



## Report to Committee of the Whole

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**From:** Diana Morris, Senior Planner

**Date:** June 24, 2025

**Subject:** Official Plan Amendment No. 39 in the Municipality of Bayham 92 Edison Drive

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### **Recommendation(s):**

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THAT the Council of the Corporation of the County of Elgin approves Official Plan Amendment No. 39 to the Official Plan of the Municipality of Bayham; and

THAT staff be directed to provide Notice of this Decision in accordance with the requirements of the *Planning Act*.

### **Introduction:**

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The Council of the Municipality of Bayham has adopted an amendment to their Official Plan, known as Official Plan Amendment Number 39 (OPA No. 39) and they have subsequently forwarded the amendment to the County of Elgin for approval. In accordance with Section 17 of the *Planning Act*, the Council of the County of Elgin, as “Approval Authority,” is required to make a decision on the adopted amendment in which Council may approve, modify, or refuse to approve the amendment. If Elgin County fails to make a decision within 120 days after the amendment is received, any person or public body may appeal to the Ontario Land Tribunal.

This report is intended to provide County Council with the information required to make a decision on the adopted amendment.

### **Background and Discussion:**

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The subject lands comprise a total lot area of approximately 38.85ha (96ac), with 156.7m (514.1ft) of frontage along Edison Drive, a lot width of 206.5m (677.5ft) and a lot depth of 949.2m (3,114.1ft). Lands are municipally known as 92 Edison Drive within the Village of Vienna, described as Concession 3, Part Lots 11 and 12 Plan 54. See **Appendix A-** Location Map.

The lands are currently being used for agricultural purposes and is located in the Village of Vienna. An existing single detached dwelling and several farm related buildings

and/or structures are also evident on the property. Immediately south is the Big Otter Creek with associated natural hazards.

The purpose of the Official Plan Amendment is to re-designate the south-western portion of the subject lands from 'Open Space' and 'Hazard Lands' to a 'Site-Specific Commercial' in order to permit a Micro-Distillery use with an ancillary Interpretation and Information Centre on private services within an existing building, as shown in **Appendix B**. OPA No. 39 was adopted by Municipal Council on May 15, 2025 (By-law No. 2025-037), as shown in **Appendix C**.

The subject lands are within a Tier 1 Settlement Area in the County of Elgin Official Plan, as shown in **Appendix D**. These settlement areas have full servicing and allow for a range of uses and where majority of new growth should be directed. Note that although this portion of lands in Vienna are not currently serviced by full municipal services, studies completed have concluded that there will be no impacts to groundwater.

In addition to the OPA, a ZBLA is also required to rezone the south- west portion of the subject property from Holding Village Residential 1 (R1(h2))' Zone to a Site-Specific Tourist Commercial (C3-2) Zone, limiting the proposed use to a Maximum Floor Area of 450sqm (4,843.76ft).

A public meeting, as required under the *Planning Act*, was held on December 19, 2024. No concerns were raised at this meeting, either verbally or written.

The County received written comments from a member of the public that raised concerns that the Long-Point Regional Conservation Authority ("LPRCA") had not yet provided comment on the application when it was approved at the local level. The LPRCA has now provided comments regarding overnight use that results in a change at the local municipality via the zoning by-law but LPRCA's comments have no effect on the wording of OPA No. 39.

County staff have had the opportunity to review the proposal and associated materials against the requirements of the *Planning Act*, the *Provincial Planning Statement*, the County of Elgin Official Plan, and Municipality of Bayham Official Plan, and are satisfied that the proposal meets all relevant requirements and is appropriate for the context of the subject lands.

### **Financial Implications:**

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There are no direct financial impacts to the County with respect to approval of this application.

### **Advancement of Strategic Plan:**

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Planning for and facilitating residential growth within Elgin County.

### **Local Municipal Partner Impact:**

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This decision will directly impact the Municipality of Bayham.

### **Communication Requirements:**

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Notice of the decision will be sent to all parties that requested notification, to the local Township and to any other person/body prescribed under the *Planning Act*.

### **Conclusion:**

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Based on the above analysis it is recommended that County Council approve, OPA No. 39 of the Official Plan of the Municipality of Bayham, as the modified amendment:

- Is consistent with the *Provincial Planning Statement*;
- Conforms to the County of Elgin Official Plan, and intent of the Municipality of Bayham Official Plan; and
- Constitutes good planning.

All of which is Respectfully Submitted

Approved for Submission

Diana Morris, RPP, MCIP  
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Blaine Parkin  
Chief Administrative Officer/Clerk

Mat Vaughan, RPP, MCIP  
Director of Planning and Development