

Directions Paper

County of Elgin

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Draft #1



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1.0 INTRODUCTION

The primary purpose of an Official Plan for the County of Elgin is to provide the basis for managing growth that will support and emphasize the County's unique character, diversity, civic and cultural identity and natural heritage features.

It is our goal to develop a new Official Plan that:

- has a very well articulated vision of the future development of the County;
- ensures that all of the policies in the Official Plan relate directly back to the vision and objectives of the Plan;
- provides clear direction on how the policies in the Plan will be implemented;
- has a minimum number of land use designations to ensure that the Plan is easily understood;
- establishes policy areas instead of site-specific or area-specific designations;
- has clear mapping which shows the location of land use designations; and,
- does not function only as a development control document.

The purpose of this Directions Paper is to make a series of recommendations on how the Official Plan should be structured to meet the above objectives. To a very large extent, the County Official Plan process is an opportunity for the County to establish how it wishes to grow, develop and prosper well into the future. It is also an opportunity to establish locally developed policies that will be relied upon in the future when the approval authority for major applications is transferred from the Province to the County when the new Official Plan is approved.

While an Official Plan is essentially a policy document which is intended to provide Council with the basis for making decisions on development applications, changes in land use and community improvements, an Official Plan should also have a well-articulated vision at the beginning of the document to establish the basis the policies that follow. Establishing a well-articulated vision also assists in ensuring the interpretation of policy is easier because every policy should be traceable in some way to the vision. The vision should also be supported by a series of goals and objectives that are intended to articulate how the vision is to be implemented. These goals and objectives in of themselves are not policies, but they are intended to provide the basis for the interpretation of the policies that follow. One of the intents of this Directions Paper is to discuss those items that need to be factored into the policy development process in the first County of Elgin Official Plan.

The Province of Ontario also has a vision for the Province, as primarily articulated within the Provincial Policy Statement (PPS). Section IV of the Preamble of the PPS articulates this overall vision and elements of this preamble are reproduced below:

“The long-term prosperity and social well-being of Ontarians depend on maintaining strong communities, a clean and healthy environment and a strong economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population levels, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment. The Provincial Policy Statement reflects this diversity and is based on good planning principles that apply in communities across Ontario.

The Provincial Policy Statement focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, employment, parks and open spaces, and transportation choices that facilitate pedestrian mobility and other modes of travel. They also support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. Strong, liveable and healthy communities enhance social well-being and are economically and environmentally sound.”

This over-arching Provincial vision needs to be taken into account while preparing the new Official Plan. It is noted that some of the Provincial policies are very clear and mandate their implementation through Official Plan policy. Other policies are directory, but not mandatory. These policies will be referenced where required throughout this Directions Paper. For ease of reference, PPS policies that deal specifically with the role of planning authorities such as the County of Elgin are included within **Appendix 1**. Other PPS policies that use the word 'shall' which are associated with a requirement for a planning authority to carry out some action are included within **Appendix 2**.

Section 4.0 of the PPS states that *“the Official Plan is the most important vehicle for implementation of this Provincial Policy Statement.”* It is further stated that:

“Comprehensive, integrated and long term planning is best achieved through Municipal Official Plans.

Municipal Official Plans shall identify provincial interests and set out appropriate land use designations and policies. Municipal Official Plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Municipal Official Plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their Official Plans up-to-date with this Provincial Policy Statement. The Policies of this Provincial Policy Statement continue to apply after adoption and approval of a municipal Official Plan.”

Prior to preparing this Paper, several background research papers were prepared and meetings were held with a number of stakeholders. It was on the basis of this research and engagement that it was determined that there were two primary issues to deal with in the context of the new Official Plan: growth management and economic development. While there are many other issues to consider, they are all to some extent influenced by the policy direction established for the two primary issues.

It is hoped that this Directions Paper will generate a considerable amount of discussion on what the long term vision, goals and objectives for the new Official Plan should be and what types of policies should be established to implement the vision, goals and objectives. Following the receipt and assessment of comments on this Directions Paper, a draft Official Plan will be prepared for public review.

2.0 ESTABLISHING A PLANNING FRAMEWORK

2.1 POPULATION AND EMPLOYMENT TRENDS TO CONSIDER

There are a number of trends and data to consider in developing a vision, goals, objectives and an overall policy framework for the County of Elgin Official Plan. Many of these items deal with growth management and economic development, which are the two primary lenses through which it is expected land use policy will be formulated.

1. The population of Ontario grew by 53 percent between 1976 and 2009. The population of the Elgin CD grew less quickly by 26 percent at a pace half that of Ontario. There are 49 CDs in Ontario.
2. In 2006, the total population of Elgin including St. Thomas was 88,670. The population of St. Thomas was 37,510 that year while the population of the County was 51,160. As a result, St. Thomas accounts for 42 percent of the total population of Elgin.
3. Over the time span from 1986 to 2006 the total population of Elgin grew by 16,180. St. Thomas grew by 7,680 (accounting for 47 percent of the CD's total growth) while the remainder of the County grew by 8,500 (accounting for the remaining 53 percent).
4. The concentration of population and of population growth within the County is St. Thomas-centred with Central Elgin (which surrounds St. Thomas), Aylmer and Malahide (immediately to the east of Central Elgin) and Bayham (immediately to the east of Malahide) accounting for most Elgin residents in 2006 (72 percent) and for most of Elgin's population growth between 1986 and 2006 (81 percent).
5. The number of people aged 45+ within the County has increased from 35% in 1996 and 37% in 2001, to almost 40% in 2006. As this trend is expected to continue, there will be a need to plan for the increased provision of services to seniors in the future.
6. With respect to place of work, the following is noted:
 - Out of 34,235 Elgin residents who worked in 2006, some 65.0 percent worked in Elgin (including St. Thomas), 24.4 percent in London and 10.6 percent elsewhere.
 - Of the 15,610 residents of St. Thomas who worked in 2006, the proportions were quite similar, with 71.2 percent working in Elgin, 24.3 percent in London and 4.5 percent elsewhere.
 - Of the 18,625 Elgin residents excluding St. Thomas who worked in 2006, 4,565 worked in St. Thomas (24.5 percent), 4,555 worked in London (24.4 percent), 6,565 worked elsewhere in Elgin (35.2 percent) while the

remaining 2,940 (15.8 percent) worked outside of Elgin and London altogether.

- The proportion of working residents commuting to London was at least 18.0 percent in every Elgin municipality in 2006 except for Bayham (the easternmost municipality within Elgin; Bayham's London share is just 5.5 percent). Bayham is the only Elgin municipality with a working-in-Elgin share of less than 61.0 percent (Bayham's Elgin share was very low at just 21.1 percent; only 6.5 percent of its employed residents worked in St. Thomas). Almost three quarters of Bayham's working residents work outside of Elgin, most of them in Tillsonburg (750).
 - In 2006, a total of 43,200 of the 88,670 residents of Elgin had jobs. Spatially, they worked as follows:
 - 3,745 worked at home
 - 18,500 worked outside of their homes for an employer in Elgin
 - 4,005 had no fixed workplace (sales, construction, delivery, etc.)
 - 8,345 worked in London
 - 8,605 worked in another nearby community
7. Since the Census was taken in 2006, Canada and the rest of the world have gone through a major economic downturn and partial recovery. The recession was particularly devastating for automobile assembly and parts operations, the mainstay of Elgin's economic base. Data regarding the actual number of jobs by place-of-work in Elgin since 2006 are not available but they can be estimated using annual Labour Force Survey data regarding employment by industry for the London CMA since that year. The number of jobs provided by employers in Elgin in agriculture, transportation equipment manufacturing and all other manufacturing as a group fell in each of 2007, 2008 and 2009 from a total of 14,415 in 2006 to just 10,925 in 2009 - or by 24 percent - and only a modest increase appear to have occurred in 2010. A significant portion of this reduction in the number of manufacturing jobs (in the recent past and near future) can be attributed to the downsizing and planned closure of the Ford plant.
8. Long-term projections for employment in the agricultural and manufacturing sectors nation-wide and province-wide are not positive. Agriculture and manufacturing production - measured in constant dollars - are expected to grow at modest rates in the decades ahead. But productivity growth in both agriculture and manufacturing is expected to be high in the future (as it has been in the past) meaning that even though production will continue to grow, the number of jobs will not.
9. It is projected that there will be a modest increase in employment in Elgin in its economic base industries from 2011 through 2015 but - in the absence of significant economic development gains in yet untapped areas - its economic base employment is unlikely to ever return to where it was in 2006 and, following the brief recovery-induced upturn, will gradually decline each year beyond 2015.

10. The most important implication of the above trends for Elgin County is that its industrial property tax base will shrink in the future. The tax base will not necessarily shrink if production continues to grow at locations within Elgin - even though employment will likely decline - but the projections suggest Elgin's key economic base industries are at risk.
11. The implied continued loss of certain types of employment within Elgin's economic base in the future will have impacts on future population and employment growth. The employment projections are based on the assumption that Elgin's economic focus industrially will not change in the future and that gradually declining employment in agriculture and manufacturing nation-wide and province-wide will be mirrored in Elgin.
12. However, the projections do not take into account the potential diversification of Elgin's economic base in the future that is difficult to measure. The employment projections also do not take into account the potential new employment growth that could result from recent St. Thomas and Elgin County collaborative growth strategies in the areas of food and tourism. Nor do they reflect the recent efforts of Elgin County in collaboration with neighbouring Brant, Middlesex, Norfolk and Oxford (the South Central Ontario Region, SCOR) to collectively diversify the economy of that part of the province. However, given that many of these initiatives are in their early stages, it is premature to speculate on their impact.
13. In the absence of such progress, however, the population and dwelling base of Elgin is likely to continue growing in the decades ahead for two key reasons:
 - a) Most of the residents of Elgin commute to nearby communities for employment. The expansion opportunities for employment growth in the London area are significant. The economic base of the Middlesex CD - with the City of London its primary employment centre - is already well diversified. Major portions of the area's health, education, finance and business service sectors are directed toward supplying markets outside the area, and its tourism industry is already well developed. These industries will all continue to create jobs at a high rate in the London area in the future. Many of the people accepting these positions will be drawn from other parts of Ontario and many, in turn, will choose to live in St. Thomas and Elgin, thus adding Elgin's already significant pool of commuting residents.
 - b) Over the period from 2011 to 2031 most Baby Boom generation workers - currently between the ages of about 44 to 64 - will retire. The first of the Boomers, born in 1946, will reach the age of 65 in 2011 while the last of the Boomers, born in 1966, will reach 65 in 2031. This phenomenon will occur in every community throughout the country, including Elgin.

As the Boomers retire they will need to be replaced by new workers. The Baby Boom generation did not replace itself; the total fertility rate has been below the replacement rate in Canada for more than four

decades. Since that time Canada has relied on internal migration and net-immigration to ensure an adequate supply of labour wherever and whenever workers are required across the country. Though the pace of job growth nation-wide and in the Middlesex-Elgin area will gradually slow in the future, the number of workers available from within Canada will not be enough to fill the new jobs being created and/or being vacated by the retiring Boomers. As a result, Canada's annual net immigration flow will have to more than double over time from its current pace of 200,000 per year if we are to fill the jobs that will be created. Migrants are relatively young people, usually between the ages of 20 and 40, and often with youngsters in tow. Migrants from other parts of the province, other part of the country, and other parts of the world will be the people most likely to take the new jobs being created and the jobs being vacated by the retiring Boomers in the Middlesex-Elgin area.

14. C4SE (who is on the study team) has developed a base case projection for the population of Elgin that takes into account:
- The expected steady decline over time in the economic base jobs in Elgin itself, and therefore of the diminishing number of jobs available in Elgin to local residents.
 - The steady increase over time in the economic and community base jobs throughout the London CMA as a result of its diversified and diversifying economy.
 - The gradual retirement of the Boomers throughout the area and the need to replace them through migration with younger, family oriented people.
15. On the basis of these assumptions, the following conclusions are reached:
- We expect Elgin's population to increase from its current level (2011) estimated at 90,560 to reach 104,190 by 2031. That represents an average annual increase of about 645 people.
 - Over the 25 year span from 2011 to 2031 Elgin's population growth will be 2,640 among persons under the age of 20, 2,440 among persons aged 20 to 64 and 8,550 among persons 65 and older.
 - The number of dwelling units in Elgin will need to increase by 7,450 with single-detached units dominating (accounting for 74 percent) assuming unit preferences by age in 2006 are permitted to prevail over the projection horizon.
 - The number of employed residents will increase by 7,830. Most of the growth reflects additional commuting to jobs in London (2,430) or other nearby non-Elgin communities (3,590). Only a small number of the increase will work in Elgin itself (1,810).
 - The number of jobs offered by employers in Elgin will increase by 2,800. The major gains will be in health care and social services (2,180), retail

trade (490), accommodation and food services (480), and business services other than professional services (440). The number of jobs in manufacturing will decline by 1,530 and in agriculture by 930.

- The base case projection foresees more people in Elgin in nearly every age and gender group with the largest gains occurring among persons over the age of 65, due to the aging of the Baby Boomers over that period - and among those 35 to 45 and those under 25 due to significant net in-migration.
 - We assume as part of this projection that the people moving into Elgin over the projection horizon will be slightly older than the people moving out over that period reflecting the age and gender distribution of in-migration and out-migration to area in recent years.
 - Elgin's workforce will increasingly work at a location outside of Elgin (half now work in Elgin and the other half elsewhere).
 - Between 2011 and 2031 we project the number of employed Elgin residents working in Elgin will increase by 1,630. The number working in London will increase by 2,060. The number working outside of Elgin and London - in other nearby communities - will increase by 3,050.
16. The total projected 2031 population for the seven Elgin County municipalities, based on existing and proposed Official Plans, is 65,724. The projected St. Thomas 2031 population (based on the local OP) is 49,063. Therefore, the Official Plan based 2031 population projection for Elgin County and St. Thomas is 114,787. The comparative C4SE Base Case population projection for 2031 is 104,190. The differentials between the OP based population projections (114,787) and the Base projections indicates that collectively, the seven lower tier municipalities are planning for considerably more population than has been projected in the base case scenario.

2.2 OTHER FACTORS TO CONSIDER

In addition to the population and employment trends and data discussed in Section 2.1, it is also important to consider the composition and factors leading to growth in Elgin in the recent past, particularly as it relates to developing a growth management strategy and an economic development strategy.

Many of the newer residents in Elgin have migrated to the County to retire or at least slow down and work from afar in a much slower paced environment. These individuals have selected Elgin because they have had previous ties in the County, such as having lived here at one time, have family currently living here or they were attracted to the quality of life offered.

However, the County of Elgin is one of a number of locations in Ontario that are becoming increasingly attractive to those in the marketplace who have the financial wherewithal, knowledge and a desire to make informed choices. In terms of what would attract these informed individuals to a particular area, there are a number of factors and they include:

- the presence of a local health care system with modern, up-to-date, well staffed hospitals;
- the presence of a medical support infrastructure, in the form of medical professionals such as physical therapists and other supporting medical professionals;
- the availability of a sufficiently wide range of goods and services;
- the presence of a range of recreational opportunities, both passive and active;
- communities that are characterized by smaller populations and lower densities;
- a perceived high standard of environmental awareness and protection, in terms of there being clean air, clean water and generally a clean environment; and,
- lower cost of living, but not necessarily in all cases.

What is interesting about the above list of attractors is that there are some inherent contradictions in the list in terms of what factors drive each. For example, the provision of adequate health care services and associated health care is very much dependant on there being a population threshold that would support the provision of these services.

In a circumstance like Elgin, which has a relatively small population, this becomes a significant factor in the attraction process, since the population is first needed to enhance the level of service but that population may not be attracted to the community because the level of service is not being provided. The same goes for other goods and services in the retail sector, which are very much population dependant. For example, in an area where population growth has not occurred and is not expected to occur, new retail uses offering a wider range of goods and services will not be established. Again, one has to drive the other.

Another interesting challenge is that while there is a desire for a significantly lower cost of living a municipality may not have the ability to provide for efficient services in the absence of a population to support it.

Given the aging of the population, the growing percentage of retiring baby-boomers and early retirees, and that these segments of the population have considerably more disposable income than previous generations, the number of people travelling (and the frequency and distance of travel) has increased in the last 20 years. In addition, given improvement to transportation systems, the number of people making day-trips to locations outside of their place of residence is also increasing. This bodes well for areas adjacent to major population centres like Toronto, since the mass of people living in these urban centres is expecting to continue increasing at a significant rate. This means that the potential exists for there to be increased interest in visiting nearby places (like Elgin) for day-trips and short-term vacations.

Given the County of Elgin's location, it is well positioned to attract additional tourism, provided the appropriate tourism infrastructure is in place and there are actual destinations to visit. At the present time, tourism is not a major force in the County,

although there are areas within the County that are popular with visitors.

2.3 THE BASIS FOR ESTABLISHING A LONG TERM VISION FOR ELGIN

A vision is intended to be a picture of the preferred future for an area. It is also intended to provide decision makers, residents and business owners with an overall description of what the area will look like and how it will function if overall goals and objectives are implemented.

There are two elements of a vision that could be articulated within the County of Elgin Official Plan. The first element deals with the geography of the County and the second element deals with the people that live and work within the County itself. Exploring these two components will to a very large extent define the vision for the future of the County of Elgin.

With respect to geography, the County consists of three distinct components. The first component is the interface between land and water known as the Lake Erie shoreline. This shoreline, which extends 85 kilometres along the County's southern border, is extraordinary in terms of its views and vistas and primarily because of its relationship to the water. In most other parts of Ontario, the shorelines along the Great Lakes are low lying and there is little difference in relief between the water and the land. In the case of the County of Elgin, most of the shoreline is the site of bluffs that extend 50 to 150 metres above the water. As a consequence, much of the shoreline area remains undeveloped and the views are extraordinary.

The second defining element of the County's geography are the many river corridors that make their way to Lake Erie from the north, west and east. These river corridors (e.g. the Catfish Creek and Kettle Creek systems) have over time cut into the landscape to create extensive valley systems that are the site of much wildlife and forests. These watercourses, where they meet with Lake Erie, have also created opportunities for the development of ports along the shoreline (Port Burwell, Port Stanley, Port Bruce and Port Glasgow).

The third defining element of the County's geography is the extensive sandy plain that covers most of the County and which is the site of soils that are considered to be very suitable for agricultural use. It is these three elements of the County's geography which define the County in terms of how it looks and to a very large extent, it defines how and why the County was originally settled, and why people continue to live and work in this area.

The second element of a potential vision deals with the people that live, work and travel to the County. As mentioned above, the geography of the County has had a significant impact on the settlement pattern, the use of land in the County and to some extent its economy. For example, all of the larger settlements in the County are located on watercourses that were initially the lifeblood of those communities or they were located as service centres for the surrounding agricultural community. As settlement occurred across Southern Ontario, the advent of the railroad also had an impact on the sizes of settlements and their locations. Settlements in this area were also located at the mouths of rivers emptying into Lake Erie because the long term deposition of sand and silt created land that was considered suitable for building.

These port settlements became very important in South-western Ontario and were the key points of transfer between land and water for many decades.

The agricultural sector has long been and will continue to be the most dominant sector in the local economy and a considerable amount of agricultural infrastructure has been developed to support that economy. However, things do change and nothing ever remains constant, other than the geography of a community. In the case of the County of Elgin, the port communities no longer function as significant ports of entry into Ontario. The railroad has all but disappeared from the County and in some cases the tracks have been literally pulled up and removed. The agricultural economy has changed dramatically, and what was once the main staple of the agricultural economy (tobacco) is no longer as important, which has meant that other forms of agriculture have had to be introduced.

In addition to all of the above, the manufacturing sector in Ontario has declined in terms of its importance and this decline has hit the County of Elgin very hard because of the strong reliance in the County on that sector.

Notwithstanding the above, the economy of the area has prospered to some extent because of the proximity of the County to the City of London, which is an emerging Regional City in South-western Ontario. With a population of over 300,000 people, along with a number of established educational and health care institutions, London has become very much an example of the type of complete community that the Province of Ontario is encouraging.

As a consequence, many people living in Elgin now commute to the City of London to work and the growth and settlement pattern in the County in terms of amount and location of growth, is very much dependant on the relationship between the settlement and the City of London. The City of St. Thomas also plays a role as well and its location has had a significant impact on settlement patterns in the County, particularly in close proximity to the City. Lastly, the Town of Tilsonburg in the County of Oxford has had an impact on settlement patterns in the north-eastern part of the County as well.

How could the vision be articulated?

Establishing a planning framework for the County's first Official Plan has to be grounded in the reality of today while considering the possibilities for the future. Simply put, a planning framework and the vision that underpins it should embody collective aspirations and stand as a beacon to guide long term planning and initiatives on the road to realizing a richly imagined future. It is something for which all of us can strive and participate in helping to achieve. As such, a vision both inspires and challenges.

A vision statement will be prepared as part of the preparation of the Official Plan after comments have been received on this Direction Paper. However, on the basis of the work completed to date and the comments made by stakeholders, below are a series of suggested goals that primarily deal with the growth management and economic development themes that have been identified as the key lenses through

which policy should be developed. These goals, if supported, will establish the basis for the vision to be prepared and overall planning framework for the County:

1. To provide opportunities for economic development in a manner that fosters competitiveness and a positive and attractive business environment.
2. To direct most forms of development to urban areas where full wastewater and water services are available and to support the efficient use of land in these areas.
3. To ensure that all infrastructure, including sanitary sewers, water distribution and stormwater management facilities and roads meet the needs of present and future residents and businesses in an efficient, environmentally-sensitive, cost effective and timely manner.
4. To protect and enhance the character of existing settlement areas, and to maintain them as diverse, liveable, safe, thriving, healthy, complete and attractive communities.
5. To promote quality urban design that enhances sense of place and respects the history and special character of the County and its settlement areas.
6. To protect as much of the County's Prime Agricultural Area as possible to ensure that the agricultural industry can continue to thrive and innovate.
7. To ensure that an adequate supply of land and housing choices are available for present and future residents.
8. To ensure the protection and enhancement of tourism and recreation opportunities (both active and passive) throughout the County.
9. To provide for more active transportation opportunities that to connect all parts of the County.
10. To provide opportunities for the provision of a broad range of community, recreational and institutional uses and facilities to serve the needs of the County's residents.
11. To protect and enhance significant natural heritage features and areas and their associated ecological and hydrological functions from incompatible development.

In addition to goals, a series of supporting objectives are also recommended for consideration. Objectives are intended to be specific, quantifiable and realistic targets that measure the accomplishment of a goal over a specified period of time. While governments can write policy, develop programs and guidelines, and offer incentives and disincentives, it is typically the private sector that will determine whether a project is economically viable or not.

For those matters that are within the jurisdiction of the public sector to implement, the importance of ensuring cost effectiveness is no less important. It is on this basis that a careful balance must be struck between the requirements established by governments and the ability of the private and/or public sector to cost effectively meet those requirements as part of future development or programming. It is on this basis that the following draft objectives have been identified below:

1. To establish a County Planning Authority function.
2. To establish land use planning application review process that is sensitive to the economics of time management and of providing timely development.
3. To establish a policy framework that is easy to explain, understand and implement.
4. To establish tools that provide the incentives required to encourage desired forms of development in the right locations, along with the provision of needed public amenities.
5. To establish regulatory provisions that are flexible enough to take into account the type of use, the layout of the site and the economics of proposed developments.
6. To provide opportunities for a wide range of agriculture-related uses in the Agricultural Area.
7. To provide for appropriately scaled range of secondary uses in the Agricultural Area.
8. To recognize the County is made up of a diverse range of settlements and that each has a role to play in the provision of housing and employment opportunities in the County.
9. To recognize that there should be a focus in the land use planning process on the planning for additional development that caters to seniors.
10. To focus new development in settlement areas in the following order of priority:
 - Fully serviced settlement areas with reserve capacity that provides for development;
 - Development in fully serviced settlement areas where expansions to the servicing infrastructure are required to provide for development;
 - Privately serviced settlement areas, provided it has been determined that additional development is sustainable; and
 - Partially serviced settlement areas, provided the scale of development is considered to be infilling or minor rounding out.

11. To not permit the expansion of any settlement area unless appropriate justification is provided at the time of a comprehensive review.
12. To identify and highlight the importance of the “port” communities along the Lake Erie shoreline.
13. To ensure that at all times, each municipality in the County has an appropriate supply of land as for employment purposes in the right locations.
14. To require municipalities to protect natural heritage features and their related ecological functions in their Official Plans.
15. To work towards the establishment of a natural heritage system for the County at the time of the next Official Plan Review.
16. To protect the function of County roads by not permitting development that would be incompatible with that function, unless the County Road in an urban area in which case, local context needs to be taken into account.
17. To ensure that the conversion of any employment land in the County only occurs at the time of a comprehensive review.
18. To require that local municipalities in their Official Plans provide for the broadest range of employment uses (depending on the servicing) in their employment areas.
19. To require that local municipalities, with fully serviced settlement areas, direct intensification to areas within the settlement area that are the best suited.
20. To identify County Roads 4, 73 and 19 and the County roads that parallel the Lake Erie Shoreline as the primary tourism corridors in the County.
21. To require local municipalities in their Official Plans to permit tourism and recreation related uses in appropriate areas.
22. To require local municipalities to pre-zone lands within their community for employment uses wherever possible.

In order to implement the above objectives, a series of geographic specific strategies are required, as discussed later in this paper.

3.0 GROWTH MANAGEMENT AND ECONOMIC DEVELOPMENT CONSIDERATIONS

3.1 GROWTH MANAGEMENT CONSIDERATIONS

The Provincial Policy Statement (PPS) clearly requires upper tier planning authorities to allocate expected population and employment growth to each of the lower tier municipalities. While the PPS requires planning authorities to do many things either through policy or through the decision-making process, the PPS is very specific about the responsibility for this decision, since it very specifically references an “upper tier” planning authority.

In a high growth area, where there are many choices to be made and many possible options for location of growth, the process of allocating population and employment growth has much more to do about where it is appropriate to accommodate additional growth for community building, infrastructure or other reasons. In cases such as these, a number of criteria are developed and options with respect to new growth areas are identified and then decisions are made on which ones are the most appropriate. Factors to consider in that type of exercise are many and they include impacts on agriculture, nature heritage features, transportation and infrastructure, location of employment and proximity and availability of other community services.

However, in a circumstance where the amount of land available for development significantly exceeds the amount of growth expected, the process for considering population and employment must be different. The land supply surplus situation in the County of Elgin is very common in most of Ontario, with the exception of the Regions around the Greater Toronto Area.

The decisions on the location and extent of designated land and the upgrading of infrastructure to accommodate growth in the County of Elgin have already been made, with some of these decisions being made some time ago, but with many of these decisions occurring more recently. It is noted that most of the decisions made to designate land for development were made by the Province and that much of the work completed to upgrade wastewater and water treatment plants required the Provincial approval of Environmental Assessments and/or the issuance of Provincial Certificates of Approval.

To a very large extent, each individual municipality in the County has carried out land use planning in a manner that they believed was appropriate for their future. Almost all of this planning was done in good faith and based on expectations that the population would continue to increase in the County. In some municipalities, there was and is a clear anticipation that additional population will be attracted as a result of the area’s amenities and quality of life.

As noted above, the Province has been the approval authority responsible for all major planning decisions in the County. All of these approvals would have been deemed to be 'consistent with' or have 'regard to' Provincial policy that was in effect at the time, beginning with the Growth and Settlement 'guidelines' in 1992, the Comprehensive Set

of Policy Statements (1994 to 1996) and the Provincial Policy Statement (1997 to 2005).

Many of the Provincial policies in place prior to the 2005 Provincial Policy Statement required that each individual municipality prepare plans to accommodate growth projected for a time horizon of up to 20 years (such as Sections 1.1.1 c. and 1.1.2 a. of the 1997 PPS working in tandem). To a very large extent, the historic Provincial policy requirement for each municipality to plan for growth led to the preparation and approval of Official Plan policies in a County that accomplished that objective.

All of these Provincial decisions collectively provided for the designation of lands that would result in the population of the County significantly exceeding the population and employment now forecasted for the County. In order to service expected population and employment growth, some municipalities embarked on ambitious infrastructure upgrading programs to ensure that projected growth was accommodated.

On the basis of all of the above, a key decision and outcome of the current Official Plan exercise in Elgin will be how the scale, location and extent of already designated lands are dealt with in each of the lower tier Official Plans. In addition, it is recognized that Section 1.2.2 of the PPS requires upper tier planning authorities to allocate population and employment to the lower tier municipalities.

In the case of the County of Elgin, there are 35 Settlement Areas that are on partial or private services. If it is assumed that the average lot size in these settlements is one hectare, the potential exists for there to be up to about 600 new lots created in these settlements.

The remaining 16 Settlement Areas in the County are on full municipal services. Based on our calculations, there is the potential to accommodate in excess of 20,000 units on these lands. The number of people that could be accommodated in these full serviced Settlement Areas exceeds the amount of population expected for the County of Elgin as a whole (net of St. Thomas).

Given the significant supply of land for development in the County, any 'growth allocation' process as per Section 1.2.2 of the PPS in Elgin should be restricted to prioritizing where development should go on the basis of the nature of the servicing. In addition, given that the focus of the Province is to direct growth to serviced settlement areas, the establishment of an allocation strategy that focuses on the fully serviced settlements in the County then has a considerable amount of merit.

This recommendation is being made since it is recognized that any lower tier allocation will not act as a control on the amount of development that can occur within the fully serviced settlements, provided the lands within those settlement areas are designated for development and can be serviced. In addition, the allocations would have no impact on intensification proposals, provided the intensification is good planning and supported by the Official Plan in the form proposed. Applications to develop lands that are currently designated for development and within the urban boundary, but which have the effect of exceeding the any applied allocation are also

recommended to be considered by the Municipality provided a number of “good planning” tests are met.

As a result, the establishment of allocation numbers for the fully serviced settlements does not have an effect on the amount of development that can occur in those fully serviced settlements.

With respect to the lands within the Settlement Areas on partial and private services, the land use designations in effect do provide for development on these types of services, provided a number of tests are met. Given that the Province will not require the un-designation of lands, these designations will continue to exist. In other words, no matter what the forecast and allocation is, landowners with Official Plan designations in partially or privately serviced Settlement Areas do have the ability to submit applications for development in accordance with Official Plan policy and since these lands are in Settlement Areas, the development of these lands would generally be supported by Provincial Policy.

As a result of the above, the inclusion of a number in the Official Plan that allocates a certain amount of population and employment growth has no impact on existing development approvals in Settlement Areas. In addition, it is very difficult to determine how much of this land that is designated will be taken up by development prior to 2031. In many cases, lands may not be developed in this time period. Notwithstanding the above, it is recommended that lower tier municipalities review the boundaries of their settlement areas to determine whether they continue to be appropriate.

3.2 PLANNING FOR EMPLOYMENT

The manufacturing sector has been significantly hard hit in Ontario. Between 2004 and 2008, almost 1 in 5 (or 18%) manufacturing sector jobs have been eliminated. Many of these losses have occurred in smaller communities, where the impacts of economic contraction and job loss are much more harshly felt. A plant closure of 250 workers in a town of 25,000 persons for example, has a much more protracted impact on the overall economic well-being of a community than a similar closure in a city with of 250,000 people.

The economic landscape of Elgin County is clearly undergoing a transition toward a more service-based economy. Increasingly, the types of jobs being created in Elgin are those aligned with the needs of residents, tourists or *both*. The commercial sector continues to play an important role in the diversification of the County’s economic base, and has helped to stimulate the development of a vital and growing tourism and leisure base. It is also true that small, entrepreneurial based businesses have significantly outpaced the development of larger industrial plant-type operations which have generally been retreating rather than expanding over the past decade. The County’s recent economic development strategy points quite clearly to the growing importance of small business, education, tourism, professional services and healthcare as important sources of economic growth for all of Elgin.

Over the past 10-15 years, Elgin County has quickly emerged as a popular day-trip destination for residents that live outside of Elgin County. The area provides

exceptional opportunities for “main-street” shopping, fine dining, live theatre, cultural events as well as a broad range of outdoor recreational and leisure pursuits. As the popularity of the County grows, the business community has worked closely with local and County officials as well as other levels of government to help broaden the area’s market appeal, and to convert many of the day-trippers into overnight and longer-term visitors and guest. As people “discover” Elgin County there are also a growing number of visitors who understand the lifestyle benefits of moving their families or retiring in the County.

Given that the employment land supply in Elgin County is now in an over-supply position, municipal planning departments in the County should carefully consider the opportunity of permitting a greater degree of flexibility to business ventures in terms of the use and reuse of industrial properties. These opportunities may involve commercial, recreational and potentially institutional uses - provided that they are supportable from a market demand perspective; and that they don’t compromise the planned function or long-term viability of existing businesses that are situated on adjacent or nearby properties.

Notwithstanding the long-term over-supply of vacant employment lands, the fully serviced settlements in the County should still continue to maintain, *at all times*, a healthy supply of well-located and readily serviceable employment lands. We would strongly discourage the conversion of any lands within any of these settlements over the next five years unless it can be clearly demonstrated by the proponent that: (a) such a conversion would ultimately be beneficial to the local business community; (b) it will help strengthen the character of the immediate area; and (c) it will help advance the economic well-being of the community as a whole by creating jobs and additional non-residential assessment. In moving forward any application, a developer/proponent should also clearly demonstrate that the proposed use couldn’t be “reasonably” accommodated on vacant lands elsewhere in the community that would otherwise permit such use as of right.

3.3 AGRICULTURAL USES

The Provincial Policy Statement (PPS) requires that Prime Agricultural Areas be protected for agricultural use. Once lands are included within a Prime Agricultural Area, uses are restricted to agricultural uses, agriculture-related uses and secondary uses.

During the course of our review of the issue, a number of options with respect to the range of uses that should be permitted in agricultural areas were identified. The PPS defines agricultural uses in the broadest manner possible to encourage as many types of agriculture as possible in Prime Agricultural Areas.

Agriculture-related uses are defined as uses which may be located on a separate lot, but which support the farm operation. There is an intrinsic contradiction within the definition of agriculture-related uses, since a use on a separate lot cannot be legally tied or related to a use on another lot. In any event, if the contradiction in the definition is not a component of developing appropriate policy, the range of potential

agriculture-related uses is extensive, provided they are clearly supportive of the agricultural uses in the area, depend upon those agricultural uses and/or provide a service primarily to the agricultural community.

Given the amount of land within the Prime Agricultural Area in the County, it is recommended that the broadest range of agriculture-related uses be permitted as per the PPS. This means that any use which primarily processes and/or stores agricultural products from the immediate area should be permitted.

In addition to the above, it is also recommended that uses such as agricultural research and training establishments and farm related tourism establishments be considered as permitted uses within the Prime Agricultural Area. An agricultural research and training establishment would be a facility where research and educational activities take place. Such a use could be considered an agricultural use as per the definition of 'Agricultural Use' in the 2005 PPS, since it would be expected that the growing of crops or the raising of livestock would occur on site. This use could be permitted provided that the use is related to and will benefit the agricultural industry, the use will assist in the furthering of knowledge of the agricultural sector of the economy and the use will assist local farmers through training and the identification of improved methods and procedures.

With respect to farm related tourism establishments, many municipalities have encouraged uses that highlight the importance and value of the agriculture and agri-business in the community. Examples of such uses include art galleries, artist studios, farm machinery and equipment exhibitions, farm tours, holiday related exhibitions and small-scale educational establishments that are focused on farming instruction. However, if such a use is to be considered, the use must clearly be associated with agriculture and highlight the importance of agriculture to the economy.

One other possible growth industry in the County relates to wine making and it is expected that wineries will continue to be established in the County in the future as more areas in the Province become more attractive for wine making. These types of uses are popular in the Niagara Region and other areas such as Prince Edward County. However, given the many uses that are potentially associated with a winery, there is a need to ensure that the uses associated with a winery do not change the character of the area and/or have an impact on the primary function of the Prime Agricultural Area. There are also opportunities with respect to culinary tourism, particularly for those in the urban areas looking for unique foods in unique settings. Given the nature of our changing and more mobile society, we believe that there will be much more of an interest in this type of experience in the future.

In order to ensure that the broadest range of agricultural uses are provided for in the County of Elgin, it is recommended that the following definition of agricultural use be considered:

“Any farming or agricultural use and includes apiaries, aviaries, berry or bush crops, breeding, raising, training or boarding of horses or cattle, commercial greenhouses, farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs, farms for grazing, flower gardening, field crops, goat or cattle dairies, growing, raising, picking, treating and storing of

vegetables, fruit or tobacco (or similar crops) produced on the premises, nurseries, orchards, riding stables, the raising of sheep or goats, the raising of swine, tree crops, market gardening, bee keeping, and such uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" includes a single detached dwelling, and such principal or main buildings and structures as a barn or silo, as well as accessory buildings and structures which are incidental to the operation of the farm."

It is recommended that the following uses be considered as agriculture-related uses as per the PPS in the County of Elgin Official Plan.

- Agricultural research and training - provided that the use is related to and will benefit the agricultural industry, the use will assist in the furthering of knowledge of the agricultural sector of the economy and the use will assist local farmers through training and the identification of improved methods and procedures;
- Agricultural storage and processing - involving the storage and processing of crops and/or livestock that is predominantly from the surrounding area;
- Farm related tourism establishments - such as machinery and equipment exhibitions, farm-tours, petting zoos, hay rides, sleigh rides, processing demonstrations, pick your own produce, farm theme playground for children and small scale educational establishments that focus on farming instruction (which may include limited residential accommodation);
- Farm vacation homes (with 5 to 6 rooms);
- Farm and Estate wineries - where wines are produced and may include storage display, processing, wine tasting, storage, hospitality room, administrative facilities, outdoor patio area, an on site restaurant, dining facility, commercial kitchen, banquet hall, retail facility or other amenity; and,
- Seasonal home grown produce stands.

With respect to secondary uses, the simple test for a secondary use is that it has to be secondary or accessory to the principle use on the property. If the principle use is agriculture, then the secondary use must be accessory to and subordinate to the agricultural use. If the use on the property is residential in the form of a single detached dwelling, then the secondary use has to be accessory to the single detached dwelling.

There are many ways to measure whether a use is secondary to another use on the property. Factors to consider in making this determination include:

- The amount of land devoted to the accessory use in comparison to the amount of land devoted to the principle use;
- The size of the building housing the secondary use in relation to the sizes of building(s) accommodating the principle use;
- The nature of the use itself and whether the secondary use is operated by the owner of the property;

- The number of people employed by the secondary use in relation to the number of people by the principle use;
- The extent to which retail sales occur as a component of the secondary use;
- The amount of traffic accessing the secondary use in relation to the principle use of the property.

With any of the above, the key test is whether the scale of the secondary use is not subordinate to the scale of the principle use of the property.

In terms of approaches, the County Official Plan could require local municipalities to permit a range of agriculture-related uses as-of-right in their Official Plans, along with a defined range of secondary uses.

3.4 NATURAL HERITAGE

The Provincial Policy Statement requires that Natural Heritage Areas be protected for the long term. In many upper tier municipalities, this is accomplished by establishing a Natural Heritage System that is based on a comprehensive review of the location of Natural Heritage Features and the connections and linkages between these features. Given that almost of the lower tier municipalities have not yet established Natural Heritage Systems, it is our recommendation that a new County Official Plan indicate that a County wide Natural Heritage System is to be developed, but only in the future, most likely at the time of an Official Plan Review.

4.0 POTENTIAL OFFICIAL PLAN FRAMEWORK

Given that the new Official Plan will apply in an area in which each of the lower tier municipalities already have Official Plans, there is no need for the Elgin Official Plan to be overly prescriptive, as set out in previous sections of this paper. However, there is a need for the County Official Plan to establish a series of land use designations which recognize the role of the County's Plan in relation to the role of the seven lower tier Official Plans. In this regard, it is recommended that the new County Official Plan have two land use designations and a series of overlay designations. The two land use designations would apply to the two primary land uses within the County as described below:

1. Settlement Areas -

There is a need to establish a settlement area designation. There are three types of settlements based on the nature of servicing - full municipal services, partial services and private services. Given the amount of land available for development and the desire to focus development in areas with full municipal services, it is recommended that a three-tier settlement area structure be established that is based on the nature of the services being provided.

The first tier (Tier 1) would include all of those settlement areas that have full municipal services and the boundaries of these settlement areas would be shown on the schedules to the County Official Plan.

The second tier (Tier 2) would include those settlements that are on partial services, and their boundaries would also be shown on the schedules to the Official Plan.

The third tier (Tier 3) would include those settlements that do not have any services and given their size, the settlement area would be identified on the schedules to the Official Plan by a symbol. The actual extent of these settlement areas would be determined and established in the lower tier Official Plan.

2. Agricultural Designation -

This designation would apply to the Prime Agricultural Area in the County. The extent of the Agricultural designation would reflect the extent of the agricultural designations in the lower tier Official Plans.

A series of overlay designations are also recommended as described below:

1. Environmental Area -

This designation would recognize the environment designations that have been established in each of the seven lower tier Official Plans. The designation is intended to reflect the extent of natural heritage features, but is not a designation that would reflect the location of a Natural Heritage System. Given that each local municipality approach to the designation of

environmental lands in different ways, it would not be appropriate to include these environmental lands as a land use designation and instead it is much more appropriate to include these lands within an overlay designation.

2. Aggregate Resource Area and Petroleum Resource Area -

These overlay designations would apply to lands that have been identified as being the site of primary and secondary sand and gravel resources or petroleum resource areas by the Province of Ontario. The intent of the overlay is to simply identify where the resources are located, according to the Province. The approval process for a new pit or quarry would be set out by the lower tier Official Plan.

3. Active and Inactive Waste Disposal Sites -

These sites would be identified on the schedules by way of a symbol. The extent and significance of each, would be established by the lower tier Official Plan.

In addition to the above, the schedules to the Official Plan would clearly identify the extent of the Provincial and County Road System and also could potentially identify the Highway 3 Bypass around Aylmer. The Transportation schedule would also identify the main tourism corridors on the County road system.

Draft mapping showing the two proposed schedules to the Official Plan is attached.

5.0 WHERE DO WE GO FROM HERE

This Directions Report is intended to stimulate discussion. Additions or deletions to the draft goals and objectives presented in this report are encouraged. Opinions on how the vision can be formulated are encouraged. And lastly, any thoughts on the beginnings of an Official Plan framework are appreciated.

DRAFT

APPENDIX 1 - REQUIREMENTS FOR PLANNING AUTHORITIES

The Provincial Policy Statement (PPS) contains a number of references to ‘planning authorities’, in terms of what they are required to do to implement the policies of the Province of Ontario. In most cases, there is no distinction between an upper tier or lower tier planning authority in the PPS, however there are a number of very specific policies that are clearly intended to be applied and implemented by upper tier planning authorities. In most cases, the planning authority reference in the PPS is followed by the word “shall”.

The use of the word “shall” means that the policy is mandatory. However, there is still some flexibility in this regard that takes local context into account. Other words are used in the PPS as well which are not mandatory, such as “may”, “should” and “will”. These latter terms provide direction in terms of their implementation, however the nature of their implementation is much dependant upon the local context.

The policies that reference planning authorities and which are associated with the word “shall” have a direct impact on the policy framework established in the County of Elgin Official Plan. Table 1 below identifies these very specific types of policies and provides some initial comments on their implications on the County of Elgin. Many of the policies included on Table 1 are discussed in later sections of this paper.

Table 1: Requirements for Planning Authorities in the PPS

PPS Section	Comment
1.1.3.3 - Planning authorities shall identify and promote opportunities for <i>intensification</i> and <i>redevelopment</i> where this can be accommodated taking into account existing building stock or areas, including <i>brownfield sites</i> , and the availability of suitable existing or planned <i>infrastructure</i> and <i>public service facilities</i> required to accommodate projected needs.	This section indicates that planning authorities are required to identify and promote opportunities for intensification and redevelopment. Given that such intensification and redevelopment will most likely occur within serviced urban areas, it would be the role of the lower tier municipalities in the County of Elgin to identify and promote these opportunities. However, the County Official Plan will need to establish a broad policy basis for these local effects.
1.1.3.5 - Planning authorities shall establish and implement minimum targets for <i>intensification</i> and <i>redevelopment</i> within built-up areas. However, where provincial targets are established through <i>provincial plans</i> , the provincial target shall represent the minimum target for affected areas.	As with Section 1.1.3.3 above, the responsibility for establishing and implementing minimum targets should rest with the lower tier planning authorities, who have jurisdiction over the urban areas in the County and the services that are available for these urban areas. However, a later section in the PPS (Section 1.2.2) specifically indicates that the responsibility for establishing targets rests with the County of Elgin.
1.1.3.6 - Planning authorities shall establish and implement phasing policies to ensure that specified targets for <i>intensification</i> and <i>redevelopment</i> are achieved prior to, or concurrent with, new development within <i>designated growth areas</i> .	The responsibility for establishing and implementing phasing policies should also rest with the lower tier planning authorities. The intent of this section is to ensure that the expansion of urban areas only occurs when opportunities to develop through the process of intensification have been identified and related targets have been established.
1.1.3.8 - Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within <i>designated growth areas</i> and the timely	This policy is similar to Section 1.1.3.6, except that it deals with infrastructure and public service facilities.

<p>provision of the <i>infrastructure</i> and <i>public service facilities</i> required to meet current and projected needs.</p>	
<p>1.1.3.9 - A planning authority may identify a <i>settlement area</i> or allow the expansion of a <i>settlement area</i> boundary only at the time of a <i>comprehensive review</i> and only where it has been demonstrated that:</p> <p>a) sufficient opportunities for growth are not available through <i>intensification</i>, <i>redevelopment</i> and <i>designated growth areas</i> to accommodate the projected needs over the identified planning horizon;</p> <p>b) the <i>infrastructure</i> and <i>public service facilities</i> which are planned or available are suitable for the development over the long term and protect public health and safety;</p> <p>c) in <i>prime agricultural areas</i>:</p> <ol style="list-style-type: none"> 1. the lands do not comprise <i>specialty crop areas</i>; 2. there are no reasonable alternatives which avoid <i>prime agricultural areas</i>; and 3. there are no reasonable alternatives on lower priority agricultural lands in <i>prime agricultural areas</i>; and <p>d) impacts from new or expanding <i>settlement areas</i> on agricultural operations which are adjacent or close to the <i>settlement area</i> are mitigated to the extent feasible.</p>	<p>This section establishes the criteria that need to be considered when evaluating an expansion of a settlement area boundary. The key term in this section is “comprehensive review”. This term is defined in the PPS as “<i>an Official Plan Review which is initiated by a planning authority; or an Official Plan Amendment which is initiated or adopted by a planning authority which is based on a review of population and growth projections and which reflect projections and allocations by upper tier municipalities and Provincial Plans...</i>” Such a comprehensive review can be initiated by the County or a local municipality. The criteria to consider in either case is the same.</p>
<p>1.2.2 - Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:</p> <p>a) identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect <i>provincial plans</i> where these exist;</p> <p>b) identify areas where growth will be directed, including the identification of nodes and the corridors linking these nodes;</p> <p>c) identify targets for <i>intensification</i> and <i>redevelopment</i> within all or and of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of <i>settlement areas</i> is permitted in accordance with policy 1.1.3.9;</p> <p>d) where transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors, including minimum targets that should be met before expansion of the boundaries of <i>settlement areas</i> is permitted in accordance with policy 1.1.3.9; and</p> <p>e) identify and provide policy direction for the lower-tier municipalities on matters that</p>	<p>This section specifically indicates that upper tier planning authorities such as the County of Elgin shall do a number of things within its Official Plan. These include identifying, coordinating and allocating population, housing and employment growth, identifying areas where growth will be directed, identifying targets for intensification and redevelopment within all of the lower tier municipalities, identifying density targets where transit corridors exist and providing policy direction for the lower tier municipalities on matters that cross municipal boundaries.</p>

cross municipal boundaries.	
<p>1.3.1 - Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) planning for, protecting and preserving <i>employment areas</i> for current and future uses; and</p> <p>d) ensuring the necessary <i>infrastructure</i> is provided to support current and projected needs.</p>	<p>This section indicates that planning authorities shall promote economic development and competitiveness by doing certain things, which are set out in subsections a) to d). Section a) indicates that economic development and competitiveness should be promoted by providing for a mix in range of employment uses to meet long term needs. Subsection b) indicates that a range of suitable sites that support a wide range of economic activities that provide for a diversified economic base should be promoted. The needs of existing and future businesses must also be taken into account. Lastly, employment areas should be protected and preserved for current and future uses. Policies that implement the above could be contained in both the upper tier and lower tier Official Plans.</p>
<p>1.3.2 - Planning authorities may permit conversion of lands within <i>employment areas</i> to non-employment uses through a <i>comprehensive review</i>, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.</p>	<p>This section indicates that the conversion of lands from employment to non-employment uses can only occur through a comprehensive review. This section establishes the criteria that need to be considered when evaluating an expansion of a settlement area boundary. The key term in this section is “comprehensive review”. This term is defined in the PPS as “<i>an Official Plan Review which is initiated by a planning authority; or an Official Plan Amendment which is initiated or adopted by a planning authority which is based on a review of population and growth projections and which reflect projections and allocations by upper tier municipalities and Provincial Plans...</i>” Such a comprehensive review can be initiated by the County or a local municipality. The criteria to consider in either case is the same.</p>
<p>1.4.1 - To provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the <i>regional market area</i> identified in policy 1.4.3, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through <i>residential intensification</i> and <i>redevelopment</i> and, if necessary, lands which are <i>designated and available</i> for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate <i>residential intensification</i> and <i>redevelopment</i>, and land in draft approved and registered plans.</p>	<p>This section indicates that planning authorities shall maintain an appropriate land supply for development. The key term in this section “<i>regional market area</i>” which is defined as “<i>an area, generally broader than a lower tier municipality, that has a high degree of social and economic interaction. In Southern Ontario, the upper or single tier municipality will normally serve as the regional market area.</i>” In the County of Elgin context, the regional market area is then the County of Elgin itself. This means that not every lower tier municipality is required to maintain the required supply of land for development.</p>
<p>1.4.2 - Where planning is conducted by an upper-tier municipality:</p> <p>a) the land and unit supply maintained by the</p>	<p>This section indicates that the land and unit supply maintained by lower tier municipalities shall reflect the allocation of population by the upper tier municipalities, as required by Section 1.1.3.9 of the PPS. It is noted</p>

<p>lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and</p> <p>b) the allocation of population and units by the upper-tier municipality shall be based on and reflect <i>provincial plans</i> where these exist.</p>	<p>that no Provincial Plans as defined apply in the County of Elgin.</p>
<p>1.4.3 - Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the <i>regional market area</i> by:</p> <p>a) establishing and implementing minimum targets for the provision of housing which is <i>affordable to low and moderate income households</i>. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including <i>special needs</i> requirements; and 2. all forms of <i>residential intensification and redevelopment</i> in accordance with policy 1.1.3.3; <p>c) directing the development of new housing towards locations where appropriate levels of <i>infrastructure</i> and <i>public service facilities</i> are or will be available to support current and projected needs;</p> <p>d) promoting densities for new housing which efficiently use land, resources, <i>infrastructure</i> and <i>public service facilities</i>, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed; and</p> <p>e) establishing development standards for <i>residential intensification, redevelopment</i> and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.</p>	<p>This section again references the regional market area. This section does not differentiate between which planning authority would be responsible for carrying out this function. However, it is noted that the upper tier municipality may identify a higher target. In addition, it is expected that the County Official Plan will establish some affordable housing targets.</p>
<p>1.6.6.1 - Planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and <i>infrastructure</i> facilities to meet current and projected needs.</p>	<p>This section indicates that planning authorities shall plan for and protect corridors or transportation needs. In the case of the County of Elgin, the Provincial Highway 3 Bypass is an example of a transportation corridor. Given that the by-pass extends through two lower tier municipalities, it is expected that the County Plan will identify this by-pass to implement Section 1.2.2 e) of the PPS.</p>
<p>1.6.6.2 - Planning authorities shall not permit <i>development in planned corridors</i> that could preclude or negatively affect the use of the corridor for the purpose(s) for which it</p>	<p>This section indicates that once a transportation corridor is identified, development that would have an impact on that corridor is not permitted.</p>

<p>was identified.</p>	
<p>1.8.1 - Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which:</p> <ul style="list-style-type: none"> a) promote compact form and a structure of nodes and corridors; b) promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed; c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future; d) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and e) promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation. 	<p>This section indicates that the planning authority shall support energy efficiency and improved air quality through land use and development patterns that meet a number of criteria. It is expected that the County Plan will provide some basic policy direction in this regard.</p>
<p>2.2.1 - Planning authorities shall protect, improve or restore the <i>quality and quantity of water</i> by:</p> <ul style="list-style-type: none"> a) using the <i>watershed</i> as the ecologically meaningful scale for planning; b) minimizing potential <i>negative impacts</i>, including cross-jurisdictional and cross-<i>watershed</i> impacts; c) identifying <i>surface water features, ground water features, hydrologic functions and natural heritage features and areas</i> which are necessary for the ecological and hydrological integrity of the <i>watershed</i>; d) implementing necessary restrictions on <i>development and site alteration</i> to: <ul style="list-style-type: none"> 1. protect all municipal drinking water supplies and <i>designated vulnerable areas</i>; and 2. protect, improve or restore <i>vulnerable surface and ground water, sensitive surface water features and sensitive ground water features</i>, and their <i>hydrologic functions</i>; e) maintaining linkages and related functions among <i>surface water features, ground water features, hydrologic functions and natural heritage features and areas</i>; f) promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality; and g) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces. 	<p>This section requires planning authorities to protect, improve or restore the quality and quantity of water by doing certain things. It is anticipated that the source protection plans now being prepared will provide the basis for the preparation of policies that will have an impact on areas that have an impact on municipal water supplies. These source protections plans will be completed by 2013. In the interim, the County Plan will need to include some policy that protects water resources from incompatible development.</p>

<p>2.3.2 - Planning authorities shall designate <i>specialty crop areas</i> in accordance with evaluation procedures established by the Province, as amended from time to time.</p>	<p>No such specialty crop areas exist in the County of Elgin.</p>
<p>2.3.5.1 Planning authorities may only exclude land from <i>prime agricultural areas</i> for:</p> <p>a) expansions of or identification of <i>settlement areas</i> in accordance with policy 1.1.3.9;</p> <p>b) extraction of <i>minerals, petroleum resources</i> and <i>mineral aggregate resources</i>, in accordance with policies 2.4 and 2.5; and</p> <p>c) limited non-residential uses, provided that:</p> <ol style="list-style-type: none"> 1. the land does not comprise a <i>specialty crop area</i>; 2. there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; 3. there are no reasonable alternative locations which avoid <i>prime agricultural areas</i>; and 4. there are no reasonable alternative locations in <i>prime agricultural areas</i> with lower priority agricultural lands. 	<p>This section indicates that prime agricultural land can only be removed for a settlement area expansion at the time of a comprehensive review. However, prime agricultural land may be removed for certain types of other uses as identified. See comments relating to ‘comprehensive review’ in Sections 1.1.3.9, 1.3.2, 1.4.2 and 1.4.3 of the PPS.</p>

APPENDIX 2 - THE USE OF THE WORD “SHALL”

The use of the word “shall” in the PPS means that the policy is mandatory. This means that the policy is required to be implemented by the planning authority (which could be the upper tier or lower tier planning authority or both) when making decisions on a Planning Act application. Given the mandatory nature of the policy language, most Official Plans simply reproduce the policy by using the same or similar language.

Table 2 below identifies those policies that are required to be implemented in a Planning Act decision-making process and which have an impact on the County of Elgin Official Plan.

Table 2: The Use of the Word ‘shall’ in the PPS

PPS Section
1.1.2 - Sufficient land <u>shall</u> be made available through <i>intensification</i> and <i>redevelopment</i> and, if necessary, <i>designated growth areas</i> , to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a <i>provincial plan</i> , that time frame may be used for municipalities within the area.
1.1.3.1 - <i>Settlement areas</i> <u>shall</u> be the focus of growth and their vitality and regeneration <u>shall</u> be promoted.

<p>.1.3.2 - Land use patterns within <i>settlement areas</i> shall be based on:</p> <p>a) densities and a mix of land uses which:</p> <ol style="list-style-type: none"> 1. efficiently use land and resources; 2. are appropriate for, and efficiently use, the <i>infrastructure</i> and <i>public service facilities</i> which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and <p>b) a range of uses and opportunities for <i>intensification</i> and <i>redevelopment</i> in accordance with the criteria in policy 1.1.3.3.</p>
<p>1.6.1 - <i>Infrastructure</i> and <i>public service facilities</i> shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.</p> <p>Planning for <i>infrastructure</i> and <i>public service facilities</i> shall be integrated with planning for growth so that these are available to meet current and projected needs.</p>
<p>1.6.4.1 - Planning for <i>sewage and water services</i> shall:</p> <p>a) direct and accommodate expected growth in a manner that promotes the efficient use of existing:</p> <ol style="list-style-type: none"> 1. <i>municipal sewage services</i> and <i>municipal water services</i>; and 2. <i>private communal sewage services</i> and <i>private communal water services</i>, where <i>municipal sewage services</i> and <i>municipal water services</i> are not available; <p>b) ensure that these systems are provided in a manner that:</p> <ol style="list-style-type: none"> 1. can be sustained by the water resources upon which such services rely; 2. is financially viable and complies with all regulatory requirements; and 3. protects human health and the natural environment; <p>c) promote water conservation and water use efficiency;</p> <p>d) integrate servicing and land use considerations at all stages of the planning process; and</p> <p>e) subject to the hierarchy of services provided in policies 1.6.4.2, 1.6.4.3 and 1.6.4.4, allow lot creation only if there is confirmation of sufficient <i>reserve sewage system capacity</i> and <i>reserve water system capacity</i> within <i>municipal sewage services</i> and <i>municipal water services</i> or <i>private communal sewage services</i> and <i>private communal water services</i>. The determination of sufficient <i>reserve sewage system capacity</i> shall include treatment capacity for hauled sewage from <i>private communal sewage services</i> and <i>individual on-site sewage services</i>.</p>
<p>1.6.4.4 - <i>Individual on-site sewage services</i> and <i>individual on-site water services</i> shall be used for a new development of five or less lots or private residences where <i>municipal sewage services</i> and <i>municipal water services</i> or <i>private communal sewage services</i> and <i>private communal water services</i> are not provided and where site conditions are suitable for the long-term provision of such services. Despite this, <i>individual on-site sewage services</i> and <i>individual on-site water services</i> may be used to service more than five lots or private residences in <i>rural areas</i> provided these services are solely for those uses permitted by policy 1.1.4.1(a) and site conditions are suitable for the long-term provision of such services.</p>
<p>1.6.4.5 - <i>Partial services</i> shall only be permitted in the following circumstances:</p> <p>a) where they are necessary to address failed <i>individual on-site sewage services</i> and <i>individual on-site water services</i> in existing development; and</p> <p>b) within <i>settlement areas</i>, to allow for infilling and rounding out of existing development on <i>partial services</i> provided that:</p> <ol style="list-style-type: none"> 1. the development is within the <i>reserve sewage system capacity</i> and <i>reserve water system capacity</i>; and 2. site conditions are suitable for the long-term provision of such services.
<p>1.6.5.2 - Efficient use shall be made of existing and planned <i>infrastructure</i>.</p>
<p>1.6.5.5 - Transportation and land use considerations shall be integrated at all stages of the planning process.</p>

<p>1.6.7.1 - Planning for land uses in the vicinity of <i>airports</i> shall be undertaken so that:</p> <p>a) the long-term operation and economic role of <i>airports</i> is protected; and</p> <p>b) <i>airports</i> and <i>sensitive land uses</i> are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.</p>
<p>1.6.7.2 - <i>Airports</i> shall be protected from incompatible land uses and development by:</p> <p>a) prohibiting new residential <i>development</i> and other sensitive land uses in areas near <i>airports</i> above 30 NEF/NEP, as set out on maps (as revised from time to time) that have been reviewed by Transport Canada;</p> <p>b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the <i>airport</i>; and</p> <p>c) discouraging land uses which may cause a potential aviation safety hazard.</p>
<p>1.6.8.1 - <i>Waste management systems</i> need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.</p> <p><i>Waste management systems</i> shall be located and designed in accordance with provincial legislation and standards.</p>
<p>1.8.3 - <i>Alternative energy systems</i> and <i>renewable energy systems</i> shall be permitted in <i>settlement areas</i>, <i>rural areas</i> and <i>prime agricultural areas</i> in accordance with <i>provincial and federal requirements</i>. In <i>rural areas</i> and <i>prime agricultural areas</i>, these systems should be designed and constructed to minimize impacts on <i>agricultural operations</i>.</p>
<p>2.1.1 - Natural features and areas shall be protected for the long term.</p>
<p>2.1.3 - <i>Development</i> and <i>site alteration</i> shall not be permitted in:</p> <p>a) <i>significant</i> habitat of <i>endangered species</i> and <i>threatened species</i>;</p> <p>b) <i>significant wetlands</i> in Ecoregions 5E, 6E and 7E1; and</p> <p>c) <i>significant coastal wetlands</i>.</p>
<p>2.1.4 - <i>Development</i> and <i>site alteration</i> shall not be permitted in:</p> <p>a) <i>significant wetlands</i> in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;</p> <p>b) <i>significant woodlands</i> south and east of the Canadian Shield²;</p> <p>c) <i>significant valleylands</i> south and east of the Canadian Shield²;</p> <p>d) <i>significant wildlife habitat</i>; and</p> <p>e) <i>significant areas of natural and scientific interest</i> unless it has been demonstrated that there will be no <i>negative impacts</i> on the natural features or their <i>ecological functions</i>.</p>
<p>2.1.5 - <i>Development</i> and <i>site alteration</i> shall not be permitted in <i>fish habitat</i> except in accordance with <i>provincial and federal requirements</i>.</p>
<p>2.1.6 - <i>Development</i> and <i>site alteration</i> shall not be permitted on <i>adjacent lands</i> to the <i>natural heritage features and areas</i> identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the <i>ecological function</i> of the <i>adjacent lands</i> has been evaluated and it has been demonstrated that there will be no <i>negative impacts</i> on the natural features or on their <i>ecological functions</i>.</p>
<p>2.2.2 - <i>Development</i> and <i>site alteration</i> shall be restricted in or near <i>sensitive surface water features</i> and <i>sensitive ground water features</i> such that these features and their related <i>hydrologic functions</i> will be protected, improved or restored.</p> <p>Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore <i>sensitive surface water features</i>, <i>sensitive ground water features</i>, and their <i>hydrologic functions</i>.</p>
<p>2.3.1 - <i>Prime agricultural areas</i> shall be protected for long-term use for agriculture.</p> <p><i>Prime agricultural areas</i> are areas where <i>prime agricultural lands</i> predominate. <i>Specialty crop areas</i> shall</p>

<p>be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.</p>
<p>2.3.3.2 - In <i>prime agricultural areas</i>, all types, sizes and intensities of <i>agricultural uses</i> and <i>normal farm practices</i> shall be promoted and protected in accordance with provincial standards.</p>
<p>2.3.3.3 - New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the <i>minimum distance separation formulae</i>.</p>
<p>2.3.4.3 - The creation of new residential lots in <i>prime agricultural areas</i> shall not be permitted, except in accordance with policy 2.3.4.1(c).</p>
<p>2.4.2.1 - <i>Mineral mining operations</i> and <i>petroleum resource operations</i> shall be protected from <i>development</i> and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.</p>
<p>2.4.2.2 - In areas adjacent to or in known <i>mineral deposits</i> or known <i>petroleum resources</i>, and in <i>significant areas of mineral potential</i> and <i>significant areas of petroleum potential</i>, <i>development</i> and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ul style="list-style-type: none"> a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.
<p>2.4.3.1 - Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation shall be undertaken wherever feasible.</p>
<p>2.5.1 - <i>Mineral aggregate resources</i> shall be protected for long-term use.</p>
<p>2.5.2.1 - As much of the <i>mineral aggregate resources</i> as is realistically possible shall be made available as close to markets as possible.</p> <p>Demonstration of need for <i>mineral aggregate resources</i>, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of <i>mineral aggregate resources</i> locally or elsewhere.</p>
<p>2.5.2.2 - Extraction shall be undertaken in a manner which minimizes social and environmental impacts.</p>
<p>2.5.2.4 - <i>Mineral aggregate operations</i> shall be protected from <i>development</i> and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing <i>mineral aggregate operations</i> shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the <i>Planning Act</i>. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.</p>
<p>2.5.2.5 - In areas adjacent to or in known <i>deposits of mineral aggregate resources</i>, <i>development</i> and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ul style="list-style-type: none"> a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.
<p>2.5.3.1 - Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.</p>
<p>2.5.5.1 - <i>Wayside pits and quarries</i>, <i>portable asphalt plants</i> and <i>portable concrete plants</i> used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the <i>Planning Act</i> in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.</p>
<p>2.6.2 - <i>Development</i> and <i>site alteration</i> shall only be permitted on lands containing <i>archaeological resources</i> or <i>areas of archaeological potential</i> if the <i>significant archaeological resources</i> have been conserved by removal and documentation, or by preservation on site. Where <i>significant archaeological resources</i> must be preserved on site, only <i>development</i> and <i>site alteration</i> which maintain the heritage integrity of the site may be permitted.</p>

3.1.1 - Development **shall** generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

3.1.4 - Development **shall** not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
- b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.2.2 - Contaminated sites **shall** be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.



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**County of Elgin
Official Plan
Schedule 'A'
Land Use**

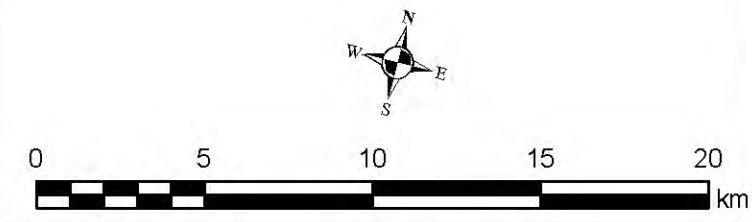
Land Use Designations

- Settlement Areas**
- Tier 1
 - Tier 2
 - Tier 3
- Agricultural**
- Agricultural

Overlays

- Environmental Area
- Aggregate Resource Area
- Petroleum Resource Area

Note: Mineral Aggregate Resources in Central Elgin subject to further review

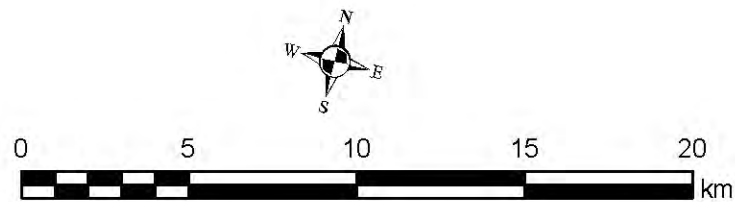


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**County of Elgin
Official Plan
Schedule 'B'
Transportation**

- | | |
|----------------------------------|-----------------------|
| Provincial Highway | Airport |
| County Road | Active Rail Line |
| Local Road | Active Waste Disposal |
| Proposed Transportation Corridor | Former Waste Disposal |
| Tourism Corridor | |



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