

TOWNSHIP OF MELANCTON

OFFICIAL PLAN

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TABLE OF CONTENTS

| | | |
|-------|--|------|
| 1.0 | PURPOSE AND BASIS | 1-1 |
| 1.1 | Introduction..... | 1-1 |
| 1.2 | Purpose..... | 1-1 |
| 1.3 | Basis..... | 1-1 |
| 2.0 | PLANNING OBJECTIVES..... | 2-1 |
| 2.1 | Growth Management Objectives | 2-1 |
| 2.2 | Environmental Objectives..... | 2-1 |
| 2.3 | Water Resources Objectives | 2-2 |
| 2.4 | Agricultural Resources Objectives | 2-2 |
| 2.5 | Mineral Aggregate Resources Objectives..... | 2-3 |
| 2.6 | Heritage and Cultural Resources Objectives | 2-3 |
| 2.7 | Economic Development Objectives..... | 2-3 |
| 2.8 | Transportation, Infrastructure and Servicing Objectives..... | 2-4 |
| 2.9 | Waste Management Objectives..... | 2-4 |
| 2.10 | Intergovernmental Objectives..... | 2-4 |
| 2.12 | Other Objectives | 2-5 |
| 3.0 | GENERAL PLANNING POLICIES | 3-1 |
| 3.1 | Settlement and Economic Development..... | 3-1 |
| 3.2 | Groundwater and Watershed Management..... | 3-2 |
| 3.2.1 | Groundwater Management..... | 3-3 |
| 3.2.2 | Large Scale Non-Governmental Water Taking | 3-3 |
| 3.2.3 | Watershed Management..... | 3-4 |
| 3.2.4 | Storm Water Management | 3-5 |
| 3.2.5 | Setbacks From Watercourses..... | 3-5 |
| 3.3 | Environment..... | 3-5 |
| 3.3.1 | Environmental Impact Study | 3-5 |
| 3.3.2 | Hazard Lands | 3-6 |
| 3.4 | Land Use Compatibility..... | 3-7 |
| 3.5 | General Development Requirements | 3-7 |
| 3.6 | Public Uses and Infrastructure | 3-8 |
| 3.7 | Wastes and Waste Management | 3-9 |
| 3.7.1 | Waste Disposal Sites..... | 3-9 |
| 3.7.2 | Waste Management..... | 3-10 |
| 3.7.3 | Hazardous Wastes..... | 3-10 |
| 3.8 | Heritage and Archaeological Resources | 3-11 |
| 3.9 | Home Occupations..... | 3-11 |
| 3.10 | Intergovernmental Aspects | 3-12 |
| 3.11 | Mobile Homes and Trailers | 3-12 |
| 3.12 | Garden Suites and Accessory Apartments..... | 3-13 |
| 3.13 | Wind Energy | 3-14 |

| | | |
|-------|---|------|
| 3.14 | Commercial Topsoil Removal, Sod and Peat Farming..... | 3-16 |
| 3.15 | Ontarians With Disabilities Act..... | 3-17 |
| 4.0 | LAND USE POLICIES | 4-1 |
| 4.1 | Introduction..... | 4-1 |
| 4.2 | Agricultural..... | 4-1 |
| 4.2.1 | Permitted Uses | 4-1 |
| 4.2.2 | Planning and Development Policies | 4-2 |
| 4.2.3 | Agricultural Consent Policies | 4-4 |
| 4.3 | Rural..... | 4-5 |
| 4.3.1 | Permitted Uses | 4-6 |
| 4.3.2 | Planning and Development Policies | 4-6 |
| 4.3.3 | Rural Consent Policies..... | 4-8 |
| 4.4 | Environmental Protection | 4-9 |
| 4.4.1 | Permitted Uses | 4-9 |
| 4.4.2 | Planning and Development Policies | 4-9 |
| 4.5 | Rural Residential..... | 4-12 |
| 4.5.1 | Permitted Uses | 4-12 |
| 4.5.2 | Planning and Development Policies | 4-12 |
| 4.6 | Mineral Aggregate Resource Area | 4-14 |
| 4.6.1 | Permitted Uses | 4-14 |
| 4.6.2 | Planning and Development Policies | 4-14 |
| 4.7 | Extractive Industrial..... | 4-16 |
| 4.7.1 | Permitted Uses | 4-16 |
| 4.7.2 | Planning and Development Policies | 4-16 |
| 4.8 | Community | 4-21 |
| 4.8.1 | Permitted Uses | 4-21 |
| 4.8.2 | Planning and Development Policies | 4-22 |
| 5.0 | ROADS, TRANSPORTATION AND SERVICING | 5-1 |
| 5.1 | Introduction..... | 5-1 |
| 5.2 | Roads and Transportation | 5-1 |
| 5.2.1 | Road Classifications | 5-1 |
| 5.2.2 | Arterial Roads..... | 5-1 |
| 5.2.3 | Local Roads | 5-2 |
| | | |
| 5.2.5 | Traffic Impact Studies..... | 5-3 |
| 5.2.6 | Other Road Policies | 5-4 |
| 5.3 | Servicing Policies | 5-5 |
| 5.3.1 | Water Supply and Sewage Disposal | 5-6 |
| 5.3.2 | Stormwater Management and Drainage..... | 5-7 |
| 5.3.3 | Other Servicing Related Policies | 5-8 |
| 6.0 | IMPLEMENTATION..... | 6-1 |
| | | 1-0 |

| | | |
|------|--|------|
| 6.1 | Introduction..... | 6-1 |
| 6.2 | Consents to Convey Land or an Interest in Land..... | 6-1 |
| 6.3 | Zoning By-laws..... | 6-3 |
| 6.4 | Site Plan Control..... | 6-3 |
| 6.5 | Property Standards..... | 6-5 |
| 6.6 | Legal Non-Conforming Uses..... | 6-6 |
| 6.7 | Holding Symbols..... | 6-7 |
| 6.8 | Interim Control By-laws..... | 6-8 |
| 6.9 | Temporary Use By-laws..... | 6-8 |
| 6.10 | Other Municipal By-laws..... | 6-9 |
| 6.11 | Official Plan Review and Updating..... | 6-9 |
| 6.12 | Technical Amendments to the Official Plan and Zoning By-law..... | 6-10 |
| 7.0 | INTERPRETATION..... | 7-1 |
| 7.1 | Land Use Boundaries and Roads..... | 7-1 |
| 7.2 | Numerical Figures and Quantities..... | 7-1 |
| 7.3 | Accessory Uses..... | 7-1 |
| 7.4 | Buffering..... | 7-1 |
| 7.5 | Changes in Legislation, Agencies and Approval Authorities..... | 7-2 |
| 8.0 | DEFINITIONS..... | 8-1 |

1.0 PURPOSE AND BASIS

1.1 Introduction

The following text and map schedules constitute the Official Plan of the Township of Melancthon and may be referred to as “the official plan” or “the plan”. The plan applies to all of the Township of Melancthon as shown on the attached Schedules forming part of this plan. This plan replaces the Township’s previous Official Plan which had been in effect since 1977.

1.2 Purpose

The purpose of the Official Plan is to establish the planning goals and objectives for the Township and to set out policies to achieve them. The plan is a long term planning policy document. It acts as a guide to Council in regard to such matters as updating its zoning by-law, assessing development proposals and all forms of planning applications, undertaking public works and setting municipal priorities. The plan establishes the anticipated general pattern of land uses and infrastructure within the municipality over the period extending to approximately the year 2023.

The plan is also intended as a guide that will assist the public and development interests in decision making on land use planning issues and in participating in the planning process.

1.3 Basis

The plan is based on a variety of sources of documentation, information, legislative and regulatory requirements, and other considerations, the principal components of which are summarized below.

- The findings and options presented in the Growth Management Study which indicate that the Township’s relatively low rate of growth is likely to continue over the period to 2023.
- A survey of existing land uses in the municipality.
- Available information on the Township’s important environmental features such as its wetlands and headwater areas for large river systems.
- Available information on the Township’s agricultural resources.

- Available information, including a report from the Ministry of Natural Resources, on the Township's existing mineral aggregate industry and the identification of significant areas of potential aggregate resources.
- The applicable policies of the Provincial Policy Statement.
- Available mapping of resources such as prime agricultural land and potential mineral aggregate resources.
- Available information on roads and infrastructure characteristics and planning in the area.
- Council's planning and development priorities.

2.0 PLANNING OBJECTIVES

The policies of this plan are intended to achieve a number of objectives. The following lists the principal objectives of the plan as they relate to a number of areas of interest. As with all of the policies of this plan, it is important to consider the full range of these objectives rather than each individual objective in isolation. While several of these objectives conflict, the intent is to achieve, to the extent possible, a balance among all of them.

2.1 Growth Management Objectives

- (a) To maintain and enhance the Township's characteristic rural nature and significant environmental features and functions while accommodating an appropriate amount of growth
- (b) To accommodate growth in the three settlement areas at Hornings Mills, Corbetton and Riverview, where appropriate in terms of servicing and other constraints
- (c) To accommodate growth in rural residential subdivisions and residential lot severances in appropriate locations as determined in accordance with this plan's policies
- (d) To provide for and manage growth in a financially and environmentally responsible manner
- (e) To provide for growth in a manner that respects and complements the first objective above and the following environmental, historic and cultural resources objectives in particular

2.2 Environmental Objectives

- (a) To protect significant natural feature areas from incompatible development
- (b) To maintain and improve, where possible, the area's diversity of natural features
- (c) To ensure that the cumulative effects of development on the natural environment and existing land uses are fully addressed
- (d) To ensure that the development review process considers and addresses environmental concerns

2.3 Water Resources Objectives

- (a) To ensure that the quality and quantity of ground water and surface water and the function of sensitive ground water recharge/discharge areas, aquifers and headwaters will be protected or enhanced
- (b) To ensure there is no development or site alteration within provincially significant wetlands and only limited, fully regulated development or site alteration in locally significant wetlands
- (c) To regulate land uses proposed in areas adjacent to wetlands to ensure there will be no negative impacts on these environmentally important features or their functions
- (d) To regulate and limit land uses in the vicinity of natural watercourses to protect their ecological functions
- (e) To appropriately limit and control development in floodplains or flood susceptible areas to maintain the natural functions of such areas and to protect public safety
- (f) To implement, to the extent possible, the findings and recommendations of any approved regional, local, watershed, subwatershed or groundwater management studies or plans
- (g) To include large scale commercial water takings as a land use in the Township's planning documents and apply planning policies and regulations under the provisions of the Planning Act

2.4 Agricultural Resources Objectives

- (a) To preserve and protect, to the greatest extent possible, prime agricultural lands for agricultural uses
- (b) To preserve and protect viable agricultural uses and normal farm practices
- (c) To limit non-farm or non-farm related uses and lot creation for such uses in prime agricultural areas and in other areas of ongoing agriculture
- (d) To limit farm related residential uses and lot creation in prime agricultural areas and in other areas of ongoing agriculture

2.5 Mineral Aggregate Resources Objectives

- (a) To protect as much as is realistically possible of the Township's known or potential mineral aggregate resources to supply mineral aggregate resource needs
- (b) To protect existing mineral aggregate operations from uses that would hinder or preclude their continued use or expansion or would be incompatible with such operations
- (c) To minimize any impacts of mineral aggregate operations on the environment and the area's rural character

2.6 Heritage and Cultural Resources Objectives

- (a) To conserve significant heritage features such as historically or architecturally important buildings or structures
- (b) To encourage the maintenance and restoration of buildings and structures having significant historic or architectural value
- (c) To control development in areas having archaeological resources or archaeological potential to ensure that those resources are documented and respected in the development process

2.7 Economic Development Objectives

- (a) To encourage, within the context of the plan's other objectives, an expansion and diversification of the municipality's economic base in order to provide local employment opportunities and to strengthen the municipality's financial resources
- (b) To support a variety of both traditional and innovative forms of economic development that meet this plan's important environmental, land use, servicing and transportation criteria
- (c) To support those forms of economic development appropriate to an area without full municipal services
- (d) To support alternative forms of small scale economic development such as home based businesses, particularly rural oriented uses such as farm vacation operations

2.8 Transportation, Infrastructure and Servicing Objectives

- (a) To maintain and improve the Township road system to meet current and future transportation system requirements
- (b) To endeavour to provide or support the provision of roads and transportation facilities that are safe, environmentally sensitive and energy efficient
- (c) To protect corridors and rights-of-way for transportation and infrastructure facilities where there is compliance with the other objectives of this plan
- (d) To support and protect the principal function of County Roads and Provincial Highways to accommodate large volumes of interregional traffic, including extractive industrial related traffic
- (e) To permit development only on the basis of individual on-site water supply and sewage disposal facilities and to limit the nature and extent of development accordingly
- (f) To provide a level of public services appropriate for a predominantly rural municipality
- (g) To provide for the use of renewable, non-polluting alternative sources of energy generation such as wind power

2.9 Waste Management Objectives

- (a) To provide waste management facilities and systems that are appropriate to the present and future needs of the municipality
- (b) To provide waste management facilities and systems that are appropriate to the environmental conditions and rural character of the Township by being relatively small in scale and having a low probability of significant adverse environmental impact
- (c) To encourage the recycling, reuse and reduction of waste materials

2.10 Intergovernmental Objectives

- (a) To work with affected municipalities and other levels of government to address matters of intermunicipal interest such as the conservation of natural resources and watershed management
- (b) To ensure that the Township's interests, character and planning objectives are respected in the decision making processes of other governments and in any intermunicipal undertakings

- (c) To limit non-farm development in the vicinity of the Town of Shelburne and the community of Dundalk in order to maximize those communities' long term development options and to minimize land use compatibility issues

2.12 Other Objectives

- (a) To provide a policy framework which will assist in maintaining and improving property standards and the standards of new development through the use of site plan control, a property standards by-law and other appropriate procedures

3.0 GENERAL PLANNING POLICIES

Along with the policies of sections 5, and 6 of this plan, the policies of this section apply generally throughout the Township. When considering the plan's policies relating to specific land use designations, reference should also be made to the policies of this section. All development within the Township will be subject to the applicable policies of this section.

3.1 Settlement and Economic Development

- (a) An appropriate amount of additional population will be accommodated in the areas identified by the policies, development criteria and land use designations of this plan. Based on the findings of the Growth Management Study and Council's planning and development objectives, it is anticipated that the Township's population will grow by approximately 1,275 persons accommodated in about 475 new residences, bringing the total population to about 4,200 persons by 2023. This population growth figure is not considered as a target to be achieved but is intended to be used as a guideline within the context of the other applicable policies of the plan.
- (b) Where appropriate and in keeping with the applicable policies of this plan and the requirements of other agencies having jurisdiction, the anticipated additional population shall be accommodated principally in the designated areas within the Township's communities, rural residential subdivisions where permitted by the policies of this plan, and land severances for rural residential lots.
- (c) In view of the Township's rural landscape and character, its lack of municipal water and sewage systems and the objective of this plan to retain that character and landscape to the extent possible, it is not a primary objective of this plan to fully implement the housing related policies of the Provincial Policy Statement or any similar provincial policy in the future.
- (d) To provide employment opportunities for future residents and strengthen the municipality's financial resources, a broad range of traditional and innovative forms of economic development will be encouraged within the context of this plan's underlying environmental, land use, transportation and servicing policy framework. Agriculture and aggregate based industries have formed the core of the Township's economic base and these forms of economic development are permitted by this plan and will continue to be encouraged to operate within a framework of appropriate planning policies. In addition, most other existing economic development activities in the municipality, such as highway commercial uses and agricultural support services will also be supported on an ongoing basis.

- (e) New and innovative forms of economic development will be encouraged provided there is compliance with the other applicable policies of this plan, particularly those relating to the environment, servicing and transportation. These could include activities relating to the principal current economic development forms in the Township, particularly agriculture, or they could be completely new to the area such as wind generated electrical power utilizing the energy available from the winds experienced in what is among the highest areas in southern and central Ontario.
- (f) Economic development capitalizing on the municipality's good accessibility to the agricultural and life science related research and technology facilities in centers such as Guelph and the Toronto area will also be encouraged. This could involve agricultural related research facilities or centers combining research and tourism.
- (g) Situated adjacent to the Niagara Escarpment and in the headwaters of several major river systems, the Township supports environmentally based economic development involving components such as research facilities, interpretative centers, including conference facilities, and outdoor oriented recreational uses such as trail riding and hiking operations.
- (h) There has been an increasingly broad range of economic development activities occurring in rural Ontario including uses as varied as large scale racing facilities, rural business parks and theme parks. The Township encourages such diversification in its economic base and supports appropriate forms of broadened economic development through the policies of this plan.

3.2 Groundwater and Watershed Management

- (a) The protection of groundwater resources will be a primary consideration in the evaluation of any development proposal. In such evaluations, particular emphasis will be placed on the protection of groundwater recharge areas and other areas having significant aquifer vulnerability.
- (b) Land uses in the municipality, particularly those of an industrial or commercial nature, shall be generally dry in nature and shall be serviced with proper sewage disposal facilities to limit the potential for deterioration in the quantity and quality of area groundwater resources.
- (c) The Township shall use all available methods to regulate or ensure the proper regulation of the application of biosolids and other similar materials on lands in the municipality. These methods may include the use of any regulatory instruments within the municipality's jurisdiction as well as seeking the co-operation of the Ministry of the

Environment, or other agencies having jurisdiction, to provide for municipal input into their decision making process.

3.2.1 Groundwater Management

- (a) In view of the Township's dependence on groundwater sources of water supply, its location at or near the headwaters of three major river systems, its groundwater recharge areas and its areas of potential aquifer vulnerability, the municipality supports the finalization and implementation of a groundwater management plan.
- (b) The Township will co-operate with any involved agency such as the Ministry of Natural Resources, the Ministry of the Environment, area conservation authorities and area municipalities to prepare and implement a groundwater management plan.
- (c) When approved by the agencies having jurisdiction, particularly the Ministry of the Environment, the land use planning related findings and recommendations of any groundwater management plan will be incorporated into the policies of this plan through an amendment.
- (d) The implementation of an approved groundwater management plan will be a principal consideration in all land use planning decisions.
- (e) Until there is a fully approved groundwater management plan, the AEMOT Groundwater Management Plan document will be used as a reference in all planning decisions having the potential to affect the area's groundwater resources.

3.2.2 Large Scale Non-Governmental Water Taking

- (a) The extraction of more than 10,000 litres of ground or surface water per day for non-governmental use is deemed to be a land use that is subject to the provisions of the Planning Act. Subject to the policies of this plan, including subsection 3.3.1 concerning Environmental Impact Studies, such a use is permitted in any land use designation but may be permitted only by an amendment to the implementing zoning by-law. A non-governmental use shall not include uses by any level of government, public agencies or agriculture.
- (b) An application for a water taking related zoning by-law amendment shall not be approved unless Council is satisfied that:
 - i the quality of ground and surface water in the area will be maintained and, where possible, improved;

- ii the quantity of water available for other uses in the area and as base flow for rivers and streams will not be adversely affected; and,
 - iii there is support for the application for the water taking permit from the Ministry of the Environment.
- (c) As a condition of approval of any application for a water taking related zoning by-law amendment, Council may require the applicant to enter into an agreement specifying at least the following:
- i the details of any required monitoring program;
 - ii the Township's intent to ensure that neighbouring drinking water supplies are protected and restored or replaced, if necessary, and the responsibilities of the applicant with regard to such restoration or replacement;
 - iii that the water extraction will cease or be reduced if it is determined that the extraction is having a significant negative impact on the area's water supply or resources; and,
 - iv the provision of appropriate securities to ensure the restoration or replacement of adversely affected area potable water supplies and resources.

3.2.3 Watershed Management

- (a) In view of the Township's location at or near the headwaters of significant river systems, the municipality will support the development and implementation of watershed or subwatershed studies and management plans.
- (b) The Township will co-operate with the conservation authorities having jurisdiction within the municipality, and any other involved agency, in the preparation and implementation of such plans.
- (c) The land use planning related findings and recommendations of approved watershed or subwatershed management plans will be incorporated into this plan through an amendment.
- (d) The implementation of any approved watershed or subwatershed management plan will be a principal consideration in all land use planning decisions.

3.2.4 Storm Water Management

- (a) All major residential, commercial, industrial and institutional development proposals shall be supported by a storm water management report prepared by a qualified professional and utilizing best management practices to ensure that any potential adverse drainage impacts are appropriately mitigated in accordance with the requirements of the Township and the conservation authority having jurisdiction.

3.2.5 Setbacks From Watercourses

- (a) Development will be set back from rivers and streams to protect their natural features and functions, provide riparian habitat, and minimize the risk to property and public safety. Development is not permitted within the Environmental Protection designations along watercourses, as shown on the schedules to this plan.
- (b) In areas along watercourses outside the Environmental Protection designation, the setback distance shall be determined on-site in consultation with the conservation authority having jurisdiction. In general, development, including sewage disposal systems, shall be set back a minimum of 30 metres from a river or stream.

3.3 **Environment**

3.3.1 Environmental Impact Study

- (a) Subject to the policies of part (c) of this section and other applicable policies of this plan, any amendment to this plan or to the implementing zoning by-law will require an Environmental Impact Study (EIS) and shall be subject to the findings and recommendations of that study together with any other related policies of this plan.
- (b) As a minimum requirement, an EIS shall include the following:
 - i a description of existing and proposed development on the subject and adjacent lands;
 - ii an environmental inventory of the subject lands including such components as plant life, land based and aquatic wildlife, wetlands, natural landforms, surface water features, hydrogeological features;
 - iii an analysis of the potential impacts the development would have on the physical features of the site and adjacent lands;
 - iv a determination of the potential to mitigate any negative impacts and the specifics of such mitigation, if any is possible;

- v a review of development and mitigation options;
 - vi an exploration of opportunities for environmental enhancement; and,
 - vii recommendations, including a recommended implementation and monitoring plan, including mitigation measures and, where appropriate, environmental enhancement measures.
- (c) Council may determine that a complete Environmental Impact Study is not necessary for minor amendments to either the official plan or the zoning by-law. It is anticipated that an Environmental Impact Study will be required for amendments involving any changes in or adjacent to the Environmental Protection designation, new subdivisions, and developments in the vicinity of watercourses or on or near groundwater recharge or significant aquifer vulnerability areas.

3.3.2 Hazard Lands

- (a) It is a policy of this plan that development will generally be directed to areas outside of hazard lands.
- (b) Hazard lands include lands exhibiting inherent environmental hazards requiring protective measures and including such features as such as poor drainage, organic soils, flood susceptibility, significant erosion susceptibility, steep slopes or any other physical condition which, if developed, may represent a hazard to persons or property.
- (c) Most hazard land areas are included in the Environmental Protection designation, or in the areas covered by the watercourse setback policies of section 3.2.4 of this plan. The implementing zoning by-law may more precisely delineate these areas or define specific hazard land features such as steep slopes. The implementing by-law may also include specific setback provisions relating to development in the vicinity of such lands or features.
- (d) Although not encouraged, development, including the construction of a dwelling on an existing vacant lot, may be permitted in hazard lands only if:
 - i the hazards can safely be addressed;
 - ii new hazards are not created and existing hazards are not aggravated;
 - iii no adverse environmental impacts will result;

- iv vehicles and people can safely enter and exit the area at times of flooding, erosion or other emergencies;
- v there is compliance with the requirements of all agencies having jurisdiction; and
- vi the development does not include institutional uses, essential emergency services or any use involving hazardous substances.

3.4 Land Use Compatibility

- (a) Some land uses may be sensitive to odour, noise or other emissions associated with uses or facilities such as industries, commercial operations or highways. Other uses may be incompatible as a result of the impacts from the form and structure of the buildings, the loss of privacy or the nature of the proposed use. It is a policy of this plan that incompatible uses shall be separated or otherwise buffered from each other. In its implementation of this policy Council intends to ensure that the policy is not misused by those involved in disputes with their neighbours.
- (b) Where a proposed land use is likely to be significantly adversely affected by, or have significant adverse impacts on existing land uses in the area, Council may require a feasibility study to assess these impacts in accordance with the applicable guidelines of the Ministry of the Environment and other appropriate planning standards. A noise, vibration, odour and/or particulate impact assessment may be required as part of the feasibility study.
- (c) Any required feasibility study shall determine if the potential adverse impacts can be mitigated and include recommendations for mitigation measures, where necessary. Any approval of the proposed land use shall be conditional on the implementation of the study's recommendations.

3.5 General Development Requirements

- (a) Prior to development occurring, and before any land division or consent for a land severance is permitted, or any amendment to this official plan or a zoning by-law is made, it shall be established in accordance with the requirements of the Township and all other agencies having jurisdiction, that:
 - i soil and drainage conditions are suitable to permit the proper siting of buildings and accessory facilities;
 - ii suitable arrangements have been made for water supply, sewage disposal, storm drainage and all necessary public services;

- iii the provisions of any applicable groundwater and watershed management plans have been or will be addressed;
 - iv the land fronts on an improved public road built to the standards of the public authority having jurisdiction and which is maintained by said public authority;
 - v the road system can accommodate the traffic projected to be generated; and,
 - vi there is conformity with the applicable policies and intent of this plan and the provisions of the implementing zoning by-law.
- (b) In considering a planning or development application, Council may require a planning impact analysis which will evaluate the development proposal in terms of the matters listed in part (a) above and the conformity with the applicable policies and intent of this plan.
- (c) In accordance with the policies of section 3.3.1, an EIS may be required for any planning or development application. Depending on the circumstances of a development proposal, hydrogeological, traffic, archeological or other studies may also be required in accordance with the applicable policies of this plan.

3.6 Public Uses and Infrastructure

- (a) Except as may be otherwise specifically stated in this plan, it is a policy of this plan to permit the use of lands, buildings or structures in any land use designation for the purposes of public service by the Township, other municipal governments, the provincial and federal governments or any agency thereof, and any agency such as a company involved in telephone or other communications, natural gas transmission, or hydro-electric transmission or distribution.
- (b) The siting and development of such public uses shall be consistent with the policies of this plan and the regulations of the implementing zoning by-law. In the Rural Residential and Community designations and in any residential zone in the zoning by-law, such uses shall comply, to the extent possible, with the minimum yard provisions of the applicable residential zone and shall be designed to be compatible in scale and character with the residential or community setting.
- (c) The siting and development of such public uses shall avoid, to the extent possible, prime agricultural lands and areas designated Environmental Protection on the schedules to this plan.

- (d) All existing electric power facilities of Ontario Power Generation Inc., Hydro One Inc. and their subsidiaries and the development of any new facilities by these companies are permitted in any land use designation provided they satisfy the provisions of the Environmental Assessment Act, or its successor, and any other relevant statute. Setbacks for residential uses from transformer stations and major installations may be implemented in the zoning by-law to ensure a reasonable distance separation between these types of uses.
- (e) The policies of this section shall not apply to permit such public service uses as landfill sites, waste disposal operations or other similar uses. Such uses shall be permitted only if approved under the Environmental Assessment Act, its successor, or any other applicable statute or regulation.
- (f) Subject to the policies of this section, wayside pits and quarries and portable asphalt plants used by a public road authority or its agent are permitted throughout the Township without amendment to this plan or the zoning by-law. Such uses are not permitted in built-up areas or in areas designated Environmental Protection in this plan. They will be permitted on active agricultural lands only if there are no suitable alternative sites. The site of a wayside pit or quarry shall be rehabilitated upon completion of the road project. A portable asphalt plant shall be removed upon the completion of the road project and the site shall be rehabilitated upon the removal of the plant.

3.7 Wastes and Waste Management

3.7.1 Waste Disposal Sites

- (a) Lands on or within approximately 500 metres of existing or former waste disposal sites, as identified on the map schedules to this plan, may be used for any purpose permitted by the land use designations on the schedules to this plan and in compliance with the related policies of the plan, provided that the Township, in consultation with the Ministry of the Environment or any other agency having jurisdiction, is satisfied that there are no environmental conditions associated with the waste disposal site which may make the lands unsuitable for development.
- (b) Prior to development occurring in such areas, the applicant shall provide hydrogeological and other technical studies to demonstrate that there are no existing or potential adverse impacts from the presence of the waste disposal site. Such impacts as migration of leachate, methane or other contaminants shall be assessed. This documentation shall be approved by the Ministry of the Environment or any other agency having jurisdiction and the Township before any proposed development is permitted.

- (c) The zoning by-law will include appropriate provisions to implement these policies, possibly involving the use of a holding symbol in accordance with the provisions of the Planning Act and section 6.7 of this plan. These areas may also be designated as site plan control areas under the provisions of the Planning Act and section 6.4 of this plan.
- (d) No development shall be permitted within 30 metres of the boundary of a waste disposal site.

3.7.2 Waste Management

- (a) The proper management of waste products is complementary to good land use planning. The Township encourages the reduction, reuse and recycling of waste products. More specifically, the Township encourages:
 - i industrial, commercial and institutional operations to undertake waste audits and implement waste reduction plans;
 - ii households to compost wastes and to develop waste conservation practices; and,
 - iii both individuals and businesses to practice energy conservation.
- (b) With respect to its own activities and practices, it is the policy of the Township:
 - i to provide leadership through its own practices in all waste management matters;
 - ii to assist in educating the public on how to participate in pursuing these policies; and,
 - iii to reduce the use of environmentally damaging products and practices.

3.7.3 Hazardous Wastes

- (a) Hazardous wastes, as defined by the Ministry of the Environment or any other agency having jurisdiction, shall not be stored or disposed of anywhere within the Township unless approved and registered by the Ministry of the Environment or other approval agency. The approval agency shall consult with the Township prior to making a decision on an application for such storage or disposal. A copy of any approval for such storage or disposal shall be provided to the Township and any department or organization providing emergency services in the Township.

3.8 **Heritage and Archaeological Resources**

- (a) All land use planning decisions shall have regard for the conservation of significant built heritage features and archaeological resources.
- (b) Council shall endeavour to ensure that significant historical and architectural features and resources are appropriately managed to maintain their heritage value and benefit to the community.
- (c) Development on lands containing significant archaeological or other heritage resources shall avoid or appropriately address these resources. Where an area is identified as having archaeological potential, an assessment by a qualified professional shall be carried out prior to any development occurring. Any development approval shall reflect the findings and recommendations of the archeological assessment.

3.9 Home Occupations

- (a) In accordance with the applicable policies of this plan, home occupations are permitted in a number of land use designations in both the rural and community areas. Such uses shall comply with the policies of this section.
- (b) Home occupations shall consist of small businesses operated from a residential or agricultural property and having a scale in keeping with the principal use of the property.
- (c) Home occupations shall be owned and principally operated by residents of the dwelling on the subject property. Limited non-resident employees may be permitted in accordance with the provisions of the implementing zoning by-law.
- (d) Sufficient on-site parking shall be provided in accordance with the provisions of the implementing zoning by-law.
- (e) There shall be no significant adverse impacts on adjacent land uses and properties and the implementing zoning by-law may include screening provisions in this regard.
- (f) There shall be limited signage and outside facilities relating to the home occupation and the character of the principal residential or agricultural use should be evident.
- (g) In residential designations or zones a home occupation shall be permitted only within the dwelling and the implementing zoning by-law shall limit the portion of the dwelling which can be used for home occupation purposes.
- (h) In the Agricultural and Rural designations a home occupation may be permitted in either the dwelling or an accessory building. The maximum floor area devoted to such use may also be larger than in a residential designation or zone, in accordance with the

requirements of the implementing zoning by-law. In addition, in the Agricultural and Rural designations limited accessory outside storage may be permitted under the provisions of the zoning by-law.

3.10 Intergovernmental Aspects

- (a) Since the Township does not exist in isolation and since a variety of planning issues and initiatives logically involve other governments and their agencies, whenever possible and appropriate, Council shall consider the larger perspective in implementing this plan.
- (b) Council shall endeavour to work with affected area municipalities and other governments in pursuing planning objectives extending beyond the Township's boundaries such as developing groundwater and watershed management plans.
- (c) Council shall endeavour to work with other levels of government to address cross-jurisdictional planning issues such as large scale water taking, the spreading of biosolids and other materials, and the development of major infrastructure facilities.
- (d) Unless there is agreement on the part of the Town of Shelburne concerning a specific development proposal, all non-farm development will be prohibited within approximately 1 kilometre of the boundary of that municipality. Similarly, all non-farm development will be prohibited within approximately 0.5 kilometres of the community of Dundalk as delineated in the Township of Southgate's planning documents unless said Township is in agreement with such development. The purpose of this policy is to maintain a clear separation between rural and urban uses and to prevent sprawl adjacent to these urban areas. Notwithstanding this policy, a detached dwelling may be erected on an existing lot in accordance with the applicable land use designations and policies of this plan.

3.11 Mobile Homes and Trailers

- (a) The use of mobile homes and trailers as dwellings shall not be permitted in any land use designation except for the following:
 - i temporary farm help accommodation; and,
 - ii temporary owner accommodation during the construction of a dwelling outside a community, provided the accommodation is limited to a maximum period of one year and a building permit for the permanent dwelling has been issued and remains in effect.
- (b) For both of the temporary forms of accommodation identified in part (a) above, a temporary use by-law, in accordance with the Planning Act and section 6.9 of this plan,

and a related development agreement will be required. Among other provisions, that agreement will require the posting of a bond and the provision of proper and approved sewage disposal and water supply services to the mobile home or trailer.

- (c) Notwithstanding subsection 3.11(b) above, where farm help is required on an ongoing annual seasonal basis, the mobile home or trailer can remain during off-seasonal periods when the farm help is not required. As indicated in the policies relating to the Rural and Agricultural designations, permanent buildings can also be used for temporary or seasonal farm help accommodation.
- (d) Mobile homes or trailers may also be used for seasonal accommodation in an existing campground or tourist trailer park for vacationers or travelers. The placement of any new mobile homes or trailers in an existing trailer park, any conversion of such mobile homes or trailers to permanent residences, or any new tourist trailer park or mobile home park will require an amendment to the implementing zoning by-law and may require an amendment to this plan, with the applicant to provide appropriate servicing, planning and transportation studies in support of any such amendments.

3.12 Garden Suites and Accessory Apartments

- (a) Garden suites are permitted in areas designated Agricultural and Rural. Such uses shall be subject to the following provisions:
 - i there is compliance with all applicable zoning by-law provisions;
 - ii the applicable sewage disposal and water supply approvals are obtained;
 - iii the suite is not sited in front of the principal residence on the lot;
 - iv no new vehicular access is required from the adjacent public road;
 - v a temporary use by-law is passed; and,
 - vi a development agreement is executed to regulate the placement, maintenance and removal of the garden suite and such agreement shall include the posting of securities.
- (b) An accessory apartment is permitted within a detached dwelling in any designation where such a dwelling is a principal permitted use. Such apartments shall be subject to the following provisions:
 - i there shall be compliance with any applicable zoning by-law provisions;
 - ii there shall be no significant alteration to the exterior appearance of the dwelling as a building containing a single dwelling unit;
 - iii the applicable sewage disposal and water supply approvals are obtained; and,
 - iv sufficient on-site parking and exterior amenity areas are provided.

3.13 Wind Energy

- (a) Being located in an area of relatively high elevation with significant expanses of open lands, the municipality has potential for the development of facilities to convert wind energy into electricity. Subject to the policies of this plan, the Township supports the development of such facilities as a source of renewable energy.
- (b) In the Agricultural and Rural designations and, through a zoning by-law amendment in other designations, small scale individual wind turbines will be permitted for on-site domestic use of wind generated electricity on an individual lot basis.
- (c) Large scale commercial operations, involving one or more large wind turbines generating electricity for sale to the electrical grid, may be permitted through a zoning by-law amendment in the Agricultural and Rural designations. It is intended that such operations, referenced herein as wind farms, shall be sited and regulated so that most of the safety and the noise effects, as regulated by the Ministry of the Environment, are contained on the subject property and the adverse visual effects off the property are minimized to the extent possible.
- (d) Wind farms shall generally be located in so as to have regard for:
 - i communities, residential subdivisions and built-up areas;
 - ii sensitive land uses, including residences;
 - iii noise mitigation in accordance with the applicable regulations of the Ministry of the Environment and safety relative to such aspects as falling ice;
 - iv bird migration routes and feeding areas;
 - v agricultural land capability;
 - vi the capacity of the affected public roads to accommodate construction and maintenance vehicles; and,
 - vii airports and private airstrips and the applicable regulations of Transport Canada.
- (e) Council may require the applicant for a wind farm related zoning by-law amendment to prepare any or all of the following studies and materials prior to making a decision on such application:

- i a noise study to identify the setbacks or other mitigation measures, if any, required to meet the applicable Ministry of the Environment standards under the provisions of that Ministry’s publication “Interpretation for Applying MOE NPC Technical Publications to Wind Power Generators” or its equivalent;
 - ii a visual impact study analyzing the impact on the landscape as viewed from arterial roads and area residences and the mitigation measures required, if any;
 - iii a study analyzing the potential amount of adverse shadow or light reflection effects on sensitive uses adjacent to the subject property and the related mitigation measures, if any; and,
 - iv a study of any impacts on environmental features and functions such as bird migration and feeding activities.
- (f) The implementing zoning by-law shall include provisions for wind power facilities relating to such matters as setbacks and the maximum height of buildings or structures. Some of the purposes of such provisions are to protect the public using adjacent roads, to help control the effects on adjacent properties, and to provide consistent standards for such uses throughout the Township.
- (g) The implementing zoning by-law may include setbacks for new sensitive land uses in areas adjacent to a wind farm.
- (h) Wind farms shall be subject to site plan control in accordance with the provisions of the Planning Act and the policies of section 6.4 of this plan.
- (i) The implementing zoning by-law amendment may provide for a holding provision under the provisions of the Planning Act and the policies of section 6.7 of this Plan. A principal objective of using a holding provision would be to ensure that a site plan and associated agreement had been completed before the development commenced. Other requirements prior to the removal of the holding provision may include such matters as the provision of the required license from the Ontario Energy Board, provision of an operational protocol for dealing with extreme weather conditions or provision of detailed drawings of the turbines and their foundations certified by a professional engineer.
- (j) If wind power facilities are decommissioned, the site shall be appropriately rehabilitated for a use permitted by the applicable policies of this plan.

3.14 Commercial Topsoil Removal and Sod Farming

- (a) Subject to the policies of this section and any other applicable policies of this plan relating to the various land use designations and other matters, sod farming is permitted in the Agricultural and Rural designations.
- (b) Subject to the policies of this section and the other applicable policies of this plan relating to the land use designations and other matters, commercial topsoil removal is permitted in the Rural designation.
- (c) The Township may utilize a site alteration by-law or a topsoil removal by-law under the provisions of the Municipal Act to regulate commercial topsoil removal and peat farming operations. For the purposes of such a by-law, topsoil can include sod and those portions of soil containing organic material including partially decomposed organic matter such as peat. The purposes of such a by-law would be
 - i prohibit or regulate the removal of topsoil, including sod and peat;
 - ii require a permit to be obtained for the placing or removal of topsoil or the alteration of the grade of the land;
 - iii require site rehabilitation upon completion of the topsoil removal;
 - iv require the fulfillment of conditions to a permit such as the preparation of plans relating to the removal of the topsoil and the subsequent rehabilitation, the completion of a traffic impact study in accordance with section 5.2.5 of this plan, or the entering into a road maintenance agreement; and,
 - v require the restoration of the original land grades and the rehabilitation of land from which topsoil has been removed either without a permit or contrary to a permit issued under the by-law.
- (d) Commercial topsoil removal operations, including sod farming, will be subject to a zoning by-law amendment and the preparation of an EIS under the policies of section 3.3.1 of this plan. No zoning approval will be provided unless the EIS satisfactorily demonstrates that the proposed topsoil removal will have no negative impact on the area's environmental features and functions. A traffic impact study and a road maintenance agreement in accordance with the policies of section 5.2.5 may also be required prior to any zoning approval.

3.15 Ontarians With Disabilities Act

- (e) In accordance with the Ontarians with Disabilities Act, the Township has prepared a Municipal Accessibility Plan and will continue to monitor and update that Plan.

- (f) Issues of accessibility will be a principal consideration in any municipal planning decisions.

4.0 LAND USE POLICIES

4.1 Introduction

The policies provided in the following subsections relate to the land use designations as shown on Schedules “A” to “D” to this plan. They indicate the land uses permitted in each designation and provide the related planning and development policies.

4.2 Agricultural

The principal purpose of the Agricultural designation is to protect areas of predominantly prime agricultural lands for primarily agricultural use on a long term basis.

4.2.1 Permitted Uses

- (a) The predominant use of lands designated Agricultural shall be for all forms of agriculture, secondary uses to agriculture, agriculture-related uses, and resource management and forestry uses.
- (b) Agricultural uses include any form of general or specialized farming involving such activities as the growing of crops, including nursery and horticultural crops; the raising of livestock and other animals for food or fur, including poultry and fish; aquiculture; silvaculture, including Christmas tree production; maple syrup production; equestrian operations; and the production of sod. A single family dwelling is permitted as a component of an agricultural use, together with buildings and structures required as part of the agricultural operation. One accessory apartment unit is permitted within the dwelling in accordance with the provisions of section 3.12. A garden suite is also permitted in accordance with the provisions of section 3.12. Farm help accommodation, including temporary buildings or structures provided under the provisions of a temporary use by-law, is also permitted as part of an agricultural use.
- (c) Secondary uses to agriculture are uses secondary to the principal agricultural use of a property and may include such activities as home occupations and the production and sale of value-added agricultural products from the farm operation on the subject property. Agri-tourism uses and activities may also be permitted as secondary uses. These could include such uses as bed and breakfast and farm vacation facilities, and pick-your-own produce operations.
- (d) Agriculture-related uses are those commercial and industrial uses that are directly related to farm operations and are required to be in close proximity to such operations. These may include such uses as agricultural produce storage facilities, grain drying operations,

custom spraying, farm implement dealers, agricultural transportation operations, seed cleaning facilities, fertilizer handling facilities, veterinary clinics, feed mills, and abattoirs.

- (e) Facilities for the generation of electricity from wind are permitted, provided there is compliance with the policies of section 3.13 and all other applicable policies of this plan.
- (f) The construction of a detached dwelling is permitted on an existing lot of record and on a lot created by the land severance process in accordance with the applicable policies of sections 4.2.3 and 6.2 this plan. Existing tourist and recreational commercial uses such as trailer parks, campgrounds and golf courses are permitted, as are other existing non-agriculturally related industrial and commercial uses but new uses of these types are not permitted. Wayside pits are permitted.
- (g) All permitted uses shall comply with the applicable policies of section 4.2.2 and the other related policies of this plan.

4.2.2 Planning and Development Policies

- (a) Agricultural uses shall be given priority over all other uses with the exception of dwellings permitted on existing lots of record in accordance with the applicable policies of this plan.
- (b) The siting and nature of agricultural uses, the expansion of such uses, and the siting of non-agricultural uses shall comply with the provisions of the Minimum Distance Separation formulae. New dwellings on existing lots of record shall be sited so as to comply with the applicable formula wherever possible and, where compliance cannot be achieved, shall be sited as far as possible from the nearest livestock related facilities.
- (c) Agricultural uses, particularly those involving livestock, shall comply with the provisions of the Nutrient Management Act and the associated regulations.
- (d) Agricultural uses, particularly those involving large scale livestock facilities, shall comply with the policies of this plan relating to surface and groundwater protection as well as environmental protection, including the policies of subsections 3.2 and 3.3.
- (e) The spreading of biosolids and other similar materials shall proceed only in accordance with the approval of all provincial agencies having jurisdiction and any applicable Township by-law.

- (f) Agricultural uses involving the production of peat or sod shall be subject to the policies of subsection 3.14 and may also be subject to the policies of subsections 3.2 and 3.3 concerning water resources and environmental protection.
- (g) Farm parcel size shall be sufficiently large to facilitate flexible and viable farm operations on a long term basis. In general, the fragmentation of agricultural land holdings into parcels inappropriate for typical agricultural operations in this area shall not be permitted. The implementing zoning by-law shall set minimum lot sizes for agricultural uses.
- (h) Farm help accommodation may be provided by the single accessory apartment unit within the dwelling permitted under the policies of sections 4.2.1(b) and 3.12. Farm help accommodation may also be provided in a permanent building within the farm building cluster but such building shall not be used as a permanent residence and the use shall be subject to the applicable sewage disposal and water supply regulations.
- (i) Temporary facilities for farm help accommodation may be provided, subject to the following provisions:
 - i the accommodation is sited within or adjacent to, but not in front of the farm building cluster;
 - ii the applicable sewage disposal and water supply approvals are obtained;
 - iii there is compliance with all of the applicable zoning by-law provisions;
 - iv no new vehicular access is required from the adjacent public road;
 - v a temporary use by-law is passed;
 - vi a development agreement is executed to regulate the placement, maintenance and removal of the temporary accommodation and such agreement shall include the posting of securities.
- (j) Mobile homes or trailers may be used for temporary farm help accommodation on a limited basis in accordance with the policies of section 3.11.
- (k) Home occupations shall comply with the policies of this plan relating to such uses in agricultural areas, including those found in subsection 3.9, and with the provisions of the implementing zoning by-law.
- (a) Permitted agriculture-related uses shall comply with all applicable policies of this plan. The implementing zoning by-law shall include provisions for these uses and may require a zoning by-law amendment for some or all such future uses.
- (j) New agriculture-related and secondary uses shall be compatible with, and shall not hinder agricultural uses.

- (k) Wind energy facilities shall comply with the policies of section 3.12 and all other applicable policies of this plan.
- (l) A detached dwelling may be erected in compliance with the implementing zoning by-law on any vacant lot existing at the time of approval of this official plan provided there is sufficient suitable area on the lot for the siting of a dwelling, accessory uses, a well and a sewage disposal system. To the extent possible, the siting of such dwelling shall comply with the applicable agriculturally related Minimum Distance Separation formula.
- (k) Because prime agricultural lands cannot be readily delineated by a single line forming the boundary of a land use designation on a map schedule, the boundary between the Agricultural and Rural designations may be adjusted based on the findings of a report from a qualified agrologist. If such a report determines that lands adjacent to the boundary of the Agricultural designation do not qualify as prime agricultural lands, then the subject boundary shall be interpreted as including the subject lands in the adjacent Rural designation. An amendment to this plan is not required in such circumstances. Only a limited degree of boundary adjustment is permitted under this policy and such adjustment shall not result in the elimination of an entire Agricultural area. The policies of section 7 of this plan shall apply.

4.2.3 Agricultural Consent Policies

- (a) In addition to the general consent and land severance policies of subsection 6.2 and all other applicable policies of this plan, the following policies shall apply with regard to consents for land severances in the Agricultural designation:
 - xi In order to preserve prime agricultural land and agricultural land holdings and to minimize the fragmentation of such lands, severances are discouraged in the Agricultural designation.
 - xii New lots may be created for any permitted permanent principal land use in the Agricultural designation but not for accessory uses such as a home occupation.
 - xiii A maximum of three residential lots may be permitted on either a 40 hectare or larger lot on the original Township surveys or on a property combining abutting original Township survey lots containing a total of at least 40 hectares. The total permitted residential lot severances shall include all such lots created by the land severance process on the subject original Township survey lot or lots prior to the approval of this plan.

- xiv Within the policy context of parts i, ii, and iii of this section, new lots for residential uses may be permitted for:
- A retirement lot for a farmer of retirement age who is retiring from active working life, was farming on January 1, 1994, and has owned and operated the subject farm for a substantial number of years.
 - A lot for a member of the farm family who is actively engaged in the farm operation on a daily basis.
 - One of two or more existing residences on a single farm property, built prior to 1978, which is surplus to the farm.
 - An existing farm residence that is rendered surplus as a result of farm consolidation through the acquisition of additional farm parcels to be operated as one farm unit.
 - The creation of residential infilling lots between two existing non-farm residential lots of a similar size located on the same side of a road and not more than 100 metres apart, or between a residential lot and a road intersection where the separation distance is not more than 100 metres.
- xv Land owners seeking consents for residential severances shall provide evidence of ownership of the land for a period of not less than three years prior to the date of application for consent.
- xvi Where an existing house will be located on a new lot being created through the consent process and there are agricultural buildings in close proximity to the proposed lot, the agricultural buildings should either be included on the lot with the house or should be removed to comply with the applicable Minimum Distance Separation formula and to avoid potential land use compatibility problems.
- xvii New non-agricultural lots shall be sited to avoid agricultural lands wherever possible. Where such lots involve agricultural land, the lot size shall be kept to the minimum required to accommodate the dwelling, accessory uses and on-site private sewage disposal and water supply facilities.

4.3 Rural

The purpose of the Rural designation is to protect the Township's rural landscape and amenities, to protect and preserve agricultural uses where warranted on lands outside the prime agricultural areas, and to provide for and encourage other land uses appropriate to a rural setting including

those representing economic development in accordance with the applicable policies and planning objectives identified in this plan.

4.3.1 Permitted Uses

- (a) All uses permitted in the Agricultural designation, as specified in the policies of subsection 4.2.1, are also permitted in the Rural designation. Also permitted are highway, tourist, land extensive and recreational commercial uses, light industrial uses excluding extractive industrial activities, existing active waste disposal sites, institutional uses, kennels, public parks and recreational uses, commercial topsoil removal, and rural residential uses on existing lots of record and on lots created by land severance in accordance with the policies of sections 4.3.3 and 6.2.
- (b) In addition to the commercial and industrial uses permitted under section 4.3.1(a) above, also permitted are uses within the broad range of both traditional and new forms of economic development referenced in sections 3.1 and 4.3.2.
- (c) All permitted uses shall comply with the applicable policies of section 4.3.2 and the other related policies of this plan.

4.3.2 Planning and Development Policies

- (a) The policies of section 4.2.2, Planning and Development Policies, as they relate to uses permitted in the Agricultural designation, shall apply to such uses in the Rural designation unless additional policies are provided in this section, in which case these additional policies shall also apply. If there are conflicts between the policies, the most restrictive shall apply.
- (b) The maintenance of the area's rural character will be a principal consideration in the evaluation of any new or significantly expanded use in the Rural designation. The intent is to maintain the area's existing rural characteristics to the greatest extent possible and to avoid an urban built-up appearance.
- (c) The protection of the area's important environmental features, including its water resources, will also be a primary consideration in the evaluation of any new or significantly expanded use proposed for the Rural designation. The applicable policies of section 3 shall apply in this regard.
- (d) New commercial, industrial, institutional and kennel uses shall require an amendment to the implementing zoning by-law. Significant expansions of existing uses of these types may also require a zoning by-law amendment. Council shall proceed with such a zoning by-law amendment only if it is satisfied that the proposed new or expanded use:

- xi complies with all of the applicable policies of section 3 of this plan, particularly those relating to the protection of water resources and the minimization of environmental impact;
 - xii is compatible with the rural character of the area;
 - xiii will have little or no impact on agricultural uses;
 - xiv avoids or minimizes the use of agricultural lands unless the use requires a site on or near agricultural lands due to the nature of its operations;
 - xv complies with the applicable Minimum Distance Separation formula;
 - xvi can be serviced with an appropriate on-site method of water supply and sewage disposal;
 - xvii will be accessed by public roads capable of accommodating the related traffic, preferably arterial roads in the case of high traffic generating uses;
 - xviii will not cause a traffic hazard due to conditions such as inadequate sight lines at the point of access; and,
 - xix can be appropriately buffered or screened from adjacent sensitive or incompatible uses such as residences, in accordance with the policies of subsection 3.4.
- (e) New and significantly expanded commercial, industrial, institutional, kennel and other economic development related uses may be subject to site plan control under the policies of section 6.4.
 - (f) Permitted recreational commercial uses may include such uses as golf courses, cross country ski operations, and riding stables. Large scale and intensive uses such as resorts, theme parks, adventure game parks, racetracks are also permitted.
 - (g) Tourist and highway commercial uses may include such operations as tourist accommodation facilities including campgrounds or trailer parks, spas, retreats, craft shops, service stations and restaurants.
 - (h) Land extensive commercial uses are those which require relatively large land areas for their operations and may include such developments as building supply outlets, garden centres and self-storage facilities.
 - (i) Light industrial uses are those which are capable of being served by private on-site water supply and sewage disposal systems and which have few, if any, potential adverse effects relating to such aspects as noise and odours. Light industrial uses, possibly in combination with commercial uses, could take the form of a planned business park.
 - (j) Permitted light industrial uses shall not include scrap yards or similar uses. Existing scrap yards may continue to be recognized in the zoning by-law but new ones will require amendments to both this plan and the zoning by-law and shall be subject to all the

relevant land use and environmental policies of this plan, particularly those provided in section 3.

- (k) The broad range of economic development activities referenced in section 3.1 of this plan are permitted in the Rural designation, subject to the policies and criteria of section 4.3.2(d) and (e) above and all other applicable policies of this plan. Such development shall not be limited to the types of specific uses described in the policies of this section but shall be carefully evaluated through the rezoning process to ensure compliance with the applicable policies of this plan, particularly those relating to environmental impact, land use impact, servicing and transportation.
- (l) The existing waste disposal site is recognized by the permitted uses in subsection 4.3.1. Any new waste disposal site will require amendments to both this plan and the zoning by-law and will be subject to all the relevant land use and environmental policies of this plan, particularly those provided in section 3.
- (m) Institutional uses may include such facilities as schools, places of worship and community centers and other types of uses operated by public agencies as well as private sector facilities such as retirement homes.
- (n) Commercial topsoil removal operations shall be subject to the policies of section 3.14 and all other applicable environmental and land use policies of this section and this plan.
- (o) Rural residential development may be permitted in the form of detached dwellings on existing vacant lots of record at the time of approval of this plan and having sufficient suitable area for the proper siting of a dwelling, accessory uses, a well and sewage disposal system; or on lots created by the Committee of Adjustment. Lots created by the Committee of Adjustment shall comply with the applicable land severance and consent policies in sections 4.3.3 and 6.2.

4.3.3 Rural Consent Policies

- (a) In addition to the general consent and land severance policies of subsection 6.2, the following policies shall apply with regard to consents for land severances in the Rural designation:
 - xi In agricultural areas within the Rural designation the severance policies of subsection 4.2.3 relating to the Agricultural designation shall apply.
 - xii In non-agricultural areas, a maximum of three residential lots may be permitted on either a 40 hectare or larger lot on the original Township surveys or on a property combining abutting original Township survey lots containing a total of at

least 40 hectares. The total permitted residential lot severances shall include all such lots created by the land severance process on the subject original Township survey lot or lots prior to the approval of this plan.

- xiii Land owners seeking consents for residential severances shall provide evidence of ownership of the land for a period of not less than three years prior to the date of application for consent.
- xiv Wherever possible, residential lots shall take the form of infilling between two existing non-farm residential lots of a similar size located on the same side of a road and not more than 100 metres apart, or between a residential lot and a road intersection where the separation distance is not more than 100 metres.

4.4 Environmental Protection

The purpose of the Environmental Protection designation is to protect areas having a high degree of environmental significance or sensitivity as well as those areas exhibiting inherent environmental hazards requiring protective measures including such features as flood susceptibility, steep slopes or unstable soils. The lands included in the Environmental Protection designation on Schedules “A”, “B”, “C” and “D” to this plan consist principally of evaluated provincially and locally significant wetlands and lands in the vicinity of rivers and streams.

4.4.1 Permitted Uses

- (a) A very limited range of uses and activities will be permitted in Environmental Protection areas. Subject to the applicable policies of this plan, particularly those in this section and in section 3, these areas may be used for conservation uses; low impact, passive recreation uses such as walking trails; essential public watershed management and flood control works; erosion control facilities; forestry and fisheries management projects and facilities, but not commercial forestry; essential infrastructure; and existing legally established uses including agricultural operations. Also, in lands having environmental hazards a dwelling may be permitted on an existing vacant lot if there is compliance with the policies of section 3.3.2 and all other applicable policies of this plan.

4.4.2 Planning and Development Policies

- (a) Development will not be permitted in provincially significant wetlands. Although development is not encouraged in locally significant wetlands it may be permitted in such areas on a very limited basis and only in accordance with the findings and recommendations of an Environmental Impact Study completed in conformity with the policies of section 3.3.1 of this plan and the requirements of any agency having jurisdiction. With the exception of situations in which the policies of section 7 of this

plan apply, an amendment to this plan will be required for development to proceed in a wetland.

- (b) Development will not be permitted in provincially significant portions of the habitat of endangered and threatened species. Although there was no indication of such habitat at the time of the plan's preparation, the Environmental Protection designation and this policy shall apply to the appropriate areas through an amendment to this plan if endangered and threatened species are found in the future.
- (c) Development may be permitted on adjacent lands to those areas and features referenced in parts (a) and (b) of this section if it has been demonstrated through an EIS that there will be no negative impacts on the natural features or ecological functions for which the subject area is identified.
- (d) The policies of section 3.3.2 and all other applicable policies of this plan as well as the requirements of any agency having jurisdiction shall apply to hazard lands, particularly those having flood susceptibility or steep or unstable slopes.
- (e) Development will be set back from watercourses in order to protect their natural features and functions, provide riparian habitat and minimize the risk to public safety and property. The setback distance will be determined on-site in consultation with the conservation authority having jurisdiction. In general, development should be set back a minimum of 30 metres from a watercourse. The Environmental Protection designations on the schedules to this plan reflect that minimum setback distance as well as including larger areas where physical conditions such as flood susceptibility warrant.
- (f) For the purposes of the setback policies in subsection 4.4.2(e) above, a municipal drain shall not be considered as a watercourse and lower setbacks from such drains primarily for maintenance purposes shall be permitted.
- (g) Development will generally be directed to areas outside of lands having erosion hazards, either associated with a watercourse or otherwise. The determination of an erosion hazard limit will be based on the combined influence of:
 - the toe erosion allowance;
 - the stable slope allowance;
 - the flooding hazard limit or meander belt allowance; and,
 - the erosion access allowance.

The erosion hazard limit will be defined on a site-by-site basis in consultation with the conservation authority having jurisdiction. The provincial Natural Hazards Training Manual, or its successor, will be used as a basis in determining the erosion hazard limit.

- (h) Where land designated Environmental Protection is under private ownership, this plan does not imply that such areas are free and open to the general public or will be purchased by the Township or any other public agency. There is no public obligation either to redesignate or to purchase any area designated Environmental Protection.
- (i) No buildings or structures nor the placing or removal of fill of any kind, whether originating on the site or elsewhere, shall be permitted in Environmental Protection areas except where such buildings, structures or fill are intended for erosion control or other uses permitted by sections 4.4.1(a) and 3.3.2 and are approved by the Township, the conservation authority having jurisdiction and, where appropriate, the Ministry of Natural Resources or the Ministry of the Environment.
- (j) The Township shall seek the technical advice of the conservation authority, the Ministry of Natural Resources or the Ministry of the Environment when addressing development proposals affecting lands in the Environmental Protection designation or adjacent lands.
- (k) Where development is proposed on a site which includes areas designated Environmental Protection, such lands shall not be acceptable as part of the park land dedication provided for in the Planning Act. Where appropriate, however, the Township or other public agency may be willing to accept such lands to protect important environmental features or resources.
- (l) Essential infrastructure facilities such as roads or utility lines may be permitted in Environmental Protection areas, however, in the case of Township projects, every effort shall be made to avoid such areas or to minimize any negative impacts on such areas if they cannot be avoided. The Township shall also encourage other agencies undertaking infrastructure projects to proceed in a similar manner.
- (m) Development may be permitted on adjacent lands to areas designated Environmental Protection in accordance with the policies of this section and those applying to the specific designation on the adjacent lands. Such development shall only be permitted if it has been demonstrated that there will be no negative impacts on the natural features or functions within the area designated Environmental Protection. The extent of the adjacent lands may be determined by the provincial agencies having jurisdiction, in consultation with the Township.
- (n) Nothing in these policies or elsewhere in this plan shall be construed as restricting existing agricultural operations or other legally existing uses within the Environmental Protection designation. Although not considered nonconforming uses, the criteria in the policies of section 6.6 shall apply with regard to the expansion of such uses.

- (o) An application to amend this plan to redesignate lands from the Environmental Protection designation shall be supported by an Environmental Impact Study in accordance with the policies of section 3.3.1 and the requirements of all agencies having jurisdiction.
- (p) The Environmental Protection designation, as delineated on the schedules to this plan, is intended to represent current information on the extent of environmentally significant features and hazard lands. If more detailed mapping becomes available, it will be included in this plan through an amendment revising the map schedules.

4.5 Rural Residential

The purpose of the Rural Residential designation is to provide policies which would permit a limited number of properly planned residential plans of subdivision in appropriate sites within the rural area.

4.5.1 Permitted Uses

- (a) Uses permitted in the Rural Residential designation shall include single detached dwellings, home occupations and accessory uses.

4.5.2 Planning and Development Policies

- (a) Development within the Rural Residential designation shall occur only by registered plan of subdivision.
- (a) The initial Rural Residential designations on the schedules to this plan recognize existing developed plans of subdivision, draft approved plans of subdivision and lands designated for such development in the Township's previous official plan. New rural residential proposals will require amendments to this plan and to the implementing zoning by-law and shall be subject to the applicable policies of this plan.
- (c) The intent of the Rural Residential designation is to permit a limited number of rural oriented and compatible residential subdivisions on appropriate sites outside the communities. In keeping with this objective, rural residential subdivisions shall be limited in both numbers and in size. Only a small percentage of the Township's population shall be accommodated by such development.
- (d) Rural residential development shall only be considered in areas and sites that:
 - do not contain prime agricultural lands;
 - comply with the applicable agriculturally related Minimum Distance Separation formula;

- either do not directly abut agricultural lands or, where they do abut such lands, can be buffered in accordance with the policies of section 4.5.2(e);
 - have an attractive rural character preferably including rolling topography and treed areas;
 - are well separated from incompatible uses such as commercial or industrial operations, including extractive industrial uses and aggregate potential areas;
 - are well separated from areas designated Community;
 - have direct access to a paved public road; and,
 - comply with all other applicable policies of this plan, particularly those in section 3.
- (e) Where a Rural Residential site abuts agricultural lands the site shall be buffered from such lands by means of such features as berms, privacy fencing, planting strips or increased lot depth. It may also be a condition of any related planning approvals that purchasers of such lots be advised of the presence of agricultural operations and the potential for the generation of noise, dust and odours from those operations.
- (f) Rural residential developments shall be sited and designed to blend with and complement the Township's rural character and natural features. Rural residential developments shall incorporate at least the following design components:
- lot sizes shall vary within the subdivision, shall not be excessively large or small and shall average approximately 1 hectare;
 - lot and subdivision configuration shall complement the site's natural features;
 - house siting shall be designed to maintain a rural character to the development and avoid an urban appearance out of character with the area;
 - treed areas shall be retained to the extent possible and tree planting may be required where necessary to meet the policies and objectives of this plan; and,
 - lots shall generally be accessed from a paved internal subdivision road rather than an abutting Township or arterial road.
- (g) Rural residential development may be subject to site plan control in accordance with the policies of section 6.4.
- (h) Rural residential development shall be serviced by individual wells and sewage disposal systems on each lot in accordance with the policies of section 5.3.
- (i) To properly address the applicable policies of this plan, including the policies of section 3, any application for a Rural Residential official plan amendment will require a variety of technical studies and documentation, depending on the circumstances of each application. That support material, required either as support documentation for the

official plan amendment or prior to the passage of the implementing zoning by-law, may include:

- a hydrogeological study relating to water supply, sewage disposal and the impact of the development on groundwater resources;
- an agricultural evaluation or impact study, including MDS calculations;
- an environmental impact study;
- a land use compatibility feasibility study;
- a landscape assessment and house siting plan; and,
- an assessment of the area's potential aggregate resources.

4.6 Mineral Aggregate Resource Area

The Township contains areas having potentially significant aggregate resources according to the "Aggregate Resources Inventory of Melancthon Township" prepared by the Ministry of Natural Resources. The purpose of the Mineral Aggregate Resource Area designation is to protect as much of this resource as is reasonably possible in the area identified as being of primary significance, for future use to supply mineral aggregate resource needs, in accordance with the applicable provincial planning policies.

4.6.1 Permitted Uses

- (g) The permitted uses shall be limited to agriculture, forestry and conservation. A detached dwelling may be erected in compliance with the implementing Zoning By-law on any vacant lot existing at the time of approval of this official plan and having sufficient suitable area for the proper siting of the dwelling, a well, a sewage disposal system and accessory uses.
- (h) Existing uses may be recognized in the implementing Zoning By-law and minor extensions of such uses may also be permitted in accordance with the policies of this section and all other applicable policies of this plan, including the criteria in section 6.6 for the expansion of a legal nonconforming use.

4.6.2 Planning and Development Policies

- (a) The establishment of a new extractive industrial use or the extension of an existing use into lands designated Mineral Aggregate Resource Area on Schedule A will require an amendment to this plan and the implementing Zoning By-law. Such an amendment would redesignate the subject lands to the Extractive Industrial designation with the corresponding zone being applied in the Zoning By-law amendment.

- (b) All amendments to permit a new or expanded extractive industrial use in the Mineral Aggregate Resource Area shall comply with the applicable policies of this plan, particularly those in this section, in section 4.7 relating to extractive industrial uses, and in section 3 relating to the protection of the environment and water resources among other matters.
- (c) The schedules to this plan may be amended to add new Mineral Aggregate Resource Area designations as a result of new information about mineral aggregate resource deposits provided by the Ministry of Natural Resources or other agencies having jurisdiction or an interest in such matters.
- (d) An application to amend this plan to change a Mineral Aggregate Resource Area designation to any designation other than Extractive Industrial shall only be approved under one or more of the following circumstances:
- the mineral aggregate potential is determined by the Ministry of Natural Resources and the Township to be too low to be commercially viable on the basis of testing of the quantity, quality and extent of the mineral deposit by a qualified professional;
 - the use of the lands for mineral aggregate extraction is constrained by such factors as nearby existing or proposed incompatible uses such as residences, the location or condition of access roads, the potential impact on environmentally significant features; or,
 - the previous extraction of all or most of the site's mineral aggregate resources with full rehabilitation of the site.

It shall be the responsibility of the applicant seeking the required Official Plan amendment to provide the necessary documentation to support the change in land use designation under one or more of the above circumstances.

- (e) Development in either this designation, or in the areas adjacent to this designation, that would preclude or significantly hinder the establishment of new or expanded extractive operations or access to the resources will only be permitted if:
- the resource use would not be feasible; or
 - the proposed land use or development serves a greater long term public interest; and
 - issues of public health, public safety and environmental impact are addressed.

4.7 Extractive Industrial

The Extractive Industrial designation applies to all existing mineral resource extractive operations and will be applied to all future such operations. Its purpose is to provide policies governing both the establishment of new and expanded mineral extractive industrial uses and the ongoing operation of existing facilities. The intent is to minimize the impact of such uses and to evaluate them on the basis of a balanced assessment of all relevant local and provincial planning policies.

4.7.1 Permitted Uses

- (a) Subject to the application of the related planning policies, the following uses shall be permitted within areas designated Extractive Industrial: extractive industrial uses, agriculture, forestry and non-intensive outdoor recreational uses. Extractive industrial uses are those involving sand and gravel pits and stone quarries and the accessory facilities associated with such uses.

4.7.2 Planning and Development Policies

- (a) Existing extractive industrial uses, as defined by the area licensed under the Aggregate Resources Act at the time of the approval of this plan, are designated Extractive Industrial on the schedules to this plan and no further municipal planning approvals will be required for the continuation of those uses as designated herein.
- (b) New extractive industrial uses or the expansion of existing extractive industrial uses beyond the area designated on the schedules to this plan will require amendments to both this official plan and the zoning by-law. Notwithstanding the applicable provisions of the Planning Act, notification of the public meeting on such amendments shall be provided to all owners of properties fronting on the proposed haul route for the subject extractive industrial use.
- (c) Prior to the submission of an application for the required amendments relating to a new or expanded extractive industrial use, the municipality will require a meeting with the applicant, the Ministry of Natural Resources and any other affected agency such as the conservation authority having jurisdiction or the Ministry of Environment. The intent is to identify the issues, the documentation requirements and the evaluation process.
- (d) New or expanded extractive industrial uses are prohibited within or adjacent to the following areas:
 - areas designated as Community or Rural Residential;

- registered and draft approved residential plans of subdivision outside Community designations;
 - areas having other incompatible land uses; and
 - areas designated Environmental Protection.
- (e) New or expanded extractive industrial uses are prohibited within 30 metres of any non-farm rural residential use.
- (f) Where a new or expanded extractive industrial use is proposed for a site having prime agricultural land, such use may be permitted if:
- alternatives involving sites on lower quality or nonagricultural lands have been evaluated by the applicant and have been found to be unsuitable; and,
 - site rehabilitation will be capable of restoring substantially the same quality and area of agricultural land as existed prior to mineral resource excavation.

The restoration of agricultural land quality and quantity shall not be required where the depth of planned extraction makes such restoration unfeasible due to slope conditions.

- (g) Council will consider an application for an official plan amendment to permit a new or expanded extractive industrial use and will proceed with the required amendment to this plan only when the applicant has satisfactorily demonstrated the following:
- v That the application complies with all of the applicable policies of this plan;
 - vi That the lands contain a commercially viable quality and quantity of aggregate resources;
 - vii That all of the material required for a license application under the Aggregate Resources Act has been prepared and is available for the Township's consideration;
 - viii That all environmental studies, as required by this plan and all relevant agencies, have been completed and that either there will be no significant adverse environmental impacts or such impacts can be mitigated;
 - ix That all water resource related studies, as required by this plan and all relevant agencies, have been completed and that either there will be no significant adverse effects on ground or surface water resources or such impacts can be mitigated;

- x That the applicant has entered into an agreement to undertake any required groundwater or other monitoring program required by the municipality, the Ministry of Natural Resources or any other agency having jurisdiction, with the results of any such monitoring undertaken for other agencies to be provided to the municipality;
 - xi That there is compliance with the haul route related policies of subsection (i) of this section including the requirement to provide a Traffic Impact Study and that, where necessary, the applicant has entered into the required agreement concerning funding for related road improvements and other matters;
 - xii That provincial guidelines for noise and vibration levels will be met in a manner acceptable to the municipality;
 - xiii That dust and any other air emissions will be mitigated on-site in a manner acceptable to the municipality;
 - xiv That the rehabilitation will be progressive and will minimize the extent of the disturbed area in accordance with the policies of subsection (j); and,
 - xv That the proposed site and operational plans minimize impacts on surrounding land uses and views by means such as phasing and the direction of extraction.
- (a) When applications for extractive industrial official plan amendments are being considered, the following information shall be provided by the applicant and made available to the public at the Township office:
- v detailed site, operational and rehabilitation plans, as required by the Aggregate Resources Act;
 - vi all reports prepared by the applicant as required by this plan and the Aggregate Resources Act; and,
 - vii any other required information as identified in the preapplication consultation meeting referenced in subsection (c) of this section.
- (i) In addition to any other policies of this plan or the requirements of other agencies, the following policies shall apply with regard to mineral aggregate haul routes and the traffic impacts resulting from extractive industrial development:

- (i) All extractive industrial related traffic relating to such uses within the designated Mineral Aggregate Resource Areas shall utilize one or more of the Mineral Aggregate Haul Routes as designated on Schedule “A”;
- (ii) Wherever possible, the use of internal traffic connections between abutting or adjacent extractive industrial operations will be encouraged to minimize the number of accesses to, and the length of travel on the identified haul routes;
- (iii) Any new or expanded extractive industrial use in this area shall provide a Traffic Impact Study, prepared in accordance with the applicable policies of section 5.2.5 of this plan, documenting the potential impacts on the designated haul routes and identifying the road improvements, if any, required to accommodate the additional projected traffic;
- (iv) Any new or expanded extractive industrial use proposed in areas of the Township outside the designated Mineral Aggregate Resource Areas will require the preparation of a Traffic Impact Study addressing at least the following:
 - identification of potential haul route options;
 - evaluation of the identified haul route options in terms of at least the following factors: the characteristics of the roads and the degree and cost of any upgrading required, the length of the route, the presence of significant environmental features and the associated potential impacts on those features, the number of sensitive land uses such as residences along the route, and the impacts on those land uses particularly in terms of noise;
 - identification of the preferred haul route in terms of the lowest combined impact on all of the items identified in the second point above and any additional elements included in the evaluation; and,
 - the other matters required under the policies of subsection 5.2.5(a).
- v Any new haul route shall utilize principally arterial roads and, where necessary, Township roads, all of which are to be built or reconstructed to accommodate such traffic; and,
- vi The applicant for an extractive industrial official plan amendment shall enter into an agreement with the municipality, in accordance with the policies of section 5.2.5 of this plan, addressing such aspects as:
 - routes to be used by trucks carrying aggregate;

- cost sharing arrangements regarding capital improvements to, and maintenance of roads and other facilities as required by reason of the proposed extractive industrial development;
 - phasing of such improvements, if appropriate; and,
 - the provision of any required securities.
- (j) In order to preserve the area's rural and scenic character, extractive industrial uses will generally be restricted to areas not exposed to public view. The following policies shall apply in this regard.
- i A visual impact study may be required to assess sensitive views, determine what landscape changes may result from the proposed extractive operation and identify required mitigation measures such as berms, landscaping or alterations to the operational plan.
 - ii The Township will ask the Ministry of Natural Resources to include provisions or features such as the following in the site, operational and rehabilitation plans for new pit licenses:
 - the use of small operational phases and progressive rehabilitation to limit the extent of the disturbed area;
 - orienting the direction of extraction to minimize adverse impacts on views from adjacent lands and roads and from more distant view points;
 - the development of variable berms and mature vegetative screens prior to the commencement of the extractive operation in order to replicate the area's natural topography and soften or eliminate views of the excavation;
 - utilization of offset entrances to screen the extractive operation from the abutting public road; and,
 - at the completion of the extractive industrial operation, full rehabilitation of the site to return it to a condition which complements its rural setting.
- (k) Prior to the approval of an amendment to this plan or to the zoning by-law, the Township may require the applicant to enter into an agreement relating to such matters as are required to meet the policies of this plan. Such an agreement may address items such as haul routes and the related improvements and maintenance, groundwater or other

environmental monitoring, and the rectification of any significant adverse impacts such as loss of quality or quantity of water in local wells.

- (l) The Township will seek the support of the Ministry of Natural Resources, any affected conservation authority and any other agency having jurisdiction in ensuring that all appropriate conditions resulting from the policies of this plan or the reports prepared as a result of those policies are imposed and enforced as conditions of the license under the Aggregate Resources Act and/or the conditions of development approval under the Planning Act.
- (m) Where an application is made to the Ministry of Natural Resources to amend the conditions of an existing license or site plan under the Aggregate Resources Act and the Minister has served notice of same on the Township:
 - i the applicant must demonstrate to the Township's satisfaction that the applicable requirements and policies of this plan have been met; and,
 - ii the Township will, except for minor amendments to the license or site plan, hold a public information meeting before providing comments to the Ministry.
- (n) Upon completion of aggregate extraction and full implementation of the rehabilitation plans, the site of an extractive industrial operation may be used for any of the other uses permitted in subsection 4.7.1, including agriculture, forestry and low intensity outdoor recreation. The use of such lands for any other purpose will require amendments to this plan and the zoning by-law.

4.8 Community

The purpose of the Community land use designation is to recognize the Township's three small settlement areas, to provide for a range of land uses appropriate to these areas, and to provide a planning policy framework relating to development within the built-up areas and limited additional development beyond the built-up areas existing at the time of preparation of this official plan.

4.8.1 Permitted Uses

- (a) Uses permitted in the Community designation include single detached dwellings; home occupations; commercial uses, including land extensive uses, serving the local area or the traveling public; small scale light industrial uses; institutional uses such as schools, churches, and government offices and agencies; community centres and libraries; parks and recreational uses; and bed and breakfast establishments.

4.8.2 Planning and Development Policies

- (a) The policies of subsection 4.8.1 permit a range of uses that are typical of smaller rural communities. While some intermixing in the siting of such uses is also typical of these communities and is permitted by these policies, the intent is to ensure that situations of land use incompatibility are not created by future development approvals in these areas.
- (b) Residential uses are the most sensitive of the uses permitted and, therefore, shall be protected to the extent possible from the potential adverse impacts of nonresidential uses.
- (c) New commercial, industrial, institutional and recreational uses may be permitted by an amendment to the zoning by-law. Such an amendment shall not be passed unless Council is satisfied that:
 - i the proposed use is compatible with the area and the character of the community in general and, in this regard, a land use compatibility feasibility study in accord with the policies of subsection 3.4 may be required;
 - ii where the use abuts or is in close proximity to one or more potentially sensitive or incompatible uses, particularly residences, the potential negative impacts can be mitigated through such screening measures as fencing, landscaping or berming;
 - iii adequate water supply and sewage disposal facilities can be provided in accordance with the policies of section 5 of this plan;
 - iv adequate parking and loading facilities can be provided; and,
 - v access roads are capable of accommodating the traffic to be generated by the use and no additional traffic is generated on minor residential streets.

In order to implement these policies and other related policies of this plan, new or significantly expanded commercial, industrial, institutional and recreational uses may be subject to site plan control in accordance with the policies of section 6.4 of this Plan.

- (d) Wherever possible, commercial, industrial and major institutional uses should be clustered with direct access from an arterial road or the main road serving the community. Notwithstanding this policy, small scale nonresidential uses serving the neighbourhood may be permitted within predominantly residential areas.
- (e) New bed and breakfast establishments may be permitted by an amendment to the zoning by-law and may be subject to site plan control in accordance with the policies of section

6.4. Council shall not pass the implementing zoning by-law amendment unless it is satisfied that:

- i the use will not have a significant negative impact on the enjoyment and privacy of neighbouring residential properties;
 - ii adequate parking facilities can be provided on the subject property;
 - iii the residential character of the dwelling will be retained; and,
 - iv adequate water supply and sewage disposal facilities can be provided.
- (f) Lots for permitted uses within the built-up area, including infilling lots, may be created by land severances or plans of subdivision. New residential development in those areas designated Community beyond the built-up area shall generally proceed by plan of subdivision and shall be set within a concept plan for the development of the remainder of the undeveloped designated area. Although not the preferred form of development, limited infilling or other lots may also be permitted by land severance in these undeveloped areas extending beyond the built-up area.
- (g) New development, particularly in Hornings Mills, shall be designed to reflect the physical setting, historic elements and built form of the community and its buildings. Site plan control may be used, in accordance with the policies of section 6.4, to implement this policy.
- (h) All development shall be properly serviced with water supply and sewage disposal facilities in accordance with the policies of section 5.3 of this plan.

5.0 ROADS, TRANSPORTATION AND SERVICING

5.1 Introduction

The policies of this section are intended to ensure proper servicing and access to development and land uses within the Township. They also endeavour to ensure that road system serving the municipality and its residents functions efficiently. These are policies that apply generally throughout the Township and to all development and land uses within the various land use designations in this plan.

5.2 Roads and Transportation

The purpose of this section is to identify the types of roads serving the municipality, to apply policies to protect the functions of those roads and to ensure there is proper road access to all future development.

5.2.1 Road Classifications

- (a) The schedules to this plan identify three types of roads serving the municipality: arterial, local and mineral aggregate haul routes. The policies relating to each of these road classifications are provided in the following three subsections.

5.2.2 Arterial Roads

- (a) All provincial highways and County roads serving the Township at the time of the preparation of this plan are designated “Arterial Road” on the attached schedules. These are roads designed and intended to be used to accommodate larger volumes of primarily through traffic at higher operating speeds traveling between major traffic generating areas or other arterial roads.
- (b) Access to these roads will require the approval of the agency having jurisdiction over the road. Access may be limited or tightly controlled, particularly in the case of provincial highways, to protect the road’s function and safety. Highway No. 10 is a controlled access highway with very limited new accesses being permitted under the applicable provincial access standards. Upgrading of accesses such as from a residential access to one of commercial standards is similarly limited.
- (c) The municipality will not approve any development having frontage on an arterial road without either an access permit or written approval in principal for such a permit from the agency having jurisdiction over that road.

- (d) Higher traffic generating land uses should be located with access directly to an arterial road or to a local road in close proximity to an intersection with an arterial road.
- (e) The ultimate road allowance width and future widening requirements, if any, relating to these roads will be determined by the agencies having jurisdiction. The minimum setbacks for buildings, septic systems and other facilities may also be determined by those agencies and any such requirements will be reflected in the provisions of the zoning by-law.
- (f) The Township shall seek the support of the agencies having jurisdiction to ensure that the municipality is given an opportunity for input into any proposed significant realignment of existing arterial roads or the creation of any new arterial roads within the Township. Such proposals will be evaluated in terms of the applicable policies and planning objectives of this plan.

5.2.3 Local Roads

- (a) All open roads under the jurisdiction of the Township, other than those identified on the schedules to this plan as “Mineral Aggregate Haul Routes”, are designated as “Local Roads”. The principal function of these roads is to provide access to individual properties and to link those properties to the system of municipal, county and provincial roads.
- (b) Local roads are not intended to carry large volumes of traffic. Appropriate road allowance widths shall be provided to accommodate existing and anticipated traffic volumes and to reflect specific road and site characteristics. The minimum road allowance width shall be 20 metres. Any required road widenings should generally be taken equally from both sides of a road allowance unless there are site specific circumstances which makes this difficult or inappropriate.
- (c) In keeping with the other policies of this plan, including subsection 5.2.2, higher traffic generating uses shall be generally discouraged from locating on local roads. Where such uses do have access from a local road, such access shall be located as close as possible to an intersection with an arterial road. Also, the municipality may require a traffic impact study and a road related development agreement in accordance with the policies of subsection 5.2.5.
- (d) The municipality shall continue to maintain and upgrade open local roads as warranted by traffic volumes and road conditions. It is not a policy of this plan, however, to open any or all unopened road allowances.

5.2.4 Mineral Aggregate Haul Routes

- (a) There are potentially large reserves of mineral aggregate resources in the areas designated as “Mineral Aggregate Resource Area” on Schedule “A” to this plan. The extraction of those resources has the potential to generate significant amounts of truck traffic transporting the mineral aggregates to markets primarily in the Greater Toronto Area. In order to plan comprehensively for that traffic, a number of roads have been designated as “Mineral Aggregate Haul Routes” on schedule “A” to this plan. Other than minor local deliveries, all traffic associated with extractive industrial uses in the Mineral Aggregate Resource Areas will be confined to these designated haul routes.
- (b) The intent in designating Mineral Aggregate Haul Routes is, in cooperation with the responsible public authority, to utilize primarily arterial roads since these are the most appropriate roads to accommodate potentially large volumes of truck traffic. Where a haul route utilizes a provincial highway or County road, the requirements of the agency having jurisdiction shall be met prior to Township approval of any related amendments to this official plan or the zoning by-law.
- (c) Where a haul route utilizes a local road, the requirements of this plan shall be met, particularly those relating to a traffic impact study and road related agreement as contained in subsection 5.2.5. The intent is to ensure that, on an as-required basis, the affected municipal roads are upgraded to the equivalent of arterial road standards where necessary to accommodate the traffic associated with proposed new extractive industrial uses.
- (d) As permitted by the policies of subsection 4.7.2 and notwithstanding the intent to utilize the system of haul routes designated by this plan, the use of internal traffic connections between abutting or adjacent extractive industrial operations will be encouraged to minimize the number of accesses to, and the length of travel on the designated haul routes.
- (e) The policy of subsection 5.2.4(c) above also applies to existing and new haul routes on local roads in other parts of the Township serving extractive aggregate uses located outside the designated Mineral Aggregate Resource Area.

5.2.5 Traffic Impact Studies

- (a) Council may require applicants proposing any form of development having the potential to generate significant amounts of traffic to provide a Traffic Impact Study assessing the potential impacts on the road system resulting from the proposed land use. Such a study shall include the following components as a minimum requirement:
 - i a clear description of the specifics of the proposed development;

- ii the physical characteristics of roads serving the site and current traffic volumes, including peak hour volumes, on those roads;
 - iii projected new traffic volumes, including turning movements, to be generated by the proposed development over at least a ten year period and an assignment of those volumes to the road network;
 - iv assessment of the improvements to the road system required to accommodate the increase in traffic volume and the scheduling of those improvements; and,
 - v estimated costs for the implementation of the identified improvements.
- (b) In addition to the above, in the case of proposed new or expanded extractive industrial uses, the Traffic Impact Study shall also address the matters listed in subsection 4.7.2(h) of this plan.
- (a) Where the results of a Traffic Impact Study indicate that the municipal road system requires upgrading to accommodate the traffic associated with the proposed use, it shall be a condition of the issuance of any required entrance permit or development approval that the applicant undertake the required road improvements to the satisfaction of the Township. Alternatively, the applicant may be required to enter into an agreement with the Township to either phase those improvements in accordance with phasing of the development or provide funds for the Township to undertake the improvements. An agreement with regard the applicant's responsibility for road maintenance costs may also be required. The policies of subsection 4.7.2(h) will also apply in the case of extractive industrial uses.

5.2.6 Other Road Policies

- (a) All new development shall have access from an open public road. There is no requirement under the policies of this plan for the Township to open any unopened road allowance or to approve any land use or development proposed on an unopened road allowance. The Township will open any such road allowance only when it has determined that such opening is in the public interest and in conformity with this plan.
- (b) If an applicant for development on an unopened road allowance proposes to build the road in said road allowance, they shall build the road to full municipal standards at their expense and in accordance with the terms of an agreement with the Township. The related development shall not be approved until the road has been built to the Township's satisfaction and assumed as a public road by the municipality.

- (c) Any proposed new public roads in the Township shall comply with the applicable policies of this plan, particularly those related to the protection of important environmental features.
- (d) New public roads in plans of subdivision shall be built to Township standards and shall be subject to a maintenance period under the terms of a subdivision agreement before being assumed as a public road by the Township.
- (e) The number of accesses to municipal roads, particularly in the rural areas, shall be minimized wherever possible in order to maintain an appropriate level of road safety. In this regard, accesses to individual lots in rural residential plans of subdivision will be provided from an internal road wherever possible and strip development shall be minimized wherever possible in accordance with the policies of section 6.2(a).
- (f) All septic system tile beds and other similar facilities shall be set back a minimum of 6 metres from all road allowances to avoid the associated relocation costs if road rebuilding or widening is required. In addition, proposals to locate farm drainage tiles adjacent to roads should be implemented in agreement with the Township.
- (g) All development proposals shall be circulated to the appropriate road approval authority prior to any final decision being made on the application.
- (h) Surface drainage from any land use shall not be directed to a road allowance or roadside ditch.
- (i) It is an objective of this plan to continue the Township's policy intended to ultimately achieve a 30 metre wide road allowance for all municipal roads outside the community areas. The appropriate road widenings will be taken as part of the development approval process such as in the approval of consents for land severances or the approval of site plans.

5.3 Servicing Policies

- (a) All development in the municipality shall be provided with appropriate essential services including a suitable supply of potable water and a proper method of sewage disposal. In considering development proposals Council shall be satisfied that all such essential services can be provided and that there will be no adverse effects on the environment or on services to existing land uses.

5.3.1 Water Supply and Sewage Disposal

- (a) At the time of preparation of this plan the principal methods of supplying water and disposing of sewage for land uses in the Township were by means of wells and private sewage disposal systems on individual lots. It is a policy of this plan that future development shall be permitted only on the basis of such private individual lot sewage disposal and water supply facilities.
- (b) In view of the predominance of individual lot servicing facilities in the Township and the municipality's important groundwater resources, applicants for new developments shall provide evidence that the required servicing approvals have been obtained or that the agencies having jurisdiction have provided written approval in principle.
- (c) A hydrogeological study will be required for any proposed residential plan of subdivision or larger scale commercial, industrial or institutional uses. As a minimum requirement, such a study shall consider and determine:
 - i the prospects for obtaining a satisfactory water supply based on individual wells;
 - ii in the case of a plan of subdivision, the number of lots and the size of lots required to meet the guidelines of the Ministry of the Environment, or any other agency having jurisdiction, with regard to nitrate loadings or other key indicators of groundwater impact from sewage disposal systems in particular;
 - iii in the case of non-residential development, the limits as to the size and intensity of the use on the basis of nitrate loadings or other key indicators of groundwater impact;
 - iv the cumulative impact of the proposed development, other potential or proposed development in the area and local existing uses; and,
 - v the potential impacts on area wells and groundwater supplies.
- (d) The conditions of any development approval, if such approval is supported by the hydrogeological study, shall reflect the findings and recommendations of that study.

5.3.2 Stormwater Management and Drainage

- (a) Stormwater management and drainage impacts shall be fully addressed prior to development proceeding in order to identify and prevent any potential flooding, erosion or deterioration of watercourses either on or off the site.
- (b) All applications for large scale commercial, industrial, institutional and residential development shall be accompanied by a Stormwater Management Report prepared by a qualified professional to the satisfaction of Council, the conservation authority having jurisdiction, and all other applicable regulatory agencies. Smaller scale development may also be required to provide such a report where site and area conditions warrant. As a minimum requirement, the report shall address or include:
 - i The current provincially accepted stormwater management guidelines or regulations;
 - ii Stormwater quantity controls ensuring that post-development flow rates do not exceed pre-development runoff rates for applicable storm conditions;
 - iii Stormwater quality controls where such controls are determined to be necessary;
 - iv Best management practices;
 - v Identification of the effects of development on watershed flow regimes, headwater areas, and the linkages to groundwater resources; and,
 - vi Recommendations for mitigation of any significant adverse stormwater or drainage impacts.
- (c) Before a decision is made on any application relating to the types of development referenced in subsection 5.3.2(a) above, the stormwater and drainage related regulatory agencies shall be given an opportunity to review the Stormwater Management Report and provide their comments and recommendations. If stormwater or drainage is the principal area of concern regarding a proposed development, the approval of all agencies having jurisdiction over such matters may be required before a decision is made on the proposal.
- (d) Surface drainage from any land use shall not be directed to a road allowance or roadside ditch.

5.3.3 Other Servicing Related Policies

- (a) Council shall ensure the provision of those municipal services which are the responsibility of a rural municipality under the applicable provincial legislation.

- (b) Council shall ensure that a proper level of services can be provided to any new development. In that regard, parties proposing developments may be required to identify the nature and location of all services required by the proposal and to enter into an agreement with the municipality to ensure that all such services are provided.
- (c) While the municipality may not have jurisdiction concerning large scale regional or provincial servicing projects such as highways and major electrical power lines, Council will seek to have input into the decision making process on these projects in order to implement the applicable policies of this plan to the extent possible.

6.0 IMPLEMENTATION

6.1 Introduction

This official plan will be implemented by Council under powers conferred on it by the Planning Act, the Municipal Act and other enabling legislation. The policies of this section relate to various methods of implementing the provisions of this plan. They provide guidance for the preparation of implementation documents and for making decisions on a variety of matters having importance in implementing the plan.

6.2 Consents to Convey Land or an Interest in Land

- (a) Land division, particularly development involving the creation of more than three lots in any area outside the Community designations, shall generally take place by plan of subdivision. Where a plan of subdivision is not necessary for proper and orderly development, a consent to a land conveyance may be granted. Such consents shall comply with the applicable policies of this plan, particularly those relating to consents in the Agricultural and Rural designations, and with the following policies.
 - i The use of both the proposed severed and retained lots shall comply with the policies of the applicable land use designation and with the provisions of the zoning by-law.
 - ii Where the severed or retained lots will involve new buildings, structures, wells or sewage disposal systems, it must be established that the subject lots have soil and drainage conditions suitable for the proper siting of buildings, structures and an on-site sewage disposal system, and that a sufficient supply of potable water is available or can be obtained.
 - iii In addition to the policies of this subsection, the policies of subsections 4.2.3 and 4.3.3 regarding consents in the Agricultural and Rural land use designations respectively, shall apply with regard to the types and numbers of consents that may be granted those land use designations.
 - iv Notwithstanding the policies of subsection (iii) above or any other policy of this plan, consents for land conveyances or for conveyances of an interest in land may be granted for technical purposes such as boundary adjustments, lot enlargements or easements, provided such consent does not result in the creation of a new building lot. Such consents shall not be counted in the maximums specified in this subsection or in subsections 4.2.3 and 4.3.3.

- v Strip development shall be prevented along arterial roads and shall be discouraged along other roads in the rural areas. This shall not include infilling situations in conformity with the policies of subsection (vi) below.
- vi Consents for lot conveyances may be permitted in residential infilling situations. In rural areas such infilling lots may be permitted between two residential lots of a similar size, existing on the date of adoption of this plan, where the distance between the lots, located on the same side of the road, is a maximum of 100 metres. Also, existing strip residential areas, generally consisting of three or more residential lots, may be extended to a physical feature such as an intersection where such feature is a maximum of 100 metres from the closest existing residential lot line.
- vii Consents shall be granted only when both the severed and retained lands have frontage on an open public road built to municipal standards.
- viii Where it is proposed that a lot be created fronting on a provincial highway or County Road, approval will be considered only if the agency having jurisdiction over the road provides written confirmation that an access permit will be issued if approval is granted.
- ix Consents shall not be granted where a traffic hazard would be created due to sight lines on curves or grades or traffic volumes, either existing or projected.
- x The size and dimensions of any lot created by a consent approval should be appropriate for the use proposed and no lot shall be created which does not comply with the provisions of the zoning by-law and the requirements of any agency having jurisdiction.
- xi Notwithstanding subsection (x) above, where a zoning by-law amendment or minor variance is determined to be appropriate to a proposed conveyance, approval of such amendments or variances shall be included as a condition of approval of the consent, or a decision on the consent application may be held until at least the zoning by-law amendment has been approved.
- xii The creation of non-farm lots in or adjacent to agricultural areas or uses shall generally be discouraged and any such lots shall comply with all applicable policies and regulations relating to the protection of agricultural uses, including the applicable Minimum Distance Separation (MDS) formulae.

6.3 Zoning By-laws

- (a) An implementing comprehensive zoning by-law shall be passed by Council, and amended from time to time, in order to control or prohibit the use of land in accordance with the policies and designations of this plan; to establish regulations for the purpose of controlling the use of land and the character, location and use of buildings or structures; and for any other purpose permitted under the provisions of the Planning Act.
- (b) It is not intended that all areas designated for specific uses on a longer term planning basis as shown on the schedules to this plan will be zoned immediately for such uses. Certain areas may be zoned initially in another zone category, in a category utilizing a holding symbol in accordance with the provisions of the Planning Act and the policies of subsection (6.7), or for their existing uses pending future rezoning to the designated uses indicated in this plan.
- (c) When Council receives an application for a development that is in conformity with the land use designations and policies of this plan, is not premature and is capable of being properly serviced, the zoning by-law may be amended to permit the development to proceed without an amendment to this plan.

6.4 Site Plan Control

- (a) Pursuant to the provisions of the Planning Act, all lands within the Township except those used for agriculture and single detached dwellings, are hereby designated as a Site Plan Control area. Where agricultural lands are also used for wind farms, any wind farm facilities are also included as a Site Plan Control Area. Council may pass a by-law designating all or any portion of these areas as a Site Plan Control area.
- (b) The general objectives of site plan control are:
 - i to implement proper development standards and to encourage aesthetic design in site development;
 - ii to minimize land use incompatibility between new and existing or planned adjacent uses and to provide functional and attractive on-site facilities;
 - iii to implement all site plan related policies of this plan, particularly those concerning the protection and enhancement of the Township's rural character and the characteristic features of its communities;
 - iv to screen or otherwise protect existing adjacent uses from new development where the new development would have a detrimental impact on these uses;

- v to control the placement, massing and conceptual design of all buildings within site plan control areas;
 - vi to ensure the conveyance of any required easements for drainage, utilities and other similar facilities;
 - vii to ensure the conveyance of road widenings in accordance with the applicable policies of this plan and other agencies having jurisdiction;
 - viii to ensure proper grading, storm drainage and maintenance in regard to surface water and utilities; and,
 - ix to ensure safe and efficient movement of both vehicular and pedestrian traffic as it relates to site development; and,
 - x to ensure the proper maintenance of site features and facilities provided under the applicable provisions of the Planning Act.
- (c) Where Council has passed a by-law designating an area as a site plan control area, it may require, as a condition of development approval, that an agreement be executed between the municipality and the owner of the subject lands. Such an agreement may stipulate through its text and/or through the use of plans and drawings, the location of proposed buildings and structures and may show or describe the location of all works and facilities to be provided under the applicable provisions of the Planning Act. Such an agreement may also require the owner to maintain specified on-site facilities.
- (d) Where site plan approval is sought for a property abutting a provincial highway or County Road, the approval of the applicable agency having jurisdiction over the highway or road will be required.
- (e) As part of the development approval process in a site plan control area, Council may require drawings showing any or all of the following or any other components as permitted under the applicable provisions of the Planning Act:
- i Plan, elevation and cross-section views for each building to be erected which are sufficient to show the building's massing and conceptual design and its relationship to adjacent buildings, roads and public areas;
 - ii The facilities to provide access to and from the lands, such as access ramps and traffic directional signs;

- iii Loading and off-street parking facilities, access driveways and the proposed surfacing of such areas and driveways;
- iv Lighting of the lands and the exterior of proposed buildings;
- v Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining land;
- vi Facilities and enclosures for the storage of garbage and other waste material;
- vii Easements to be conveyed for the construction, maintenance or improvement of watercourses, ditches, land drainage works and other public utilities of the municipality or a local board thereof; and,
- viii Grading or other alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures.

6.5 Property Standards

- (a) Council may pass, amend or update by-laws, pursuant to Section 15.1 of the Building Code Act, 1992, or any subsequent legislation, to establish minimum standards of maintenance and occupancy for properties within the Township. A property maintenance and occupancy by-law shall apply to all properties within the municipality and shall generally include provisions addressing the following areas of concern and related items:
 - i The conditions of yards including such elements as:
 - The accumulation of rubbish or debris,
 - The lack of proper on-site garbage containment facilities,
 - Abandoned and wrecked vehicles, boats and trailers,
 - The unauthorized placement and storage of trailers,
 - Abandoned machinery and equipment,
 - The storage of materials such as lumber, tires and pesticides,
 - Conditions contributing to pest infestation, and,
 - Improper or inadequate site drainage, and
 - ii The external and structural conditions of all buildings, both principal and accessory, including such elements as:
 - Abandoned or structurally unsafe buildings,
 - Lack of maintenance of exterior walls, roofs and other exterior features,
 - Improper or poorly maintained foundations,
 - Improper or poorly maintained porches, decks and exterior steps, and,

- Conditions contributing to pest infestation.
- (b) The above reference to the storage or abandonment of such items as vehicles, machinery or materials does not apply to any properties where such activities or use of land is permitted such as an approved wrecking yard.

6.6 Legal Non-Conforming Uses

- (a) Nothing in this plan shall interfere with the continuation of a land use which is legally existing at the time of the adoption of this plan.
- (b) The implementing zoning by-law may recognize legally existing uses not in conformity with the policies of this plan. Such recognition must take the form of site specific zoning provisions limiting the nature and extent of the use to that existing at the time of the adoption of this plan.
- (c) Legally existing land uses at the date of the time of adoption of this plan that are not in conformity with the plan's policies are considered as legal non-conforming uses and, in the long term, should cease to exist. In some instances, however, it may be desirable to permit the extension or enlargement of such a legal non-conforming use in order to avoid unnecessary hardship. Consideration of an application for such an extension or enlargement shall be subject to the policies of this section.
- (d) Pursuant to the provisions of the Planning Act, at the time of application for any extension or enlargement of a legal non-conforming use Council shall consider the possible purchase of the subject property. If property acquisition does not appear to be feasible, Council may consider the possibility of amending the zoning by-law to permit such an extension or enlargement. Such a zoning by-law amendment may be passed without an amendment to this plan if Council is satisfied that there is conformity with the following criteria:
- i The proposed extension or enlargement shall not unduly aggravate the situation created by the existence of the use, particularly in regard to the policies of this plan and the requirements of the implementing zoning by-law.
 - ii The proposed extension or enlargement shall be in appropriate proportion to the size of the non-conforming use at the time of the application for such extension or enlargement.
 - iii The proposed extension or enlargement shall not create or substantially increase such nuisance factors as noise, vibration, fumes, smoke, dust, odour and lighting so as to add substantially to the incompatibility of the use with the surrounding

area. The proposal shall meet the requirements of all agencies having jurisdiction over such matters such as the applicable conservation authority and the Ministry of Environment.

- iv It must be possible to adequately protect neighbouring conforming uses, where necessary, by the provision of such features as landscaping, buffering, screening, building setbacks, and other measures to reduce nuisance effects. The provisions of site plan control may be utilized in this regard.
 - v Traffic and parking conditions, both on-site and in the area, shall not be significantly adversely affected, with adequate provision being made for on-site parking and loading facilities and for any required improvements to area roads.
 - vi Appropriate on-site services relating to such matters as water supply, sewage disposal and stormwater management can be provided and the approval of all agencies having jurisdiction over such matters has been obtained.
- (e) Pursuant to the provisions of the Planning Act, the Committee of Adjustment may permit an extension or enlargement of a legal non-conforming use, provided such extension or enlargement does not extend beyond the limits of the land owned and used in connection with the existing use on the day the zoning by-law implementing this plan was passed. In evaluating an application for such an extension or enlargement, the Committee shall consider those matters listed in subsection 6.6(d) above.

6.7 Holding Symbols

- (a) When passing zoning by-laws to implement the provisions of this plan, Council may, in accordance with the provisions of the Planning Act, utilize a holding symbol in conjunction with a zone symbol. The use of such a symbol would have the effect of holding development, other than specified land uses, in the subject areas until Council is satisfied that such development can proceed in conformity with the intent of this plan.
- (b) Holding symbols may be used in situations where the principle of development has been established but specific conditions, such as the provision of certain services, the signing of related agreements or the completion of required studies, must be fulfilled before the holding symbol can be removed and new development be permitted to proceed.
- (c) The zoning by-law shall specify the precise conditions to be met for the removal of the holding symbol and the uses to be permitted until such time as the holding symbol is removed.

- (d) In considering an application for the removal of a holding symbol, Council shall ensure that the intent of this plan is maintained and that the conditions for the removal of the symbol have been properly fulfilled.

6.8 Interim Control By-laws

- (a) Council may determine that it is necessary to undertake a review or study of land use planning policies in the municipality or any part thereof. In situations where Council has authorized such a review or study to be undertaken, an interim control by-law may be passed in accordance with the provisions of the Planning Act prohibiting the use of land, buildings or structures within such area for, or except for, such purposes as are set out in the by-law.
- (b) An interim control by-law may be in force for a period of up to one year and may be extended by amendment for a maximum of an additional year or such other time as may be permitted by the Planning Act.

6.9 Temporary Use By-laws

- (a) Council may enact temporary use by-laws in accordance with the provisions of the Planning Act to permit the temporary use of lands, buildings or structures for any purpose set out in such by-laws that is otherwise prohibited by the zoning by-law implementing this plan.
- (b) Temporary use by-laws shall define the area affected, the uses permitted and the expiry date of the by-law. That expiry date shall be in accordance with the provisions of the Planning Act.
- (c) In considering temporary use by-laws, Council shall be satisfied that:
 - i the proposed use is clearly temporary in nature;
 - ii the proposed use is compatible with adjacent uses particularly in terms of nuisance effects such as noise and dust and, where necessary, suitable buffering is, or can be provided to minimize or eliminate any incompatibility or nuisance effects;
 - iii sufficient road capacity exists and sufficient on-site parking can be provided;
 - iv the size of the lot and/or building is appropriate for the proposed use; and,
 - v services such as water supply, sewage disposal and site drainage are sufficient.

- (d) The temporary use permitted by any such by-law shall be removed prior to the expiration of said by-law and, if such use is not removed, it will be considered illegal with respect to the municipality's comprehensive zoning by-law.

6.10 Other Municipal By-laws

- (a) Council may pass any other by-law for which it has statutory authority and which it considers appropriate to assist in the implementation of the policies and land use designations of this plan.
- (b) Sign by-laws may be passed to regulate the form and placement of signs, particularly billboard type signs, in the municipality. By-laws may be passed regulating tree cutting other than in regard to commercial forestry.
- (c) In accordance with the policies of subsection 3.14, Council may pass by-laws regulating topsoil removal in order to control commercial topsoil operations including sod farming.

6.11 Official Plan Review and Updating

- (a) It is intended that this plan shall be subject to review from time to time as appropriate to ensure that it reflects and responds to changing conditions or new information.
- (b) Council shall hold a special meeting, open to the public, no less frequently than every five years or as otherwise mandated by the Planning Act, for the purpose of determining the need for revision to this plan.
- (c) Should changing conditions or other factors necessitate the updating of this plan, this will be implemented through an amendment to the plan with full public participation in accordance with the provisions of the Planning Act.

6.12 Technical Amendments to the Official Plan and Zoning By-law

- (a) Council may eliminate the holding of a public meeting in connection with technical amendments to this official plan and the implementing zoning by-law. For the purposes of this policy, technical amendments shall include only amendments for the following purposes:
 - i altering the numbering or arrangement of any provisions;
 - ii correcting punctuation or altering language to provide uniformity in terminology;

- iii correcting clerical, grammatical or typographical errors; or
- iv revising format.

7.0 INTERPRETATION

7.1 Land Use Boundaries and Roads

- (a) It is intended that the boundaries of the land use designations shown on the schedules to this plan be considered as approximate, except where such boundaries follow arterial roads, railways, rivers or streams or other similar geographic barriers. It is also intended

that the location of roads as shown on the schedules to this plan be considered as approximate and not absolute.

- (b) In light of subsection (a) above, amendments to this plan will not be required to make minor adjustments to the boundaries of the land use designations or to the location of roads, provided the general intent of the plan is preserved. Such minor deviations can be implemented through zoning by-law amendments and will not be reflected on the land use schedules to this plan. The determination of what constitutes a minor deviation shall be at the sole discretion of the municipality.

7.2 Numerical Figures and Quantities

- (a) It is intended that all figures and quantities provided in this plan are to be considered as approximate and not absolute. Amendments to this plan will not be required for minor variations from the figures or quantities contained herein provided the general intent of this plan is maintained. The determination of what constitutes a minor variation shall be at the sole discretion of the municipality.

7.3 Accessory Uses

- (a) Unless the specific policies of this plan clearly indicate otherwise, wherever a use is permitted in a land use designation in this plan, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use are also permitted. The determination of what constitutes an accessory use shall be at the sole discretion of the municipality.

7.4 Buffering

- (a) In a land use context a buffer may be defined as a space or feature interposed between two conflicting land uses for the purpose of reducing or eliminating the adverse effect of one land use upon another. A buffer may be open space alone where only distance is relied upon to produce the desired results or it may be a berm, wall, fence, plantings or a land use different from the two conflicting ones, but compatible with both. Buffering or combinations of different types of buffering may be required as specified by the municipality.

7.5 Changes in Legislation, Agencies and Approval Authorities

- (a) Where a provincial or federal act, regulation or guideline, or section thereof, is referenced in this plan, it is intended that such reference be interpreted to include any subsequent legislation, regulation or guideline replacing the specified document. Similarly, where reference is made to specific ministries, agencies or approval authorities, such reference

is intended to include any party that may subsequently assume the referenced duties and responsibilities of the specified ministry, agency or approval authority.

8.0 DEFINITIONS

- (a) **Adjacent lands** means those lands, contiguous to a specific natural heritage or other feature or area, where it is likely that development or site alteration would have a negative impact on the feature or area.
- (b) **Development** means the creation of a new lot, a change in land use, or the construction of buildings or structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.
- (c) **Garden suite** means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential building and that it designed to be portable.
- (d) **Minimum Distance Separation** means the recommended distance to be provided between a sensitive land use and a livestock facility in order to minimize both land use conflicts and complaints about odour, as determined using the applicable formula prepared by the Provincial government.
- (e) **Mobile home** means a dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer, tent trailer or trailer otherwise designed.
- (f) **Non-government** means of, or relating to the private sector or individuals.
- (g) **Prime agricultural land** means land which is composed of primarily speciality crop soils and/or soils which have a Class 1, 2 or 3 agricultural capability rating in the Canada Land Inventory.
- (h) **Significant** means important in terms of amount, content, representation or effect.
- (i) **Significant expansion** means, with regard to a land use or building, an expansion which increases the size of the building or the area of the use by a minimum of 25 percent or 150 square metres of useable floor area of any buildings associated with the use.
- (j) **Temporary farm help accommodation** means accommodation that is temporary in nature and is designed to be moved when no longer required, with such accommodation being provided for persons having temporary employment on the subject farm and having a permanent residence elsewhere.

- (k) **Trailer** means, in the case of temporary farm help accommodation, a unit designed to be readily connected to, and hauled by a motor vehicle, and containing cooking, washroom and sleeping facilities, and, in the case of a trailer park or campground, also includes a tent trailer, travel trailer, camper, van and motor home or recreational vehicle.