

OVERVIEW AND GENERAL SUMMARY

FEBRUARY 2010 DRAFT TOWNSHIP OF MELANCTHON OFFICIAL PLAN

1. Overview

- a. The Plan replaces the current Plan and contains planning policies and designations covering the period to 2031
- b. Over that period it is anticipated that:
 - i. Despite the potential for increased commuter based residential development, there will be limited population growth, slightly over 1,000 people over the 22 year period;
 - ii. What growth there is will be accommodated principally on existing vacant lots in rural areas and in the community of Hornings Mills and, to a lesser extent, in Cobetton and Riverview;
 - iii. Significant environmental features and resources, particularly water resources and wetlands, will be protected and preserved to the extent possible;
 - iv. Economic development will consist of almost exclusively resource based activities such as agriculture, aggregate extraction and renewable energy generation;
 - v. Maintaining a reasonable balance between economic development, environmental stewardship and maintaining a quality rural character will be an ongoing challenge;
 - vi. Development will continue to be based primarily on individual on-site sewage disposal and water supply facilities; and
 - vii. The existing system of transportation facilities will remain and be upgraded and there is the possibility of new facilities primarily related to resource development.

2. The Map Schedules

- a. The revised map schedules are not yet available.
- b. They will generally reflect the schedules to the 2004 edition of the Plan with three principal exceptions:
 - i. The mineral aggregate resource areas will be expanded to include an Ontario Geological Survey Selected Bedrock Resource Area in the northeastern part of the Township;

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- ii. The Mineral Aggregate Resource Area will be changed from a land use designation to an overlay designation with a mixture of rural and agricultural designations replacing it on Schedule A; and,
 - iii. The Environmental Protection designation will be somewhat revised to reflect current information from the various government ministries and agencies having jurisdiction over such matters.
- c. The lack of maps does not prevent a full review of the proposed policies, particularly if reference is made to the maps in the previous edition of the draft Plan.

3. **The Planning Objectives**

- a. Section 2 of the Plan will set out a wide range of planning objectives.
- b. As noted in the text, while several of these individual objectives conflict, the intent is to consider them all in any planning decision and to attempt to achieve a balance among them.
- c. This is the approach to be taken with the Plan in general and with all other planning documents such as the Provincial Policy Statement.
- d. These planning objectives will constitute the broad frame of reference in which to consider any planning and development issue or proposal.

4. **Growth Management and Allocation**

- a. Section 3.1 will provide the forecasted limited population growth over the planning period and the proposed methods of accommodating that growth including principally:
 - i. Development on existing vacant lots in both the rural and community areas;
 - ii. New lot creation and intensification in the communities; and
 - iii. A limited number of new severed rural lots.
- b. Subject to a number of important planning policies and criteria, the forms of intensification to be permitted include such development as accessory units in detached dwellings, semi-detached units, duplexes, infilling and redevelopment.

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5. Economic Development

- a. A limited increase in employment is anticipated over the planning period with a continuation of the predominance of home based employment.
- b. One small Light Industrial designation south of Hornings Mills will be retained.
- c. Traditional forms of economic development such as agriculture and aggregate extraction will continue to be permitted provided there is compliance with key planning policies in the Plan and elsewhere.
- d. New and innovative forms of economic development will be encouraged. Such uses may include agricultural related research facilities, environmentally related science and research establishments as well as related interpretative centers, and tourism.

6. Water Resources

- a. The importance of the municipality's water resources is acknowledged and a range of both broad and specific policies will be provided to address the conservation and use of these resources.
- b. Among other provisions, these policies will include:
 - i. A focus on water resource protection and conservation in the evaluation of any planning or development proposal;
 - ii. Continuing efforts to control the application of biosolids in the Township;
 - iii. Using the 2001 AEMOT Groundwater Management Plan as a reference until other plans are in place;
 - iv. Amending the Plan in the future to implement applicable provisions of all Source Protection Plans and other aspects of the Clean Water Act;
 - v. In general, the extraction of more than 50,000 litres of groundwater per day will require a Zoning By-law amendment with full technical justification on the part of the applicant;
 - vi. Proper stormwater management will be a key requirement in the consideration of any development proposal; and,
 - vii. Working with the agencies having jurisdiction, appropriate setbacks from watercourses will be established through the Plan's policies and designations as well as through the implementing Zoning By-law.

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7. **Other Key Environmentally Related Components**

- a. In general, an Environmental Impact Study will be required for any development involving an Official Plan amendment or rezoning.
- b. The key components of such studies will be identified.
- c. Working with the conservation authorities, development will generally be prohibited on or near hazardous lands.

8. **The “Agricultural” Land Use Designation (Section 4.2)**

- a. This designation will apply to all prime agricultural lands in the Township.
- b. The configuration of this designation will be primarily based on:
 - i. Canada Land Inventory (CLI) agricultural capability mapping;
 - ii. A land use survey of the Township; and,
 - iii. Modification of the CLI lines to follow lot lines and to avoid such factors as patterns of fragmented ownership or environmental constraints.
- c. Uses permitted will include such uses as:
 - i. Agricultural uses, secondary uses to agriculture and agriculture related uses;
 - ii. A detached dwelling as part of a farm operation as well as farm help accommodation and a garden suite; and,
 - iii. Construction of a detached dwelling on an existing lot that is either vacant or contains only farm buildings, but not a lot that is a remnant parcel from a surplus farm residence severance.
- d. Agricultural uses will have priority over all other uses, except new and existing dwellings on existing lots of record.
- e. Compliance with the Minimum Distance Separation (MDS) standards will be required except where not possible on existing non-agricultural lots of record.
- f. Justified minor adjustments to the boundaries of the Agricultural designation will be permitted, but any other changes involving the removal of lands from the designation will be discouraged and will require a fully justified Plan amendment.

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- g. The consent policies specifically related to the Agricultural designation will permit:
 - i. Lot creation for agricultural uses;
 - ii. Lot creation for agriculture related uses;
 - iii. Lot creation for a residence that is surplus as a result of farm consolidation;
 - iv. Lot creation for infrastructure; and,
 - v. Lot line adjustments for legal or technical reasons.

9. **The “Rural” Land Use Designation (Section 4.3)**

- a. This designation will apply to most rural areas outside of prime agricultural lands, communities and environmentally important or hazardous areas.
- b. Permitted uses will include such uses as:
 - i. All uses permitted in the Agricultural designation;
 - ii. Uses associated with the use and management of resources such as aggregate extraction through a Plan amendment and agricultural research and training facilities;
 - iii. Resource based recreation such as golf courses, equestrian facilities, cross country skiing;
 - iv. Limited residential uses through lot severances, building on existing vacant lots and secondary units in existing dwellings;
 - v. Tourist facilities and other forms of economic development previously referenced; and,
 - vi. Rural institutional uses and land extensive uses requiring a rural location.
- c. The maintenance and protection of key environmental features and the area’s rural character will be a principal consideration with any new or expanded use.
- d. Most new nonagricultural and non residential uses will require a rezoning which will be approved only if there is compliance with a number of important criteria relating to such matters as land use compatibility and MDS compliance.
- e. Large scale uses will require an amendment to the Plan.

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- f. New scrap yards, auto recycling operations, or similar types of uses will not be permitted and will require an amendment to the Plan. Similar policies will apply to new campgrounds.
- g. The consent policies specifically related to the Rural designation will permit:
 - i. The same types of lot creation permitted in the Agricultural designation;
 - ii. In nonagricultural areas, lot creation for any permitted use;
 - iii. In nonagricultural areas, the creation of a maximum of three residential lots on a property having a minimum area of 40 hectares. This total will include all lots previously created from the subject property.
 - iv. Infilling as the preferred form of residential lot creation.

10. **The “Environmental Protection” Designation (Section 4.4)**

- a. This designation will apply to areas having a high degree of environmental significance or sensitivity such as wetlands as well as hazardous areas such as floodplains.
- b. Less significant environmental features will be shown as overlay designations on the Natural Feature Areas map and will be subject to a separate set of planning policies as referenced in part 11 below.
- c. A very limited range of uses will be permitted in the Environmental Protection designation including such uses as:
 - i. Conservation uses;
 - ii. Passive recreation uses;
 - iii. Watershed management and flood control works;
 - iv. Essential infrastructure;
 - v. Legally established uses including agricultural operations; and,
 - vi. A dwelling may be permitted on an existing lot in a hazard area if there is compliance with the applicable planning policy criteria.
- d. Development will not be permitted in wetlands and will generally be set back a minimum of 30 metres from watercourses.
- e. The advice of the agency having jurisdiction, such as the appropriate conservation authority, will be sought when considering development proposals affecting lands in the Environmental Protection designation or adjacent lands.

- f. The extent of adjacent lands may also be determined by the affected agencies, with the general standard being 120 metres from a provincially significant wetland and 50 metres from all other boundaries of the Environmental Protection designation.
- g. Development on adjacent lands will require either an EIS or other documentation deemed appropriate by the agencies having jurisdiction.
- h. Existing agricultural uses will be recognized and the expansion of such uses will be subject to the planning criteria for non-conforming uses.

11. **The “Natural Features Areas” Overlay Designation (Section 4.5)**

- a. This overlay designation will apply to less significant or less sensitive environmental lands or features such as areas of natural and scientific interest (ANSI), unevaluated wetlands and certain wildlife habitat such as deer wintering areas.
- b. The permitted uses policies of the underlying land use designation will apply in addition to the policies relating to the overlay designation.
- c. In general such permitted development may proceed if it is demonstrated that there will be no negative impacts on the area’s natural features or ecological functions.
- d. In agricultural areas agricultural uses and normal agricultural practices will be permitted, notwithstanding the above policy.

12. **The “Mineral Aggregate Resource Area” Overlay Designation (Section 4.6)**

- a. These overlay designations will be intended to protect important areas of aggregate resources for possible future use.
- b. The areas included will be those identified as Selected Bedrock Resource Areas and Selected Sand and Gravel Resource Areas in the Ontario Geological Survey’s 2009 report titled Aggregate Resources Inventory of Dufferin County.

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- c. The permitted use policies of the underlying land use designations will continue to apply, including those permitting the construction of a dwelling on a vacant lot of record, along with the policies relating specifically to the overlay designation.
- d. A new extractive industrial use will require amendments to both the Plan and the Zoning By-law and all the applicable policies of the Plan will apply.
- e. Amendments to either increase or decrease the extent of the overlay designations will have to be fully justified in accordance with the applicable policies.
- f. Development that would have the effect of precluding or significantly hindering extractive operations or access to the resource will only be permitted if:
 - i. The resource use would not be feasible; or,
 - ii. The proposal serves a greater long term public interest; and,
 - iii. Issues of public health, public safety and environmental impact are addressed.

13. **The “Extractive Industrial” Land Use Designation (Section 4.7)**

- a. This is the designation that will apply to all existing and future pits and quarries.
- b. New extraction operations or expansions of existing operations beyond the applicable designated area, will require amendments to the Plan.
- c. Areas will be identified where such uses will be prohibited.
- d. Policies requiring appropriate levels of rehabilitation will apply to any such use in the Agricultural land use designation.
- e. An extensive list of planning requirements will have to be satisfied in order for Council to approve the required amendment to the Plan.
- f. Thorough related technical documentation will be required in support of any application for such an amendment.
- g. Policies will be included providing for applicant funded peer reviews and the possible use of a joint agency review process.

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- h. Policies will be included providing for the use of agreements with the applicant relating to haul routes and all other matters of municipal interest and jurisdiction relating to the proposed pit or quarry.

14. **The “Community” Land Use Designation (Section 4.8)**

- a. This is the designation that will apply to the three small settlements of Hornings Mills, Corbetton and Riverview.
- b. It will cover primarily the existing built-up areas and small areas of possible new adjacent development. The extent of the designation will be based on the designations in the current Official Plan.
- c. A limited range of residential, commercial, institutional, light industrial and recreational uses will be permitted, including limited forms of residential intensification.
- d. New residential intensification and non-residential uses will require a rezoning and planning justification in terms of a number of land use and locational criteria relating to such aspects as land use compatibility, servicing and access.
- e. Any community expansion beyond the designated areas will be permitted only through a municipal comprehensive review, essentially a full review of the Plan and all related policies and land needs.

15. **The “Light Industrial” Land Use Designation (Section 4.9)**

- a. This designation will be a continuation of a small Industrial designation in the current Official Plan on lands south of Hornings Mills.
- b. The uses permitted will include those that can operate on private services including such uses as:
 - i. Small scale low impact industrial uses such as research establishments, technology related uses, warehousing and packaging and assembly operations;
 - ii. Service industries such as vehicle parts supply, appliance repair and building contractors; and,

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- iii. Small scale accessory commercial facilities and an accessory dwelling or dwelling unit.
 - c. There will be a requirement for compliance with a number of planning, land use compatibility and design criteria to assist in ensuring appropriate development on this highly visible site.
16. **Roads and Transportation Policies (Section 5.2)**
- a. Policy references to the provincial requirements for development on highways will be included and similar references will be included for county roads which will be designated as Arterial Roads in the Plan.
 - b. In general, uses generating significant traffic volumes will be limited to sites on or near these types of roads.
 - c. Local roads will continue to be maintained by the Township but there is no obligation to open any or all unopened road allowances.
 - d. Consistent with the policies relating to the Extractive Industrial designation, policies will be provided relating to the designation and use of mineral aggregate haul routes, including policies for the use of related agreements and the need for and content of traffic impact studies.
 - e. All development will require access from an open public road and the proponent of development proposed on an unopened road allowance will be responsible for building the required road at their expense and to full municipal standards.
 - f. Strip development along roads will be minimized as much as possible.
 - g. It will be a planning objective to ultimately achieve a 30 metre road allowance width for all municipal roads.
17. **Rail and Air Transportation Policies (Sections 5.2.8 and 5.2.9)**
- a. Policies will be provided concerning the future use or disposal of the right of way for the former Canadian Pacific Railway.

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- b. Although having no direct jurisdiction in such matters, the policies will authorize the Township to use every opportunity for input into decisions by other levels of government concerning this rail right of way.
- c. At least until a final decision is made on the use of this right of way, the zoning by-law will be required to apply setbacks and other provisions equivalent to those used with an active rail line.
- d. No new rail lines will be permitted in the municipality without a Plan amendment.
- e. Impacts on private airstrips will be a consideration in any planning decisions on development proposals.
- f. Every opportunity will be utilized for input into the decisions by other levels of government concerning the siting or expansion of any aspect of air transport related infrastructure.

18. **Servicing Policies (Section 5.3)**

- a. As is currently the practice, future development will continue to be permitted on the basis of individual on-site water supply and sewage services.
- b. In communities developments involving a maximum of five lots will be permitted utilizing such services while developments of more than five lots may also be permitted to use such services in rural areas.
- c. Provision will be made for the possible use of private communal water services and private communal sewage services through an amendment to the Plan based on comprehensive technical documentation.
- d. Any residential subdivision or larger scale non-residential development proposal will require a hydrogeological study relating to servicing prospects, impacts and limits.
- e. Stormwater management and drainage impacts will be fully addressed prior to development occurring to prevent flooding, erosion and watercourse deterioration.
- f. All applicants for large scale development will be required to provide a comprehensive stormwater management report.

19. **Implementation Policies (Section 6)**

- a. There will be a wide range of policies relating to various methods of implementing the provisions of the Plan.
- b. A number of policies and planning requirements will be included regarding the creation of lots through the consent granting process. These will include policies relating to such aspects as:
 - i. Preventing strip development on major roads and discouraging such development on other roads;
 - ii. Identifying infilling as the appropriate method of lot creation;
 - iii. Requiring frontage on an open public road with adequate sight lines; and,
 - iv. Requiring compliance with the applicable MDS standards.
- c. Policies will be included providing for the use of site plan control in all areas of the Township except on lands used for agriculture or detached dwellings.
- d. Policies will provide for the passage or updating of by-laws establishing minimum standards of maintenance and occupancy for properties in the Township.
- e. Policies will be included relating to non-conforming uses and the standards and requirements that would have to be met if an expansion or enlargement of the use was requested. These requirements will relate to the minimization of any adverse effects and the protection of existing adjacent conforming uses.
- f. There will be a requirement for 5 year revisions to the Plan to ensure that it is in conformity with provincial planning documents and that it reflects current conditions in the municipality.
- g. There will be policies for public and aboriginal consultation in the processing and evaluation of planning and development applications, both within and beyond the requirements of the Planning Act.
- h. There will be policies requiring pre-application consultation with the municipality and identifying the requirements for a complete application. These policies will include a comprehensive list of potential technical studies and documentation which may be required depending on the nature of the application and development proposal.

- i. There will be policies specifying that the applicant or proponent is responsible for the payment of all municipal costs incurred in the processing, evaluation and decision making on planning applications. Those costs will include expenses related to peer reviews of the applicant's technical reports and documentation.

20. **Interpretation and Definitions (Sections 7 and 8)**

- a. Policies will be provided concerning primarily the interpretation of both the text and the map schedules in the Plan.
- b. Also to assist in the interpretation of the Plan, definitions will be provided for a number of terms used in the document.