptance consistent with the objectives of its program requirements;
- (iii) demonstrate the suitability of the proposed facility as required by Provincial and Municipal legislation as to its construction and compliance with local health, safety and fire regulations;
- (iv) show how the particular proposal provides sufficient indoor and outdoor space and facilities for prospective residents and staff; and
- (v) demonstrate that the form of semi-supervised living is properly licensed and registered by the Province of Ontario or the Federal government.

The Town shall be given an opportunity to review and comment on the application for a license before a final decision regarding its approval has been made.

In order to prevent an undue concentration of semi-supervised living in specific areas of the Town, standards requiring a minimum distance separation between these facilities will be incorporated in the implementing Zoning By-Law. The Zoning By-law may also define different types of group homes and identify the specific zones in which each type is permitted.

- (e) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, semi-supervised living, a hostel, temporary shelter, emergency shelter or other similar form of special needs shelter, the Town will be satisfied that:
 - (i) the traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent land uses, particularly residential uses;
 - (ii) the facility is of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;
 - (iii) the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-law, including those related to

- parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
- (iv) where appropriate, that a licence has been granted by the licensing Provincial or Federal agency.
- (f) Special needs housing and aging-in-place for seniors will be encouraged so that:
- (i) individuals living in a non-healthcare environment, will have access to municipal services and amenities so that they may carry out their daily life without having to relocate as their circumstances change;
 - (ii) where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing is available in residences for seniors, such as in a continuing care retirement community; and
 - (iii) a variety of dwelling types and housing tenures are available to accommodate seniors' housing needs and aging-in-place.
- (g) Long-term care facilities that meet the needs of the community will be encouraged.
- (h) The Town will endeavour to provide a barrier-free environment where possible.
- (i) The Town will encourage new residential development to incorporate universal design and accessibility features to support aging in place.

(10) Institutional Uses in Residential Areas

Certain community-oriented Institutional uses, including those permitted generally in all land use designation by Subsection 3.1.17 of this Plan, and facilities for special population groups (including daycare facilities, homes, centres or schools for the care, boarding or teaching of children, and interval houses for the physically abused, nursing and rest homes and retirement homes) are permitted within areas designated for Residential purposes on Schedule "A" subject to the policies of Section 4.5 and provided they can satisfy all of the following location and design criteria:

- (a) frontage or flankage on an arterial or collector street if it does not create a traffic hazard;
- (b) design which is residential in character, maintaining the scale, density and character of existing land uses;

- (c) provision of adequate buffering and transition to protect surrounding existing development;
- (d) provision of adequate off-street parking to serve the particular use, while retaining sufficient useable yard space to maintain the visual characteristics of the area and to permit the expected activities of a Residential area to be carried out; and
- (e) on those streets which have been designated “no stopping” areas, provision shall be made for off-street locations to accommodate drop-off and pick-up of the users of such facilities.

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

(11) Condominium Housing Developments

It is a policy of this Plan to recognize and, where appropriate, to encourage condominium housing as an acceptable form of housing tenure and as a means of providing opportunities for home ownership.

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

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

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

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

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

The Town Council's consent to the registration of a condominium plan will be given only after the signing of all required agreements, posting of all required guarantees, the payment of all monies required by such agreements, and the filing of "as built" construction plans with the Town. All such plans are to be made accessible to representatives of the Condominium Corporation.

(12) Conversion of Existing Residential Developments to Condominium Tenure

The conversion of existing residential accommodation to condominium tenure presents a different, and sometimes more difficult situation than does new construction. In some cases, existing residential developments were constructed under standards and conditions that were different and, in some cases, of lower standards than those that prevail at the time of the conversion. As a result, problems may be encountered in attempting to upgrade existing developments in accordance with present policies, standards and criteria. Problems may also be encountered in a situation where rental housing vacancy rates are low. Although tenants in existing projects cannot legally be displaced, condominium conversions may result in current tenants being faced with finding suitable alternate accommodations in a housing market that provides little choice and opportunity.

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

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

conversions are identified as a form of development under the Conservation Authorities Act and, where applicable, may be subject to the regulations of Section 28 of that Act.

The design, layout and standard features of the development to be converted are to be considered within the framework of development standards and criteria of the municipality. The municipality's development standards and criteria are subject to amendment from time to time by Council and do not require a formal amendment to the Official Plan.

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

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

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

- (a) any or all of the matters contained in the Planning Act, as amended from time to time;
- (b) the effect on the overall mix of residential housing types in the Town in relation to the housing mix targets established in this Plan;
- (c) the most current vacancy rate for rental accommodation in the Town;
- (d) the suitability of the development for conversion in terms of the policies, standards and criteria adopted by Town from time to time; and
- (e) the effect on the provision of affordable housing in relation to the affordability targets established in this Plan.

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

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

(13) Home Occupation Uses

Home occupation uses which are not disruptive to the neighbourhood are also permitted within the Residential land use designations. Hairdressing, telephone sales, tailors, child care, small goods repair shops, insurance and other office type uses, ceramic and other home craft type uses shall be permitted with specific regulations as outlined in the Zoning By-Law. Home occupations, in conjunction with a dwelling in a residential area, are subject to the following conditions:

- (a) Home occupations shall be totally contained within the dwelling unit, including an attached garage. However, any home occupation that requires the use of anything on the subject property other than the dwelling, except for parking or a sign, will require an amendment to the Zoning By-Law.
- (b) No external alteration to the dwelling which is not customary in residential buildings shall be permitted.
- (c) Exterior advertising of these activities shall be limited and no the display of goods visible from outside the dwelling is permitted.
- (d) No storage of commercial vehicles shall be permitted on the premises. No parking of commercial vehicles over 3,000 kilograms shall be permitted on the premises.
- (e) No unreasonable use of lights, or nighttime operations shall be permitted.
- (f) No home occupation shall result in volumes of vehicular traffic which cause disruption of normal activities of adjacent residential uses.
- (g) No home occupation shall create a safety hazard for the existing residential activities on the site or in the area.

- (h) No outdoor storage of materials or goods in support of the home occupation is permitted.

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

4.2.3 RESIDENTIAL LAND USE DESIGNATIONS

The Residential designation of land shall mean that the predominant use of land so designated shall be for varying densities and types of residential land uses. There are three Residential designations:

- Low Density Residential
- Medium Density Residential
- High Density Residential

Within areas under the various Residential designations, land uses compatible with dwellings and deemed necessary by Council to serve the needs of local residents will be permitted in accordance with subsection 4.2.2(9). Educational facilities, religious facilities, parks, recreational facilities, day care, and home occupations and uses pertaining to municipal services and utilities are also permitted uses within Residential designations subject, however, to specified location and design criteria established in this Plan and the implementing Zoning By-law. Such uses may also require specific zoning. The establishment of permitted institutional uses in a Residential designation shall be in accordance with the provisions for Institutional Uses set out in Section 4.5.

(1) Low Density Residential Areas

Areas designated as Low Density Residential shall be limited to single detached, semi-detached, duplex, or converted dwelling units, home occupation uses and public uses. In addition, medium and high density residential uses may be considered subject to the policies of Subsections 4.2.3 (4) and 4.2.3 (5) of this Section.

The minimum density shall be 10 units per gross hectare¹ for new low density residential development in vacant designated areas.

The maximum density shall not exceed 15 units per gross hectare where a development or area consists of only single detached dwellings, and 20 units per gross hectare where a development or area includes a mix of single-detached, semi-detached and/or duplex dwellings.

Low Density Residential may be placed in separate zoning categories in the implementing Zoning By-Law.

(2) Medium Density Residential Areas

The uses permitted in areas designated Medium Density Residential shall be limited to single detached, semi-detached, duplex, triplex, converted, and townhouse dwellings, home occupation uses and public uses. In addition to these permitted uses, low-rise apartment buildings with a maximum height of five stories shall be permitted.

The maximum density shall not exceed 40 units per gross hectare.

The general location shall be in conformity with Schedule “A”. The Medium Density Residential area may have separate zoning categories in the implementing Zoning By-Law.

Medium Density Residential development may be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990, c.P.13.

(3) High Density Residential Areas

The uses permitted in areas designated High Density Residential may include medium density development, excluding single detached dwellings, in addition to apartments, limited home occupation uses, and public uses.

The minimum density shall be less than 40 units per gross hectare and the maximum density shall not exceed 100 dwelling units per gross hectare.

The general location shall be in conformity with Schedule “A”. The High Density Residential areas may be placed in separate zoning categories in the implementing Zoning By-Law.

¹ For the purpose of this Plan, a “gross hectare of land” means residential building land plus the required landscaping, off-street parking, road allowances, and required amenities. General calculations would be conducted on a block by block basis.

High Density Residential development may be subject to site plan control pursuant to the Planning Act, R.S.O. 1990, c.P.13.

(4) Policies for Medium and High Density Residential in the Low Density Residential Designation

Medium density and high density residential development shall be permitted in areas which are presently undeveloped and designated on Schedule “A” as Low Density Residential in accordance with the policies of Subsections 4.2.3 (2) and 4.2.3 (3), provided at least two of the location criteria listed below shall be satisfied before such a site would be considered to have acceptable location characteristics:

- (a) The site has frontage on an arterial or collector road as indicated on Schedule “C” of this Plan;
- (b) The site is abutting a major public park or community facility in the Parks and Open Space Area or Institutional designation as indicated on Schedule “A” of this Plan; and/or
- (c) The site is abutting a Commercial or Industrial area as indicated on Schedule “A” of this Plan.

An amendment to the Zoning By-law shall be required to permit medium and high density residential development in the Low Density Residential Designation. The following additional items will be considered when reviewing the appropriateness of applications to amend the comprehensive Zoning By-Law to permit medium or high density residential uses in an area designated Low Density Residential:

- (a) general compatibility with existing uses in close proximity to the proposed development;
- (b) the capacity of the roads affected and their ability to handle the expected increases in traffic;
- (c) the adequacy of services to serve the proposed development;
- (d) the adequacy of off-street parking facilities to serve the proposed development; and
- (e) the provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties.

If the proposed site can satisfy the criteria noted above, and, in addition, can provide adequate buffering from and transition to adjacent lower

density residential uses, no Official Plan amendment would be required. The proposal will be analysed to determine if it will alter the character of existing development by evaluating existing land uses that are located within a 120-metre radius of the subject property as a guide to the nature of existing development characteristics.

If the proposed development does not satisfy the location criteria, or if it will increase the scale or density of existing development, an Official Plan amendment will be required. A comprehensive study would be required to determine if the Official Plan policies in this regard are appropriate. A public hearing will also be required.

(5) Design Criteria for Medium and High Density Residential Development

The design considerations for Medium Density and High Density Residential development should include provisions for the following:

- (a) The height, massing, and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding area;
- (b) Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower density uses;
- (c) Parking areas shall be required on the site of each residential development that are of sufficient size to satisfy the parking needs and requirements of the particular development and that are well designed and properly related to buildings and landscaped areas;
- (d) Service areas shall be required on the site of each development (e.g. garbage storage) and shall be appropriately located and screened from view from the street and adjacent sensitive land uses, including residential uses; and
- (e) The design, construction, and maintenance of the vehicular, pedestrian, and amenity areas of residential developments will be subject to regulations by the Town.

The municipality shall seek the co-operation of private developers in providing a variety of indoor and outdoor recreation facilities in the design of medium and high density developments. Where such developments cannot be designed with adequate open space or recreation facilities,

developers shall be encouraged to reduce the density or find alternative building sites in close proximity to schools, parks or other open spaces.

The provision of private open space and recreation facilities in medium and high density developments will be in addition to the requirements for parkland dedication. Exceptions, however, may be made in the case of affordable, senior citizen or other specific use housing projects in situations where amenity areas are provided on-site and the amenities satisfy municipal standards and the Town is satisfied the said amenity area will be available to the public.

(6) Site Specific Special Policy Areas to Residential Areas

The design considerations for Medium Density and High Density Residential development should include provisions for the following:

- (a) On lands located at the northwest corner of Talbot Street West and Elm Street, known locally as 353 Talbot Street West, consisting of approximately 0.375 hectares of land area and identified on Schedule 'A' as "Special Policy Area MDR-1:
 - (i) An apartment building with a maximum density of 43 units per gross hectare and a maximum building height of 4 storeys will be permitted. In addition, an existing accessory one storey building having a maximum gross floor area of 123 square metres dedicated to recreational uses for the occupants of the apartment will be permitted.
- (b) On lands located along the north side of Water Street between Queen Street and Linden Street in Town of Aylmer, known locally as 37 Water Street (W Pt. Lot 5, Plan 164) consisting of approximately 760 square metres of land area and identified on Schedule 'A' as "Special Policy Area MDR-2" the following special provisions shall apply:
 - (i) An quadraplex (containing four dwelling units) will be permitted; and
 - (ii) Development will be subject to site plan approval.
- (c) On lands located at the northeast corner of Spruce Street West and Elm Street, known locally as 101 Spruce Street West, consisting of approximately 2,220 square metres of land area and identified on Schedule 'A' as Special Policy Area HDR-1", professional offices within an existing building shall be a permitted use, in addition to uses permitted in the "High Density Residential" designation.

4.3 COMMERCIAL USES

The commercial classification of land shall mean that the predominant use of land in the area so designated shall be in accordance with the uses as defined in the following subclassifications:

- Core Commercial Area;
- Arterial Commercial Area;
- Neighbourhood Commercial Area;
- Office Residential Area; or
- Business Park Commercial Area.

Non-commercial uses which are complementary to and serve the respective commercial uses shall also be permitted as defined under the commercial sub-classification definitions. Proposals for the redesignation of land from a Commercial land use designation to a non-employment land use designation will require a comprehensive review in accordance with the Provincial Policy Statement demonstrating that the land is not required for employment purposes over the long term.

Site Plan Control shall be required and applied to all new commercial development, as well as to the expansion of any existing commercial uses. The design and development of commercial areas shall ensure compatibility between the commercial uses and the adjacent land uses. The following site design and development factors shall be considered for new and/or expanding commercial uses:

- loading areas shall be located to avoid conflict between pedestrian and vehicular traffic and shall be directed away from adjacent residential areas and adjoining roads;
- outdoor storage areas shall be fenced and/or screened;
- the number and location of vehicular access points shall be limited to minimize the disruption to traffic flows;
- lighting shall be directed to minimize impacts on adjacent residential uses;
- off-street parking areas, loading areas and site service areas shall be screened and landscaped;

- adequate separation shall be provided between uses and shall be achieved through the use of buffering, buffer planting, barriers and special construction techniques;
- the accessibility needs of persons with disabilities and other special needs groups shall be addressed;
- the proposal shall include features to promote public safety;
- the servicing needs of the development shall be within the capabilities of the Town to provide; and,
- the proposal shall have regard to the cumulative effects of development on the natural environment, surrounding land uses and the local economy.

The general principles to be considered in the development and control of the use of commercial lands are as follows.

4.3.1 CORE COMMERCIAL AREA

(1) Land Use Objectives

- (a) To create an exciting and vibrant atmosphere for both residents and visitors within the Town of Aylmer's downtown Core Commercial Area;
- (b) To increase residential development within and in the vicinity of the core;
- (c) To improve the traffic patterns and road network within the Core Commercial Area by providing a safe, convenient, efficient, and integrated transportation system which will promote cycling and walking, while also meeting vehicular and parking needs within the Core Commercial Area;
- (d) To ensure comfortable, safe, interesting, continuous pedestrian links are established throughout the core and between the Core Commercial Area and the wider community;
- (e) To visually enhance the east and west, north and south entrances of the core;
- (f) To encourage property owners to upgrade the visual quality of their establishments through improved signage and landscaping, and to upgrade the second and third floors to encourage residential units in the upper stories of commercial buildings;

- (g) To create a safe and healthy environment within the core for residents, shoppers and visitors; and
- (h) To conserve historically significant structures and ensure that adjacent development is compatible in height, density and setbacks to these structures by establishing both minimum and maximum requirements for building height and setbacks and by introducing development incentives in the form of bonusing and/or reducing parking and loading requirements for development that achieves this objective.

(2) Land Use Policies

- (a) The Core Commercial Area is intended to be the most intensive and diverse commercial area in the Town of Aylmer. Permitted uses include the full range of commercial, office, administrative, cultural, entertainment, recreational, and civic/institutional uses including government uses, parks and open space and residential uses;
- (b) Residential uses are for the most part restricted to above the first floor within any of the permitted buildings;
- (c) The Town of Aylmer shall encourage major institutional, government and service uses to locate in the Core Commercial Area in order to reinforce the role of this area as the Town's primary business, cultural, and administrative centre;
- (d) Residential intensification within the Core Commercial Area shall be encouraged including:
 - (i) the creation of new residential uses above the first floor in multi-storey buildings; and
 - (ii) high density residential uses through the development of appropriate zoning standards.
- (e) The Town shall endeavour to provide adequate parking facilities for all permitted uses and access to such parking shall be designed in a manner that will maximize pedestrian and vehicular traffic safety. No parking shall be required for land uses and development within the Core Commercial Area;
- (f) The following design standards and objectives will guide development in the Core Area:

- (iii) New buildings will be oriented to the street line with direct pedestrian access from a public sidewalk;
 - (iv) Front yard parking shall be prohibited in the implementing Zoning By-Law;
 - (v) New buildings will be oriented to the street with parking to the side or to the rear;
 - (vi) A Sign Control By-Law will be enacted as provided for in the Municipal Act to regulate the size, location, and material of all signs in the Core Commercial Area; and
 - (vii) Stores, offices and other buildings will be encouraged to improve the rear of their property for pedestrian access, parking, and general aesthetics.
- (g) Pedestrian circulation routes in the Core Commercial Area will be enhanced by improvements which include:
- (i) The provision of appropriate landscaping features such as lighting, signage, street trees and other vegetation, street furniture, and public art forms which contribute to and are sensitive to the character and image of the area;
 - (ii) The protection and enhancement of the heritage features of the area;
 - (iii) The establishment of a policy regarding sidewalk construction design that takes into account the differing pedestrian volumes, the functions of different roads, the comfort and safety of the elderly and persons with disabilities, and ensures easy access to the parking lots, that all sidewalks are at uniform grades, and that curbs are depressed at intersections for barrier-free access[See also Transportation policies];
 - (iv) The coordination of street furniture including benches, receptacles, tree guards, bicycle stands, flower boxes, etc;
 - (v) A requirement that new development and redevelopment which abuts pedestrian corridors incorporate design elements that provide for weather protection, reduces wind effects, creates opportunities for sunlight, contributes to public safety, security and comfort; and
 - (vi) Ensuring good pedestrian access to municipal parking areas.
- (h) Council will give support to the establishment of enhanced entrance ways to the core. This may be achieved by:
- (i) Appropriate signage identifying the area as the Core Commercial Area;
 - (ii) Establishing enhanced landscaping features at the four access locations to the Core Commercial Area;

- (iii) Encouraging the owners of buildings at the entrance ways into the Core Commercial Area to add landscaping and signage enhancements to their structures;
 - (iv) Implementing a civic beautification program which will concentrate on improving properties and create attractive entrances to take advantage of municipal parking lots and pedestrian pathways;
 - (v) Encouraging the redevelopment of upper levels of existing buildings to offices and/or residential uses; and
 - (vi) Building Department staff providing assistance to landlords in understanding what improvements are needed to meet the Building Code for residential development;
- (i) The historical character of Aylmer’s Core Commercial Area will be enhanced by:
- (i) Ensuring that public improvements are sensitive to the heritage character of the area;
 - (ii) Ensuring that essential heritage features are conserved, incorporated or maintained when new uses or development are proposed to a heritage feature;
 - (iii) Supporting bonus zoning provisions or transfer of density provisions authorized under the Planning Act as an incentive to the private sector for heritage conservation; and
 - (iv) Ensuring that the Zoning By-Law imposes both minimum and maximum heights and setbacks in order to maintain compatible and complementing streetscape characteristics within the core and, in particular, adjacent to established buildings of traditional two- and three-storey construction at the building line.

4.3.2 ARTERIAL COMMERCIAL AREA

The Arterial Commercial Area is the area that has developed as commercial land use along the arterial roads, namely Talbot Street and John Street, on the periphery of the Core Commercial Area and at the easterly limit of the Town. This area is intended for uses which due to their size and/or function may be unable to locate in the core where the space per use is limited by individual buildings and multiple ownerships. This designation is also intended to recognize existing commercial areas that, due to their limited depth or multiple ownerships, cannot meet the minimum floor area restrictions applicable to development in the Business Park Commercial Area.

(1) Land Use Objectives

- (a) To provide sufficient lands in suitable locations for commercial land uses that are not suited to locate within the existing structures within the core but are supportive of the general commercial needs of the residents of Aylmer; and
- (b) To recognize existing commercial areas that, due to the limited size, depth or multiple ownership of land parcels, cannot meet the minimum floor area restrictions applicable to development in the Business Park Commercial Area.

(2) Land Use Policies

- (a) Uses permitted shall be limited to those commercial uses that are dependent on a high degree of access and visibility to vehicular traffic on main roads, including restaurants, automotive uses, retail stores, offices, food stores, personal service establishments, commercial courier establishments, hotels, motels, recreational uses and tourist facilities;
- (b) Institutional uses such as rest homes, day care facilities, public, private, or commercial schools shall also be permitted;
- (c) Retail uses requiring large enclosed or open storage areas such as, but not limited to, building supplies, warehouse outlets, food stores, and catalogue stores may locate within the Arterial Commercial Areas, provided all open storage areas are located and screened in accordance with the implementing Zoning By-law;
- (d) Adequate off-street parking and loading facilities shall be provided for all permitted uses and access points to such that parking shall be limited in number and designed in a manner that will maximize pedestrian and vehicular traffic safety;
- (e) Landscaping shall be provided along the arterial street frontage in accordance with the requirements of the Zoning By-law;
- (f) Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas, and the implementing Zoning By-law may require buffering including requirements for planting strips, berms, fences or other screening, and/or minimum separation distances;

- (g) Buildings contained within an Arterial Commercial Area, and any lighting or signs, shall be designed and arranged to minimize impacts on adjoining residential uses;
- (h) The general location of the Arterial Commercial Area shall be in accordance with Schedule “A” – Land Use Plan, and any extension of this designation shall require an Official Plan Amendment; and
- (i) The Arterial Commercial uses may be included in separate zoning classifications in the implementing Zoning By-Law.

(3) Special Policy Areas

- (a) On lands located at the north-west corner of John Street North and Walnut Street, known municipally as 202 John Street North, consisting of approximately 760 square meters (0.13 acres) of land area and identified on Schedule “A” as “Special Policy Area AC-1”, the permitted uses shall include multi-unit residential within the existing building as an alternate land use to the uses permitted by the Arterial Commercial Area. Conditions shall be established in the implementing Zoning By-law requiring removal of dwelling units on the John Street North portion of the ground floor of the existing building prior to re-establishment of a commercial use.
- (b) On lands located on the north side of Murray Street east of John Street North, known municipally as 51 Murray Street, consisting of approximately 9,843 square metres (2.4 acres) of land area and identified on Schedule “A” as ‘Special Policy Area AC-2’, the permitted uses shall include a public self-storage warehouse within the existing building in addition to the uses permitted by the Arterial Commercial.

4.3.3 NEIGHBOURHOOD COMMERCIAL AREA

(1) Land Use Objectives

- (a) To provide an appropriate land use designation and polices for commercial land uses that provide for the daily or weekly convenience shopping and service needs of nearby residents.

(2) Land Use Policies

- (a) Permitted uses shall be limited to those commercial uses which provide convenience goods and services to meet the needs of the residents of the local neighbourhood and include such commercial

uses as variety stores, hair dressers, medical or dental offices, video rental stores, and similar establishments;

- (b) The scale of development shall be guided by the population being served but no single development shall exceed 300 square metres in floor area;
- (c) Adequate parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will maximize pedestrian and vehicular traffic safety;
- (d) No open storage shall be permitted;
- (e) The location of the Neighbourhood Commercial areas shall be in accordance with Schedule “A” – Land Use Plan. The designation of any additional lands as Neighbourhood Commercial will require an amendment to this Plan, and shall be located to minimize impacts on adjoining residential areas;
- (f) The building or buildings contained within a Neighbourhood Commercial Area, and any lighting or signs, shall be designed and arranged so as to blend in with the character of the adjacent residential area; and
- (g) The Neighbourhood Commercial uses may be included in separate Zoning classifications in the implementing Zoning By-Law.

4.3.4 OFFICE RESIDENTIAL AREAS

The Office Residential designation is intended to preserve and utilize existing residential buildings that are either no longer appropriate for residential use due to their size or location, and to provide a specialty type of Commercial service in proximity to the existing commercial areas. The Office Residential areas are located along John Street and Talbot Street and a small area of Sydenham Street. Any portion of this land use category which abuts a Residential land use designation in this Plan should be developed in a manner that is compatible with the adjacent Residential Area.

The Zoning By-Law may place the permitted uses in separate zone categories. The By-Laws of the Corporation may also contain requirements dealing with matters such as dedications of property for road widening, access points, parking, height, setbacks and permissible amounts of hard surface cover.

Any construction of additions or new structures within this designation shall complement existing adjacent development in terms of its scale, density and character. Height limitations will be applied in the Zoning By-Law.

(1) Land Use Objectives

- (a) To permit some commercial flexibility in an area comprised of older residential structures which abuts the Core Commercial Area while maintaining the residential look and character of the area.

(2) Land Use Policies

- (a) In order to preserve and utilize older buildings no longer appropriate for low density residential use due to their size or location, and in order to provide a specialty type of commercial service in proximity to the existing commercial areas, an Office Residential designation has been established. The designation supports compatible transition of land use from residential to commercial. Any portion of this land use category which abuts a Residential land use designation in this Plan should be developed in a manner that is compatible with the adjacent residential area;
- (b) The permitted uses may include residential, office, studio and service commercial uses. The land uses may develop within the existing residential building. If the site is vacant, any new construction shall be sensitive to the residential character of the area and incorporate appropriate residential design features. Minor institutional uses such as day care centres, nurseries, places of worship, clinics and clubs are also permitted, and may be separate structures or combined with other permitted ones;
- (c) The Zoning By-Law may place the permitted uses in separate zone categories. The By-Laws of the Corporation may also contain requirements dealing with matters such as dedications of property for road widening, access points, parking, height, setbacks and permissible amounts of hard surface cover; and
- (d) Any construction of additions or new structures within this designation shall complement existing adjacent development in terms of its scale, density and character.

4.3.5 BUSINESS PARK COMMERCIAL AREAS

(1) Land Use Objectives

- (a) To accommodate additional commercial uses that are unable to locate within the core or other existing commercial areas.

(2) Land Use Policies

- (a) The uses permitted shall include retail uses requiring large enclosed or open storage areas such as building supplies and warehouse outlets, provided all open storage areas are located and screened in accordance with the implementing Zoning By-law. Recreational uses, restaurants, food stores, catalogue stores; home improvement stores and related services shall also be permitted;
- (b) The size of any retail facility or office must be greater than 300 square metres in floor area;
- (c) Adequate off-street parking and loading facilities shall be provided for all permitted uses and access points to such that parking shall be limited in number and designed in a manner that will maximize pedestrian and vehicular traffic safety;
- (d) Landscaping shall be provided along the arterial street frontage in accordance with the requirements of the Zoning By-law;
- (e) The general location of the Business Park Commercial Area shall be in accordance with Schedule “A” – Land Use Plan, and any extension of this designation other than minor boundary adjustments shall require an Official Plan Amendment; and
- (f) The Business Park Commercial uses may be included in separate zoning classifications in the implementing Zoning By-Law;

(3) Special Policy Areas

- (a) On lands located at 587 John Street North, consisting of approximately 0.5 hectare (1.2 acres) and identified on Schedule “A” as “Special Policy Area BPC-1”, a public self-storage warehouse and accessory retail outlet may be permitted in addition to those uses permitted above. The use shall be developed in a manner that includes the provision of adequate off-street parking facilities and landscaping, as well as appropriate buffering and screening from adjacent lands and roadways as determined by a site plan agreement.

4.4 EMPLOYMENT USES

The areas which are designated Industrial in the Official Plan provide appropriate locations in the Town of Aylmer for a broad range of employment uses that may have features that are not compatible with other land uses.

- **Land Use Objectives**

- (a) To address the employment needs of the community and surrounding areas by providing a sufficient supply of land for existing, new and/or expanding manufacturing, assembly, distribution and service industrial uses;
- (b) To direct employment uses to locations that provide adequate separation from sensitive land uses, particularly residential uses, to ensure land use compatibility and avoid/mitigate potential adverse impacts;
- (c) To provide opportunities to expand and diversify the local employment base by encouraging new industries and expansions to existing industries; and
- (d) To ensure employment uses will not negatively impact the features and functions of the natural environment and public and health and safety as a result of air, water and/or land contamination or other risks or impacts.

- **Land Use Policies**

The general policies to be considered in developing and controlling the use of industrial designated lands are as follows:

- (a) Uses permitted shall include workshops, warehousing, service shops, processing, manufacturing and assembling operations, laboratories and research facilities, communication facilities, printing and publishing plants, primary metal, wood and paper products, non-metallic mineral products, chemical products production and processing, construction yards, trucks or transportation terminals, railway uses, motor vehicle body shops and uses which may involve bulk open storage of goods or materials such as grain elevators, fuel storage, etc. Agricultural uses may continue to exist until the area is ready for employment development;
- (b) A limited range of accessory retail and service commercial uses, which primarily serve the employment area, shall also be allowed. Permitted accessory uses include veterinarians, restaurants and day care centres. These commercial uses shall require a commercial zoning category in the implementing Zoning By-Law;
- (c) Retail sales, restricted to goods manufactured on the site, are permitted. Regulations permitting these uses shall be established in the implementing Zoning By-Law under separate commercial zones;
- (d) New employment uses shall be permitted in Employment designated areas provided that the proposed uses comply with all Provincial standards with respect to the emission of sounds and vibrations, permissible concentrations of air contaminants such as dust, smoke, fumes, odours and other particulates,

water quality control and waste control, including the quality of discharge and run-off;

- (e) Council may encourage and, where feasible, assist in the relocation of uses not permitted in areas designated for employment and in the relocation of existing industries into such areas;
- (f) Site Plan Control shall be required and applied to all new employment development, as well as to the expansion of any existing employment uses. The design and development of employment areas shall ensure compatibility between the employment uses and the adjacent land uses. The following site design and development factors shall be considered for new and/or expanding employment uses:
 - (i) Loading areas shall be located to avoid conflict between pedestrian and vehicular traffic and shall be directed away from adjacent residential areas and adjoining roads;
 - (ii) Outdoor storage areas shall be fenced and/or screened;
 - (iii) The number and location of vehicular access points shall be limited to minimize the disruption to traffic flows;
 - (iv) Lighting shall be directed to minimize impacts on adjacent residential uses;
 - (v) Adequate separation shall be provided between uses and shall be achieved using buffering, buffer planting, barriers and special construction techniques;
 - (vi) The accessibility needs of persons with disabilities and other special needs groups shall be addressed;
 - (vii) The proposal shall include features to promote public safety;
 - (viii) The servicing needs of the development shall be within the capabilities of the Town to provide; and
 - (ix) The proposal shall have regard to the cumulative effects of development on the natural environment, surrounding land uses and the local economy.
- (g) Employment development proposed adjacent to existing industrial uses will be encouraged to integrate the design and dimensions of structures, parking areas and access points with those of the adjacent uses;
- (h) Council may encourage and, where feasible, assist in programs to acquire employment lands and develop serviced employment sites and/or to provide services to privately owned employment lands so as to ensure an adequate supply of serviced and available employment lands within the Town of Aylmer;

- (i) In order to enhance the viability of employment areas, Council, where feasible and deemed appropriate, may encourage and assist the appropriate authorities to establish and/or maintain the accessibility of employment areas through the provision of highways, arterial roads, and rail services;
- (j) Council will encourage the County, the Province and any local Committee to promote employment areas in the Town of Aylmer;
- (k) Council will promote employment development and employment areas by preparing and implementing an economic development strategy for the Town of Aylmer;
- (l) Council may encourage and, where feasible, assist in programs for the improvement of the appearance and amenity of employment areas;
- (m) Where existing employment and residential uses are located in close proximity to each other, new employment buildings may be permitted if adequate separations between uses, buffering and buffer planting including the provision of planting strips, fences/barriers, berms and/or special construction techniques are provided to minimize conflicts between the land uses to the satisfaction of Council and in accordance with the policies in Subsection 3.1.11.
- (n) Traffic generated by employment uses will be discouraged from penetrating designated residential areas;
- (o) Proposals for the redesignation of lands to Employment from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:
 - (i) The lands have access to and from an arterial road;
 - (ii) Full municipal services including sewer, water and utilities are available;
 - (iii) Development of the site shall be compatible with existing and proposed uses in the surrounding area;
 - (iv) The site has direct access to roads that can accommodate the anticipated traffic generated by the proposed development; and
 - (v) The anticipated traffic shall not result in through traffic in surrounding residential areas.
- (p) Proposals for the redesignation of land from an Employment land use designation to a non-employment land use designation will require a comprehensive review in accordance with the Provincial Policy Statement demonstrating that the land is not required for employment purposes over the long term; and

- (q) Employment uses located or proposed on lands within a Natural Hazard Area shall be subject to the policies of section 4.7. Employment uses which dispose, manufacture, treat and/or store hazardous substances shall not be permitted within Natural Hazard Areas.

4.5 **INSTITUTIONAL USES**

- **Land Use Objectives**

- (a) To provide sufficient lands for low-intensity public and private uses related to health, welfare, educational, religious and government activities that benefit the residents of the Town of Aylmer; and
- (b) To ensure that new community facilities are located to provide optimum pedestrian, bicycle and vehicle access.

- **Land Use Policies**

The general principles and policies to be considered in the development and control of institutional uses of such land are as follows:

- (a) The permitted uses include:
 - (i) educational facilities including public, separate and private schools;
 - (ii) places of worship;
 - (iii) other civic and institutional uses such as fire halls, police stations, libraries, arenas, community centres, recreation complexes and similar uses;
 - (iv) hospitals, clinics;
 - (v) rest homes, nursing homes; and
 - (vi) municipal and private utility works such as water towers, sewage treatment facilities, telephone and gas utility operating facilities and similar uses.
- (b) Where land which is designated Institutional is privately owned, it is not intended that the lands remain so designated indefinitely. Nor will this Plan be construed to imply that these areas are free and open to the general public or that they will be purchased by the Town or any other public agency;
- (c) The location of Institutional uses shall be in accordance with Schedule “A” – Land Use Plan. An amendment to this Plan is required to redesignate new areas as Institutional and to extend an existing designation. Institutional uses shall not be permitted in Natural Hazard Areas;

- (d) New Institutional uses are encouraged to locate near existing Institutional uses. An amendment may be required for the expansion of an existing Institutional use;
- (e) Institutional uses are required to provide sufficient off-street parking for associated traffic;
- (f) Building design for Institutional uses must complement the character of nearby development. Suitable setbacks, landscaping and buffers shall be required to ensure compatibility with other existing or proposed uses; and
- (g) All Institutional uses shall be separately zoned in an appropriate zone in the implementing Zoning By-Law.

4.6 PARKS AND OPEN SPACE

Parks and Open Space lands are valuable resources to the community and play an important role in defining the character and lifestyle of the Town and its residents. Parks and Open Space shall mean those lands in either public or private ownership which are used primarily for active or passive outdoor recreation.

- **Land Use Objectives**

- (a) To recognize Parks and Open Space lands as a valuable resource in the Town of Aylmer;
- (b) To ensure that an adequate and equitable supply of parks, open space, and trails and the full range of leisure opportunities are available throughout the Town; and
- (c) To encourage the joint use and management of parks and other recreation and leisure time facilities with other agencies including school boards and the Catfish Creek Conservation Authority.

- **Land Use Policies**

- (a) The Town of Aylmer Recreation and Leisure Time Master Plan will guide the provision, distribution and development of parkland, trails and leisure facilities in the Town of Aylmer, and will be reviewed and updated from time to time;
- (b) Uses permitted in the Parks and Open Space designation may include: municipal parks and related community facilities, golf courses and related facilities and outdoor recreation uses;

- (c) The majority of new parkland shall be acquired by the Town through the development approval process as parkland dedication in accordance with Subsection 3.1.10 of this Plan;
- (d) Cash-in-lieu of land dedication shall be considered by Council when:
 - (i) The required land dedication fails to provide an area of suitable shape, size or location for development as public parkland;
 - (ii) The required dedication of land would render the remainder of the site impractical for development; or
 - (iii) Existing park and recreational facilities in the vicinity of the site are, in the opinion of Council, already adequate to serve the anticipated increase in population.
- (e) Every effort will be made to establish new parks adjacent to schools or areas of natural amenities, within easy access of the community. This would achieve economies of scale and avoid duplication of services;
- (f) Linkages, including bicycle and pedestrian trails, shall be encouraged between existing and new Parks and Open Space lands;
- (g) Where any lands designated for Parks and Open Space are under private ownership, this Plan does not imply that these lands must necessarily remain as Open Space indefinitely. Nor shall it be construed as implying that Parks and Open Space areas are free and open to the general public or will be purchased by the Town. If a proposal is made to develop privately owned lands which are designated for Parks and Open Space and the Town does not wish to purchase such lands, then an application for amendment to this Plan to redesignate such lands for other purposes will be given due consideration by the Town;
- (h) An Official Plan amendment will not be required for the conversion of lands in any land use designation for lands to be dedicated for a public park or recreational facility;
- (i) Should the developer as part of a multiple unit development provide recreational facilities such as swimming pools, tennis courts, etc., beyond the required dedication of land, Council may consider increasing the density permitted on the site without an amendment to the Plan. [See Section 4.2.3(3)]; and
- (j) The Town will consider opportunities for the promotion and implementation of stormwater management best practices within the Town's parks and open spaces where appropriate. Consideration should be given to stormwater

attenuation and re-use and low impact development measures to control the quantity and quality of stormwater.

4.7 NATURAL HAZARD AREAS

In Aylmer, hazardous lands are associated with flood-prone areas and steep slopes along Catfish Creek, Bradley Creek and their tributaries. The term hazardous means property or lands that could be unsafe or inappropriate for development due to naturally occurring processes. Along inland river and stream systems this means the land, including that covered by water, to the farthest landward limit of the flooding or erosion hazard limit.

Hazard mapping and monitoring of hazards associated with Catfish Creek and its tributaries and other waterways in the watershed are the responsibility of the Catfish Creek Conservation Authority (CCCA). New, more detailed and up to date natural hazard mapping that estimates the potential regulation limits of the CCCA is being updated on an ongoing basis by the CCCA and may need to be incorporated by future amendments to this Plan.

4.7.1 DEVELOPMENT CONTROL AREAS

Development Control Areas are defined by the location of the regional flood lines for Catfish Creek and Bradley Creek provided by the CCCA. Schedule “B” of this Plan depicts the limits of the floodplain Development Control Area. The delineation of the Flood Line on Schedules ”A” and “B” is based upon the mapping supplied by the Catfish Creek Conservation Authority.

(1) Land Use Objectives

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

(2) Land Use Policies

- (a) No buildings or structures shall be permitted in the Development Control Area except where such are intended for flood or erosion control or are normally associated with the water course protection works or bank stabilization projects and are approved by Council and the Catfish Creek Conservation Authority;
- (b) An amendment to this Plan will not be required for minor revisions to the Flood Line boundary subject to approval by the Catfish Creek Conservation Authority. In these situations, the permitted uses will be the same as those permitted in the adjacent land use designation as shown on Schedule “A” – Land Use Plan;

- (c) In some instance, natural hazards to development may be overcome through site engineering, special site servicing requirements and/or lot grading and drainage works. Proposals to develop lands with inherent physical constraints shall be dealt with on a case by case basis. Should all other requirements of this Plan and the Catfish Creek Conservation Authority be met, new development may be able to proceed through an amendment to this Plan;
- (d) Building setbacks will be imposed from the margins of the Flood Line designation in relation to the severity of the existing and potential environmental hazards;
- (e) In situations where lands under private ownership are located within the Flood Line, Council is under no obligation to either change the flood line delineation or to purchase any of the area within the Flood Line; and
- (f) An Environmental Impact Study may be required in accordance with Section 5.8 where development is proposed within or adjacent to the Development Control area.

4.7.2 DEVELOPMENT REGULATED AREAS

Development Regulated Areas are subject to the Catfish Creek Conservation Authority generic regulations. Schedule “B” of this Plan depicts the limits of the CCCA Regulated Area. The delineation of the CCCA Regulation Limit on Schedules “A” and “B” is based upon the updated mapping supplied by the Catfish Creek Conservation Authority.

(1) Land Use Objectives

- (a) To work with the Catfish Creek Conservation Authority to regulate land use and development in areas of steep slopes and other constraints within the regulated area; and
- (b) To reduce the risk to life and the risk of property damage and social disruption, and to ensure new development does not add to or create conditions that might lead to increased natural hazards.

(2) Land Use Policies

- (a) Should all other requirements of this Plan be met, and subject to the regulations and approval of the Catfish Creek Conservation Authority, permitted uses in the regulated area shall include the uses permitted by the underlying designation shown on Schedule “A” – Land Use Plan;

- (b) Revisions to the CCCA Regulatory boundary depicted on Schedules “A” and “B” may occur without amendment to this Plan, if approved by the Catfish Creek Conservation Authority;
- (c) Conditions may be imposed on the construction of new buildings and structures in the regulated area; and
- (d) An Environmental Impact Study may be required in accordance with Section 5.8 where development is proposed within or adjacent to the regulated area.

4.7.3 WILDLAND FIRE HAZARDS

In accordance with the Wildland Fire Risk Assessment and Mitigation Manual provided by the Province, development shall be directed away from areas having hazardous forest types, and development applications in areas of high to extreme risk for wildland fire must be supported by a risk assessment that identifies mitigation measures to lower the risk.

4.7.4 NATURAL HERITAGE AREAS

In Aylmer, natural heritage features are generally limited to the valley lands associated with Catfish Creek and Bradley Creek and significant woodlands. These areas are protected by this Official Plan to ensure their features and functions are preserved for the long term, as is consistent with the Provincial Policy Statement.

The latest mapping information provided by the Catfish Creek Conservation Authority and the Province of Ontario indicates that there are no Locally or Provincially Significant Wetlands (PSWs), Areas of Natural and Scientific Interest (ANSIs) or Environmentally Significant Areas (ESAs) presently mapped within the Town of Aylmer. The Province of Ontario approves the identification of PSWs, ANSIs and significant habitat of endangered and threatened species and the mapping of same. This Plan recognizes that there are data sensitivity issues and other challenges in mapping significant habitat. Where the preparation of an Environmental Impact Study (EIS) is required by this Plan, the EIS shall determine if there are records of endangered and threatened species; in the event that records are identified on or adjacent to the subject lands, the Province of Ontario will be consulted in order to provide further technical assistance. If a wetland is determined through an evaluation to be significant, or if significant habitat of endangered and threatened species or other features are identified, then no development or site alteration will be permitted and the schedules of the Official Plan will be updated to reflect this new information.

The County of Elgin is currently preparing a Natural Heritage Systems Study to address the Provincial Policy Statement requirements. As a result, once this study has been

approved by the County, the Official Plan shall be amended to apply the new policies and mapping.

4.7.5 WOODLANDS

In the absence of a study identifying significant woodlands in the Town, woodlots having an area of 2 hectares or greater are classified as significant. These significant woodlands are identified on Schedule “B”. The Significant Woodlands are treed areas that provide environmental and economic benefit to both the land owner and the general public, including erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products.

(1) Land Use Objectives

- (a) To identify and protect woodlots within the Town of Aylmer that are greater than 2 hectares;
- (b) To prevent incompatible development within and abutting this environmental feature; and
- (c) To encourage private land owners to seek the advice and cooperation of the Catfish Creek Conservation Authority in the management of woodlots.

(2) Land Use Policies

- (a) The uses permitted in areas identified as “Significant Woodlands” on Schedule “B” shall be limited to conservation, wildlife management, and passive outdoor recreation such as trails;
- (b) Permitted buildings and structures shall be limited to those directly related to the management of the woodland feature;
- (c) Lands designated as “Significant Woodlands” on Schedule “B” should, as much as possible, be retained in their natural state for conservation or wildlife habitat enhancement;
- (d) “Site alterations and/or development on lands within 120 metres of a “Significant Woodland” shall be in accordance with the applicable land use designation on Schedule “A” and may only be permitted if it can be demonstrated, through an Environmental Impact Study, that there will be no negative impacts on the adjacent woodlot features and its associated ecological functions;

- (e) Site alteration and/or development on lands within a “Significant Woodland” overlay shall not be permitted unless it can be demonstrated through an Environmental Impact Study that there will be no negative impacts on the woodlot feature and its ecological functions, or alternatively a regional woodlands study has been completed identifying that the woodlot is not significant by regional standards. Development shall be permitted in accordance with the underlying land use designation on Schedule “A” where such study has satisfied Council and the Catfish Creek Conservation Authority that that there will be no negative impacts on the feature or its ecological functions, or alternatively a regional woodlands study has been completed identifying that the woodlot is not significant by regional standards. Appropriate conditions may be imposed on the development to mitigate any negative impacts; and
- (f) For the determination of whether or not negative impacts will occur, an Environmental Impact Study shall be undertaken in accordance with Section 5.8.

SECTION 5 DEVELOPMENT POLICIES

5.1 LAND DIVISION

5.1.1 PLANS OF SUBDIVISION

With the exception of the land severances granted by the Land Division Committee (see Section 5.1.2), all land divisions in the Town of Aylmer shall take place by registered plan of subdivision. It shall be the policy of the municipality to recommend only those plans of subdivision which comply with the policies of this Plan. Before recommending a plan of subdivision for approval, the municipality will ensure that the area to be subdivided can be provided with necessary services and amenities, and that the proposed development would not adversely affect the economy and the environment of the Town of Aylmer. Reference should also be made to Section 5.1.2 (9).

5.1.2 LAND SEVERANCES

Should the Land Division Committee establish that a plan of subdivision is not necessary for proper and orderly development for up to five (5) lots including the retained lot, consideration for consent to a land severance may be allowed. The creation of five (5) or more lots requires a plan of subdivision (see Section 5.1.1). In considering an application for consent, the Land Division Committee shall be guided by the relevant objectives and policies of this Plan, including the following:

- (1) The division of land will only be allowed when all the parcels involved about a public road of a standard of construction acceptable to the Town (and the County of Elgin when applicable) and where safe and suitable access is available;
- (2) The division of land will not be allowed if any parcel involved requires access to be obtained where a traffic hazard could be created because of limited sight lines on curves or grades or proximity to intersections;
- (3) The division of land will only be allowed when it has been established that soil and drainage conditions for all parcels involved are suitable:
 - (a) to permit the proper siting of a building;
 - (b) to allow connection to public piped sanitary sewer and water services;
 - (c) to accommodate required stormwater facilities;

- (4) The division of the land will only be allowed if the proposed lots comply with the provisions of the Town's Zoning By-Law. The Zoning By-Law shall establish minimum lot frontages and areas in accordance with the requirements of the Province and/or its designated agent. Where a by-law amendment or minor variance is necessary, it shall be a condition of the consent or plan of subdivision approval;
- (5) The division of land shall be prohibited if development would occur on lands subject to severe flooding, development control areas, severe erosion or unstable conditions or any other physical limitations as determined by the Town in consultation with the Catfish Creek Conservation Authority;
- (6) Notwithstanding any other section of this Plan, consents for the creation of easements or rights-of-way are permitted, and minor lot adjustments or minor boundary changes are permitted provided they are granted conditional to Section 50(3) or (5) of the Planning Act, R.S.O. 1990, c.P.13 and that the consent would not result in the creation of a new building lot;
- (7) The Land Division Committee may exercise its powers under the Planning Act R.S.O. 1990, c.P.13 when reviewing the shape, size, etc. of any proposed lot;
- (8) It shall be the Town's policy to require one application fee per new lot created, each right-of-way, lot addition, etc. However, only one application outlining all the lots to be created need be submitted. Such application shall have a corresponding series of numbers. Further, it shall be the Town's policy to deny consent applications that only remit one fee by applying for a new lot line in the middle of an existing lot in an attempt to create three lots with one application; and
- (9) When considering consent applications or plans of subdivision, consideration will be given to the following requirements which may be stipulated as a condition of consent or plan of subdivision approval where applicable:
 - (a) that a lot levy (including 5 percent of the value of the lot for park purposes) and charges as specified for community services in accordance with the Town's Development Charges By-Law be paid;
 - (b) that the applicant enter into an agreement to maintain any drainage facilities which traverse the property;
 - (c) that the applicant enter into an agreement to construct or maintain fences around the proposed lot;

- (d) that the Town's Zoning By-Law be amended to permit the proposed use, if necessary, prior to the stamping of deeds;
- (e) that access to the property is constructed to the satisfaction of the appropriate agency;
- (f) that all new development proposed within be serviced by municipal piped water supply and municipal sanitary sewage facilities.

5.2 DOWNTOWN IMPROVEMENT AND REVITALIZATION

- It is the intent of this Plan that the Core Commercial Area be maintained as the main commercial and civic focus of the Town. To this end, Council shall actively participate in the improvement, development, and redevelopment of the Core Commercial Area, both by pursuing government programs or projects that would act as a “seeder” in the downtown area and by giving encouragement and direction to development, redevelopment, and restoration projects.
- It is the intent of this Plan that the progressive features and positive characteristics which have developed in the Core Commercial Area, be retained and reinforced. Development of vacant sites and redevelopment of existing areas in the Core Commercial Area shall be encouraged in a comprehensive manner with a view to coordinating individual site designs and providing integrated solutions to pedestrian and vehicular traffic circulation problems. To further these objectives, Council may require that prospective developers of lands in the Core Commercial Area enter into a Development Agreement with the municipality in accordance with the Planning Act R.S.O. 1990, c.P.13.
- Although intensification of use will be inherent in most development or redevelopment, it is the intent of this Plan that in any rehabilitation, conservation, development or redevelopment schemes for the Core Commercial Area, emphasis be placed on the provision of abundant light and air space, the provision of attractive and usable open space available to the public, the aesthetic value of enclosed areas as well as open areas, the importance of public buildings as focal points of civic improvements, the restoration of existing buildings wherever possible, and the retention of historical atmosphere and buildings. High standards of civic design emphasizing unity, coherence, and aesthetic appeal shall be the goal throughout.
- No open storage shall be permitted in the Core Commercial Area.
- It is the intent of this Plan that the Core Commercial Area remain as compact as possible in order to serve the pedestrian most effectively. New development should be planned as an extension of the existing business area and should not be allowed to infiltrate unnecessarily into adjoining residential areas.

- Council shall endeavour to improve the environment of the Core Commercial Area by making use of small spaces for such amenities as benches and planting, and to improve the design of street lighting and other street furniture.
- Council shall encourage merchants and property owners in the Core Commercial Area to improve their store fronts and signs and thereby improve the overall appearance of the downtown area.
- Council will work with the BIA to develop and encourage building maintenance practices within the Core Commercial Area.
- Council shall consider the assembling of land within the Core Commercial Area as assistance to redevelopment or rehabilitation schemes.
- Council shall have regard to the policies relating to Economic Development that are contained in Subsection 5.5 of this Plan when considering the improvement and revitalization of the downtown area.

5.3 POLICIES FOR COMMUNITY IMPROVEMENT

5.3.1 DESIGNATION OF COMMUNITY IMPROVEMENT AREAS

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

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

Council shall therefore, from time to time, develop Community Improvement Plans that provide details on how selected areas will be improved through conservation, rehabilitation, redevelopment, renovations, revitalization and/or environmental remediation. Community Improvement Plans may be applied to all types of uses, buildings, and/or structures in any given area.

Community Improvement Areas for the Town of Aylmer may be selected from any area within the Town subject to the criteria set out in this Section.

5.3.2 CONSERVATION, REHABILITATION, AND REDEVELOPMENT

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

5.3.3 GOALS AND OBJECTIVES

The principal goals for the Community Improvement Areas within the Town of Aylmer shall be:

- (1) To protect and enhance the quality of the area which the residents value highly;
- (2) To eliminate the deficiencies in municipal services and recreational facilities wherever it is economically and physically possible;
- (3) To assist the community in improving the overall appearance of residential and commercial structures and to act as a catalyst for individual improvement by acquiring properties that are beyond rehabilitation and removing their blighting influences from the area;
- (4) To urge and assist owners of commercial and residential property to rehabilitate premises where necessary in order to eliminate deterioration and improve community pride in ownership or occupancy;
- (5) To improve the quality of air, land and water to help contribute to an overall better quality of life in the community; and
- (6) To generally foster local economic growth.

The specific objectives of community improvement for the Town of Aylmer shall be:

- (1) To provide for the maximum feasible amount of rehabilitation of existing housing and commercial premises;
- (2) To establish an active program for informing property owners of various available forms of housing and commercial rehabilitation assistance;
- (3) To enforce, if necessary, any controls which will contribute to the visual attractiveness of the community and the health and safety of the occupants;

- (4) To improve the sanitary and flooding situation of the community by separating the sanitary and storm sewers on a selected street within the area identified as in need of community improvement on a phased program;
- (5) To improve the water distribution system by installing new water mains on selected streets within the Town of Aylmer on a phased program;
- (6) To improve the safety and visual appearance of the community by installing new sidewalks, improved street lighting, power lines, curbs and gutters, and the resurfacing of selected streets within the Town of Aylmer on a phased program;
- (7) To improve the visual appearance of the community by encouraging the relocation of non-conforming land uses and incompatible land uses;
- (8) To ensure that the residents have a full range of community, social and recreational facilities by further developing or improving parkland and recreational amenities;
- (9) To ensure underutilized sites and/or environmentally compromised sites be revitalized to be contributing assets to the Town;
- (10) To provide funding in the form of grants and/or loans and/or the waiving of fees for appropriate projects that meet the objectives of the Community Improvement Plan;
- (11) To encourage the preservation, rehabilitation, renewal and reuse of heritage resources, including heritage buildings;
- (12) To encourage and incentivize construction of affordable housing;
- (13) To improve energy efficiency;
- (14) To promote the establishment, expansion and rehabilitation of tourism and tourist destination-oriented uses within existing buildings; and
- (15) To facilitate and stimulate local economic development.

5.3.4 CRITERIA FOR SELECTING COMMUNITY IMPROVEMENT AREAS

In determining whether or not an area in the Town of Aylmer will be selected for the development of a Community Improvement Plan one or more of the following criteria would have to be met:

- (1) That a portion of the housing stock is in need of rehabilitation, whether interior or exterior;

- (2) There is a deficiency or deterioration in one or more of the following municipal services:
 - (a) Sewers and watermains;
 - (b) Roads and streets;
 - (c) Curbs and sidewalks; and
 - (d) Street lighting and utilities.
- (3) There is a deterioration or deficiency in one or more of the following recreational and social facilities:
 - (a) Public indoor/outdoor recreational facilities;
 - (b) Public open space; and
 - (c) Public social facilities such as community centres, libraries, clinics, and cultural facilities;
- (4) The area exhibits problems with transportation, traffic or parking;
- (5) The area contains land use conflicts between non-compatible uses or contains underutilized lands which may detract from the viability of the area, but which if redeveloped, renovated or developed to another use could enhance or revitalize the area;
- (6) That the phasing of improvements is within the financial capability of the Town;
- (7) That the improvement shall have a significant impact on strengthening the economic base of the community;
- (8) The overall streetscape or aesthetics of the area are in need of upgrades;
- (9) The presence of land and/or buildings that may require environmental site assessments or designated substance analysis and the implementation of appropriate and necessary remedial measures; and
- (10) For any other environmental, social or community economic development reasons, in conformity with the policies of the County of Elgin Official Plan and this Plan.

5.3.5 PHASING OF IMPROVEMENTS

Community improvement activities will be phased in order to prevent unnecessary hardship for the residents and the business community and to establish a natural and logical sequence of improvements based on appropriate engineering studies. Priorities for community improvement projects will be established as follows:

- (1) Older residential areas located around the core area and in several of the northerly sections of Aylmer which exhibit somewhat deficient housing conditions;
- (2) The Talbot Street Commercial Area constitutes the downtown or Core Commercial of the Town of Aylmer;
- (3) Sites that require detailed environmental site assessments and/or remedial work;
- (4) John Street Commercial Area.

The separation of sanitary and storm sewers will be a number one priority within the community, with phasing occurring in a natural and logical sequence based on engineering studies.

Improvements to lighting, watermains, sidewalks and road surfaces will also be carried out in a logical sequential manner in conjunction with the separation of sanitary and storm sewers.

5.3.6 IMPLEMENTATION

Council may achieve its community improvement objectives by implementing the following measures:

- (1) Designation of Community Improvement Project Areas by by-law and the preparation of Community Improvement Plans for areas so designated as provided for in the Planning Act R.S.O. 1990, c. P. 13;
- (2) Encouragement of rehabilitation within Community Improvement Areas;
- (3) Passing and enforcement of a Maintenance and Occupancy Standards By-law;
- (4) Utilization of public funds through a variety of government programs;

- (5) Acquisition of land where required, with the approval of the Minister of Municipal Affairs and Housing when necessary, to provide services or improve certain facilities, buildings and/or lands;
- (6) Consider the need for community improvement in the preparation of capital and current budgets;
- (7) Support the initiatives of local service clubs, private enterprise and residents who from time to time may carry out the improvement projects designed to enhance the quality of the community;
- (8) Construct, repair, rehabilitate or improve buildings or land acquired or held by the municipality in Community Project Areas in conformity with Community Improvement Plans;
- (9) Evaluate development and redevelopment applications within Community Improvement Project Areas having regard for the objectives of community improvement in that area;
- (10) Support the local Heritage Conservation Committee in their efforts and initiatives;
- (11) Support the Business Improvement Area and the policies of Section 5.2 of this Plan;
- (12) Consider more flexible approaches to the zoning when community improvement objectives are supported;
- (13) Encourage private initiatives regarding conservation, rehabilitation, redevelopment and environmental remediation;
- (14) Consider the provision of grants and/or loans and/or the waiving of fees when local initiatives support the objectives of the community improvement plan; and
- (15) When feasible, acquire buildings and/or lands to carry out the community improvement plan and/or objectives.

5.4 POLICIES FOR HERITAGE CONSERVATION

5.4.1 GENERAL GOAL

Council recognizes that there may be some features of historic, archaeological or architectural significance within the municipality. It is the intent of this Plan that the Town's significant built heritage resources and significant cultural heritage landscapes be identified, conserved and enhanced, and that all new

development occur in a manner that conserves the Town's cultural heritage. The cultural heritage resources of the Town include:

- built heritage resources;
- cultural heritage landscapes; and,
- archaeological resources.

5.4.2 BUILT HERITAGE RESOURCES AND CULTURAL HERITAGE LANDSCAPE POLICIES

In order to achieve the desired goal outlined in the preceding Section, the following objectives have been identified.

- (1) Significant built heritage resources and significant cultural heritage landscapes will be conserved.
- (2) Within the Parks and Open Space and Development Control Areas recognized in this Plan, Council should encourage measures which enhance public appreciation and visibility of interesting industrial operations, buildings, structures or landscapes of historic, archaeological or scenic value.
- (3) Council may use all relevant legislation to encourage the preservation and enhancement of heritage features and should attempt to increase awareness of the value of heritage conservation in the community.
- (4) The municipal clerk will establish and maintain a register of all properties designated under Part IV and Part V of the Ontario Heritage Act, which includes but is not limited to:
 - a. Cultural heritage resources of interest to the Town;
 - b. Cultural heritage resources identified in provincial or federal inventories;
 - c. Additional cultural heritage resources that the Council of the local municipality believes to be of cultural heritage value or interest;
 - d. Areas of archaeological potential, and archaeological and historical resources identified by the Province.
- (5) To this end, the municipality may establish a Heritage Committee in accordance with the provisions of the Ontario Heritage Act to advise Council on heritage conservation matters.
- (6) A heritage impact assessment by a qualified professional will be required whenever cultural heritage resources may be impacted by a proposed development. Such an assessment will include recommendations

regarding mitigation measures on how impacted cultural heritage resources will be conserved.

- (7) Licensed, private abandoned or legally closed cemeteries are to be included in the heritage property register. The Town may consider the designation of these cemeteries in order to retain them in their original condition and location.

5.4.3 ARCHAEOLOGICAL RESOURCES POLICIES

- (1) Development and site alteration will not be permitted on lands containing archeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- (2) Archeological assessments carried out by consultant archaeologists licensed under the Ontario Heritage Act will be required as a condition of any development proposal affecting areas containing a known archaeological site or considered an area of archaeological potential.
- (3) Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as set out by the Ministry of Heritage, Sport, Tourism and Culture Industries, as well as the terms and conditions of an archaeological license under the Ontario Heritage Act.
- (4) Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed by a licensed consultant archaeologist based on the known archaeological record for the Town and its surrounding region. Such criteria may include a range of environmental, physiographic and historical features, as well as information from local stakeholders and the effects of past land use.
- (5) When considering applications for shoreline or waterfront development, the Town shall ensure that cultural heritage resources, both on shore and in the water, within the Town's jurisdiction are not adversely affected and may require an archaeological assessment (land and/or marine) and satisfactory measures to mitigate any negative impacts on significant cultural heritage.
- (6) The interests of Indigenous communities will be considered when identifying, conserving and managing cultural heritage and archaeological resources.
- (7) An archaeological assessment by a licensed consultant archaeologist is required when a known or suspected cemetery or burial site may be

affected by a proposed development. Consultation with appropriate government agencies, including the Ministry of Heritage, Sport, Tourism and Culture Industries, and the Ministry of Government and Consumer Services (Cemeteries Regulation Unit) is required. The provisions of the Heritage Act and the Funeral, Burial and Cremation Services Act must apply.

5.5 ECONOMIC DEVELOPMENT

It is the intent of this Plan to develop the Town to its fullest economic potential, while maintaining the quality of life existing residents have come to expect. This Plan hopes to promote the economic well-being of Town residents and to provide employment opportunities. It is also the intent of the Plan to achieve greater diversification in the Town's overall economic base, while continuing to encourage and promote the development of the traditional agricultural, employment and commercial base of the Town.

The general principles to be considered in the economic development of the Town are as follows:

5.5.1 ECONOMIC DEVELOPMENT POLICIES

- (1) The Town shall encourage the expansion and diversification, including business retention and expansion of the Town's economic base in order to maximize the number and types of employment opportunities and to stabilize the impacts of cyclical and long-term economic trends in various agricultural, employment, service and commercial sectors upon the Town and its residents.
- (2) The Town shall undertake and adopt an economic development strategy for the Town in order to give focus and direction to its economic development efforts. This economic development strategy shall serve as a basis for the promotion of economic development in the Town and will include two main areas of emphasis - agricultural diversity and stability, and employment development. The economic development strategy may be undertaken in cooperation with neighbouring municipalities and the County of Elgin.
- (3) The Town may participate in any programs offered by other levels of government to improve employment opportunities and promote economic development.
- (4) The Town may cooperate with other levels of government to develop a strategy and program to acquire and develop land for economic development purposes.

- (5) The Town may cooperate to develop an incubator mall, which may utilize existing vacant or underutilized buildings, to nurture new business ventures.
- (6) The Town shall promote efficient, economical use of the land resources. The use of large lots by small industries and commercial buildings will be discouraged unless there is a need for future expansion.
- (7) As part of its on-going planning process, the Town will consider the short and long-term, direct and indirect, economic impacts of various types of development.
- (8) In pursuing economic development, the Town will, at all times, ensure that the costs associated with development are within the Town's financial capabilities, and that there are no undue social or environmental costs.
- (9) The Town will work with infrastructure providers with the intent of future-proofing for advanced technologies including, but not limited to, high-speed/fibre networks and infrastructure to support electric vehicle charging stations.

5.6 PLANNING IMPACT ANALYSIS

It is a policy of the Plan that a Planning Impact Analysis will be used to evaluate applications for an Official Plan and, depending on the magnitude of the development, a Zoning By-Law amendment to determine the appropriateness of the proposed change and to identify ways of reducing any adverse impacts on surrounding land uses. A Planning Impact Analysis will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation.

Proposals for changes in the use of land which require the application of a Planning Impact Analysis will be evaluated on the basis of:

- Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area and on the character and stability of the surrounding neighbourhood;
- The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;
- The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;

- The proximity of any proposal for medium and high density residential development to public open space and recreational facilities, community facilities, municipal services, and transit services, and the adequacy of these facilities and services to accommodate the development proposed;
- The size and shape of the parcel of land on which a proposed development is to be located, and the ability of the site to accommodate the intensity of the proposed use;
- The location of vehicular access points and the likely impact of traffic generated by the proposal on streets, on pedestrian and vehicular safety, including impacts on the primary to secondary evacuation routes identified in the Town's Emergency Plan, and on surrounding properties;
- The exterior design and layout of buildings and the integration of these uses with present and future land uses in the area;
- The location of lighting and screening, and the adequacy of parking areas;
- The provisions for landscaping and fencing;
- The location of outside storage, garbage and loading facilities;
- Conformity with the provisions of the Site Plan Control By-Law;
- The design and location of signs, and the compliance of signs with the Sign Control By-Law; and
- Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.

5.7 PRE-APPLICATION CONSULTATION AND PRESCRIBED INFORMATION FOR PLANNING APPLICATIONS

The Planning Act permits the Town to require applicants to consult with the Town prior to formal submission of planning applications. Pre-consultation is important so that both the proponent and the Town have a detailed understanding of proposals, timelines and expectations in order for appropriate information to be provide by all parties and to ensure the streamlining of the development review process.

Depending on the nature of the proposed development and planning application, the Town, in consultation with other agencies, may require the following studies or additional information to deem applications complete and to properly evaluate a development application:

- Planning Rationale
- Heritage Impact Assessment
- Environmental Impact Statement
- Archaeological Assessment
- Transportation Impact Study
- Minimum Distance Separation
- Servicing Options Study
- Drainage/Stormwater Management Report/Plan
- Geotechnical Study
- Hydrogeological Study
- Confirmation of Hauled Sewage/Septage Capacity Report
- Erosion and Sediment Control Plan
- Feasibility / Detailed Noise Study
- Vibration Study / Noise Control Study (Airport)
- Obstacle Limitation Surfaces (Airport Zoning Regulations)
- Sun-Shadow Study
- Fisheries Assessment
- Shoreline Riparian Control Study
- Wildland Fire Assessment
- Retail Market Impact Study
- Urban Design Study/Brief
- Hydraulic Floodway Analysis and Detailed Floodline Mapping Study
- Groundwater Impact Assessment

- Record of Site Condition
- Phase I Environment Site Assessment (ESA)
- Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required
- Parking Study
- Functional Servicing Report
- Master Environmental Servicing Study (MESP)
- Agricultural Impact Assessment
- Lighting Study
- Fire Safety Plan will be required for all new and existing buildings to be used
- Waste Management Plan
- Odour/Ventilation Plan
- Crime Prevention Through Environmental Design (CPTED) analysis
- Other studies relevant to the development and lands impacted by the proposed development approval application.

5.8 ENVIRONMENTAL IMPACT STATEMENT

For development within or in proximity to those natural heritage features identified on Schedule “A” and “B”, Council will, in consultation with the Catfish Creek Conservation Authority (C.C.C.A.), require the proponent to undertake an Environmental Impact Statement prior to any Planning Act approvals being granted for such lands.

The Environmental Impact Statement shall:

- be completed by qualified professional(s) with appropriate environmental qualifications;
- describe and evaluate the existing significant natural features, linkages, and ecological functions of the subject property in the context of the entire natural area;
- explain the details of the proposed development and identify feasible alternatives which demonstrate no negative impact upon the significant natural features and their ecological functions for which the site has been identified;

- recommend monitoring activities;
- obtain and document input from public and agency consultation, and address any concerns; and
- be able to satisfy the policies for Natural Hazard Areas and Natural Heritage Areas set out in this Plan.

Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of Environmental Impact Statement.

All development or site alterations proposed in a natural area identified as significant will only be permitted once it has been demonstrated through an Environmental Impact Statement that there will be no negative impacts to the feature or its ecological functions, to the satisfaction of Council and the C.C.C.A.

Additional guidance regarding the specific technical requirements of an Environmental Impact Statement and the approach that should be taken for the preparation of an Environmental Impact Statement within the context of a typical municipal planning process are discussed further in the Natural Heritage Reference Manual (OMNR 2005).

SECTION 6 IMPLEMENTATION

6.1 GENERAL

This Official Plan shall be implemented by means of the powers conferred upon the Town of Aylmer Planning Committee and Council by The Planning Act, The Municipal Act, The Ontario Heritage Act, and such other statutes as may be applicable. In particular, this Plan shall be implemented by the Zoning By-Law, a Maintenance and Occupancy Standards By-Law, legislation pursuant to The Municipal Act, Subdivision and Part-Lot Control By-Laws, the construction of public works, and a capital works program.

6.2 ZONING BY-LAW

6.2.1 BY-LAW TO CONFORM TO THE PLAN

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

6.3 HOLDING BY-LAW

A Holding By-Law, as provided for in the Planning Act, R.S.O. 1990, may be applied.

Not all lands will necessarily be zoned immediately in the implementing Zoning By-Law to permit the uses as designated on Schedule “A” - Land Use Plan. Lands may be zoned only to conform to and, wherever possible, to implement policies of this Plan and where municipal services, roads and community facilities are or will be available as required.

The Council may, in the Zoning By-Law, by the use of the symbol “H” as a prefix or a suffix, in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the By-Law. This procedure will enable the holding of lands designated for specific land uses in this Plan until such time as the land is required for phasing purposes or until necessary concept plans or subdivision design have been prepared. Removal of the holding symbol from a parcel of land shall be conditional upon the

developer of the land satisfying specific requirements of the municipality. These conditions may include, for example, satisfying financial and servicing requirements of the Town, the provision of a suitable stormwater management plan, and any additional criteria identified by Council resolution.

Although notice will be given by by-law, there may be no objection or referral to the Local Planning Appeals Tribunal (LPAT). However, should Council refuse to pass an amending by-law to remove the holding symbol, if it is felt that the development is premature due to demand or failure to meet a requirement of this Plan, the applicant may appeal the decision to the LPAT in the normal manner. While the "H" symbol is on, the existing uses shall be permitted and other uses as defined in the holding provisions of the implementing Zoning By-law.

6.4 NON-CONFORMING USES

A “Non-conforming Use” as referred to in the Plan, means an existing land use which is not permitted in the land use designation in which it is located as shown on Schedule "A". While it would be better if such uses would cease to exist in the long run and be replaced by uses which are permitted, such action may be an unnecessary hardship on the owner. Accordingly where there is a reasonable degree of harmony with neighbouring conforming uses, in Council's judgment, unless a policy of the relevant land use designation is provided to the contrary, the land area occupied by such a non-conforming use may be expanded by zoning amendment adopted by Council and without an amendment to this Plan according to the review process described hereunder.

A “Non-conforming Use” within the context of the Zoning By-Law is an existing use which is not permitted in the zone within which it is located. The Planning Act allows Council and/or the Committee of Adjustment to approve extensions and enlargements to such non-conforming uses.

As a general guide to assist in the administration of this Plan and the Zoning By-Law as the case requires, where a “Non-conforming Use” ceases to exist for a continuous period of one (1) year, it shall be deemed to have lost its status as a “Non-conforming Use”.

6.4.1 APPLICATIONS FOR ENLARGEMENTS OR EXTENSIONS OF NON-CONFORMING USES

In dealing with applications for the enlargement or extension of a “Non-conforming Use”, Council or the Committee of Adjustment, as the case may be, shall first determine that unnecessary hardship would result if the application was not approved, then follow the procedures outlined below :

(1) Possible Acquisition

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

(2) Amending By-Law or Committee of Adjustment

If acquisition or relocation at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the “Non-conforming Use”, the Council of the municipality may consider the passing of a Zoning By-Law in accordance with the Planning Act. Such by-law may then be passed without necessity to amend this Plan providing it complies with the policies of this Plan, in particular as set out in the following subsection. The individual may also apply to the Committee of Adjustment for a minor variance from the provisions of the By-Law, in respect of the land, building or structure or use thereof, as long as the variance is desirable for the appropriate development or use of the land, building or structure and provided, that in the opinion of the Committee of Adjustment, the general intent and purpose of the By-Law and this Official Plan are being maintained. The guidelines set out below should be considered.

(3) Considerations

Prior to making any decision on an application for extension or enlargement of a “Non-conforming Use”, the Council will investigate such application on the various aspects of the matter. The Council, before passing such a by-law, shall be satisfied that each of the following requirements which are relevant to the specific application for the extension or enlargement of the use are, or will be, fulfilled in order to safeguard the wider interests of the general public. The Committee of Adjustment in reaching its decision on an application in accordance with the Planning Act, should also be satisfied that the following relevant requirements have been met:

- (a) That the proposed extension or enlargement of the established use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the Zoning By-Law applying to the area.

- (b) That the proposed extension or enlargement shall be minor in nature.
- (c) That an application which would affect the boundary areas of different land use designations on the Land Use Plan will only be processed under these policies, if it can be considered as a “minor adjustment” permitted under the flexibility clause of Section 7.1 of the Official Plan without the need for an amendment. Any major variances will require an amendment to the Official Plan.
- (d) The characteristics of the existing use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting, and traffic-generating capacity. No amendment to the Zoning By-Law shall be made if one or more such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area. If there is any doubt in this regard, Council or the Committee of Adjustment shall consult with the Ontario Ministry of Environment, Conservation and Parks prior to making a decision on the compatibility of any proposed extension or enlargement.
- (e) That the neighbouring uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances, and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, also be extended to the established use in order to improve its compatibility with the surrounding area.
- (f) That traffic and parking conditions in the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and improvement of sight conditions, especially in proximity to intersections.
- (g) That adequate provisions have been, or will be made for off-street parking and loading facilities.
- (h) That applicable municipal services such as water supply, roads, etc. are adequate or can be made adequate.

6.5 **PROPERTY STANDARDS BY-LAW**

The Council of the Town of Aylmer may pass a by-law to establish minimum standards of maintenance and occupancy of property to conserve, sustain and protect existing and future development of the municipality. The Property Standards By-Law shall be applicable to all property and shall contain requirements with respect to:

- garbage disposal;
- pest prevention;
- structural maintenance of buildings;
- safety of buildings;
- cleanliness of buildings;
- services to buildings - plumbing, heating, and electricity;
- keeping land free from rubbish, debris, weeds, abandoned or used vehicles, trailers, boats barges, mechanical equipment or material;
- maintaining yards, lands, parking, and storage areas;
- maintaining fences, swimming pools, accessory buildings, and signs; and
- occupancy standards.

If a Property Standards By-Law is passed, the Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the Property Standards By-Law.

Appeals against an order of the Property Standards Officer shall be addressed as outlined in the Property Standards By-Law.

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

Complementary to the enforcement of standards on private properties, the municipality will undertake to keep in a fit and well-mannered condition all municipally owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, and water facilities.

6.6 INTERIM CONTROL BY-LAW

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

- In accordance with the Planning Act, R.S.O. 1990, where the Council has by by-law or resolution directed that a review or study be undertaken in respect of land use planning policies in the municipality, or any defined area or areas, the Council may pass an Interim Control By-Law. The by-law may specify a time period (less than one year) prohibiting the use of land, buildings or structures for, or except for such purposes as set out in the by-law.
- Once the time period of the by-law has expired, the period of time during which the Interim Control By-Law may remain in effect may be extended to a maximum of two years from the date of initial passing of the by-law. If the Council has not passed a by-law under Section 34 subsequent on the completion or review of the study within the period of time specified in the Interim Control By-Law, the provisions of any by-law passed under Section 34 that applied to the subject lands immediately prior to the coming into force of the Interim Control By-Law again come into force. Where an Interim Control By-Law ceases to be in effect, the Council may not for a period of three years pass a further Interim Control By-Law that applies to any lands to which the original Interim Control By-Law applied.

6.7 SITE PLAN CONTROL

- Council may, by by-law, designate areas where Site Plan Control will be in effect as provided in the Planning Act, R.S.O. 1990. The entire Town of Aylmer, with the exception of land used or proposed for single detached or two unit dwellings or for agricultural land uses, is proposed as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. Despite this exception, blocks of land proposed for one or two unit innovative housing, such as zero lot line or cluster housing, are also part of the proposed Site Plan Control Area. Non agricultural land uses permitted within areas designated Agricultural within the Town are in the proposed Site Plan Control Area.
- For the approval of developments proposed in the Site Plan Control Area, Council may require plans showing the location of buildings, structures and facilities to be developed in order to ensure that such plans meet the objectives stated below. Council may approve drawings showing elevation and cross-section views for each building to be erected, including multiple unit residential buildings containing from three to twenty-four units located within an area designated by by-law as a Site Plan Control Area.

- The overall objective of Site Plan Control is to improve the efficiency of land use and servicing, to protect adjacent land use and to encourage a more attractive form of development by:
 - (a) Improving the treatment of site plan details to maintain a consistent municipal standard in the proposed Site Plan Control Area;
 - (b) Ensuring the safety and efficiency of vehicular and pedestrian access;
 - (c) Minimizing land use incompatibility between new and existing development;
 - (d) Providing functional and attractive on-site facilities such as landscaping and lighting;
 - (e) Controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection;
 - (f) Securing easements to provide for public utilities and site drainage; and
 - (g) Ensuring that the development proposed is built and maintained as approved by Council.

- In order to achieve these objectives, Site Plan Control will address such matters as the location of buildings and structures, proposed road widenings, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage facilities, private and common outdoor areas, easements over and grading of the lands, provision of the disposal of storm, surface and waste water from the site and such matters as may be appropriate in each case.

- Site Plan Control may be used by the Town to secure property for proposed road widenings without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. The proposed status of each of the major roads in the Town is indicated on Schedule “C” to this Plan. The following table indicates the maximum right-of-way required for the proposed classes of roads indicated on Schedule “C”.

Road Type	Maximum Right-of-Way	Location
Arterial Road	26 metres (86 feet)	John Street Talbot Street
Collector Road	26 metres (86 feet)	Fath Avenue Caverly Road Elm Street Beech Street

Road Type	Maximum Right-of-Way	Location
Local Road	20 metres (66 feet)	All other roads

For those highways designated for widening, the amount of adjacent land to be obtained for widening shall be taken in equal amounts from both sides of the highway, measured from the existing highway centrelines except where geological, topographic, utility lines or other conditions or obstructions dictate otherwise. In such cases, only one half of the widening will be taken by dedication through Site Plan Control.

6.8 BONUSING

Council may pass a by-law in accordance with the Planning Act, R.S.O. 1990, to authorize increases in height and density of development in return for the provisions of certain facilities, services or other matters outlined in the by-law. The Town may require the developer to enter into an agreement for this purpose and such agreements may be registered against the lands to which they apply. Further, such a by-law shall identify areas or zone categories where the bonus provisions would apply, and shall specify the amount by which the height or density of the development would be permitted to increase.

Council will give consideration to proposals to increase the height and/or density for a specific site, but such proposals may not necessarily be granted. When considering such proposals, Council shall have due regard to the compatibility and scale of the proposed development in relation to the existing land uses, and to the cumulative impact resulting from granting bonuses in the general area.

The facilities, services, or other matters that are required in the by-law may include, but shall not be limited to, the provisions of affordable housing or special needs housing units to meet established housing targets, day care centres/facilities, parkland beyond the legislated requirements, hard servicing facilities (sanitary and storm sewers and watermains) above and beyond those required to service the development, increased buffering or landscaping, the use or re-use of vacant land and/or buildings (particularly in the Core Commercial area), the provisions of community or recreational facilities, open space, the protection of areas, sites, buildings or structures of historical, architectural merit or environmental sensitivity, and the redevelopment of blighting land use.

Generally, the use of this Section shall only be considered in conjunction with medium and high density residential developments and mixed use commercial/residential projects.

6.9 COMMUNITY PLANNING PERMIT SYSTEM

The Community Planning Permit System approval framework combines existing systems of zoning, site plan control, tree cutting by-laws and site alteration by-law into

one approval or permitting system. Lands subject to a Community Planning Permit System By-law are no longer subject to the Zoning By-law or Site Plan Control By-law.

It is the policy of the Town that:

- (a) A Community Planning Permit System By-law may be developed and adopted for a specific area of the Town or for the entire corporate limits of the Town. Where a Community Planning Permit System By-law has been enacted and approved the Zoning By-law and Site Plan Control By-law will not apply.
- (b) The objectives of the Town in implementing a Community Planning Permit System By-law shall include the following:
 - i. Preservation of the character of the affected area(s);
 - ii. Improvement of the waterfront area;
 - iii. Preservation and enhancement of residential neighbourhoods;
 - iv. Protection of the natural environment; and,
 - v. Promotion and rehabilitation of employment lands.
- (c) Council may delegate to Town staff the approval or issuance of development permits. Limits on and criteria for such delegation will be established in the Community Planning Permit System By-law.
- (d) The Town may impose conditions and grant provisional approval prior to final approval. These may include conditions related to the removal or restoration of vegetation, site alteration, natural features and areas, contaminated or marshy lands, and conditions permitted by Sections 34, 40, 41, 42 of the Planning Act, R.S.O. 1990.
- (e) As may be provided in the Community Planning Permit System By-law, a development permit may be issued to permit, as a discretionary use, any use not specifically listed as a permitted use in the Community Planning Permit System By-law, provided that the proposed use is similar to and compatible with the listed permitted uses, would have no negative impact on adjoining properties, and would generally maintain the intent, principles and policies of this Official Plan. A Community Planning permit may also be issued to permit, as a discretionary use, an extension to a legal nonconforming use or change in use of a legal non-conforming use, provided that the proposal is desirable in order to avoid hardship, that it would have no negative impact on adjoining properties, and that it would generally maintain the intent, principles and policies of this Official Plan.
- (f) As may be provided in the Community Planning Permit System By-law, a development permit may be issued to permit variations to the standards and provisions outlined in the Community Planning Permit System By-law. Such

variations will only be permitted if they are consistent with the policies of this Official Plan.

- (g) Any proposal for a use which is not listed as a permitted use and which does not qualify as a discretionary use or a variation in accordance with these policies and the Community Planning Permit System By-law will require an amendment to the Development Permit By-law.
- (h) The Community Planning Permit System By-law shall be developed and implemented in accordance with the requirements of the Planning Act.
- (i) At the time of adopting a Community Planning Permit System By-law, an Official Plan Amendment may be required in order to refine the Town's goals and objectives in proposing a Community Planning Permit System for the area, the scope of any delegation of authority and limitations, the types of conditions that may be included in the Community Planning Permit System By-law, the types of criteria that may be included in the Community Planning Permit System By-law for evaluating discretionary uses and variations, or any other matters mandated by Ontario Regulation 608/06 or any other regulation adopted under the Planning Act.

6.10 TEMPORARY USE BY-LAWS

The Council may, in a by-law passed in accordance with the Planning Act, R.S.O. 1990, authorize the temporary use of lands, buildings or structures for any purpose set out therein that is otherwise prohibited by this Plan or by the Zoning By-Law. Council shall satisfy itself that the proposed use is temporary and will not create detrimental effects on the surrounding area. Any temporary use permitted shall comply with the general development standards contained in Section 5 of this Plan.

A by-law authorizing a temporary use shall define the area to which it applies and the period for which it shall be in effect, which is not to exceed three years from the date of passing of the by-law for all temporary uses except "garden suites". Garden suites, as defined by the Planning Act, may have by-laws passed to be in effect for up to ten years from the date of passage. For uses other than garden suites, the three year time period may, by by-law, be extended for a maximum additional three year term. The temporary use shall not become a legal non-conforming use at the date of expiry of the by-law.

The type of uses envisaged by Council as using a Temporary Use By-Law include, but are not limited to, parking lots, fairs, ploughing match, temporary use of a mobile home as a dwelling unit, or the existence of two homes on one lot while one of the homes is under construction.

6.11 LEGISLATION PURSUANT TO THE MUNICIPAL ACT

It is intended that the Town shall review existing legislation pursuant to The Municipal Act governing such uses as automobile wrecking yards and signs, and where necessary, amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled.

6.12 PLANS OF SUBDIVISION

It shall be the policy of Council to recommend to the Approval Authority for approval only those plans of subdivision which comply with the policies and designations of this Plan and which, to the satisfaction of Council, can be supplied with adequate public utilities and services such as schools, fire protection, water supply, sanitary sewers, (including treatment facilities), and storm drainage facilities as required by this Plan, and which, by reason of such approval would not adversely affect the economy of the Town.

6.13 ENACTMENT OF MISCELLANEOUS BY-LAWS

Council will review legislation pertaining to or affecting the use or redevelopment of land and, where necessary, amend existing by-laws or pass new by-laws to ensure that such matters are properly regulated and controlled. Examples of such by-laws include sign control and “deeming” by-laws which effectively de-register old plans of subdivision, the development of which could frustrate the objectives and policies of this Plan.

6.14 EMERGENCY PLAN

The Emergency Plans Act R.S.O. 1990 Ch. E provides for the formulation and implementation of emergency plans by municipalities. An Emergency Plan has been prepared for the Town of Aylmer to provide a guideline for the most effective response to an emergency situation and safeguard the health, safety, welfare and property of the Town’s population. The Emergency Plan will govern the provision of requested services during an emergency.

6.15 CONSTRUCTION OF PUBLIC WORKS

It is intended that the construction of public works within the Town of Aylmer shall be carried out in accordance with the policies of this Plan.

6.16 CAPITAL WORKS PROGRAM

It is intended that this Plan will enable the Town of Aylmer to prepare and adopt successive five-year capital works programs based upon the policies of this Plan.

6.17 GENERAL REVIEW OF PLAN

It is intended that this Plan will be reviewed from time to time in light of changing conditions and that a general review of the whole Plan shall take place at least once every five years.

6.18 CONSULTATION AND ENGAGEMENT

(1) Public Notification Procedures

Council shall actively seek public, agency and stakeholder input prior to making any decisions regarding:

- (a) Amendments to this Official Plan or the Zoning By-Law for the Town of Aylmer
- (b) The review of by-laws and the development of new regulations;
- (c) Development applications, such as plans of subdivision, plans of condominium (vacant land or common element), and minor variances, where applicable; and
- (d) Any other planning or development situation where the Town desires public involvement.

In each case involving such planning matters, at least one public meeting will be called at which the public will be encouraged to offer their opinions and suggestions. Calling and holding public meetings on planning matters shall be the responsibility of Council or, in cases where Council has delegated the responsibility, of a formal Committee of Council. In order to provide ample opportunity to the general public to review and discuss proposed Official Plan and/or Zoning By-Law amendments, and plans of subdivision or plans of condominium (vacant land or common element) and to prepare their comments, an open house may be held in addition to the holding of a public meeting. All notifications and meetings shall be in accordance with the Planning Act and shall include at least 20 days advance notice of the public meeting shall be given for site specific Zoning By-Law amendments and site-specific Official Plan amendments, and 14 days notice of the public meeting shall be given for plans of subdivision or plans of condominium (vacant land or common element).

Notice of the public meeting shall be given by the Clerk in accordance with the Planning Act. Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted. In addition to the notice of public meeting, the applicant in the case of a site specific amendment to the Official Plan or Zoning By-Law may be required to post a sign

on the property to the satisfaction of the Town, clearly visible to the general public, which would briefly describe the development proposal.

(2) Indigenous Engagement in the Planning Process

The Town will continue to engage with Indigenous communities to:

- (a) Examine opportunities to further promote education about the Indigenous communities and environmental history of Aylmer;
- (b) Explore and consider potential economic partnerships with Indigenous communities; and
- (c) Ensure that cultural heritage resources are conserved.

6.19 EXCEPTIONS

The following items are excepted and may be changed or deviated from to the extent stated without an amendment. When minor deviations to the Plan are made, in accordance with the rules outlined below, these deviations shall be incorporated in the next amendment in order to show the most current situation.

- Boundaries between designated land uses may be adjusted where such boundaries are not affected by roads, railways or other similar barriers, so long as the intent and purpose of the Official Plan is maintained and the adjustments are of a minor nature.
- In undeveloped areas, school sites, parks and neighbourhood commercial areas may be incorporated into subdivision designs in a manner most suitable to topography and layout, so long as they conform to the details and intent shown in the Schedules of this Plan.
- In the text and when shown on the Schedules, locations relating to parks, roads, services and other public works are not intended to be exact or rigid, but to be close approximations. It is intended that reasonable latitude will be available to Council in the interpretation and application of this information when actually establishing or approving the size and exact location of such facilities, so long as the intent and purpose of the Official Plan are maintained.

6.20 CREATION OF COMMITTEES

In order to assist Council in dealing with various community issues, advisory committees may be created.

- To assist in the program for preservation of the Town's heritage, Council may under Section 28 of The Ontario Heritage Act, establish a "Heritage Committee". It is

recommended that members of this Committee be selected from local organizations, historical groups, architectural societies, and other appropriate bodies where they exist. This will provide a combination of diverse skills and interests to complement the general heritage preservation goals and objectives. The Committee's primary purpose will be to advise and assist Council on all specified matters relating to The Ontario Heritage Act. The Committee shall be responsible for other special heritage concerns of the Town.

- To assist in the program of identifying and preserving the natural environment, Council may establish an "Environmental Advisory Committee" (E.A.C.). It is recommended that members of this Committee be selected by Council from a balanced representation of the local public at large, the local hunting and fishing community, naturalists, the Catfish Creek Conservation Authority, large landowners, and persons with an interest in the preservation and enhancement of wetlands, woodlots and other areas of natural heritage landscape. The Committee will assist Council with technical expertise and advise, as well as with the identification of issues related to the environment. Council will ensure the effective function of this advisory committee by adopting terms of reference for their mandate and operation, appointing one or more members of Council to the Committee and providing support services through staff.

SECTION 7 INTERPRETATION

7.1 LAND USE BOUNDARIES

The boundaries of the land use designations on the Schedules are approximate and shall be considered as absolute only where bounded by roads, railways, rivers, or similar geographical barriers. Amendments to the Plan are not required in order to make minor adjustments to the land use boundaries provided the intent of the Plan is preserved.

All numerical figures in the Plan are not to be interpreted as absolute and rigid. Minor variations from the figures will be permitted providing the intent of the Plan is preserved.

7.2 ACCESSORY USES

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

7.3 LAND AREAS, POPULATION ESTIMATES, ETC.

It is intended that all figures and quantities shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.

7.4 AMENDMENT PROCEDURES

The Town of Aylmer Planning Committee shall be responsible for the preliminary review of all proposed Official Plan and Zoning By-Law amendments, plans of subdivisions, and all other planning related activities in the municipality.

Should changing conditions necessitate the need for an amendment to the Official Plan in accordance with the Planning Act, the following procedures shall be followed to ensure that the general public receives adequate notification:

- **Notification of Ratepayers**

Prior to recommending to the Council that any amendment be made to the Official Plan, the Planning Committee shall prepare the amendment and notify affected ratepayers of its content, requesting comments and/or discussion of the amendment.

- **Public Meeting**

A record shall be made of the special meeting and it shall be appended to the amendment prior to its submission to Council.

- **Notification**

Following the approval of the amendment, sufficient copies shall be prepared for public distribution and a notice shall be placed in the local newspaper advising of such approval and that copies of the amendment may be obtained from the Secretary of the Planning Committee.

- **Criteria for Permitting an Amendment**

An amendment to this Plan is required to permit the establishment of uses other than those provided for. In considering an amendment to this Plan, Council and the Planning Committee shall have due regard to the following in order of priority:

- (a) the desirability and appropriateness of changing the Official Plan to accommodate the proposed use in light of the basic objectives of the Official Plan;
- (b) the goals and policies of this Plan;
- (c) the need for the proposed use;
- (d) the effect on the economy and financial position of the Town;
- (e) the compatibility of the proposed use with uses in adjoining areas and the effect of such use on the surrounding area including the natural environment;
- (f) the location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services as required;
- (g) the physical suitability of the land for the proposed use;
- (h) the effect on the provision of affordable housing in the Town of Aylmer.

SECTION 8 DEFINITIONS

Accessory Building or Structure - A detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation.

Accessory Use - The use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.

Affordable Housing – means:

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural Use - The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Alternative Energy Systems – Means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Amenity Area - An interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.

Archaeological Resource - Includes artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

CCCA Regulation Limit - A line delineating the area of a watershed which is subject to the generic regulations of the Catfish Creek Conservation Authority.

Brownfield Sites – Vacant or underutilized lands that may be contaminated due to past industrial or commercial activity.

Conservation - The wise management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to man and the environment.

Development - (1) The construction, reconstruction, erection, or placing of a building or structure; (2) the making of an addition or alteration to a building or structure; (3) the change in use or intensity of use of any building, structure, or premises; and (4) the creation of a new lot.

Development Application - Formal request to the Town of Aylmer for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, minor variance approval or plan of subdivision.

Development Control Areas - Lands which because of their physical characteristics in combination with their location, sustain a risk for the occupants of loss of life, property damage, and social disruption, if developed.

Dwelling Unit - A room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided for the exclusive use of that household.

Existing Use - The use of any land, building or structure legally existing on the day of adoption of the appropriate local Plan and the day of approval of the respective Plans.

Groundwater - Water occurring below the soil surface that is held in the soil itself.

Heritage Feature or Resource - A feature of the landscape which by itself, or together with its associated environment, is unique or representative of past human activities or events. Such feature may include a site or area of archaeological or historical value and it may include a building or structure of architectural and/or historical importance.

Home Occupation - An office or personal service use conducted from a residential dwelling unit by a person or persons residing in the dwelling unit, which is secondary to the primary residential use of the building.

Infill - Development on vacant lots or through redevelopment in existing built up areas to create additional new residential units.

Infrastructure - The collection of public capital facilities including highways, transit terminals, municipal water and wastewater systems, stormwater systems, waste management systems, electric power generation and transmission, oil and gas pipelines, communications/telecommunications, schools, hospitals, libraries, community and recreation centres and any other public projects involving substantial capital investment. It includes not only the provision of new facilities but also the maintenance and rehabilitation of existing ones.

Intensification - The development of a property or site at a higher density than previously existed. It includes (1) redevelopment or development within existing communities where demolition of the previous structures is to take place or has taken place; (2) infill development or development on vacant lots or redevelopment within a built up area; (3) conversion, or the change of use of an existing structure or land use, such as from industrial to residential; (4) creation of apartments or rooming, boarding, and lodging accommodation in houses.

Lot - A parcel or tract of land which is recognized as a separate parcel of land under the provisions of the Planning Act.

Natural Environment - The land, air or water or any combination or part thereof.

Natural Hazard Area – Lands that may be floodplains, steep slopes, areas of organic soils such as peat and muck, erosion susceptibility areas, watercourses and ravines, permanent water holding areas, flooding and erosion hazards, and any other physical conditions where there are natural or man-made hazards severe enough to cause property damage or potential loss of life if the lands were to be developed. The Regional Storm flood is the design storm for this planning area.

Natural Heritage Area – an area containing significant features of the natural environment such as significant valley lands associated with Catfish Creek and/or Bradley Creek, significant woodlands, locally or Provincially Significant Wetlands (PSWs), Areas of Natural and Scientific Interest (ANSIs) or Environmentally Significant Areas (ESAs).

Preserve - To maintain the quality or condition of a resource in its current form, and to slow down the deterioration of the resource.

Redevelopment – The creation of new housing units, uses or lots on previously developed land in existing built up areas.

Rehabilitate - To treat land, buildings or structures so that their use or condition is restored to its former use or condition, or may be changed to another use or condition that is or will be compatible with adjacent land uses.

Secondary Suite - A self-contained dwelling unit located in the rear or side yard of an existing residential property, designed primarily to provide for temporary residential accommodations.

Significant Woodlots/Woodlands - Treed areas 2 hectares or larger in area. The retention of significant woodlots/woodlands will encourage the maintenance and enhancement of natural corridors between and among Aylmer's natural heritage features and areas.

Site Plan Control - A process which requires the preparation of detailed site specific development plans, and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, grading and external non-design features. Site Plan Control can only be used to establish on-site physical conditions such as setbacks and layout.

Streetscape - The visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

Utility - A water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

Wetlands - Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Lands being used for agricultural purposes that are periodically soaked or wet are not considered to be "wetlands".