

10.0

Implementation Measures

**10.1 Strategic Approach to Implementing the Official Plan**

The following Chapter outlines the measures to enable the objectives and policies of this Plan to be implemented. Implementation of this Plan will be accomplished by County Council and the Area Councils. The approaches to implementation will include the application of Provincial statutes, municipal zoning by-laws, continuous monitoring of key trends and indicators, periodic policy review and, effective and timely public participation. County Council has adopted the following strategic approach for the implementation of this Plan. County Council will:

*FINANCIAL STRATEGY*

Where applicable, co-ordinate the implementation of the Official Plan policies and resulting programs through the annual operating and five-year capital budgets.

*REQUIRE PLANNING PRIOR TO DEVELOPMENT*

Require the completion of secondary plans, area studies or issue - based studies consistent with the objectives and policies of this Plan for designated areas prior to permitting *development*.

*RANGE OF IMPLEMENTATION TOOLS*

Provide policies within the Official Plan, enabling County Council and the Area Councils to adopt the appropriate by-laws and programs necessary to implement the policies and objectives of this Plan.

*FACILITATE COMMUNITY IMPROVEMENT*

Provide the opportunity to plan for and co-ordinate comprehensive physical improvements for areas which exhibit problems of instability, building deterioration, inadequate municipal services and facilities, environmental contamination or an inappropriate mix of land uses by designating Community Improvement Project Areas within the County.

*EVALUATE OFFICIAL PLAN POLICIES*

Monitor and evaluate the effectiveness, viability and relevance of the policies of the Plan on an on-going basis to ensure that the Plan remains responsive to changing circumstances.

*ENSURE PUBLIC INVOLVEMENT/ PARTICIPATION*

Ensure that the public is kept informed and has the opportunity to provide input and become involved in the decision-making process by requiring public participation as an integral component of land use and municipal services planning.

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*INFLUENCE  
PROVINCIAL  
POLICY*

Provide input to Provincial legislation, regulations, policies and approval processes that are relevant to the County's land use planning and resource utilization and conservation initiatives.

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***10.2 General Policies for Implementation***

REGARD FOR  
OFFICIAL PLAN  
POLICIES

County Council, the County Land Division Committee, Area Councils and all Committees of Adjustment within the County shall be consistent with the relevant policies of the Official Plan in their decision-making, planning and programme implementation functions.

PUBLIC WORKS

County Council and the Area Councils shall not undertake any public work or pass any by-law that does not conform to the intent and policies of the Official Plan.

LAND  
ACQUISITION/  
DISPOSAL

County Council and the Area Councils may acquire, hold or dispose of land for the purposes of implementing any feature of the Official Plan subject to the provisions of the Planning Act, the Municipal Act and other relevant legislation, as amended.

DEVELOPMENT  
AGREEMENT  
CONFORMITY

All forms of development agreements for subdivisions, consents, condominiums, minor variances and site plans will conform to the objectives and policies of the Official Plan.

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**10.3 Implementation Tools**

**10.3.1 Financing**

Successful implementation of the policies contained in this Plan is dependent to a large extent on the formulation, adoption and implementation of a financial strategy by both County Council and the Area Councils to establish priorities for the projects and initiatives outlined in the Official Plan and the means of financing such projects and initiatives. As part of its financial strategy, the County shall:

*CAPITAL BUDGET*

Annually prepare a five-year capital budget and forecast taking into account the priorities and policies of this Plan.

*CAPITAL WORKS*

Undertake a program of capital works in accordance with the approved budget to maintain existing County services and provide County services necessary to address anticipated growth.

*ANNUAL BUDGET*

Prepare an annual budget that reflects the priorities and policies of this Plan.

*DEVELOPMENT  
CHARGES*

Enact and maintain by-laws under The Development Charges Act to ensure that the capital cost of meeting growth related demands for services provided by the County does not place a financial burden upon the County's existing taxpayers and that new taxpayers bear no more than the growth related capital cost attributable to providing the current level of services.

*DEBENTURES*

When issuing and approving debentures on behalf of County Council or the Area Council, County Council will ensure that the purpose of the debenture is in conformity with this Plan.

*AREA  
MUNICIPALITIES*

Encourage Area Councils to annually prepare a five year forecast of capital expenditures taking into account the priorities and policies of this Plan and to enact and maintain by-laws under the Development Charges Act to assist in addressing growth related capital costs.

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### **10.3.2 Secondary Plans, Area Studies and Issue Based Studies**

This Plan establishes the principle that detailed planning for communities, neighbourhoods and neighbourhood blocks is required prior to *development*. Such planning will typically be undertaken by the Area Municipality and/or the County as part of an approved planning program. Studies conducted on behalf of property owners may be accepted as a means of front-ending *development* where they have been approved by the Area Municipality. This Plan identifies areas and situations where further detailed planning will be required and establishes the parameters and criteria upon which such detailed planning will take place.

#### SECONDARY PLANS

Secondary plans provide detailed policy direction for the *development* of a geographic area consistent with principles established in this Plan. Secondary plans are generally required in the following circumstances:

#### CIRCUMSTANCES WHERE REQUIRED

- prior to redesignating lands designated Future Urban Growth for *development* purposes;
- prior to redesignating lands designated as Residential Reserve for *development* purposes;
- prior to the installation of municipal water and sewage services and stormwater management facilities within Serviced Villages which facilitate additional growth capacity; and
- prior to the expansion of the boundaries of any designated Village or Serviced Village.

#### REGARD FOR CLASS EA STUDIES

The secondary planning process may also be used to implement the conclusions and recommendations of Class Environmental Assessment proceedings. Where this is the case, the County shall coordinate Class Environmental Assessment and Planning Act processes.

#### AMENDMENT REQUIRED

County Council shall incorporate Secondary Plans within the Official Plan by amendment after public consultation as set out in Section 10.8.

#### CRITERIA

The criteria for Secondary Plans are established in Sections 4.2.2.4, 4.2.2.6, 7.2.3.2.2 and 7.2.7, as applicable.

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### AREA STUDIES

Area Studies may be used to assist in the implementation and refinement of this Plan. Area Studies allow the analysis and conceptual planning of a specific geographic area at a level of detail which may not be appropriate for the Official Plan. Area Studies may incorporate guideline documents to elaborate upon the implementation of policies that have general application in the control of *development*. Area Studies are viewed as guideline documents and do not form part of the Official Plan.

### CIRCUMSTANCES WHERE REQUIRED

Examples of areas that may warrant an area study include:

- industrial and commercial areas that are subject to pressures for transition to other types of land use;
- residential neighbourhoods that are experiencing pressure for *development* to a higher density residential land use or to other types of land use;
- areas subject to the preparation of Community Improvement Plans as set out in Section 10.4;
- areas that may be subject to substantial change as a result of a proposed major *development*;
- areas proposed to be designated as Heritage Conservation Districts in accordance with the Ontario Heritage Act;
- areas proposed to be the subject of urban design guidelines;
- areas where an Environmental Impact Study as set out in Section 3.2.6. is required;
- areas proposed as Two Zone Flood Plain Policy Areas;
- areas proposed for sub-watershed studies in accordance with Section 3.2.7.2.1.

### STATUS

An Area Study will be adopted by a resolution of the Area Council and will be used as a guideline for the review of *development* applications and the planning of public facilities and services for the area. It may also provide the basis for an amendment to the Official Plan and/or Zoning By-Law if the recommendations of the study suggest that a change or refinement in policies, land use designations or zoning regulations is appropriate.

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### PUBLIC PARTICIPATION

Area Studies may be subject to the public notification procedures as outlined in Section 10.8.

### ISSUE BASED STUDIES

Issue based studies will be used in situations where a specific theme or topic relates to an issue rather than a geographic area. Issue based studies will be approved by a resolution of County Council or Area Council and may provide the basis for an amendment to the Official Plan and/or Zoning By-Law. Issue based studies may be subject to the public notification procedures as outlined in Section 10.8.

### **10.3.3 Plans of Subdivision and Condominium**

The process of subdividing land into lots and blocks for various land uses is governed by the Planning Act. Oxford County Council is the approval authority for plans of subdivision and condominium.

### WHERE REQUIRED

Where a proposal to divide land for more than five lots is made, including the remnant parcel, such *development* shall be by a plan of subdivision or condominium. Proposals to divide land into five lots or less, including the remnant parcel, may take place by consent to sever as set out in Section 10.3.4.

### SUBDIVISION REVIEW CRITERIA

County Council and the Area Councils will evaluate applications for plans of subdivision or condominium on the basis of the requirements of the Planning Act as well as criteria including , but not limited to, the following:

### CONFORMITY TO THE OFFICIAL PLAN

The plan is consistent with the objectives and policies of the Official Plan.

### COMMUNITY SERVICES AVAILABILITY

There is capacity available in the municipal water and sewage treatment systems and there is suitable provision for roads, water, storm and sanitary sewers, waste disposal, recyclable collection, public utilities, fire and police protection, parks, schools, and other community facilities.

### ENVIRONMENTAL CONSTRAINTS

The plan is designed to effectively accommodate Environmental Resources and mitigate environmental constraints in accordance with Section 3.2 and human-made constraints in accordance with Section 3.3.

### NEGATIVE EFFECTS

The plan is designed to reduce any *negative effect* on surrounding land uses, the transportation network, or significant natural features.

### INTEGRATION

The plan is designed to be integrated with adjacent developments .

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### TOPOGRAPHY

The plan is designed to be compatible with the natural features and topography of the site. Subdivisions proposing extensive areas of cut and fill will be discouraged.

### RENTAL HOUSING CONVERSION

Proposals to convert rental housing units to condominium ownership will be reviewed by the criteria set out Sections 7.2.2.2., 8.2.2.2, or 9.2.2.2.

### DRAFT PLAN APPROVAL

As a condition of draft plan approval, County Council will require an applicant to satisfy conditions prior to final approval and registration of the plan of subdivision or condominium. The applicant will be required to meet conditions of draft approval within the specified time period, failing which, draft plan approval may lapse.

To provide for the fulfilment of these conditions and for the installation of services according to municipal standards, County Council shall require an applicant to enter into a subdivision agreement with the Area Municipality and, where necessary, the County, prior to final approval of the plan.

### EXEMPTION FROM PART LOT CONTROL

In accordance with the provisions of the Planning Act, County Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part lot control. Such exemption will only be permitted when no further conditions for *development* are required.

### CONDOMINIUM EXEMPTION

The County may exempt a plan of condominium from review under the Planning Act. Such exemption will be considered if the Area Municipality is satisfied that that no further conditions for *development* are required.

### **10.3.4 Consents (Severance)**

Under the Planning Act, County Council has delegated the authority to give consent to sever land to the Oxford County Land Division Committee.

### REVIEW CRITERIA

The Oxford County Land Division Committee will evaluate applications for consents in accordance with the requirements of the Planning Act, but also on the basis of the following criteria.

### SUBDIVISION PLAN NOT REQUIRED

The Land Division Committee shall be satisfied that a plan of subdivision is not necessary for the proper and orderly *development* of land and that the plan of subdivision process is upheld as the primary method of lot creation. Where a proposal to divide land for more than five lots is made, including the remnant parcel, such *development* shall be by a plan of subdivision or condominium as set out in Section 10.3.3.

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### OFFICIAL PLAN AND ZONING BY- LAW CONFORMITY

Any lot(s) to be created would conform to the policies of the Official Plan and the provisions of the Zoning By-Law.

### FUTURE DEVELOPMENT

The granting of the consent application will not prejudice the future lot creation potential of the area.

### ACCESS

The proposed lot(s) will have direct frontage on a permanent public road maintained year round at a reasonable standard of construction and will not require the opening or extension of a public road. Access requirements for backyard infill shall be in accordance with the policies as set out in Chapters 7, 8, and 9 of this Plan.

### SERVICING AVAILABILITY

The proposed lot(s) will have adequate water supplies and sewage services and stormwater management consistent with the requirements of this Plan, the Province and the Oxford County Board of Health.

### TRAFFIC HAZARDS

Access to the proposed lot(s) would not create traffic problems or hazards, as identified by the authority with jurisdiction over the road.

### PUBLIC NOTICE

Property owners and residents in the vicinity of the proposed lot(s) are to receive sufficient notification of the application, pursuant to Section 10.8 of the Plan, and any submissions from such parties are to be considered.

### LAND USE DESIGNATION

Any criteria outlined in the policies associated with the land use designations apply to the lands.

### CONDITIONS

In granting a consent, the County Land Division Committee shall require applicants to satisfy conditions prior to the stamping of deeds for registration purposes. To provide for the fulfillment of conditions, the applicant may be required to enter into a severance agreement with the Area Municipality and where necessary, the County.

### **10.3.5 Zoning By-Laws and Non-Conforming Uses**

The zoning by-law is the primary means of implementing the policies of this Plan. The zoning by-law defines the uses permitted in specific locations within a municipality and the specific *development* standards relating to those uses. Non-conforming uses are legally established uses that do not conform to the current land use designations, policies, requirements or zones of the Official Plan and/or zoning by-law.

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### LONG-TERM CONFORMITY

It is the intent of this Plan that the long-term use of land conform with the objectives and policies of this Plan. Upon adoption of this Plan, the zoning by-laws of the Area Municipalities shall be brought into conformity with the policies of this Plan. It is the intent of this Plan that non-conforming uses will convert, relocate or redevelop over time so that the subject land may be used in conformity with the policies of this Plan.

### RECOGNITION OF NON-CONFORMING USES IN ZONING BY-LAW

Notwithstanding the above, a legally established land use or a use permitted by existing zoning which does not conform to this Plan may be recognized as a permitted use in the zoning by-law where the Area Council is of the opinion that:

#### *HAZARDOUS SUBSTANCES*

The use, or existing zoning, does not involve hazardous activities or substances.

#### *POLLUTION*

The use, or existing zoning, does not contribute to air, water or land pollution problems.

#### *COMPATIBILITY*

The use, or existing zoning, can or has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, does not generate traffic that threatens the safety of the surrounding area, and does not interfere with the *development* of conforming uses in the surrounding area.

#### *MAINTENANCE OF EXISTING ROLE*

The long-term continuation and any potential expansion of the use or change in use is in compliance with existing zoning and will not detract from the general intent of the Official Plan.

#### *AMENDMENTS*

Recognition of the use, or existing zoning in the zoning by-law, is not likely to result in proposals to amend the Plan to allow similar types of uses.

### EXPANSION OR MINOR CHANGE IN USE OF EXISTING RECOGNIZED USES

For uses recognized by existing zoning, but that do not conform to this Plan, Area Councils may permit minor expansion or minor change in use and the Land Division Committee may consider the granting of consents for existing uses to permit the expansion of the use or readjustment of property boundaries provided that:

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<i>SERVICES</i>	Existing or proposed services including water supply, sewage facilities, stormwater management and road access are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area Council and/or County Council.  On-site sewage and water facilities shall satisfy the requirements of the County and the Board of Health and the policies of Section 3.2, Environmental Resource Policies and Chapter 4, Growth Management relating to water quality and quantity, as appropriate.
<i>PARKING AND LOADING</i>	Parking and loading facilities are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area Council.
<i>COMPATIBILITY</i>	The proposal will be compatible with existing land uses in the vicinity in terms of noise, odour, emissions, vehicular traffic, and visual intrusion and may be required to include measures that reduce nuisances, protect adjacent properties, and improve compatibility of the use with the surrounding area. Proposals may be subject to site plan control to ensure land use compatibility.
<i>ENVIRONMENT</i>	Proposals shall comply with the policies of Section 3.2, Environmental Resource Policies.
<i>CONDITIONS OF APPROVAL</i>	The Land Division Committee may attach such conditions as it deems appropriate to the approval of a development application associated with an existing recognized use.
<i>EXTENSION , ENLARGEMENT, CHANGE OF USE FOR LEGAL NON- CONFORMING USES</i>	A Committee of Adjustment may permit the extension or enlargement or change of use of a legally established land use which does not conform to this Plan and the zoning by-law of the Area Municipality. In evaluating applications, the Committee shall consider the following criteria: <ul style="list-style-type: none"><li>• the use has been continuous from the day the zoning by-law came into effect and forward ;</li><li>• there will be no extension of the site or building beyond the limits of the land owned and used from the effective date ;</li><li>• permission for the extension, enlargement or change in the non-conforming use is in keeping with the general intent of the Official Plan and will not aggravate those aspects of the use that do not conform to the Official Plan and zoning by-law;</li><li>• that existing municipal services such as water, sewers, stormwater management facilities and roads will be adequate;</li></ul>

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- that there are adequate parking and loading facilities to accommodate the proposed use;
- that the proposed extension, enlargement or change in use will not adversely affect desirable *development* in adjacent areas which is in conformity with the Official Plan and zoning by-law;
- that the proposed extension, enlargement or change in use would include measures that will reduce nuisances, protect adjacent properties, and improve the compatibility of the use with the surrounding area, and
- that the extension, enlargement or change in use is necessary to avoid undue hardship to the applicant, provided that all other criteria have been met, there are no negative effects on environmental resources identified in Section 3.2 and the proposed use is more compatible than the existing use relative to the relevant Official Plan policies.

### CONDITIONS OF APPROVAL

The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application within its jurisdiction to extend, enlarge or change a legal non-conforming use.

### COUNTY ZONING BY-LAWS

County Council may pass zoning by-laws in accordance with the Planning Act. . If there is a conflict between a by-law passed by the County and a by-law passed by an Area Municipality, the by-law of the County prevails.

### **10.3.6 *Minor Variances***

The Planning Act stipulates that each Area Council is deemed to be a Committee of Adjustment to deal with the following matters:

### NON-CONFORMING USES

- applications to allow the extension or enlargement of a legal non-conforming use;
- applications to allow a change in the use of buildings or land from a legal non-conforming use to a more compatible non-conforming use.

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### CONFORMING USES

- applications to allow minor deviations from the provisions of the zoning by-law or any other by-law passed under Sections 34 or 38 of the Planning Act that implements the Official Plan; and
- applications to allow uses which are similar and conform to uses permitted in the zoning by-law, where such uses are defined in general terms in the zoning by-law.

### CRITERIA FOR REVIEWING APPLICATIONS

The Committee of Adjustment, when considering an application for minor variance to the zoning by-law, or any other by-law passed under Sections 34 or 38 of the Planning Act that implements the Official Plan, shall take into account the provisions of the Planning Act and the following:

- the objectives and policies of the Official Plan can be met if the minor variance is granted;
- the request for variance constitutes a minor departure from the performance standards of the zoning by-law;
- the general intent and purpose of the zoning by-law; and
- whether the variance is desirable for the appropriate *development* of the land.

### DETERMINING DESIRABILITY

In addition to the considerations outlined above, the Committee of Adjustment in determining whether the variance is desirable shall take into account the following:

- whether constraints and/or restrictions to meeting the requirements of the zoning by-law due to the physical or inherent conditions of the site are involved;
- whether alternative designs of the proposal which would be in conformity with the relevant by-law are clearly not feasible or appropriate for the site;
- the concerns of the effect on adjacent owners, residents and community in general have been considered;
- the approval of the minor variance would not create an undesirable precedent;
- that compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

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**CONDITIONS** The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application for minor variance.

### **10.3.7 Holding Zones**

**PURPOSE** County Council or the Area Councils, may pass a Holding Zone by-law and use the holding (H) symbol in conjunction with any zone in the zoning by-law. The holding (H) symbol specifies that the *development* of these lands is considered premature or inappropriate for immediate *development*.

**CRITERIA FOR APPLYING HOLDING ZONES** County Council or the Area Council may apply a holding (H) symbol in conjunction with the zoning by-law implementing any land use designation or performance category of this Plan in one or more of the following circumstances:

*DRY INDUSTRY*

- Where industrial or commercial *development* on private or partial services is proposed in the Serviced Villages or Large Urban Centres in accordance with Sections 4.2.2.4 or 4.2.2.5.

*SERVICES AND INFRASTRUCTURE*

- Where existing *infrastructure* services and facilities such as sanitary sewers, stormwater management facilities, water supply, roads, parks, schools, and community support services have been determined to have insufficient capacity to serve the proposed *development*, the holding zone can be used to prevent the development from proceeding until necessary improvements are made.

*SUPPORT STUDIES*

- Where the submission and acceptance of secondary plans, area plans or issue based studies as required by this Plan is required prior to *development* or where support studies such as traffic impact analysis or market analysis are required.

*NATURAL FEATURES*

- To ensure that natural areas or specific natural features are protected and the proposed *development* is consistent with the policies of Section 3.2.

*HAZARDS*

- To ensure that potential hazards or constraints are effectively mitigated consistent with the policies of Section 3.2, prior to *development*.

*NATURAL RESOURCES*

- To ensure that the location of natural resources such as mineral aggregates is identified in the Zoning By-Law of the Area Municipality.

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PHASING	<ul style="list-style-type: none"><li>• Where it is necessary to require the phasing of an overall <i>development</i> or extraction activity in order to ensure logical and orderly land use, to mitigate impacts or to secure commitments consistent with the policies of this Plan.</li></ul>
CONSOLIDATION OF LAND	<ul style="list-style-type: none"><li>• Where <i>development</i> is contingent upon other related matters occurring first, such as the consolidation of land ownership to ensure orderly <i>development</i> and phasing of the project or to secure funding agreements on necessary <i>infrastructure</i> or services.</li></ul>
TRANSPORTATION CAPACITY	<ul style="list-style-type: none"><li>• Where transportation facilities have inadequate capacity and/or would be of an inappropriate function relative to the proposed land use and anticipated type and volume of traffic generated.</li></ul>
AFFORDABLE HOUSING	<ul style="list-style-type: none"><li>• In order to achieve the construction and desirable distribution of affordable housing throughout a <i>development</i>.</li></ul>
AREA OF APPLICATION	<p>Holding provisions may be applied municipality wide, to portions of the municipality such as servicing catchment areas, drainage sheds or flood plains as well as on a site specific basis.</p>
REMOVAL OF THE (H) SYMBOL	<p>Conditions which must be satisfied prior to the removal of the holding (H) symbol may include, but are not limited to, appropriate financial and servicing requirements of the municipality, approval of studies and the signing of necessary agreements under the provisions of the Planning Act.</p> <p>The zoning by-law will be amended to remove the holding (H) symbol when County Council or the Area Council determines that the conditions as set out in this Plan and the Holding Zone By-Law have been met.</p>
PUBLIC NOTICE	<p>Prior to the lifting of the holding (H) symbol associated with a particular zone, County Council or Area Council will ensure that public notice of the intent to remove the holding provision is provided to the following:</p> <ul style="list-style-type: none"><li>• every owner of the land within the affected site or area or every person or agency that has given the Clerk of the municipality a written request for such notice;</li></ul>
INTERIM USES	<p>Interim uses permitted while the holding provision is in place shall include:</p> <ul style="list-style-type: none"><li>• existing uses; and</li></ul>

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- other uses deemed appropriate by County Council or the Area Council which are in conformity with the Official Plan and which do not adversely affect the future *development* potential of the lands.

The holding (H) symbol shall not apply to accessory buildings or minor building additions.

### **10.3.8 Interim Control**

#### INTERIM CONTROL PROVISIONS

County Council or Area Council may pass an interim control by-law, as provided for in the Planning Act, prohibiting the use of land, buildings or structures within a defined area of the municipality for, or except for such purposes as are set out in the by-law. Interim Control measures may be considered and enacted for the purposes of undertaking secondary plans, area studies or issue based studies as set out in Section 10.3.2 or in any areas where development issues require a review of zoning.

#### TIME FRAME

County Council or Area Council shall allow an interim control by-law to be in effect, as set out in the Planning Act, for a time period of one year from the date of its enactment. County Council or the Area Council may extend the period during which the interim control by-law is in effect to a maximum of one additional year where the duration of the planning study is anticipated to require that amount of time.

#### IDENTIFICATION OF PLANNING ISSUES

County Council or Area Council, when considering a proposal to enact an interim control by-law prohibiting the use of land, buildings, or structures within a defined area of the municipality, shall require the identification and rationalization of planning issues which clearly demonstrates the need to carry out the required studies.

#### STUDIES COMPLETED WITHIN THE TIME FRAME

Where County Council or Area Council enacts an interim control by-law for the purposes identified, County Council or the Area Council shall ensure that such studies be undertaken and completed within the time schedule prescribed for the interim control by-law.

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## 10.3.9 Temporary Use

### TEMPORARY USE PROVISIONS

Notwithstanding the requirement for zoning by-laws to comply with the Official Plan, County Council recognizes that the Official Plan represents the long-term direction to the *development* of the municipality. As such, the Area Council may permit uses for specific temporary periods, up to a maximum of three years, as set out in the Planning Act, which would otherwise not conform to the Official Plan and/or the comprehensive zoning by-law, subject to re-application at 3-year intervals thereafter. *Garden suites* may be permitted up to a maximum of ten years, subject to re-application at 3-year intervals thereafter.

Such uses may be permitted upon individual application and careful consideration by the Area Council of the need and appropriateness of a temporary use by-law and to ensure that the objectives and policy direction of the Official Plan are not adversely affected by the temporary use. The Area Council shall also take into consideration the following matters:

### CRITERIA

- compatibility of the proposed use with surrounding land uses;
- any requirement for temporary buildings or structures in association with the proposed use;
- any requirement for temporary connection to municipal services and utilities;
- the potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- access requirements for the proposed use; and
- parking required for the proposed use, and the ability to provide adequate parking on site.

### EXTENSION

The Area Council may extend a temporary use by-law beyond the three year time period, as set out in the Planning Act, provided such extension does not exceed a three year time period and does not jeopardize the long-term *development* intentions for the subject lands as specified in the Official Plan.

### GARDEN SUITES

Additional residential units may be permitted on a lot in the form of a *garden suite* in rural or urban areas.

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### GARDEN SUITES IN RURAL AND URBAN AREAS

Area Council may consider allowing one *garden suite* on a *farm unit* or on a non-farm rural residential lot in the Agricultural Reserve, Open Space or Future Urban Growth designations. A garden suite may be considered on a residential lot in the Rural Cluster or Village designations or in Low Density Residential designations in Serviced Villages and Large Urban Centres. *Garden Suites* will be considered for:

- the retired parents or grandparents of a property owner or the property owner's spouse, or
- a retiring property owner provided that the principal dwelling is occupied by the son or daughter or grandchild of the retiring property owner.

### REZONING REQUIRED

Prior to permitting the construction of a *garden suite*, an amendment to the Zoning By-Law under Section 39 of the Planning Act, which relates to temporary use by-laws, will be required. The temporary use by-law will remain in effect for up to ten years, subject to renewal upon expiry by the Area Council, as required. The zone change will be subject to satisfying the following criteria:

### SERVICING

The *garden suite* should generally use the existing sanitary sewage disposal, water supply and electrical services of the principal dwelling existing on the lot where the *garden suite* is proposed to be located. Prior to the rezoning, approvals shall be obtained from the authorities responsible for the various services to ensure that the existing servicing systems are adequate for shared use. In situations where the approval authority indicates that one or more of the services are not adequate for shared use, separate services will be required, provided these services can be accommodated on the subject property to the satisfaction of the approval authority.

In the rural areas, Rural Clusters and Villages, it must be demonstrated that the *garden suite* can be accommodated using private service. On-site sewage and water facilities will satisfy the requirements of the Board of Health and/or the Province and will be consistent with the policies of Section 3.2, Environmental Resource Policies.

### COMPATIBILITY

The proposal is compatible with the surrounding area and, if applicable, be able to satisfy the *Minimum Distance Separation Formula 1* or not further reduce an existing insufficient setback relative to MDS 1 for adjacent livestock operations. Within the Serviced Village and large Urban Centres, the proposal should be on a large lot greater than 929 sq. m. (10,000 sq. ft.) in area on full municipal services.

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SUITABILITY	The lot is suitable for an additional temporary dwelling unit with respect to lot area, lot coverage, yard setbacks, and setback from a public road allowance.
BUFFERING	The implementing Zoning By-Law may contain additional measures to ensure minimal disruption to adjacent land uses, such as the provision of grass strips, the planting of trees and shrubs or the erection of a fence.
ACCESS	The proposed <i>garden suite</i> will generally use the existing access to a permanent public road of reasonable construction maintained year round.
LOCATION	Generally, the <i>garden suite</i> will not be located to the front of the principal dwelling on the lot, although Area Council may give consideration to such siting on a site specific basis.
AGREEMENT	The owner of the subject property shall be required to enter into an occupancy agreement with the Area Council, specifying the matters related to the temporary use of the <i>garden suite</i> as Area Council considers necessary, including, the installation, maintenance and removal of the <i>garden suite</i> ; the period of occupancy of the <i>garden suite</i> by any of the persons named in the agreement; and the monetary or other form of security that Area Council may require for actual or potential costs to the municipality related to the <i>garden suite</i> .
NO SEVERANCE	<i>Garden suites</i> are intended to be temporary in nature and as such consent to sever a surplus <i>garden suite</i> will not be permitted by the Oxford County Land Division Committee.
REMOVAL OF GARDEN SUITE	When the <i>garden suite</i> is no longer required for the original use intended, it shall be removed from the lot and the temporary use by-law shall be allowed to lapse.

### **10.3.10 Bonus Zoning**

#### **BONUS ZONING PROVISIONS**

Under the provisions of the Planning Act, a municipality may include in its Zoning By-Law regulations that permit increases to the height and density limits applicable to a proposed *development* in return for the provision of such facilities, services, or matters as set out in the By-Law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.

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### PRINCIPLE

The facilities, services or matters that would be provided in consideration of height or density bonus should be reasonable, in terms of the cost/benefit implications for both the municipality and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a *development* to the extent that a greater density or height is warranted. Also, the height and density bonuses received should not result in a scale of *development* that is incompatible with adjacent uses or exceeds the capacity of available municipal services.

### CIRCUMSTANCES APPLICABLE

Bonus zoning is applied to encourage social amenities and design features resulting in a public benefit which cannot be obtained through the normal *development* process. Area Councils may pass by-laws providing for bonusing to achieve the following objectives:

- to support the provision of the *development* of affordable housing as provided for in this Plan;
- to encourage aesthetically attractive *development* through the provision of enhanced landscaped open space and architectural review relating to building design materials and colours;
- to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;
- to support the provision of day care facilities;
- to support the preservation of structures and/or districts identified as architecturally and/or historically significant by the municipality;
- to support innovative and environmentally sensitive *development* which incorporates and protects environmental features, promotes energy conservation, encourages construction techniques to reduce waste and promote water conservation;
- to support the provision of amenities accessible and beneficial to the public, such as landscaped areas, public art and cultural features and transit shelters.

### IMPLEMENTATION

The zoning by-law may contain bonus zoning provisions for all forms of *development*. These provisions will describe the facilities, services, or matters that qualify for the density bonus provisions and the extent of the height and density increases that may be available.

## County of Oxford Official Plan

### AGREEMENTS

As a condition of the application of bonus zoning provisions to a proposed *development*, the owner of the subject land will be required to enter into an agreement with the Area Municipality to be registered against the title to the land. The agreement will set out the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.

### **10.3.11 Site Plan Control**

### DESCRIPTION

Site plan control is a mechanism used to achieve appropriate siting and massing of a *development* on a site and to ensure safety, attractiveness and compatibility of a *development* with the surrounding area. It is also used by the municipality to secure land for road widenings.

### APPLICATION

It is the intent of this Plan that all forms of *development* or redevelopment within the land use designations established in this Plan, with the exception of mineral aggregate and oil and gas extraction and gypsum mining, may be subject to site plan control.

For the purposes of site plan control, development or redevelopment shall be defined as the construction, erection, or placing of one or more buildings or structures or three or more travel trailers or mobile homes on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, or the laying out and establishment of a commercial parking lot. The above noted definition of development shall not include the placement of a portable classroom on a school site of a district school board, if such school site was in existence on January 1, 2007.

The Area Council may exempt certain classes of *development* from site plan control through the site plan control by-law passed in accordance with the Planning Act.

### APPROVAL OF SITE PLANS

Where the Area Council has passed a site plan control by-law, plans showing all buildings and structures to be erected and all facilities and works, including facilities designed to have regard for accessibility for persons with disabilities, to be provided in conjunction with the *development* will be required consistent with the provisions of the Planning Act. Drawings, showing plan, elevation and cross-section views may be required for all buildings to be erected including all buildings to be used for residential purposes regardless of the number of units within the site plan control area.

Such drawings shall be sufficient to display the massing and conceptual design of the proposed building, the relationship of the proposed building

## County of Oxford Official Plan

to adjacent buildings, streets and exterior areas and the provision of interior walkways, stairs elevators and escalators to which the public have access from streets, open spaces and interior walkways.

Where such matters are addressed in Area Municipal Site Plan Control By-Laws, such drawings shall also be sufficient to display the following:

- matters relating to urban design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design; and
- sustainable design elements such as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities on any adjoining road under the jurisdiction of the County or Area Municipality.

### DESIGN POLICIES

Where this Plan establishes site and urban design criteria for specific types of *development*, the Area Council will be satisfied that such policies have been addressed prior to approving site plans.

In addition, County Council or Area Municipal Council may adopt site and/or urban design guidelines for various forms of development as a means of evaluating matters relating to detailed site and/or urban design through the site plan process. Where such guidelines have been adopted they shall be implemented through the Area Municipal Site Plan Control By-Law.

### ROAD WIDENINGS

Widenings of public roads shall be required as a condition of site plan approval at the discretion of the authority having jurisdiction over the road for all *development* within the site plan control area consistent with the policies of Sections 5.1.2, 7.6.6, 8.7.2 and 9.6.2 to this Plan.

### PUBLIC NOTIFICATION

To assist in encouraging the integration of new *development* with adjacent land uses, the Area Council may require public notification and a public meeting at the site plan approval stage in connection with:

- multiple residential infill projects;
- commercial or mixed-use projects in a Central Area or Village Core designations;
- high density residential projects within and around a Central Area designation;

## County of Oxford Official Plan

- proposals for new *development* within or *contiguous* to an Environmental Protection Area or a Provincially Significant Natural Feature;
- proposals where bonus zoning may be applied to permit increases in height and density, according to the policies of Section 10.3.10;
- proposals for new *development* in Heritage Conservation Districts established in accordance with the Ontario Heritage Act;
- proposals for new Regional Commercial Nodes or large Service Commercial developments or the expansion of existing Regional Commercial Nodes;
- proposals where holding provisions in the zoning by-law stipulate that public notification and public meetings will be required at the site plan approval stage; and
- other situations where the location, massing, and conceptual design of new *development* may significantly affect the character of the surrounding area.

### **10.3.12 Municipal By-Laws**

In addition to the use of secondary plans, area studies and issue based studies, zoning and related by-laws and site plan control, for the purposes of implementing this Plan, County Council and/or the Area Council may enact the by-laws set out below

#### **SIGN CONTROL BY-LAW**

County Council or the Area Council may prepare and adopt a Sign Control By-Law for the purposes of regulating signs in accordance with the provisions of the Municipal Act as applicable.

#### **ACCESS BY-LAW**

County Council or the Area Council may protect the traffic carrying capacity of certain arterial roads or sections of arterial roads by designating them, by by-law, as controlled access roads. The by-law may identify categories of controlled access roads including those to which access from abutting lands is prohibited, without the consent of the applicable Area Council. The by-law may also specify regulations to control the number, location, spacing and function of driveways providing access to, or egress from, abutting properties.

## County of Oxford Official Plan

### DEMOLITION CONTROL

For the purposes of preventing the premature demolition of residential buildings, the Area Council may prepare and adopt a Demolition Control By-Law which shall apply to designated areas of the municipality in accordance with the provisions of the Planning Act.

### PROPERTY STANDARDS

The enforcement of minimum standards for the maintenance and occupancy of individual properties is important to the health, safety and welfare of residents of the County and assists in preserving the character of residential areas. A Property Standards By-Law requires that buildings be maintained in a structurally sound condition and provides for the removal of buildings that have deteriorated to the point where rehabilitation is not economically feasible.

Subject to the provisions of the Building Code Act, County Council or the Area Council may regulate the maintenance and occupancy of property through the adoption and enforcement of a Property Standards By-Law.

### *SUB-STANDARD PROPERTIES*

Property owners whose properties do not conform to standards in the by-law shall be required to repair and maintain such properties in accordance with those minimum standards for:

- garbage disposal and pest prevention;
- structural maintenance, safety and cleanliness of buildings;
- services to buildings including plumbing, heating and electricity;
- the adequacy of a building, or unit within a building, for healthy occupancy in terms of sanitation, light and ventilation; and
- keeping properties free from rubbish, debris, weeds, abandoned or inoperative vehicles, trailers, boats, mechanical equipment or building materials.

### MUNICIPAL ACT

County Council and the Area Council may prepare and adopt By-Laws pursuant to the Municipal Act to regulate and/or license uses consistent with the policies of this Plan.

### *GRADING/FILLING/ DUMPING*

An Area Council may prepare and adopt By-Laws pursuant to the Municipal Act to prohibit or regulate the placing of fill or the alteration of grade in any defined area or on any class of land set out in this Plan.

### *TREE PRESERVATION*

An Area Council of a municipality having a population of more than 10,000 persons may prepare and adopt By-Laws pursuant to the Municipal Act to prohibit or regulate the removal of trees in any defined area on any class of land set out in this Plan.

10.0

Implementation Measures

Amendment No. 209

**10.4 Community Improvement**

INTRODUCTION

It is the intent of the County and Area Municipalities to develop a comprehensive policy statement in order to upgrade, redevelop and rehabilitate the physical environment of existing older residential neighbourhoods, ancillary open space and recreational areas, commercial centres, industrial areas and agricultural areas. The policies are designed to co-ordinate and guide both private and public community improvement activities in designated *community improvement project* areas.

GOALS

The goals of the community improvement policies are as follows:

- to upgrade and improve municipal hard services, social and recreational facilities and public utilities;
- to preserve and upgrade existing older residential neighbourhoods and *settlements*;
- to strengthen the existing central areas and village core areas and integrate proposed extensions to the central area and village core areas;
- to improve existing industrial areas by encouraging further *development* and redevelopment;
- to promote and encourage community economic development;
- to consider participation in funding assistance programs provided by the Federal and Provincial governments as they relate to community improvement;
- to encourage the co-ordination of municipal, private and community organizations in promoting community improvement efforts.

Amendment No. 209

## County of Oxford

### **10.4.1 General Criteria for All Community Improvement Project Areas**

The general criteria used to designate existing Community Improvement Project Areas and to select future Community Improvement Project Areas include the following:

#### DEFICIENCIES

Deficiencies in the availability and/or condition of municipal infrastructure including:

- sewage systems, storm water systems, water supply and their capacity to comply with present standards and future requirements;
- municipal roads in terms of their designated function;
- sidewalks;
- streetlighting in terms of energy efficiency, age and illumination capacity;
- buildings and structures associated with the provision of municipal and community services.

#### LAND USE CONFLICTS

Existing incompatible uses resulting in land use conflicts where relocation is desirable.

#### PRIVATE SERVICES

Areas served by a private individual or communal water or sewage systems that exhibit deficiencies in the supply and/or distribution of services.

### **10.4.2 Criteria for Residential Improvement Areas**

In addition to those criteria set out in Section 10.4.1 above, criteria for the selection of residential improvement areas will include the following:

- areas where a significant portion of the existing housing stock is in need of improvement and repair;
- areas where community or recreational facilities such as library facilities, day care centres, senior citizens' centres and community centres are lacking, where parkland acquisition is required, or where upgrading of existing facilities is required;
- areas that are predominantly residential and are designated as such in the Official Plan;

## County of Oxford

- areas which have potential for residential infilling that are vacant, in need of redevelopment or designated for redevelopment in this Plan.

### **10.4.3 Criteria for Commercial Improvement Areas**

In addition to those criteria set out in Section 10.4.1 above, criteria for the selection of commercial improvement areas will include the following:

- areas where buildings and/or building facades exhibit structural deficiencies or are in need of rehabilitation;
- areas that have deficiencies such as high commercial vacancy rates, inadequate off-street parking facilities and poor traffic circulation;
- areas that are predominantly commercial and are designated as such in the Official Plan.

### **10.4.4 Criteria for Industrial Improvement Areas**

In addition to those criteria set out in Section 10.4.1, criteria for the selection of industrial improvement areas will include the following:

- areas where buildings exhibit structural deficiencies or are in need of rehabilitation;
- areas that are predominantly industrial and are designated as such in the Official Plan;
- areas which are underutilized and where vacant industrial lands or buildings predominate.

Amendment No. 209

### **10.4.5 Criteria for Agricultural Improvement Areas**

In addition to those criteria set out in Section 10.4.1, criteria for the selection of agricultural improvement areas will include the following:

- areas where buildings exhibit structural deficiencies or are in need of rehabilitation;

## County of Oxford

- areas where there is opportunity to establish or rehabilitate permitted agricultural and industrial uses, as well as non-agricultural industrial uses;
- areas that are predominantly agricultural and are designated as such in the Official Plan.”

### **10.4.6 Designation of Community Improvement Areas**

#### DESIGNATED AREAS

It is the intent of this Plan that designated *Community Improvement Project Areas* will correspond to the whole, or any part of a municipality. By having regard for the criteria established in Section 10.4, it is anticipated that *community improvement project areas* will be identified through a by-law.

#### PHASING OF COMMUNITY IMPROVEMENTS

It is the intent of this Plan that within the *Community Improvement Project Areas* in the Area Municipalities, no priority ranking shall be established. *Community Improvement Project Areas* will be established within an Area Municipality as the municipality's financial position and availability of federal and provincial government funding warrant the designation of such project areas. Priorities within an Area Municipality will be given to areas where deficiencies are the most critical.

### **10.4.7 Implementation of the Community Improvement Policies**

#### IMPLEMENTATION

The goals and objectives of the community improvement policies will be reflected in the preparation of Community Improvement Plans, adopted in accordance with the provisions of the Planning Act.

#### COMMUNITY IMPROVEMENT PLANS

#### Amendment No. 209

Community Improvement Plans shall constitute a schedule of works for the maintenance, rehabilitation, repair and development of public and privately-owned facilities and lands. The plans shall include, but not necessarily be limited to, leisure and social facilities, parks, open space, streetscaping, planting of trees and other vegetation, sidewalks, roads, street lighting, sewers, residential, commercial, industrial, institutional and agriculturally-related commercial and industrial improvements, as well as the purchase and disposal of land.

#### IMPLEMENTATION

Area Councils will employ a number of implementation methods. Such methods may include but are not limited to the following:

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### CONTAMINATED SITES

Where a redevelopment proposal demonstrates a change in land use on a site where contaminants may be present, the County and/or the Area Municipality will require that environmental site assessment and site cleanup be undertaken as required in accordance with Section 3.3.3.2. The County and/or Area Municipality may:

- provide grants and/or loans to owners and tenants of properties to assist in cleanup and redevelopment of the lands or buildings to conform with the Community Improvement Plan;
- cancel or not increase the municipal portion of the property tax on sites during the rehabilitation period; and
- cancel or not increase the education portion of the property tax on sites during the rehabilitation period with the approval of the Ministry of Finance.

### MAINTENANCE AND OCCUPANCY BY- LAWS

The Area Municipality may enact and enforce by-laws dealing with property maintenance and occupancy standards to ensure proper repair and maintenance of buildings where required as set out in Section 10.3.12.

### PROGRAMME FUNDING

The County and/or Area Municipalities may fund municipal programmes for community improvement, and shall use, where appropriate, available programmes from other funding sources to assist in implementing Community Improvement Plans.

### COMMUNITY IMPROVEMENTS

The participation of community organizations and service clubs in community improvement activities is encouraged, particularly with respect to *development*, improvements or operation of recreational and community facilities.

### BUSINESS IMPROVEMENT AREAS

The County and Area Councils will encourage the establishment of new Business Improvement Areas and support the efforts of existing Business Improvement Areas to strengthen and revitalize the downtown core of a community.

### HERITAGE ACT

The restoration and rehabilitation of historically significant structures or areas is encouraged by the designation of buildings and Heritage Conservation Districts through the utilization of the Ontario Heritage Act.

### LAND ACQUISITION

Area Councils may acquire land to develop such lands for the purpose of facilitating the conservation, rehabilitation and/or redevelopment of an area.

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*DENSITY BONUS  
BY-LAWS*

Where appropriate, zoning by-laws containing bonus provisions in accordance with Section 10.3.10, may be passed by the Area Councils which would assist in implementing community improvement plans.

**10.5 Planning and Development Approval Process**

INTRODUCTION

The County is responsible for conducting county-wide planning and for ensuring that land use decisions are in conformity with this Plan. In addition to this role, the County has the authority to approve plans of subdivision and condominium. In these roles, the County will endeavour to make the *development* approval process efficient and timely through the following measures.

COUNTY DELEGATION

County Council, in accordance with the regulations of the Planning Act, may delegate by By-law its approval authority for planning matters to a standing committee or County officials.

LOCAL DELEGATION

County Council will encourage Area Councils to delegate, where appropriate, local approval authority for planning matters to municipal officials in accordance with the regulations of the Planning Act.

REVIEW SUBDIVISION CONDITIONS

The County may, in consultation with the Province, Area Councils and other external agencies, review draft approved plans of subdivision to determine if the draft approval should be maintained, and if required, modify the conditions of draft approval or extend draft plan approval.

REQUIREMENTS FOR COMPLETE APPLICATIONS

Where the policies of this Plan identify studies, information and/or material which may be required in order to evaluate a *development* proposal, any such studies, information and/or material may be requested by the County or Area Municipality as part of a complete application, in accordance with the Planning Act, as amended.

DEVELOPMENT REQUIREMENTS AND CONDITIONS

Where differences of opinion arise in relation to the implementation of the policies of this Plan through requirements for information or studies prior to *development* approvals or in relation to conditions of *development* approval, the Area Council and/or County Council, may upon request by interested parties, review the proposed requirement or condition and may waive, reduce the scope or content, or uphold the requirement or condition. This policy shall not apply when such requirements or conditions are mandated by Provincial policy or legislation.

10.0

Implementation Measures

**10.6 Monitoring of the Official Plan**

INTRODUCTION

This Official Plan is based on a set of assumptions, forecasts, values and objectives that relate to future conditions. To ensure the continued relevance of the Official Plan in view of changing demographic, economic, technological, social and environmental conditions, it is important that the Plan incorporate mechanisms to monitor change, to review its policies and, if warranted, to make amendments.

MONITORING

Monitoring involves recording and appraising the significance of events, trends and decisions in relation to the policies of the Official Plan. The purpose of monitoring is to evaluate the effectiveness and relevance of the Plan. In order to effectively monitor the policies of this Plan, County Council adopts the following measures:

*ON-GOING  
MONITORING*

A program for on-going monitoring of factors such as population and household forecasts, land use and development trends, economic conditions, the supply, demand and availability of land for *development* and employment purposes, the adequacy of municipal services, land costs and the state of the environment.

*REPORTING  
MECHANISMS*

To assist in monitoring the Official Plan, the County will periodically review the following:

*HOUSING REPORT*

The range of housing forms relative to household income distributions for residents of the County;

*LAND SUPPLY*

The supply and demand of land available for housing and employment purposes;

*FORECASTS*

Population, household and employment land forecasts;

*INFRASTRUCTURE  
CAPACITIES*

The reserve capacity of the water and waste water facilities and *infrastructure* in the County relative to anticipated growth and *development; and*

*STATE OF THE  
NATURAL  
ENVIRONMENT*

By establishing baseline parameters and subsequently evaluating the state of the environment over the life of the Official Plan.

## County of Oxford Official Plan

### LAND RELATED INFORMATION SYSTEM

County Council, in conjunction with the Area Councils will continue to develop the Oxford County Land Related Information System and related Geographic Information Systems (GIS) applications in co-operation with other levels of government, for the purposes of monitoring the Official Plan and for other civic operations such as public works, *infrastructure* management, building permitting and emergency services.

**10.7 Amendments to the Official Plan**

**10.7.1 Review of the Official Plan**

OFFICIAL PLAN  
REVIEW

County Council, following the adoption of this Plan, will determine the need to revise the Official Plan in whole or in part in consultation with the public at intervals of not more than every five years. In determining the need to revise the Official Plan, County Council will require the preparation of a report which summarizes planning issues arising from recent planning applications and ongoing monitoring activities.

OFFICIAL PLAN  
AMENDMENTS

When the Official Plan monitoring and review processes conclude that changes to this Plan are required, or where the detailed secondary plans, area study or issue based study identified in this Plan have been completed, County Council will amend this Plan. Where a general amendment to this Plan is initiated by County Council or recommended by the Area Council, provision will be made for widespread and effective public participation as set out in Section 10.8.

Amendments which may substantially alter the intent and strategic direction of the Official Plan will only be considered in conjunction with a comprehensive review of the Plan.

**10.7.2 Amendments to the Official Plan Resulting from Development**

This Plan has been prepared to accommodate growth anticipated over the duration of the Plan. Amendments to the Plan will be required for proposals representing a departure from the policies of the Plan. Proposed developments or activities not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

When submitting an application to amend the Official Plan, the applicant shall provide supporting documentation, to the satisfaction of the County, which adequately addresses the following:

- the need for the proposed change;
- the conformity of the proposal with the intent and policies of the plan including the underlying designation of the property and identified environmental resources and/or constraints; and

## County of Oxford Official Plan

- such supporting studies or documentation as may be required for the proposed use, as set out in other Sections of this Plan.

10.0

Implementation Measures

**10.8 Public Participation Measures**

INTRODUCTION

County Council and the Area Councils will actively encourage public participation by seeking the opinions and the advice of individuals and community and special interest groups in the on-going task of implementing, monitoring and reviewing this Plan.

MATTERS SUBJECT TO PUBLIC PARTICIPATION

County Council and the Area Councils shall ensure that the public is adequately notified and consulted consistent with the following events:

MAJOR PLANNING INITIATIVES

- during the course of determining the need to review the Official Plan;
- during the course of preparing and considering planning policies, studies and strategies associated with:
  - Official Plan amendments and review processes;
  - the development of zoning by-laws;
  - secondary plans and associated area studies;
  - Community Improvement Plans, and;
  - Municipal services planning consistent with the requirements of the Environmental Assessment Act.
  - other matters deemed appropriate such as issue based studies

SITE SPECIFIC MATTERS

- in the consideration of *development* review and approval matters associated with:

## County of Oxford Official Plan

- Official Plan amendments;
- zoning by-law amendments;
- minor variances;
- consents;
- subdivision and vacant lot condominium approval;
- applications for approval to demolish, convert or renovate any properties containing five or more rental unit
- proposals to designate heritage buildings, areas or elements pursuant to the Ontario Heritage Act or to remove such designation or demolish a designated structure; and
- other matters as deemed appropriate including proposals for site plan approval or cash-in-lieu of parking.

### FORMS OF PUBLIC PARTICIPATION

Measures to facilitate public participation may include:

- formal and informal public meetings;
- public notice replies;
- workshops, open houses and displays;
- delegations at County Council and/or Area Councils or Committees of Council;
- the use of advertising and information releases;
- the establishment of advisory committees;
- consultation with community, neighbourhood or special interest organizations; and
- posting information on the County of Oxford Web site.

### PUBLIC NOTICE

#### *MAJOR PLANNING INITIATIVES*

County Council or the Area Councils may require that public meetings held for the purposes of soliciting public input relative to major planning initiatives be advertised in newspapers having general circulation in the municipality prior to the scheduled meeting. Notice may also be delivered by first class mail to persons deemed to have interest in the matter, including agencies, land owners, business owners and residents and to other persons who have requested notice of the meeting in accordance with the provisions of the Planning Act.

Such notice for Official Plan or Zoning By-law amendments shall be given at least 20 days prior to the public meeting.

#### *SITE SPECIFIC PROPOSALS*

Where the planning matter to be considered consists of site specific matters, County Council or the Area Council will ensure that, as a minimum, a notice is posted on the subject property and notice delivered by first class mail is provided to the following:

## County of Oxford Official Plan

- every owner of the land within the affected site and/or area to which the proposal applies as shown on the last revised assessment roll;
- every owner of land within the distance prescribed by the regulations of the Planning Act or other applicable statute, external to the area to which the proposal applies, as shown on the last revised assessment roll; and
- every person and agency that has given written request for such notice

For a site-specific Official Plan or Zoning By-law amendment, notice shall be given at least 14 days prior to the public meeting.

### CONTENT OF NOTICE

A notice of public meeting shall contain the following information:

- the date, time and place of the meeting;
- in the case of a site-specific amendment, a key plan showing the location of the site or area to which the proposed amendment would apply; and
- the proposed amendment or an explanation of the proposed amendment sufficient to enable the public to understand the nature and general effect of the proposed amendment.

### SPECIAL CASES

Notwithstanding the above, where the proposal consists of an application for mineral aggregate extraction or gypsum mining consistent with Sections 3.4.1 and 3.4.3, or where *development* requiring an Environmental Impact Study as set out in Section 3.2.6 is proposed, the policies of these Sections establishing specific public notification requirements will take precedence.

### CONSIDERATION OF PUBLIC SUBMISSIONS

County Council and the Area Councils shall consider all written and verbal submissions concerning a planning matter when making decisions and/or recommendations. An analysis of the written submissions and verbal presentations at public meetings may be prepared and submitted to County Council and the Area Councils as part of any planning report prepared.

## County of Oxford Official Plan

### CONFLICT RESOLUTION

Prior to making decisions relating to planning matters, County Council and the Area Councils will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared.

### PUBLIC NOTIFICATION AND MEETINGS NOT REQUIRED

Notwithstanding the public notification procedures in this Section, County Council and Area Councils may forego public notification and public meetings(s) and may adopt changes in the following instances:

- to correct a minor technical error or omission contained in an amendment which has undergone full public review;
- to change punctuation or format, alter language, or correct clerical, grammatical, or typographical errors;
- to insert footnotes or similar annotations to indicate the origin and approval of each provision; and
- to change the names of various government ministries or agencies and reference to Provincial and Federal statutes in the Official Plan, as these may be amended or revised over the life of the Plan.