

**AMENDMENT NO. 39
TO THE OFFICIAL PLAN
OF THE
MUNICIPALITY OF BAYHAM**

**SUBJECT: 1498855 Ontario Inc. (c/o Timothy Emerson)
92 Edison Drive, Vienna**

**The following text constitutes Amendment No. 39
to the Official Plan of the Municipality of Bayham**

I, MARGARET UNDERHILL, DEPUTY CLERK
of the Corporation of the Municipality of Bayham,
certify that the foregoing is a certified true copy.
Dated this 22nd day of May 2005

6 pages

**OFFICIAL PLAN
OF THE
MUNICIPALITY OF BAYHAM**

THIS Amendment was adopted by the Council of the Corporation of the Municipality of Bayham by By-law No. 2025-037, in accordance with Section 17 of the **PLANNING ACT**, on the 15th day of May 2025.


MAYOR


CLERK

THE CORPORATION OF THE MUNICIPALITY OF BAYHAM

BY-LAW NO. 2025-037

THE Council of the Corporation of the Municipality of Bayham, in accordance with the provisions of the **PLANNING ACT**, hereby enacts as follows:

- 1) **THAT** Amendment No. 39 to the Official Plan of the Municipality of Bayham is hereby adopted.
- 2) **THAT** the Clerk is hereby authorized and directed to make an application to the County of Elgin for approval of the aforementioned Amendment No. 39 to the Official Plan of the Municipality of Bayham.
- 3) **THAT** no part of this By-law shall come into force and take effect until approved by Elgin County.

ENACTED AND PASSED this 15th day of May 2025.



MAYOR



CLERK

OFFICIAL PLAN
OF THE MUNICIPALITY OF BAYHAM
AMENDMENT NO. 39

1. PURPOSE

The purpose of the Official Plan Amendment is to designate the south-western portion of the subject property from the 'Open Space' and 'Hazard Lands' designation to the 'Commercial' designation in order to facilitate the development of a proposed Micro Distillery use with an ancillary Interpretation and Information Centre on private services within an existing building.

The existing designation currently does not permit the proposed use. Further, Section 4.5.5 of the Official Plan does not specifically permit a Micro Distillery use within the "Commercial" designation, therefore, an Official Plan Amendment is required to redesignate the south-western portion of the subject property and include the proposed Micro Distillery use with an ancillary Interpretation and Information Centre on private services as a permitted use.

The Official Plan Amendment also would facilitate the concurrent Zoning By-law Amendment Application to rezone the south-western portion of the subject property from 'Holding Village Residential 1 (R1(h2))' Zone to a 'Site-Specific Tourist Commercial (C3-3)' Zone to permit the proposed use.

2. LOCATION

The Official Plan Amendment will be applicable to lands known as Part Block F N/S Creek Rd Plan 54 Designated as Parts 23 and 24 11R6158 and Part 1 11R6159; S/T LT38430; Bayham, and municipally known as 92 Edison Drive in the Village of Vienna.

3. BASIS OF THE AMENDMENT

The subject lands are characterized as an agricultural property that is currently used for agricultural purposes, including livestock farming, and is located in the Village of Vienna. An existing single-detached dwelling, as well as several farm related buildings and/or structures are located on the subject property.

The subject lands have a total lot area of approximately 38.85 hectares (96 acres), and estimated lot frontage of 156.7 metres (514.1 feet) along Edison Drive, lot width of 206.5 metres (677.5 feet), a lot depth of 949.2 metres (3,114.1 feet). The surrounding lands are predominantly agricultural, with two (2) residential properties being located on either side of the subject lands along Edison

Drive. Further, immediately to the south is the Big Otter Creek, with the associated natural hazards.

The south-western portion to be redesignated is approximately 2,854 square metres (0.2854 hectares) in size. This area will consist of the existing building to be converted/utilized for the purposes of proposed Micro Distillery use with an ancillary Interpretation and Information Centre. This area also consists of a large gravel parking area.

The proposed amendment is consistent with the policies of the new Provincial Planning Statement (PPS), whereby a mix of land uses, such as commercial development, is permitted and encouraged within Settlement Areas. Further, the proposed development is consistent with the Natural Hazards policies of the PPS, as the proposed development is located outside of the hazardous lands identified by the Long Point Conservation Authority.

The proposal is in conformity with the County of Elgin Official Plan policies, which strongly encourages and directs development within Tier 1' Settlement Areas. Although this portion of Vienna is currently not serviced by full municipal servicing and utilizes private well and septic servicing, the Hydrogeological Study prepared in support of this Official Plan Amendment demonstrates no negative impacts to the ground water. Further, County of Elgin Official Plan encourages a range of commercial development within the Settlement Areas in order to service residents within the area.

The proposal would provide for a commercial use that conforms with the applicable policies of the Municipality of Bayham's Official Plan, particularly those relating to commercial development within settlement areas (specifically "Villages"). The Site-Specific text pertaining to this redesignation to the "Commercial" designation further specifies the exact use being proposed (i.e. Micro-Distillery with an ancillary Interpretation and Information Centre). As previously mentioned, the proposed development would also be located outside of the hazardous lands, thus conforming to the Natural Hazard Lands policies of the Official Plan.

4. DETAILS OF THE AMENDMENT

- a) Section 4.5.5 of the Official Plan of the Municipality of Bayham is hereby amended by adding the following subsection:
 - 4.5.5.11 The lands identified as Part Block F N/S Creek Rd Plan 54 Designated as Parts 23 and 24 11R6158 and Part 1 11R6159; S/T LT38430; Bayham, and municipally known as 92 Edison Drive shall be designated "Site-Specific Commercial" to permit the development of a Micro-Distillery use with an ancillary Interpretation and Information Centre on private services, in addition to the policies of Section 4.5.5.
- b) Schedule 'C' of the Municipality of Bayham Official Plan is hereby amended by changing the symbol for land use designation from "Open Space" and "Hazard Lands" to "Commercial" for the lands outlined in bold on the following attached Schedule.

OFFICIAL PLAN OF THE MUNICIPALITY of BAYHAM

SCHEDULE 'C'

VIENNA:
LAND USE
and CONSTRAINTS

- Land Use**
- Residential
 - Commercial
 - Institutional
 - Industrial
 - Open Space
- Constraints**
- Hazard Lands
 - Flood Fringe
 - Floodway
 - Existing Petroleum Wells
- Base Features**
- County Roads
 - Local Roads
 - Watercourse



Schedule 'C' forms part of Official Plan of the Municipality of Bayham and must be read in conjunction with the written text.

