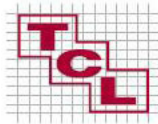




# Township of Plummer Additional

Official Plan



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**Schedule "A" Land Use Plan**

# Township of Plummer Additional Official Plan

## 1.0 Introduction

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The Official Plan of the Township of Plummer Additional (2011 population 650) is a legal document containing the objectives and policies established primarily to provide guidance for the physical development of the Township of Plummer Additional while having regard to relevant social, economic and environmental matters.

Land use planning decisions shall comply with all applicable provisions and policies of this Plan and the *Planning Act*: shall be consistent with the Provincial Policy Statement in reviewing all types of planning applications (e.g., Official Plan amendments, zoning by-law amendments, subdivisions, consents, minor variances) and shall conform to any applicable *provincial plans*. Sections of the Plan are cross referenced where they are to be used in conjunction with each other.

### 1.1 Authority

The Official Plan of the Township of Plummer Additional was prepared under the authority of Section 16 and 18 of the *Planning Act* which states that:

"An Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it" and "may contain a description of the measures and procedures proposed to attain the objectives of the Plan"; "a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the Official Plan or proposed revision of the Plan or in respect of a proposed zoning by-law".

### 1.2 Title and Components

This policy document shall be known as the "Official Plan for the Township of Plummer Additional" and is hereinafter referenced to as the Official Plan or the Plan.

1. The Official Plan consists of the following text and **Schedule 'A' Land Use Plan**.
2. Background statements, illustrations and appendices included in this document are provided for information purposes only and do not constitute a formal part of the Official Plan.

### 1.3 Interpretation and Coordination

1. It is intended that the boundaries of the land use designations shown on the **Schedule 'A' Land Use Plan** be considered as approximate. Boundaries are to be considered absolute only where clearly bounded by existing roads, railways, rivers or streams, transmission lines or other clearly defined geographical features or lot lines. Amendments to the Official Plan will not be required in order to make minor adjustments to the boundaries of land use designations or features or other symbols nor to the location of roads, provided that in all cases, the general intent of the Plan is preserved. Such minor deviations may not be reflected on the **Schedule 'A' Land Use Plan**.
2. It is intended that all figures and numerical quantities herein shall be considered as approximate unless otherwise stated. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures or to make editorial changes (e.g. spelling, grammar) to the text of the Official Plan.
3. For the purposes of this Plan, it is interpreted that the existing use refers to the land presently or actually in use and not necessarily the total land area or land holdings of the property owner.
4. It is intended that buildings, structures uses etc. that are normally incidental, accessory or essential to a permitted use will also be allowed even though not specifically stated in the land use policies.
5. Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and not to be interpreted as all-encompassing unless otherwise stated as such. However, all uses shall be in conformity with the general intent and policies of the general land use designations of this Plan.
6. Where an *Act* or portion of an *Act* is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may supersede the *Act* so named.
7. The Plan utilizes words or terms which are *italicized* unbolded text in this Plan and defined in the Provincial Policy Statement. These definitions shall apply in the interpretation of the policies of this Plan and their application to development and planning applications. These definitions are set out in Appendix 1. (*Note: Legislative Acts are also shown in italicized script.*)

Land use planning decisions affect and are affected by many stakeholders and by shared landscapes and resources. A coordinated, integrated and comprehensive approach to land use planning which considers these and other criteria will lead to more equitable and well-rounded decision-making. Council will coordinate land use planning decisions with adjacent municipalities notably with respect to such matters as land use compatibility (i.e. industrial and waste management sites, resource use); conserving and protecting natural heritage features and areas;

source protection and lake capacity assessments; the protection of cultural heritage and *archaeological resources*; *infrastructure* planning (i.e. municipal water service); and public safety (i.e. rehabilitation of *mine hazards*).

## **1.4 Agency Names and Responsibilities**

From time to time, the names of various government departments or other agencies may change. In addition, responsibilities may shift from agency to agency. The names of the various agencies responsible for the many programs, regulations and approvals are given in this Plan as of the adoption date of this Plan. It is not intended that the Plan be amended each time a name or the responsibilities of a government department or agency changes. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions dictate.

## **1.5 Planning Review and Amendments**

1. The Planning Period for this Official Plan is intended to be approximately 20 years (2012-2032). Pursuant to Section 26(1) of the *Planning Act*, the Plan will be subject to a review, and not less frequently than every five years Council shall revise the Plan to ensure that it conforms with *provincial plans* or does not conflict with them, as the case may be; has regard to the matters of provincial interest listed in the *Planning Act* and is consistent with the Provincial Policy Statement.
2. The review shall not be deemed to prevent any person or applicant from making an application under Section 22 of the *Planning Act* to amend the Plan. Applications for amendments to this Plan by the public or amendments initiated by Council will be considered in accordance with the requirements of *The Planning Act*. Applications submitted by the public must be complete and where required by this Plan and other relevant legislation, include studies or reports to determine conformity with the Plan and consistency with the Provincial Policy Statement. **Section 2.10 - Development Criteria** will also be considered when an amendment to the Official Plan is proposed. Where deemed appropriate, the Township will require applicants to pre-consult with the Township prior to filing an application.
3. Council will convene public meetings to consider an amendment to the Official Plan prior to adopting an amendment, but may decline to have a meeting if they refuse to adopt the amendment or the application is not deemed to be complete in accordance with Section 22(6) of the *Planning Act*.
4. Amendments shall be required for a change in a land use designation shown on the **Schedule 'A' Land Use Plan** or for changes in the policy or text of the Plan except as otherwise set out in **Section 1.3, Interpretation**.

## **1.6 Basis of the Official Plan**

### **1. General**

The Official Plan is based on merits of good land use planning principles as well as various factors, trends, and circumstances that were identified in the background review (1999 and 2004).

### **2. Provincial Planning System**

The *Planning Act* sets out the ground rules for land use planning in Ontario. The *Act* provides the basis for the *Provincial Policy Statement* which provides policy direction on land use matters that are of provincial interest. The *Provincial Policy Statement* is a key part Ontario's policy-led planning system. It sets the policy foundation and direction for regulating the development and use of land. The *Provincial Policy Statement* provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The *Provincial Policy Statement* supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

This policy statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the *Planning Act* and various *Ontario Regulations* enacted under the authority of the *Act*.

In addition, this Plan recognizes the responsibilities and opportunities the Province has or may provide for Council in decision-making on land use planning matters. These include but are not limited to land severance, regulating and controlling land uses through zoning, site plan control and other planning tools and municipal plan review.

### **3. Population Growth and Housing Supply**

The population has fluctuated over the last two decades within the Township. Overall, the population dropped from 1,211 in 1986 to 671 in 2001 and to 625 in 2006, while increasing to 650 in 2011. The 2006 Census shows that the composition of the population has seen a slight decline in the working aged population since 2001 (20 -54), a decline in youth, and a slight increase in the seniors group (55+). The Plan provides for a potential population threshold of 625 over the 20 year Planning Period to 2031 based on a continuation of the fluctuating trend between 2001 and 2011. This is exclusive of a seasonal residential community that may result in an increase to the overall population as baby-boomers seek to retire to their cottages in future years. Significant growth beyond the threshold will be dependent on economic initiatives the possible retirement plans of those seasonal residents along the Township's water bodies, and the potential of population growth amongst the Township's Mennonite population.

The Plan provides for a range of housing types commensurate with the scale of development in the Township.

#### **4. *Settlement Pattern and Resource Management***

The settlement pattern may be characterized as a diversified mix of rural uses and two small hamlet communities including Bruce Station and Rydal Bank. The Township may be divided into several distinct areas as follows;

- a) **Highway 17 to Lake Huron Shoreline:** Most of the lands south of Highway 17 are vacant with the exception of shoreline properties. To the west of the Town of Bruce Mines, these shoreline properties are principally permanent homes with a scattering of seasonal dwellings. To the east of the Town of Bruce Mines, the shoreline residential development is less pronounced. A greater concentration of permanent development is located in the vicinity of the Town of Bruce Mines while further to the east, shoreline settlement is more scattered and includes more seasonal development. Preference for direct frontage on the shoreline has left a number of backshore lots vacant.
- b) **Highway 17 Corridor:** Development along the Highway 17 corridor is limited for the most part to scattered residential development.
- c) **Lakes:** Shoreline residential development comprised of a mix of permanent and seasonal on both municipal and private roads is characteristic of development in these areas. There is a tendency for more of a concentration of permanent development on lakes bordering the western boundary of the Township (i.e. Caribou, Gordon and Round Lakes). Access to these lakes is limited given the predominance of the private land ownership pattern. A large lot subdivision on the south shore of Round Lake reinforces the preference for limited waterfront residential development in the Township.
- d) **Bruce Station and Rydal Bank Hamlets:** The largest concentration of urban-type development is in Bruce Station comprising a mix of residential, community service and general commercial land uses. Community facilities include the Township Office and Public Works Garage and the Bruce Station Community Hall. Commercial uses include farm equipment sales, motor sales and repairs, building supplies etc. A municipal water supply system was installed in Bruce Station in 1991 and is operated under an agreement with the Town of Bruce Mines, which provides the water supply. Sewage services are provided through on-site private disposal systems throughout the municipality with one exception in Rydal Bank.

The hamlet of Rydal Bank is principally a residential community with a small number of community-type facilities such as a church and



community hall (Rydal Bank Community Hall). Given its location at the foot of Otter Tail Lake, it is an ideal location for the tourist commercial operation, also present in this community.

A number of residences in Rydal Bank are presently serviced by a *private communal water works and individual on-site sewage systems*, while other residences are serviced on both individual private wells and sewage systems.

- e) **Rural Area North of Highway 17:** The balance of the Township consists of a mix of pockets of productive agricultural lands and vacant forested areas. The pockets of agricultural land are located in the south east quadrant between Highway 17 and the Cloudslee Road, in the central area of the Township in a broad band either side of Highway 638, in the central northeast area between Otter Tail and Gordon Lakes along the Plummer Road and in the southwest quarter between Highway 17 and the Huron Central rail line. Farming consists of a mix of beef and dairy in these areas.

The pattern of land use development will continue to be influenced by resource based activities, principally agriculture, agriculture-related industrial and commercial industries (i.e. abattoir, oilseed processing facility) and to a lesser extent, forestry. Mineral aggregate resources are limited; however, some active gravel pits are located in the Township and will be protected as will an area of moderate mineral aggregate resource capability on the northeastern boundary.

The basis for development in the municipality will be to permit development in the rural area which is related to the management or use of resources as a primary objective and secondarily to permit resource-based recreational activities, and other rural uses which are typically found in rural areas. Rural residential development will be permitted which is sustainable on rural service levels, which does not conflict with resource development, and which is separated from incompatible land uses and natural or human-made hazards. Recreational, tourism and other economic opportunities will be promoted, also where sustained by rural service levels. Development will be permitted where *infrastructure*, notably public roads is available and is appropriate to service proposed land use activities.

The two hamlets are recognized as having a limited land base for further development; however, infill on existing lots of record will be promoted.

## 5. ***Public Health and Safety***

Physical constraints to development and issues of public safety will influence where and why development can take place, (e.g. development will be directed away from *flood plains, hazardous sites, mine hazards*, and contaminated sites). Policies to ensure safe development are essential ingredients of the Plan. For example, the flood level along the Lake Huron shoreline is known and developments will be protected from potential flood damage as will development

on inland lakes which may be exposed to the 1:100 year flood level. The legacy of past mining activity will require development to be directed away from *mine hazards*. Development will also be directed away from incompatible land uses that constitute public health and safety concerns. (See **Section 2.12 – Hazardous Lands and Hazardous Sites** and **Section 2.20 – Mine Hazards**.)

The Plan is intended to ensure that land use planning decisions take into consideration accessibility needs for people with disabilities.

## **6. *Natural Heritage Features and Areas***

Part of the heritage of the area is a deep respect for the environment and the amenities of natural heritage features and areas. The basis of the Plan is to ensure that there is no development or *site alteration* in *significant habitat of endangered and threatened species, significant wetlands and significant coastal wetlands*. This Plan sets out policies to ensure that no development and *site alteration* occur in *significant wetlands, significant wildlife habitat and significant areas of natural and scientific interest*; or on lands adjacent to *significant habitat of endangered and threatened species, significant wetlands, significant coastal wetlands, significant wildlife habitat, fish habitat and significant areas of natural and scientific interest* unless it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*. No development and *site alteration* will be permitted in *fish habitat*, except in accordance with *provincial and federal requirements* (see **Section 2.22 Natural Heritage Features and Areas**).

## **7. *Water, Energy and Air Quality***

Water is a sustaining element of life. Energy conservation is increasingly important to sustainable lifestyles while the quality of air is important to health safety. The basis of the plan is to protect or enhance the use of water resources, notably the water quality of Rose Lake, Ottertail Lake, Caribou Lake, Rock Lake, Round Lake and Gordon Lake through the use of tools to assess lake capacity, provide for lake management plans, stormwater management and the use of site plan control.

The basis of the Plan is to promote energy conservation practices and the use or introduction of alternative and *renewable energy systems* to create new energy supplies. Air quality will be sustained through environmental approvals. (See **Section 2.28 – Public Service Facilities, Energy and Air Quality** and **Section 2.10.13**.)

## **8. *Public Service Facilities and Infrastructure***

*Public service facilities and infrastructure* are generally adequate and have residual capacity to support further growth and development. The Hamlet of Bruce Station is serviced with a municipal water supply system operated by the Town of Bruce Mines. The Town of Bruce Mines and the Township have

completed improvements to their water supply to bring the system into compliance with the *Safe Drinking Water Act, 2002*. The policies of this Plan support the maintenance and development of the Bruce Mines water supply system so that it can continue to provide water services to the Hamlet of Bruce Station.

Maintenance of the network of publicly-maintained roads is key to the growth and settlement policies of the Plan and will be the basis for approving new development.

See **Sections 2.10.5, 2.28 and 4.11** for Public Service Facilities, and **Sections 2.30 – Sewage Disposal and Water Supply and 7.0 for Transportation Policies**.

## **9. *Cultural Heritage and Archaeological Resources***

Conservation of the historical legacy of rural pioneer settlements, historic and prehistoric heritage resources, and consideration for archaeological potential areas are addressed through a policy on cultural heritage and *archaeological resources*. The basis of the Plan is to conserve significant *built heritage resources*, *significant* cultural heritage resources and *significant archaeological resources* where they are identified and to mitigate the impacts on these resources and on any *protected heritage property*. (See **Section 2.15 - Cultural Heritage and Archaeological Resources**.)

## **10. *Planning Tools***

Reference is made in this Plan to various planning tools such as zoning, site plan control, holding zones, temporary use by-laws and land division (consents and subdivision control). These tools will be used where they assist the Township to enhance or provide for orderly development and to ensure compatibility with adjacent land uses.

# **1.7 *Goals of the Official Plan***

To achieve a land use pattern that optimizes the use of available or planned *infrastructure* (roads, water, sewage, waste disposal, utilities) and *public service facilities* (schools, health care, recreation and cultural facilities, fire, police and emergency services) and which uses low densities and development standards which are cost effective and compatible with the emerging settlement pattern of Plummer Additional.

To provide for the long-term prosperity of Plummer Additional through policies which encourage new business development, the retention of existing businesses and which supports activities, programs and measures for sustaining a healthy economy.

To manage the community's renewable, non-renewable, water, natural heritage and cultural heritage resources in a responsible manner through the development of policies,

tools and practices designed to identify, protect, conserve, enhance or utilize these resources over the short and long-term and which provide for the transition to other land uses where a non-renewable resource has been depleted.

To safeguard the public and the natural environment from natural and human-made hazards through the development of policies, tools and processes to identify, evaluate, prevent or protect against such hazards.

To make decisions affecting land use planning matters which are consistent with the *Provincial Policy Statement*.

To meet the community development needs of a population ranging from 625 to 750.

## **1.8 Objectives of the Official Plan**

To provide and maintain an adequate supply of land for residential uses, commercial and industrial uses, institutional uses, *public service facilities*, parks and open space uses to meet projected growth and development demands for the planning period of 20 years (2012-2032).

To provide for a range of housing types and densities to meet demographic and market requirements of current and future residents of Plummer Additional while maintaining at all times, at least a ten-year supply of land designated and available for new residential development and a three-year supply of lots in draft and/or registered plans.

To designate land uses which will accommodate development and *redevelopment* having regard for the health, safety, convenience and needs of the present and future population.

To allow development where it can be adequately serviced within the existing capacity or planned expansion, upgrading or improvement of *public service facilities* (municipal administration, fire, police, educational, health care, recreational, cultural and social services) and *infrastructure* (roads and waste disposal and private water and sewage disposal services).

To protect *sensitive land uses* (dwellings, health care and educational facilities) from incompatible land uses and to avoid or resolve existing land use conflicts.

To ensure that land use planning decisions consider the needs of people with disabilities.

To conserve and protect *natural heritage features and areas* and the attributes of the natural landscape in the design, development and maintenance of land uses and land use activities.

To provide the land use planning framework to sustain existing employment and to encourage and stimulate new economic development and small business development as important sources for employment.

To institute measures for the evaluation of known or potentially contaminated sites and their restoration to a condition suitable for reuse, development or *redevelopment*.

To improvement the quality of the natural environment through measures to maintain, restore or improve water quality, air quality and ecosystems.

To ensure that land use decisions provide for a coordinated, integrated and comprehensive approach in managing growth, the stewardship of resources and the protection of the environment where the decisions involve other stakeholders, and any municipality.

## 2.0 General Development Policies

### 2.1 *Introduction*

The following policies and associated **Schedule 'A' Land Use Plan** are intended to apply to all development in the Township of Plummer Additional and are to be taken into consideration along with the policies that apply to specific land use designations.

### 2.2 *Population*

The Plan will provide for a level of community services and a scale of development appropriate for a population of 625 to 750.

### 2.3 *Planning Period*

The planning period for this Plan is twenty (20) years.

### 2.4 *Balanced Growth and Settlement*

New development shall take into consideration the importance of conserving the balance between residential, commercial and *public service facilities* in the hamlets of Bruce Station and Rydal Bank, and the resource-based and rural lifestyles that are enjoyed by permanent and seasonal residents in the remainder of the Township. The proximity of Town of Bruce Mines is also recognized as an asset for its concentration of commercial, industrial and cultural services.

The intent of the plan is to promote infill on existing lots of record in the two hamlets and to provide for a mix of land uses appropriate for small hamlet communities.

The intent of the Plan is to permit development in the rural area which is related to the management or use of resources as a primary objective and secondarily to permit resource-based recreational activities, and other rural uses which are typically found in rural areas. Rural residential development on large lots will be permitted which is sustainable on rural service levels, which does not conflict with resource development, and which is separated from incompatible land uses and natural or human-made hazards. Recreational, tourism and other economic opportunities will be promoted, also where sustained by rural service levels. Development will be permitted where *infrastructure*, notably public roads is available and is appropriate to service proposed land use activities.

### 2.5 *Accessory Uses*

Uses which are normally accessory to a principle land use, building or structure are

permitted.

## **2.6 *Affordable Housing***

Council will provide for *affordable* housing by monitoring the need for social assisted housing for families and seniors through periodic surveys and in consultation with the District of Algoma Social Services Administration Board. *Affordable* housing as defined in the most current version of the provincial policy statement shall be determined based on the *regional market area* for the District of Algoma. Council will seek opportunities to participate in Federal and Provincial *affordable* housing programs for low to moderate income households and will engage with the District of Algoma Social Services Administration Board on matters related to planning for *affordable* housing. Council will target 20% of the housing supply for the provision of housing that is *affordable* to *low and moderate income households* in the Township over the next 20 years. Council will maintain an appropriate supply of residential land, facilitate *residential intensification* and *redevelopment* and permit all types of housing to help implement their *affordable* housing targets. In particular, Council will encourage housing types that will facilitate the delivery of *affordable* housing such as multiple residential units, second units in a house, and conversions of non-residential buildings to residential uses. Council will also encourage and work with the public, private and not-for-profit sectors to deliver *affordable* housing. Progress towards this target will be monitored on an annual basis and assessed when this Plan is reviewed in accordance with the *Planning Act*. Council may use financial incentives to provide for *affordable* housing including but not limited to grants or loans through community improvement, waiving municipal fees or parkland dedication requirements.

## **2.7 *Conveyance of Parkland or Cash-in-Lieu***

As a condition of development or *redevelopment* it is a policy of Council to request the conveyance of parkland or cash-in-lieu of parkland at the rate of 2% for commercial or industrial land uses or 5% in all other cases, notably residential. Where cash-in-lieu of parkland is required the funds will be used to acquire or develop public parks or for public recreational uses.

## **2.8 *Community Improvement***

Community improvement may be used as permitted under Section 28 of the Planning Act. It is the intent of this Section of the Official Plan to permit Council to, by by-law, designate the entire municipality as a Community Improvement Area.

Within the Community Improvement Area, Council may undertake or provide for one or more projects through the preparation of a Community Improvement Project Area Plan. In the preparation of a community improvement plan, Council shall consult with the appropriate approval authority. Council will use a property standards by-law to provide

for the upgrading, maintenance or restoration of buildings and properties.

**1. *Goal of Community Improvement***

To achieve and maintain a consistent standard of municipal services within the Township which is in keeping with the financial capacity of the municipality.

**2. *Objectives for Community Improvement***

- a) To upgrade and maintain all essential municipal services and community facilities.
- b) To ensure the maintenance of the existing building stock.
- c) To encourage private sector investment in community improvement.
- d) To enhance and maintain the visual appearance of the Township and its hamlets.
- e) To encourage the preservation, rehabilitation, renewal and re-use of heritage resources.
- f) To redevelop *brownfield sites* as a means optimize the use of existing *infrastructure* provide an incentive for economic development and improve the image of the community.
- g) To enhance the opportunities to provide for *affordable* housing.

**3. *Criteria for Designation of Community Improvement Project Areas***

A part or the whole of the municipality (e.g., a hamlet) may be designated as a community improvement project area based on the following criteria:

- a) That there is evidence of a need to improve municipal services such as roads, sidewalks, municipal water service, street lighting, storm drainage, parks and recreation and community facilities, to improve accessibility for disabled persons, and streetscaping. Improvements may apply to some or all of the above services.
- b) That the phasing of improvements corresponds to timing of improvements by senior governments and within the financial capability of the municipality.
- c) That a significant number of buildings in an area require upgrading through The Clean & Clear By-law.
- d) That the areas of greatest need of improvement are considered first.
- e) That improvement to the visual appearance or aesthetics is required.



- f) That there is a need to retrofit or rehabilitate the housing stock and create opportunities for *affordable* housing.
- g) That there is a need to *redevelop* a brownfield site. This may include the repair, restoration or *redevelopment* of *brownfield sites*, environmental site assessment, environmental remediation, development and *redevelopment*, construction and reconstruction of lands and buildings for rehabilitation purposes or for improving energy efficiency, buildings, structures, works, improvements and facilities (see **Section 2.9** for requirements related to contaminated sites).

#### **4. *Community Improvement Projects***

- a) Council may designate by by-law, a Hamlet, part thereof or any area within the municipality as a Community Improvement Project Area.
  - b) Council may carry out community improvement projects including the upgrading of roads, storm drainage, sidewalks and curbs, street lighting, community facilities, parks and recreation, the needs of persons with disabilities and the provision of *affordable* housing.
  - c) Pursuant to Section 28 of the *Planning Act*, community improvement projects will be carried out in consultation with residents and other levels of government and must be within the financial means of the municipality.
  - d) Pursuant to Section 28 of the *Planning Act*, community improvement plans may be prepared for any Community Improvement Project Area with respect to improvements.
  - e) Council will incorporate the conservation and/or protection of heritage resources in a community improvement project area.
5. Pursuant to Section 28 of the *Planning Act*, Council may offer grants and loans to pay for all or part of the cost of rehabilitating lands and buildings in conformity with the Community Improvement Plan. Pursuant to the *Municipal Act*, Council may also offer financial incentives.

## **2.9 *Contaminated Sites***

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and automotive repair garages have a similar potential.

### ***Site Decommissioning and Clean-up***

It is a policy to ensure the proper decommissioning and clean-up of contaminated sites prior to their *redevelopment* or reuse. Measures to be taken by Council and/or the

approval authority and the proponent include the following:

1. The identification and inventory of sites of where existing and past uses may have contributed to the presence of contaminants.

Where applications for the development or *redevelopment* of sites that are identified as being contaminated or potentially contaminated have been submitted, approval or condition of final approval will require the proponent to file a Record of Site Condition on the Environmental Site Registry to show that the site has been assessed and if necessary, remediated in accordance with the requirements of Ontario Regulation 153/04 and Ministry of the Environment Guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-Up of Brownfield Sites, such that the site is suitable for the intended future use. Mandatory filing of a Record of Site Condition on the Registry is required for any change to a more sensitive land use such as a change of use from industrial to residential or parkland. (See also **Section 4.10** for waste disposal facilities.)

2. Site plan control may be used as a measure to enhance site decommissioning and remediation (see **Section 2.32 – Site Plan Control**).
3. Contaminated sites may be placed in a holding zone in the municipality's zoning by-law (where the principle of development or land use has already been established). Where a holding zone is used, the "h" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan and subject further, to the submission to the municipality of a Ministry of the Environment acknowledged Record of Site Condition. (See **Section 2.36.2 - Holding Zones**.)

## **2.10 Development Criteria**

The following criteria will apply in considering the compatibility and appropriateness of any new development or *redevelopment*, and when reviewing any land use planning applications:

1. Requiring *safe access* onto or from an adjacent provincial highway and public road or existing private road (see also **Section 7.0 Transportation Policies**);
2. Providing for access and manoeuvring of all types of emergency vehicles;
3. Providing access to and an adequate number and types of parking spaces for off-street parking and where applicable *loading spaces*;
4. Providing for barrier free access to public and commercial buildings and designated parking spaces. Development, where applicable, shall comply with the *Ontarians with Disabilities Act, 2001 and the Municipality's Accessibility Plan with the intent to improve accessibility for persons with disabilities and the elderly*;

5. Ensuring the coordinated, efficient and cost-effective provision and capacity of Municipal services including fire protection, water supply and sewage disposal, street lighting, roads and winter maintenance, waste disposal, *public service facilities* and recreation;
6. Ensuring adequate grade, drainage and erosion control: storm water management shall be required for all development as a preventative approach (rather than relying solely on end-of-pipe quality control) to protecting water resources (quality and quantity) and outside of urban *settlement areas* where deemed appropriate.

The principles which Council intends to utilize in its approach to storm water management are enumerated as follows:

- a) That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses;
- b) That the natural infiltration of water on lands which are developed is maximized;
- c) That proposed development will not result in increased downstream flooding or erosion or cause *adverse effects* on receiving waters. Consideration shall be given to stormwater volumes and contaminant loading;
- d) To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form;
- e) That fish and *wildlife habitat* is protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities;
- f) That a sustainable environmental approach is utilized in protecting water resources; and
- g) That water quality will be monitored on an ongoing basis as the means to evaluating the effectiveness of storm water management practices.

It is the intent of Council to incorporate storm water management controls into the development review and approval process. Proponents of development will be required to plan for and undertake storm water management which complies with the above principles. This may require a sub-watershed management plan for large tracts of land or a storm water site management plan. Proponents should utilize best management practices where they are consistent with and will achieve the Township's water quality and quantity targets (to be developed in consultation with MOE) such that there is no net decline in water quality. Depending on the

size and scope of a particular development, Council may require the preparation of a master drainage plan. Council will consult with MOE, if applicable, in the review of these plans.

In the interim (prior to the development of a master drainage plan), proponents will be expected to assess the impact of the development on the receiving water body and to utilize a mix of site level, conveyance and end-of-pipe best management practices for the development.

Reference shall be made to the MOE guideline “Stormwater Management and Design Manual, 2003” in the design of stormwater management facilities.

7. Requiring the screening, buffering, fencing or separation of aesthetically displeasing or conflicting land uses or open storage (See also **Section 2.21 - Minimum Separation Distances and Influence Areas**);
8. Requiring the provision of landscaping, the creation of privacy and open space areas around buildings and other uses, buffering features (such as a berm, wall, fence, landscaping features, or a combination of these features), and the establishment of setbacks to maintain proper distance separations between buildings;
9. Ensuring that consideration is given to appropriate lighting or illumination for public safety and energy efficiency;
10. Requiring that all development comply with the Noise and Vibration policies of this Plan (see **Section 2.23 – Noise and Vibration**);
11. Controlling *signs* and advertising such that they are in scale with the intended use and do not create visual or safety hazards in compliance by any sign by-law in effect in the Township.
12. Providing for the protection, improvement or restoration of the quantity and quality of water resources through such measures as:
  - A. Where development is proposed with private communal sewage or individual on-site sewage services on water bodies (i.e. Caribou Lake, Gordon Lake, Round Lake, Rock Lake, Ottertail Lake and Rose Lake), approval of the development will be subject to a Lake Development Capacity Calculation. A capacity calculation shall be undertaken using the Ministry of the Environment’s Lakeshore Capacity Assessment Model Handbook and shall apply to all development within 300 m [984.2 ft.] of the shoreline of a lake and its associated tributaries.
  - B. Should an “at capacity lake” be identified, lot creation and land use changes which result in a more intensive use will not be permitted except for one of the following special circumstances:
    - i. the tile fields on each new lot are set back at least 300 metres from

the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake;

- ii. the tile fields on each new lot are located such that they would drain into the drainage basin of another water body, which is not at capacity;
- iii. to separate existing, habitable dwellings which were included in the original capacity calculation, each having a separate septic system, provided that the land use would not change;
- iv. the proposed new use has a scale and density than is less than currently exists on site and shall demonstrate a net reduction in the phosphorus loading on the lake;
- v. Where a site-specific soils investigation prepared by a qualified professional demonstrates that phosphorous can be retained in on-site soils, as outlined in the Ministry of the Environment's Lakeshore Capacity Assessment Handbook.

C. Discouraging the development of land uses or "wet" industries on private subsurface sewage systems (i.e. land uses (car washes) or industries requiring water in their processes for cooling, washing, production or manufacturing) in areas without municipal services as well as other industries which handle, store, or otherwise utilize substances that could constitute a threat to groundwater resources in the event of a leak or spill. Wet industries are those considered to generate daily flows of 10,000 litres or more (reference: MOE D-Series Guideline on Land Use Compatibility). They shall be constructed in accordance with Ontario Regulation 903 and water supply shall meet the water quality parameters as set out in Ontario's Drinking Water Objectives. On-site sewage disposal systems shall be constructed in accordance with the requirements of Section 53 of the *Ontario Water Resources Act* for systems generating 10,000 litres per day or the *Ontario Building Code* for flows of less than 10,000 litres per day (see also **Section 2.30**).

D. Applications for lot creation of five or more lots on privately owned and operated individual or communal systems generating more than 4,500 litres of effluent per day as a result of the development shall require the submission of a servicing options report and a hydrogeological report (reference shall be made to the requirements of O. Reg. 544/06, Schedule 1 of the *Planning Act*).

13. Providing for the protection of natural heritage features and areas, natural resource features, scenic vistas and the retention or enhancement of natural vegetation cover, and where applicable the mitigation of impacts of development (see **Section 2.22 – Natural Heritage Features and Areas**);

14. Providing for the conservation of renewable and non-renewable resources including *minerals*, mineral aggregates, and Class 2 and 3 agriculture lands.
14. ***Existing agricultural uses*** will be protected through the application of the Minimum Distance Formulae of the Ministry of Agriculture, Food and Rural Affairs in effect at the time. (See **Section 2.21 - Minimum Distance Separation and Influence Areas**);
15. Confirming the adequacy of school board facilities to accommodate new development or *redevelopment* and the provision or availability of school bussing.
16. Conserving *significant built heritage resources*, *significant* cultural heritage resources and *significant archaeological resources* where they are identified and to mitigate the impacts on these resources and on *protected heritage property* (see **Section 2.15 – Cultural Heritage and Archaeological Resources.**)

### **2.11 Existing Land Uses**

Nothing in this Plan shall affect the continuance of legally existing uses established under the provisions of any Zoning By-Law in force on the date of approval of this Plan or other legally established land uses including uses that do not conform with the land use designations as shown on the **Schedule ‘A’ Land Use Plan**. Nothing in this Plan shall prevent the reconstruction of legal non-conforming uses which are inadvertently destroyed by a natural cause (e.g., fire, flood, earthquake, land subsidence).

### **2.12 Hazardous Lands and Hazardous Sites**

*Hazardous lands* including *flooding hazards* and/or *erosion hazards* shall be considered as having development constraints. Development shall generally be directed to areas outside of *flooding hazards* and/or *erosion hazards* as described below:

1. The flooding hazard includes all lands abutting Lake Huron that are below the 178.2 metre Canadian geodetic datum elevation. The flooding hazard also includes a flood allowance for *wave uprush* and other water related hazards of 15 metres for lands abutting Lake Huron that are impacted by *wave uprush* and other water related hazards.
2. In areas where 1:100 year flood level information is unavailable, an engineering report may be required to determine the flooding hazard. In lieu of the setback established in Item 1 above, a technical study may be required to confirm the extent of the flood allowance for *wave uprush* and other water related hazards on impacted lands.
3. *Hazardous lands* are recognized as a development constraint on lands which are designated for various purposes and takes precedence over the underlying designation. *Hazardous sites* are any lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards such as unstable soils,

organic soils or unstable bedrock (karst topography). *Hazardous sites* also include unrehabilitated aggregate sites as shown on **Schedule A, Land Use Plan**.

4. Within any *hazardous lands* or *hazardous sites* as defined in this Plan or in a technical study, no *development* or *site alteration* shall be permitted including buildings or structures or extensions to existing buildings or structures, institutional uses, essential emergency services or uses associated with the disposal, manufacture, treatment, or storage of *hazardous substances*.
5. Non-habitable water oriented public or private uses of a permanent nature may be permitted such as a marina, docking facility, boat launching facility only where properly flood proofed and designed to avoid adverse impacts to upstream or downstream development.
6. Modification of the *flooding hazard* through filling, excavation or by other means shall not be undertaken without prior consultation with the Ministry of Natural Resources.
7. Appropriate setbacks shall be established in the Zoning By-law to govern development in the vicinity of *hazardous lands* and *hazardous sites*.
8. Additional inventories and studies may be undertaken by the municipality to help identify *hazardous lands* and *hazardous sites* including *flooding hazards* and other development constraint areas. These may be used in determining boundaries of zones in the Zoning By-law.
9. Where appropriate or required, the municipality will consult with the Ministry of Natural Resources for technical information related to the review or approval of development applications and determining setbacks and measures to avoid undue risk to life or property (e.g., safe access and egress during a flood, flood proofing, installation of protection works etc.). The Municipality may require the proponent of development to have a natural hazard study completed by a qualified person using accepted engineering principles or the municipality may engage similar services for the same purpose, the cost for either of which would be at the proponent's expense.

### **2.13 Garden Suites**

Garden suites which are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable (i.e. can be transported from one site to another). A mobile home may be used as a garden suite where the unit complies with the zoning by-law. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability require some support to live on their own. Council may provide opportunities for garden suites on a site specific basis or through a temporary use by-law (see also **Section 2.36.4**) provided the lot is of a sufficient size and the unit can be properly serviced with on-site individual water and on-site individual sewage disposal services.

## 2.14 Group Homes

Group Homes will be permitted anywhere in the municipality provided they are provincially licensed and/or approved for funding, comply with municipal by-laws and are compatible with surrounding land uses. A group home is defined as a single housekeeping unit in a residential dwelling in which three to ten persons excluding supervisory staff or receiving household live as a unit under responsible supervision consistent with the particular needs of its residents.

## 2.15 Cultural Heritage and Archaeological Resources

1. The intent of the Plan is to conserve “*built heritage resources, cultural heritage landscapes and archaeological resources*” as defined in the *Provincial Policy Statement* (see Appendix 1). Council intends to consult, where appropriate, with agencies *significant cultural heritage resources* are identified and may be affected by development (e.g., cemetery or burial site). Heritage resources shall include *built heritage resources* (buildings and structures), *cultural heritage landscapes* (i.e., rural and hamlet areas of historic and scenic interest) and *archaeological resources* which are important to the community or are recognized for their significance at a provincial or national level. In addition, *areas of archaeological potential* are acknowledged as being confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act* by the proponent of a development application and shall be undertaken as a condition of development.
2. It is a policy of Council to recognize the importance of conserving heritage features of significant natural, architectural and archaeological interest in all land use planning decisions. Cultural heritage resources, *built heritage resources, archaeological resources* which are important to the community or area in which they are located or are recognized for their significance at a provincial or national level. To implement this policy, Council shall:
  - a) Prioritize the in-situ preservation, where possible, of *archaeological resources*;
  - b) Require that in any proposed plan of subdivision, and prior to the undertaking of any public work, private development, consent or Zoning By-law amendment, consideration be given to the possible effects and impacts of such works or development on cultural heritage and *archaeological resources* and that such impacts where identified, are appropriately mitigated;
  - c) Encourage and require, where necessary, identification, recognition, documentation, restoration, protection, preservation, conservation, maintenance and enhancement of *significant* cultural heritage resources in a manner which perpetuates their functional use while maintaining their heritage value, integrity and benefit to the community. This will also



include the cultural heritage and *archaeological resources* related to First Nations peoples.

- d) Consider ways and means to protect and conserve of *archaeological resources* in considering proposals for development or *redevelopment*. All new development permitted by the land use policies and designations of this Plan shall have regard for cultural heritage resources and shall, wherever possible, incorporate these resources into any plans which may be prepared for such new development. In addition, all new development will be accommodated in a manner which preserves and enhances the character of the context in which cultural heritage resources are situated. The *Ontario Heritage Act* will be utilized to conserve, protect and enhance the cultural heritage resources of the Township. Applications for new development proposed for lands adjacent to a heritage property that is protected by designation, easement or covenant shall be supported by a Heritage Impact Statement which demonstrates that the *heritage attributes* of the property will be protected.
- e) Require an archaeological impact assessment carried out by an archaeologist licensed under the *Ontario Heritage Act*, and according to the guidelines set out by the Ministry of Tourism and Culture, when any public work, private development, land division or Zoning By-Law amendment will affect an area containing a known archaeological site or cemetery or an area considered to have archaeological potential. (Note: Sites of archaeological potential are identified using screening criteria developed by the Ministry of Tourism and Culture including proximity to water, ancient shorelines, rolling topography, unusual landforms and any locally known significant heritage areas such as portage routes or other places of past human settlement.)
- f) Consider, where appropriate, the passing of Archaeological Zoning By-laws under Section 34 of the *Planning Act* to be adopted for the purpose of preserving identified *significant archaeological resources*.
- g) Consult appropriate government agencies, including the Ministry of Tourism and Culture and the Ministry of Consumer Services- Cemeteries Regulation Unit and the Ontario Provincial Police (OPP), when an identified cemetery, marked or unmarked human burial, is affected by land use development. Further Archaeological assessment shall be required and the provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.
- h) Consider undertaking an Archaeological Management Plan, to conserve the Township's archaeological heritage. The Township shall consult with Aboriginal peoples when developing the Terms of Reference for an Archaeological Management Plan. The objectives of the Archaeological Management Plan will be to:

- Guide development away from lands that have archaeological significance;
  - Assist with the review of development applications;
  - Provide a detailed inventory of known archaeological sites and previously assessed archaeological areas;
  - Provided a synopsis of the prehistory and history of the Township of Plummer Additional;
  - Determine *areas of archaeological potential* which will be digitally mapped;
  - Work with Aboriginal peoples to develop a consultation protocol.
- i) Share the identification and mapping of any archaeological resources with the Ministry of Tourism and Culture under a data-sharing agreement.
- j) Take into account known *archaeological resources* and *areas of archaeological potential* when considering applications for establishing or expanding aggregate operations;
3. All Archaeological Site Assessments will be subject to a review prior to any development proceeding. *Development* and *site alteration* will be permitted on lands containing *archaeological resources* or *areas of archaeological potential*, if the *significant archaeological resources* have been conserved by removal and documentation, or by preservation on site. Where *significant archaeological resources* must be preserved on site, only *development* and *site alteration* which maintains the heritage integrity of the site may be permitted. Any *site alteration* will be overseen by a licensed archaeologist. The Ministry of Consumer Services will be consulted when an identified human cemetery, marked or unmarked human burial is affected by land use development.

#### 4. ***Archaeology and Waterfront Development***

Council recognizes that there may be archaeological remains underneath the waterways of the Township, notably the North Channel of Lake Huron. These marine *archaeological resources* may include the remains of boats, vessels, and artefacts from the contents of boats, or belongings from travellers (e.g., weapons or tools). Marine *archaeological resources* may include remains which are or were at one time submerged under water. When considering applications for waterfront development in the Township, it shall be the policy of Council to ensure that cultural heritage resources, both on shore and in the water, within the Township's jurisdiction, are not adversely affected. When deemed necessary, Council shall require an Archaeological Impact Assessment conducted by a licensed marine archaeologist and satisfactory measures to mitigate any *negative impacts* on cultural heritage or *archaeological resources* shall be undertaken. The Township will consult with the Ministry of Tourism and Culture and Aboriginal peoples to determine the requirement for archaeological assessments for development applications that may impact *archaeological resources* either above or beneath the surface of the Township's water bodies

## **2.16 Home Based Industries**

Home based industries including small scale fabrication or manufacturing, service industries such as appliance repairs or a school bus operation and cottage industries may be permitted as an accessory use to a residential use in the rural area provided the use is legal, is clearly an accessory use and is compatible with surrounding land uses. Such uses must be clearly secondary to the residential use, must be neither non-obtrusive nor unsightly, must not generate undue noise or create health or safety hazards and must be compatible with surrounding land uses. Such industries shall comply with all applicable environmental standards (e.g., on-site storage of waste or hazardous materials). Such industries may be subject to a site specific zoning amendment and may be zoned as a temporary use as permitted under Section 39 of the *Planning Act* (see also **Section 2.36.4 - Temporary Use By-Laws**). Home based industries on a provincial highway will not be permitted a commercial entrance nor will the business be permitted a land severance to separate the home based industry from the residential use.

## **2.17 Home Based Businesses**

Home based businesses providing professional or personal services may be permitted as accessory uses to any permitted permanent residential use provided the home based business is legal, is located within the dwelling and/or suitable accessory building provided such uses are clearly secondary to the residential use, are non-obtrusive, nor unsightly, do not generate undue noise or create health or safety hazards and are compatible with surrounding land uses. Parking, signage, location, size of the home based business and other on-site matters will be governed through the zoning by-law. Home based businesses on a provincial highway will not be permitted a commercial entrance nor will the business be permitted a land severance to separate the home based business from the residential use.

## **2.18 Land Locked Lands**

New development will not be permitted which land locks access to abutting parcels. Where necessary and principally for existing development, the frontage of lots may be reduced to provide access to lands which may potentially be land locked. A minimum width may be established in the zoning by-law.

## **2.19 Lots of Record**

Except for lots which are *hazardous lands* or are considered a hazardous site, lots of record which are vacant may generally be used for building purposes provided they front on a publicly maintained road (or private road or island where specifically permitted) and can be adequately serviced, satisfactory to the servicing standards of **Section 2.30 – Sewage Disposal and Water Supply** of this Plan. An absolute minimum lot size may be established in the zoning by-law for lots of record.

## 2.20 Mine Hazards

Areas shown by a Mine Hazards special symbol on **Schedule 'A' Land Use Plan** together with a 1 km radius are recognized as former mining sites and are potentially unsuitable for development. No development (i.e. lot creation, official plan or zoning amendment or minor variance) shall be permitted on or in proximity (i.e. one (1) kilometre) to these lands identified as *mine hazards* unless it can be demonstrated to the satisfaction of the Municipality and the Ministry of Northern Development and Mines that the hazards can be or have been overcome and that the areas can be or have been rehabilitated and that development poses no risk to public health and safety. The Ministry of Northern Development and Mines will be consulted for technical information on all development proposals that involve lands within one (1) kilometre of an identified *mine hazard*.

The Municipality may require the submission of a site plan showing relevant information on topography, excavations, proposed changes or alterations and setbacks in support of any planning application for development or rezoning of properties within the 1 km distance of a *mine hazard*. The lands affected by this policy shall be illustrated as *mine hazards* in the implementing Zoning By-law.

## 2.21 Minimum Separation Distances and Influence Areas

### 1. Agricultural Uses

The requirements of the *Minimum Distance Separation Formulae* (MDS) in effect at the time shall apply in the Township where livestock facilities are a permitted use. MDS I shall apply when locating development in proximity to existing livestock facilities on an existing or proposed separate parcel of land. MDS II shall apply when an application is made for a new, existing modified or expanding livestock facility in proximity to existing or approved development. MDS I will not apply to the following:

- a) To existing vacant lots of record of 2 ha [5 ac.] or less;
- b) To new lot creation which will abut an existing cluster of four or more non-farm uses which is closer to the subject livestock facility and in the immediate proximity to the MDS 1 application. The proposed lot must not however, be closer to the livestock facility than the four or more existing non-farm uses;
- c) To an existing non-farm residential uses which is destroyed by a catastrophic event provided the replacement building is not built any closer to the livestock facility than before the event;
- d) To the expansion of an existing residential dwelling; or

- e) To accessory structures to a dwelling (i.e. decks, garages, garden sheds, gazebos, patios, pools or similar buildings and structures).

MDS II will apply to the development or expansion of a livestock facility on an existing lot of record and shall apply for the determination of separation requirements from existing residential lots of record. MDS II shall not apply to the following:

- a) To an existing livestock facility which is destroyed by a catastrophic event provided the replacement building is not built any closer to the residential use than before the event and if the reconstruction does not result in a higher values for odour, nutrient units or manure or material storage; or
- b) To an accessory building or structure (i.e. kennel, machinery shed, outbuilding or similar buildings and structures).

For the purposes of applying MDS in this Plan:

- a) Any cemetery within the municipality may be classified as a Type A land use where it is closed and receives low levels of visitation.
- b) The MDS will not apply to a structurally unsound livestock facility or where the facility cannot be restored or has been permanently converted to another use. (*Examples include: conversion to a dwelling, commercial or industrial building*).
- c) MDS will not apply to abattoirs, apiaries, assembly yards, fairgrounds, feed storages, field shade shelters, greenhouses, kennels, livestock facilities <10 m<sup>2</sup> [108 ft.<sup>2</sup>] in floor area, machinery sheds, mushroom farms, pastures, slaughter houses, a dead stock composting facility, stockyards or temporary field nutrient storage sites.

## **2. Industrial Sites**

An influence area as set out by the Ministry of the Environment for Class I, II and III industrial uses shall apply between industrial uses and sensitive uses (reciprocally) and shall be incorporated into the implementing zoning by-law. The potential influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the *sensitive land use*. The influence area for a Class I Industry shall be 70 m (230 ft.) and for a Class II Industry 300 m (984 ft.) and for Class III be 1,000 m (3,280 ft.). *Sensitive land uses* shall not be permitted within the influence area unless it is clearly demonstrated, through technical studies, that any *adverse effects* are clearly and fully mitigated to the satisfaction of the Municipality and, where applicable, environmental approvals have been obtained from the Ministry of the Environment. Under no circumstance shall *sensitive land uses* be developed

within the recommended minimum separation distances of Class I - 20 m (66 ft.); Class II - 70 m (230 ft.) and Class III - 300 m (984 ft.) industries.

(Reference should be made to the Ministry of the Environment's Guideline D-6 on Compatibility between Industrial Facilities and Sensitive Land Uses.)

### 3. *Pits and Quarries*

It is a policy to recognize an influence area as a means of protecting against incompatible land uses in the vicinity of proposed pits and quarries and to protect existing pits and quarries from encroachment from other incompatible land uses (i.e., *sensitive land uses* such as residential). It is the intent of Council to protect existing or future *mineral aggregate operations* from development and activities that would preclude or hinder their expansion or continued use. *Development or site alteration* in areas adjacent to or in known deposits of mineral aggregate resources which would preclude or hinder the establishment or access to the resources shall only be permitted if:

- a) The resource use would not be feasible;
- b) The proposed land use or development serves a greater long-term public interest; and
- c) Issues of public health, public safety and environmental impact are addressed.

For the purposes of this plan, the influence area and minimum separation distance shall be considered to be:

- a) A 1000 m (3,281 ft.) potential influence area for a pit or quarry operation determined to be a class III industrial facility with a recommended minimum separation distance of 300 m (984.2 ft.); and
- b) A 300 m (984.2 ft.) potential influence area for a pit or quarry operation determined to be a class II industrial operation with a minimum separation distance of 70 m (229.6 ft.)

The distances for the influence area or separation distance shall be measured from the boundary of a licensed *mineral aggregate operation* (pit or quarry) where licensed under the *Aggregate Resources Act*. The extent of the influence area may be modified in consultation with the public body having jurisdiction without amendment to this plan.

Within the potential influence area, and outside of the minimum separation distance (of 300 m or 70 m respectively for quarries and pits), non-resource related development may be permitted when the proponent of the development clearly demonstrates (through a Mineral Resource Assessment Report) that impacts such as noise, dust, vibration can be mitigated and the quality and

quantity of ground water on adjacent properties will not be compromised where excavation activities are below the water table.

The above policies will also apply in a reciprocal fashion in establishing or redesignating a pit or quarry near an existing *sensitive land use*.

For lands adjacent to or in known deposits of mineral aggregates including mineral aggregates and bedrock deposits, incompatible development will not be permitted within *adjacent lands* defined as 500 m [1,640 ft.] from a bedrock deposit and 300 m [984.2 ft.] from gravel resources.

**4. *Portable Asphalt/Concrete Plants***

All *portable asphalt/concrete plants* must meet the applicable requirements of the Ministry of the Environment for their operation.

**5. *Sewage Disposal Facilities***

A technical study using Guideline D-2 Compatibility between Sewage Treatment and Sensitive Land Uses shall be required prior to permitting the development of any sensitive land use closer to a waste stabilization pond than the prescribed distance separation. The study shall indicate that the proposed development will not be negatively impacted by the facility prior to approving such development.

**6. *Waste Disposal Facilities***

No development shall be permitted on or within 30 m (98.4 ft.) of the perimeter of a fill area of an active waste disposal facility or area. An influence area of 500 m [1,640 ft.] surrounding an active or closed waste management facility recognizes the potential for adverse effects between a waste management facility and any *sensitive land uses*. Development proposed beyond the 30 m (98.4 ft.) but within the influence area of 500 m (1,640 ft.) of the perimeter of a fill area of an active or closed waste disposal facility or area shall be accompanied by a technical study that demonstrates that the proposed development will not be negatively impacted by the waste disposal facility (e.g. due to leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by technical studies, measures to mitigate any adverse impacts will be required as a condition of development. Reference will be made to MOE Guideline D-4 Land Use On or Near Landfills and Dumps in conducting any technical study and may not preclude impacts beyond 500 m. The influence area does not apply to existing lots of record in either an approved plan of subdivision or which were created by consent.

The influence area may be reduced where studies have been undertaken and the public authority having jurisdiction is satisfied that there will be no adverse effects on adjacent land uses.

**7. *Sensitive Land Uses***

For the purposes of this Plan, *sensitive land uses*, shall be defined as in the *Provincial Policy Statement*, as:

Means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be part of the natural or built environment. Examples may include but are not limited to residences, day care centres and educational and health facilities.

## 2.22 *Natural Heritage Features and Areas*

For the purposes of this Plan, *Natural Heritage Features and Areas* are those areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual *Natural Heritage Features and Areas* within the Township form a *natural heritage system*. Council recognizes the importance of the *natural heritage system*, the natural heritage features and areas which make up the system, their functions and the linkages between them. *Natural Heritage Features and Areas* include:

- *Significant wetlands* (provincially) and unevaluated *wetlands* or *wetlands* which have been evaluated and determined not to be *significant*;
- *Significant coastal wetlands*
- *Significant habitat of endangered and threatened species*;
- *Significant wildlife habitat*
- *Significant areas of scientific and natural interest* (life science and earth science);
- *Fish habitat*.

*Natural Heritage Features and Areas*, where known, have been identified on **Schedule 'A' Land Use Plan** and are intended to be conserved for their *ecological functions*. Although occurrences of species at risk and habitat of endangered species are not shown on the **Schedule 'A' Land Use Plan**, due to data sensitivity, species at risk habitat and the Ministry of Natural Resources endangered species mapping will be considered when screening planning applications prior to application approval. There is potential that suitable/*significant* habitat persists in the Municipality and the list is subject to change as new information is gathered. The Municipality will contact the Ministry of Natural Resources periodically to update known occurrences of species at risk in the Municipality in order to assist with accurate and effective screening of development applications.

For the purposes of this Plan, all water bodies including intermittently and seasonally flooded including *wetlands* are considered to have potential for *fish habitat*.





Additional natural features or areas will be added where the basis of the information is adequate to determine the nature and importance of the feature (e.g., assessment of the significance of an unclassified wetland using the provincial Wetland Evaluation Manual). Such information may be incorporated as part of a regular update of the Plan or by a specific amendment. Where a known natural heritage feature and area is not identified on **Schedule 'A' Land Use Plan** to this Plan, this shall not preclude the requirement for an Impact Assessment in the review of any planning application

## 1. *Policies*

- a) *Development and site alteration shall not be permitted in the significant habitat of endangered and threatened species, provincially significant wetlands and significant coastal wetlands.*
- b) *Development and site alteration shall not be permitted in significant wildlife habitat and in significant areas of natural or scientific interest unless it has been demonstrated through an Impact Assessment that there will be no negative impacts on these natural features or on their ecological functions (see Section 2.22.2 for requirements for an Impact Assessment). Council may require an impact assessment for development and site alteration in unevaluated wetlands or those not determined to be provincially significant including their adjacent lands shown on Schedule 'A' Land Use Plan including an evaluation of the wetland per provincial evaluation protocols. If the wetland or part thereof is classified as provincially significant, Section 2.22 (1) (a) & (d) shall apply. Council may require an impact assessment for unevaluated wetlands greater than 2 ha even if they are not shown on Schedule 'A' land use Plan.*
- c) *Development and site alteration shall not be permitted in fish habitat, except in accordance with provincial and federal requirements.*
- d) *Development proponents should exercise due diligence to ensure that any land use activities being contemplated would not contravene the Endangered Species Act, 2007.*
- e) *Development and site alteration shall not be permitted on lands adjacent to the significant habitat of endangered and threatened species, significant wetlands, significant coastal wetlands, significant wildlife habitat, significant areas of natural or scientific interest and fish habitat unless the ecological function of the adjacent lands have been evaluated through an Impact Assessment (see Section 2.22.2) and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*
- f) **Deer Wintering Areas (Stratum 1 and 2)**

In areas identified as Core Deer Habitat shown on **Schedule 'A' Land Use**

**Plan, Section 2.22 (1) (b) & (d)** shall apply. In areas identified as Deer Yard on **Schedule 'A' Land Use Plan** development may be permitted without an Impact Assessment provided the proposed new lots have a minimum 90m frontage and 90m depth, and vegetation retention is maximized through the use of tools such as site plan control, a development agreement or a subdivision agreement.

For proposed waterfront development, coniferous fringe habitat along the shoreline (providing deer browse and shelter habitat) shall also be conserved.

- g) Development proponents should exercise due diligence to ensure that any land use activities being contemplated would not contravene the *Endangered Species Act, 2007*.
- h) *Adjacent lands* are those lands within:
- 120 m [393.7 ft.] of the *significant habitat of endangered and threatened species*,
  - 120 m [393.7 ft.] of a *significant wetlands, significant coastal wetlands* and unevaluated wetlands,
  - 120 m [393.7 ft.] of *significant wildlife habitat*
  - 120 m [393.7 ft.] of *fish habitat*,
  - 120 m [164 ft.] from *significant areas of natural or scientific interest* – life science and 50 m for an ANSI – earth science.

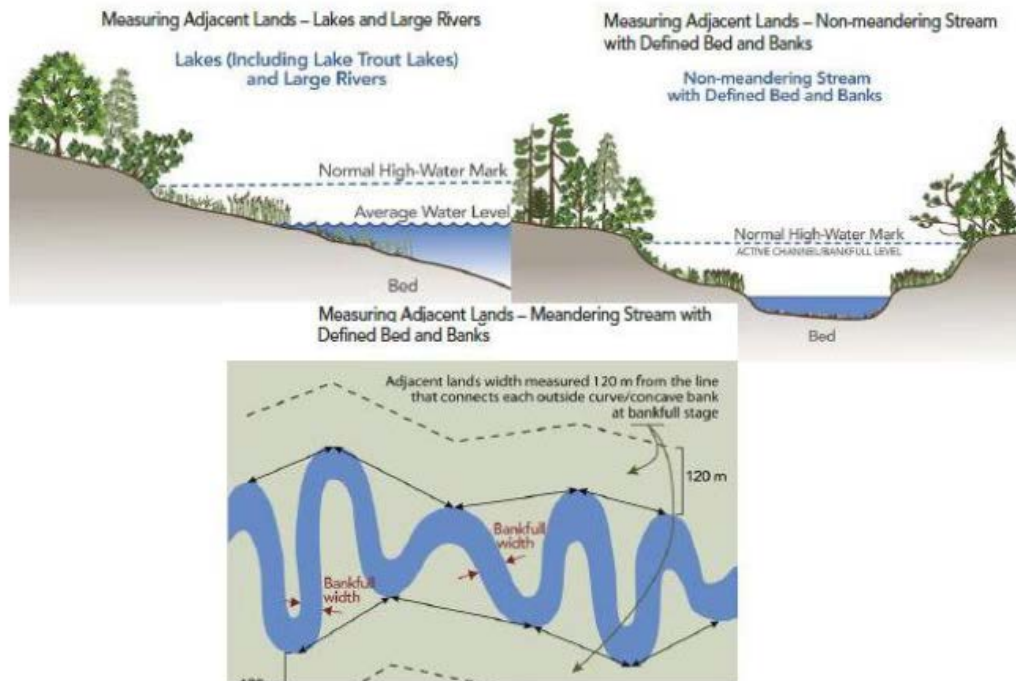
These distances are considered to be *adjacent lands* for the purposes of this Plan. The extent of *adjacent lands* may vary depending on site-specific conditions. Site specific evaluations may be undertaken by a qualified professional to confirm or determine an alternative adjacent land distance (see the Natural Heritage Reference Manual for Natural Heritage Policies of the *Provincial Policy Statement, 2010, Second Edition, Ministry of Natural Resources*) (see examples on page 35 for illustration).

- i) It is the intent of Council to conserve deer yards as part of the natural ecology of the Township and to ensure that land use decisions consider the conservation of deer yard habitat.
- j) Council encourages the conservation of vegetation throughout the Township and may require that the removal of vegetation be minimized to conserve *wildlife habitat* through the use of site plan control, development agreements and/or the enactment of a tree cutting by-law; and
- k) Nothing in **Section 2.22** of this Plan is intended to limit the ability of existing *agricultural uses* to continue.

## 2. *Impact Assessment*

## Examples of Adjacent Lands

### Adjacent Lands – Fish Habitat (Lakes and Rivers)



### Adjacent Lands – Endangered and Threatened Species

Where required in this Plan, an Impact Assessment (IA) will be prepared to support planning applications such as Official Plan amendments, zoning by-law amendments, plans of subdivision, consent etc., and prior to the approval of the proposed *development* or *site alteration*. Where the impact of the *development* and/or *site alteration* cannot be mitigated, it will not be permitted.

An Impact Assessment (IA) is intended to provide for an assessment of the potential impact of a proposed *development* or *site alteration* on a particular natural heritage feature and shall be used to determine whether the proposed development, *redevelopment* or *site alteration* should or should not be permitted. The IA will be undertaken by a qualified professional at the expense of the proponent of development and/or *site alteration*.

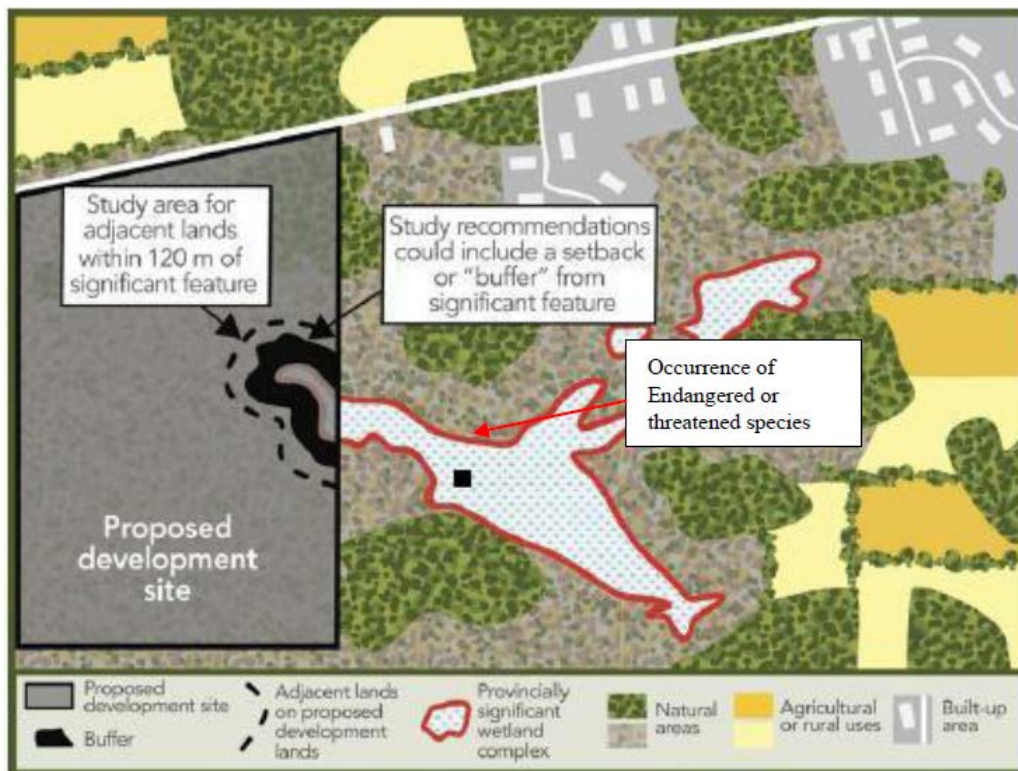
(Images are for Illustrative Purposes only and do not form part of this Plan. Images are taken from the *Natural Heritages Reference Manual, MNR, March 2010*)

The components of the IA shall be tailored to the scale of development and may range from a simplified assessment (scoped assessment) to a full site assessment. An IA shall be undertaken using the protocols outlined in the Natural Heritage Reference Manual for Natural Heritage Policies of the *Provincial Policy Statement*, 2010, Second Edition, Ministry of Natural Resources.

For the creation or more than three new lots, the municipality may require an Impact Assessment in the Rural District as a means to determine the potential for significant *wildlife habitat, habitat of endangered and threatened species* or and species listed under the *Endangered Species Act*.

An Impact Assessment will be required for a planning application, other than

new  
lot



creation, for a change in land use to a commercial, industrial, or institutional use where the proposed building coverage and clearing may result in *negative impacts* to the natural features and their *ecological functions*.

An Impact Assessment will be required when a planning application is made for a large scale recreational use (e.g. a golf course, serviced campground, tourist lodge, motor sport track) that will require large scale *site alteration*, or the large scale removal of the natural vegetation coverage. The municipality may consult with the Ministry of Natural Resources in determining the need for a pre-development assessment in undeveloped portions of the Township to identify any unknown/candidate *significant wildlife habitat*.

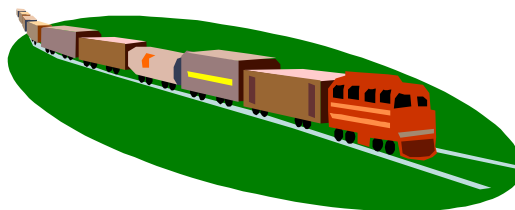
Council may undertake a peer review or may consult with a public authority to assist with the technical review and findings of an IA. The cost of an IA or peer review will be borne by the applicant.

No approval shall be given until the study is satisfactorily completed and reviewed. Council in reviewing the study may seek the assistance of a qualified person.

## **2.23 Noise and Vibration**

1. All applications for development of a *sensitive land use* (e.g., residential use, daycare, education or health care facility) within 50 m [164 ft.] of the Highway 17 right-of-way and/or 100 m [328 ft.] of the main Huron Central Rail Line right-of-way or within the potential influence area (as per the Ministry of the Environment *Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses*) of an industrial or other stationary noise source should be accompanied by a noise feasibility study prepared by a qualified consultant and to the satisfaction of the municipality. The study shall demonstrate whether noise and vibrations levels can be reduced to meet provincial standards in accordance with the Ministry of the Environment Publication LU-131, *Noise Assessment in Land Use Planning: Requirements, Procedures and Implementation* or its successor.

2. All applications for development of a sensitive land use (e.g., residential use, daycare, education or health care facility) within 250 m [820 ft.] of the Highway 17 right-of-way and/or 500 m [1,684 ft.] the main Huron Central Rail Line right-of-way or within the potential influence area of a stationary noise source should be accompanied by an acoustical study (detailed noise study) prepared by a qualified consultant and to the satisfaction of the municipality. The study shall demonstrate how noise and vibrations levels can be reduced to meet provincial standards in accordance with the Ministry of the Environment Publication LU-131, Noise Assessment in Land Use Planning: Requirements, Procedures and Implementation. The conclusions and recommendations of this study shall be implemented through conditions of the development approval.



Failure to demonstrate that noise can be mitigated to within acceptable levels will require relocation of the proposed sensitive land use to provide a greater separation distance.

3. These policies shall not apply to infill on Lots of Record.

## **2.24 Non-conforming Uses**

Nothing shall prevent the continuation of legally established existing uses. Legally existing non-conforming uses may continue but will be phased out over the long term. Extensions or enlargements should only be permitted where there is no negative impact on surrounding uses such as noise, traffic, appearance, health or safety concerns.

## **2.25 Official Plan Schedule**

**Schedule 'A' Land Use Plan**, constitutes part of the Official Plan and is to be interpreted in conjunction with the written text (see **Section 1.3 - Interpretation**).

## **2.26 Portable Asphalt and Concrete Plants**

*Portable asphalt plant* means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stock piling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

*Portable concrete plant* means a building or structure used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads or driveways and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable asphalt/concrete plants, used by a public road authority or their agent or contractor, shall be permitted throughout the Township without amendment to this plan or the zoning by-law, except within the existing built-up area of the Hamlets of Bruce Station or Rydal Bank and in a designated natural heritage feature or other area of particular environmental sensitivity that is incompatible with extraction and associated activities. (See also **Section 2.21 - Minimum Distance Separation and Influence Areas for Sensitive Land Uses.**)

Portable asphalt/concrete plants are subject to the following provisions:

1. Portable asphalt/concrete plants will be removed from the site upon completion of the project.
2. All portable asphalt/concrete plants must have an Environmental Compliance Approval from the Ministry of the Environment and shall comply with the relevant provincial standards under the *Aggregate Resources Act*.
3. Sites used for portable asphalt/concrete plants within lands used for an *agricultural use* shall be rehabilitated as per legislative requirements.

(See also **Section 2.35 - Wayside Pits and Quarries**)

## ***2.27 Property Standards***

The maintenance and upgrading of residential, commercial, industrial and other buildings will be encouraged through such measures as subsidized programs of home renewal and through the adoption and enforcement of a Municipal Property Standards By-law. The by-law will be administered with the emphasis on fire, structural and health safety of the occupants or users of the building. The by-law or the Township's Clean and Clear By-law under the *Municipal Act* may also be used to regulate unsightly yards or properties. Particular regard will be had for buildings which are deserted or abandoned within the municipality.

Council may also assist from time-to-time through such measures as arranging for removal of derelict vehicles, spring clean-up, weed control and beautification of municipal properties.

## ***2.28 Public Service Facilities, Energy and Air Quality***

*Public Service Facilities* such as schools, churches and community facilities are an integral part of the land use pattern. These will be permitted in both the urban and rural areas of the Township with preference for a location in Bruce Station and Rydal Bank in recognizing their role as service centres for the Township. The intent of the Plan in making land use planning decisions is to ensure that there is adequate capacity for such facilities to accommodate projected growth over the 20 year planning period. Utility installations (hydro, telephone, telecommunication, gas) are permitted throughout the

municipality but are encouraged to locate in areas of lower agricultural capability in the Rural Area. All such uses except electric power generation and distribution facilities, poles, lines and towers will be subject to site plan control.

If the development of electric power facilities should occur, it shall occur in an orderly manner. As such it is a policy that electric power generation and distribution facilities are permitted in all land use designations without an amendment to the plan provided that the planning of all such facilities and activities are carried out having regard to other policies of the Plan.

Council recognizes the importance of energy conservation and energy efficiency in land use planning. Consequently, Council's will encourage the siting and design of development that reduces energy consumption (i.e. buildings which optimize solar gain, retention of tree cover, shelter belts and similar measures). Council recognizes that certain energy systems are exempt from the provisions of the *Planning Act* except as set out in subsection 62.0.2 of the Act; however, Council will encourage a consultative process in the installation of *renewable energy systems*. Development of *renewable energy systems* will be encouraged to have regard to safe access to a lot, setbacks that are consistent with zoning standards, adequate lot size, access to and conservation of other natural resources (e.g. agricultural land, *minerals*, mineral aggregates, and *natural heritage features and areas*) and visual compatibility with the surrounding land uses.

The intent of this Plan is to also make land use planning decisions that incorporate measures to improve air quality.

## **2.29 Public Works**

Public works may be carried out which conform to this Official Plan. Examples of public works include municipal roads, a municipal drain or a municipal water system, including the municipal water works system servicing the Hamlet of Bruce Station.. Public roads, water and wastewater systems and any works which the municipality will assume shall be planned and screened in accordance with the Municipal Class Environmental Assessment under the *Environmental Assessment Act*.

## **2.30 Sewage Disposal and Water Supply**

### **1. Sewage and Water**

Development requiring *sewage and water services* shall be consistent with the *Provincial Policy Statement* by accommodating expected growth through systems that are sustainable, financially viable, which protect human health and the natural environment, promote water conservation and integrate servicing with land use considerations. Servicing shall be based on a servicing hierarchy of *partial services*, *private communal sewage and water services* and *individual on-site water and sewage services* as set out in the following policies.

### **2. Partial Services**



Within the Urban Service Limit (see **Schedule ‘A’ Land Use Plan**) Hamlet of Bruce Station development shall only be permitted on *partial services* (municipal piped water) provided there is sufficient *reserve water system capacity*. Such development is expected to take the form of infilling and rounding out. It is the intent of the Plan to ensure that the lot sizes within the Hamlet are sufficiently large to make them self-sustaining for the purposes of sewage disposal where only *municipal water service* is available.

### **3. Communal Services**

Council will consider *private communal water and or sewage services* for multiple lot/unit development (six or more lots/units) where full *municipal water and/or sewage services* are unavailable and where a servicing options statement, prepared in compliance with the MOE D-Series Guideline D-5-3 Servicing Options Statement, demonstrates that it is suitable over the long term. Where such a system is approved, the municipality will assume responsibility after the issuance of an Environmental Compliance Approval but only where the private communal system has failed or the operator has failed to operate or maintain the system according to the agreement. A trust fund or other financial security may be required by a municipality as a measure to offset the costs of improvements or restoration of a private communal system. (Reference should be made to MOE Guideline D-5-2, Application of Municipal Responsibility for Communal Water and Sewage Services, 1995).

For the purposes of this Plan, private communal services means sewage works and water works that provide for the distribution, collection or treatment of sewage or water, but which are not connected to full municipal sewage and water services; are for the common use of six or more residential or non-residential lots or units (excluding a recreational vehicle park); and are owned, operated, and managed by the municipality, another public body, a condominium corporation or single owner under an agreement pursuant to the *Planning Act*.

### **4. Individual On-Site Water and Sewage Disposal Systems**

- a) Lands outside of Bruce Station or in areas where a communal system is not determined to be required may be serviced by *individual on-site water and sewage disposal systems*. Planning applications for new development shall be supported by information required to satisfy the requirements of the *Building Code Act* or *Ontario Water Resources Act* respectively i.e.
  - Where the total effluent discharged by a sewage system is 10,000 litres/day (2,200 gallons/day) or less, and the system will be entirely within the bounds of the lot, the approvals will be governed by the *Building Code Act*;
  - Where the total effluent discharged by a sewage system is greater than 10,000 litres/day (2,200 gallons/day), an Environmental Compliance Approval will be required from the Ministry of the

Environment under the *Ontario Water Resources Act*. A hydrogeological study and terrain analysis shall demonstrate the soil suitability, that there is sufficient area for effluent treatment, and the site suitability for the disposal system;

- A water supply assessment report may be required for development using a groundwater source (i.e., well) to demonstrate that there is an adequate supply (quantity and quality) and that there will be no interference from sewage disposal or draw down of the water table. (Reference should be made in this regard to the Ministry of the Environment's Guideline D-5-4, Technical Guideline for Individual On-Site Sewage Systems.) Consideration shall be given to the cumulative impact of development on the available water supply. A water budget for users may be required in this regard; and
  - Site conditions shall be suitable for the long-term provision of such services and sufficient *reserve sewage system capacity* for hauled sewage is available. The determination of sufficient *reserve sewage system capacity* for individual on-site sewage services shall include treatment capacity for hauled sewage from *private communal sewage services and individual on-site sewage services*. It is the intent of the Council to investigate the options for the determination of treatment capacity from private services in the implementation of this policy;
- b) Applications for lot creation on privately owned and operated individual or private communal systems generating more than 4,500 litres of effluent per day as a result of the development shall require the submission of a servicing options report and a hydrogeological report;
- c) For the creation of five or more lots/units, a servicing options statement will be required or as set out in O. Reg. 544/06, Schedule A, of the *Planning Act*.
- d) Well construction standards will be required to meet *Ontario Regulation 903* for lands serviced with an on-site (private) water supply (i.e. well).

### **2.31 Shoreline Management and Docking Facilities**

The intent of this Plan is to only approve development along shorelines which has the effect of conserving or enhancing the natural environment and reflects best practices where *site alteration* or development is permitted.

The construction of any dock, wharf, boat house, pier, retaining wall or other structure or works along the shorelines of inland lakes or Lake Huron shall be subject to prior approval by the Ministry of Natural Resources or the public authority having jurisdiction.

It is the intent of Council to require the conservation, retention or enhancement of a natural vegetation buffer on lands within 30 m [98.4 ft.] of the shoreline of a lake or a tributary except to provide for a narrow corridor for access to the water body. In situations where the natural vegetation buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than the area required for the expansion, will be required.

The policies of this section shall apply to development abutting any lake or water body:

1. With the exception of docks and (wet) boat houses, all shoreline structures shall be constructed within the confines of the property boundaries of a lot;
2. The location, size and height of shoreline structures including single storey boat houses, boat ports and float plane hangars shall be regulated by the zoning by-law;
3. Construction of a second storey addition for any shoreline structure shall not be permitted;
4. Interior finishing or occupancy of any portion of a boat house or boat port for use or occupancy as a dwelling shall not be permitted;
5. Floating structures, cribs and docks [of less than 15 m<sup>2</sup> (161.5 ft.<sup>2</sup>)] in area shall be subject to municipal review while the supporting crib area exceeding this area shall require approval by the Ministry of Natural Resources;
6. The type of docks shall generally be limited to floating, cantilevered or post dock construction. Other types of docks may be permitted where it is demonstrated that they will not have a negative impact on *fish habitat*. Docks shall be built of non-toxic building materials. The size of docks may be regulated by the zoning by-law and in no case shall limit or restrict safe navigation. The shoreline below the high water mark shall not be permanently altered through the construction of shoreline structures except to accommodate the placement or use of docks as approved by the authority having jurisdiction;
7. No shoreline structure which will destroy *fish habitat* shall be permitted; and
8. Other accessory structures may include a gazebo, utility or storage shed, deck or viewing area subject to the standards set out above (with the exception of size).
9. Shoreline structures shall be permitted in a front yard subject to meeting appropriate zoning standards (i.e., the minimum setback from the shoreline for structures other than boat houses and docks, shall be 30 m [98.4 ft.]).
10. For applications for *redevelopment* along shorelines, Council will wherever feasible, require the relocation of buildings and sewage disposal systems to meet the 30 m shoreline setback, and the reinstatement or restoration of a vegetation buffer.

## **2.32 Site Plan Control**

Where the use of site plan control is provided for in this Plan, this shall enable a municipality to require any person or corporation to enter into an agreement to provide for any of the matters set out in Section 41 of the *Planning Act* regarding site plan control.

### **1. Application Requirements**

When an application is received for the development or *redevelopment* of a lot or parcel of record, or for the disposition of a shoreline road allowance within the Site Plan Control Area, the application shall be complete and shall be accompanied by a site plan which shows:

- a) The location of all existing or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from lot lines and from an abutting watercourse or lake; and
- b) The approximate location of all natural and artificial features on the subject land (e.g. roads, drainage ditches, wells, watercourses, banks, slopes, *wetlands*, wooded areas etc.) including the location of wells and septic tanks on adjacent properties.

### **2. Site Plan Control Measures**

For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

- a) Any industrial, commercial or institutional use;
- b) Any multiple residential use consisting of six (6) or more dwelling units;
- c) Any development on lands abutting a lake, water body or natural heritage feature;
- d) Communications towers and facilities; and
- e) Small-scale wind and solar power generating facilities that are not otherwise regulated by the *Green Energy and Green Economy Act*

### **3. Area and Scope of Application**

Council will by by-law designate one or more areas of the Township as Site Plan Control Areas. Council require the submission of plans and drawings for all development proposals within the Site Plan Control area and may require such information as is necessary for the purpose of the approval of an application and the entering into of an agreement under Section 41 (7) of the *Planning Act*.

**4. *Land Conveyance for Widening***

The Township may, as a condition of site plan approval, require the dedication of land for the widening of any street to the width set out as a municipal standard. The conveyance to the municipality shall not exceed more than one-half of the deficiency of the width or 5 m (16.4 ft.) whichever is the lesser. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

**5. *Natural Vegetation Buffer***

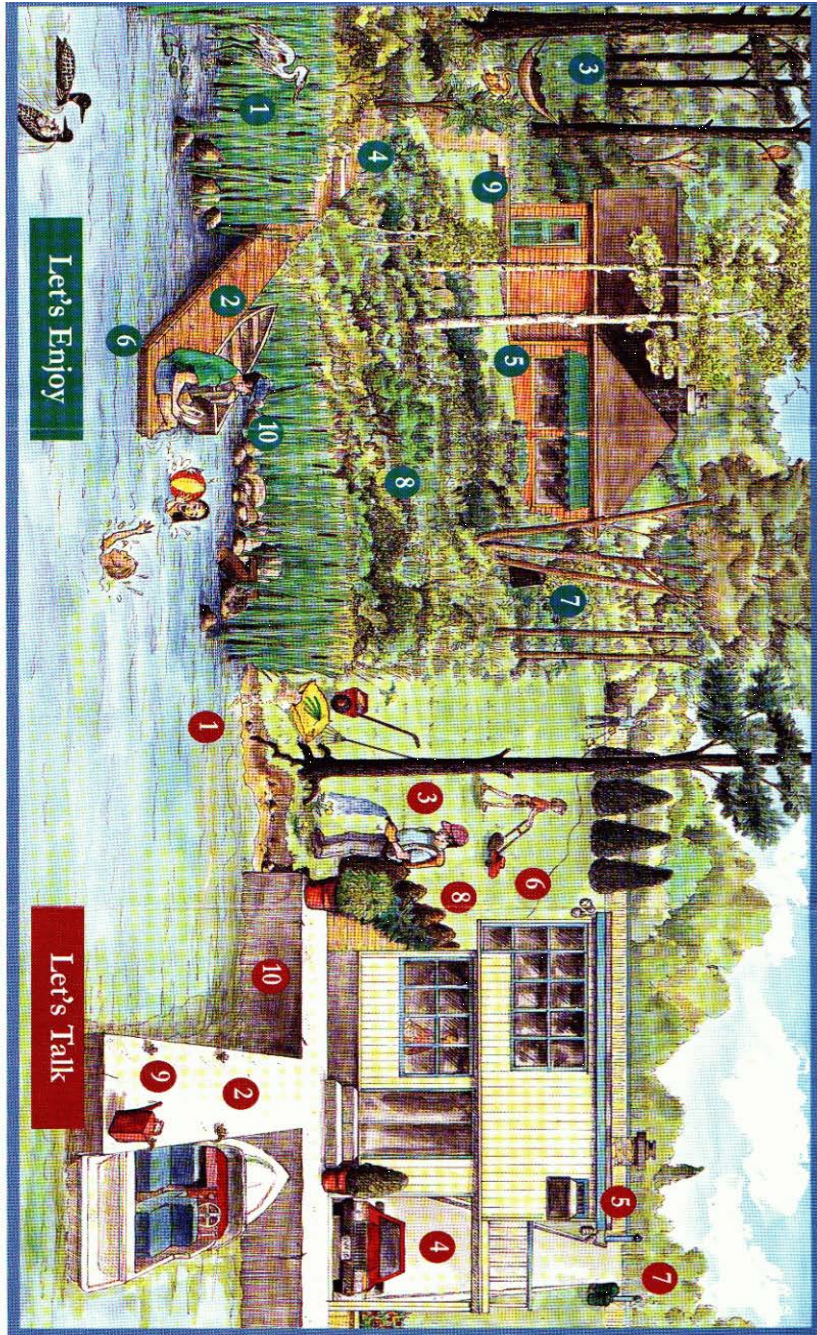
When a Site Plan Control Agreement is required for development or *redevelopment* on lands which front on a lake or on a major tributary, a natural vegetation buffer of not less than 30 m [98.4 ft.] in depth along the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetation buffer except for the removal of dead or diseased trees, debris or noxious plants or where a corridor is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment (see illustration).

**6. *Site Plan Control – Additional Information***

Where deemed necessary, in accordance with the site plan control guidelines, Council may require additional information including:

- a) A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions.
- b) A water quality impact study which shows the impact of the proposed use on water quality and how this impact can be effectively minimized;
- c) A fisheries habitat assessment, satisfactory to the Department of Fisheries and Oceans (DFO), of the abutting water body with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and
- d) A screening plan showing how the proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved or enhanced.
- e) The design, improvement and installation of facilities designed to improve or provide accessibility for persons with disabilities and the elderly.





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1. Natural shoreline — great wildlife habitat.
2. Small floating dock — low impact on “ribbon of life.”
3. Septic system far from the shore — reduces water pollution.
4. Narrow, gravelled footpath — less chance of erosion.
5. Trimmed trees and adjustable awnings — natural air conditioning with view maintained.
6. You work less — relax more!
7. Kitchen compost — improves your soil’s quality.
8. Low-maintenance native plants — provide shoreline buffer.
9. Building — set back from shore and in character with setting.
10. Well-maintained motor — electric, or modern 4-stroke outboard, operated with low wake near shore.

1. Bare shoreline — subject to erosion.
2. Solid dock — destroys wildlife habitat, alters currents, causes erosion elsewhere.
3. Fertilizer spills and chemical run-off from lawn — damage water quality.
4. Paved lane — pollution-laden runoff flows to water.
5. No shade trees — overworked air conditioner adds to electric bill.
6. Removal of natural vegetation — more work for you and more runoff.
7. Collecting lawn clippings — deprives soil of nutrients.
8. Ornamental shrubs — require chemicals and extra work.
9. Poor fuel management — spills are deadly.
10. Hardened shoreline — eliminates “natural filter,” degrades water quality, and blocks wildlife access.

f) Site plan drawings which provide measures for sustainable design, energy efficiency, measures to achieve land use compatibility and sustainable transportation.



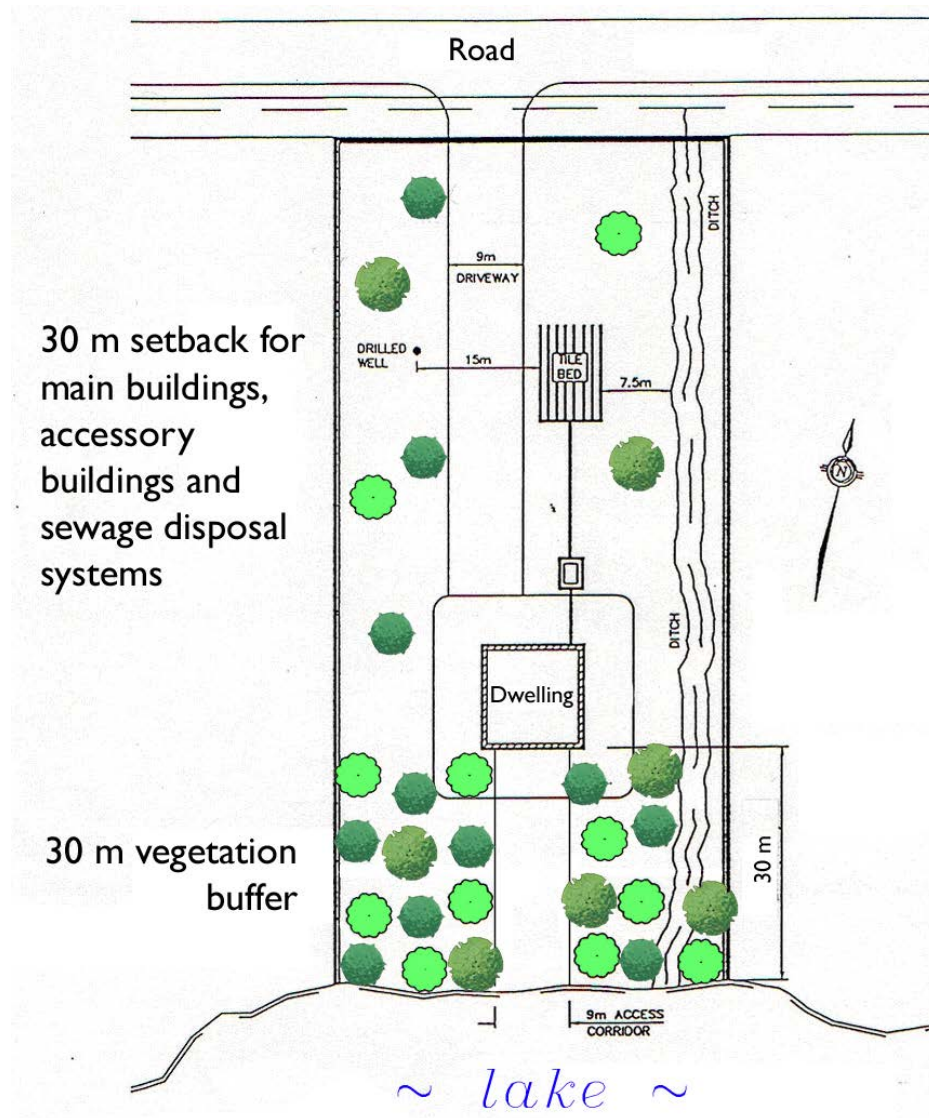


Diagram for Illustrative Purposes Only

**2.33 Subdivisions, Consents and Part-Lot Control**

**1. Plans of Subdivision**

Land development shall generally take place by plan of subdivision for waterfront residential development or where three or more lots are proposed. Consents shall otherwise be the method of land division. New lot creation shall only be permitted if there is confirmation of sufficient reserve sewage and water system capacity. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and individual on-site sewage services (see **Section 2.30 - Sewage Disposal and Water Supply**).

Development by plan of subdivision will not be approved where there is an undue oversupply of lots or the potential for costly maintenance of public services long before build out or development of the lands. A plan of subdivision may also be the required form of development if:

- a) The proposed development will require new services or the extension, upgrade or improvement of existing *public service facilities* or *infrastructure*.
- b) Where one or more special studies are required to address environmental, social or economic impacts which could result from the proposed development;
- c) The scale of development proposed exceeds the scope of matters which are generally considered through the consent application process (i.e., where multiple lots are proposed), to ensure that the entire land holding or the area is designed and developed in an orderly and efficient manner or to assess the *cumulative* impacts of land development;
- d) Where it is apparent that an application for consent could be one of several similar applications from the original holding or that an application for consents would be an attempt to circumvent the plan of subdivision process; and
- e) The proposed lots significantly alter the character of the area

An application for a plan of subdivision shall be in accordance with the requirements of *The Planning Act* and particular regard shall be had to Section 51(24). Any application shall comply with the policies of this Plan. Additional information may be required in assessing the need, appropriateness and the location of the subdivision. This may include the requirement for special studies such as noise and vibration, an archaeological or heritage impact assessment, an environmental impact assessment for a natural heritage feature or area, a minimum distance separation calculation (MDS), a justification study for development within an influence area, servicing studies demonstrating the ability of the subject lands to support on-site sewage disposal services or to be serviced with water services, a traffic impact study, etc. Such studies shall be undertaken by the proponent at his/her cost and does not guarantee the approval of any application. Applications for a plan of subdivision will not be deemed complete until such studies are submitted and deemed to be adequate by Council. Such studies shall be subject to a peer review at the cost of the proponent.

If the municipality determines that development on communal services is appropriate, the proponent shall enter into a responsibility agreement with the Municipality (see **Section 2.30.3 – Sewage Disposal and Water Supply – Communal Services**).



It shall be the policy of the municipality to consider for approval, only those plans of subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective *public service facilities*. In addition, those matters listed in **Section 2.33 (2) a-c, e-o and q** below shall be considered in reviewing subdivision applications.

## **2. Consent and Subdivision Review Policies and Procedures**

Provisions relating to the granting of consents are set out in Sections 51 and 53 of *The Planning Act*. Applications for consent shall comply with the applicable policies as follows:

- a) The consent application shall be properly completed and shall include a sketch and the prescribed application fee and shall comply with the requirements of *The Planning Act* and associated Ontario Regulation for the filing, review, notice and decision procedures;
- b) The sketch shall show the lands to be severed and the lands to be retained, existing and proposed lot dimensions, lot areas and buildings, natural physical features (water bodies, slopes, tree cover) and sufficient information to be able to easily locate the land;
- c) The proposed use of the severed lot shall be a use permitted in the underlying land use designation e.g. refer to **Schedule ‘A’ Land Use Plan** to determine designation and then refer to corresponding list of permitted uses for that designation in the text of this Plan;
- d) Up to two severances may be granted for a lot existing as of the October 4, 2006 (excluding the retained lot);
- e) The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law, e.g.;
  - Lot size for buildings, accessory uses,
  - Parking, snow storage
  - Lot frontage and depth
  - Setbacks from roads, water bodies
  - Sufficient land area to allow development
  - Where constraints exist such as topography,
  - Soils (organic), rock, slope, wetland, etc.;
- f) The lot must meet the influence area or special setback requirements where the intended use of the lot is for a *sensitive land use* e.g. a dwelling, daycare

facility, educational facility or health care facility, church, campground.

Reference should be made to the following Sections of this Plan for further explanation:

- **2.21.1 - Agricultural Uses**
- **2.21.2 - Industrial Sites**
- **2.21.3 - Pits and Quarries**
- **2.21.5 - Sewage Disposal Facilities**
- **2.21.6 – Waste Disposal Facilities**
- **6.2 - Mineral Resources**
- **2.20 - Mine Hazards**
- **2.22 - Natural Heritage Features and Areas**
- **2.12 – Hazardous Lands and Hazardous Sites**
- **2.23 - Noise and Vibration**

- g) The application shall be supported by studies or other information which may be required to determine whether the application will comply with the policies of this Plan, or to permit the reduction of required setbacks;

Reference should be made to the above listing for requirements e.g.:

- Plan/measures for rehabilitation of *mine hazards*
- Impact Assessment/mitigation measures for *Natural Heritage Features and Areas*
- Noise or acoustical study
- Record of Site Condition (contaminated sites) (see **Section 2.9, Contaminated Sites**)
- Lake Capacity assessment
- Natural Hazards Assessment
- Archaeological and/or cultural heritage impact assessment.
- Design features to improve accessibility for persons with disabilities and the elderly
- Servicing studies demonstrating the ability of the subject lands to support on-site sewage disposal services or to be serviced with a water supply

In the absence of appropriate mitigation, the application may be refused.

- h) The application should be supported with information or an Environmental Compliance Approval whichever is applicable or evidence to verify suitability of the lot for sewage disposal (see **Section 2.30, Sewage Disposal and Water Supply**);

- i) The application should be supported with information to verify suitability of the water supply (see **Section 2.30, Sewage Disposal and Water Supply**);
- j) The lot shall have frontage on and direct access to a public or private road or water access whichever is applicable;
- k) Where the lot proposed fronts on a provincial highway, prior approval must be obtained for access, buildings and structures from the Ministry of Transportation. Also, where the Ministry has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval;
- l) The access or entrance to any lot should not create a traffic hazard e.g. on a curve or a hill where a driver's sight line is blocked or impaired. The applicant must receive approval from the municipality for the location and installation requirements for an entrance and/or culvert;
- m) Consents will not be granted which have the effect of limiting access to back lands for future development or which have the effect of creating land locked parcels for either the severed or retained lot;
- n) Consents will not be granted in areas where the undue extension of municipal services would be required (e.g. extension of a public road or school bus route);
- o) Despite the criteria outlined above, consents may be granted for the following purposes:
  - To correct lot boundaries
  - For the discharge of mortgages, provided a new lot is not created
  - To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used;
  - To clarify title to the land;
  - Where the effect of the severance does not create an additional building lot;
  - To permit an easement;
  - To permit a severance for municipal or other government purposes.
- p) Conditions may be imposed in the granting of severances and subdivision agreements which may include but not be limited to the following:
  - A zoning amendment under the zoning by-law or a minor variance

under Section 45 of *The Planning Act*

- Site plan control
- The dedication of land or cash-in-lieu of parkland including dedication for pedestrian and bicycle pathways
- The conveyance of land or conveyance for easements for utilities, access control or drainage
- The construction or upgrading of roads or the installation of drainage facilities and culverts
- The establishment of buffer strips and landscaping
- Flood proofing structures
- The installation and maintenance of water supply or sewage disposal systems
- The entering into of an agreement including provisions for financial guarantees
- Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions
- Implementation of mitigation measures to ensure compatibility amongst land uses

Conditions may be set out in an agreement under Section 51 (26) of the *Planning Act* and registered against the land(s) to which it applies.

### **3. *Part-Lot Control***

Part-lot control may be used for existing plans of subdivision where it is necessary to re-align lot boundaries to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal development on a lot.

## **2.34 *Water Access***

To improve public access to Lake Huron and to other lakes in the Township Council may require the dedication of parkland having water access as a condition of approving subdivisions along the shoreline. In considering the appropriateness of future access points, consideration will be given to such criteria as adequacy of the size of the parcel, slope and topography, distance separation from adjacent residential uses, suitability of the property for storage of boat trailers and vehicles and convenience and safety of access from the lot to a public road. The Municipality may acquire additional lands for water access within shoreline subdivisions or in other areas along Lake Huron or other lakes in the municipality through the use of funds obtained as part of the cash-in-lieu provisions of this Plan. (See also **Section 2.7 – Conveyance of Parkland or Cash-in-lieu.**)

## **2.35 *Wayside Pits and Quarries***

A *wayside pit* or *wayside quarry* means a temporary pit or quarry located outside the limits of the road allowance which is opened and used by or for a public authority for the purpose of a project or contract of road construction or maintenance or for a project for which no alternative source of aggregate under license or permit by other means is

readily available in the vicinity. Portable asphalt and concrete plants may be permitted as part of a wayside pit operation. (See also **Section 2.26 - Portable Asphalt and Concrete Plants.**)

*Wayside pits and quarries* are permitted throughout the municipality except as indicated in this policy and provided that such uses are not located to adversely affect existing development. Polluted water from washing or screening operations shall not be discharged into any creek or water course. The operation of a wayside pit or quarry will be conducted in accordance with the latest standards of the Ministry of Natural Resources.

*Wayside pits* will be rehabilitated as per legislative requirements. *Wayside pits and quarries* (and *portable asphalt plants*) used on public authority contracts will be permitted, without the need for an Official Plan Amendment or rezoning under the *Planning Act* in all areas, except within Hamlets and those areas of existing development or particular environmental sensitivity, such as in a designated natural heritage feature, which have been determined to be incompatible with extraction and associated activities.

## **2.36 Zoning - Sections 34, 36, 38, 39 Planning Act**

1. It is intended that comprehensive Zoning By-laws shall be amended to implement the policies of this Plan and shall be enacted in accordance with the provisions of the *Planning Act*. Such By-laws shall contain zones which correspond with the policies contained within this Plan and will establish regulations to control the use of land and the character, location and use of buildings and structures.

### **2. *Holding Zone Provisions - Section 36, Planning Act***

Pursuant to Section 36 of the *Planning Act*, a Council may place certain lands within a Holding category in the implementing Zoning By-Law when the principle of development has been established, in order:

- a) To identify future development areas.
- b) To avoid premature development where municipal services do not have adequate capacity or are unavailable.
- c) To effect the phasing of residential, commercial, or industrial development.
- d) To ensure proper financial agreements are in place and that all agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with.
- e) To delay development until such time as it is determined that identified development constraints (e.g. *mine hazards*) can be overcome to the satisfaction of the Municipality.

- f) To defer development on contaminated sites until the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan and subject further, to the submission of a Ministry of the Environment acknowledged Record of Site Condition to a Council.

The Municipality, at any time, may designate any zone or part of a zone as a Holding Zone in order to meet one or more of the above-mentioned conditions. A Holding Zone shall be identified by using the symbol "h" following any zoning category. Removal of the Holding symbol from the zoning category may be initiated by a member of the public or by a Council. Prior to a Council's approval to remove the Holding symbol, a Council shall be satisfied that the conditions for the removal of the Holding symbol have been met.

### **3. *Interim Control By-Laws - Section 38, Planning Act***

In utilizing this authority, it is a policy that an interim control By-Law shall be preceded by a By-Law or resolution, directing that a review or study be undertaken of the land use planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-Law expires, the prior zoning shall automatically apply, unless a new Zoning By-Law is passed.

### **4. *Temporary Use By-laws - Section 39, Planning Act***

In certain circumstances, it may be desirable to pass a Temporary Use By-Law to implement the policies of this Plan.

Council may, therefore, in a By-Law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. This shall include a garden suite. The period of time for a temporary use may be up to twenty years for a garden suite and up to three years in all other cases, both of which are eligible for extensions. Notice of a Temporary Use By-Law shall be given in the same manner as that of a Zoning By-Law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-Law for a garden suite, a Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the *Planning Act*.

Any use introduced under such a Temporary Use By-Law does not acquire the status of a legal non-conforming use at the expiration of the By-Law(s) and at that time must therefore cease.

It is not the intent of the Official Plan that Temporary Use By-Laws be used to permit a new use while an amendment to the Official Plan and/or Zoning By-Law

is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to a Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-Law while any required amendments are passed.

## 3.0 Hamlets

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### 3.1 Development Concept

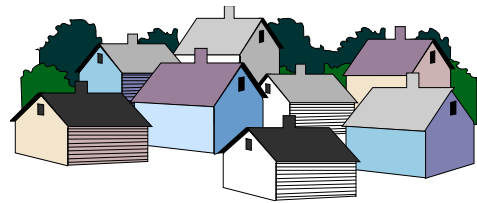
The Hamlets of Bruce Station and Rydal Bank are small communities which provide a basic level of public services and commercial uses within a predominantly residential setting. Bruce Station and Rydal Bank are designated as Hamlets on **Schedule 'A' Land Use Plan**. The intent of the Plan is to ensure an adequate supply of serviced residential land, to encourage the further development of the Hamlets for a mix of compatible uses which maintain the scale and character of the Hamlet, to improve the range of community facilities available, and to maintain the attractiveness of Hamlets and the condition of the housing stock through a program of community improvement. The majority of new growth in the Hamlets will occur through infill, *intensification* and *redevelopment* in the built up area. Council will provide for a compact and cost-efficient land use pattern in guiding and making land decisions on development in the Hamlets.

### 3.2 Permitted Uses

The principle land uses within the Hamlets of Bruce Station and Rydal Bank will include residential, commercial and *public service facilities*.

#### 1. Residential

A variety of housing types and densities will be permitted including a predominance of low density single and two-unit dwellings. Medium density row housing and small block multiples are also permitted where the land is sufficient to support such development and servicing is sustainable over the long term. Second units will be permitted in singles, semi-detached and row housing where they are occupied by a single residential unit. Group homes will also be permitted (see **Section 2.14 Group Homes**).



#### 2. Commercial

A range of retail, personal and service commercial uses, professional offices and other commercial uses appropriate to the scale of development will be permitted in a mixed land use setting focused in the core of the hamlet. Mixed use commercial/residential buildings will be permitted.

#### 3. Public Service Facilities and Open Space

Permitted uses shall include parks, playgrounds, schools, churches and government services.



### 3.3 *Planning Principles*

Land use planning principles which shall apply to development within the Hamlets include:

1. Complying with the applicable *Development Criteria* set out in **Section 2.10** of this Plan.
2. Providing for a land use pattern of mixed land uses where land uses are designed to be compatible or made to be compatible through measures as set out in **Section 2.10.7** and **2.10.8** of this Plan;
3. *Servicing* new or existing development in the Hamlets will be on the basis of municipal water service and individual on-site sewage services in Bruce Station and individual on-site water and sewage services in Rydal Bank (except where communal services are required) and where lands are demonstrated to be sustainable for the density of development to ensure public health and safety. Lot areas shall be of sufficient size to accommodate such services. (See **Section 2.30 - Sewage Disposal and Water Supply**);
4. Requiring frontage on and direct access to a public road shall be the means of access;
5. Requiring *residential intensification* and *redevelopment* (i.e., *redevelopment of brownfield sites*, development of vacant or underutilised lots, in-fill development and the conversion or expansion of non-residential building stock for residential uses) as the primary method for new development. Plans of subdivision and consents may be used as a method of development, where appropriate;
6. Establishing the hamlets as the preferred location for the specialized housing needs for seniors and households which may be addressed through participation in assisted housing programs on a joint or individual municipal basis;
7. Permitting mobile homes on individual lots where the lot is proportionately sized to accommodate the unit, where a full foundation is constructed under the unit and where the unit will be adequately landscaped;
8. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking etc.). Where commercial uses are proposed adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses;
9. Applying site plan control to all uses as set out in **Section 2.32 – Site Plan Control**.

## 4.0 Rural District

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### 4.1 *Development Concept*

Within the Rural District, the Plan provides for a supply of land for limited residential land uses<sup>1</sup>, resource uses, resource-based recreational activities and other rural land uses. Rural residential includes both permanent and seasonal land uses. The predominant focus of future residential development will be on shoreline development on the many lakes and water bodies within the Township. It is anticipated that development will be serviced with on-site water and sewage disposal, except where communal services are required, and that initiatives will be undertaken to upgrade older sewage disposal systems as a means to improving water quality.

Recreational activities will include recreational commercial establishments (campgrounds, lodges, golf courses, marinas and outdoor recreational uses) normally located in a rural setting as well as commercial uses which cater to the travelling public.

The Plan also makes provision for other rural uses typically found in a rural area.

The intent of the Plan is to provide opportunities for industrial development through the establishment of criteria for industrial uses. The focus of industrial uses will be on dry industries. Resource-based or resource related industries will be permitted as well as those serving the transportation industry.

The Plan makes provision for waste management facilities in the Rural District as an essential municipal service.

The Plan recognizes the economic value of renewable and non-renewable resources within the Rural District e.g. agriculture, mineral aggregates, and forestry, and the need for stewardship of these resources. The Plan provides for resource development and measures for avoiding or minimizing the land use conflicts which may arise from such development. Although these land use activities form part of the Rural District, reference should be made to other Sections of the Plan for Resource Management e.g. **Section 5.0 - Mineral Aggregates Resource Area, Section 6.0 Mineral Resources, Section 2.22 - Natural Heritage Features and Areas.**

Planning principles will apply to all development to ensure that it is environmentally sustainable and is complementary to the physical and scenic attributes of the natural environment.

The policies of the official plan are not binding on Crown land use activities; use of Crown lands will be determined by the province with regard for the established policies of the Municipality. Crown lands include the Rose Lake Dune Peatland Complex illustrated on **Schedule 'A' Land use Plan.**

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<sup>1</sup> Limited residential development for the purposes of this plan means 2 residential units.

The following policies apply to those lands designated Rural District on **Schedule ‘A’ Land Use Plan**.

## **4.2 Permitted Uses**

Within the Rural District, the following major land uses will be recognized.

1. Agricultural Resource Lands
2. Agriculture and Forestry
3. Rural Residential
4. Shoreline Residential
5. Rural Commercial
6. Industrial
7. Waste Disposal Facilities
8. *Public Service Facilities*

(Note: see also 5.0 Mineral Aggregates Resource Area and 6.0 Mineral Resources.)

## **4.3 Planning Principles**

Land use planning principles which shall apply to development within the Rural District include:

1. Complying with the applicable *Development Criteria* set out in **Section 2.9** of this Plan.
2. Ensuring that proposed uses are compatible with existing uses and that land use conflicts are avoided or minimized.
3. Ensuring that commercial and industrial uses are located close to built-up areas or to the market areas which they serve. Such uses should also be in locations with good visibility and convenient access from well-maintained public roads.
4. Providing that rural residential and seasonal residential development will occur primarily through infilling on existing lots of record. Limited new rural residential and seasonal residential lots may be created through subdivision or consent, provided that they have frontage on a public road that is maintained year round and can be adequately serviced (see **Section 2.30 – Sewage Disposal and Water Supply**). Where new lot creation abuts a lake or associated tributary, development shall be designed within the lake capacity of the water body in compliance with **Section 2.10.12**.
5. Rural development shall be characterized as low density. Lot sizes shall be appropriate for each intended land use. Lot size criteria will be based on environmental standards for individual on-site water and sewage disposal services (see **Section 2.30 – Sewage Disposal and Water Supply**). Site development requirements for buildings, structures, parking access, landscaping, optimizing the

utilization of the land base and maintaining suitable separation distances shall be in keeping with the character of the rural landscape.

6. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking etc.). Where conflicting land uses are proposed adjacent to residential uses, (or *vice versa*) provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts.

#### **4.4 *Agricultural Resource Lands***

##### ***GOAL***

1. To preserve and protect the best capability soils for agricultural production and to protect and encourage intensive farming operations.
2. To provide for an Agricultural Resource Lands designation-

##### ***OBJECTIVES***

1. To sustain farming and farm related activities as a significant component of the economic base of the municipality.
2. To discourage incompatible uses.

##### ***POLICIES***

1. Lands designated Agricultural Resource Lands (A) on Schedule 'A' comprise agricultural lands and will be preserved as the principal areas for agricultural production. Compatible rural uses will be permitted on other lands within this land use designation.
2. *Agricultural uses* and activities are permitted as the predominant land uses. Forestry is also permitted land use activity.
3. *Secondary uses* on agricultural lands are encouraged as a means to strengthen and diversify the agricultural industry and to supplement farm income. The Township shall ensure that such uses are compatible with *agricultural uses* and shall not hinder surrounding agricultural operations. Criteria used to evaluate the compatibility include: the type and scale of use; that the use, where it is located on a farm, is clearly secondary to the main farm operation.
4. *Agriculture-related uses* are also permitted provided they are compatible with agricultural activities, are directly related to agriculture and necessary in close proximity to farm operations and provided that alternative locations outside of Agricultural Resource Lands are not available and there are no reasonable

alternative locations in agricultural areas to locate such uses upon lower priority agricultural soil capability lands. Such uses must be compatible with agricultural activities and shall comply with the *Minimum Distance Separation Formulae I* and 11 and wherever possible, should be encouraged to locate on lands with lower soil capability. Where applicable the policies of **Section 4.7** and **4.8** of this Plan for commercial and industrial uses will apply.

## 5. *Land Severances*

- a) Lot creation will be permitted only in the following situations:
  - i. New lots for *agricultural uses* may be permitted provided that they are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation;
  - ii. New lots may be permitted for *agriculture-related uses*; and
  - iii. New lots for residential uses may be permitted for:
    - A farm retirement lot;
    - A *residence surplus to a farming operation*; and
    - Residential infilling.
- b) Any new lot for residential uses will be limited to a minimum size needed to accommodate the residence and an appropriate sewage and water system.
- c) New land uses, including the creation of lots, and new or expanding livestock facilities will comply with the *minimum distance separation formulae*; and

6. In Agricultural Resource Lands designated areas, *agricultural uses* and *normal farm practices* will be promoted and protected.

7. The requirements for minimum distance separation of the *Minimum Distance Separation Formulae I* and II shall apply to all farm and non-farm development in order to minimize conflicts between livestock facilities and development (see also **Section 2.21.1**).

8. As an alternative to creating a separate lot, a second lodging unit in an existing dwelling may be permitted for the extended family of for farm help.

9. In considering applications for severance, Council will ensure that the physical or efficient operation or machinery or production of a farm or adjacent farms are not

adversely affected wherever possible, new residential lots shall be located on poorer quality farm land.

10. The designation of agricultural lands for agricultural activities shall not prevent other existing uses within this policy area to continue. However, none of these existing uses shall be permitted to expand if Council should determine that there will be an adverse impact on agricultural activities.
11. Aggregate extraction is permitted in the Agricultural Resource Lands and shall be subject to the policies of **Section 5.0** of this Plan. A minimum distance separation may be required to avoid conflict with adjacent land uses. A rehabilitation plan for the aggregate operation for new sites will be required to ensure the re-establishment of an *agricultural use* of similar acreage and quality of soil.
12. Existing vacant lots of record which are large enough to be farmed shall be preserved for *agricultural uses*. These and smaller lots will be encouraged to be consolidated into larger farm holdings.
13. Agricultural Resource Lands are proposed Site Plan Control Areas pursuant to Section 41 of the Planning Act, specifically farm-related commercial and industrial uses are subject to site plan control.
14. New municipal drains as well as the ongoing maintenance of existing drains will be actively encouraged and financially supported.

#### 4.5 *Agriculture and Forestry*

1. Agricultural lands and agricultural land uses will be encouraged and promoted. To minimize land uses conflicts, the standards of the *Minimum Distance Separation Formulae I and II* shall apply (see **Section 2.21.1 - Minimum Separation Distances and Influence Areas**).
2. Agriculture-related uses such as food processing, farm services, farm equipment sales and services will also be permitted in the Rural District provided they do not hinder surrounding agricultural operations.
3. New municipal drains as well as the ongoing maintenance of existing drains will be actively encouraged and financially supported.
4. *Agricultural uses* include the growing of crops, including nursery and horticultural crops, raising of livestock and other animals for food, or fur or fibre, including poultry and fish; aquaculture; apiaries; agro forestry; maple syrup production; and associated on-farm buildings and structures, including the accommodation for full time labour when the size and nature of the operation requires additional employment.
5. Secondary uses will be permitted in association with *agricultural uses* as a means to support the agricultural industry provided they do not hinder surrounding

agricultural operations.

6. Forestry activities such as timber management and timber harvesting activities on Crown Land or private land shall be recognized and encouraged. Related outdoor recreational activities such as snowmobiling, hiking, sports fishing, camping, hunt camps and similar activities are also recognized as uses in the Rural District.

#### 4.6 *Rural Residential*

In the area designated as Rural District on **Schedule 'A' Land Use Plan**, rural residential development shall be permitted subject to the following:



1. Permitted residential uses shall include single and two-unit dwellings, second residential units within a dwelling group homes (see **Section 2.14 Group Homes**) and accessory uses such as a garden suite (see **Section 2.13 Garden Suites**). Mobile homes on individual lots may be permitted as a form of rural residential development and shall meet the same standards established for all rural residential development.
2. The minimum lot size for new lot creation shall be 1 ha (2.47ac.).
3. Rural residential lots shall take advantage of topographic and natural features and other amenities which enhance the siting of dwellings; which are located wherever possible on existing roads; and which minimize conflicts with adjacent land uses particularly resource uses such as agriculture, areas of *significant* mineral potential, forestry operations and *mineral aggregate resources/mineral aggregate operations*. (See also **Section 2.21 -Minimum Separation Distances and Influence Areas**).
4. Rural residential lots shall only be permitted which are appropriate for individual on-site water and sewage services (see **Section 2.30 – Sewage Disposal and Water Supply**).
5. Rural residential lots may only be created where they front on and have direct access to a publicly owned and maintained road.
6. Rural residential development within 300 m [984 ft.] of a water body is subject to **Section 4.7 – Shoreline Residential Development**.

#### 4.7 *Shoreline Residential*

In the area designated as Rural District on **Schedule 'A' Land Use Plan**, shoreline residential development shall be permitted subject to the following:

1. Shoreline residential development applies to lands within a 300 m [984 ft.] depth

from the shoreline of a lake or major tributary to a river or to a lake. Permitted residential uses shall include permanent and seasonal dwellings and accessory uses such as a guest cabin. A garden suite may be permitted as an accessory use to a permanent dwelling (see **Section 2.13 – Garden Suites**).

2. The minimum lot size for shoreline residential lots shall be 1 ha (2.47 ac.).
3. Shoreline residential development may be permitted on public or existing private roads. Development on existing private roads shall be restricted to infill on existing lots of record in accordance with **Sections 2.19 and 7.2** of this Plan.
4. New lot creation for shoreline residential development may be by land severance or by plan of subdivision although preference will be given to residential subdivisions to minimize land consumption and promote sustainable development of shoreline frontage (see **Sections 2.10.6, 2.31 and 2.33**).
5. Shoreline residential development may be permitted on islands provided that adequate public access from the mainland including public parking and docking facilities is available. Where public parking is not available on the road allowance or provided for by the municipality, parking shall be provided within close proximity to the public access by means of an easement registered on title, under Section 51 of the *Planning Act*, indicating that arrangements have been made with the land owner for the provision of off-street parking.
6. Shoreline residential development along the shoreline of Gordon Lake, Round Lake, Caribou Lake, Rock Lake, Ottertail Lake, and Rose Lake will only be permitted where it is clearly demonstrated that such development does not have a negative impact on the water quality or the capacity of the lake to sustain such development (see **Section 2.10.12**).
7. Shoreline development will be designed to take advantage of topographic and natural features and other amenities which enhance the siting of dwellings and which minimize conflicts with resource uses.
8. The zoning by-law shall establish a zone for shoreline residential development (see **Section 2.36.1**).

#### **4.8 Rural Commercial**

In the area designated as Rural District on **Schedule ‘A’ Land Use Plan**, commercial development shall be permitted subject to the following:

1. Commercial land uses in the Rural District (except Highway Commercial) shall be those uses which are better served by a rural location and cannot readily be located in a Hamlet.
2. Highway commercial uses which serve the travelling public and the trucking industry such as service stations, repair garages, accommodation, restaurants and



uses which require large land areas and highway exposure such as sales outlets, dealerships, fresh produce markets may be permitted principally along Highways 17 and 638. Provincial highway access controls will apply and may limit or prohibit direct access onto these highways.

3. Recreational and tourist commercial uses such as marinas, golf courses, campgrounds, bed and breakfasts, antique outlets, tent and trailer parks may be permitted where they can be compatibly integrated with other rural land uses and can take advantage of topography, tree cover, scenic vistas and other natural amenities (**See also Section 2.31 - Shoreline Management and Docking Facilities**). Commercial marinas shall comply with Ontario Regulation 351 under the *Environmental Protection Act* with respect to such matters as litter containers, pump-out facilities and sewage disposal.
4. Development of new commercial uses shall only be permitted by an amendment to the zoning by-law and shall be subject to site plan control (see **Section 2.32 – Site Plan Control**).
5. Development of commercial uses shall only be permitted on lots with frontage on and direct access to a public road.
6. Any commercial development proposed within 300 m [984 ft.] of any lake/water body shall be subject to the policies of **Section 2.10.12**).

#### 4.9 ***Industrial***

1. Within areas designated Rural District on **Schedule ‘A’ Land Use Plan**, permitted uses may include resource-based industries, resource related industries, value added industries, storage, wholesale, and distribution and repair services. Any industrial development proposed within 300 m [984 ft.] of the shoreline of a water body shall be subject to the policies of **Section 2.10.12**).
2. Industrial development shall be directed away from the residential uses, sensitive uses and *natural heritage features and areas*. The applicant shall clearly justify the appropriateness of the proposed location for an industrial use having regard for all of the development criteria set out in **Section 2.10** of the Plan. Development of new industrial uses shall generally proceed by amendment to the zoning by-law. Existing uses may be expanded where there are compatible to adjacent land uses and adverse effects can be mitigated. Industrial uses shall be subject to the following policies;
3. A lot used for an industrial purpose shall have frontage on and direct access to a public road constructed to municipal standards;
4. All industrial shall be subject to the influence area and separation distance requirements of **Section 2.21 - Minimum Separation Distances and Influence Areas** as a measure to ensure compatibility between industrial facilities and

*sensitive land uses*;

5. Open storage shall be appropriately screened from adjacent properties and any public street;
6. The lot area shall be sufficiently large to accommodate the intended use including parking, on-site manoeuvring of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping;
7. Building coverage and height control standards will be set out in the implementing zoning by-law. Building height shall not exceed the equivalent of four storeys;
8. Site plan control shall apply in governing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, landscaping for any new industry or for extensions to existing industries (see **Section 2.32 – Site Plan Control**);
9. Services shall be evaluated to determine if they are adequate to meet the requirements for industrial development e.g. water supply and sewage disposal, waste management, fire protection and roads, provided site conditions are suitable for the long-term provision of such services and sufficient *reserve sewage system capacity* for hauled sewage is available. Only ‘dry-industries’ shall be permitted. ‘Dry-industries’ are industries which do not consume large quantities of water for their processing or manufacturing operations (i.e. with an average daily effluent flow of less than 10,000 litres/day/lot and consisting of domestic wastes only. No industrial/commercial process water will be considered as a dry use). The processing of mineral aggregates and forest industry uses (e.g. log cooling) is exempt from the restrictions on ‘dry industries’ (see also **Section 2.10.12 (c)**);
10. Industrial traffic shall be directed to and from industrial areas by designated roads and provincial highways;
11. Environmental Approvals shall be obtained where required from the public authority having jurisdiction;
12. The zoning by-law shall be utilized to set out appropriate separation distances between industrial uses and *sensitive land uses* depending on the industrial classification. These distances may be reduced or development may be permitted in an influence area where any adverse effects (as defined in the *Environmental Protection Act*) are satisfactorily mitigated;
13. Any industrial development proposed within 300 m [984 ft.] of any lake/water body shall be subject to the policies of **Section 2.10.12**).

(Reference should be made to the Ministry of the Environment's Guideline D-6 on Compatibility between Industrial Facilities and Sensitive Land Uses.)

## 4.10 Waste Disposal Facilities

### 1. Existing or New Sites

Existing active or new sites within the Township may only be operated, expanded or closed in accordance with current provincial environmental standards and approvals. Waste disposal activities may include facilities for recycling, composting, hazardous waste control and ancillary activities in accordance with the Environmental Compliance Approval. New sites, including sites for septage disposal, will require an amendment to this Plan and will require approval under the *Environmental Protection Act* before an amendment is considered. Sites may include transfer sites utilized for the temporary storage of waste materials. References for the evaluation and approval of waste disposal sites shall include the *Environmental Assessment Act*, *O. Reg. 101/07 Waste Management Projects Regulation* and MOE guideline “Guide to Environment Assessment Requirements for Waste Management Projects.



### 2. Closed or Inactive Sites

Closed or inactive sites may be used for other purposes subject to meeting requirements of the *Environmental Protection Act*. No buildings or other use shall be made of land or land covered by water which has been used as a waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Minister of the Environment pursuant to Section 46 of the *Environmental Protection Act*.

### 3. Influence Area

Waste disposal facilities shall be subject to the influence area and separation distance requirements of as a measure to ensure compatibility between waste disposal facilities and *sensitive land uses* (see **Section 2.21.6 Waste Disposal Facilities**).

### 4. Development to Have Adequate Capacity

Council, in the review of planning applications, will ensure that there is sufficient capacity to accommodate the waste disposal needs of the proposed development. Council will continue to monitor the capacity of the existing sites and will undertake improvements as required (e.g. expand sites or implement operational plans, to maintain adequate capacity for future development).<sup>2</sup>

### 5. Council will monitor the environmental impacts of sites to ensure that there is no off-site migration of leachate.

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<sup>2</sup> Current lifespan of the landfill site is 2038.

#### 4.11 *Public Service Facilities and Open Space*



In the area designated as Rural District on **Schedule ‘A’ Land Use Plan**, *public service facilities* and open space uses shall be permitted subject to the following:

1. Open space uses includes lands for parks, sports fields, and conservation uses and are permitted anywhere in the Rural District. *Public service facilities* such as community uses, cemeteries, places of worship and schools shall be permitted where they cannot otherwise be located in a Hamlet.
2. Development of new *public service facilities* in the Rural District shall only be permitted by an amendment to the zoning by-law and shall be subject to site plan control (see **Section 2.32 – Site Plan Control**).
3. Development of new *public service facilities* shall only be permitted on lots with frontage on and direct access to a public road.
4. Any *public service facilities* development proposed within 300 m [984 ft.] of any lake/water body shall be subject to the policies of **Section 2.10.12**).
5. In the review of planning applications for development adjacent to water bodies, and in consideration of applications to close shoreline road allowances or road allowances leading to water, Council will ensure that opportunities are provided for public access to shorelines. (See also **Section 2.34 – Water Access**.)

## 5.0 Mineral Aggregates Resource Area

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### 5.1 Goal

To manage *mineral aggregate resources* by controlling and regulating operations, requiring rehabilitation, minimizing adverse impacts on the environment and by protecting the resource from incompatible land uses.

### 5.2 Permitted Uses

Permitted uses within areas designated as part of the Mineral Aggregate Resource Area include the following:

1. Pits and quarries
2. *Wayside pits and quarries* (see also **Section 2.26 - Portable Asphalt and Concrete Plans** and **Section 2.35 - Wayside Pits and Quarries**)
3. An agricultural use excluding any permanent buildings
4. Forestry excluding any permanent buildings
5. Uses associated with pit and quarry operations such as crushing facilities, stock piles, screening operations, asphalt plants and aggregate transfer or recycling operations provided they do not prevent the opening of a pit, quarry, wayside pit or quarry.
6. Crushers, screeners, asphalt plants and recycling operations are permitted where they have an Environmental Compliance Approval from Ministry of the Environment.
7. Passive recreation uses not including buildings or structures provided they are not part of a *mineral aggregate operation*.

### 5.3 Policies

Council recognizes that the *Aggregate Resources Act* is the governing authority with respect to the control and regulation of *mineral aggregate operations* in the Township. In the area designated as Mineral Aggregates Resource Area on **Schedule 'A' Land Use Plan**, mineral aggregates extraction shall be permitted subject to the following:

1. As much of the mineral aggregate resource base as is realistically possible to designate close to markets will be protected for their resource value through the designation of active pits and quarries and mineral aggregate reserves as a Mineral Aggregate Area (see **Schedule 'A' Land Use Plan** for Mineral Aggregate Area) and the provision for the recovery of these resources, wherever feasible.

Demonstration of the need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required notwithstanding the availability, designation or licensing for extraction of mineral resources locally or elsewhere

This shall also include *wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority although they are not required to be specifically designated.

## **2. *Site Development of Pits and Quarries***

Applicants will be required to comply with the requirements of the *Aggregate Resources Act* (Aggregate Resources of Ontario Provincial Standards) for the submission and preparation of aggregate applications. Applicants are encouraged to consult with the Municipality in addition to fulfilling the requirements for making an application for a license and in obtaining related approvals.

## **3. *Separation Distances and Influence Area***

Pits and quarries and new *sensitive land uses* adjacent to pits and quarries or areas with mineral aggregate potential shall be subject to **Section 2.21 - Minimum Separation Distances and Influence Areas** as a measure to ensure compatibility between current and future aggregate resource activities and *sensitive land uses*.

## **4. *Review of Applications***

Council will review applications under the *Aggregate Resources Act* in areas subject to the Act for compliance with the relevant policies of this Plan to ensure that the resource and *mineral aggregate operations* are protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public safety, public safety or environmental impact and that adequate measures are undertaken to mitigate impacts of pit and quarry operations on *sensitive land uses* and to address the impacts of operations on the municipal road infrastructure. Extraction shall be undertaken in a manner which minimizes social and environmental impacts. Existing *mineral aggregate operations* shall be permitted to continue without the need for an official plan amendment or rezoning.

Within the Mineral Aggregate Resources Area, development shall only be permitted by amendment to this Plan and only where it is demonstrated through a technical report that 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 area addressed.

## **5. *Wayside Pits and Wayside Quarries***

*Wayside pits and wayside quarries* are permitted throughout the Township without an amendment to this Plan or to the zoning by-law except in areas designated as Hamlets or on environmentally sensitive lands which have been

determined to be incompatible with extraction and associated activities.

**6. *Portable Asphalt/Concrete Plants***

It is a policy to recognize *portable asphalt/concrete plants* as an important part of aggregate operations.

*Portable asphalt/concrete plants*, used by a public road authority or their agents, shall be permitted throughout the Township without an amendment to this plan or to the zoning by-law. *Portable asphalt/concrete plants* are not permitted in areas designated as a Hamlet or on environmentally sensitive lands.

If asphalt or concrete for a public road project cannot be obtained from an existing asphalt/concrete plant, attempts should be made to locate the portable plant in a wayside pit, vacant industrial site, the highway right-of-way, or on inactive or less productive agricultural lands.

*Portable asphalt/ concrete plants* are subject to the following provisions:

- a) Portable asphalt/concrete plants will be removed from the site upon completion of the construction project;
- b) All portable asphalt/concrete plants must have an Environmental Compliance Approval from the Ministry of the Environment; and
- c) Sites used for portable asphalt/concrete plants within the agricultural area shall be rehabilitated to their former agricultural capability.

**7. *Resource Identification or Depletion***

It is a policy that an amendment is required to this Plan to designate mineral aggregate resource lands not currently identified or conversely to redesignate existing lands wherein the resource has been depleted. In any re-designation, consideration shall be given to the following criteria:

- a) Technical evidence, provided by a qualified person at the cost borne by the applicant, indicating that the aggregate extraction is unfeasible due to quality, quantity, other development constraints or that the resource has been depleted;
- b) The necessity of the land use change in comparison to the necessity of conserving the aggregate resource (e.g. development of the land will not sterilize the use of resources on *adjacent lands*, the lands are not natural heritage features such as *wetlands* or habitat areas);
- c) The reason for the choice of location and the consideration given to alternate locations on non-aggregate land;

- d) The consideration given to the option of sequential land use, in which the aggregate is removed prior to the development of the land for the proposed use.

Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

**8. *Mineral Aggregate Operations on Prime Agricultural Land***

*Mineral Aggregate Operations* shall be permitted as an interim use on prime agricultural lands provided that rehabilitation of the excavated areas will be carried out so that substantially the same areas and the same average soil quality for agriculture are restored except where a substantial part of the excavation is below the water table and rehabilitation of the agricultural capability is infeasible other alternatives have been considered and found unsuitable and agricultural rehabilitation in the remaining areas is maximized.

**9. *Recycling***

Council will promote the conservation of *mineral aggregate resources* by making provision for the recovery and reuse of these resources, wherever feasible (e.g. recycling of asphalt).

**10. *Crown Lands***

On Crown Lands, approvals for pit and quarry operations, including *wayside pits and quarries*, will remain within the jurisdiction of the Province.



## 6.0 Mineral Resources

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### 6.1 Introduction

The Ministry of Northern Development and Mines has determined that the *Provincial Policy Statement* has application to the Township. Geological information as well as the legacy of copper mining are indicators of the potential for new mining activity. The Ministry has mapped the occurrence of past mining activities. The Abandoned Mines Inventory System (AMIS) contains information related potential *mine hazards*. These hazards are most pronounced in the southern portions of the Township adjacent to the Town of Bruce Mines. The intent of the Plan is to provide a policy framework that ensures that new development does not impede access to mineral resources and protects development from *mine hazards*.



### 6.2 Policies

1. It is a policy to recognize the importance of *mineral deposits* for their economic value to the Township. For the purposes of the Plan, the entire Township has been identified as an “Area of Planning Interest” by the Ministry of Northern Development and Mines. In addition, mapping provided by the Ministry illustrates a number of sites of past mining activities or occurrences. The Ministry has also identified a number of abandoned mines or *mine hazards*, most notably in and adjacent to the Town of Bruce Mines (AMIS). The influence area of the *mine hazards* in the Town of Bruce Mines extends into Plummer Additional Township as shown on **Schedule ‘A’ Land Use Plan**. (See also **Section 2.20 – Mine Hazards**.)
2. Where an application for any of the following is made: a consent, a plan of subdivision, an official plan or zoning amendment, and the lands are within 1 km (0.62 miles) of a mineral occurrence, Council shall consult with the Ministry of Northern Development and Mines to determine if the proposed application will or will not preclude or hinder the establishment of new mining operations. Where the potential exists to hinder access, the applicant shall be required to provide further information or a report satisfactory to the Ministry and the approval authority outlining whether the resource use would not be feasible; or whether the proposed land uses or development serves a greater long term public interest; and whether issues of public health and safety and environmental impacts are

addressed.

Subject to the above screening, Council may approve, modify or refuse an application for development and impose such conditions as are essential to protecting mineral resources (e.g., providing for a separation distance, buffering etc.).

**3. *New Mines***

It is a policy that the establishment of new mines shall be subject to the approval of the Ministry of Northern Development and Mines under *The Mining Act* and other Provincial and Federal Statutes shall require an amendment to the Official Plan and an amendment to the Zoning By-law. Permitted uses within any potential Mine Designation shall include *mineral mining operations* and ancillary uses.

**4. *Rehabilitation***

It shall be a policy that past producing mining operations or active mining operations shall be subject to the provisions of *The Mining Act* with respect to rehabilitation and/or closure and further that rehabilitation shall consider subsequent land uses after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible. .

**5. *Existing Mining Land Tenure***

It is the policy of this Plan to acknowledge the use of mining lands for mining purposes as permitted under *The Mining Act* and subject to the approval requirements of the Ministry of Northern Development and Mines. Mining lands include mining rights such as staked mining claims, mining leases and mining patents used or intended to be used for mining purposes or *mineral mining operations*. These may be zoned in the Zoning By-law on a site specific basis.

**6. *Land Use Compatibility***

It is a policy to protecting against incompatible land uses in the vicinity of mining operations by ensuring that sensitive and other land uses are appropriately separated from a *mineral mining operation* through the application of the Ministry of the Environment's Guideline D-6 on Compatibility Between Industrial Facilities and Sensitive Land Uses.

**7. *Resource Depletion***

Where the mineral resource has been depleted and the mine or lands associated with the mining operation have been rehabilitated or closed in accordance with plans approved by the Ministry of Northern Development and Mines, these lands may revert to an alternative resource use where there is an overlapping designation with the mining resource lands designation or alternatively where

such is not the case, the lands may be redesignated by amendment to this Plan provided that such redesignation does not prejudice mining operations or mineral resource operations or other resource lands on adjacent properties.

## 7.0 Transportation Policies

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### 7.1 Transportation System

Transportation infrastructure is made up of a provincial highway, municipal roads, private roads and snowmobile trails while transportation and infrastructure corridors comprise the Huron Central Rail Line, gas lines and hydroelectric power transmission lines.

### 7.2 Policies

#### 1. *Classification of Roads*

The road system in the municipality consists of Provincial, municipal and private roads as shown on **Land Use Plan Schedule 'A'**. Municipal roads are further classified as having year round maintenance or seasonal maintenance.

#### 2. *Seasonally Maintained Roads*

Seasonally maintained roads are roads where winter maintenance or ploughing is not provided. The municipality may install signs to advise the public of their seasonal status. Seasonally maintained roads may be reclassified as year-round maintained at the discretion of a municipality and without amendment to this Plan. A municipality may upgrade such roads to acceptable municipal standards before they are reclassified.

#### 3. *Frontage*

New development, including subdivisions, shall front on an improved public road maintained year-round. Frontage on a public road may be exempted for an approved condominium development with an internal road system which intersects with a public road or for the infill of shoreline residential dwellings on existing lots of record on existing private roads.

#### 4. *Safe Access*

It is the intent of this Plan to minimize traffic hazards by avoiding access to properties on curves, hills or in any other situations where sight lines are limited.

#### 5. *Provincial Highways*

- a) Highways 17 and 638 (with the exception of the first 1.2 km ± of Highway 638, north of its intersection with Highway 17) are recognized as being

subject to provincial highway access controls. Provincial Highways are classified according to their function by the Ministry of Transportation. All provincial highways, as shown on **Schedule 'A' Land Use Plan**, are under the jurisdiction of the Province and as such, the requirements of the Ministry of Transportation will apply. This includes the protection of corridors (i.e. along Highway 17) which are intended for a future by-pass.

- b) The intent of this Plan is to maintain the function of provincial highways and/or interchange areas through land use decisions which support the controls exercised by the Ministry of Transportation with respect to access, adjacent land uses and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes, etc.) and also extend to stormwater (drainage) infrastructure and the buffering or screening outdoor storage and parking areas related to development adjacent to provincial highways and intersecting local roads. Outdoor storage and loading areas shall be visually screened or appropriately located in such a way as to not detract the traveling public.
- c) Access to provincial highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic study. Development will be encouraged to use local roads and service roads wherever possible. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a provincial highway.

## **6. Municipal Roads**

- a) All new roads, maintenance activities and alterations to existing roads will be planned and implemented in accordance with the Municipal Class Environmental Assessment under the *Environmental Assessment Act*.
- b) The primary function of Municipal roads will be to provide access to abutting properties.
- c) Standards for new road construction will include a minimum of 20 m (66 ft.) right-of-way and engineered design, layout, drainage and construction. A municipality may require paving of new roads. Where new roads are constructed as part of the development of a plan of subdivision, the developer will be responsible for the cost of new road construction. Traffic studies may be required by a municipality as a pre-requisite to the approval of any new access or change to an existing access or intersection or intersection spacing with a municipal road. A traffic study does not guarantee an approval. Where approvals are granted, design and development standards governed by a municipality shall apply.

- d) The municipality may require the conveyance of land for a road widening, daylighting triangle, or intersection improvement as a condition of approval where a road allowance or intersection is deficient in width or enlargement is a requirement (see also **Section 2.32 - Site Plan Control**).
- e) Existing roads in the municipality having substandard widths or engineering standards will be constructed to current standards where feasible.
- f) A properly installed culvert may be required as a condition of approval for access to a municipal road.
- g) Construction or maintenance on existing municipal roads will continue to be based on a regular program of capital works expenditures.
- h) A municipality may enter into agreements with adjacent municipalities for the maintenance of boundary roads.

## **7. *Private Roads***

- a) A Private Road is defined as a road under private ownership which serves two or more legally conveyable lots and may include a right-of-way registered on title. (A driveway, by contrast, provides access to or is located on only one property or legally conveyable lot, despite the length of the driveway. A driveway includes a shared driveway between two abutting properties.)
- b) Except for an internal road serving a condominium development and provided the internal road connects to a public road, new private roads shall not be permitted.
- c) Existing private roads as shown on **Schedule 'A' Land Use Plan** may be assumed by By-law by the municipality where they are first improved by private property owners to acceptable municipal standards.
- d) An existing lot may be used or developed for a permitted use which does not have frontage on a public road provided that the existing lot has a legal registered right of access.

## **8. *Transportation Corridors***

- a) The Ministry of Transportation has proposed a by-pass route for Highway 17, which is shown on **Schedule 'A' Land Use Plan**. It is the intent of this Plan that this corridor be protected from land use activities which may interfere with its function and safe development.
- b) It is the intent of this Plan that existing transportation corridors for road

and rail shall be protected from land use activities which may interfere with the function and safe operation of these corridors including Highway 17 and the Huron Central Rail Line.

- c) It is the intent of this Plan to support the development of recreational trails e.g. snowmobile and Trans Canada Trail. Council will encourage the preservation and re-use of abandoned corridors for purposes such as recreational trails which maintain the corridor's integrity.

**9. *Infrastructure Corridors***

It is the intent of this Plan that existing infrastructure corridors for utilities be protected from land use activities which may interfere with the function and safe operation of these corridors.

## **8.0 Economic Development**

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### **8.1 Goal**

To sustain the economic base and encourage economic development activities which strengthen the base.

### **8.2 Objectives**

To promote economic development activities consistent with the current economic base and environmental amenities of the Township.

To work in association with other municipalities and associations or agencies in undertaking economic development.

To enhance the opportunities for tourism.

To undertake economic development initiatives in parallel with the Growth Plan for Northern Ontario.

### **8.3 Policies**

- 1.** Council recognizes that the economic base of the Township is dependent on resource related activities (agriculture, forestry, mineral aggregates, mining) and to service oriented commercial activities catering to tourism, highway commercial trade and the local commercial function of the urban centres.
- 2.** Council will undertake several measures to sustain or strengthen the economic base including:
  - a)** Continued participation in area economic development organizations in the formulation of economic strategies and the implementation of economic initiatives and programs;
  - b)** Supporting and encouraging resource related activities such as forestry, agriculture, mineral aggregate production and mining;
  - c)** Encouraging and facilitating approvals for highway and rural commercial development and local commercial development in the Hamlets. Provincial highway access controls will apply and may limit or prohibit direct access onto Highways 17 and 638. Prior approval of the Ministry of Transportation of Ontario will be required.
  - d)** Developing public-private sector partnerships as a mechanism for attracting investment and business development;



- e) Encouraging the development of home based businesses and home industries including bed and breakfast operations;
- f) Encouraging the maintenance of existing tourist related services and attractions and supporting sustainable new water oriented commercial development;
- g) Initiating a program for community improvement;
- h) Allocating funds from the municipal budget to implement economic measures.
- i) Ensuring that there is an adequate supply of land for new development (residential, commercial, industrial).

#### **8.4 Growth Plan for Northern Ontario**

- a) The municipality has undertaken the preparation of an economic development strategy which builds in provisions which in conjunction with other policies of this Plan support the goals and objectives of the Growth Plan for Northern Ontario in making the municipality compliant with the plan and include: Providing of an adequate supply of land to meet current and future growth and development needs of the community over the next 20 years;
- b) Optimizing the use of existing *infrastructure*, notably the water supply for Bruce Station and the network of existing Township roads and waste disposal systems;
- c) Providing for the economic sustainability of the Township through the conservation of natural resources for food land production, mineral and mineral aggregate extraction, forestry; by encouraging small business development through provisions for home occupations and home industries and permitting secondary uses on farms; by protecting water resources and the features of the natural environment; by ensuring that the corporate structure and policies of the Plan provide for an ‘investment ready’ environment, and by ensuring compatible land use development
- d) Providing for an organizational structure that facilitates and expedites initiatives for economic development (e.g. Economic Development Advisory Committee);
- e) Conducting an investment readiness assessment;
- f) Creating/modifying Township website that shows attributes of available land for development;

- g)** Attracting people to attract tourism;
- h)** Developing and encouraging agri-value added activities;
- i)** Undertaking a program of community improvement;
- j)** Expediting and facilitating development approvals.

## **APPENDIX 1**

### **DEFINITIONS FROM THE PROVINCIAL POLICY STATEMENT**

## Definitions

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

**Adjacent lands:** means

- a) for the purposes of policy 2.1 of the Provincial Policy Statement, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
- b) for the purposes of policy 2.6.3 of the Provincial Policy Statement, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

**Adverse effects:** as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

**Affordable:** means

- a) in the case of ownership housing, the least expensive of:
  - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
  - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:
  - i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
  - ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

**Agricultural uses:** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time

farm labour when the size and nature of the operation requires additional employment.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Airports:**

means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy systems:**

means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:**

includes artefacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

**Areas of archaeological potential:**

means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

**Areas of mineral potential:**

means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

**Areas of natural and scientific interest (ANSI):**

means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Areas of petroleum potential:**

means areas favourable to the discovery of petroleum resources due to geology, the presence of known petroleum resources or other technical evidence.

**Brownfield sites:**

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resources:**

means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

**Coastal wetland:** means

- a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Comprehensive review:** means

- a) for the purposes of policies 1.1.3.9 and 1.3.2 of the Provincial Policy Statement, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
  - i) is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
  - ii) utilizes opportunities to accommodate projected growth through intensification and redevelopment;
  - iii) confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 of the Provincial Policy Statement;
  - iv) is integrated with planning for infrastructure and public service facilities; and
  - v) considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.5 of the Provincial Policy Statement, means a review undertaken by a planning authority or comparable body which:
  - i) addresses long-term population projections, infrastructure requirements and related matters;
  - ii) confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 of the Provincial Policy Statement; and
  - iii) considers cross-jurisdictional issues.

**Conserved:**

means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

**Cultural heritage landscape:**

means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

**Defined portions of the one hundred year flood level along connecting channels:**

means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:**

means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:**

for the purposes of policy 1.4.1(a) of the Provincial Policy Statement, means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

**Designated growth areas:**

means lands within settlement areas designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2 of the Provincial Policy Statement, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 1.4.1(a) of the Provincial Policy Statement, as well as lands required for employment and other uses.

**Designated vulnerable area:**

means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

**Development:**

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under *The Planning Act*, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process;
- b) works subject to the Drainage Act; or
- c) for the purposes of policy 2.1.3(b) of the Provincial Policy Statement, underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.

**Dynamic beach hazard:**

means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

**Ecological function:**

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment area:**

means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

**Endangered species:**

means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Erosion hazard:**

means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.



**Fish:**

means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:**

as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

**Flood fringe:**

for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

**Flood plain:**

for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

**Flooding hazard:**

means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  - i) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  - ii) the one hundred year flood; and
  - iii) a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Floodproofing standard:**

means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding

hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

**Floodway:**

for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

**Great Lakes - St. Lawrence River System:**

means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

**Ground water feature:**

refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations.

**Hazardous lands:**

means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

**Hazardous sites:**

means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous substances:**

means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:**

means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

**Hydrologic function:**

means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Individual on-site sewage services:**

means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:**

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:**

means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Intensification:**

means the development of a property, site or area at a higher density than currently exists through: redevelopment, including the reuse of brownfield sites; the development of vacant and/or underutilized lots within previously developed areas; infill development; and the expansion or conversion of existing buildings.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:**

for the purposes of policy 2.3.4.2 of the Provincial Policy Statement, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low and moderate income households:** means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

**Mine hazard:**

means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:**

means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:**

means lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto; for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral aggregate resources:**

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

**Mineral deposits:**

means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:**

means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:**

means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multi-modal transportation system:**

means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

**Municipal sewage services:**

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

**Municipal water services:**

means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

**Natural heritage features and areas:**

means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural heritage system:**

means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

**Negative impacts:** means

- a) in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
- b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and
- c) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

**Normal farm practices:**

means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

**Oil, gas and salt hazards:**

means any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated.

**One hundred year flood:**

for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One hundred year flood level: means**

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

**Other water-related hazards:**

means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

**Partial services: means**

- a) municipal sewage services or private communal sewage services and individual on-site water services; or
- b) municipal water services or private communal water services and individual on-site sewage services.

**Petroleum resource operations:**

means oil, gas and brine wells, and associated facilities, oil field brine disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum resources:**

means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

**Planned corridors:**

means corridors identified through provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs.

**Portable asphalt plant:** means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable concrete plant:** means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:**

means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

**Prime agricultural land:**

means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

**Private communal sewage services:**

means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:**

means a non-municipal drinking water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.

**Protected heritage property:**

means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

**Protection works standards:**

means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

**Provincial and federal requirements:** means

- a) in regard to policy 1.8.3, legislation and policies administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and
- b) in regard to policy 2.1.5 of the Provincial Policy Statement, legislation and policies administered by the federal or provincial governments for the purpose of the protection of fish and fish habitat, and related, scientifically established standards such as water quality criteria for protecting lake trout populations.

**Provincial plan:**

means a plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

**Public service facilities:**

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

**Quality and quantity of water:**

is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Recreation:**

means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment:**



means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

**Regional market area:**

refers to an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.

**Renewable energy systems:**

means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**Reserve sewage system capacity:**

means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.4.1(e) of the Provincial Policy Statement, reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

**Reserve water system capacity:**

means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

**Residence surplus to a farming operation:**

means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**Residential intensification:**

means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development; the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- d) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

**River, stream and small inland lake systems:**

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural areas:**

means lands in the rural area which are located outside settlement areas and which are outside prime agricultural areas.

**Secondary uses:**

means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

**Sensitive:** in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:**

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

**Sewage and water services:**

includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

**Significant:** means

- a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened

- species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;
  - d) in regard to other features and areas in policy 2.1 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
  - e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
  - f) in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and
  - g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:**

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.3(b) of the Provincial Policy Statement, site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.

**Special needs:**

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

**Special policy area:**

means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

**Specialty crop area:**

means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

**Surface water feature:**

refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Threatened species:**

means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Transportation systems:**

means a system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

**Valleylands:**

means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Vulnerable:**

means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

**Waste management system:**

means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

**Watershed:**

means an area that is drained by a river and its tributaries.

**Wave uprush:**

means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

**Wayside pits and quarries:**

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of way.

**Wetlands:**

means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

**Wildlife habitat:**

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:**

means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.



## LAND USE SCHEDULE